Regular Meeting of the Madera City Council

205 W. 4th Street, Madera, California 93637

NOTICE AND AGENDA

Wednesday, November 15, 2023 **Council Chambers**
6:00 p.m. **City Hall**

The Madera City Council meetings are open to the public. This meeting will also be available for public viewing and participation through Zoom. Members of the public may also observe the live streamed meeting on the City's website at www.madera.gov/live. Members of the public may comment on agenda items at the meeting or remotely through an electronic meeting via phone by dialing (669) 900-6833 enter ID: 811 6624 2263#. Comments will also be accepted via email at citycouncilpubliccomment@madera.gov or by regular mail at 205 W. 4th Street, Madera, CA 93637.

CALL TO ORDER:

ROLL CALL: Mayor Santos Garcia
Mayor Pro Tem Elsa Mejia, District 5
Councilmember Cece Gallegos, District 1
Councilmember Jose Rodriguez, District 2
Councilmember Steve Montes, District 3
Councilmember Anita Evans, District 4
Councilmember Artemio Villegas, District 6

INVOCATION: Pam Grewal, Madera Sikh Temple

PLEDGE OF ALLEGIANCE:

APPROVAL OF AGENDA:

PUBLIC COMMENT:
The first 15 minutes of the meeting are reserved for members of the public to address the Council on items which are within the subject matter jurisdiction of the Council. Speakers shall be limited to three minutes. Speakers will be asked, but are not required, to identify themselves and state the subject of their comments. If the subject is an item on the Agenda, the Mayor has the option of asking the speaker to hold the comment until that item is called. Comments on items listed as a Public Hearing on the Agenda should be held until the hearing is opened. The Council is prohibited by law from taking any action on matters discussed that are not on the agenda, and no adverse conclusions should be drawn if the Council does not respond to public comment at this time.

WRITTEN COMMUNICATIONS: None

PRESENTATIONS:

1. Madera City Fire and Madera City Council Recognition from Heroico Cuerpo Bomberos Rurales Del Rio Colorado A.C.
2. Proclamation Recognizing Small Business Saturday – Six Star Madera Tire & Services Inc.
3. Proclamation Recognizing Small Business Saturday – Rocio's Bridal & XV

INTRODUCTIONS: None

A. WORKSHOP: None

B. CONSENT CALENDAR:

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

B-1 Minutes – November 1, 2023

Recommendation: Approve the City Council Minutes of November 1, 2023 (Report by Alicia Gonzales)

B-2 Informational Report on Register of Audited Demands

Recommendation: Review Register of Audited Demands Report October 21, 2023 to November 3, 2023 (Report by Michael Lima)

B-3 Informational Report on Personnel Activity

Recommendation: No Action Required (Report by Wendy Silva)

B-4 Local State of Emergency Related to the Closure of Madera Community Hospital

Recommendation: Adopt a Resolution Continuing to Support Madera County's Proclamation of a Local Emergency due to the closure of Madera Community Hospital for 30 days (Report by Arnoldo Rodriguez)

B-5 Letter of Support for Madera County Transportation Commission

Recommendation: Consider a Minute Order Approving a Letter of Support for Madera County Transportation Commission for the inclusion of specified projects into the 2024 Interregional Transportation Improvement Program (Report by Arnoldo Rodriguez)

B-6 Extend Declaration Proclaiming the Existence of a Local Emergency – January 2023 Winter Storms

Recommendation: Adopt a Resolution Extending the Declaration Proclaiming the Existence of a Local Emergency-January 2023 Winter Storms in accordance with Madera Municipal Code Title III, Chapter 2 (Report by Wendy Silva)

B-7 Approval to Procure Telecommunications Services through California Network and Telecommunications (CALNET) Program NextGen contract

Recommendation: Adopt a Resolution Approving the City of Madera's Participation in the CALNET NextGen Contract to Procure Telecommunications Services and

Authorizing the City Manager to Execute Necessary Documents to Participate in the Program (Report by Wendy Silva)

B-8 Ordinance Updating Certain Fines Detailed in the Madera Municipal Code

Adopt an Ordinance of the City Council of the City of Madera Amending Sections 1-9.06(A) and (B), 3-2.08, 5-3.31, and 5-4.06 (I) of the Madera Municipal Code to Update Various Fines (Report by Michael Lima)

B-9 Rejection of Bids Received for the Request for Proposals # 20223-09 for Intelligent Transportation System Conversion Services

Recommendation: Adopt a Resolution Rejection of All Four Proposals Received for RFP No. 20223-09 (Report by Michael Lima)

B-10 City-wide Piggyback Purchase Agreement for Temporary Staffing Services

Recommendation: Adopt a Resolution Approving City-wide use of Maricopa County's Piggyback Agreement for the Procurement of Temporary Staffing Services with ACRO Service Corporation's Contract 16111 for Fiscal Year 2023/24 (Report by Michael Lima)

B-11 Pacific Gas & Electric (PG&E) Better Together Giving Program Contribution

Recommendation:

1. Adopt a Resolution Accepting Pacific Gas & Electric Company's Better Together Giving Program charitable donation of $3,000.
2. Adopt a Resolution Amending the City's Fiscal Year 2023/24 Budget approving a related expenditure line item relating to the appropriation of PG&E's $3,000 charitable donation amount. (Report by Joseph Hebert)

B-12 Acceptance of Playground Equipment and Park Amenities Installation at McNally Park

Recommendation: Staff recommends that the City Council Approve Minute Order Approving:

1. Acceptance of the Playground and Park Amenities Installation at McNally Park located at 825 A Street, Madera, CA 93638; and
2. The Recording of Notice of Completion; and
3. The release of retention 35 days after the recording of the Notice of Completion (Report by Joseph Hebert)

B-13 Facility Rental Fee Waiver Request by the Madera County Master Gardeners

Recommendation: Adopt a Resolution waiving the rental fees of the Frank Bergon Senior Center related to the Madera County Master Gardeners request for utilization on January 27, 2024, in the amount of $545 (Report by Joseph Hebert)

B-14 Madera Elk's Lodge Hoop Shoot Event Fee Waiver Request

Recommendation: Adopt a Resolution waiving the rental fees of the John Wells Youth Center related to the Madera Elk's Lodge Hoop Shoot request for utilization on December 2, 2023, in the amount of $540 (Report by Joseph Hebert)

B-15 Consider an Amendment to the Professional Services Agreement with Fire Safety Solutions

Recommendation: Adopt a resolution of the Council of the City of Madera approving a First Amendment to the Professional Services Agreement with Fire Safety Solutions, INC. for Building and Fire Plan Review and Inspection Services (Report by Will Tackett)

B-16 Traffic Signal Modification at the Intersections of Howard Road & Pine Street, Howard Road & Yosemite Avenue/Q Street, New Signal Installations at Intersections of Cleveland Avenue & Granada Drive and E South Street & N D Street

Recommendation: Adopt a Resolution of the City Council of the City of Madera Rejecting all Bids Received for the City Projects TS-23, TS-24, and TS-32 (Traffic Signals) (Report by Keith Helmuth)

C. PUBLIC HEARINGS: None

C-1 Consideration of the Mitigated Negative Declaration prepared for Environmental Assessment (EA) No. SCH 2023090606 for the Westberry Bridge Project, City Project B-02

Recommendation: Adopt a Resolution adopting the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program prepared for the Westberry Bridge Project, City Project B-02 (EA No. SCH 2023090606) (Report by Keith Helmuth)

C-2 Public Hearing No. 1 for Updating of City Councilmember District Boundaries for Annexed Property

Recommendation:

1. Receive a report on the redistricting process and permissible criteria to be considered to redraw district boundaries; and
2. Conduct a Public Hearing to receive public input on district boundaries to account for property annexed to the City (Report by Alicia Gonzales)

D. PETITIONS, BIDS, RESOLUTIONS, ORDINANCES, AND AGREEMENTS:

D-1 New Police Department Parking Lot, City Project PD-01

Recommendation: Adopt a Resolution approving the contract award for the New Police Department Parking Lot, City Project PD-01 for $ 518,700to Terra West Construction Inc. and a contingency of 10 percent of the contract amount, and a CEQA Class 1 Categorical Exemption (Existing Facilities) (Report by Keith Helmuth)

D-2 Agreement for Vernon McCullough River Trail Restoration Project

Recommendation: Adopt a Resolution awarding a contract under Invitation for Bids (IFB) No. 202324-07 to Witbro Inc. dba Seal Rite Paving and Grading for trail seal coating and repairs at the Vernon McCullough River Trail in the amount of $190,116 (Report by Joseph Hebert)

E. ADMINISTRATIVE REPORTS:

E-1 Consideration of Special Meeting dates and Phase IV City Council Interviews and Final Decision Procedures for Commercial Cannabis Business Permits in the City of Madera

Recommendation: Receive a summary report and provide direction on the scheduling of Special Meeting(s) of the City Council, as well as the final procedures and steps to conduct the Phase IV City Council interviews to make final determinations pertaining to the award of Commercial Cannabis Business Permits in the City of Madera (Report by Will Tackett)

F. COUNCILMEMBER REPORTS/ANNOUNCEMENTS/FUTURE AGENDA ITEMS:

This portion of the meeting is reserved for the Mayor and Councilmembers (i) to make brief reports on boards, committees, and other public agencies, and at public events, (ii) to request updates, (iii) to initiate future agenda items., and (iv) to take action on matters initiated under this section of the agenda. Under this section the Council may take action only on items specifically agendized and which meet other requirements for action.

G. CLOSED SESSION:

G-1 Public Employee Performance Evaluation - Pursuant to Government Code Section §54957(b)(1)

Title: City Clerk

G-2 Conference with Labor Negotiators - Pursuant to Government Code, Section 54957.6

Agency Designated Representatives: Mayor Santos Garcia
Unrepresented Employee: City Clerk

G-3 Conference with Legal Counsel – Anticipated Litigation Deciding Whether to Initiate Litigation Pursuant to Government Code Section 54956.9(d)(4)

(One Case)

ADJOURNMENT:

UPCOMING MEETING DATES:

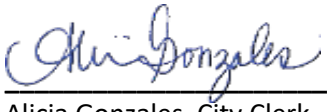
- Wednesday, December 6, 2023
- Wednesday, December 20, 2023

- The meeting room is accessible to the physically disabled. 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 the City Clerk's Office at (559) 661-5405 or emailing cityclerkinfo@madera.gov . Those who are hearing impaired may call 711 or 1-800-735-2929 for TTY Relay Service. Requests should be made as soon as practicable as additional time may be required for the City to arrange or provide the requested accommodation. Requests may also be delivered/mailed to: City of Madera, Attn: City Clerk, 205 W. 4th Street, Madera, CA 93637. At least seventy-two (72) hours' notice prior to the meeting is requested but not required. When making a request, please provide sufficient detail that the City may evaluate the nature of the request and available accommodations to support meeting participation. Please also provide appropriate contact information should the City need to engage in an interactive discussion regarding the requested accommodation.
- The services of a translator can be made available. Please contact the City Clerk's Office at (559) 661-5405 or emailing cityclerkinfo@madera.gov to request translation services for this meeting. Those who are hearing impaired may call 711 or 1-800-735-2929 for TTY Relay Service. Requests should be submitted in advance of the meeting to allow the City sufficient time to provide or arrange for the

requested services. At least seventy-two (72) hours' notice prior to the meeting is requested but not required.

- Please silence or turn off cell phones and electronic devices while the meeting is in session.
- Regular meetings of the Madera City Council are held the 1st and 3rd Wednesday of each month at 6:00 p.m. in the Council Chambers at City Hall.
- Any writings or documents provided to a majority of the City Council within 72 hours of the meeting regarding any item on this agenda will be made available for public inspection at the City Clerk's office located at 205 W. 4th Street, Madera, CA 93637 and on the City website at www.madera.gov
- Questions regarding the meeting agenda or conduct of the meeting, please contact the City Clerk's Office at (559) 661-5405.
- Para asistencia en español sobre este aviso, por favor llame al (559) 661-5405.

I, Alicia Gonzales, City Clerk for the City of Madera, declare under penalty of perjury that I posted the above agenda for the Regular Meeting of the Madera City Council for November 15, 2023, near the front entrances of City Hall and on the City's website www.madera.gov at 5:00 p.m. on November 9, 2023.



Alicia Gonzales, City Clerk

Item:	B-1
Minutes for:	11/01/2023
Adopted:	11/15/2023

Minutes of a Regular Meeting of the Madera City Council

November 1, 2023 **Council Chambers**
6:00 p.m. **City Hall**

The Madera City Council meetings are open to the public. This meeting will also be available for public viewing and participation through Zoom. Members of the public may also observe the live streamed meeting on the City's website at www.madera.gov/live. Members of the public may comment on agenda items at the meeting or remotely through an electronic meeting via phone by dialing (669) 900-6833 enter ID: 813 7882 4393#. Comments will also be accepted via email at citycouncilpubliccomment@madera.gov or by regular mail at 205 W. 4th Street, Madera, CA 93637.

CALL TO ORDER: Meeting was called to order at 6:00 p.m.

ROLL CALL: Mayor Santos Garcia
Mayor Pro Tem Elsa Mejia, District 5
Councilmember Cece Gallegos, District 1
Councilmember Jose Rodriguez, District 2
Councilmember Steve Montes, District 3
Councilmember Anita Evans, District 4
Councilmember Artemio Villegas, District 6

Others present were City Manager Arnoldo Rodriguez, City Clerk Alicia Gonzales, City Attorney Shannon L. Chaffin, City Engineer Keith Helmuth, Community Development Director Will Tackett, Director of Financial Services Michael Lima, Fire Battalion Chief Ralph Duran, Director of Human Resources Wendy Silva, Director of Parks and Community Services Joseph Hebert, Chief of Police Giachino Chiaramonte, Public Works Director Ismael Hernandez, Deputy City Engineer Ellen Bitter, Administrative Analyst I (Engineering) Nicole Say, Assistant Engineer Jonathan Gramajo, Wastewater Treatment Plant Manager Gabriel Bostan, and Communication Specialist Joseph Carrello.

INVOCATION: Councilmember Anita Evans

PLEDGE OF ALLEGIANCE: Joshua Babcock, Representative with Congressman Duarte's office

APPROVAL OF AGENDA:
ON MOTION BY COUNCILMEMBER MONTES AND SECONDED BY COUNCILMEMBER GALLEGOS, THE AGENDA WAS APPROVED UNANIMOUSLY BY A 7/0 VOTE. NOES: NONE. ABSENT: NONE. ABSTAIN: NONE.

PUBLIC COMMENT:
The first 15 minutes of the meeting are reserved for members of the public to address the Council on items which are within the subject matter jurisdiction of the Council. Speakers shall be limited to three minutes. Speakers will be asked, but are not required, to identify themselves and state the subject of their comments. If the subject is an item on the Agenda, the Mayor has the option of asking the speaker to hold the comment until that item is called. Comments on items listed as a Public Hearing on the Agenda should be held until the hearing is opened. The Council is prohibited by law from taking any action on matters

discussed that are not on the agenda, and no adverse conclusions should be drawn if the Council does not respond to public comment at this time.

Omair Javaid on behalf of the Madera Islamic Center brought awareness of the genocide currently happening in the Middle East specifically, Palestine. He indicated that they are currently going through the process of obtaining a permit to hold an event in the City Hall parking lot on November 17th to bring a message of peace and solidarity. He invited all Councilmembers to attend and speak at the event if they chose to do so.

A member of the public, Rosa Hernandez (in Spanish) cordially invited everyone to attend a traditional Dia de Los Muertos celebration on November 2nd from 4:00 p.m. through 9:00 p.m. at Courthouse Park in Downtown Madera. All the Oaxacan families in Madera united to hold this event which will have traditional food and warm beverages at no cost (free). They want to celebrate this event as they would at home. [Translation was given by another member of the public.]

No Public Comment was presented. Public Comment was closed.

WRITTEN COMMUNICATIONS: None

PRESENTATIONS: None

INTRODUCTIONS: Giachino Chiaramonte, Chief of Police

A. WORKSHOP: None

B. CONSENT CALENDAR:

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

ON MOTION BY COUNCILMEMBER GALLEGOS AND SECONDED BY COUNCILMEMBER EVANS, THE CONSENT CALENDAR WAS APPROVED UNANIMOUSLY BY A 7/0 VOTE. NOES: NONE. ABSENT: NONE. ABSTAIN: NONE.

B-1 Minutes – October 4, 2023

Recommendation: Approve the City Council Minutes of October 4, 2023 (Report by Alicia Gonzales)

B-2 Informational Report on Register of Audited Demands

Recommendation: Review Register of Audited Demands Report for September 23, 2023 to October 20, 2023 (Report by Michael Lima)

B-3 Piggyback Purchase Agreements for Fleet Division-Related Purchases

Recommendation: Adopt a Resolution Approving Sourcewell Piggyback Agreements for the Purchase of a Flail Mower from Municipal Maintenance Equipment for $71,221.54; a Track Loader from Pape Machinery for $113,532.68; a Mulching Head from Pape Machinery for $36,649.57; a Dump Truck from PB Loader for $190,251.83; a Dump Truck from PB Loader for $222,863.73; Two Police Interceptors from National Auto Fleet Group for $111,585.54, and a $1,731.83 Change Order for a Previously Approved Purchase of a Ford F-150 Pickup (Report by Michael Lima)

RES 23-174 RESOLUTION APPROVING SOURCEWELL PIGGYBACK AGREEMENT FOR THE PURCHASE OF TWO POLICE INTERCEPTORS, TWO DUMP TRUCKS, A TIGER BOOM FLAIL MOWER, A COMPACT TRACK LOADER, A MULCHING HEAD, AND A CHANGE ORDER ADJUSTING THE PRICE ON A PREVIOUSLY APPROVED FORD F-150 PURCHASE

B-4 2023 Downtown Christmas Light Parade Entry for City Participation

Recommendation: Approve a Minute Order Authorizing the City Manager to Execute Documents necessary for any City entries in the Downtown Christmas Light Parade scheduled November 30, 2023 (Report by Alicia Gonzales)

B-5 Accepting the Off-Site Public Improvements for Origo Cold Madera Phase I LLC

Recommendation: Adopt a Resolution:

1. Accepting the Off-site improvements as part of the construction of Origo Cold Madera Phase I, LLC; and
2. Authorize the Filing of the Notice of Acceptance for said off-site improvements (Report by Keith Helmuth)

RES 23-175 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA ACCEPTING THE IMPROVEMENTS FOR THE AMOND WORLD COLD STORAGE WEARHOUSE PROJECT WITH ORIGO COLD MADERA PHASE 1, LLC AND AUTHORIZING THE FILING OF A NOTICE OF ACCEPTANCE FOR SUCH IMPROVEMENTS

B-6 2023 Call for Projects for the Congestion Mitigation and Air Quality (CMAQ) Program and Carbon Reduction Program (CRP)

Recommendation: Adopt a resolution approving the list of projects to be nominated for Federal Transportation Funding under the CRP and CMAQ Grant Program and Supporting Implementation of AB 1012, “Timely Use of Funding” for Federal Funding of Projects (Report by Keith Helmuth)

RES 23-176 RESOLUTION OF THE COUNCIL OF THE CITY OF MADERA, CALIFORNIA, SUPPORTING IMPLEMENTATION OF AB 1012 "TIMELY USE OF FUNDING" REQUIREMENTS, APPROVING THE LIST OF CANDIDATE PROJECTS FOR FEDERAL TRANSPORTATION FUNDING UNDER THE CMAQ PROGRAM - 2023 CYCLE AND CARBON REDUCTION PROGRAM, AND AUTHORIZING THE CITY ENGINEER TO SUBMIT THE PROJECT APPLICATIONS TO THE MADERA COUNTY TRANSPORTATION COMMISSION

B-7 Accepting Remaining Off-Site Improvements for the Varbella Estates II Subdivision

Recommendation: Adopt a Resolution:

1. Accepting Remaining Off-site Improvements for the Varbella Estates II Subdivision; and
2. Authorize the Filing of the Notice of Acceptance for Said Off-site Improvements (Report by Keith Helmuth)

RES 23-177 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA, ACCEPTING REMAINING OFF-SITE IMPROVEMENTS FOR THE VARBELLA ESTATES II SUBDIVISION, AND AUTHORIZING THE FILING OF A NOTICE OF ACCEPTANCE FOR SUCH IMPROVEMENTS

B-8 Community Correction Partnership 2023/24 Budget

Recommendation: Adopt Resolutions:

1. Accepting $185,128 from the Community Corrections Partnership to pay for a Police Officer under the Special Investigations Unit (SIU) and amending the Memorandum of Understanding between the City of Madera and County of Madera to reflect the total agreement amount of $327,428; and
2. Appropriating $185,128 in the City's Fiscal Year 2023/24 Adopted Budget for the salary and benefits of one Police Officer in the SIU (Report by Giachino Chiaramonte)

RES 23-178 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA ACCEPTING $185,128 FROM THE COMMUNITY CORRECTIONS PARTNERSHIP TO PAY FOR A POLICE OFFICER UNDER THE SPECIAL INVESTIGATIONS UNIT AND AMENDING THE MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF MADERA AND COUNTY OF MADERA TO REFLECT THE TOTAL AGREEMENT AMOUNT OF $327,428

RES 23-179 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA APPROPRIATING $185,128 IN THE CITY'S ADOPTED BUDGET FOR SALARY AND BENEFITS OF ONE OFFICER IN THE SPECIAL INVESTIGATIONS UNIT

B-9 California Department of Justice Tobacco Grant Program

Recommendation: Adopt a Resolution Accepting the California Department of Justice Tobacco Grant Program in the amount of $42,227 (Report by Giachino Chiaramonte)

RES 23-180 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA ACCEPTING THE CALIFORNIA DEPARTMENT OF JUSTICE TOBACCO GRANT PROGRAM IN THE AMOUNT OF $42,227

B-10 Donation from the United Police Canine Partnership

Recommendation: Adopt a Resolution Accepting a Donation of $9,500 for the City's Detection K-9 Labrador from the United Police Canine Partnership Non-profit Organization (Report by Giachino Chiaramonte)

RES 23-181 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA ACCEPTING A DONATION OF A DETECTION K-9 LABRADOR FROM THE UNITED POLICE CANINE PARTNERSHIP

C. <u>PUBLIC HEARINGS</u>:

C-1 Consider an Ordinance to Update Certain Fines Detailed in the Madera Municipal Code

Recommendation: Waive Full Reading and Introduce an Ordinance of the City Council of the City of Madera Amending Sections 1-9.06(A) and (B), 3-2.08, 5-3.31, and 5-4.06 (I) of the Madera Municipal Code to Update Various Fines (Report by Michael Lima)

ON MOTION BY COUNCILMEMBER MONTES AND SECONDED BY COUNCILMEMBER RODRIGUEZ, ITEM C-1 WAS APPROVED UNANIMOUSLY BY A 7/0 VOTE. NOES: NONE. ABSENT: NONE. ABSTAIN: NONE.

D. PETITIONS, BIDS, RESOLUTIONS, ORDINANCES, AND AGREEMENTS:

D-1 Transfer of Ownership of Real Property Located at 715 Stadium Road (APN: 012-220-051) that serves as a Temporary Ponding Basin

Recommendation: Adopt a Resolution:

1. Approving the Agreement for Transfer of Real Property located at 715 Stadium Road (APN: 012-220-051); and
2. Accepting Quitclaim Deed (Report by Keith Helmuth)

ON MOTION BY COUNCILMEMBER MONTES AND SECONDED BY COUNCILMEMBER VILLEGAS, THE AGENDA CONSENT CALENDAR ITEM D-1 WAS APPROVED UNANIMOUSLY BY A 7/0 VOTE. NOES: NONE. ABSENT: NONE. ABSTAIN: NONE.

RES 23-182 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA, APPROVING AN AGREEMENT FOR TRANSFER OF REAL PROPERTY AT 715 STADIUM ROAD FOR APN: 012-220-051 AND ACCEPT QUITCLAIM DEED

D-2 Initiating Annexation Proceedings of Properties into the City of Madera Landscape Maintenance District (LMD) Zones of Benefit 1 & 51

Recommendation: Adopt a Resolution:

1. Initiate Proceedings Pursuant to the Landscaping and Lighting Act of 1972 for the Annexation of Property into the City's LMD Zone of Benefit 1, to Review the Assessments for Fiscal Year 2024/25, and Setting a Public Hearing; and
2. Initiate Proceedings Pursuant to the Landscaping and Lighting Act of 1972 for the Annexation of Properties into the City's LMD Zones of Benefit 51, to Review the Assessments for Fiscal Year 2024/25, and Setting a Public Hearing (Report by Keith Helmuth)

Item D-2(1) was pulled by Staff.

ON MOTION BY COUNCILMEMBER MONTES AND SECONDED BY COUNCILMEMBER GALLEGOS, ITEM D-2(2) WAS APPROVED UNANIMOUSLY BY A 7/0 VOTE. NOES: NONE. ABSENT: NONE. ABSTAIN: NONE.

RES 23-183 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA INITIATING PROCEEDINGS PURSUANT TO THE LANDSCAPING AND LIGHTING ACT OF 1972 FOR THE ANNEXATION OF PROPERTY INTO CITY OF MADERA LANDSCAPE MAINTENANCE DISTRICT (LMD) ZONE OF BENEFIT 51, TO REVIEW THE IMPROVEMENTS AND ASSESSMENTS FOR FISCAL VEAR 2024-2025, AND SETTING A PUBLIC HEARING

E. ADMINISTRATIVE REPORTS:

E-1 Discussion Regarding the Methodology Currently Utilized in the Consideration of Crosswalks

Recommendation: Staff recommends that the City Council review this report and provide feedback regarding the Methodology utilized in the consideration of crosswalks (Report by Keith Helmuth)

E-2 Madera County Economic Development Commission City Council Update

Recommendation: Informational Report (Report by Darren Rose, EDC Executive Director)

A member of the public asked if there were any smoke shops in the 144 applications that Mr. Rose said had been submitted. Mr. Rose stated he didn't have that information with him.

F. COUNCILMEMBER REPORTS/ANNOUNCEMENTS/FUTURE AGENDA ITEMS:

This portion of the meeting is reserved for the Mayor and Councilmembers (i) to make brief reports on boards, committees, and other public agencies, and at public events, (ii) to request updates, (iii) to initiate future agenda items., and (iv) to take action on matters initiated under this section of the agenda. Under this section the Council may take action only on items specifically agendized and which meet other requirements for action.

Councilmember Gallegos thanked the Safe and Clean Team that are working in the river. The residents have noticed the work being done. She also thanked Public Works staff for keeping the streets clean and picking up debris. The Police Officers and Firemen were also thanked for making sure we stay safe. She added that one of her students was recently in a house fire and they are well. Councilmember Gallegos thanked staff and stated that Council could not do their jobs without the rest of staff who serve the people of Madera.

Councilmember Rodriguez thanked staff and Councilmembers who attended the CTC (County Transportation Commission). They had a great turnout. He attended the self-help county coalition, Focus on the Future of 2023, regarding transportation. He asked for a future agenda item to assess our current public transportation. He has noticed that there is not a lot of ridership. He mentioned having "uber-type" transportation that would be able to take people to their appointments, etc. He asked if public transportation is being utilized in the best effective way. Councilmember Rodriguez asked if there is an ordinance on panhandling and if not, should they have something like the ordinance that doesn't allow smoking in the parks. Councilmember Rodriguez congratulated new Police Chief Chiaramonte.

Councilmember Montes thanked staff for their work. He thanked the Madera Islamic Center for the invitation to their Pray for Palestine event. He wants to be a partner for peace.

Councilmember Evans met with students at James Monroe Elementary at her "Crunch for Councilwoman" program. Students are complaining about the streets and she wants to make sure the children are safe. She mentioned that Breast Cancer Awareness Month had just finished and the NAACP (National Association for the Advancement of Colored People) had an awesome event where they recognized three people who dealt with this issue. Councilmember Evans stated that the Christmas Extravaganza is on December 17th and it would be great to see everyone there having a good time and bring toys, so that they can go out into the community and bless the children of Madera. They were able to give out 3,500 toys last year throughout the school district. She stated it would be great if Councilmembers could participate in giving out the toys. She is working on being able to give out bags of food to families. She also welcomed Police Chief Gino Chiaramonte.

Mayor Pro Tem Mejia mentioned that the Guelaguetza event was attended by people from Madera, Los Angeles, Santa Rosa and Milpitas. An estimated 5,000 people attended throughout the day. It was the first time having this event and it was a success. Videos of the event are on YouTube and the Police Department went viral in the Oaxacan news outlets. Organizers are very excited for next year. She congratulated Police Chief Chiaramonte and stated she attended his Oath of Office ceremony. Mayor Pro Tem Mejia mentioned that Washington Elementary held a "Calenda" for the first time. She met teachers from Oaxaca,

Mexico who are a part of an exchange program with Madera Unified School District. She thanked Councilmember Rodriguez for his attendance for the San Joaquin Water Summit in Visalia. It was part of the water education for Latino leaders and she was part of the organizing committee. She attended the Downtown Tour that took place on October 17th and she was also at the Islamic Center in Madera along with Mayor Garcia and Councilmember Gallegos and Montes. They were educated on the events happening in Palestine. She shared that they want a ceasefire and they want peace. Mayor Pro Tem Mejia mentioned the Dia de Los Muertos event that would be held tomorrow at Courthouse Park from 4:00 p.m. to 9:00 p.m. The purpose of the event is to try to bring authentic traditions to Madera for those who are not able to go to their homeland and to educate the community. They accept donations. They are not a non-profit. This is a group of residents that want to bring culture and arts to the City of Madera.

Councilmember Villegas mentioned that he submitted an application with the League of California Cities for the South San Joaquin Valley District Policy Committee and Environmental. There are about six to eight meetings a year. He thanked City Engineer Keith Helmuth for the information on crosswalks. He said there are several crosswalk issues in his district. He welcomed new Police Chief Chiaramonte.

Mayor Garcia stated that a Mexican delegation of fire fighters visited Fire Station 56 to thank the City of Madera and CalFire for their donation of fire fighting equipment. He recognized Domestic Violence Awareness and stated that education on this issue was supplied to residents. Mayor Garcia stated that there is more awareness of the Dia de los Muertos tradition. He invited everyone to attend the Veterans' Day event on November 11th at Courthouse Park. The event starts at 11:00 a.m.

Councilmember Gallegos thanked the Parks Department on the James Taubert Park event.

G. CLOSED SESSION:

G-1 Public Employee Performance Evaluation - Pursuant to Government Code Section §54957(b)(1)

Title: City Clerk

City Attorney Shannon Chaffin made the closed session announcement at 8:16 p.m. Mr. Chaffin and Council returned from Closed Session at 9:07 p.m. with all members of Council present. Mr. Chaffin announced that the City Clerk received a rating of satisfactory or above.

ADJOURNMENT: Meeting was adjourned at 9:08 p.m.

UPCOMING MEETING DATES:

- Wednesday, November 15, 2023
- Wednesday, December 6, 2023

ALICIA GONZALES, City Clerk

SANTOS GARCIA, Mayor

MINUTES PREPARED BY
ZELDA LEÓN, Deputy City Clerk

REPORT TO CITY COUNCIL

Approved by:

Michael Lima, Director of Financial Services

Arnoldo Rodriguez, City Manager

Council Meeting of: November 15, 2023

Agenda Number: B-2

SUBJECT:

Informational Report on Register of Audited Demands

RECOMMENDATION:

Review Register of Audited Demands Report for October 21, 2023 to November 3, 2023

SUMMARY:

The Register of Audited Demands for the City covering obligations paid during the period of October 21, 2023 to November 3, 2023 is summarized in the following tables. Attachment A contains Warrants while Table 2 is a summary of the wire transfers.

Table 1: *Warrant Distribution Summary*		
Description	*Check #'s*	*Amount*
General Warrants	37753 – 37815	$2,199,732.82

Table 2: *Wire Transfer Summary*		
Description	*Vendor*	*Amount*
Payroll and Taxes	Union Bank	$697,798.44
SDI	EDD	$2,349.25
CalPERS Payment	CalPERS	$140,574.58

DISCUSSION:

Warrant requests are processed weekly based on the Fiscal Year 2023/2024 Adopted Budget and released for payment every Monday. Each demand has been audited and the Finance Director hereby certifies as to their accuracy and that there were sufficient funds for their payment. Per

the request of City Council, we have included the departments from which each of the respective warrants were requested as well as the fund/division description from which they were paid.

FINANCIAL IMPACT:

Demands for payments are made within the constraints of the Fiscal Year 2023/2024 Adopted Budget.

ALTERNATIVES:

Informational only.

ATTACHMENTS:

Register of Audited Demands

CITY OF MADERA

REGISTER OF AUDITED DEMANDS FOR BANK #1 - US BANK GENERAL ACCOUNT

November 15, 2023

CHECK	PAY DATE	PAID FROM ORG		ISSUED TO	DESCRIPTION		AMOUNT
37753	10/30/2023	ENGINEERING	WATER CAPITAL OUTLAY	THIRKETTLE CORPORATION	WTR METER TRANSMITTERS	$	4,583.37
37753	10/30/2023	ENGINEERING	INTEGRATED REGIONAL WATER	THIRKETTLE CORPORATION	WTR METER TRANSMITTERS	$	10,673.39
37754	10/30/2023	ENGINEERING	ENGINEERING	ACRO SERVICE CORPORATION	TEMP SERVICES - ENGINEERING	$	5,600.00
37754	10/30/2023	HR/RISK MGT	COMPUTER MAINT	ACRO SERVICE CORPORATION	TEMP SERVICES - NETWORK ADMIN	$	2,708.40
37755	10/30/2023	GRANTS	PROP 1B PTMISEA	RRM DESIGN GROUP	PROFESSIONAL ENG DESIGN - INTERMODAL FACILITY	$	11,686.00
37756	10/30/2023	PD OPS	MEAS K - PD	HARRY D. WILSON INC.	PD - NEOTEC HELMET	$	1,028.36
37757	10/30/2023	FLEET MAINT	FLEET MAINT	GIBBS INTERNATIONAL INC	BLOWER	$	289.73
37758	10/30/2023	FINANCE	GOLF COURSE DEBT SERVICE	CALIFORNIA BANK & TRUST	COMMERCIAL LOAN PMT ACCT: 0014006086530002	$	164,380.70
37758	10/30/2023	FINANCE	PD OPS	CALIFORNIA BANK & TRUST	COMMERCIAL LOAN PMT ACCT: 0014006086530001	$	62,437.24
37759	10/30/2023	PD OPS	PD OPS	CV FORENSIC NURSING SPECIALISTS	VICTIM EXAM - 23M-06728	$	1,000.00
37760	10/30/2023	ENGINEERING	WATER OPS	DAVIDS ENGINEERING, INC.	PROFESSIONAL SERVICES	$	170.87
37761	10/30/2023	FIRE	FIRE	VAN DE POL ENTERPRISES, INC.	FUEL CDF - 09/16/23-09/30/23	$	899.43
37762	10/30/2023	HR/RISK MGT	HR/RISK MGT	SIJ HOLDINGS LLC	RECRUITMENT ADS	$	996.50
37763	10/30/2023	HR/RISK MGT	HR/RISK MGT	ALLIANT INSURANCE SERVICES, INC.	CONSULTING SERVICES - HEALTH AND WELFARE BENEFITS	$	3,750.00
37764	10/30/2023	FIRE	FIRE	MADERA COUNTY FLEET FIRE SERVICE	LABOR FOR REPAIRS ON ENGINE 57	$	533.43
37765	10/30/2023	ENGINEERING	SEWER CAPITAL OUTLAY	MKN & ASSOCIATES	PROFESSIONAL ENGINEERING SERVICES	$	20,438.76
37766	10/30/2023	PW ADMIN	AIRPORT OPS	BRANDLEY ENGINEERING INC	PROFESSIONAL ENGINEERING SERVICES	$	1,546.25
37767	10/30/2023	ENGINEERING	TRANSPORTATION IMPACT FEE	CORNERSTONE STRUCTURAL ENG GROUP, INC.	B-02 DESIGN SERVICES FOR WESTBERRY BRIDGE	$	55,771.59
37768	10/30/2023	ENGINEERING	ENGINEERING	PROJECTTEAM, INC.	PROJECT MANAGEMENT SOFTWARE ANNUAL RENEWAL	$	7,875.00
37768	10/30/2023	ENGINEERING	GENERAL FUND	PROJECTTEAM, INC.	PROJECT MANAGEMENT SOFTWARE ANNUAL RENEWAL	$	2,625.00
37769	10/30/2023	FINANCE	BUILDING	AT&T	09/23 FIRSTNET SVS 287302656036	$	150.21
37769	10/30/2023	FINANCE	CITY CLERK	AT&T	09/23 FIRSTNET SVS 287302656036	$	90.06
37769	10/30/2023	FINANCE	CITY COUNCIL	AT&T	09/23 FIRSTNET SVS 287302656036	$	281.68
37769	10/30/2023	FINANCE	CODE ENF	AT&T	09/23 FIRSTNET SVS 287302656036	$	45.03
37769	10/30/2023	FINANCE	COMPUTER MAINT	AT&T	09/23 FIRSTNET SVS 287302656036	$	516.24
37769	10/30/2023	FINANCE	ENGINEERING	AT&T	09/23 FIRSTNET SVS 287302656036	$	340.92
37769	10/30/2023	FINANCE	FACILITIES MAINT	AT&T	09/23 FIRSTNET SVS 287302656036	$	795.75
37769	10/30/2023	FINANCE	FINANCE	AT&T	09/23 FIRSTNET SVS 287302656036	$	185.41
37769	10/30/2023	FINANCE	FLEET MAINT	AT&T	09/23 FIRSTNET SVS 287302656036	$	45.03
37769	10/30/2023	FINANCE	GRANT OVERSIGHT	AT&T	09/23 FIRSTNET SVS 287302656036	$	95.10
37769	10/30/2023	FINANCE	HR/RISK MGT	AT&T	09/23 FIRSTNET SVS 287302656036	$	90.31
37769	10/30/2023	FINANCE	PARKS	AT&T	09/23 FIRSTNET SVS 287302656036	$	195.37
37769	10/30/2023	FINANCE	PLANNING	AT&T	09/23 FIRSTNET SVS 287302656036	$	45.03
37769	10/30/2023	FINANCE	STREETS	AT&T	09/23 FIRSTNET SVS 287302656036	$	50.07
37769	10/30/2023	FINANCE	UB - GARBAGE	AT&T	09/23 FIRSTNET SVS 287302656036	$	11.25
37769	10/30/2023	FINANCE	UB - SEWER	AT&T	09/23 FIRSTNET SVS 287302656036	$	11.26
37769	10/30/2023	FINANCE	UB - WATER	AT&T	09/23 FIRSTNET SVS 287302656036	$	22.52
37769	10/30/2023	FINANCE	WWTP	AT&T	09/23 FIRSTNET SVS 287302656036	$	50.07
37769	10/30/2023	FINANCE	CITY MANAGER	AT&T	09/23 FIRSTNET SVS 287302656036	$	90.31
37769	10/30/2023	FINANCE	PD OPS	AT&T	09/23 FIRSTNET SVS 287302965625	$	5,654.98
37770	10/30/2023	PW ADMIN	WWTP	AM CONSULTING ENGINEERS, INC.	WWTP TECHNICAL MEMORANDUM	$	2,700.00

CHECK	PAY DATE		PAID FROM ORG	ISSUED TO	DESCRIPTION		AMOUNT
37771	10/30/2023	ENGINEERING	ENGINEERING	AMERICAN BUSINESS MACHINES	10/23 PLOTTER LEASE - ENGINEERING	$	121.00
37772	10/30/2023	WATER QUALITY	WATER QUALITY CONTROL	BSK ASSOCIATES	PFAS SAMPLING	$	1,135.00
37773	10/30/2023	PARKS ADMIN	SPORTS PROGRAMS	BSN SPORTS	ADULT SOFTBALLS	$	422.13
37774	10/30/2023	HR/RISK MGT	COMPUTER MAINT	CDW GOVERNMENT, INC	DEEPFREEZE LICENSE RENEWAL	$	1,595.40
37775	10/30/2023	HR/RISK MGT	HR/RISK MGT	CA DEPARTMENT OF JUSTICE	09/23 FINGERPRINT APPS	$	64.00
37775	10/30/2023	HR/RISK MGT	MUSD AFTER SCHOOL PROGRAM	CA DEPARTMENT OF JUSTICE	09/23 FINGERPRINT APPS	$	224.00
37776	10/30/2023	PURCHASING	AIRPORT OPS	CANON FINANCIAL SERVICES	COPIER LEASE 10/23	$	75.48
37776	10/30/2023	PURCHASING	BUILDING	CANON FINANCIAL SERVICES	COPIER LEASE 10/23	$	101.35
37776	10/30/2023	PURCHASING	BUILDING	CANON FINANCIAL SERVICES	BUILDING DEPT OVERAGES	$	171.35
37776	10/30/2023	PURCHASING	CITY CLERK	CANON FINANCIAL SERVICES	COPIER LEASE 10/23	$	321.10
37776	10/30/2023	PURCHASING	ENGINEERING	CANON FINANCIAL SERVICES	COPIER LEASE 10/23	$	1,074.04
37776	10/30/2023	PURCHASING	FINANCE	CANON FINANCIAL SERVICES	COPIER LEASE 10/23	$	1,560.39
37776	10/30/2023	PURCHASING	HR/RISK MGT	CANON FINANCIAL SERVICES	COPIER LEASE 10/23	$	448.32
37776	10/30/2023	PURCHASING	PARKS ADMIN	CANON FINANCIAL SERVICES	COPIER LEASE 10/23	$	580.89
37776	10/30/2023	PURCHASING	PLANNING	CANON FINANCIAL SERVICES	COPIER LEASE 10/23	$	412.32
37776	10/30/2023	PURCHASING	SEWER OPS	CANON FINANCIAL SERVICES	COPIER LEASE 10/23	$	237.03
37776	10/30/2023	PURCHASING	SOLID WASTE	CANON FINANCIAL SERVICES	COPIER LEASE 10/23	$	237.03
37776	10/30/2023	PURCHASING	TRANS - FIXED	CANON FINANCIAL SERVICES	COPIER LEASE 10/23	$	321.06
37776	10/30/2023	PURCHASING	TRANS - DAR	CANON FINANCIAL SERVICES	COPIER LEASE 10/23	$	321.10
37776	10/30/2023	PURCHASING	WATER OPS	CANON FINANCIAL SERVICES	COPIER LEASE 10/23	$	237.03
37776	10/30/2023	PURCHASING	WATER QUALITY CONTROL	CANON FINANCIAL SERVICES	COPIER LEASE 10/23	$	318.28
37776	10/30/2023	PURCHASING	WWTP	CANON FINANCIAL SERVICES	COPIER LEASE 10/23	$	335.13
37776	10/30/2023	PURCHASING	PD OPS	CANON FINANCIAL SERVICES	MPD COPIER 10/23	$	200.26
37776	10/30/2023	PURCHASING	PD OPS	CANON FINANCIAL SERVICES	COPIER LEASE 10/23	$	457.64
37777	10/30/2023	FINANCE	PAYROLL TRUST	COLONIAL LIFE & ACCIDENT INSURANCE CO	#E700482-3 FOR 10/13/2023 PAYROLL	$	911.08
37778	10/30/2023	FINANCE	BUILDING	COMCAST	CITY INTERNET CONNECTION 10/23	$	63.70
37778	10/30/2023	FINANCE	CITY ATTORNEY	COMCAST	CITY INTERNET CONNECTION 10/23	$	18.85
37778	10/30/2023	FINANCE	CITY CLERK	COMCAST	CITY INTERNET CONNECTION 10/23	$	18.85
37778	10/30/2023	FINANCE	CODE ENF	COMCAST	CITY INTERNET CONNECTION 10/23	$	135.46
37778	10/30/2023	FINANCE	COMM & REC	COMCAST	CITY INTERNET CONNECTION 10/23	$	90.61
37778	10/30/2023	FINANCE	COMPUTER MAINT	COMCAST	CITY INTERNET CONNECTION 10/23	$	36.92
37778	10/30/2023	FINANCE	ENGINEERING	COMCAST	CITY INTERNET CONNECTION 10/23	$	126.49
37778	10/30/2023	FINANCE	FACILITIES MAINT	COMCAST	CITY INTERNET CONNECTION 10/23	$	27.82
37778	10/30/2023	FINANCE	FINANCE	COMCAST	CITY INTERNET CONNECTION 10/23	$	99.58
37778	10/30/2023	FINANCE	FLEET MAINT	COMCAST	CITY INTERNET CONNECTION 10/23	$	18.98
37778	10/30/2023	FINANCE	GRANT OVERSIGHT	COMCAST	CITY INTERNET CONNECTION 10/23	$	36.92
37778	10/30/2023	FINANCE	HR/RISK MGT	COMCAST	CITY INTERNET CONNECTION 10/23	$	36.92
37778	10/30/2023	FINANCE	PARKS	COMCAST	CITY INTERNET CONNECTION 10/23	$	45.76
37778	10/30/2023	FINANCE	PARKS ADMIN	COMCAST	CITY INTERNET CONNECTION 10/23	$	36.79
37778	10/30/2023	FINANCE	PLANNING	COMCAST	CITY INTERNET CONNECTION 10/23	$	45.50
37778	10/30/2023	FINANCE	STREETS	COMCAST	CITY INTERNET CONNECTION 10/23	$	45.76
37778	10/30/2023	FINANCE	RECREATION	COMCAST	CITY INTERNET CONNECTION 10/23	$	54.73
37778	10/30/2023	FINANCE	SEWER OPS	COMCAST	CITY INTERNET CONNECTION 10/23	$	32.37
37778	10/30/2023	FINANCE	SOLID WASTE	COMCAST	CITY INTERNET CONNECTION 10/23	$	36.79

CHECK	PAY DATE	PAID FROM ORG		ISSUED TO	DESCRIPTION		AMOUNT
37778	10/30/2023	FINANCE	SR CITIZEN COMM	COMCAST	CITY INTERNET CONNECTION 10/23	$	36.79
37778	10/30/2023	FINANCE	UB - GARBAGE	COMCAST	CITY INTERNET CONNECTION 10/23	$	30.16
37778	10/30/2023	FINANCE	UB - SEWER	COMCAST	CITY INTERNET CONNECTION 10/23	$	30.16
37778	10/30/2023	FINANCE	UB - WATER	COMCAST	CITY INTERNET CONNECTION 10/23	$	59.28
37778	10/30/2023	FINANCE	WATER OPS	COMCAST	CITY INTERNET CONNECTION 10/23	$	41.34
37778	10/30/2023	FINANCE	WATER QUALITY CONTROL	COMCAST	CITY INTERNET CONNECTION 10/23	$	18.98
37778	10/30/2023	FINANCE	WWTP	COMCAST	CITY INTERNET CONNECTION 10/23	$	27.82
37778	10/30/2023	FINANCE	CITY MANAGER	COMCAST	CITY INTERNET CONNECTION 10/23	$	18.85
37778	10/30/2023	FINANCE	PURCHASING	COMCAST	CITY INTERNET CONNECTION 10/23	$	27.82
37779	10/30/2023	GRANTS	CDBG PUBLIC SVC	COMMUNITY ACTION PRTNRSHP OF MADERA	CDBG HOUSING STABILIZATION PROGRAM CV3	$	5,753.52
37780	10/30/2023	HR/RISK MGT	HR/RISK MGT	OCCUPATIONAL HEALTH CENTERS OF CALIFORNIA	PRE-EMPLOYMENT PHYSICAL	$	287.00
37780	10/30/2023	HR/RISK MGT	MUSD AFTER SCHOOL PROGRAM	OCCUPATIONAL HEALTH CENTERS OF CALIFORNIA	PRE-EMPLOYMENT PHYSICAL	$	1,291.50
37781	10/30/2023	HR/RISK MGT	COMPUTER MAINT	DELL COMPUTER CORPORATION	SERVER MGMT SOFTWARE	$	239.61
37781	10/30/2023	HR/RISK MGT	WATER OPS	DELL COMPUTER CORPORATION	COMPUTER HARDWARE - SERVERS	$	6,647.08
37781	10/30/2023	HR/RISK MGT	WWTP	DELL COMPUTER CORPORATION	COMPUTER HARDWARE - SERVERS	$	13,294.21
37782	10/30/2023	PARKS ADMIN	COMM & REC	DIAMOND COMMUNICATIONS	FIRE ALARM INSPECTION - JWYC	$	884.50
37782	10/30/2023	PW ADMIN	FACILITIES MAINT	DIAMOND COMMUNICATIONS	SECURITY ALARM MONITORING - PW	$	63.75
37782	10/30/2023	PW ADMIN	STREETS	DIAMOND COMMUNICATIONS	SECURITY ALARM MONITORING - PW	$	63.75
37782	10/30/2023	PW ADMIN	SEWER OPS	DIAMOND COMMUNICATIONS	SECURITY ALARM MONITORING - PW	$	63.75
37782	10/30/2023	PW ADMIN	WATER OPS	DIAMOND COMMUNICATIONS	SECURITY ALARM MONITORING - PW	$	63.75
37783	10/30/2023	BUILDING	BUILDING	FIRE SAFETY SOLUTIONS, LLC	FIRE PROTECTION SVS 09/16/23-09/30/23	$	11,170.00
37783	10/30/2023	BUILDING	BUILDING	FIRE SAFETY SOLUTIONS, LLC	FIRE PROTECTION SVS 10/01/23-10/15/23	$	12,210.00
37784	10/30/2023	GRANTS	INTERMODAL BLDG	GUARDIAN WESTERN SWEEPING INC.	10/23 POWER SWEEPING	$	387.00
37784	10/30/2023	GRANTS	PARKING DIST OPS	GUARDIAN WESTERN SWEEPING INC.	10/23 POWER SWEEPING	$	387.00
37785	10/30/2023	FACILITIES	FACILITIES MAINT	JAM SERVICES INC	RRFB FLASHING CROSSWALK BEACONS	$	15,533.88
37786	10/30/2023	PARKS ADMIN	AQUATICS PROGRM	CHARLES LUECKER, AUTHORIZED SIGNER	CHLORINE FOR POOL	$	2,164.76
37787	10/30/2023	SEWER OPS	SEWER OPS	SJVAPCD	AIR QUALITY PERMITS - MM SEWER LIFT	$	98.00
37787	10/30/2023	WWTP	WWTP	SJVAPCD	AIR QUALITY PERMITS	$	3,522.00
37788	10/30/2023	ENGINEERING	WATER CAPITAL OUTLAY	STATE WATER RESOURCES CONTROL BOARD	WATER QUALITY CERTIFICATION PERMIT	$	11,939.00
37789	10/30/2023	PARKS ADMIN	COMM & REC	OTP- PARKS REFUNDS	RENTAL CANCELLATION REFUND	$	735.00
37789	10/30/2023	PARKS ADMIN	GENERAL TRUST	OTP- PARKS REFUNDS	RENTAL CANCELLATION REFUND	$	200.00
37789	10/30/2023	PARKS ADMIN	PARKS ADMIN	OTP- PARKS REFUNDS	RENTAL CANCELLATION REFUND	$	50.00
37790	10/30/2023	UB - WATER	WATER FUND	OTP- UB REFUNDS	UB TERM REFUND 9918533	$	76.25
37791	10/30/2023	UB - WATER	WATER FUND	OTP- UB REFUNDS	UB TERM REFUND 9920428	$	103.86
37792	10/30/2023	UB - WATER	WATER FUND	OTP- UB REFUNDS	UB TERM REFUND 9926025	$	104.16
37793	10/30/2023	UB - WATER	WATER FUND	OTP- UB REFUNDS	UB TERM REFUND 9895667	$	123.13
37794	10/30/2023	UB - WATER	WATER FUND	OTP- UB REFUNDS	UB TERM REFUND 9920316	$	104.40
37795	10/30/2023	UB - WATER	WATER FUND	OTP- UB REFUNDS	UB TERM REFUND 9920314	$	199.47
37796	10/30/2023	UB - WATER	WATER FUND	OTP- UB REFUNDS	UB TERM REFUND 9918728	$	106.37
37797	10/30/2023	UB - WATER	WATER FUND	OTP- UB REFUNDS	UB TERM REFUND 9897305	$	137.29
37798	10/30/2023	UB - WATER	WATER FUND	OTP- UB REFUNDS	UB TERM REFUND 9921365	$	86.52
37799	10/30/2023	UB - WATER	WATER FUND	OTP- UB REFUNDS	UB TERM REFUND 5710	$	115.90
37800	10/30/2023	UB - WATER	WATER FUND	OTP- UB REFUNDS	UB TERM REFUND 9926238	$	66.83
37801	10/30/2023	UB - WATER	WATER FUND	OTP- UB REFUNDS	UB TERM REFUND 9925520	$	151.49

CHECK	PAY DATE		PAID FROM ORG	ISSUED TO	DESCRIPTION		AMOUNT
37802	10/30/2023	UB - WATER	WATER FUND	OTP- UB REFUNDS	UB TERM REFUND 9912205	$	91.35
37803	10/30/2023	UB - WATER	WATER FUND	OTP- UB REFUNDS	UB TERM REFUND 5818009	$	111.62
37804	10/30/2023	UB - WATER	WATER FUND	OTP- UB REFUNDS	UB TERM REFUND 9916866	$	50.86
37805	10/30/2023	UB - WATER	WATER FUND	OTP- UB REFUNDS	UB TERM REFUND 9921446	$	79.65
37806	10/30/2023	UB - WATER	WATER FUND	OTP- UB REFUNDS	UB TERM REFUND 9920218	$	1,055.84
37807	10/30/2023	UB - WATER	WATER FUND	OTP- UB REFUNDS	UB TERM REFUND 9896270	$	141.60
37808	10/30/2023	UB - WATER	WATER FUND	OTP- UB REFUNDS	UB OVERPAYMENT 9925893 AVENUE 17	$	17,235.11
37809	10/30/2023	UB - WATER	WATER FUND	OTP- UB REFUNDS	UB TERM REFUND 9924323	$	1,282.86
37810	10/30/2023	UB - WATER	WATER FUND	OTP- UB REFUNDS	UB TERM REFUND 9925170	$	977.34
37811	10/30/2023	UB - WATER	WATER FUND	OTP- UB REFUNDS	UB TERM REFUND 9925145	$	148.19
37812	10/30/2023	UB - WATER	WATER FUND	OTP- UB REFUNDS	UB TERM REFUND 9923367	$	25.35
37813	11/02/2023	PD OPS	CODE ENF	CORTEZ, FABELA	PER DIEM - 2023 CODE CONFERENCE	$	222.00
37814	11/02/2023	PD OPS	CODE ENF	HERNANDEZ, MARIBEL	PER DIEM - 2023 CODE CONFERENCE	$	222.00
37815	11/02/2023	PD OPS	MEAS K - PD	WEBSTER, NICHOLAS	PER DIEM - SLI SESSION #6	$	333.00
340	10/24/2023	FINANCE	AIRPORT OPS	US BANK CORPORATE PAYMENT SYSTEMS	08/23 CALCARD CHARGES	$	1,511.13
340	10/24/2023	FINANCE	ANIMAL CONTROL	US BANK CORPORATE PAYMENT SYSTEMS	08/23 CALCARD CHARGES	$	173.18
340	10/24/2023	FINANCE	AQUATICS PROGRM	US BANK CORPORATE PAYMENT SYSTEMS	08/23 CALCARD CHARGES	$	483.51
340	10/24/2023	FINANCE	CDBG PUBLIC SVC	US BANK CORPORATE PAYMENT SYSTEMS	08/23 CALCARD CHARGES	$	750.80
340	10/24/2023	FINANCE	CENTRAL ADMIN	US BANK CORPORATE PAYMENT SYSTEMS	08/23 CALCARD CHARGES	$	517.23
340	10/24/2023	FINANCE	CITY CLERK	US BANK CORPORATE PAYMENT SYSTEMS	08/23 CALCARD CHARGES	$	86.58
340	10/24/2023	FINANCE	CITY COUNCIL	US BANK CORPORATE PAYMENT SYSTEMS	08/23 CALCARD CHARGES	$	169.56
340	10/24/2023	FINANCE	CODE ENF	US BANK CORPORATE PAYMENT SYSTEMS	08/23 CALCARD CHARGES	$	2,763.86
340	10/24/2023	FINANCE	COMM & REC	US BANK CORPORATE PAYMENT SYSTEMS	08/23 CALCARD CHARGES	$	202.18
340	10/24/2023	FINANCE	COMMUNITY PROMO	US BANK CORPORATE PAYMENT SYSTEMS	08/23 CALCARD CHARGES	$	588.87
340	10/24/2023	FINANCE	COMPUTER MAINT	US BANK CORPORATE PAYMENT SYSTEMS	08/23 CALCARD CHARGES	$	3,137.54
340	10/24/2023	FINANCE	DRAINAGE	US BANK CORPORATE PAYMENT SYSTEMS	08/23 CALCARD CHARGES	$	1,788.97
340	10/24/2023	FINANCE	ENGINEERING	US BANK CORPORATE PAYMENT SYSTEMS	08/23 CALCARD CHARGES	$	336.72
340	10/24/2023	FINANCE	FACILITIES MAINT	US BANK CORPORATE PAYMENT SYSTEMS	08/23 CALCARD CHARGES	$	1,382.50
340	10/24/2023	FINANCE	FIRE	US BANK CORPORATE PAYMENT SYSTEMS	08/23 CALCARD CHARGES	$	5,854.90
340	10/24/2023	FINANCE	FLEET MAINT	US BANK CORPORATE PAYMENT SYSTEMS	08/23 CALCARD CHARGES	$	14,484.44
340	10/24/2023	FINANCE	GENERAL FUND	US BANK CORPORATE PAYMENT SYSTEMS	08/23 CALCARD CHARGES	$	13,739.60
340	10/24/2023	FINANCE	GENERAL TRUST	US BANK CORPORATE PAYMENT SYSTEMS	08/23 CALCARD CHARGES	$	35.97
340	10/24/2023	FINANCE	GRAFFITI ABATE	US BANK CORPORATE PAYMENT SYSTEMS	08/23 CALCARD CHARGES	$	317.06
340	10/24/2023	FINANCE	HR/RISK MGT	US BANK CORPORATE PAYMENT SYSTEMS	08/23 CALCARD CHARGES	$	4,769.35
340	10/24/2023	FINANCE	INS/RISK MGT	US BANK CORPORATE PAYMENT SYSTEMS	08/23 CALCARD CHARGES	$	4,683.32
340	10/24/2023	FINANCE	LMD SERVICES	US BANK CORPORATE PAYMENT SYSTEMS	08/23 CALCARD CHARGES	$	1,104.11
340	10/24/2023	FINANCE	MEAS K - FIRE	US BANK CORPORATE PAYMENT SYSTEMS	08/23 CALCARD CHARGES	$	5,648.89
340	10/24/2023	FINANCE	PARKS	US BANK CORPORATE PAYMENT SYSTEMS	08/23 CALCARD CHARGES	$	20,374.17
340	10/24/2023	FINANCE	PARKS ADMIN	US BANK CORPORATE PAYMENT SYSTEMS	08/23 CALCARD CHARGES	$	505.92
340	10/24/2023	FINANCE	PLANNING	US BANK CORPORATE PAYMENT SYSTEMS	08/23 CALCARD CHARGES	$	234.09
340	10/24/2023	FINANCE	STREETS	US BANK CORPORATE PAYMENT SYSTEMS	08/23 CALCARD CHARGES	$	16,259.97
340	10/24/2023	FINANCE	RECREATION	US BANK CORPORATE PAYMENT SYSTEMS	08/23 CALCARD CHARGES	$	697.61
340	10/24/2023	FINANCE	SEWER OPS	US BANK CORPORATE PAYMENT SYSTEMS	08/23 CALCARD CHARGES	$	3,249.55
340	10/24/2023	FINANCE	SPORTS PROGRAMS	US BANK CORPORATE PAYMENT SYSTEMS	08/23 CALCARD CHARGES	$	108.24

CHECK	PAY DATE		PAID FROM ORG	ISSUED TO	DESCRIPTION		AMOUNT
340	10/24/2023	FINANCE	SR CITIZEN COMM	US BANK CORPORATE PAYMENT SYSTEMS	08/23 CALCARD CHARGES	$	75.75
340	10/24/2023	FINANCE	STREET CLEANING	US BANK CORPORATE PAYMENT SYSTEMS	08/23 CALCARD CHARGES	$	2,440.17
340	10/24/2023	FINANCE	SUPP LAW ENF	US BANK CORPORATE PAYMENT SYSTEMS	08/23 CALCARD CHARGES	$	371.23
340	10/24/2023	FINANCE	TRANS - FIXED	US BANK CORPORATE PAYMENT SYSTEMS	08/23 CALCARD CHARGES	$	4,077.36
340	10/24/2023	FINANCE	TRANS - DAR	US BANK CORPORATE PAYMENT SYSTEMS	08/23 CALCARD CHARGES	$	4,207.15
340	10/24/2023	FINANCE	WATER OPS	US BANK CORPORATE PAYMENT SYSTEMS	08/23 CALCARD CHARGES	$	13,813.48
340	10/24/2023	FINANCE	WATER QUALITY CONTROL	US BANK CORPORATE PAYMENT SYSTEMS	08/23 CALCARD CHARGES	$	7,600.33
340	10/24/2023	FINANCE	WWTP	US BANK CORPORATE PAYMENT SYSTEMS	08/23 CALCARD CHARGES	$	23,212.56
340	10/24/2023	FINANCE	MEAS K - PD	US BANK CORPORATE PAYMENT SYSTEMS	08/23 CALCARD CHARGES	$	258.28
340	10/24/2023	FINANCE	CITY MANAGER	US BANK CORPORATE PAYMENT SYSTEMS	08/23 CALCARD CHARGES	$	48.00
340	10/24/2023	FINANCE	PURCHASING	US BANK CORPORATE PAYMENT SYSTEMS	08/23 CALCARD CHARGES	$	134.00
340	10/24/2023	FINANCE	SPECIAL EVENTS	US BANK CORPORATE PAYMENT SYSTEMS	08/23 CALCARD CHARGES	$	3,848.17
340	10/24/2023	FINANCE	PD OPS	US BANK CORPORATE PAYMENT SYSTEMS	08/23 CALCARD CHARGES	$	8,465.90
340	10/24/2023	FINANCE	MUSD AFTER SCHOOL PROGRAM	US BANK CORPORATE PAYMENT SYSTEMS	08/23 CALCARD CHARGES	$	50.00
341	10/24/2023	FINANCE	PAYROLL TRUST	NAVIA BENEFIT SOLUTIONS INC	FSA SECTION 125 DISBURSEMENT 09/19/2023	$	327.51
342	10/24/2023	FINANCE	PAYROLL TRUST	NAVIA BENEFIT SOLUTIONS INC	FSA SECTION 125 DISBURSEMENT 09/20/2023	$	394.56
343	10/24/2023	ENGINEERING	SEWER CAPITAL OUTLAY	MAGGIORA BROS. DRILLING, INC.	WELL INSTALLATION #WWTP20-01	$	97,525.10
344	10/24/2023	FINANCE	PAYROLL TRUST	NAVIA BENEFIT SOLUTIONS INC	FSA SECTION 125 DISBURSEMENT 09/26/2023	$	243.15
345	10/24/2023	HR/RISK MGT	CITY CLERK	EMPLOYEE BENEFIT SPECIALISTS, INC.	10/23 BENEFIT PREMIUMS	$	923.00
345	10/24/2023	HR/RISK MGT	PAYROLL TRUST	EMPLOYEE BENEFIT SPECIALISTS, INC.	10/23 BENEFIT PREMIUMS	$	365,191.51
345	10/24/2023	HR/RISK MGT	PD OPS	EMPLOYEE BENEFIT SPECIALISTS, INC.	10/23 BENEFIT PREMIUMS	$	923.00
346	10/24/2023	FINANCE	WWTP BOND ADMIN	BANK OF NEW YORK MELLON	2015 WASTEWATER REV REF BOND PMT	$	230,305.83
357	10/23/2023	FINANCE	SOLID WASTE	MID VALLEY DISPOSAL INC.	WASTE DISPOSAL SVS 08/23	$	576,924.77
358	10/24/2023	FINANCE	PAYROLL TRUST	NAVIA BENEFIT SOLUTIONS INC	FSA SECTION 125 DISBURSEMENT 10/24/2023	$	998.24
359	10/25/2023	FINANCE	PAYROLL TRUST	NAVIA BENEFIT SOLUTIONS INC	FSA SECTION 125 DISBURSEMENT 10/25/2023	$	42.24
360	10/25/2023	FINANCE	AIRPORT OPS	US BANK CORPORATE PAYMENT SYSTEMS	09/23 CALCARD CHARGES	$	309.43
360	10/25/2023	FINANCE	ANIMAL CONTROL	US BANK CORPORATE PAYMENT SYSTEMS	09/23 CALCARD CHARGES	$	241.27
360	10/25/2023	FINANCE	AQUATICS PROGRM	US BANK CORPORATE PAYMENT SYSTEMS	09/23 CALCARD CHARGES	$	757.76
360	10/25/2023	FINANCE	BUILDING	US BANK CORPORATE PAYMENT SYSTEMS	09/23 CALCARD CHARGES	$	1,983.90
360	10/25/2023	FINANCE	CDBG PUB IMPR	US BANK CORPORATE PAYMENT SYSTEMS	09/23 CALCARD CHARGES	$	1,239.09
360	10/25/2023	FINANCE	CDBG PUBLIC SVC	US BANK CORPORATE PAYMENT SYSTEMS	09/23 CALCARD CHARGES	$	991.98
360	10/25/2023	FINANCE	CENTRAL ADMIN	US BANK CORPORATE PAYMENT SYSTEMS	09/23 CALCARD CHARGES	$	177.09
360	10/25/2023	FINANCE	CITY CLERK	US BANK CORPORATE PAYMENT SYSTEMS	09/23 CALCARD CHARGES	$	(433.28)
360	10/25/2023	FINANCE	CITY COUNCIL	US BANK CORPORATE PAYMENT SYSTEMS	09/23 CALCARD CHARGES	$	(982.85)
360	10/25/2023	FINANCE	CODE ENF	US BANK CORPORATE PAYMENT SYSTEMS	09/23 CALCARD CHARGES	$	2,173.80
360	10/25/2023	FINANCE	COMM & REC	US BANK CORPORATE PAYMENT SYSTEMS	09/23 CALCARD CHARGES	$	7,220.53
360	10/25/2023	FINANCE	COMMUNITY PROMO	US BANK CORPORATE PAYMENT SYSTEMS	09/23 CALCARD CHARGES	$	9,809.35
360	10/25/2023	FINANCE	COMPUTER MAINT	US BANK CORPORATE PAYMENT SYSTEMS	09/23 CALCARD CHARGES	$	5,955.75
360	10/25/2023	FINANCE	DRAINAGE	US BANK CORPORATE PAYMENT SYSTEMS	09/23 CALCARD CHARGES	$	1,250.34
360	10/25/2023	FINANCE	ENGINEERING	US BANK CORPORATE PAYMENT SYSTEMS	09/23 CALCARD CHARGES	$	278.92
360	10/25/2023	FINANCE	FACILITIES MAINT	US BANK CORPORATE PAYMENT SYSTEMS	09/23 CALCARD CHARGES	$	5,403.45
360	10/25/2023	FINANCE	FINANCE	US BANK CORPORATE PAYMENT SYSTEMS	09/23 CALCARD CHARGES	$	150.00
360	10/25/2023	FINANCE	FIRE	US BANK CORPORATE PAYMENT SYSTEMS	09/23 CALCARD CHARGES	$	6,807.38
360	10/25/2023	FINANCE	FLEET MAINT	US BANK CORPORATE PAYMENT SYSTEMS	09/23 CALCARD CHARGES	$	14,558.99

CHECK	PAY DATE		PAID FROM ORG	ISSUED TO	DESCRIPTION		AMOUNT
360	10/25/2023	FINANCE	GENERAL FUND	US BANK CORPORATE PAYMENT SYSTEMS	09/23 CALCARD CHARGES	$	10,652.89
360	10/25/2023	FINANCE	GRAFFITI ABATE	US BANK CORPORATE PAYMENT SYSTEMS	09/23 CALCARD CHARGES	$	951.18
360	10/25/2023	FINANCE	HR/RISK MGT	US BANK CORPORATE PAYMENT SYSTEMS	09/23 CALCARD CHARGES	$	5,075.37
360	10/25/2023	FINANCE	INS/RISK MGT	US BANK CORPORATE PAYMENT SYSTEMS	09/23 CALCARD CHARGES	$	220.00
360	10/25/2023	FINANCE	LMD SERVICES	US BANK CORPORATE PAYMENT SYSTEMS	09/23 CALCARD CHARGES	$	2,433.88
360	10/25/2023	FINANCE	MEAS K - FIRE	US BANK CORPORATE PAYMENT SYSTEMS	09/23 CALCARD CHARGES	$	4,725.05
360	10/25/2023	FINANCE	PARKS	US BANK CORPORATE PAYMENT SYSTEMS	09/23 CALCARD CHARGES	$	14,169.25
360	10/25/2023	FINANCE	PARKS ADMIN	US BANK CORPORATE PAYMENT SYSTEMS	09/23 CALCARD CHARGES	$	604.67
360	10/25/2023	FINANCE	PLANNING	US BANK CORPORATE PAYMENT SYSTEMS	09/23 CALCARD CHARGES	$	114.23
360	10/25/2023	FINANCE	STREETS	US BANK CORPORATE PAYMENT SYSTEMS	09/23 CALCARD CHARGES	$	24,166.24
360	10/25/2023	FINANCE	RECREATION	US BANK CORPORATE PAYMENT SYSTEMS	09/23 CALCARD CHARGES	$	1,339.09
360	10/25/2023	FINANCE	SEWER OPS	US BANK CORPORATE PAYMENT SYSTEMS	09/23 CALCARD CHARGES	$	3,118.09
360	10/25/2023	FINANCE	SPORTS PROGRAMS	US BANK CORPORATE PAYMENT SYSTEMS	09/23 CALCARD CHARGES	$	121.70
360	10/25/2023	FINANCE	SUPP LAW ENF	US BANK CORPORATE PAYMENT SYSTEMS	09/23 CALCARD CHARGES	$	177.30
360	10/25/2023	FINANCE	TRANS - FIXED	US BANK CORPORATE PAYMENT SYSTEMS	09/23 CALCARD CHARGES	$	3,573.47
360	10/25/2023	FINANCE	TRANS - DAR	US BANK CORPORATE PAYMENT SYSTEMS	09/23 CALCARD CHARGES	$	2,247.34
360	10/25/2023	FINANCE	UB - WATER	US BANK CORPORATE PAYMENT SYSTEMS	09/23 CALCARD CHARGES	$	18.88
360	10/25/2023	FINANCE	WATER OPS	US BANK CORPORATE PAYMENT SYSTEMS	09/23 CALCARD CHARGES	$	18,497.25
360	10/25/2023	FINANCE	WATER QUALITY CONTROL	US BANK CORPORATE PAYMENT SYSTEMS	09/23 CALCARD CHARGES	$	7,672.71
360	10/25/2023	FINANCE	WWTP	US BANK CORPORATE PAYMENT SYSTEMS	09/23 CALCARD CHARGES	$	12,433.36
360	10/25/2023	FINANCE	MEAS K - PD	US BANK CORPORATE PAYMENT SYSTEMS	09/23 CALCARD CHARGES	$	630.26
360	10/25/2023	FINANCE	PURCHASING	US BANK CORPORATE PAYMENT SYSTEMS	09/23 CALCARD CHARGES	$	7,024.50
360	10/25/2023	FINANCE	SPECIAL EVENTS	US BANK CORPORATE PAYMENT SYSTEMS	09/23 CALCARD CHARGES	$	530.98
360	10/25/2023	FINANCE	PD OPS	US BANK CORPORATE PAYMENT SYSTEMS	09/23 CALCARD CHARGES	$	21,912.11
360	10/25/2023	FINANCE	DUI ENF & AWARENESS	US BANK CORPORATE PAYMENT SYSTEMS	09/23 CALCARD CHARGES	$	230.46
360	10/25/2023	FINANCE	MUSD AFTER SCHOOL PROGRAM	US BANK CORPORATE PAYMENT SYSTEMS	09/23 CALCARD CHARGES	$	6,536.33
361	10/27/2023	FINANCE	PAYROLL TRUST	MISSION SQUARE - 302351	PLAN #302351 CONTRIBS FOR 10/27/23 PAYROLL	$	26,029.00
362	10/30/2023	FINANCE	PAYROLL TRUST	MID-MGMT EMPLOYEE GROUP	10/23 MONTHLY DUES	$	2,235.00
363	10/30/2023	FINANCE	PAYROLL TRUST	NPC-ORCHARD TRUST COMPANY	PLAN #302351 CONTRIBS FOR 10/27/23 PAYROLL	$	19,052.23
364	10/30/2023	FINANCE	PAYROLL TRUST	NPC-ORCHARD TRUST COMPANY	PLAN #340227-02 FOR 09/27/2023 PAYROLL	$	2,941.46
			BANK #1 - US BANK GENERAL ACCOUNT TOTAL			**$**	**2,199,732.82**

REPORT TO CITY COUNCIL

Approved by:

Wendy Silva, Director of Human Resources

Arnoldo Rodriguez, City Manager

Council Meeting of: November 15, 2023

Agenda Number: B-3

SUBJECT:

Informational Report on Personnel Activity

RECOMMENDATION:

This report is submitted for informational purposes only and there is no action requested from the City Council (Council).

SUMMARY:

The purpose of this report is to provide the Council a monthly informational update on employment matters, including new hires, transfers, and terminations.

DISCUSSION:

The Civil Service Commission (Commission) met October 3, 2023, and approved eligibility lists for the following classifications. The eligibility list for Neighborhood Preservation Specialist I was tabled due to lack of a quorum after a Commissioner recused themselves from the item and an insufficient number of Commissioners were present to proceed with considering the item.

- Mechanic I
- Public Safety Dispatcher
- Network Administrator
- Computer Technician
- Police Officer Trainee
- Police Officer I
- Police Officer II

The Commission met November 7, 2023, and approved eligibility lists for the following classifications.

- Neighborhood Preservation Specialist I

- Water & Sewer Operations Manager
- Administrative Assistant
- Police Corporal
- Police Sergeant
- Police Commander
- Police Officer Trainee

The following employees began employment with the City since our last report.

Table 1: *New Hires and Re-hires*

Name	Position	Department	Status*	Effective Date
Shelby Villa	Human Resources Technician II	Human Resources	FT	9/18/23
Alberto Magana Sandoval	Program Leader I – After School Program	Parks & Community Services	PT	9/25/23
Cristian Candelas	Program Leader I – After School Program	Parks & Community Services	PT	9/25/23
Monserrath Cardenas	Program Leader I – After School Program	Parks & Community Services	PT	9/25/23
Jeremiah Felix	Police Officer Trainee	Police	FT	9/25/23
Emma Pickett	Program Leader I – After School Program	Parks & Community Services	PT	9/25/23
Richard Gracia	Administrative Analyst I	Finance	FT	9/25/23
Marsha Villareal	Program Leader I – After School Program	Parks & Community Services	PT	9/25/23
Brissia Galindo Garcia	Parking Enforcement Officer	Police	PT	10/10/23
Alison Velarde	Program Leader I – After School Program	Parks & Community Services	PT	10/10/23
Casandra Avila Ramires	Program Leader I – After School Program	Parks & Community Services	PT	10/10/23
Chrlens Shields	Program Leader I – After School Program	Parks & Community Services	PT	10/10/23

Table 1: *New Hires and Re-hires, continued*				
Name	Position	Department	Status*	Effective Date
Tyler Morris	Intern	Information Technology	PT	10/19/23
Aron Garcia	Park Aide	Parks & Community Services	PT	10/23/23
Sylvia Falcon	Facility Aid	Parks & Community Services	PT	10/24/23
Jeffrey Neri	Network Administrator	Information Technology	FT	10/30/23
Joshua Gibbs	Police Officer II	Police	FT	11/4/23
Luis Ibarra	Computer Technician	Information Technology	FT	11/6/23
Larry Winters	Facility Aid	Parks & Community Services	PT	11/6/23
David Austin	Administrative Analyst I	Public Works	FT	11/6/23
Eric Cisneros	Wastewater Treatment Plant Operator-in-Training	Public Works	FT	11/6/23
Lauren May	Public Safety Dispatcher	Police	FT	11/6/23

*Status: FT = Full Time, PT = Part Time, RA = Retired Annuitant

The following promotions, transfers, or assignment changes occurred since our last report.

Table 2: *Promotions, Transfers, or Assignment Changes*			
Name	Old Position	New Position	Effective Date
Alberto Vega	Public Works Equipment Operator	Public Works Maintenance Lead Worker (temporary out-of-class assignment)	9/15/23
Kevin Newsome	Computer Technician	Network Administrator (temporary out-of-class assignment)	10/2/23

Table 2: *Promotions, Transfers, or Assignment Changes, continued*			
Name	Old Position	New Position	Effective Date
Alvaro Sanchez Franco	Police Officer I	Police Officer II	10/7/23
Marco Martinez	Police Officer I	Police Officer II	10/7/23
Josiah Arnold	Police Lieutenant	Police Commander (temporary out-of-class assignment)	10/14/23
Joston Frost	Public Works Equipment Operator	Construction Inspector I	10/21/23
Paola Gonzalez	Program Leader II	Part Time Office Assistant	10/23/23

The following employees separated from employment since our last report.

Table 3: *Separations*				
Name	Position	Department	Status*	Effective Date
Jose Luis Hernandez	Park Aide	Parks & Community Services	PT	6/22/23
Thomas Palacios	Program Leader I	Parks & Community Services	PT	9/6/23
Sergio Martinez Orozco	Administrative Analyst I	Public Works	FT	9/20/23
Joshua Gibbs	Police Officer II	Police	FT	9/22/23
Adam Sanchez	Intern	Planning	PT	9/23/23
Alberto Magana Sandoval	Program Leader I	Parks & Community Services	PT	9/25/23
Jeremiah Felix	Police Officer Trainee	Police	FT	9/25/23
Grace Salazar	Office Assistant	Parks & Community Services	PT	10/2/23
Adrian Santoyo	Police Officer II	Police	FT	10/4/23
Jaron McAlister	Police Corporal	Police	FT	10/13/23

Table 3: *Separations, continued*				
Name	Position	Department	Status*	Effective Date
Jeffrey Eichman	Police Officer II	Police	FT	10/16/23
Kevin Berdejo	Program Leader I/Basketball Referee	Parks & Community Services	PT	10/28/23
Nicholas Carrillo	Police Officer II	Police	FT	10/31/23

*Status: FT = Full Time, PT = Part Time, RA = Retired Annuitant

FINANCIAL IMPACT:

Funding for positions and employees to fill those positions is contemplated annually by the Council in the budget process. During the course of any given fiscal year, individual employees filling specific positions may change due to a number of various circumstances. All hiring and termination decisions are subject to the approval of the City Manager.

ALTERNATIVES:

This report is for informational purposes only.

ATTACHMENTS:

None

REPORT TO CITY COUNCIL

Approved by: **Council Meeting of:** November 15, 2023

_____ **Agenda Number:** B-4

Arnoldo Rodriguez, City Manager

SUBJECT:

Local state of emergency related to the closure of Madera Community Hospital

RECOMMENDATION:

Adopt a Resolution continuing to support Madera County's Proclamation of a local emergency due to the closure of Madera Community Hospital for 30 days.

SUMMARY:

On January 18, 2023, the Council adopted a resolution supporting a Madera County Proclamation of the existence of a local emergency due to the closure of Madera Community Hospital (MCH) and formalizing the City's stance on the local emergency. Furthermore, the approval of the Resolution demonstrates support for any requests for state and federal funding to reopen MCH or for alternative healthcare options for the residents of Madera. Legislative bodies are required by the Office of Emergency Services to approve a Resolution to extend the state of emergency every 30 days until termination.

BACKGROUND:

During a Public Comment portion of the August 3, 2022, Council meeting, Madera Community Hospital (MCH) informed the Council of the financial hardship it faced due to the COVID-19 pandemic and requested $1 million in American Rescue Plan Act (ARPA) to allow continued operations while its affiliation with St. Agnes Medical Center/Trinity Health was under consideration with the State Attorney General. MCH accrued millions of dollars in debt due to labor cost inflation, costly treatment, and shouldering the cost of intensive care services for COVID-19 cases. The Hospital attributes the years of accumulated liability to its high census of Medi-Cal patients and low reimbursement rates.

Subsequently, at Council's direction, relief funding was revisited for further consideration on September 21, 2022, where MCH provided additional details that justified the request for $1 million in ARPA funds. Considering that 100 percent of ARPA funds received by the City were

previously allocated to the City's Sewer and Water Enterprise Funds for public infrastructure projects to lower utility rates, and that any reallocation of monies would not sustain a long-term solution for MCH, the Council elected to sponsor the MCH/Trinity Health affiliation with a Letter of Support in lieu of reallocating ARPA funding.

In the interim, City Staff facilitated meetings with MCH and local, regional, and state officials to identify alternative funding options MCH may either apply for or be entitled to, which included:

- MCH was owed $23 million from the State to which Senator Caballero's office is intervening to expedite these funds.
- If additional funding was not received, MCH had funding to operate until mi November.
- The requested allocation of $1 million from the City would have allowed the hospital to operate for an additional 1-2 weeks.
- Potential Federal Emergency Management Agency (FEMA) funding for COVID relief had not been previously sought by MCH when these funds were made available for application. Congressman Jim Costa's office recommended that MCH urgently apply, as the Hospital had not tapped into this funding source.
- $5 million in state funding secured by Assemblyman Bigelow and Senator Caballero for immediate debt relief.
- MCH received a loan of $15 million from Trinity Health to ensure continued operations while the merger was under consideration.

MCH entered into discussions of an affiliation agreement with Trinity Health/St. Agnes Medical Center to alleviate its financial burden and to provide continuity of care for its patients. Under State law, the affiliation agreement was subject to the California Attorney General's approval. Attorney General Rob Bonta conditionally approved the agreement; however, based on the conditions set forth, Trinity Health Corporation elected to abandon the affiliation, causing MCH to cease operations and close its facilities indefinitely.

Upon this decision, MCH advised their agency partners that they would file for Chapter 11 bankruptcy. The Hospital's closure leaves approximately 160,000 Madera County residents and surrounding communities without full-service healthcare facilities, including a 24-hour emergency room, surgical facilities, radiology services, and inpatient critical care. Specifically, the closure of MCH poses numerous challenges to the delivery of public health services to the community. These include, but are not limited to, the following:

1. Mandated services to the medically indigent;
2. Medical facility for 72-hour crisis holds for adults and children;
3. Delays in response times for Emergency Medical Services Personnel;
4. Strain to surrounding healthcare facilities and increased patient volume;
5. Rerouting of local law enforcement from other matters of public safety to health-care related emergencies;
6. Overall negative impact on health outcomes for all residents.

In response to the immediate risk to public health and safety, Council adopted a resolution supporting the County's declaration of a Local State of Emergency and authorized City resources and staff time for a partnership with Madera County to evaluate potential healthcare options. As required by the California Office of Emergency Services (OES), declarations of local emergencies must be approved by Resolution every 30 days until terminated. Due to the continued absence of a full-service hospital and life-saving services outlined above, Staff finds reason to continue the local emergency and support the need for state and federal funding. Staff recommends Council adopt a resolution supporting the local public health emergency declared upon the closure of Madera Community Hospital, extending the period for an additional 30 days.

DISCUSSION:

Upon the closure of MCH, Sherriff Pogue proclaimed a local state of emergency in his role as Director of Emergency Services for Madera County. The Madera County Board of Supervisors (BOS) ratified the Sherriff's action on January 3, 2023. At the BOS meeting on January 10, 2023, County staff received direction to study potential options and alternatives for providing emergency and hospital medical services for the citizens of Madera. Council also adopted a Resolution supporting the County's Proclamation, recognizing the existence of a local Emergency in Madera on January 18, 2023. In addition, Council authorized the City Manager to allocate staff time and up to $60,000 in resources to partner with the County in evaluating potential options for healthcare and emergency medical care services for Madera residents.

It should be noted that the closure of MCH had an immediate regional effect on neighboring hospitals and health care facilities that struggled to treat the overflow of patients. To that extent, on January 3, 2023, the Fresno County Board of Supervisors (FCBOS) proclaimed the existence of a local emergency, partly due to the closure of MCH, which compounded an already overextended public health crisis caused by ongoing COVID-19, flu, and respiratory illness outbreaks. Shortly thereafter, Congressman Costa and Congressman-elect Duarte co-authored a letter to the US Department of Health and Human Services and Centers for Medicare and Medicaid Services to highlight the dire situation and request that the agencies give the current medical crisis in Madera their full attention and evaluate options to provide emergency relief. The County of Fresno elected to terminate the local state of emergency regarding its hospitals on February 7, 2023, however, Madera residents continue to lack essential medical services and resources to travel to the nearest hospital.

Immediately following its closure, MCH attempted to secure new affiliation partners and alternative funding options; however, failed to draw interested suitors. As a result, MCH filed for Chapter 11 bankruptcy in early March and continues to undergo bankruptcy proceedings to date. Upon the closure and bankruptcy filing, state representatives, public agencies and private citizens drew widespread attention to the lack of medical resources in Madera, and as a result, on May 15, 2023, Governor Gavin Newsom signed Assembly Bill 112. AB 112 established the new, $150 million Distressed Hospital Loan Program (DHLP) to provide zero-interest cash flow loans to nonprofit or public hospitals experiencing extreme financial distress. The State Budget also took into consideration several other California hospitals in danger of closing and allocated an

additional $150 million from the Managed Care Organization Tax, bringing the total available funding to $300 million.

Subsequently, Madera Community Hospital applied for rescue funding from the DHLP for $80 million and entered into an initial, non-binding letter of intent with Adventist Health to take over operations and management of Madera Community Hospital. Based on a statement released by CEO of Adventist Health, Kerry Heinrich, the agreement appears to be contingent on MCH securing state funding from the DHLP.

On August 24, 2023, the Department of Health Care Access and Information (HCAI) announced that among the 17 hospitals awarded no-interest loans, MCH was allocated a $2 million bridge loan to cover basic operational costs for the facility while Adventist Health provides a comprehensive hospital turnaround plan. Once a plan is provided and approved, MCH can be eligible for an additional $50 million loan from the DHLP.

Today, patients suffering from acute or medical emergencies are left with limited healthcare options in the City. Staff feels this presents a dire situation necessitating the need to continue declaring a local health emergency until such time that adequate funding is received, and Adventist Health can legally assume operational management to return the provision of healthcare for Madera residents.

FINANCIAL IMPACT:

Council authorized the City Manager to allocate staff time and up to $60,000 for collaboration with County leaders and staff to evaluate and identify a path forward concerning the Hospital and alternative medical care.

ALTERNATIVES:

Alternatively, Council may elect to terminate the existing Resolution supporting the County's local emergency proclamation.

ATTACHMENTS:

1. Resolution supporting the County's Proclamation of Local Emergency extending the period for an additional 30 days.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA SUPPORTING THE COUNTY'S PROCLAMATION OF THE EXISTENCE OF A LOCAL EMERGENCY DUE TO THE CLOSURE OF MADERA COMMUNITY HOSPITAL FOR A PERIOD OF 30 DAYS

WHEREAS, on December 29, 2022, the Madera County Sheriff/Madera County Director of Emergency Services declared a local emergency based on an imminent and proximate threat to public safety in Madera County caused by the sudden and unexpected closure of Madera Community Hospital, the City's only general acute care hospital and emergency room that provided services to both adults and children; and

WHEREAS, the Madera County Board of Supervisors ratified the declaration of a local emergency on January 3, 2023, related to the closure of Madera Community Hospital; and

WHEREAS, the City Council of the City of Madera hereby finds that there continues to exist an imminent and proximate threat to public health and safety from the closure of Madera Community Hospital; and

WHEREAS, conditions of disaster or of extreme peril to the safety of persons within the City have resulted from and continue due to the sudden termination of emergency and other medical services at Madera Community Hospital, thereby causing significant and unanticipated strain and depletion of local resources and the conditions warrant and necessitate supporting the declaration of a local emergency; and

WHEREAS, the closure of Madera Community Hospital came at a time when the region's healthcare network was already significantly strained by ongoing cases of COVID-19, flu, and respiratory viruses; and

WHEREAS, the Fresno County Board of Supervisors declared an emergency on January 3, 2023, related to the current healthcare crisis affecting medical facilities in their County, compounded by the closure of Madera Community Hospital.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MADERA HEREBY RESOLVES AS FOLLOWS:

Section 1. The above recitals are true and correct and are incorporated herein by this reference.

Section 2. The City Council finds that the state of emergency conditions related to the closure of Madera Community Hospital set forth in the Madera County Sheriff's Proclamation of Emergency are ongoing and are recognized as an imminent threat to our citizens.

Section 3. The City Council hereby recognizes and affirms the existence and conditions of a state of emergency as proclaimed by the Madera County Board of Supervisors and the City affirms, authorizes, and acknowledges the existence of a local emergency throughout the City.

Section 4. The City Council further requests that the Governor make available any State assistance programs and seek additional Federal assistance programs to provide relief to the public agencies and private individuals that have been or will be harmed by this emergency.

Section 5. The City Council supports the proclamation issued by Sherriff Pogue on December 29, 2022, ratified by the Madera County Board of Supervisors on January 3, 2023.

Section 6. The City Clerk is directed to provide a certified copy of this resolution to Madera County, Fresno County, and all state and federal legislative representatives for the City of Madera.

Section 7. This resolution is effective immediately upon adoption.

* * * *

REPORT TO CITY COUNCIL

Approved by:

Arnoldo Rodriguez, City Manager

Council Meeting of: November 15, 2023

Agenda Number: B-5

SUBJECT:

Letter of Support for Madera County Transportation Commission

RECOMMENDATION:

Consider a Minute Order Approving a Letter of Support for Madera County Transportation Commission for the inclusion of specified projects into the 2024 Interregional Transportation Improvement Program

SUMMARY:

On November 6, 2023, Staff received a request for a letter of support from the Madera County Transportation Commission (MCTC) for the inclusion of the State Route (SR) 99 Avenue 7 to 12 and SR 99 Avenue 17 to 21 Projects in Madera County; the SR 99 Delano to Pixley Project in Tulare County; and the Madera High-Speed Rail Station Project into the 2024 Interregional Transportation Improvement Plan (ITIP). Staff has prepared the Letter of Support for the Council's consideration. If the Council desires, it may approve a Minute Order authorizing the Mayor or City Manager to provide a support letter to MCTC to include the projects in the 2024 ITIP by the November 17, 2023 deadline.

DISCUSSION:

The California Department of Transportation's (Caltrans) five-year Interregional Transportation Improvement Program (ITIP) is prepared pursuant to Government Code 14526, Streets and Highways Code Section 164, and the California Transportation Commission's (Commission) 2024 STIP Guidelines. The 2024 ITIP covers Fiscal Years (FY) 2024-25 through 2028-29. The State Transportation Improvement Program (STIP) consists of two programs, the Regional Transportation Improvement Program (RTIP), funded from 75 percent of the total STIP funding, and the ITIP, funded from the remaining 25 percent of STIP funding.

As specified by law, using its 25 percent share of the STIP, Caltrans nominates ITIP projects that improve the Interregional Transportation System between regions for the movement of people

and goods as outlined in the Interregional Transportation Strategic Plan (ITSP). Project selection for the ITIP is guided by State Statutes, the ITSP, and Commission STIP Guidelines. Caltrans' ITSP provides the framework to identify strategic corridors for the investment of ITIP funds and the facility concepts that the investments are intended to achieve. Caltrans works with Regional and local agencies to identify those projects. The MCTC is seeking to include projects that directly impact the City and County of Madera in the 2024 ITIP, including:

SOUTH MADERA WIDENING PROJECT

The South Madera 6 Lane Widening Project is on SR 99 in Madera County from south of Avenue 7 to north of Avenue 12. It is consistent with the California Freight Mobility Plan (CFMP), SR 99 Business Plan, SR 99 Corridor System Management Plan (CSMP) and the Madera County Transportation Commission Regional Transportation Plan. This project will eliminate the 5.8-mile, four-lane bottleneck on SR 99 in both directions, between Madera and Fresno, by providing an additional lane in each direction. The project also includes increasing vertical clearance at one of the overcrossing structures.

SR 99 in this vicinity is at the upper end of the spectrum for projects with a very high interregional value – with 21 percent truck traffic volume and a relatively high Average Annual Daily Traffic (AADT). This project improves operational efficiency on a critical goods movement corridor, providing greater travel-time reliability, throughput, and velocity of freight movement.

This project accomplishes the goals of the 2021 ITSP by balancing local community and interregional needs and improving safety for all users. The project benefits the surrounding disadvantaged communities by increasing connectivity to employment and production centers, education, services, and other opportunities in the region. The project also meets the needs of the SR 99 Business Corridor Plan.

NORTH MADERA WIDENING PROJECT

The North Madera 99 Six-lane project will enhance freight mobility and relieve traffic congestion by increasing traffic capacity on SR 99 from Avenue 17 Overcrossing to Avenue 21½ Overcrossing. Alternative 1 proposes adding one additional lane in both directions. Alternative 2 consists of a partial realignment of the SR 99 centerline to the west before the construction of additional lanes.

This segment of SR 99 is essential to the economy of San Joaquin Valley and is critical to the agricultural and commercial transportation in this region. Almonds are the top commodity in Madera and Fresno counties producing 533,000 tons, valued at $2 billion. Milk is the second-highest leading commodity in the County, valued at approximately $330 million. SR 99 is also used by interregional travelers and commuters in the County. The 2021 AADT ranges from 70,000 to 73,000. The 2021 average daily truck traffic within the project limits is approximately 20 percent. SR 99 is part of the National Highway System as a STRAHNET and a STAA truck route serving San Joaquin Valley. The continuous six-lane cross section that this project will extend will

enable the implementation of managed-lane strategies with Vehicle Miles Traveled (VMT) reducing benefits on the SR 99 corridor.

Caltrans District 6, in collaboration with the Headquarters (HQ) Sustainability Division, has developed a potential phased approach to implement a managed-lane facility on SR 99. This project would be part of Phase 2 of the approach to executing the managed-lane strategies, estimated to be implemented in 2030. Phase 2 will be the last phase needed to complete 325.8 miles of managed lanes on SR 99 within District 6.

TULARE WIDENING – DELANO TO PIXLEY

In Tulare County, the Delano to Pixley widening project proposes to construct a 13.5-mile-long SR 99 section with a 12-foot lane in both directions between Delano and Pixley. This project will improve safety, truck freight mobility and travel time reliability in this segment of SR 99. SR 99 corridor traverses agricultural land and agribusiness within the limits of the project and under the Federal-Aid Surface Transportation Program, SR 99 is designated as part of the National Highway System as a STRAHNET route. It is also designated as a State Terminal Access Route for trucks allowed under STAA.

The project scope includes an inside 12-foot lane in both directions from PM 0.0 to 13.5, replacing the current metal beam median barrier and oleanders with a concrete median, and widening the median of the bridge at Avenue 76 in Tulare County. It also adds new TMS elements on the new lane and shoulder and reconstructs impacted drainage and pumping systems and installs new safety elements within the project limits. The project will also reconstruct the northbound paved median from PM 56.4 to 57.6 in Kern County to restripe as an additional lane.

MADERA HIGH-SPEED RAIL STATION PROJECT

The project will construct a new station in Madera County for California's Interim High-Speed Rail (HSR) Service between Merced and Bakersfield. Located along Avenue 12, the station will provide Madera County with direct access to HSR service, the Central Valley, and the rest of California. Future transit-oriented development along the Avenue 12 Corridor, together with improved transit connectivity, will ensure that the County can capture the full economic and environmental benefits of HSR and sustainable growth patterns.

The San Joaquin Joint Powers Authority (SJJPA) completed an environmental review for the improvements needed for the Madera HSR Station for Interim Service in accordance with the California Environmental Quality Act (CEQA) on January 22, 2021. SJJPA manages the San Joaquins rail service and is expected to be the Operating Agency for HSR Interim Service. SJJPA is responsible for implementing the improvements needed for the Madera HSR Station. SJJPA is working with the MCTC, the County, the City, Caltrans, the California State Transportation Agency (CalSTA), and the California High-Speed Rail Authority (CHSRA).

FINANCIAL IMPACT:

There is no financial impact anticipated as a result of providing a letter of support to Madera County Transportation Commission for the purpose of adding the outlined projects to the 2024 Interregional Transportation Improvement Program.

ALTERNATIVES:

Council may elect not to approve a minute order authorizing the City Manager or Mayor to provide a letter of support to MCTC for the inclusion of the aforementioned projects into the 2024 Interregional Transportation Improvement Program.

ATTACHMENTS:

1. Letter of Support
2. 2024 Draft Interregional Transportation Improvement Program

November 15, 2023

Chair Lee Ann Eager
Attn: Tanisha Taylor
California Transportation Commission
1120 N Street, Mail Station 52
Sacramento, CA 95814

Tony Tavares, Director
California Department of Transportation
PO Box 942873
Sacramento, CA 94273-0001

Subject: Caltrans ITIP Programming for State Route 99 in Madera and Tulare Counties and HSR Station in Madera County.

Chair Eager and Director Tavares:

We are providing this letter to express support for the inclusion of the SR 99 Ave 7-12 and SR 99 Ave 17-21 projects in Madera County and the SR 99 Delano to Pixley project in Tulare County in the 2024 Interregional Transportation Improvement Program (ITIP). State Route 99 is the transportation backbone of Madera County and the San Joaquin Valley and is a critical north-south goods movement artery for the State. It is because of the need for freight mobility and safety for Madera and Tulare Counties, the San Joaquin Valley and the State as a whole that continued investment in projects like these are critical.

- The San Joaquin Valley (SJV) is the highest producing agricultural region in the United States. In 2022, $39 billion of California's $56 billion of agricultural goods came from the San Joaquin Valley. If it were a state, the SJV would be the top agricultural producer in the country.

- These projects have been identified as a priority project in the San Joaquin Valley Goods Movement Plan and the Caltrans State Route 99 Business Plan.

- These projects combined with on-going locally funded interchange and other corridor improvements are part of a systematic effort to improve safety, goods movement and economic opportunity in the San Joaquin Valley. Madera and Tulare Counties are among the most disadvantaged counties (by almost any economic or demographic indicator) in the State.

Additionally, we support the Madera High Speed Rail Station Project managed by the San Joaquin Joint Powers Authority (SJJPA).

Sincerely,

Arnoldo Rodriguez
City Manager
City of Madera

Draft 2024 Interregional Transportation Improvement Program (ITIP)









California Department of Transportation

DIVISION OF FINANCIAL PROGRAMMING | OCTOBER 15, 2023

Gavin Newsom

Governor, State of California

Toks Omishakin

Secretary, California State Transportation Agency

Tony Tavares

Director, California Department of Transportation

Table of Contents

Introduction	1
Purpose and Statutory Requirements of the ITIP	2
Guiding Policy for 2024 ITIP Investments	3
ITIP Evaluation Criteria	6
Commission-Adopted 2024 STIP Fund Estimate	7
2024 ITIP Proposal	7
2026 STIP Cycle Expectations	11
Project Profiles	12
Interregional Highway and Intercity Rail Needs	36
1996 STIP Projects – Updated Delivery Status Budgets	37
Appendix A – Project Funding Details	41
Appendix B – Project Programming Requests	45
Appendix C – ITIP Public Comments	284
Appendix D – Benefit Cost Analysis	284

LIST OF FIGURES

Figure 1: Strategic Interregional Corridors..... 5
Figure 2: 2024 ITIP Intercity Passenger Rail Projects and Associated Interregional Corridors 14
Figure 3: 2024 ITIP Highway, Active Transportation, and Zero Emission Vehicle Infrastructure Projects and Associated Strategic Interregional Corridors..... 15

LIST OF TABLES

Table 1: 2024 ITIP Projects and Associated Strategic Interregional Corridor..... 13
Table 2: Projects that have received ITIP funds in the previous ten years for pre-construction but have not yet been funded for construction..... 36
Table 3: 1996 Grandfathered STIP Project List..... 40

* Senate Bill 486 (DeSaulnier, 2014) requires that Department of Transportation (Caltrans) submit the Draft Interregional Transportation Improvement Program (ITIP) to the California Transportation Commission (Commission) by October 15 of each odd-numbered year and that two public hearings be held regarding the interregional program: one in Northern California and one in Southern California, no later than November 15 of that same year. For the 2024 ITIP, the Commission will hold the north hearing on November 1, 2023. The south hearing will be held on November 8, 2023. Formal public comments will be received at the hearings and by email at OCIP@dot.ca.gov until close of business on November 15, 2023. Summaries of comments received, and Caltrans' responses, will be included in the Appendix C of this ITIP document.

More information on the ITIP can be found on the Office of Capital Improvement Programming's website:

https://dot.ca.gov/programs/financial-programming/office-of-capital-improvement-programming-ocip

Introduction

The California Department of Transportation's (Caltrans) five-year Interregional Transportation Improvement Program (ITIP) is prepared pursuant to Government Code 14526, Streets and Highways Code Section 164, and the California Transportation Commission's (Commission) 2024 STIP Guidelines. The 2024 ITIP covers Fiscal Years (FY) 2024-25 through 2028-29.

The State Transportation Improvement Program (STIP) consists of two programs, the Regional Transportation Improvement Program (RTIP), funded from 75 percent of the total STIP funding, and the ITIP, funded from the remaining 25 percent of STIP funding. The RTIP is further subdivided by formula into county shares that fund projects nominated by Regional Transportation Planning Agencies (RTPA) to improve the transportation system within the region. Both the RTPAs and Caltrans must submit their final RTIPs and ITIP to the Commission by December 15 of each odd-numbered year. However, Senate Bill 486 (DeSaulnier, 2014), requires that Caltrans submit a Draft ITIP to the Commission by October 15 of each odd numbered year. This early submittal of ITIP is done so that the Commission has adequate time to review the document and conduct ITIP hearings to solicit public input.

As specified by law, using its 25 percent share of the STIP, Caltrans nominates ITIP projects that improve the Interregional Transportation System between regions for the movement of people and goods as outlined in the Interregional Transportation Strategic Plan (ITSP).

Project selection for the ITIP is guided by State Statutes, the ITSP, and Commission STIP Guidelines. In particular, the Caltrans' ITSP provides the framework to identify strategic corridors for the investment of ITIP funds and the facility concepts that the investments are intended to achieve. Caltrans works with Regional and local agencies to identify those projects.

Purpose & Statutory Requirements of the ITIP

California Government Code Section 14526 specifies that the ITIP fund projects that improve interregional movement for people and goods throughout California on the State Highway System (SHS) and develop Intercity Passenger Rail corridors of strategic importance.

California Government Code Section 14526:

(a) Not later than October 15 of each odd-numbered year, based on the guidelines established pursuant to Section 14530.1, and after consulting with the transportation planning agencies, county transportation commissions, and transportation authorities, Caltrans shall submit to the commission the draft five-year interregional transportation improvement program consisting of all the following:

(1) Projects to improve State highways, pursuant to subdivision (b) of Section 164 of the Streets and Highways Codes.
(2) Projects to improve intercity passenger rail system.
(3) Projects to improve interregional movement of peoples, vehicles, and goods.

(b) Projects included in the interregional transportation improvement program shall be consistent with the State interregional transportation strategic plan prepared pursuant to Section 14524.4

The ITIP improvements complement transportation improvements made within the State's urbanized areas funded by RTIPs and other locally controlled funds. Robust transportation networks connecting the State's major regions, ports, and borders are vital to California's larger economic vitality and the economic health of local communities.

The ITIP must be programmed consistent with the Streets and Highway Code Section 164(a) as follows:

- At least 60 percent of the program shall be programmed to projects outside urbanized areas on the Interregional Road System (IRRS) and intercity passenger rail. Of this amount, at least 15 percent (9 percent of the ITIP) must be programmed for intercity passenger rail projects, including grade separation projects.

- Up to 40 percent may be programmed for projects anywhere in the State subject to the north/south 40/60 split. Projects may be State highway, mass transit fixed guideways, or rail grade separations.

These requirements can be reduced to three simple constraints:

1. At least 9 percent of the program must be programmed for intercity passenger rail and grade separation projects.
2. No more than 24 percent of the ITIP for projects in the South urbanized areas or other South area for non-IRRS projects.
3. No more than 16 percent of the ITIP for projects in the North urbanized areas or other North area for non-IRRS projects.

Guiding Policy for the 2024 ITIP Investments

The Interregional Transportation Strategic Plan (ITSP) provides a policy framework to guide Caltrans and partner agencies in developing comprehensive, multimodal Corridor Plans that lead to the development of transformative, innovative, and cost-effective projects. The ITSP aligns with the Climate Action Plan for Transportation Infrastructure (CAPTI), California Transportation Plan 2050 (CTP 2050), California Freight Mobility Plan (CFMP), and the California State Rail Plan (CSRP). It also establishes criteria for prioritizing transportation investments that safely move people and goods between regions. The ITSP provides direction to programs, districts, and partner agencies on the policies and strategies that should be considered when assessing the interregional transportation system and identifying improvements. The ITSP also provides policy direction for the development of the Interregional Transportation Improvement Program (ITIP). The ITSP is updated every five years, following the completion of the CTP.

The 2021 ITSP has identified eleven Strategic Interregional Corridors (Figure 1) that enable significant interregional movement of people and goods between all the State's major regions. Analysis of each corridor was conducted to determine high-priority facilities and segments. The 2021 ITSP identifies specific improvements and strategies to address corridor needs and deficiencies, to be addresses through district corridor planning efforts. Caltrans approved the 2021 ITSP on October 1, 2021.

Additionally, the ITIP was referenced in CAPTI, which details how the state will invest discretionary transportation dollars to combat and adapt to climate change while supporting public health, safety, and equity. CAPTI builds on executive orders signed by Governor Newsom in 2019 and 2020 targeted to reduce GHG emissions from transportation.

Specifically, CAPTI outlines an action related to the ITIP as follows:

- S1.3 Fast Track New CAPTI-Aligned Projects in Early Planning Phases by Adding Them to the ITIP: To foster and develop a strong pipeline of innovative, sustainable transportation solutions, Caltrans will fast track the development of new ITIP projects in early planning phases that are in alignment with the Investment Framework, the revised Caltrans' corridor planning process, and the Regions Rise Together effort. While existing ITIP commitments will continue to be funded, new ITIP projects will undergo an expedited project development process that will be completed in collaboration with local and regional partners. These new projects will be prioritized for a portion of new and future funding capacity in the ITIP when such funds are available, while balancing the need to complete currently programmed ITIP projects.

The 2024 ITIP remains committed to funding the completion of unfinished projects programmed in previous ITIPs where funding capacity allows, while also providing funding for new projects aligned with the 2021 ITSP and with the CAPTI investment framework.

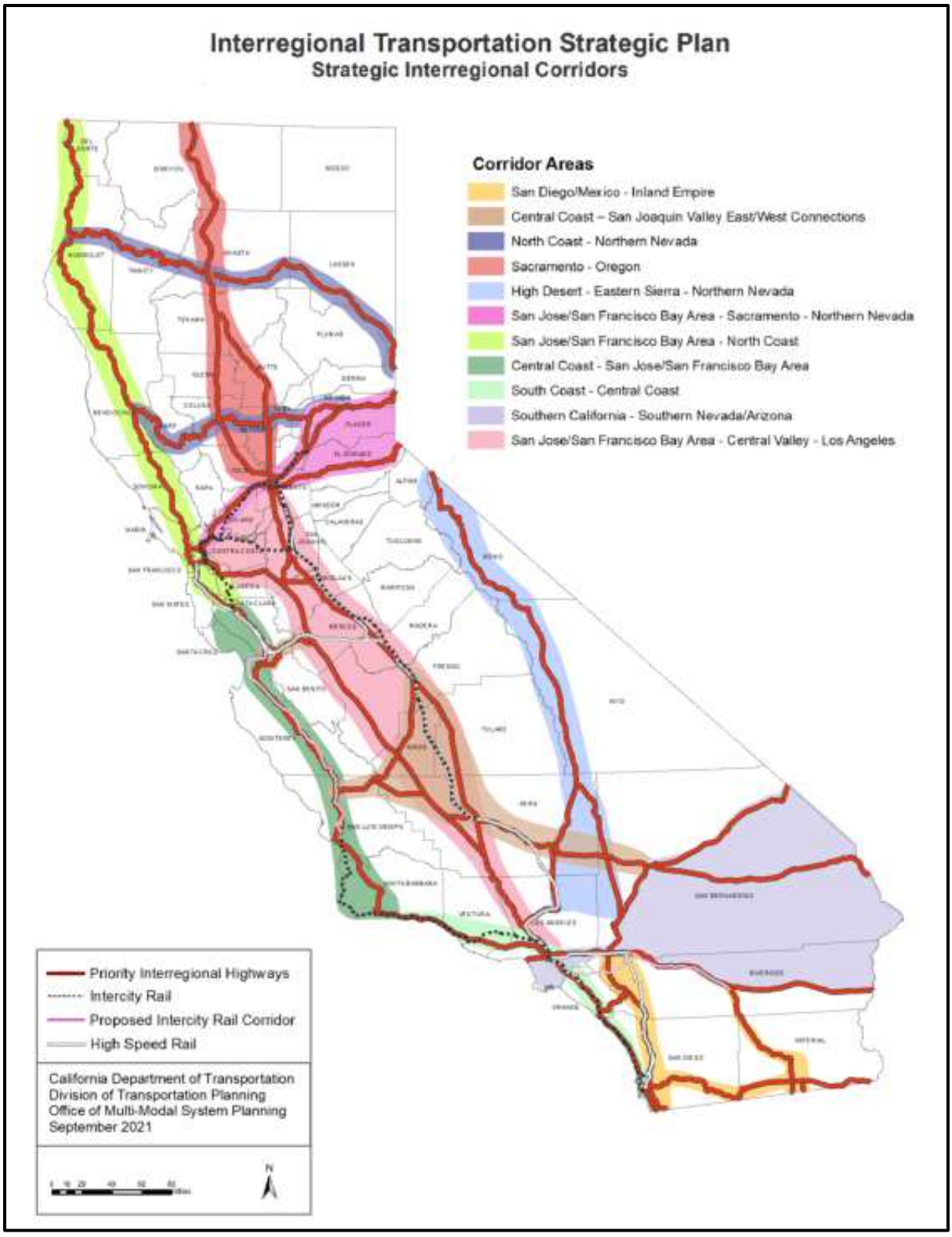


Figure 1: Strategic Interregional Corridors

ITIP Evaluation Criteria

The 2021 ITSP defines the evaluation criteria for prioritizing interregional corridor improvement needs, and specifically for the ITIP, to ensure limited transportation funding is allocated to advance California statewide goals and policies. The purpose of the evaluation criteria is to evaluate projects based on how they meet the interregional objectives and policies outlined in the ITSP.

The following 15 evaluation criteria provided in the ITSP are based on the CTP 2050 goals, as well as CAPTI:

1. Does the project support a facility identified in a strategic interregional corridor summary?
2. Is the project on a priority interregional facility?
3. How does the project improve interregional travel (e.g. freight movement, intercity rail, etc.)?
4. Does the project demonstrate potential for interregional travel mode shift, including to rail, transit, or active transportation?
5. How does the project impact single occupancy vehicle miles traveled (VMT)?
6. How does the project include and document a meaningful public engagement process to traditionally underrepresented groups (including Black, Indigenous, and other People of Color (BIPOC)), low income, environmental justice communities, and/or their Community Based Organizations) and incorporate local community needs into the project?
7. How does the project impact public health, including from a racial equity standpoint?
8. Does the project make an improvement to an emergency evacuation route identified in an emergency plan/hazard mitigation plan or strategy using an approach that is supported by state/local emergency services?
9. Does the project reduce fatalities and severe injuries for all users in alignment with the Safe Systems approach?
10. Does the project include and/or improve access to zero emission charging or fueling infrastructure?
11. Does the project improve climate adaptation and resiliency by addressing one or more climate risk(s) identified in the Caltrans District Vulnerability Assessments and Adaptation Priority Reports or a regional or local climate change adaptation plan?
12. Does the project minimize the impact on natural resources and ecosystems?

13. Does the project leverage SHOPP investment or other maintenance or rehabilitation funds for the purpose of maintaining or rehabilitating assets in fair or poor condition within the project limits?
14. Does the project leverage partner funds?
15. How does the project impact the economy?

Commission-Adopted 2024 STIP Fund Estimate

On August 16, 2023, the Commission adopted the 2024 STIP Fund Estimate (FE). The STIP FE is a biennial estimate, produced in odd-numbered years, of all State and Federal funding sources (except federal discretionary grants) for the State's transportation infrastructure for the five years of the new STIP, which is adopted in the following even-numbered year. The 2024 STIP FE established funding levels for STIP and the State Highway Operation and Protection Program (SHOPP) covering FYs 2024-25 through FYs 2028-29. The 2024 STIP FE includes all applicable funding resources provided by Senate Bill (SB) 1. Funds provided to the STIP are primarily derived from revenues collected by the price-based excise tax on gasoline.

The 2024 STIP FE identifies net new capacity in the last two years of the STIP, FY 2027-28 and FY 2028-29, along with adjustments to available capacity in earlier years. Programming in the 2024 STIP will be constrained by fiscal year, with most of the new programming available in FY 2027-28 and FY 2028-2029.

The 2024 STIP FE includes $2.9 billion in programming capacity for STIP projects over the 2024 STIP FE period, of which $1.2 billion was programmed in the 2022 STIP and nearly $1.7 billion is the new capacity available for cost increases on carryover projects or for new STIP projects. This provides approximately $312 million of new capacity for the 2024 ITIP.

2024 ITIP PROPOSAL

Both the 2021 ITSP and proposed 2024 ITIP continue our commitment to working with regional partners. Caltrans works through its Districts with Metropolitan Planning Organizations (MPOs) and RTPAs to ensure that the selected ITIP projects not only have interregional merit but are also included in a Regional Transportation Plan (RTP), as applicable, and help to meet regional as well as interregional transportation needs.

The 2024 STIP FE includes a total of $2.9 billion in programming capacity for STIP projects over the five-year STIP FE period of which $1,674,010,000 is the new STIP capacity (75 percent for RTIP and 25 percent for ITIP) projects. This amount is

after STIP capacity was reduced by approximately $190 million over the FE period due to Senate Bill 102 which appropriated PTA funding to the newly created Zero-Emission Transit Capital Program. This translates to an approximate total of $418,502,000 of new capacity for ITIP. This new capacity is reduced to $312,076,000 after accounting for the borrowed future shares of $106,426,000 in the 2022 cycle.

When considering projects for the 2024 ITIP, the following factors are used to prioritize projects for funding:

- Project cost and/or ITIP funding request amount (due to limited 2024 ITIP funding capacity)
- Currently programmed ITIP projects that need funding to complete remaining phases
- 2021 ITSP Evaluation Criteria for new ITIP Projects
- Prioritizing new projects consistent with the 2021 ITSP and the CAPTI framework
- Prioritizing projects that have a significant impact at the state level, including rail infrastructure and improvements to Highway 99, recognizing their vital role in regional and statewide transportation networks.

Twenty-one previously programmed projects from the 2022 ITIP are scheduled to carry forward to the 2024 ITIP, for a total funding amount of $150,119,000 programmed in fiscal years 2024-25, 2025-26, and 2026-27 to be allocated along with the allocations for projects with time extensions with project funding from prior years. A total funding of $313,073,000 for these projects as shown in the table below includes funding from years prior to this Fund Estimate period.

Carryover 2022 Projects with Carryover Funding Shown ($'s x 1000)					
Co	Route or Rail Corridor	PPNO	Project	Total	2024 Total
LAK	29	3121	Lake 29 Expressway - Segment 2B	5,100	0
LAK	29	3122	Lake 29 Expressway - Segment 2A	5,100	0
NEV	49	4117	Rte 49, Corridor Improvement Project	3,000	0
SON		2376	SMART Pathway/Great Redwood Trail - Santa Rosa (Guerneville Road to Airport Boulevard)	6,097	6,097
SLO	46	0226L	SR 46 Expressway Conversion - Antelope Grade Segment	10,300	0
SLO	46	0226X	Cholame Mitigation Project	1,000	667
KER	14	8042B	Freeman Gulch Widening - Segment 2	1,481	0
FRE	41	6705	Excelsior Expressway	31,000	23,000
MAD	99	6297	South Madera 6 Lane	43,313	33,500
TUL	99	6369	Tulare City Widening	6,300	0
SBD	15	3020Y	I-15 Dynamic Cantilever Extinguishable Message Signs	1,629	0
LA	Pacific Surfliner	9882	Link Union Station Phase A Component of the SCORE Program-Main Construction Contract	60,820	0
STA	San Joaquin	2191	San Joaquin Corridor 2nd Platforms at Modesto and Turlock-Denair	20,000	0
ORA	5	2833C	Interstate 5 (I-5) Managed Lanes	25,600	0
PLA	Capitol	9879	Sacramento to Roseville 3rd Mainline Track Phase 1	33,530	30,000
VAR		9885	Rail Reserve	7,500	7,500
VEN	PacificSurfliner	9887	Leesdale Passing Siding Project	20,000	20,000
SJ	San Joaquin	9888	San Joaquin Street Station Layover Track	7,000	7,000
RIV	CVR	9891	Coachella Valley-San Gorgonio Pass Rail Corridor Service	10,000	10,000
SJ	San Joaquin	9892	Philips Siding Rehabilitation	6,509	6,509
SJ	San Joaquin	9893	Elk Grove to Philips Siding Rail Operational and Capacity Improvements	7,794	5,846
				313,073	**150,119**

2024 ITIP New Capacity and New Programming Details:

1. 2024 ITIP Total new capacity: $312,076,000
2. 2024 ITIP Changes to currently programmed projects: $134,961,000

(a) Programming cost increases and programming subsequent phase(s) of currently programmed projects:

Changes to Carryover 2022 Projects ($'s x 1000)					
Co	Rte	PPNO	Project	Total	2024 Total
LAK	29	3121	Lake 29 Expressway - Segment 2B	43,541	43,541
NEV	49	4117	Rt 49, Corridor Improvement Project	2,000	2,000
SLO	46	0226L	SR 46 Expressway Conversion - Antelope Grade Segment 1	35,920	35,920
MAD	99	6297	South Madera 6 Lane	5,500	5,500
ORA	5	2833C	Interstate 5 (I-5) Managed Lanes	48,000	48,000
				134,961	**134,961**

(b) New projects: Program ten projects in the 2024 ITIP for a total of $186,621,000.

New Projects in the 2024 ITIP ($'s x 1000)					
Co	Rte	PPNO	Project	Total	2024 Total
SLO	Rail	2195	Central Coast Layover Facility	9,000	9,000
SAC	Rail	CP035U	Sacramento City College Station	4,603	4,603
MAD	Rail	TBD	Madera High-Speed Rail Station Project	80,000	80,000
SD	Rail	CP119	San Dieguito Bridge Replacement, Double Track and Special Events Platform Project (San Dieguito Phase 2)	62,000	62,000
ALA	80	TBD	Bay Skyway Phase 1 - West Oakland Link	4,356	4,356
ALA	80	TBD	Bay Skyway Phase 1 - YBI Multi Use Path	4,944	4,944
SB	101	TBD	Santa Claus Lane Railroad Crossing and Beach Access Improvements Phase 2	11,500	11,500
SLO	46	3110	Shandon Roadside Rest Area Improvements	1,918	1,918
TUL	99	7072	Delano to Pixley 6-Lanes	4,000	4,000
MAD	99	7074	North Madera 6 Lane	4,300	4,300
				186,621	**186,621**

In summary, a total of $321,582,000 is proposed for new programming to projects against the available 2024 ITIP Target Capacity of $312,076,000. Per 2024 STIP Guidelines, the Department can propose project funding request above the Target Capacity of $312,076,000 but below the maximum capacity of $1,577,214,000.

2026 STIP Cycle Expectations

Even though there is a reduction in 2024 FE revenue, which is attributable to the PTA funding reduction, the available new 2024 ITIP funding capacity is higher than the capacity in the 2022 ITIP. Under the present revenue forecasting methodology for the STIP, an average STIP cycle may add up to $1.4 billion of new money. Every new STIP cycle adds two new years of programming capacity. With 25 percent of new revenues going to the interregional program, the 2026 ITIP can expect to see new programming capacity of about $350 million over two years or about $175 million per year for the future STIP cycles. Therefore, the 2026 STIP cycle is expected to have normal levels of funding capacity which will allow the programming of new projects/phases in the next ITIP cycle.

Project Profiles

The 2024 FE provided $312,076,000 in new programming capacity that allows Caltrans to program 10 new projects in addition to addressing cost increases for 2022 ITIP projects and programming subsequent phases of five carryover projects. For the first time, over 56% of the new funds are going to rail, active transportation, and zero emission vehicle infrastructure projects.

All projects that are being carried over are within the 2021 ITSP's Strategic Interregional Corridors. All projects are located on one of the Priority Interregional Facilities and are listed in the Table 1 below.

The 2024 ITIP provides a short discussion of currently funded ITIP projects found to be within the Strategic Interregional Corridors as outlined in the 2021 ITSP.

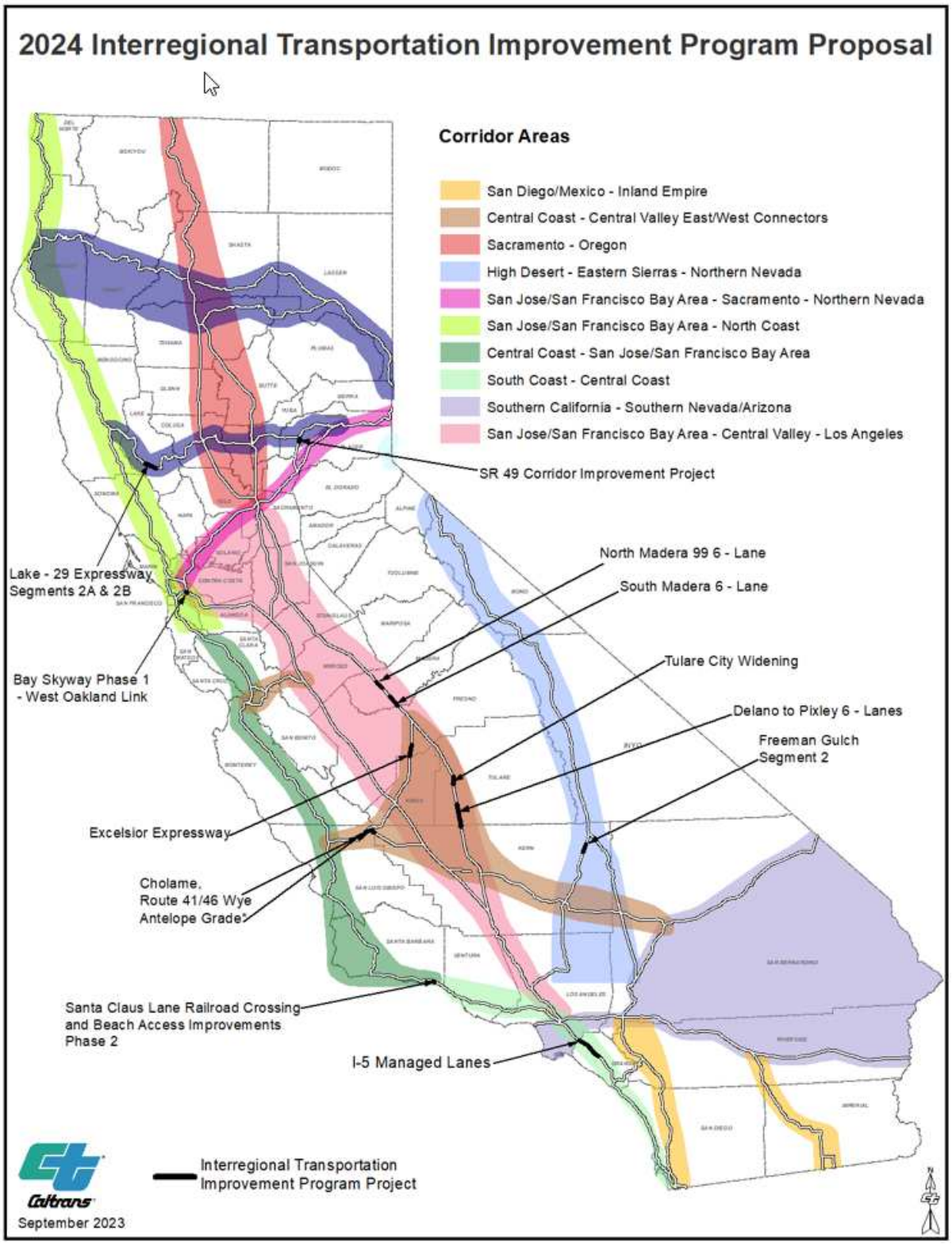
Table 1: 2024 ITIP Projects and Associated Strategic Interregional Corridor

Strategic Interregional Corridors	Route/Rail Corridor	Project Description	District	County
South Coast - Central Coast	Pac Surfliner	Central Coast Layover Facility	5	San Luis Obispo
	Pac Surfliner	Link Union Station	7	Los Angeles
	North Coast	San Dieguito Bridge Replacement, Double Track and Special Events Platform Project (San Dieguito Phase 2)	11	Los Angeles
	Pac Surfliner	Leesdale Passing Siding	7	Ventura
	Intersate 5	Interstate-5 Managed Lanes	12	Orange
Central Coast - San Jose / San Francisco Bay Area	101	Santa Claus Lane Railroad Crossing and Beach Access Improvements Phase 2	5	Santa Barbara
San Jose/San Francisco Bay Area - North Coast	SMART	SMART Pathway/Great Redwood Trail - Santa Rosa (Guerneville Road To Airport Boulevard)	4	Sonoma
San Jose/San Francisco Bay Area - Sacramento - Northern Nevada	Valley Rail	Sacramento City College Station	3	Sacramento
	I 80	Bay Skyway Phase 1 - West Oakland Link	4	San Francisco
	I 80	Bay Skyway Phase 1 - YBI Multi Use Path	4	San Francisco
	Capitol	Sacramento to Roseville Third Track Service Expansion Phase 1	3	Sacramento/ Placer
San Jose/San Francisco Bay Area - Central Valley - Los Angeles	San Joaquin	Second Platforms (Modesto and Turlock-Denair)	10	Stanislaus
	San Joaquin	San Joaquin Street Station Layover Track	10	San Joaquin
	San Joaquin	Philips Siding Rehabilitation	3,10	Sacramento/ San Joaquin
	San Joaquin	Elk Grove to Philips Siding Rail Operational and Capacity Improvements	3,10	Sacramento/ San Joaquin
	HSR	Madera High Speed Rail Project	6	Madera
	SR 99	South Madera 6 Lane Widening	6	Madera
	SR 99	North Madera 6 lane Widening	6	Madera
High Desert - Eastern Sierras - Central Nevada	SR 14	Freeman Gulch Widening Segment 2	6	Kern
Southern California - Southern Nevada/Arizona	Coachella Valley Rail Corridor	Cochella Valley Rail	7,8	Various
Central Coast - Central Valley East/West Connectors	SR 41	Excelsior Expressway - 2 to 4 Lane	6	Fresno
	SR 99	Delano to Pixley 6 Lanes Widening	6	Tulare
	SR 99	Tulare City Widening	6	Tulare
	SR 46	Shandon Roadside Rest Area ZEV Improvements	5	San Luis Obispo
	SR 46	SR 46 Improvements (Cholame Widening, Route 41/46 WYE, Antelope Grade)	5	San Luis Obispo
North Coast - Northern Nevada	SR 29	Segment 2A and 2B of the Lake 29 Expressway Project	1	Lake
	SR 49	SR 49 Corridor Improvements	3	Nevada

Figure 2: 2024 ITIP – Intercity Passenger Rail Projects and Associated Interregional Corridors



Figure 3: 2024 ITIP Highway, Active Transportation, and Zero Emission Vehicle Infrastructure Projects and Associated Strategic Interregional Corridors



South Coast – Central Coast Corridor

CENTRAL COAST LAYOVER FACILITY AND STATION EXPANSION – PACIFIC SURFLINER CORRIDOR

The existing single-track layover facility is located directly across from the San Luis Obispo Amtrak station. The project will construct approximately 3,000 feet of new and/or rehabilitated layover track. The Pacific Surfliner will improve ridership and revenue and increase intercity rail passenger service frequency because of this additional layover capacity. The project will facilitate the maintenance of equipment mid-route and at the route terminus. It will enable additional passenger trains to hold overnight and allow a second, more convenient morning departure from San Luis Obispo. It will also provide a facility to hold and service a train set for any additional proposed intercity frequencies.

This project will expand the facility to accommodate up to four trainsets and provide a location on the north end of the LOSSAN rail corridor to maintain the Pacific Surfliner equipment. An expanded layover facility in San Luis Obispo can also benefit the efforts underway to implement a sub-regional rail service utilizing other equipment, like zero-emission Multiple Units (ZEMUs), operating between Santa Barbara and San Luis Obispo by providing a location to also maintain this equipment. The proposed project is needed to improve the efficiency, on-time performance, and frequency of intercity passenger rail services along the LOSSAN rail corridor. A new or expanded layover facility will enhance intercity passenger rail service. The Pacific Surfliner will improve the ridership, revenue, and extend service through additional layover capacity.

LINK UNION STATION

Los Angeles Union Station (LAUS) is Southern California's primary transportation hub, connecting multiple counties with a combined population exceeding 20 million people. By 2040, ridership through LAUS is forecasted to increase from roughly 110,000 to more than 200,000 passenger trips each weekday. The Link Union Station (Link US) project will provide for the forecasted increase in ridership and expand regional rail connectivity. Link US plans to transform LAUS into a modern, world-class transit and mobility hub to meet the region's long-term transportation needs. The project will make LA's Union Station, a run-through track station instead of a stub-end station, vastly improving the throughput capacity for Intercity, Commuter and High-Speed Rail (HSR) systems. Importantly, both the Pacific Surfliner and Metrolink will realize significant benefits from the first phase of run-through tracks, including adding capacity for up to five Surfliner and Metrolink trains per hour in each direction

to provide one-seat ride service through LA, with a much shorter station dwell that will lead to significantly increased ridership on both systems. This project is fully funded with various funding sources including, Proposition 1A, Transit and Intercity Rail Capital Program (TIRCP), Local, and ITIP funds.

Phase A of Link US serves as a linchpin to delivering the SCORE Program, offering increased capacity for the Metrolink and Pacific Surfliner services via the initial delivery of two run-through tracks. The Full Build Link US Project will improve the operational capacity and flexibility of LAUS to accommodate more commuter, intercity, and high-speed rail trains; enhance seamless transfers to local and regional transit services; improve mobility; provide job and mobility benefits to disadvantaged communities; enhance passenger safety; and reduce GHG emissions. This project accomplishes the goals of the 2021 ITSP for this corridor by promoting high-speed rail system development, improving integration between regional, intercity, and high-speed rail systems, increasing intercity passenger rail service, and increasing connectivity and accessibility to modal options.

LEESDALE PASSING SIDING

The project extends the existing Leesdale siding to create a passing siding for the area. The project includes constructing drainage improvements, culverts, bridges, and relocating utilities. The project replaces manual switches with remote-controlled switching equipment, and the Las Posas Road and Pleasant Valley Road grade crossing signal systems will be modified to accommodate the siding. This is a carryover project from the 2022 ITIP will provide funding for construction.

Growth in Central Coast population centers related to the region's proximity to the Los Angeles Metro area in the south has increased demand for products shipped via freight modes concurrently with an increase in demand for Central Coast products from outside of the region. Challenges for freight movement are endemic to the South Coast Corridor region due to competition for space on the transportation system by passenger modes.

The project increases operational flexibility to meet demand and improve efficiency, reliability, and travel times for freight and passenger rail, and accommodate future service growth. Specifically, the project will provide direct benefits to Metrolink and Surfliner services in this area by allowing for 30-minute bi-directional frequencies in this segment. The project will reduce delays, reduce emissions and improve air quality in the region, which is among

the worst in the nation, with freight movement substantially contributing to the problem. The creation of this passing siding will allow for increased operational flexibility and reduce opportunities for cascading delays in a largely single-truck territory with limited passing sidings between Oxnard and Camarillo. This project accomplishes the goals of the 2021 ITSP for this corridor by increasing intercity passenger rail service, supporting freight alternatives to trucks to decrease VMT, and improving safety.

SAN DIEGUITO BRIDGE REPLACEMENT, DOUBLE TRACK AND SPECIAL EVENTS PLATFORM PROJECT (SAN DIEGUITO PHASE 2)

The San Dieguito Bridge Replacement, Double Track and Special Events Platform Project (San Dieguito Phase 2/ SDDT2) project will replace the single-track, 107-year-old wood trestle San Dieguito River Railway Bridge and provide a second main track from the north of the San Dieguito River Bridge (approximately MP 243.0) to Control Point (CP) Del Mar (MP 243.9), resulting in an additional 0.9 miles of double track. The new special events platform at the Del Mar Fairgrounds will be elevated and joined to the new double track bridge with upper passenger connection walkways and stairs.

By eliminating the single-track bottleneck, the Phase 2 project will allow for increase in operation and efficiency for both passenger and freight trains, provide safe and reliable public transportation mode to the events at the Del Mar Fairgrounds, increase ridership, and replace the existing timber bridge at milepost 243.0. By adding a second track, the project would eliminate the need for trains to sit idling at a siding for another train to use the single-track segment. Double tracking this segment is necessary to support growth, increased capacity and demand, and operational flexibility in the LOSSAN Corridor while increasing the reliability of rail service overall. This project also replaces the aging existing bridge with a new bridge that meets current design standards. The new structure will raise the bridge and its approaches to avoid flood inundation, future sea level rise and prevent potential railroad bridge scour and track damage or failure. Currently, there is no direct service to the Del Mar Fairgrounds through public passenger rail service. The proposed special events platform will provide direct passenger service to the events at the Del Mar Fairgrounds. Additionally, the project will improve safety by removing an uncontrolled railroad crossing with a safe and protected undercrossing for pedestrians and bicyclists.

I-5 MANAGED LANES PROJECT



Interstate 5 provides the vital interregional link between major Southern California cities and Mexico for commuting, commerce, tourism, and recreation. The project will improve the overall movement of passenger and freight vehicles. The project alternatives include modification of HOV lane requirements from 2-passenger to 3-passenger minimum, convert existing HOV lanes to Express Lanes, or convert existing HOV lanes to Express Lanes and add an Express Lane. This project is currently programmed in the ITIP for environmental phase. 2022 ITIP is providing funding for the design and right of way phases. It is anticipated the construction phase funding will be from the ITIP, State Highway Operation and Protection Program (SHOPP), and other state/federal grants.

The project improves travel time reliability and accessibility to modal options. The project promotes ridesharing, carpooling, and enhances transit. This project accomplishes the goals of the 2021 ITSP for this corridor by increasing connectivity and accessibility to modal options and implementing managed lanes to maximize people's movement. This project also meets the needs of the Upper Interstate 5 Corridor Plan.

The project improves travel time reliability and accessibility to modal options. The project promotes ridesharing, carpooling, and enhances transit.

This project accomplishes the goals of the 2021 ITSP for this corridor by increasing connectivity and accessibility to modal options and implementing managed lanes to maximize people's movement. This project also meets the needs of the Upper Interstate 5 Corridor Plan.

Central Coast – San Jose/San Francisco Bay Area Corridor

SANTA CLAUS LANE RAILROAD CROSSING AND BEACH ACCESS IMPROVEMENTS PHASE 2



Phase 1 of the Project includes improvements on Santa Claus Lane to add a Class I bikeway, free coastal access parking, and landscaping. Phase 1 is fully funded and ready for construction in the Fall of 2023. The 2024 ITIP proposes funding for Phase 2 of the Project to build upon and connect with improvements built in Phase 1. Phase 2 improvements include the new pedestrian railroad crossing, beach access boardwalks for ADA access, bicycle parking and sidewalks to close gaps.

This project addresses goals of coastal trail connections providing safer and more accessible beach access, and encouragement of active transportation that are frequently stated for SCL and SB-Carpinteria corridor public forums for Safer beach across the railroad – current informal crossing area has steep slopes, no defined path or safety features. This project provides accessible crossing for people with mobility needs and beach accessories. This improvement provides a new crossing will meet current CPUC, UPRR, and ADA requirements.

San Jose/San Francisco Bay Area – North Coast Corridor

SMART PATHWAY/GREAT REDWOOD TRAIL - SANTA ROSA (GUERNEVILLE ROAD TO AIRPORT BOULEVARD)

The project improves multi-modal transportation options and will provide safe non-motorized, lower emission travel options in its immediate vicinity, including improved connections to regional commercial and cultural centers and to the Active Transportation Program-funded non-motorized overcrossing of United States Highway 101, connecting to the Santa Rosa Junior College campus in northeast Santa Rosa.

The project is within a regional Metropolitan Transportation Commission/Santa Rosa Priority Development Area and a Regional Equity Priority Community.

According to Bay Area Vision Zero data, within a rectangle covering the length of the project and approximately 0.5 mile on either side, there were 6 fatal and 55 serious injury accidents, with 37.7 percent of fatal or serious injury accidents involving bicycles or pedestrians, over the past 10 years. The crash costs associated with all bicycle and pedestrian injuries and fatalities during that time is approximately $64,800,000. Because the northern portion of the project is in unincorporated Sonoma County, only 65 percent of the project area surface streets, covered by the Bay Area Vision Zero, analysis have sidewalks.

This project is one piece of the SMART Pathway gap closure in northwest Santa Rosa that, once completed, will connect to either constructed or future planned construction SMART Pathway segments that are fully funded, resulting in 18 miles of continuous SMART Pathway between the Town of Windsor and the southern city limit of Rohnert Park. The project will provide safe, non-motorized first and last mile of connectivity to the North Bay's regional commuter rail system via the SMART Santa Rosa North rail station at Guerneville Road. The average passenger trip length on the SMART rail system is 23 miles and approximately 15 percent of SMART riders bring their bicycles onboard the trains.

The project benefits include increased non-motorized network connectivity, including connections to regional rail services to major regional and interregional destinations, reductions in vehicle miles traveled, and increased rail safety by creating a safe path of travel to discourage illegal and unsafe trespass on the freight and passenger railroad right of way.

San Jose/San Francisco Bay Area – Sacramento– Northern Nevada Corridor

SACRAMENTO TO ROSEVILLE THIRD TRACK SERVICE EXPANSION PHASE 1

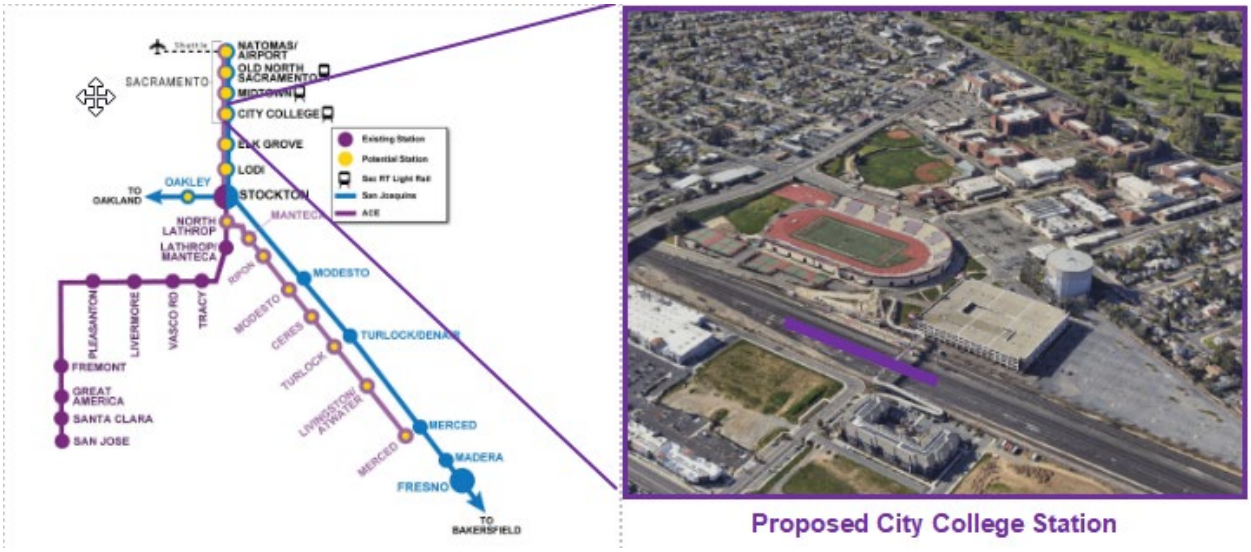
The project builds approximately 6.75 miles of new third track for Capitol Corridor passenger rail service from Sacramento to Roseville between MP 100.99 and 107.4. The layout of the third main line reserves flexibility for future construction of a fourth main line by UPRR, should that ever be needed for railroad capacity in the future. The project will include one new railroad bridge over Dry Creek. The Sacramento to Roseville Third Track Service Expansion Phase1 will provide two additional daily roundtrips on the existing passenger rail corridor. This project is needed to provide highway congestion relief,

improve air quality, and reduce greenhouse gas emissions. The 2024 ITIP will fund construction.

The project will improve freight capacity by separating passenger and freight rail traffic. The project will increase ridership and reduce congestion, providing air quality benefits to surrounding communities. The project also meets the needs of the Placer-Sacramento Gateway Corridor Plan.

SACRAMENTO CITY COLLEGE STATION

The Sacramento City College Station project is located steps from Sacramento City College; the proposed station would be constructed adjacent to the existing SacRT City College light rail station north of Sutterville Road and would provide platform to platform transfers between SacRT and new passenger rail service to be implemented between Merced and Sacramento as part of the San Joaquin Regional Rail Commission's Valley Rail project. By improving existing infrastructure and expanding the capacity of the Sacramento City College Station, the project seeks to better serve the needs of the college community and the region's growing population all while supporting the City's General Plan policies that encourages and promotes the enhancement of passenger rail service to and through the Sacramento area.



Proposed City College Station

BAY SKYWAY PHASE 1 - WEST OAKLAND LINK

The Bay Skyway Phase 1 – West Oakland Link project will create a walking, cycling, e-bike, and electric ferry connection while reducing congestion on the Bay Area's most congested corridor, the Bay Bridge. The Bay skyway Phase 1 comprises three components that each have independent utility and benefits to nearby communities but are all necessary to provide interregional benefits along the corridor with a seamless Transbay active transportation



network serving as a bike highway, connecting housing to jobs for disadvantaged and low-income residents, and supporting climate change goals by reducing greenhouse gas emissions. Bay Skyway Phase 1 components are also necessary to fully realize future benefits of the Bay Skyway Phase 2 with a path on the Bay Bridge West Span.

Reduce congestion in the Bay Area's most congested corridor will Improve the safety of drivers and active transportation users throughout the corridor, improve access to economic opportunities for residents of disadvantaged communities on both sides of the Bay, reduce greenhouse gas emissions for communities at high risk throughout the corridor, and add capacity to the Bay Bridge corridor while creating a new low-cost transportation option for residents.

BAY SKYWAY PHASE 1 – YERBA BUENA ISLAND MULTI USE-PATH

The Yerba Buena Island (YBI) Multi-Use Path connects the eastern touchdown of the East Span path on YBI with the Treasure Island ferry terminal located on Treasure Island. The YBI path will be located adjacent (on the water side) of Hillcrest and Treasure Island Roads. The new path will divert active transportation users away from sharing Hillcrest and Treasure Island Roads with motorists. This separated multi- use bike/ped pathway connection will allow East Span path-users to safely walk, bike, and e-bike within the planned network of bikeways between Oakland and the Treasure Island ferry terminal on Treasure Island.

The existing roadways connecting the East Span landing to the new Treasure Island Ferry Terminal are narrow and mostly without sidewalks. The YBI Multi-Use Path will connect the west end of the existing East Span path with the Treasure Island ferry and the rest of Treasure Island's planned biking and walking network, and will join the existing East Span path with the future one on the Bay Bridge West Span. This Project will give Treasure Island residents access to Oakland jobs and other destinations and eventually to a multi-use path on the Bay Bridge West Span via Bay Skyway Phase 2.

San Jose/San Francisco Bay Area – Central Valley – Los Angeles Corridor

SAN JOAQUIN CORRIDOR SECOND PLATFORMS AT MODESTO AND TURLOCK-DENAIR STATIONS - SAN JOAQUIN INTERCITY PASSENGER RAIL CORRDIOR

This project will extend the existing station platforms and construct a second platform at two locations. A single platform currently serves these stations and whenever there are opposing meets, one train must wait farther out at a siding while the other train serves the station. The construction of the second platform will allow two passenger trains to operate at the station simultaneously. The project is needed to eliminate delays and improve on-time performance of intercity rail passenger services through the entire San Joaquin Corridor. The San Joaquin Corridor operates primarily as a scheduled railroad, with passenger trains operating at fixed times and freight operations working around those times. For the freight trains to meet the needs of their customers, there must be a reliable passenger schedule that enables them to plan meets and passes in the correct locations. Having a second platform at all stations will allow better more efficient schedules.

This project will accommodate the increased demand for intercity passenger rail service. The San Joaquin Valley has the highest levels of poverty and unemployment compared to the rest of California; this project will increase accessibility to jobs and improve air quality, thereby alleviating the burdens facing communities in the Valley.

MADERA HIGH-SPEED RAIL STATION PROJECT

The project will construct a new station in Madera County for California's Interim High-Speed Rail (HSR) Service between Merced and Bakersfield. Located along Avenue 12, the station will provide Madera County with direct access to HSR service and better connect it with Fresno, the larger Central Valley region, and the rest of California. Future transit-oriented development along the Avenue 12 Corridor, together with improved transit connectivity, will ensure that Madera County can capture the full economic and environmental benefits of HSR and sustainable growth patterns.

SJJPA completed environmental review for the improvements needed for the Madera HSR Station for Interim Service in accordance with the California Environmental Quality Act (CEQA) on January 22, 2021.

SJJPA manages the San Joaquins rail service and is expected to be the Operating Agency for HSR Interim Service. SJJPA is responsible for implementing the improvements needed for the Madera HSR Station. SJJPA is

working in partnership with the Madera County Transportation Commission, Madera County, City of Madera, Caltrans, the California State Transportation Agency (CalSTA), and the California High-Speed Rail Authority (CHSRA).

SOUTH MADERA WIDENING

The South Madera 6 Lane Widening Project is on SR 99 in Madera County from south of Avenue 7 to north of Avenue 12. It is consistent with the CFMP, SR 99 Business Plan, SR 99 Corridor System Management Plan (CSMP) and the Madera County Transportation Commission RTP.



This project will eliminate the 5.8 mile, four-lane bottleneck on SR 99 in the southbound and northbound directions, between Fresno and Madera by providing an additional lane in each direction in the median. The scope of work includes increasing vertical clearance at one of the overcrossing structures.

SR 99 in this vicinity is at the upper end of the spectrum for projects with a very high interregional value – with 21 percent truck traffic volume and a relatively high Average Annual Daily Traffic (AADT). This project improves operational efficiency on a critical goods movement corridor, providing greater travel-time reliability, throughput, and velocity of freight movement.

This project accomplishes the goals of the 2021 ITSP by balancing local community and interregional needs and improving safety for all users. The project benefits the surrounding disadvantaged communities by increasing connectivity to employment and production centers, education, services, and other opportunities in the region. The project also meets the needs of the SR 99 Business Corridor Plan.

Madera County's Mid-Cycle RIP funds and SHOPP funds are also programmed for this project. Combining this widening project with the planned SHOPP project in FY 2025-26 achieves significant efficiencies and substantial savings.

NORTH MADERA 99 WIDENING

The North Madera 99 Six-lane project will enhance freight mobility and relieve traffic congestion by increasing traffic capacity on State Route (SR) 99 from

Avenue 17 Overcrossing to Avenue 21½ Overcrossing. Alternative 1 proposes to construct one additional lane in each direction using the existing median. Alternative 2 consists of partial realignment of the SR 99 centerline to the west, before construction of additional lanes.

This segment of SR 99 is essential to the economy of San Joaquin Valley and is critical to the agricultural and commercial transportation in this region. Almonds are the top commodity in both Fresno and Madera counties producing 533,000 tons, valued at $2 billion. Milk is the second highest leading commodity in Madera County, valued at approximately $330 million dollars. SR 99 is also used by interregional travelers and commuters in Madera and Fresno Counties. The 2021 AADT ranges from 70,000 to 73,000. The 2021 average daily truck traffic within the project limits is approximately 20%. SR 99 is part of the National Highway System as a STRAHNET and a STAA truck route serving San Joaquin Valley.

The continuous six-lane cross section that this project will extend will enable the implementation of managed-lane strategies with Vehicle Miles Traveled (VMT) reducing benefits on the SR 99 corridor. Caltrans District 6, in collaboration with the Headquarters (HQ) Sustainability Division, has developed a potential phased approach for opportunity to implement a managed-lane facility on SR 99. This project would be part of Phase 2 of the approach to implement the managed-lane strategies, estimated to be implemented in 2030. Phase 2 will be the last phase needed to complete 325.8 miles of managed lanes on SR 99 within District 6. Managed-lane strategies with VMT reducing benefits will be identified in an interim deliverable (to be completed no later than December of 2023) in the development of the SR 99 Comprehensive Multimodal Corridor Plan (CMCP) currently in progress.

TULARE CITY WIDENING

The improvements in this segment are part of a long-range strategy to improve SR 99 southwards from Kingsburg to Delano. The 2018 ITIP funded the design, right of way, and construction phases for the Tagus 6-Lane Widening (Northbound and Southbound) project. Tulare County Association of Governments (TCAG) is the funding partner for this project. TCAG programmed RIP funds for the design, right of way, and construction phases. This project is currently in construction.

In addition, Tulare City Widening project was originally programmed in the 2018 ITIP for environmental and design phases. Currently, this project is in the environmental phase. Right of way and construction phases are currently unfunded.

This segment of SR 99 in the corridor has a high interregional value – 18 percent truck traffic and relatively high AADT.

This project accomplishes the goals of the 2021 ITSP by increasing connectivity and travel-time reliability for all users and preserving highway infrastructure in a state of good repair. The project balances community and interregional travel needs by reducing congestion, improving safety, and increasing accessibility to employment, education, services, and other opportunities. This project also meets the needs of the SR 99 Business Corridor Plan.

TULARE WIDENING – DELANO TO PIXLEY



In Tulare County, Delano to Pixley widening project proposes to construct a 13.5-mile-long SR 99 section with a 12-foot lane in both directions between Delano and Pixley. This project will improve safety, truck freight mobility and travel time reliability in this segment of SR 99. SR 99 corridor traverses agricultural land and agribusiness within the limits of the project and under the Federal-Aid Surface Transportation Program, SR 99 is designated as part of the National Highway System as a STRAHNET route. It is also designated as a State Terminal Access Route for trucks allowed under STAA.

The project scope includes an inside 12-foot lane in both directions from PM 0.0 to 13.5, replacing current metal beam median barrier and oleanders with a concrete median, and widening the median of the bridge at Avenue 76 in Tulare County. It also adds new TMS elements on the new lane and shoulder and reconstructs impacted drainage and pumping systems and installs new safety elements within the project limits. The project will also be reconstructing the existing NB paved median from PM 56.4 to 57.6 in Kern County to restripe as an additional lane.

The funding plan for this includes majority funding coming from Tulare's RIP funds, SHOPP funds, Proposition 1B – SR 99 bond funds. ITIP funds are needed to complete the funding plan. This project is proposed to be combined with a SHOPP project (Delano to Pixley Six-Lane Rehabilitation) to be advertised as a single construction award.

ELK GROVE TO PHILIPS SIDING RAIL OPERATIONAL AND CAPACITY IMPROVEMENTS

The project extends the existing Philips Siding to connect with the proposed Elk Grove Station siding. The project will create a second main track to serve trains entering the proposed Elk Grove station. The project will upgrade the existing siding switches to allow for increased train speeds. The project includes modifications to existing bridges, crossings, and culverts. The project is a necessary component of the Valley Rail Sacramento Extension, a proposed passenger rail service between Stockton and Sacramento with further connections to San Jose, Ceres, and Bakersfield. Once deployed, the improvements will provide 7 round trips to Sacramento, with service terminating in Natomas. The 2024 ITIP will fund environmental and design phases.

The project will increase accessibility and connectivity for residents throughout the corridor. The project implements infrastructure to support an increase in intercity passenger rail service frequency that aligns with the corridor improvement strategies defined in the ITSP to promote multimodal interregional movement.

This additional frequency will allow for ACE service to operate up to four daily round trips to Natomas, improving residents' transportation options throughout the corridor.

SAN JOAQUIN STREET STATION LAYOVER TRACK

This project will implement track and station access improvements at the San Joaquin Street Station in Stockton to better serve passengers in preparation for future expansion of service to / from Sacramento. The proposed improvements include new layover tracks near the station to facilitate a new short-run operation of the San Joaquins passenger rail service between Stockton and Sacramento that will connect with mainline San Joaquins trains between Bakersfield and the San Francisco Bay Area. In addition to the layover facility, the Project also includes parking, security, and public transportation improvements at and adjacent to the station.

Prior to the COVID-19 pandemic, the San Joaquins passenger rail service operated seven roundtrips daily extending to / from Bakersfield, with five of the roundtrips branching west at Stockton to serve the San Francisco Bay Area and two of the roundtrips continuing north of Stockton to serve Sacramento. As described in the Final 2021 SJJPA Business Plan, the Sacramento Extension project proposes to increase San Joaquins service to / from Sacramento by adding two new roundtrips (the eighth and ninth roundtrips) along a new route via the Union Pacific Railroad (UPRR) Sacramento Subdivision. New stations

would be provided along the new route north of Stockton in Lodi, Elk Grove, Sacramento City College, Midtown Sacramento, Old North Sacramento, and Natomas.

The project increases train storage capacity and improves passenger safety, security, and accessibility. The project will provide enhanced intercity passenger rail connectivity in the San Joaquin Valley, resulting in reduced vehicle miles traveled (VMT) and associated GHG reductions and corresponding improvements in air quality. A thruway bus roundtrip between Sacramento and Stockton will be replaced by a train roundtrip, with a direct train-to-train connection at San Joaquin Street Station, improving convenience and reliability. The project would increase annual ridership on the San Joaquins service by approximately 123,000 in 2030 and 147,000 in 2040, corresponding to a ridership jump of more than eight percent.

PHILIPS SIDING REHABILITATION

The project is a necessary component of the Valley Rail Sacramento Extension, a proposed passenger rail service between Stockton and Sacramento with further connections to San Jose, Ceres, and Bakersfield. Once deployed, the improvements will provide 7 round trips to Sacramento, with service terminating in Natomas.

The project will upgrade the southern switch (MP 121.27) and the rehabilitation or upgrade of the existing siding from MP 121.27 to 122.55 at the existing northern switch. Improvements also include but are not limited to tie and rail replacement, replacement of the existing southern turnout with a new #24 turnout and lining and surfacing. The project is included as part of planned improvements along the UPRR Sacramento Subdivision by the SJRRC in the 2018 California State Rail Plan and in the Sacramento Area Council of Governments (SACOG) 2020 Metropolitan Transportation Plan (MTP). The 2022 ITIP is proposing to fund construction.

These proposed improvements will provide a second mainline track to improve safety for trains in passing situations, improve connectivity and increase ridership, support increased train speeds and transportation options for residents throughout the corridor, support reduced VMT and associated regional traffic improvements and improve air quality and reduce GHG emissions. The project is needed as double tracks will be provided along the UPRR Sacramento Subdivision north of the project limits with the proposed Elk Grove Double Track project. If the Philips Siding is not rehabilitated to mainline track standards this would be inconsistent with track improvements proposed along the corridor that are intended to improve safety for trains in passing situation and support increased train speeds in the corridor.

High Desert – Eastern Sierras – Central Nevada Corridor

FREEMAN GULCH WIDENING-SEGMENT 2



These projects are along SR 14, which serves as the principal access route into the Inyo and Mono County recreation areas from the Los Angeles Basin. These projects will relieve congestion and provide significant safety benefits by separating the oncoming traffic with a divided median and constructing passing lanes to break up traffic queues. Segment 1 is fully funded. This project is funded only for the design phase for Segment 2. This project is in the design phase currently and needs right of way funding to finish the remaining design phase activities. This is a partnership project funded by the Caltrans and Kern, Inyo, and Mono counties.

SR 14 is part of the Surface Transportation Assistance Act National Network (STAA), the National Highway System, and a portion of the route (I-5 to Mojave) is designated as Strategic Highway Network (STRAHNET) route. SR-14 serves as an alternate route to I-5 in natural disasters, such as earthquakes and snowstorms.

The project accomplishes the goals of the 2021 ITSP by improving interregional multimodal transportation assets to a state of good repair. The project considers climate change and increases resiliency to natural disasters by improving a critical evacuation/alternative route, benefitting both local communities and interregional travelers. The project also meets the needs of the Eastern Sierra Corridor Enhancement Plan.

Furthermore, the project increases connectivity and accessibility to modal options by constructing Complete Streets elements, such as new shoulders and intersection improvements that benefit bicycle and pedestrian mobility.

Southern California – Southern Nevada/Arizona Corridor

COACHELLA VALLEY RAIL

Caltrans and RCTC, in coordination with the Federal Railroad Administration (FRA), are working to bring passenger rail service as an alternate mode of travel across Southern California, connecting desert communities and attractions with Los Angeles, Orange County, and the Inland Empire. Programmed funding of $10 million would support completion of the environmental phase for the proposed Coachella Valley Rail Corridor, including conceptual engineering, six (6) station locations and design, and a Tier 2 Project Level Environmental Document. Later phases of the project, including construction, would be funded by other sources including, but not limited to, various local, state, and federal sources. The new intercity rail passenger service would extend approximately 144 miles between downtown Los Angeles and the Coachella Valley via downtown Fullerton and downtown Riverside. The program proposes operating two daily roundtrips between Los Angeles Union Station and Indio or Coachella, with morning and evening departures from each end.

The environmental documents for Coachella Valley Rail would develop a viable infrastructure plan with engineering concepts and provide environmental review, mitigation, and clearance to allow for future construction activities. This transformative project will increase intercity passenger rail frequency, benefitting interregional travelers, regional commuters, and nearby residents. The project will promote economic development around the rail station, increasing connectivity and access to jobs and services for low-income communities. This project supports alternatives to vehicular travel, thereby reducing VMT and GHG emissions and improving air quality.

This project accomplishes the goals of the 2021 ITSP for this corridor by expanding intercity passenger rail, balancing local community and interregional travel needs, and increasing connectivity and accessibility to modal options.

Central Coast – Central Valley East/West Connectors

EXCELSIOR EXPRESSWAY – CLOSING GAP IN A 4-LANE EXPRESSWAY

The project will convert six miles of two-lane conventional highway to a divided four-lane expressway, thereby, completing a continuous 44-mile corridor. The project serves interregional traffic and local communities between the coastal

and Sierra Nevada Mountain recreational areas and commercial truck traffic.



The project will accomplish the goals of the 2021 ITSP by improving the operational efficiency of interregional freight movement and local farm-to-market travel. The project will increase connectivity for economically underserved and tribal communities. The project will provide access to the future High-Speed Rail Kings/Tulare station. The project may incorporate Complete Streets and Zero-Emission Vehicle infrastructure elements. The project also meets the needs of the Fresno-Madera State Route 41 and Avenue 9 Sustainable Corridors Study.

Once completed, this project will close a gap in the existing four-lane expressway SR 41 facility between the City of Fresno and SR 198 in the City of Lemoore, US Naval Base site. The project will also relieve congestion, separate oncoming traffic with a divided median, and break up traffic queues by providing safe opportunities to pass slow-moving agriculture traffic. The 2018 ITIP funded the design phase in FY 2018-19 and right of way in FY 2019-20. The 2022 ITIP provided funding for the construction capital and support phases. Fresno Council of Governments (FCOG) is the funding partner for this project.

SR 46 CORRIDOR IMPROVEMENTS

SR 46 is an east-west interregional, primarily rural facility that provides a moderate level of service for truck, agricultural, passenger, and recreational travel from the Central Coast at Paso Robles to I-5 at Lost Hills, with links to other regions via I-5. In recent years, considerable investments from Proposition 1B and STIP funds have helped to convert SR 46 in this area into a four-lane



expressway. Critical unfunded gaps remain at the climb through the Antelope Grade to the Kern County line. This corridor lacks an east-west freight rail connection between the Central Coast and Central Valley; therefore, this highway project is critical to facilitate goods movement.

The 2018 ITIP proposal made significant investments in reducing these gaps by fully funding the Cholame segment and the SR 41/46 WYE. Once completed, the WYE project will improve safety by replacing the existing at-grade intersection with grade separated structures. The Antelope Grade project is funded through the design phase with 2022 ITIP funds and received 2022 TCEP funds for the right of way phase. 2024 ITIP proposes to fund Segment 1 construction phase needs that includes conversion of 1.3 miles of two-lane conventional highway into a four-lane expressway and construction of the ZEV charging infrastructure for passenger and commercial vehicles at the nearby Shandon Safety Roadside Rest Area. Funding for Segment 2 of the project will be pursued in the future cycles of state and federal programs.

The four-lane expressway project on the Kern County side of SR 46 is fully funded for construction with RIP funding by the Kern Council of Governments (Kern COG), Traffic Congestion Relief Program (TCRP) funds and federal funds.

This project accomplishes the goals of the 2021 ITSP by improving safety and keeping the critical freight facilities in a state of good repair. The project also meets the needs of the State Route 46 Corridor System Management Plan

North Coast – Northern Nevada Corridor

LAKE 29 KONOCTI CORRIDOR PROJECT

A major strategy for the Lake County portion of this corridor is to improve safety and system effectiveness for all travelers by separating the interregional and regional travel by supporting freight improvements to the south on State SR 29 and improving local circulation, including active transportation, to the north on SR 20.

The Lake 29 Expressway project and the Lucerne Complete Streets Improvement Project support this multimodal strategy. The project encompasses a total of 8-miles, but is split into 3 Phases (Segment 2A, 2B and

2C). All segments will improve traffic safety by providing passing opportunities. Segment 2C completed construction in the Summer of 2023 and will also provide enhanced bike and pedestrian facilities by constructing wider shoulders. A significant portion of the Segment 2C project was SHOPP funded, and the remainder was split between Lake County RIP shares and Interregional shares. The environmental phase for other two Segments, 2A and 2B was completed in 2016.

The 2018 ITIP funded the design phase for Segments 2A and 2B jointly with RIP shares from Lake County. Due to RIP and IIP funding constraints in the 2022 STIP cycle, right of way and construction phases could not be funded in the 2022 cycle. 2024 ITIP proposes right of funding for Segment 2B.



This project accomplishes the goals of the 2021 ITSP by meeting the needs of local disadvantaged communities by increasing connectivity and accessibility to modal options, including active transportation. The project balances local community and interregional travel needs and improves emergency evacuation routes for all users. The project also meets the needs of the State Route 29 South Corridor Engineered Feasibility Study.

NEVADA 49 CORRIDOR IMPROVEMENT PROJECT

The purpose of this project is to enhance operations, goods movement, and safety by adding a southbound truck climbing lane outside the urbanized area, from La Barr Meadows Road to McKnight Way in Nevada County, while also improving access to the zero-emission bus charging infrastructure at the Nevada County Transit Operations Center.



The southbound truck climbing lane improves the movement of goods along SR 49, which is designated as a Critical Rural Freight Corridor and included in the Interregional Transportation Strategic Plan (ITSP) San Jose/San Francisco Bay Area – Sacramento – Northern Nevada strategic interregional corridor, which results in enhanced connectivity and essential services while providing a long-term benefit to emergency readiness during evacuations for the rural communities in Nevada County.

The project accomplishes the goals of the 2021 ITSP by balancing local community and interregional travel needs by improving operations, safety, and goods movement while reducing emissions on adjacent AB 1550 populations, enhancing daily commuting and mobility, improving access to zero-emission bus charging infrastructure, and improving resiliency and readiness for emergency evacuation in recognition of climate impacts. The project also meets the goals and objectives of the State Route 49 Multimodal Corridor Plan, State Route 49 Safety Needs Assessment, Ready Nevada County Extreme Climate Event Mobility Adaptation Plan, and Nevada County Regional Transportation Plan.

INTERREGIONAL HIGHWAY AND INTERCITY RAIL NEEDS

Section 39 of the 2024 STIP guidelines, adopted by the California Transportation Commission on August 16, 2023, requires Caltrans to identify projects that have received ITIP funds in the previous 10 years for pre-construction but have not yet been funded for construction. Table 2 below lists such projects along with unfunded phases and associated costs for each project, based upon the latest estimate of project costs.

Caltrans District/ State Rail Plan Region	Implementing Agency	County-Route	Project Name	Total Remaining Need (in Millions)	Remaining Phases
Highways					
1	Caltrans	Lake County 29	Lake 29 Expressway - Segment 2A	$91	RW and CON
1	Caltrans	Lake County 29	Lake 29 Expressway - Segment 2B	$84	CON
5	Caltrans	San Luis Obispo County 46	Antelope Grade - Segment 2	$123	CON
5	Caltrans	Santa Barbara 101	South Coast 101 HOV Lanes - Montecito to Santa Barbara (Segments 4E North)	$120	CON
6	Caltrans	Kern County 14	Freeman Gulch - Segment 2	$99	RW and CON
6	Caltrans	Kern County 14	Freeman Gulch - Segment 3	$99	RW and CON
6	Caltrans	Tulare County 99	Tulare City Widening	$212	RW and CON
			Total	**$828**	

Table 2: Projects that have received ITIP funds in the previous 10 years for pre-construction but have not yet been funded for construction

These projects that have previously received ITIP funds in the last ten years for pre-construction phases but have not been fully funded through construction. These estimates are based on the August 2023 estimates. Projects outside of the 10-year window are not included in the list.

Given the limited funding capacity of this ITIP cycle, additional funding was not available to fund these projects. These projects will continue to be under consideration in future ITIP cycles. Profiles for these projects are included in the project profiles section of this document.

1996 STIP Projects – Updated Delivery Status and Budgets

Section 10 of the STIP Guidelines states that Caltrans, in its ITIP, shall report on the budgets of all ongoing grandfathered 1996 STIP projects. A grandfathered project is one that was programmed in the 1996 STIP. Grandfathered funds are taken off the top before the division of new STIP funds between the regional and interregional programs. Grandfathered funds can only be used for Capital Outlay Support and only for work delivering the scope as shown in the 1996 STIP. This report lists such information for both IIP and RIP-funded projects.

According to the Caltrans' policy, all budgets for grandfathered work are communicated to Caltrans headquarters and maintained in the CTIPs database. Changes and updates are reviewed and anticipated to be approved through the Project Change Request (PCR), Caltrans' change control process.

Table 3 on the following page details the budget, expenditure report, and status for all ongoing grandfathered 1996 STIP projects. The 2022 report included five ongoing grandfathered projects. The 2024 report includes the five remaining grandfathered projects.

Below is a brief discussion on projects with no cost increases and no schedule delays since last reported in the 2022 STIP.

Willits Bypass (PPNO 0125F)

The Contract Acceptance Milestone (CCA) was completed in December 2020. For this mitigation project, the CCA was based upon the completion of the planting effort. These mitigating improvements will be monitored until 2028. These monitoring activities include, among others, water quality monitoring, grazing land monitoring, continuing cultural assessments, transfer of mitigated property to another Agency for land management in perpetuity, Right of Way Engineering final documentation and mapping.

Below is a brief discussion of a project with no cost increases but with a schedule delay since last reported in the 2022 ITIP.

Casitas Pass & Linden Ave interchanges (PPNO 0482)

The Casitas Pass & Linden Avenue Interchanges project improves operations by reconstructing the interchange, reconfiguring ramps, and replacing a bridge. The project completed construction in January 2021, five months later than expected due to being backordered and extensive utility relocations requiring additional coordination and redesign. The January 2018 overflow of Carpinteria Creek, coincident with the Montecito mudslide emergency,

brought extensive mud and debris onto the project construction site. This event stopped the work for cleanup and removal. Also, it caused widespread disruption in the area, which delayed the project.

The project is currently scheduled for completion by August 2024, delayed by an additional year since the last report. The schedule delay and cost increases are due to the additional work that remains to be completed, including final relinquishment of city streets constructed on the project and the completion of the remaining Coastal Permit requirements. Additional effort was required to address the utility relocation issues with Southern California Edison, Frontier Communications, Southern California Gas Company, and Carpinteria Valley Water District. Extensive coordination with FEMA and the City to address changes to the floodplain continued through construction, resulting in more staff effort, including substantial interaction with community elected officials, City staff, and local citizens, requiring additional effort. The overall project duration increased for the reasons described above.

Since last reported in 2022, support costs estimate for completion remained the same at $38,610,000.

Below is a brief discussion of a project with cost increases and schedule delays since last reported in the 2022 ITIP.

Baldwin Park - Soundwalls (PPNO 0309S)

The Baldwin Park sound walls project is part of a larger high occupancy lane project on Route 10 between Puente Avenue and Citrus Street. Since last reported in 2022, support costs have slightly increased by $46,000 from $6,654,000 to $6,700,000. The project is currently undergoing arbitration proceedings. The cost increases can be attributed to the necessity of additional support funds to scrutinize the contractor's claims, assess documentation provided by the contractor, and provide support in legal matters. These extra resources are vital for effectively addressing the increased efforts required to resolve the contractor's claims.

Table 3: 1996 Grandfathered STIP Project List

STIP Grandfathered Support Project List ($'s x 1000)

DIST	CO	RTE	PPNO	EA	PROJECT	GF STIP Budget (2012 Initial Reporting)[1] TOTAL	GF STIP Budget (2022 Report)[1] TOTAL	Budget Update 2024[1] TOTAL	GF STIP Expenditures[2] TOTAL	Notes
01	MEN	101	0125F	26200	Willits Bypass (Includes PPNOs 0125X, 0125Y, 0125W, 0125Z)	$79,000	$183,823	$183,823	$158,593	Parent project completed December 2016. Remaining mitigation projects scheduled for completion December 2028.
05	SB	101	0482	4482U	Casitas Pass & Linden Ave interchanges	$23,932	$38,610	$38,610	$36,470	Project completion scheduled for August 2024.
07	LA	10	0309S	11172	Baldwin Park - Soundwalls	$4,590	$6,654	$6,700	$5,876	Project construction completed in January 2022. Project closeout is scheduled for July 2025.
07	LA	5	2808	2159_	I-5 South Corridor(5 phases) (PPNOs 4153, 2808, 4154, 4155, 4156)	$57,769	$57,769	$57,769	$57,769	No change, support budget capped per agreement. Entire corridor open to traffic October 2022. The last segment of the Project construction completion is scheduled for June 2023. Project closeout is scheduled for July 2027.
07	LA	5	2808A	2159C	Orange County to Rte 605 - Carmenita Interchange	$30,845	$30,845	$30,845	$30,845	Project construction completed in April 2018 but the R/W components are not complete. No change, support budget capped per agreement.Project closeout is scheduled for July 2027.

[1] GF Budget estimate to complete support

[2] Actual Support expenditures to date

Budget revisions since last reported in 2022 ITIP

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Appendix A – Project Funding Details

Following tables provide detailed funding and fiscal year information for all carryover projects, carryover projects with cost changes, and new projects proposed for the 2024 ITIP.

Table A: Carryover 2022 Projects with Carryover Funding Shown

Carryover 2022 Projects with Carryover Funding Shown ($'s x 1000)																	
Co	Route or Rail Corridor	PPNO	Project	Total	2024 Total	24-25	25-26	26-27	27-28	28-29	RW	CON	PA&ED	PS&E	RW Sup	Con Sup	Notes
LAK	29	3121	Lake 29 Expressway - Segment 2B	5,100	0	0	0	0	0	0	0	0	0	5,100	0	0	Carryover with cost change.
LAK	29	3122	Lake 29 Expressway - Segment 2A	5,100	0	0	0	0	0	0	0	0	0	5,100	0	0	Carryover.
NEV	49	4117	Rte 49, Corridor Improvement Project	3,000	0	0	0	0	0	0	3,000	0	0	0	0	0	Carryover with cost change.
SON		2376	SMART Pathway/Great Redwood Trail - Santa Rosa (Guerneville Road to Airport Boulevard)	6,097	6,097	6,097	0	0	0	0	0	6,097	0	0	0	0	Carryover.
SLO	46	0226L	SR 46 Expressway Conversion - Antelope Grade Segment	10,300	0	0	0	0	0	0	0	0	0	10,300	0	0	Carryover with cost change.
SLO	46	0226X	Cholame Mitigation Project	1,000	667	667	0	0	0	0	0	333	0	333	0	334	Carryover.
KER	14	8042B	Freeman Gulch Widening - Segment 2	1,481	0	0	0	0	0	0	0	0	0	1,481	0	0	Carryover.
FRE	41	6705	Excelsior Expressway	31,000	23,000	23,000	0	0	0	0	3,500	19,400	0	3,000	1,500	3,600	Carryover.
MAD	99	6297	South Madera 6 Lane	43,313	33,500	0	0	33,500	0	0	0	30,000	3,413	6,400	0	3,500	Carryover with cost change.
TUL	99	6369	Tulare City Widening	6,300	0	0	0	0	0	0	0	0	2,000	4,300	0	0	Carryover.
SBD	15	3020Y	I-15 Dynamic Cantilever Extinguishable Message Signs	1,629	0	0	0	0	0	0	0	1,249	0	0	0	380	Carryover.
LA	Pacific Surfliner	9882	Link Union Station Phase A Component of the SCORE Program-Main Construction Contract	60,820	0	0	0	0	0	0	0	60,820	0	0	0	0	Carryover.
STA	San Joaquin	2191	San Joaquin Corridor 2nd Platforms at Modesto and Turlock-Denair	20,000	0	0	0	0	0	0	1,000	16,400	600	2,000	0	0	CON funds in FY 22-23. Time extension till 2/28/2025.
ORA	5	2833C	Interstate 5 (I-5) Managed Lanes	25,600	0	0	0	0	0	0	8,700	0	2,200	12,500	2,200	0	Carryover with cost change.
PLA	Capitol	9879	Sacramento to Roseville 3rd Mainline Track Phase 1	33,530	30,000	30,000	0	0	0	0	0	30,000	3,530	0	0	0	Carryover.
VAR		9885	Rail Reserve	7,500	7,500	0	0	7,500	0	0	0	7,500	0	0	0	0	Carryover.
VEN	PacificSurfliner	9887	Leesdale Passing Siding Project	20,000	20,000	20,000	0	0	0	0	0	20,000	0	0	0	0	Carryover.
SJ	San Joaquin	9888	San Joaquin Street Station Layover Track	7,000	7,000	0	1,000	6,000	0	0	0	6,000	0	1,000	0	0	Carryover.
RIV	CVR	9891	Coachella Valley-San Gorgonio Pass Rail Corridor Service	10,000	10,000	0	10,000	0	0	0	0	0	10,000	0	0	0	Carryover.
SJ	San Joaquin	9892	Philips Siding Rehabilitation	6,509	6,509	0	6,509	0	0	0	0	6,509	0	0	0	0	Carryover.
SJ	San Joaquin	9893	Elk Grove to Philips Siding Rail Operational and Capacity Improvements	7,794	5,846	0	5,846	0	0	0	0	0	1,948	5,846	0	0	Carryover.
				313,073	**150,119**	**79,764**	**23,355**	**47,000**	**0**	**0**	**16,200**	**204,308**	**23,691**	**57,360**	**3,700**	**7,814**	

Table B: Changes to Carryover 2022 Projects

Changes to Carryover 2022 Projects ($'s x 1000)																	
Co	Rte	PPNO	Project	Total	Prior	2024 Total	24-25	25-26	26-27	27-28	28-29	RW	CON	PA&ED	PS&E	RW Sup	Con Sup	Notes
LAK	29	3121	Lake 29 Expressway - Segment 2B	43,541	0	43,541	43,541	0	0	0	0	40,571		0		2,970	0	Add RW and RW Sup funding.
NEV	49	4117	Rt 49, Corridor Improvement Project	2,000	0	2,000	2,000	0	0	0	0	0	2,000	0	0	0	0	Add CON funding.
SLO	46	0226L	SR 46 Expressway Conversion - Antelope Grade Segment 1	35,920	0	35,920	0	0	35,920	0	0	0	30,000	0	0	0	5,920	Add CON and CON Sup funding.
MAD	99	6297	South Madera 6 Lane	5,500	0	5,500	0	5,500	0	0	0	0	5,000	0	0	0	500	Add CON and CON Sup funding.
ORA	5	2833C	Interstate 5 (I-5) Managed Lanes	48,000	0	48,000	48,000	0	0	0	0	0	34,000	0	0	0	14,000	Add CON and CON Sup funding.
				134,961	**0**	**134,961**	**93,541**	**5,500**	**35,920**	**0**	**0**	**40,571**	**71,000**	**0**	**0**	**2,970**	**20,420**	

Table C: New Projects in the 2024 ITIP

New Projects in the 2024 ITIP ($'s x 1000)																	
Co	Rte	PPNO	Project	Total	Prior	2024 Total	24-25	25-26	26-27	27-28	28-29	RW	CON	PA&ED	PS&E	RW Sup	Con Sup	Notes
SLO	Rail	2195	Central Coast Layover Facility	9,000	0	9,000	9,000	0	0	0	0	0	9,000	0	0	0	0	Add new project.
SAC	Rail	CP035U	Sacramento City College Station	4,603	0	4,603	4,603	0	0	0	0	0	0	0	4,603	0	0	Add new project.
MAD	Rail	TBD	Madera High-Speed Rail Station Project	80,000	0	80,000	0	0	0	80,000	0	0	80,000	0	0	0	0	Add new project.
SD	Rail	CP119	San Dieguito Bridge Replacement, Double Track and Special Events Platform Project (San Dieguito Phase 2)	62,000	0	62,000	0	62,000	0	0	0	0	62,000	0	0	0	0	Add new project.
ALA	80	TBD	Bay Skyway Phase 1 - West Oakland Link	4,356	0	4,356	0	4,356	0	0	0	0	4,356	0	0	0	0	Add new project.
ALA	80	TBD	Bay Skyway Phase 1 - YBI Multi Use Path	4,944	0	4,944	0	4,944	0	0	0	0	4,944	0	0	0	0	Add new project.
SB	101	TBD	Santa Claus Lane Railroad Crossing and Beach Access Improvements Phase 2	11,500	0	11,500	11,500	0	0	0	0	0	10,000	0	0	0	1,500	Add new project.
SLO	46	3110	Shandon Roadside Rest Area Improvements	1,918	0	1,918	0	0	1,918	0	0	0	1,300	0	0	0	618	Add new project.
TUL	99	7072	Delano to Pixley 6-Lanes	4,000	0	4,000	4,000	0	0	0	0	0	4,000	0	0	0	0	Add new project.
MAD	99	7074	North Madera 6 Lane	4,300	0	4,300	4,300	0	0	0	0	0	0	4,300	0	0	0	Add new project.
				186,621	**0**	**186,621**	**33,403**	**71,300**	**1,918**	**80,000**	**0**	**0**	**175,600**	**4,300**	**4,603**	**0**	**2,118**	

Table D: Final Expenditures for Completed Project Components

No projects to be reported.

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Appendix B – Project Programming Requests

Co	Route or Rail Corridor	PPNO	Project	Page
LAK	29	3121	Lake 29 Expressway - Segment 2B	46
LAK	29	3122	Lake 29 Expressway - Segment 2A	54
NEV	49	4117	Rte 49, Corridor Improvement Project	61
SON		2376	SMART Pathway/Great Redwood Trail - Santa Rosa (Guerneville Road to Airport Boulevard)	70
SLO	46	0226L	SR 46 Expressway Conversion - Antelope Grade Segment	77
SLO	46	0226X	Cholame Mitigation Project	85
KER	14	8042B	Freeman Gulch Widening - Segment 2	91
FRE	41	6705	Excelsior Expressway	99
MAD	99	6297	South Madera 6 Lane	107
TUL	99	6369	Tulare City Widening	118
SBD	15	3020Y	I-15 Dynamic Cantilever Extinguishable Message Signs	126
LA	Surfliner	9882	Construction Contract	132
STA	San Joaquin	2191	San Joaquin Corridor 2nd Platforms at Modesto and Turlock-Denair	142
ORA	5	2833C	Interstate 5 (I-5) Managed Lanes	148
PLA	Capitol	9879	Sacramento to Roseville 3rd Mainline Track Phase 1	157
VAR		9885	Rail Reserve	169
VEN	Pacific Surfliner	9887	Leesdale Passing Siding Project	175
SJ	San Joaquin	9888	San Joaquin Street Station Layover Track	182
RIV	CVR	9891	Coachella Valley-San Gorgonio Pass Rail Corridor Service	188
SJ	San Joaquin	9892	Philips Siding Rehabilitation	198
SJ	San Joaquin	9893	Elk Grove to Philips Siding Rail Operational and Capacity Improvements	205
ALA	80	TBD	Bay Skyway Phase 1 - West Oakland Link	212
ALA	80	TBD	Bay Skyway Phase 1 - Yerba Buena Island Multi-Use Path	222
SB	101	TBD	Santa Claus Lane Railroad Crossing and Beach Access Improvements Phase 2	231
SLO	46	3110	Shandon Roadside Rest Area Improvements	236
TUL	99	7072	Delano to Pixley 6-Lanes	242
MAD	99	7004	North Madera 99 6 Lane	251
SLO	Rail	2195	Central Coast Layover Facility	257
SAC	Rail	CP035U	Sacramento City College Station	266
MAD	Rail	TBD	Madera High-Speed Rail Station Project	272
SD	Rail	CP119	San Dieguito Bridge Replacement, Double Track and Special Events Platform Project (San Dieguito Phase 2)	278

STATE OF CALIFORNIA • DEPARTMENT OF TRANSPORTATION

PROJECT PROGRAMMING REQUEST (PPR)

PRG-0010 (REV 08/2020)

PPR ID
ePPR-D01-2021-0002 v3

Amendment (Existing Project) ☐ YES ☒ NO | Date 10/12/2023 16:55:20

Programs ☐ LPP-C ☐ LPP-F ☐ SCCP ☐ TCEP ☒ STIP ☐ Other

District	EA	Project ID	PPNO	Nominating Agency	
01	29831	0118000079	3121	Caltrans District 1	
County	**Route**	**PM Back**	**PM Ahead**	**Co-Nominating Agency**	
Lake County	29	26.100	29.100	Lake County/City Area Planning Council	
				MPO	**Element**
				NON-MPO	Capital Outlay
Project Manager/Contact			**Phone**	**Email Address**	
JEFF PIMENTEL			707-834-9529	jeffrey.pimentel@dot.ca.gov	

Project Title

Lake 29 Expressway - Segment 2B

Location (Project Limits), Description (Scope of Work)

In Lake County near Kelseyville on Lake 29 Expressway. Construct Segment 2B, an approximately 3.0 mile portion of the 8-mile long, 4-lane Expressway Project.

Component	Implementing Agency
PA&ED	Caltrans HQ
PS&E	Caltrans HQ
Right of Way	Caltrans HQ
Construction	Caltrans HQ

Legislative Districts					
Assembly:	1	Senate:	2	Congressional:	1

Project Milestone		Existing	Proposed
Project Study Report Approved			
Begin Environmental (PA&ED) Phase		07/01/1998	07/01/1998
Circulate Draft Environmental Document	Document Type		05/24/2016
Draft Project Report		05/24/2016	05/24/2016
End Environmental Phase (PA&ED Milestone)		11/30/2016	11/30/2016
Begin Design (PS&E) Phase		07/01/2018	07/01/2018
End Design Phase (Ready to List for Advertisement Milestone)		04/15/2024	12/15/2026
Begin Right of Way Phase		04/01/2022	07/01/2024
End Right of Way Phase (Right of Way Certification Milestone)		04/01/2024	12/01/2026
Begin Construction Phase (Contract Award Milestone)		09/20/2024	06/13/2027
End Construction Phase (Construction Contract Acceptance Milestone)		12/01/2027	12/01/2030
Begin Closeout Phase		12/01/2028	12/01/2031
End Closeout Phase (Closeout Report)		09/01/2031	09/01/2034

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Date 10/12/2023 16:55:20

Purpose and Need

Route 29 is part of a system defined as the Route 20/29/53 Principal Arterial Corridor ("Corridor"), which extends around the south shore of Clear Lake. The elements of the Corridor are National Highway system routes, and the Corridor is classified as a Focus Route in the Interregional Road System. Upgrading the Corridor for future capacity increases, as well as for delivery of goods and services has long been a goal for Caltrans and the RTPA. The Corridor is unable to function as intended due to limited passing opportunities, congestion and unstable traffic flow. In addition, the deficiencies of the Corridor encourage interregional/truck traffic to utilize State Route 20 through "Main Street" Communities which has had a negative impact on pedestrian/cyclist safety, traffic noise and quality of life for these communities. Segment 2B is 3.0 miles long, located between the communities of Lower Lake and Kelseyville.

NHS Improvements ☒ YES ☐ NO	Roadway Class 1	Reversible Lane Analysis ☐ YES ☒ NO

Inc. Sustainable Communities Strategy Goals ☒ YES ☐ NO Reduce Greenhouse Gas Emissions ☒ YES ☐ NO

Project Outputs

Category	Outputs	Unit	Total
Local streets and roads	New roadway lane-miles	Miles	5.38

Additional Information

PROJECT BENEFITS

MULTIMODAL
Interregional/truck traffic is concentrated on SR 20 within north shore communities around Clear Lake. North shore communities are considered "Main Street" communities in the towns of Nice, Lucerne, Glenhaven, Clearlake Oaks. Pedestrian/bicycle safety, traffic noise and quality of life have been concerns in these communities due to interregional/truck traffic utilizing SR 20. This 23-mile segment of SR 20 was designated a Pedestrian Safety Corridor in 2007 due to a collaborative effort between Caltrans, the California Highway Patrol and local businesses/residents. The Regional Transportation Plan calls for redirecting interregional traffic onto the SR 20/29/53 Principal Arterial Route, which would minimize interregional traffic through these communities. The Lake Area Planning Council has prepared multiple plans for traffic calming/active transportation improvements along the north shore. By constructing the Lak 29 Konocti Corridor Project, truck speeds and travel time reliability will increase by providing consistent and increased free-flow speeds. Interregional traffic will be encouraged to utilize south shore corridors, while the north shore communities experience increase in multimodal corridor safety.

EQUITY
At $42,475, Lake County has the second lowest median household income of all California counties. According to the California Healthy Places Index, Lake County has healthier economic conditions than just 1.8% of other California counties and 50% of people have an income significantly below the federal poverty level. Lake County economic development has been impeded by the difficulty of transporting goods into and out of the county. Along the north shore, residences, schools, parks and shopping destinations are located adjacent to the highway and the interregional and truck traffic moving through these communities has negatively impacted the quality of life for residents and visitors with air pollution, noise and traffic safety. SR 29 is better suited to manage interregional traffic as it does not serve as a main street for any communities and adjacent land uses are mostly agricultural and industrial.

CLIMATE CHANGE
Project benefits are in line with the Caltrans 2015 Interregional Transportation Strategic Plan (ITSP), which identifies the SR 20/29/53 Principal Arterial Corridor as a "Strategic Interregional Corridor". According to the ITSP, the interregional facility "provides the corridor with vital connections to the interstate system and the rest of the State, providing access to basic goods and services along with routine and emergency medical services. Nearly all segments of the SHS are identified as high wildfire exposure by 2055 in the 2019 Caltrans Climate Change Vulnerability Assessment. This corridor would be the major transportation corridor for response and recovery efforts in the event of emergencies. The region and Lake County have experienced increased and high levels of wildland fire damage. This project will help move people efficiently out of evacuation areas and provide efficient mobility for emergency response.

SAFETY
Collision data shows that within the project limits, approximately half of all collisions result in injury. For users of SR 29 a modern four-lane facility that meets current design standards will accomplish: improvements to the horizontal/vertical alignment, safer passing opportunities, removal of fixed objects, shoulder widening, and a 36-foot un-paved median that would provide safety benefits to motorists in terms of increased sight distance, enhanced recovery areas, separation of traffic, and minimized exposure to fixed objects. Bicycle safety will improve with widened shoulders and modal conflict reduction. There will be significant benefit to nonmotorized users of SR 20 within the"Main Street" communities by encouraging interregional and truck traffic to utilize the Principal Arterial Corridor of SR 20/29/53.

Performance Indicators and Measures						
Measure	**Required For**	**Indicator/Measure**	**Unit**	**Build**	**Future No Build**	**Change**
Safety	Optional	Number of Non-Motorized Fatalities and Non-Motorized Serious Injuries	Number	0	0	0

DRAFT

STATE OF CALIFORNIA • DEPARTMENT OF TRANSPORTATION

PROJECT PROGRAMMING REQUEST (PPR)

PRG-0010 (REV 08/2020)

PPR ID
ePPR-D01-2021-0002 v3

District	County	Route	EA	Project ID	PPNO
01	Lake County	29	29831	0118000079	3121

Project Title

Lake 29 Expressway - Segment 2B

Existing Total Project Cost ($1,000s)

Component	Prior	24-25	25-26	26-27	27-28	28-29	29-30+	Total	Implementing Agency
E&P (PA&ED)									Caltrans HQ
PS&E	6,000							6,000	Caltrans HQ
R/W SUP (CT)	2,000							2,000	Caltrans HQ
CON SUP (CT)	9,000							9,000	Caltrans HQ
R/W	31,000							31,000	Caltrans HQ
CON	85,000							85,000	Caltrans HQ
TOTAL	133,000							133,000	

Proposed Total Project Cost ($1,000s)

Component	Prior	24-25	25-26	26-27	27-28	28-29	29-30+	Total	Notes
E&P (PA&ED)									
PS&E	6,000							6,000	
R/W SUP (CT)		2,970						2,970	
CON SUP (CT)				8,250				8,250	
R/W		40,571						40,571	
CON				75,414				75,414	
TOTAL	6,000	43,541		83,664				133,205	

Fund #1:	RIP - National Hwy System (Committed)	Program Code
	Existing Funding ($1,000s)	20.XX.075.600

Component	Prior	24-25	25-26	26-27	27-28	28-29	29-30+	Total	Funding Agency
E&P (PA&ED)									Lake County/City Area Planning Cou
PS&E	900							900	
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON									
TOTAL	900							900	

Proposed Funding ($1,000s)

Component	Prior	24-25	25-26	26-27	27-28	28-29	29-30+	Total	Notes
E&P (PA&ED)									
PS&E	900							900	
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON									
TOTAL	900							900	

PPR ID
ePPR-D01-2021-0002 v3

Fund #2:	IIP - National Hwy System (Committed)								Program Code
	Existing Funding ($1,000s)								20.XX.025.700
Component	Prior	24-25	25-26	26-27	27-28	28-29	29-30+	Total	Funding Agency
E&P (PA&ED)									Caltrans HQ
PS&E	5,100							5,100	
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON									
TOTAL	5,100							5,100	
	Proposed Funding ($1,000s)								Notes
E&P (PA&ED)									
PS&E	5,100							5,100	
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON									
TOTAL	5,100							5,100	
Fund #3:	Future Need - Future Funds (Uncommitted)								Program Code
	Existing Funding ($1,000s)								FUTURE
Component	Prior	24-25	25-26	26-27	27-28	28-29	29-30+	Total	Funding Agency
E&P (PA&ED)									
PS&E									
R/W SUP (CT)	2,000							2,000	
CON SUP (CT)	9,000							9,000	
R/W	31,000							31,000	
CON	85,000							85,000	
TOTAL	127,000							127,000	
	Proposed Funding ($1,000s)								Notes
E&P (PA&ED)									
PS&E									
R/W SUP (CT)									
CON SUP (CT)				8,250				8,250	
R/W									
CON				75,414				75,414	
TOTAL				83,664				83,664	

PPR ID
ePPR-D01-2021-0002 v3

Fund #4:	IIP - National Hwy System (Uncommitted)								Program Code
	Existing Funding ($1,000s)								
Component	Prior	24-25	25-26	26-27	27-28	28-29	29-30+	Total	Funding Agency
E&P (PA&ED)									
PS&E									
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON									
TOTAL									
	Proposed Funding ($1,000s)								Notes
E&P (PA&ED)									
PS&E									
R/W SUP (CT)		2,970						2,970	
CON SUP (CT)									
R/W		40,571						40,571	
CON									
TOTAL		43,541						43,541	

PPR ID
ePPR-D01-2021-0002 v3

Complete this page for amendments only Date 10/12/2023 16:55:20

District	County	Route	EA	Project ID	PPNO
01	Lake County	29	29831	0118000079	3121

SECTION 1 - All Projects

Project Background

n/a

Programming Change Requested

Reason for Proposed Change

update to proposed funding plan for right of way support & capital under 2024 ITIP.

If proposed change will delay one or more components, clearly explain 1) reason for the delay, 2) cost increase related to the delay, and 3) how cost increase will be funded

Other Significant Information

SECTION 2 - For SB1 Project Only

Project Amendment Request (Please follow the individual SB1 program guidelines for specific criteria)

update to proposed funding plan for right of way support & capital under 2024 ITIP.

Approvals

I hereby certify that the above information is complete and accurate and all approvals have been obtained for the processing of this amendment request.

Name (Print or Type)	Signature	Title	Date

SECTION 3 - All Projects

Attachments
1) Concurrence from Implementing Agency and/or Regional Transportation Planning Agency
2) Project Location Map

STATE OF CALIFORNIA • DEPARTMENT OF TRANSPORTATION

PROJECT PROGRAMMING REQUEST (PPR)

PRG-0010 (REV 08/2020)

PPR ID
ePPR-D01-2021-0001 v1

Amendment (Existing Project) ☐ YES ☒ NO					Date	09/05/2023 13:33:40
Programs ☐ LPP-C ☐ LPP-F ☐ SCCP ☐ TCEP ☒ STIP ☐ Other						
District	EA	Project ID	PPNO	Nominating Agency		
01	29841	0118000078	3122	Caltrans HQ		
County	Route	PM Back	PM Ahead	Co-Nominating Agency		
Lake County	29	23.600	26.900	Lake County/City Area Planning Council		
				MPO	Element	
				NON-MPO	Capital Outlay	
Project Manager/Contact			Phone	Email Address		
JEFF PIMENTEL			707-834-9529	jeffrey.pimentel@dot.ca.gov		

Project Title

Lake 29 Expressway - Segment 2A

Location (Project Limits), Description (Scope of Work)

In Lake County near Kelseyville on Lake 29 Expressway. Construct Segment 2A, an approximately 3.3 mile portion of the 8-mile long, 4-lane Expressway Project.

Component	Implementing Agency
PA&ED	Caltrans District 1
PS&E	Caltrans District 1
Right of Way	Caltrans District 1
Construction	Caltrans District 1

Legislative Districts					
Assembly:	1	Senate:	2	Congressional:	1

Project Milestone	Existing	Proposed
Project Study Report Approved		
Begin Environmental (PA&ED) Phase	07/01/1998	07/01/1998
Circulate Draft Environmental Document Document Type		
Draft Project Report	05/24/2016	05/24/2016
End Environmental Phase (PA&ED Milestone)	11/30/2016	11/30/2016
Begin Design (PS&E) Phase	07/01/2018	07/01/2018
End Design Phase (Ready to List for Advertisement Milestone)	04/15/2024	04/15/2024
Begin Right of Way Phase	04/01/2022	04/01/2022
End Right of Way Phase (Right of Way Certification Milestone)	04/01/2024	04/01/2024
Begin Construction Phase (Contract Award Milestone)	09/20/2024	09/20/2024
End Construction Phase (Construction Contract Acceptance Milestone)	12/01/2027	12/01/2027
Begin Closeout Phase	12/01/2028	12/01/2028
End Closeout Phase (Closeout Report)	09/01/2031	09/01/2031

Date 09/05/2023 13:33:40

Purpose and Need

Purpose and Need:
Route 29 is part of a system defined as the Route 20/29/53 Principal Arterial Corridor ("Corridor", which extends around the south shore of Clear Lake. The elements of the Corridor are National Highway system routes, and the Corridor is classified as a Focus Route in the Interregional Road System. Upgrading the Corridor for future capacity increases, as well as for delivery of goods and services has long been a goal for Caltrans and the RTPA. Segment 2A is 3.3 miles long, located between the communities of Lower Lake and Kelseyville.

NHS Improvements ☒ YES ☐ NO	Roadway Class 1	Reversible Lane Analysis ☐ YES ☒ NO

Inc. Sustainable Communities Strategy Goals ☒ YES ☐ NO Reduce Greenhouse Gas Emissions ☒ YES ☐ NO

Project Outputs

Category	Outputs	Unit	Total
State Highway Road Construction	Mixed flow lane-miles constructed	Miles	5.09

Date 09/05/2023 13:33:40

Additional Information

As a result of this project interregional traffic is expected to redirect onto the SR 20/29/53 Principal Arterial Route, which would minimize the interregional traffic through the "Main Street" communities. Redirecting interregional traffic away from the North Shore of Clear Lake will create opportunities for traffic calming and active transportation improvements on the North Shore (SR 20). It is anticipated with the construction of this project that increased non-motorized (pedestrians/cyclists) movements coupled with a reduction in motorized movements on SR 20 will occur due to the shift of interregional traffic to the South Shore of Clear Lake. The Lake County Area Planning Council has prepared multiple plans for these improvements along the North Shore. In 2021, the Lake County Area Planning Council will kick off a traffic study to quantify and support the Sustainable Community Strategy Goals/Benefits of this project. The study is expected to be completed in 2022.

Performance Indicators and Measures						
Measure	**Required For**	**Indicator/Measure**	**Unit**	**Build**	**Future No Build**	**Change**
Air Quality & GHG (only 'Change' required)	LPPC, SCCP, TCEP, LPPF	Carbon Dioxide (CO2)	Tons	0	0	0

STATE OF CALIFORNIA • DEPARTMENT OF TRANSPORTATION

PROJECT PROGRAMMING REQUEST (PPR)

PRG-0010 (REV 08/2020)

PPR ID
ePPR-D01-2021-0001 v1

District	County	Route	EA	Project ID	PPNO
01	Lake County	29	29841	0118000078	3122

Project Title

Lake 29 Expressway - Segment 2A

Existing Total Project Cost ($1,000s)									
Component	Prior	24-25	25-26	26-27	27-28	28-29	29-30+	Total	Implementing Agency
E&P (PA&ED)									Caltrans District 1
PS&E	6,000							6,000	Caltrans District 1
R/W SUP (CT)	2,000							2,000	Caltrans District 1
CON SUP (CT)	9,000							9,000	Caltrans District 1
R/W	15,000							15,000	Caltrans District 1
CON	65,000							65,000	Caltrans District 1
TOTAL	97,000							97,000	
Proposed Total Project Cost ($1,000s)									Notes
E&P (PA&ED)									
PS&E	6,000							6,000	
R/W SUP (CT)			2,000					2,000	
CON SUP (CT)			9,000					9,000	
R/W			15,000					15,000	
CON			65,000					65,000	
TOTAL	6,000		91,000					97,000	

Fund #1:	RIP - National Hwy System (Committed)								Program Code
Existing Funding ($1,000s)									20.XX.075.600
Component	Prior	24-25	25-26	26-27	27-28	28-29	29-30+	Total	Funding Agency
E&P (PA&ED)									Lake County/City Area Planning Cou
PS&E	900							900	
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON									
TOTAL	900							900	
Proposed Funding ($1,000s)									Notes
E&P (PA&ED)									
PS&E	900							900	
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON									
TOTAL	900							900	

Fund #2:	IIP - National Hwy System (Committed)								Program Code
	Existing Funding ($1,000s)								20.XX.025.700
Component	Prior	24-25	25-26	26-27	27-28	28-29	29-30+	Total	Funding Agency
E&P (PA&ED)									Caltrans HQ
PS&E	5,100							5,100	
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON									
TOTAL	5,100							5,100	
	Proposed Funding ($1,000s)								Notes
E&P (PA&ED)									
PS&E	5,100							5,100	
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON									
TOTAL	5,100							5,100	
Fund #3:	Future Need - Future Funds (Uncommitted)								Program Code
	Existing Funding ($1,000s)								FUTURE
Component	Prior	24-25	25-26	26-27	27-28	28-29	29-30+	Total	Funding Agency
E&P (PA&ED)									
PS&E									
R/W SUP (CT)	2,000							2,000	
CON SUP (CT)	9,000							9,000	
R/W	15,000							15,000	
CON	65,000							65,000	
TOTAL	91,000							91,000	
	Proposed Funding ($1,000s)								Notes
E&P (PA&ED)									
PS&E									
R/W SUP (CT)			2,000					2,000	
CON SUP (CT)			9,000					9,000	
R/W			15,000					15,000	
CON			65,000					65,000	
TOTAL			91,000					91,000	

PPR ID
ePPR-D01-2021-0001 v1

Complete this page for amendments only Date 09/05/2023 13:33:40

District	County	Route	EA	Project ID	PPNO
01	Lake County	29	29841	0118000078	3122

SECTION 1 - All Projects

Project Background

na

Programming Change Requested

Reason for Proposed Change

na

If proposed change will delay one or more components, clearly explain 1) reason for the delay, 2) cost increase related to the delay, and 3) how cost increase will be funded

Other Significant Information

SECTION 2 - For SB1 Project Only

Project Amendment Request (Please follow the individual SB1 program guidelines for specific criteria)

na

Approvals

I hereby certify that the above information is complete and accurate and all approvals have been obtained for the processing of this amendment request.

Name (Print or Type)	Signature	Title	Date

SECTION 3 - All Projects

Attachments
1) Concurrence from Implementing Agency and/or Regional Transportation Planning Agency
2) Project Location Map

STATE OF CALIFORNIA • DEPARTMENT OF TRANSPORTATION

PROJECT PROGRAMMING REQUEST (PPR)

PRG-0010 (REV 08/2020)

PPR ID
ePPR-D03-2022-0002 v6

Amendment (Existing Project) ☐ YES ☒ NO					Date 10/12/2023 17:12:50
Programs ☐ LPP-C ☐ LPP-F ☐ SCCP ☐ TCEP ☒ STIP ☐ Other					
District	EA	Project ID	PPNO	Nominating Agency	
03	4E170	0315000064	4117	Nevada County Transportation Commission	
County	Route	PM Back	PM Ahead	Co-Nominating Agency	
Nevada County	49	10.800	13.300	Caltrans District 3	
				MPO	Element
				NON-MPO	Capital Outlay
Project Manager/Contact			Phone	Email Address	
Sam Vandell			530-741-4593	sam.vandell@dot.ca.gov	

Project Title

Rt 49, Corridor Improvement Project

Location (Project Limits), Description (Scope of Work)

In Nevada County, on State Route (SR) 49 from La Bar Meadows Road to McKnight Way. The SR 49 Corridor Improvement Project (CIP) Phase 2 proposes improvements to PM 10.8-13.3 on SR 49 that focuses on goods movement, safety, operations, evacuation capacity, reduce freight related emissions on adjacent AB 1550 communities, reduce community impacts related to I-80 detours, create adequate access to ZEV transit infrastructure, and multimodal mobility. The TCEP application includes construction of the Southbound truck-climbing lane, eliminating the southbound lane drop/merge point south of the McKnight Way Interchange, which creates a key transportation bottleneck. We will be requesting funding through Cycle 3 of SCCP for construction of a new entrance on SR 49 to the Nevada County Transit Operation Center, and purchase of eight zero-emission buses and ZEV charging infrastructure for the Nevada County Transit Operations Zero Emissions Fleet.

Component	Implementing Agency
PA&ED	Caltrans District 3
PS&E	Caltrans District 3
Right of Way	Caltrans District 3
Construction	Caltrans District 3

Legislative Districts					
Assembly:	1	Senate:	1	Congressional:	1,4

Project Milestone		Existing	Proposed
Project Study Report Approved			
Begin Environmental (PA&ED) Phase		04/12/2015	04/12/2015
Circulate Draft Environmental Document	Document Type EIR	07/30/2021	07/30/2021
Draft Project Report		08/16/2021	08/16/2021
End Environmental Phase (PA&ED Milestone)		10/04/2021	10/04/2021
Begin Design (PS&E) Phase		10/05/2021	10/05/2021
End Design Phase (Ready to List for Advertisement Milestone)		05/02/2025	05/02/2025
Begin Right of Way Phase		10/05/2021	10/05/2021
End Right of Way Phase (Right of Way Certification Milestone)		04/17/2025	04/17/2025
Begin Construction Phase (Contract Award Milestone)		10/17/2025	10/17/2025
End Construction Phase (Construction Contract Acceptance Milestone)		12/29/2028	12/29/2028
Begin Closeout Phase		06/28/2030	06/28/2030
End Closeout Phase (Closeout Report)		05/23/2031	05/23/2031

PPR ID
ePPR-D03-2022-0002 v6

Date 10/12/2023 17:12:50

Purpose and Need

The State Route (SR) 49 Corridor Improvement Project (CIP) Phase 2, proposes needed improvements to a 2.1-mile segment of SR 49. The focus is for goods movement, safety, operations, evacuation egress, and construction of a new entrance on SR 49 to new ZEV transit infrastructure (Phase 2 SCCP Cycle 3 Application), air quality, and multimodal mobility. The project includes the construction of the Southbound truck-climbing lane to eliminate the southbound lane drop/merge point south of the McKnight Way Interchange, allowing slow freight movement vehicles space to move over and allow other traffic to continue safely through the corridor, thus reducing freight emissions, and improved access to the ZEV Transit Fleet operations .

NHS Improvements ☒ YES ☐ NO	Roadway Class 2	Reversible Lane Analysis ☐ YES ☒ NO

Inc. Sustainable Communities Strategy Goals ☒ YES ☐ NO Reduce Greenhouse Gas Emissions ☒ YES ☐ NO

Project Outputs

Category	Outputs	Unit	Total
Operational Improvement	Slow vehicle lanes	Miles	1.5
Pavement (lane-miles)	Truck climbing lanes constructed	Miles	1
Operational Improvement	Intersection / Signal improvements	EA	1

Date 10/12/2023 17:12:50

Additional Information

NCTC will submit a Federal RURAL Surface Transportation Grant Program during FY 23/24 to complete the future funding need to $4,385,000. Awards are anticipated to be announced early 2024.

DRAFT

Performance Indicators and Measures						
Measure	**Required For**	**Indicator/Measure**	**Unit**	**Build**	**Future No Build**	**Change**
Congestion Reduction	TCEP	Change in Daily Vehicle Hours of Delay	Hours	68	837	-769
	TCEP	Change in Daily Truck Hours of Delay	Hours	-10	45	-55
Throughput (Freight)	TCEP	Change in Truck Volume	# of Trucks	848	1,148	-300
	TCEP	Change in Rail Volume	# of Trailers	0	0	0
			# of Containers	0	0	0
Velocity (Freight)	TCEP	Travel Time or Total Cargo Transport Time	Hours	20,487	31,654	-11,167
Air Quality & GHG (only 'Change' required)	LPPC, SCCP, TCEP, LPPF	Particulate Matter	PM 2.5 Tons	0	0	0
			PM 10 Tons	0	0	0
	LPPC, SCCP, TCEP, LPPF	Carbon Dioxide (CO2)	Tons	-915	0	-915
	LPPC, SCCP, TCEP, LPPF	Volatile Organic Compounds (VOC)	Tons	0	0	0
	LPPC, SCCP, TCEP, LPPF	Sulphur Dioxides (SOx)	Tons	0	0	0
	LPPC, SCCP, TCEP, LPPF	Carbon Monoxide (CO)	Tons	-4	0	-4
	LPPC, SCCP, TCEP, LPPF	Nitrogen Oxides (NOx)	Tons	0	0	0
Safety	LPPC, SCCP, TCEP, LPPF	Number of Fatalities	Number	0	0	0
	LPPC, SCCP, TCEP, LPPF	Fatalities per 100 Million VMT	Number	0	0	0
	LPPC, SCCP, TCEP, LPPF	Number of Serious Injuries	Number	0.24	0.5	-0.26
	LPPC, SCCP, TCEP, LPPF	Number of Serious Injuries per 100 Million VMT	Number	41	91	-50
Economic Development	LPPC, SCCP, TCEP, LPPF	Jobs Created (Only 'Build' Required)	Number	350	0	350
Cost Effectiveness (only 'Change' required)	LPPC, SCCP, TCEP, LPPF	Cost Benefit Ratio	Ratio	4.1	0	4.1

STATE OF CALIFORNIA • DEPARTMENT OF TRANSPORTATION

PROJECT PROGRAMMING REQUEST (PPR)

PRG-0010 (REV 08/2020)

PPR ID
ePPR-D03-2022-0002 v6

District	County	Route	EA	Project ID	PPNO
03	Nevada County	49	4E170	0315000064	4117

Project Title

Rt 49, Corridor Improvement Project

Existing Total Project Cost ($1,000s)

Component	Prior	24-25	25-26	26-27	27-28	28-29	29-30+	Total	Implementing Agency
E&P (PA&ED)	3,900							3,900	Caltrans District 3
PS&E	3,000							3,000	Caltrans District 3
R/W SUP (CT)	1,200							1,200	Caltrans District 3
CON SUP (CT)									Caltrans District 3
R/W	6,000							6,000	Caltrans District 3
CON		19,000						19,000	Caltrans District 3
TOTAL	14,100	19,000						33,100	

Proposed Total Project Cost ($1,000s)

Component	Prior	24-25	25-26	26-27	27-28	28-29	29-30+	Total	Notes
E&P (PA&ED)	3,900							3,900	
PS&E	3,000							3,000	
R/W SUP (CT)	1,200							1,200	
CON SUP (CT)									
R/W	6,000							6,000	
CON		21,000						21,000	
TOTAL	14,100	21,000						35,100	

Fund #1: RIP - National Hwy System (Committed)

Program Code: 20.XX.075.600

Existing Funding ($1,000s)

Component	Prior	24-25	25-26	26-27	27-28	28-29	29-30+	Total	Funding Agency
E&P (PA&ED)	3,900							3,900	Nevada County Transportation Comm
PS&E	3,000							3,000	
R/W SUP (CT)	1,200							1,200	
CON SUP (CT)									
R/W	2,331							2,331	
CON									
TOTAL	10,431							10,431	

Proposed Funding ($1,000s)

Component	Prior	24-25	25-26	26-27	27-28	28-29	29-30+	Total	Notes
E&P (PA&ED)	3,900							3,900	
PS&E	3,000							3,000	
R/W SUP (CT)	1,200							1,200	
CON SUP (CT)									
R/W	2,331							2,331	
CON									
TOTAL	10,431							10,431	

PPR ID
ePPR-D03-2022-0002 v6

Fund #2:	Future Need - Future Funds (Uncommitted)								Program Code
	Existing Funding ($1,000s)								FUTURE
Component	Prior	24-25	25-26	26-27	27-28	28-29	29-30+	Total	Funding Agency
E&P (PA&ED)									
PS&E									
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON									
TOTAL									
	Proposed Funding ($1,000s)								Notes
E&P (PA&ED)									NCTC will submit a Federal RURAL Surface Transportation Grant Program application during FY 23/24. Match for TCEP Cycle 3 Application (4,384,616).
PS&E									
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON		4,385						4,385	
TOTAL		4,385						4,385	

Fund #3:	IIP - National Hwy System (Committed)								Program Code
	Existing Funding ($1,000s)								20.XX.025.700
Component	Prior	24-25	25-26	26-27	27-28	28-29	29-30+	Total	Funding Agency
E&P (PA&ED)									Caltrans HQ
PS&E									
R/W SUP (CT)									
CON SUP (CT)									
R/W	3,000							3,000	
CON									
TOTAL	3,000							3,000	
	Proposed Funding ($1,000s)								Notes
E&P (PA&ED)									
PS&E									
R/W SUP (CT)									
CON SUP (CT)									
R/W	3,000							3,000	
CON									
TOTAL	3,000							3,000	

PPR ID
ePPR-D03-2022-0002 v6

Fund #4:	RIP - COVID Relief Funds - STIP (Committed)								Program Code
	Existing Funding ($1,000s)								20.XX.075.600
Component	Prior	24-25	25-26	26-27	27-28	28-29	29-30+	Total	Funding Agency
E&P (PA&ED)									Nevada County Transportation Comm
PS&E									
R/W SUP (CT)									
CON SUP (CT)									
R/W	669							669	
CON									
TOTAL	669							669	
	Proposed Funding ($1,000s)								Notes
E&P (PA&ED)									
PS&E									
R/W SUP (CT)									
CON SUP (CT)									
R/W	669							669	
CON									
TOTAL	669							669	

Fund #5:	Other Fed - Surface Transportation Program (Committed)								Program Code
	Existing Funding ($1,000s)								20.30.010.300
Component	Prior	24-25	25-26	26-27	27-28	28-29	29-30+	Total	Funding Agency
E&P (PA&ED)									Nevada County Transportation Comm
PS&E									NCTC will submit a Federal RURAL Surface Transportation Grant Program application during FY 23/24. Match for TCEP Cycle 3 Application (4,384,616). STIP will be backup source for federal funds.
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON		4,385						4,385	
TOTAL		4,385						4,385	
	Proposed Funding ($1,000s)								Notes
E&P (PA&ED)									
PS&E									
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON									
TOTAL									

DRAFT

PPR ID
ePPR-D03-2022-0002 v6

Fund #6:	State SB1 TCEP - Trade Corridors Enhancement Account (Committed)								Program Code
	Existing Funding ($1,000s)								20.30.210.320
Component	Prior	24-25	25-26	26-27	27-28	28-29	29-30+	Total	Funding Agency
E&P (PA&ED)									California Transportation Commissio
PS&E									Regional State TCEP Cycle 3
R/W SUP (CT)									Application - 14,615,385
CON SUP (CT)									
R/W									
CON		14,615						14,615	
TOTAL		14,615						14,615	
	Proposed Funding ($1,000s)								Notes
E&P (PA&ED)									
PS&E									
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON		14,615						14,615	
TOTAL		14,615						14,615	

Fund #7:	IIP - National Hwy System (Uncommitted)								Program Code
	Existing Funding ($1,000s)								
Component	Prior	24-25	25-26	26-27	27-28	28-29	29-30+	Total	Funding Agency
E&P (PA&ED)									
PS&E									
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON									
TOTAL									
	Proposed Funding ($1,000s)								Notes
E&P (PA&ED)									
PS&E									
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON		2,000						2,000	
TOTAL		2,000						2,000	

PPR ID
ePPR-D03-2022-0002 v6

Complete this page for amendments only Date 10/12/2023 17:12:50

District	County	Route	EA	Project ID	PPNO
03	Nevada County	49	4E170	0315000064	4117

SECTION 1 - All Projects

Project Background

na

Programming Change Requested

Reason for Proposed Change

na

If proposed change will delay one or more components, clearly explain 1) reason for the delay, 2) cost increase related to the delay, and 3) how cost increase will be funded

Other Significant Information

SECTION 2 - For SB1 Project Only

Project Amendment Request (Please follow the individual SB1 program guidelines for specific criteria)

na

Approvals

I hereby certify that the above information is complete and accurate and all approvals have been obtained for the processing of this amendment request.

Name (Print or Type)	Signature	Title	Date

SECTION 3 - All Projects

Attachments
1) Concurrence from Implementing Agency and/or Regional Transportation Planning Agency
2) Project Location Map

STATE OF CALIFORNIA • DEPARTMENT OF TRANSPORTATION

PROJECT PROGRAMMING REQUEST (PPR)

PRG-0010 (REV 08/2020)

PPR ID
ePPR-6411-2022-0003 v1

Amendment (Existing Project) ☐ YES ☒ NO						Date	09/05/2023 13:39:31
Programs ☐ LPP-C ☐ LPP-F ☐ SCCP ☐ TCEP ☒ STIP ☐ Other							
District	EA	Project ID	PPNO	Nominating Agency			
04			2376	Caltrans District 4			
County	Route	PM Back	PM Ahead	Co-Nominating Agency			
Sonoma County							
				MPO	Element		
				MTC	Local Assistance		
Project Manager/Contact			Phone	Email Address			
Joanne Parker			707-794-3062	jparker@sonomamarintrain.org			

Project Title

SMART Pathway/Great Redwood Trail - Santa Rosa (Guerneville Road to Airport Boulevard)

Location (Project Limits), Description (Scope of Work)

The project is located in Santa Rosa, Sonoma County, California, between Guerneville Road (approximately SMART Milepost 55.2) in the south and Airport Boulevard in the north (approximately SMART Milepost 59.9). The project will construct 4.7 miles of 8 to 10 foot wide, Class 1 non-motorized pathway in and along the railroad right of way, directly connecting the surrounding neighborhood to bicycle facilities and the SMART Santa Rosa North and Sonoma County Airport stations with regional rail services north and south.

Component	Implementing Agency
PA&ED	Sonoma Marin Area Rail Transit
PS&E	Sonoma Marin Area Rail Transit
Right of Way	Sonoma Marin Area Rail Transit
Construction	Sonoma Marin Area Rail Transit

Legislative Districts					
Assembly:	2,10	Senate:	2	Congressional:	2,5

Project Milestone	Existing	Proposed
Project Study Report Approved		
Begin Environmental (PA&ED) Phase	01/01/2000	01/01/2000
Circulate Draft Environmental Document Document Type CE		
Draft Project Report	11/21/2023	11/21/2023
End Environmental Phase (PA&ED Milestone)	03/01/2024	03/01/2024
Begin Design (PS&E) Phase	03/01/2024	03/01/2024
End Design Phase (Ready to List for Advertisement Milestone)	09/30/2024	09/30/2024
Begin Right of Way Phase	07/01/2000	07/01/2000
End Right of Way Phase (Right of Way Certification Milestone)	06/30/2024	06/30/2024
Begin Construction Phase (Contract Award Milestone)	01/02/2025	01/02/2025
End Construction Phase (Construction Contract Acceptance Milestone)	06/01/2026	06/01/2026
Begin Closeout Phase	10/01/2026	10/01/2026
End Closeout Phase (Closeout Report)	12/31/2026	12/31/2026

Purpose and Need

The project improves multi-modal transportation options and advances the State of California's CAPTI (Climate Action Plan for Infrastructure) goals. The project will provide safe non-motorized, lower emission travel options in its immediate vicinity, including improved connections to regional commercial and cultural centers and to the Active Transportation Program-funded non-motorized overcrossing of Highway 101, connecting to the Santa Rosa Junior College campus in northeast Santa Rosa.

The immediate area includes family educational destinations of the Charles M. Schulz Museum and Sonoma County Children's Museum along West Steele Lane, connections to commercial centers and bus transit hubs at Coddingtown Mall, and health, social services and employment opportunities at either end of the project. The project is within a regional Metropolitan Transportation Commission/Santa Rosa Priority Development Area and a Regional Equity Priority Community. According to Bay Area Vision Zero data, within a rectangle covering the length of the project and approximately .5-miles on either side, there were 6 fatal and 55 serious injury accidents, with 37.7% of fatal or serious injury accidents involving bicycles or pedestrians, over the past 10 years. The crash costs associated with all bicycle and pedestrian injuries and fatalities during that time is approximately $64.8 million. The project area surface streets have only 65% including sidewalks, most of which are in the northern portion of the project located in unincorporated Sonoma County.

The project is one piece of SMART Pathway gap closure in northwest Santa Rosa that, once complete, will connect to other constructed/fully funded SMART Pathway segments resulting in 18-miles of continuous SMART Pathway between the Town of Windsor and the southern city limit of Rohnert Park. The project will provide safe, non-motorized first and last mile connectivity to the North Bay's regional commuter rail system via the SMART Santa Rosa North rail station at Guerneville Road. The average passenger trip length on the SMART rail system is 23 miles and approximately 15% of SMART riders bring their bicycles onboard the trains.

Project benefits include increased non-motorized network connectivity, including to regional rail services and major regional/interregional destinations, reductions in Vehicle Miles Travelled, and increase rail safety by creating a safe path of travel to discourage illegal and unsafe trespass on the freight and passenger railroad right of way.

NHS Improvements ☐ YES ☒ NO	Roadway Class NA	Reversible Lane Analysis ☐ YES ☒ NO

Inc. Sustainable Communities Strategy Goals ☒ YES ☐ NO Reduce Greenhouse Gas Emissions ☒ YES ☐ NO

Project Outputs

Category	Outputs	Unit	Total
Active Transportation	Pedestrian/Bicycle facilities miles constructed	Miles	4.7

Date 09/05/2023 13:39:31

Additional Information

Project has CEQA clearance (SCH# 2002112033) and CTC E-Resolution E-09-56. NEPA clearance for previously constructed segments of the SMART Pathway were completed as Categorical Exclusion. This project will have funds transferred to Federal Transit Administration and FTA will serve as the lead agency.

Adjacent, completed sections of the pathway have recently had automatic counters installed to track users. The pathway counter at Guerneville Road connecting south shows approximately 210 users per weekday, comprised of 118 pedestrians and 92 bicyclists and a comparable number on weekend days.

Performance Indicators and Measures						
Measure	**Required For**	**Indicator/Measure**	**Unit**	**Build**	**Future No Build**	**Change**
Safety	Optional	Number of Non-Motorized Fatalities and Non-Motorized Serious Injuries	Number	0	61	-61
Accessibility	Optional	Percent of Population Defined as Low Income or Disadvantaged Within 1/2 Mile of Rail Station, Ferry Terminal, or High-Frequency Bus Stop	%	63.9	0	63.9

STATE OF CALIFORNIA • DEPARTMENT OF TRANSPORTATION

PROJECT PROGRAMMING REQUEST (PPR)

PRG-0010 (REV 08/2020)

PPR ID
ePPR-6411-2022-0003 v1

District	County	Route	EA	Project ID	PPNO
04	Sonoma County				2376

Project Title

SMART Pathway/Great Redwood Trail - Santa Rosa (Guerneville Road to Airport Boulevard)

Existing Total Project Cost ($1,000s)									
Component	Prior	24-25	25-26	26-27	27-28	28-29	29-30+	Total	Implementing Agency
E&P (PA&ED)									Sonoma Marin Area Rail Transit
PS&E	3,371							3,371	Sonoma Marin Area Rail Transit
R/W SUP (CT)									Sonoma Marin Area Rail Transit
CON SUP (CT)									Sonoma Marin Area Rail Transit
R/W									Sonoma Marin Area Rail Transit
CON		13,050						13,050	Sonoma Marin Area Rail Transit
TOTAL	3,371	13,050						16,421	
Proposed Total Project Cost ($1,000s)									Notes
E&P (PA&ED)									
PS&E	3,371							3,371	
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON		13,050						13,050	
TOTAL	3,371	13,050						16,421	

Fund #1:	CMAQ - Congestion Mitigation (Committed)								Program Code
Existing Funding ($1,000s)									20.30.010.820
Component	Prior	24-25	25-26	26-27	27-28	28-29	29-30+	Total	Funding Agency
E&P (PA&ED)									Metropolitan Transportation Commiss
PS&E									One Bay Area Grant 3 - To be transferred to Federal Transit Administration
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON		2,000						2,000	
TOTAL		2,000						2,000	
Proposed Funding ($1,000s)									Notes
E&P (PA&ED)									
PS&E									
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON		2,000						2,000	
TOTAL		2,000						2,000	

PPR ID
ePPR-6411-2022-0003 v1

Fund #2:	IIP - State Cash (Committed)								Program Code
	Existing Funding ($1,000s)								20.XX.025.700
Component	Prior	24-25	25-26	26-27	27-28	28-29	29-30+	Total	Funding Agency
E&P (PA&ED)									Caltrans HQ
PS&E									Uncommitted Interregional Transportation Improvement Program - Complete Streets Reserve
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON		6,097						6,097	
TOTAL		6,097						6,097	
	Proposed Funding ($1,000s)								Notes
E&P (PA&ED)									
PS&E									
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON		6,097						6,097	
TOTAL		6,097						6,097	

Fund #3:	Local Funds - Local Measure (Committed)								Program Code
	Existing Funding ($1,000s)								20.10.400.100
Component	Prior	24-25	25-26	26-27	27-28	28-29	29-30+	Total	Funding Agency
E&P (PA&ED)									Sonoma Marin Area Rail Transit
PS&E	3,371							3,371	
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON		4,953						4,953	
TOTAL	3,371	4,953						8,324	
	Proposed Funding ($1,000s)								Notes
E&P (PA&ED)									
PS&E	3,371							3,371	
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON		4,953						4,953	
TOTAL	3,371	4,953						8,324	

STATE OF CALIFORNIA • DEPARTMENT OF TRANSPORTATION
PROJECT PROGRAMMING REQUEST (PPR)
PRG-0010 (REV 08/2020)

PPR ID
ePPR-6411-2022-0003 v1

Complete this page for amendments only Date 09/05/2023 13:39:31

District	County	Route	EA	Project ID	PPNO
04	Sonoma County				2376

SECTION 1 - All Projects

Project Background

na

Programming Change Requested

Reason for Proposed Change

na

If proposed change will delay one or more components, clearly explain 1) reason for the delay, 2) cost increase related to the delay, and 3) how cost increase will be funded

Other Significant Information

SECTION 2 - For SB1 Project Only

Project Amendment Request (Please follow the individual SB1 program guidelines for specific criteria)

na

Approvals

I hereby certify that the above information is complete and accurate and all approvals have been obtained for the processing of this amendment request.

Name (Print or Type)	Signature	Title	Date

SECTION 3 - All Projects

Attachments
1) Concurrence from Implementing Agency and/or Regional Transportation Planning Agency
2) Project Location Map

STATE OF CALIFORNIA • DEPARTMENT OF TRANSPORTATION

PROJECT PROGRAMMING REQUEST (PPR)

PRG-0010 (REV 08/2020)

PPR ID
ePPR-D05-2024-0004 v0

Amendment (Existing Project) ☐ YES ☒ NO				Date	07/18/2023 11:05:25
Programs ☐ LPP-C ☐ LPP-F ☐ SCCP ☐ TCEP ☒ STIP ☐ Other					
District	EA	Project ID	PPNO	Nominating Agency	
05	3307D	0523000028	0226L	Caltrans District 5	
County	Route	PM Back	PM Ahead	Co-Nominating Agency	
San Luis Obispo Cou	46	57.300	58.600		
				MPO	Element
				SLOCOG	Capital Outlay
Project Manager/Contact			Phone	Email Address	
Joe Erwin			805-458-1829	joe.erwin@dot.ca.gov	

Project Title

SR 46 Expressway Conversion - Antelope Grade Segment 1

Location (Project Limits), Description (Scope of Work)

In San Luis Obispo County, near Cholame, from 1.0 miles west of Antelope Road to 0.3 mile east of Antelope Road.

Convert 1.3 miles of existing 2-lane conventional highway to 4-lane divided expressway. This is segment 1 of 2 segments to complete the original Antelope Grade project.

This is a CMGC project.

Component	Implementing Agency
PA&ED	Caltrans District 5
PS&E	Caltrans District 5
Right of Way	Caltrans District 5
Construction	Caltrans District 5

Legislative Districts

Assembly:	33	Senate:	15	Congressional:	24

Project Milestone	Existing	Proposed
Project Study Report Approved	06/16/2000	
Begin Environmental (PA&ED) Phase		07/02/2003
Circulate Draft Environmental Document Document Type (ND/MND)/FONSI		01/30/2005
Draft Project Report		01/30/2005
End Environmental Phase (PA&ED Milestone)		06/29/2005
Begin Design (PS&E) Phase		08/01/2018
End Design Phase (Ready to List for Advertisement Milestone)		07/13/2026
Begin Right of Way Phase		03/06/2024
End Right of Way Phase (Right of Way Certification Milestone)		03/23/2026
Begin Construction Phase (Contract Award Milestone)		04/15/2027
End Construction Phase (Construction Contract Acceptance Milestone)		11/07/2029
Begin Closeout Phase		09/11/2031
End Closeout Phase (Closeout Report)		10/17/2031

PPR ID
ePPR-D05-2024-0004 v0

Date 07/18/2023 11:05:25

Purpose and Need

Purpose: To reduce congestion, enhance safety, reduce driver frustration, provide safe-passing opportunities, facilitate efficient goods movement, and enhance mobility for major east/west travel from the Central Coast and US 101 to the Central Valley and Interstate 5.

Need: SR 46 traverses rolling to mountainous terrain and includes sustained grades up to 6%. Heavy trucks and recreational vehicles comprise 28.8% percent of the traffic volume within the project limits. The limited opportunities in this segment to safely pass slower moving trucks or recreational vehicles contribute to driver frustration.

Based on traffic volumes, the current facility within the project limits exceeds capacity. The projected volumes of traffic, most notably the number of trucks and recreational vehicles traveling the route, are higher than optimum levels recommended for a two-lane conventional highway. In addition, this roadway experiences even greater congestion on weekends when travel demand is the greatest. By providing additional lanes, the proposed project would reduce traffic congestion by improving the capacity of this heavily traveled east-west corridor.

The added lane in each direction would help to eliminate the traffic conflicts associated with vehicular movements on the existing two-lane conventional highway. Generally, four-lane facilities have fewer collisions per mile than two-lane conventional highways.

Lastly, the purpose of this four-lane expressway is to provide route continuity. Four project segments to the west of this project are completed with two more in design. All of these projects will improve SR 46 by facilitating conversion to a four-lane expressway and provide route continuity from US 101 to Interstate 5.

NHS Improvements ☒ YES ☐ NO	Roadway Class 1	Reversible Lane Analysis ☒ YES ☐ NO

Inc. Sustainable Communities Strategy Goals ☒ YES ☐ NO Reduce Greenhouse Gas Emissions ☒ YES ☐ NO

Project Outputs

Category	Outputs	Unit	Total
Pavement (lane-miles)	Roadway lane miles	Miles	2.6
Bridge / Tunnel	New bridges/tunnels	SQFT	10,600
Operational Improvement	Shoulder widening	EA	4
Operational Improvement	Turn pockets constructed	EA	2
Drainage	Culverts	LF	1,500

Date 07/18/2023 11:05:25

Additional Information

The project achieved PA&ED under the parent project and identified the preferred alternative as the “Build Alternative”. As preliminary designs progressed, a new alignment was determined to be a better alignment than the one that was studied under the parent project’s environmental document. This required a subsequent environmental document to be prepared along with the supplemental project report. Both of those will be available for review by the CTC when we submit our Future Consideration of Funds at the time of our TCEP funds allocation for R/W.

A Subsequent Environmental Document is in process and is anticipated in December 2023.

DRAFT

Performance Indicators and Measures						
Measure	**Required For**	**Indicator/Measure**	**Unit**	**Build**	**Future No Build**	**Change**
Congestion Reduction	TCEP	Change in Daily Vehicle Hours of Delay	Hours	35.46	81.33	-45.87
	TCEP	Daily Vehicle Hours of Travel Time Reduction	Hours	111,611	0	111,611
	TCEP	Change in Daily Truck Hours of Delay	Hours	40.04	114.42	-74.38
Throughput (Freight)	TCEP	Change in Truck Volume	# of Trucks	1,215,288	934,837	280,451
	TCEP	Change in Rail Volume	# of Trailers	0	0	0
			# of Containers	0	0	0
Velocity (Freight)	TCEP	Travel Time or Total Cargo Transport Time	Hours	438,911,929	267,621,360	171,290,569
Air Quality & GHG (only 'Change' required)	LPPF, LPPC, SCCP, TCEP	Particulate Matter	PM 2.5 Tons	0	0	0
			PM 10 Tons	0	0	0
	LPPF, LPPC, SCCP, TCEP	Carbon Dioxide (CO2)	Tons	0	0	0
	LPPF, LPPC, SCCP, TCEP	Volatile Organic Compounds (VOC)	Tons	0	0	0
	LPPF, LPPC, SCCP, TCEP	Sulphur Dioxides (SOx)	Tons	0	0	0
	LPPF, LPPC, SCCP, TCEP	Carbon Monoxide (CO)	Tons	0	29	-29
	LPPF, LPPC, SCCP, TCEP	Nitrogen Oxides (NOx)	Tons	0	0	0
Safety	LPPF, LPPC, SCCP, TCEP	Number of Fatalities	Number	0.191	0.2	-0.009
	LPPF, LPPC, SCCP, TCEP	Fatalities per 100 Million VMT	Number	0.863	0.903	-0.04
	LPPF, LPPC, SCCP, TCEP	Number of Serious Injuries	Number	0.19	0.2	-0.01
	LPPF, LPPC, SCCP, TCEP	Number of Serious Injuries per 100 Million VMT	Number	0.861	0.903	-0.042
	Optional	Number of Property Damage Only and Non-Serious Injury Collisions	Number	42	60	-18
Economic Development	LPPF, LPPC, SCCP, TCEP	Jobs Created (Only 'Build' Required)	Number	506.246	0	506.246
Cost Effectiveness (only 'Change' required)	LPPF, LPPC, SCCP, TCEP	Cost Benefit Ratio	Ratio	6.9	0	6.9
Truck & Vehicle Volume (Freight)	TCEP	Existing Average Annual Vehicle Volume on Project Segment	Percent	2,964,646	2,964,646	0
	TCEP	Existing Average Annual Truck Percent on Project Segment	Percent	28.8	28.8	0

Performance Indicators and Measures						
Measure	**Required For**	**Indicator/Measure**	**Unit**	**Build**	**Future No Build**	**Change**
	TCEP	Estimated Year 20 Average Annual Vehicle Volume on Project Segment with Project	Number	4,219,750	4,219,750	0
	TCEP	Estimated Year 20 Average Annual Truck Percent on Project Segment with Project	Number	28.8	28.8	0

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STATE OF CALIFORNIA • DEPARTMENT OF TRANSPORTATION

PROJECT PROGRAMMING REQUEST (PPR)

PRG-0010 (REV 08/2020)

PPR ID
ePPR-D05-2024-0004 v0

District	County	Route	EA	Project ID	PPNO
05	San Luis Obispo County	46	3307D	0523000028	0226M

Project Title

SR 46 Expressway Conversion - Antelope Grade Segment 1

Existing Total Project Cost ($1,000s)									
Component	Prior	24-25	25-26	26-27	27-28	28-29	29-30+	Total	Implementing Agency
E&P (PA&ED)									Caltrans District 5
PS&E									Caltrans District 5
R/W SUP (CT)									Caltrans District 5
CON SUP (CT)									Caltrans District 5
R/W									Caltrans District 5
CON									Caltrans District 5
TOTAL									
Proposed Total Project Cost ($1,000s)									Notes
E&P (PA&ED)									
PS&E	10,300							10,300	
R/W SUP (CT)	1,400							1,400	
CON SUP (CT)				5,920				5,920	
R/W	6,330							6,330	
CON				30,000				30,000	
TOTAL	18,030			35,920				53,950	

Fund #1:	IIP - National Hwy System (Committed)								Program Code
Existing Funding ($1,000s)									
Component	Prior	24-25	25-26	26-27	27-28	28-29	29-30+	Total	Funding Agency
E&P (PA&ED)									Caltrans District 5
PS&E									
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON									
TOTAL									
Proposed Funding ($1,000s)									Notes
E&P (PA&ED)									Prior costs for PS&E are based on the programmed amount for the entire Antelope Grade project, including segments 1 and 2.
PS&E	10,300							10,300	
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON									
TOTAL	10,300							10,300	

PPR ID
ePPR-D05-2024-0004 v0

Fund #2:	RSTP - STP Local (Committed)								Program Code
	Existing Funding ($1,000s)								
Component	Prior	24-25	25-26	26-27	27-28	28-29	29-30+	Total	Funding Agency
E&P (PA&ED)									San Luis Obispo Council of Governm
PS&E									
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON									
TOTAL									
	Proposed Funding ($1,000s)								Notes
E&P (PA&ED)									
PS&E									
R/W SUP (CT)									
CON SUP (CT)									
R/W	430							430	
CON									
TOTAL	430							430	

Fund #3:	State SB1 TCEP - Trade Corridors Enhancement Account (Committed)								Program Code
	Existing Funding ($1,000s)								
Component	Prior	24-25	25-26	26-27	27-28	28-29	29-30+	Total	Funding Agency
E&P (PA&ED)									Caltrans HQ
PS&E									
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON									
TOTAL									
	Proposed Funding ($1,000s)								Notes
E&P (PA&ED)									Includes $7.3 million from the State share of the program that was programmed in Cycle 2 for the entire Antelope Grade project, including segments 1 and 2.
PS&E									
R/W SUP (CT)	1,400							1,400	
CON SUP (CT)									
R/W	5,900							5,900	
CON									
TOTAL	7,300							7,300	

PPR ID
ePPR-D05-2024-0004 v0

Fund #4:	IIP - STPP (Uncommitted)								Program Code
Existing Funding ($1,000s)									
Component	Prior	24-25	25-26	26-27	27-28	28-29	29-30+	Total	Funding Agency
E&P (PA&ED)									Caltrans District 5
PS&E									
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON									
TOTAL									
Proposed Funding ($1,000s)									Notes
E&P (PA&ED)									
PS&E									
R/W SUP (CT)									
CON SUP (CT)				5,920				5,920	
R/W									
CON				30,000				30,000	
TOTAL				35,920				35,920	

STATE OF CALIFORNIA • DEPARTMENT OF TRANSPORTATION

PROJECT PROGRAMMING REQUEST (PPR)

PRG-0010 (REV 08/2020)

PPR ID
ePPR-D05-2024-0008 v0

Amendment (Existing Project) ☐ YES ☒ NO				Date	09/14/2023 16:05:42
Programs ☐ LPP-C ☐ LPP-F ☐ SCCP ☐ TCEP ☒ STIP ☐ Other					
District	EA	Project ID	PPNO	Nominating Agency	
05	3307X		0226X	Caltrans District 5	
County	Route	PM Back	PM Ahead	Co-Nominating Agency	
San Luis Obispo Cou	46	48.300	54.700		
				MPO	Element
				SLOCOG	Capital Outlay
Project Manager/Contact			Phone	Email Address	
Nicholas Heisdorf			805-835-6558	nicholas.heisdorf@dot.ca.gov	

Project Title

Cholame Mitigation Project (Child)

Location (Project Limits), Description (Scope of Work)

Near Shandon, from 1.2 miles west of Shandon Roadside Rest Area to 0.1 mile west of Davis Road.

Component	Implementing Agency
PA&ED	Caltrans District 5
PS&E	Caltrans District 5
Right of Way	Caltrans District 5
Construction	Caltrans District 5

Legislative Districts

Assembly:	33	Senate:	15	Congressional:	24

Project Milestone	Existing	Proposed
Project Study Report Approved		
Begin Environmental (PA&ED) Phase		
Circulate Draft Environmental Document Document Type		
Draft Project Report		
End Environmental Phase (PA&ED Milestone)		
Begin Design (PS&E) Phase		09/18/2023
End Design Phase (Ready to List for Advertisement Milestone)		03/28/2024
Begin Right of Way Phase		10/09/2023
End Right of Way Phase (Right of Way Certification Milestone)		12/06/2023
Begin Construction Phase (Contract Award Milestone)		09/18/2024
End Construction Phase (Construction Contract Acceptance Milestone)		12/15/2027
Begin Closeout Phase		12/20/2027
End Closeout Phase (Closeout Report)		08/18/2028

Date 09/14/2023 16:05:42

Purpose and Need

Highway planting required for State Route 46 Cholame Segment EA 05-33077A, PPNO 0226J.

NHS Improvements ☐ YES ☒ NO	Roadway Class 1	Reversible Lane Analysis ☐ YES ☒ NO

Inc. Sustainable Communities Strategy Goals ☒ YES ☐ NO Reduce Greenhouse Gas Emissions ☐ YES ☒ NO

Project Outputs

Category	Outputs	Unit	Total
Pavement (lane-miles)	Roadway lane miles	Miles	0.001

PPR ID
ePPR-D05-2024-0008 v0

Date 09/14/2023 16:05:42

Additional Information

Child landscape mitigation project for 05-3307A. Performance met with parent (9.8 new roadway lane miles).

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Performance Indicators and Measures						
Measure	**Required For**	**Indicator/Measure**	**Unit**	**Build**	**Future No Build**	**Change**
Air Quality & GHG (only 'Change' required)	LPPC, SCCP, TCEP, LPPF	Carbon Dioxide (CO2)	Tons	0	0	0

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STATE OF CALIFORNIA • DEPARTMENT OF TRANSPORTATION

PROJECT PROGRAMMING REQUEST (PPR)

PRG-0010 (REV 08/2020)

PPR ID
ePPR-D05-2024-0008 v0

District	County	Route	EA	Project ID	PPNO
05	San Luis Obispo County	46	3307X		0226X

Project Title

Cholame Mitigation Project (Child)

Existing Total Project Cost ($1,000s)									
Component	Prior	24-25	25-26	26-27	27-28	28-29	29-30+	Total	Implementing Agency
E&P (PA&ED)									Caltrans District 5
PS&E	333							333	Caltrans District 5
R/W SUP (CT)									Caltrans District 5
CON SUP (CT)		334						334	Caltrans District 5
R/W									Caltrans District 5
CON		333						333	Caltrans District 5
TOTAL	333	667						1,000	
Proposed Total Project Cost ($1,000s)									Notes
E&P (PA&ED)									
PS&E	333							333	
R/W SUP (CT)									
CON SUP (CT)		344						344	
R/W									
CON		353						353	
TOTAL	333	697						1,030	

Fund #1:	IIP - National Hwy System (Committed)								Program Code
Existing Funding ($1,000s)									20.XX.025.700
Component	Prior	24-25	25-26	26-27	27-28	28-29	29-30+	Total	Funding Agency
E&P (PA&ED)									Caltrans HQ
PS&E	333							333	
R/W SUP (CT)									
CON SUP (CT)		334						334	
R/W									
CON		333						333	
TOTAL	333	667						1,000	
Proposed Funding ($1,000s)									Notes
E&P (PA&ED)									
PS&E	333							333	
R/W SUP (CT)									
CON SUP (CT)		344						344	
R/W									
CON		353						353	
TOTAL	333	697						1,030	

PPR ID
ePPR-D05-2024-0008 v0

Complete this page for amendments only Date 09/14/2023 16:05:42

District	County	Route	EA	Project ID	PPNO
05	San Luis Obispo County	46	3307X		0226X

SECTION 1 - All Projects

Project Background

NA

Programming Change Requested

NA

Reason for Proposed Change

NA

If proposed change will delay one or more components, clearly explain 1) reason for the delay, 2) cost increase related to the delay, and 3) how cost increase will be funded

NA

Other Significant Information

NA

SECTION 2 - For SB1 Project Only

Project Amendment Request (Please follow the individual SB1 program guidelines for specific criteria)

NA

Approvals

I hereby certify that the above information is complete and accurate and all approvals have been obtained for the processing of this amendment request.

Name (Print or Type)	Signature	Title	Date

SECTION 3 - All Projects

Attachments
1) Concurrence from Implementing Agency and/or Regional Transportation Planning Agency
2) Project Location Map

STATE OF CALIFORNIA • DEPARTMENT OF TRANSPORTATION

PROJECT PROGRAMMING REQUEST (PPR)

PRG-0010 (REV 08/2020)

PPR ID
ePPR-D06-2024-0003 v0

Amendment (Existing Project) ☐ YES ☒ NO					Date	09/05/2023 15:25:29
Programs ☐ LPP-C ☐ LPP-F ☐ SCCP ☐ TCEP ☒ STIP ☐ Other						
District	EA	Project ID	PPNO	Nominating Agency		
06	45712	0612000197	8042B	Caltrans HQ		
County	Route	PM Back	PM Ahead	Co-Nominating Agency		
Kern County	14	53.000	58.300			
				MPO	Element	
				KCOG	Capital Outlay	
Project Manager/Contact			Phone	Email Address		
Dennee Alcala			760-872-0767	dennee.alcala@dot.ca.gov		

Project Title

Freeman Gulch Widening - Segment 2

Location (Project Limits), Description (Scope of Work)

Near Ridgecrest, from 4.8 miles south of Route 178 west to 0.5 mile north of Route 178 west. Convert from 2-lane conventional highway to 4-lane expressway.

Component	Implementing Agency
PA&ED	Caltrans District 6
PS&E	Caltrans District 6
Right of Way	Caltrans District 6
Construction	Caltrans District 6

Legislative Districts					
Assembly:	34	Senate:	16	Congressional:	23

Project Milestone	Existing	Proposed
Project Study Report Approved		
Begin Environmental (PA&ED) Phase		
Circulate Draft Environmental Document Document Type		
Draft Project Report		
End Environmental Phase (PA&ED Milestone)	10/29/2007	10/29/2007
Begin Design (PS&E) Phase	07/01/2018	07/01/2018
End Design Phase (Ready to List for Advertisement Milestone)	07/01/2022	07/01/2022
Begin Right of Way Phase	07/01/2020	07/01/2020
End Right of Way Phase (Right of Way Certification Milestone)	07/01/2022	07/01/2022
Begin Construction Phase (Contract Award Milestone)	01/01/2023	01/01/2023
End Construction Phase (Construction Contract Acceptance Milestone)	07/01/2024	07/01/2024
Begin Closeout Phase	12/01/2024	12/01/2024
End Closeout Phase (Closeout Report)	12/01/2027	12/01/2027

Purpose and Need

The highway constitutes the principal access into the Inyo and Mono County recreation areas. The project would relieve congestion, separate oncoming traffic with a divided median, and breakup traffic queues by providing major passing opportunities. This project is the second of the three segments that will close the final 2-lane "gap" on Route 14 between Mojave and the junction with Route 395. Route 14 is an Interregional High Emphasis Focus Route and is essential to the economic of the eastern Sierra region. It is consistant with the Transportation Concept Report, the Interregional Transportation Strategic Plan, and the Kern County Regional Transportation Plan.

NHS Improvements ☐ YES ☒ NO	Roadway Class 2	Reversible Lane Analysis ☐ YES ☒ NO

Inc. Sustainable Communities Strategy Goals ☒ YES ☐ NO Reduce Greenhouse Gas Emissions ☐ YES ☒ NO

Project Outputs

Category	Outputs	Unit	Total
Local streets and roads	New roadway lane-miles	Miles	6.2
State Highway Road Construction	Pedestrian/Bicycle facilities miles constructed	Miles	6.2

PPR ID
ePPR-D06-2024-0003 v0

Date 09/05/2023 15:25:29

Additional Information

Performance Indicators and Measures						
Measure	**Required For**	**Indicator/Measure**	**Unit**	**Build**	**Future No Build**	**Change**
Air Quality & GHG (only 'Change' required)	LPPC, SCCP, TCEP, LPPF	Carbon Dioxide (CO2)	Tons	0	0	0

STATE OF CALIFORNIA • DEPARTMENT OF TRANSPORTATION

PROJECT PROGRAMMING REQUEST (PPR)

PRG-0010 (REV 08/2020)

PPR ID
ePPR-D06-2024-0003 v0

District	County	Route	EA	Project ID	PPNO
06	Kern County	14	45712	0612000197	8042B

Project Title

Freeman Gulch Widening - Segment 2

Existing Total Project Cost ($1,000s)									
Component	Prior	24-25	25-26	26-27	27-28	28-29	29-30+	Total	Implementing Agency
E&P (PA&ED)									Caltrans District 6
PS&E	4,061							4,061	Caltrans District 6
R/W SUP (CT)			1,500					1,500	Caltrans District 6
CON SUP (CT)			8,530					8,530	Caltrans District 6
R/W			8,600					8,600	Caltrans District 6
CON			62,000					62,000	Caltrans District 6
TOTAL	4,061		80,630					84,691	
Proposed Total Project Cost ($1,000s)									Notes
E&P (PA&ED)									
PS&E	4,061							4,061	
R/W SUP (CT)			1,500					1,500	
CON SUP (CT)			8,530					8,530	
R/W			8,600					8,600	
CON			62,000					62,000	
TOTAL	4,061		80,630					84,691	

Fund #1:	RIP - National Hwy System (Committed)								Program Code
Existing Funding ($1,000s)									20.XX.075.600
Component	Prior	24-25	25-26	26-27	27-28	28-29	29-30+	Total	Funding Agency
E&P (PA&ED)									Inyo County Local Transportation Co
PS&E	360							360	
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON									
TOTAL	360							360	
Proposed Funding ($1,000s)									Notes
E&P (PA&ED)									
PS&E	360							360	
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON									
TOTAL	360							360	

PPR ID
ePPR-D06-2024-0003 v0

Fund #2:	RIP - National Hwy System (Committed)								Program Code
	Existing Funding ($1,000s)								20.XX.075.600
Component	Prior	24-25	25-26	26-27	27-28	28-29	29-30+	Total	Funding Agency
E&P (PA&ED)									Mono County Local Transportation C
PS&E	260							260	
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON									
TOTAL	260							260	
	Proposed Funding ($1,000s)								Notes
E&P (PA&ED)									
PS&E	260							260	
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON									
TOTAL	260							260	

Fund #3:	IIP - National Hwy System (Committed)								Program Code
	Existing Funding ($1,000s)								20.XX.025.700
Component	Prior	24-25	25-26	26-27	27-28	28-29	29-30+	Total	Funding Agency
E&P (PA&ED)									Caltrans HQ
PS&E	1,481							1,481	
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON									
TOTAL	1,481							1,481	
	Proposed Funding ($1,000s)								Notes
E&P (PA&ED)									
PS&E	1,481							1,481	
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON									
TOTAL	1,481							1,481	

PPR ID
ePPR-D06-2024-0003 v0

Fund #4:	Future Need - Future Funds (Uncommitted)								Program Code
	Existing Funding ($1,000s)								FUTURE
Component	Prior	24-25	25-26	26-27	27-28	28-29	29-30+	Total	Funding Agency
E&P (PA&ED)									
PS&E									
R/W SUP (CT)			1,500					1,500	
CON SUP (CT)			8,530					8,530	
R/W			8,600					8,600	
CON			62,000					62,000	
TOTAL			80,630					80,630	
	Proposed Funding ($1,000s)								Notes
E&P (PA&ED)									
PS&E									
R/W SUP (CT)			1,500					1,500	
CON SUP (CT)			8,530					8,530	
R/W			8,600					8,600	
CON			62,000					62,000	
TOTAL			80,630					80,630	

Fund #5:	RIP - State Cash (Committed)								Program Code
	Existing Funding ($1,000s)								20.XX.075.600
Component	Prior	24-25	25-26	26-27	27-28	28-29	29-30+	Total	Funding Agency
E&P (PA&ED)									Kern Council of Governments
PS&E	1,960							1,960	
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON									
TOTAL	1,960							1,960	
	Proposed Funding ($1,000s)								Notes
E&P (PA&ED)									
PS&E	1,960							1,960	
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON									
TOTAL	1,960							1,960	

STATE OF CALIFORNIA • DEPARTMENT OF TRANSPORTATION

PROJECT PROGRAMMING REQUEST (PPR)

PRG-0010 (REV 08/2020)

PPR ID
ePPR-D06-2024-0003 v0

Complete this page for amendments only Date 09/05/2023 15:25:29

District	County	Route	EA	Project ID	PPNO
06	Kern County	14	45712	0612000197	8042B

SECTION 1 - All Projects

Project Background

na

Programming Change Requested

Reason for Proposed Change

na

If proposed change will delay one or more components, clearly explain 1) reason for the delay, 2) cost increase related to the delay, and 3) how cost increase will be funded

Other Significant Information

SECTION 2 - For SB1 Project Only

Project Amendment Request (Please follow the individual SB1 program guidelines for specific criteria)

na

Approvals

I hereby certify that the above information is complete and accurate and all approvals have been obtained for the processing of this amendment request.

Name (Print or Type)	Signature	Title	Date

SECTION 3 - All Projects

Attachments
1) Concurrence from Implementing Agency and/or Regional Transportation Planning Agency
2) Project Location Map

STATE OF CALIFORNIA • DEPARTMENT OF TRANSPORTATION

PROJECT PROGRAMMING REQUEST (PPR)

PRG-0010 (REV 08/2020)

PPR ID
ePPR-D06-2021-0002 v1

Amendment (Existing Project) ☐ YES ☒ NO					Date	09/05/2023 15:28:28
Programs ☐ LPP-C ☐ LPP-F ☐ SCCP ☐ TCEP ☒ STIP ☐ Other						
District	EA	Project ID	PPNO	Nominating Agency		
06	0S370	0614000130	6705	Caltrans District 6		
County	Route	PM Back	PM Ahead	Co-Nominating Agency		
Kings County	41	R 48.000	R 48.300	Fresno Council of Governments,Fresno County Transportat		
Fresno County	41	R 0.000	R 7.100	MPO	Element	
				KCAG	Capital Outlay	
Project Manager/Contact			Phone	Email Address		
Chris Gardner			559-978-1888	chris.gardner@dot.ca.gov		

Project Title

Excelsior Expressway

Location (Project Limits), Description (Scope of Work)

In Fresno and Kings County about 6 miles north of Lemoore, from 0.3 mile north of Excelsior Avenue Undercrossing to 1.0 mile north of Elkhorn Avenue. Widen from 2-lane conventional highway to 4-lane expressway.

Component	Implementing Agency
PA&ED	Caltrans District 6
PS&E	Caltrans District 6
Right of Way	Caltrans District 6
Construction	Caltrans District 6

Legislative Districts					
Assembly:	32,31	Senate:	12,14	Congressional:	21

Project Milestone	Existing	Proposed
Project Study Report Approved		
Begin Environmental (PA&ED) Phase	10/01/2001	10/01/2001
Circulate Draft Environmental Document Document Type (ND/MND)/FONSI		
Draft Project Report	02/01/2005	02/01/2005
End Environmental Phase (PA&ED Milestone)	06/14/2005	06/14/2005
Begin Design (PS&E) Phase	07/01/2018	07/01/2018
End Design Phase (Ready to List for Advertisement Milestone)	06/03/2024	06/03/2024
Begin Right of Way Phase	07/01/2018	07/01/2018
End Right of Way Phase (Right of Way Certification Milestone)	05/01/2024	05/01/2024
Begin Construction Phase (Contract Award Milestone)	11/01/2024	11/01/2024
End Construction Phase (Construction Contract Acceptance Milestone)	04/01/2027	04/01/2027
Begin Closeout Phase	07/01/2027	07/01/2027
End Closeout Phase (Closeout Report)	07/01/2029	07/01/2029

Date 09/05/2023 15:28:28

Purpose and Need

Improve traffic operations, safety and provide route continuity with the four-lane roads north and south of the project segment. This segment is a 6 mile gap within a 44-mile corridor of multi-lane expressway/freeway
Need: Caltrans has identified traffic queues, fatal and injury collisions rates above average for similar facilities, and lack of passing opportunities as issues in the operation of this segment.

NHS Improvements ☒ YES ☐ NO	Roadway Class 2	Reversible Lane Analysis ☒ YES ☐ NO

Inc. Sustainable Communities Strategy Goals ☐ YES ☒ NO Reduce Greenhouse Gas Emissions ☐ YES ☒ NO

Project Outputs

Category	Outputs	Unit	Total
State Highway Road Construction	Mixed flow lane-miles constructed	Miles	24
ADA Improvements	New curb ramp installed	EA	8
Operational Improvement	Intersection / Signal improvements	EA	2
Pavement (lane-miles)	Mixed flow mainline constructed	Miles	24

Additional Information

This project would upgrade approximately six miles of two-lane conventional highway to a divided four-lane expressway, completing a continuous 44-mile corridor.

SR 41 is an Interregional High Emphasis Focus Route corridor and is in the Caltrans Interregional Transportation Strategic Plan, part of the National Network of truck routes, and it is consistent with the California Freight Mobility Plan. This corridor provides access to the Lemoore Naval Air Station and provides connectivity to SR 99 which is on the Strategic Highway Network. The highway is vital to the economy of the San Joaquin Valley and used to support farms. This two-lane segment of SR 41 facilitates interregional travel between the Fresno metropolitan area and the Central California Coast and is an important agricultural goods to market route (i.e. cotton and grain activities). During the summer months, traffic volumes increase as a result of an increase in percentage of slower moving recreational vehicles. Currently, passing is prohibited within the six-mile stretch of the project limits which causes platooning of vehicles and lowers the operational characteristics of the route.

The project will improve operational efficiency of the regional movement of freight and goods, and local farm to market travel. It will increase connectivity of several economically under served and tribal communities. The project would provide greater travel time reliability, throughput, and velocity by breaking up platooning vehicles. The project is consistent with the Transportation Concept Report and the Fresno County Regional Transportation Plan. This project will provide for continuity (44-mile) of the SR 41 corridor, meet present and future goods movement traffic demands. The SR 41 corridor will also be utilized by travelers wishing to connect to the future California Highspeed Rail Kings/Tulare station. The SR 41 project benefits align with Caltrans strategic management plan by supporting safety, multi-modality, climate change, and addressing equity by improving quality of life in underserved and tribal communities. Oncoming traffic would be separated with a divided median which would improve safety. The project's improvements will bring the highway up to current design standards as well as sustainability which includes addressing area subsidence and potential climate adaptation issue, such as culverts susceptibility to riverine flooding. Complete Streets elements, such as, widening shoulders from 5 feet to 10 feet and intersection improvements that could benefit pedestrian and bicycle mobility will also be incorporated into the project. Additionally, environmental mitigation measures including designing safer passage for animals like the San Joaquin Kit Fox will be included. New electric vehicle infrastructure is being considered for incorporation into the project which would advance overall greenhouse gas reduction goals. Furthermore, the project was redesigned recently in a way to utilize existing pavement which results in less virgin material being used for construction.

ADA is checked

Performance Indicators and Measures						
Measure	**Required For**	**Indicator/Measure**	**Unit**	**Build**	**Future No Build**	**Change**
Air Quality & GHG (only 'Change' required)	LPPC, SCCP, TCEP, LPPF	Carbon Dioxide (CO2)	Tons	0	0	0

STATE OF CALIFORNIA • DEPARTMENT OF TRANSPORTATION

PROJECT PROGRAMMING REQUEST (PPR)

PRG-0010 (REV 08/2020)

PPR ID
ePPR-D06-2021-0002 v1

District	County	Route	EA	Project ID	PPNO
06	Kings County, Fresno County	41, 41	0S370	0614000130	6705

Project Title

Excelsior Expressway

Existing Total Project Cost ($1,000s)									
Component	Prior	24-25	25-26	26-27	27-28	28-29	29-30+	Total	Implementing Agency
E&P (PA&ED)									Caltrans District 6
PS&E	3,000							3,000	Caltrans District 6
R/W SUP (CT)	1,500							1,500	Caltrans District 6
CON SUP (CT)		7,600						7,600	Caltrans District 6
R/W	5,500							5,500	Caltrans District 6
CON		53,200						53,200	Caltrans District 6
TOTAL	10,000	60,800						70,800	
Proposed Total Project Cost ($1,000s)									Notes
E&P (PA&ED)									
PS&E	3,000							3,000	
R/W SUP (CT)	1,500							1,500	
CON SUP (CT)		7,600						7,600	
R/W	5,500							5,500	
CON		53,200						53,200	
TOTAL	10,000	60,800						70,800	

Fund #1:	IIP - National Hwy System (Committed)								Program Code
Existing Funding ($1,000s)									20.XX.025.700
Component	Prior	24-25	25-26	26-27	27-28	28-29	29-30+	Total	Funding Agency
E&P (PA&ED)									Caltrans HQ
PS&E	3,000							3,000	
R/W SUP (CT)	1,500							1,500	
CON SUP (CT)		3,600						3,600	
R/W	3,500							3,500	
CON		19,400						19,400	
TOTAL	8,000	23,000						31,000	
Proposed Funding ($1,000s)									Notes
E&P (PA&ED)									
PS&E	3,000							3,000	
R/W SUP (CT)	1,500							1,500	
CON SUP (CT)		3,600						3,600	
R/W	3,500							3,500	
CON		19,400						19,400	
TOTAL	8,000	23,000						31,000	

PPR ID
ePPR-D06-2021-0002 v1

Fund #2:	RIP - National Hwy System (Committed)								Program Code
	Existing Funding ($1,000s)								20.XX.075.600
Component	Prior	24-25	25-26	26-27	27-28	28-29	29-30+	Total	Funding Agency
E&P (PA&ED)									Caltrans HQ
PS&E									
R/W SUP (CT)									
CON SUP (CT)		1,600						1,600	
R/W	2,000							2,000	
CON		8,400						8,400	
TOTAL	2,000	10,000						12,000	
	Proposed Funding ($1,000s)								Notes
E&P (PA&ED)									
PS&E									
R/W SUP (CT)									
CON SUP (CT)		1,600						1,600	
R/W	2,000							2,000	
CON		8,400						8,400	
TOTAL	2,000	10,000						12,000	

Fund #3:	Other State - Future Funds (Committed)								Program Code
	Existing Funding ($1,000s)								SHOPP
Component	Prior	24-25	25-26	26-27	27-28	28-29	29-30+	Total	Funding Agency
E&P (PA&ED)									Caltrans HQ
PS&E									2022 SHOPP candidate PPNO 7064 for rehab of existing 2 lanes
R/W SUP (CT)									
CON SUP (CT)		2,400						2,400	
R/W									
CON		12,400						12,400	
TOTAL		14,800						14,800	
	Proposed Funding ($1,000s)								Notes
E&P (PA&ED)									
PS&E									
R/W SUP (CT)									
CON SUP (CT)		2,400						2,400	
R/W									
CON		12,400						12,400	
TOTAL		14,800						14,800	

PPR ID
ePPR-D06-2021-0002 v1

Fund #4:	Local Funds - Fresno County Measure C (Committed)								Program Code
	Existing Funding ($1,000s)								20.10.400.100
Component	Prior	24-25	25-26	26-27	27-28	28-29	29-30+	Total	Funding Agency
E&P (PA&ED)									Fresno County Transportation Autho
PS&E									
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON		13,000						13,000	
TOTAL		13,000						13,000	
	Proposed Funding ($1,000s)								Notes
E&P (PA&ED)									
PS&E									
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON		13,000						13,000	
TOTAL		13,000						13,000	

STATE OF CALIFORNIA • DEPARTMENT OF TRANSPORTATION
PROJECT PROGRAMMING REQUEST (PPR)
PRG-0010 (REV 08/2020)

PPR ID
ePPR-D06-2021-0002 v1

Complete this page for amendments only Date 09/05/2023 15:28:28

District	County	Route	EA	Project ID	PPNO
06	Kings County, Fresno County	41, 41	0S370	0614000130	6705

SECTION 1 - All Projects

Project Background

na

Programming Change Requested

Reason for Proposed Change

na

If proposed change will delay one or more components, clearly explain 1) reason for the delay, 2) cost increase related to the delay, and 3) how cost increase will be funded

Other Significant Information

SECTION 2 - For SB1 Project Only

Project Amendment Request (Please follow the individual SB1 program guidelines for specific criteria)

na

Approvals

I hereby certify that the above information is complete and accurate and all approvals have been obtained for the processing of this amendment request.

Name (Print or Type)	Signature	Title	Date

SECTION 3 - All Projects

Attachments
1) Concurrence from Implementing Agency and/or Regional Transportation Planning Agency
2) Project Location Map

STATE OF CALIFORNIA • DEPARTMENT OF TRANSPORTATION

PROJECT PROGRAMMING REQUEST (PPR)

PRG-0010 (REV 08/2020)

PPR ID
ePPR-D06-2020-0002 v7

Amendment (Existing Project) ☒ YES ☐ NO						Date	07/27/2023 06:45:28
Programs ☐ LPP-C ☐ LPP-F ☐ SCCP ☐ TCEP ☐ STIP ☐ Other							
District	EA	Project ID	PPNO	Nominating Agency			
06	0H220	0612000158	6297	Caltrans District 6			
County	Route	PM Back	PM Ahead	Co-Nominating Agency			
Madera County	99	0.100	R 8.100	Madera County Transportation Commission			
				MPO	Element		
				MCTC	Capital Outlay		
Project Manager/Contact			Phone	Email Address			
Eric Karlson			559-246-7337	eric.karlson@dot.ca.gov			

Project Title

South Madera 6 Lane

Location (Project Limits), Description (Scope of Work)

In Madera County, from North of Fresno-Madera County line to South of Avenue 7 to North of Avenue 12. This project will improve goods movement and passenger travel along State Route 99 by median widening from 4 to 6 lanes. It will also upgrade drainage, construct drainage basins and median barrier, and increase vertical clearance at one structure.

Component	Implementing Agency
PA&ED	Caltrans District 6
PS&E	Caltrans District 6
Right of Way	Caltrans District 6
Construction	Caltrans District 6

Legislative Districts					
Assembly:	5	Senate:	14	Congressional:	16

Project Milestone	Existing	Proposed
Project Study Report Approved	03/11/2008	
Begin Environmental (PA&ED) Phase	05/01/2019	05/01/2019
Circulate Draft Environmental Document Document Type (ND/MND)/FONSI	12/15/2020	12/15/2020
Draft Project Report	12/01/2020	12/01/2020
End Environmental Phase (PA&ED Milestone)	05/01/2021	05/01/2021
Begin Design (PS&E) Phase	07/01/2021	07/01/2021
End Design Phase (Ready to List for Advertisement Milestone)	08/01/2023	07/01/2025
Begin Right of Way Phase	07/01/2021	07/01/2021
End Right of Way Phase (Right of Way Certification Milestone)	06/30/2023	08/01/2024
Begin Construction Phase (Contract Award Milestone)	02/02/2026	12/30/2025
End Construction Phase (Construction Contract Acceptance Milestone)	07/03/2028	04/01/2028
Begin Closeout Phase	07/17/2028	04/03/2028
End Closeout Phase (Closeout Report)	07/16/2029	04/03/2030

Purpose and Need

Widening of this section of SR 99 is needed to enhance freight mobility, preserve acceptable facility operation, improve safety, and reduce congestion. The proposed 6-lane freeway would improve the flow and travel-time reliability along this segment of SR 99 for current volumes of traffic and provide enough capacity to manage the projected increases to both passenger and freight vehicle volumes. The segment is already beginning to break down and operate at unacceptable levels. Adding capacity to SR 99 will allow the region time to plan and raise funds for alternate north/south roads connecting Madera and Fresno counties.

NHS Improvements ☒ YES ☐ NO	Roadway Class 1	Reversible Lane Analysis ☒ YES ☐ NO

Inc. Sustainable Communities Strategy Goals ☒ YES ☐ NO Reduce Greenhouse Gas Emissions ☒ YES ☐ NO

Project Outputs

Category	Outputs	Unit	Total
Operational Improvement	Ramp modifications	EA	2
Pavement (lane-miles)	Auxiliary lane constructed	Miles	1
Pavement (lane-miles)	Roadway lane miles	Miles	24
TMS (Traffic Management Systems)	Changeable message signs	EA	2
State Highway Road Construction	Mixed flow lane-miles constructed	Miles	11.6
Drainage	Culverts	LF	3,000

Date 07/27/2023 06:45:28

Additional Information

Some numbers in Performance Indicators and Measures data are shown as negative values for build scenario to reflect the benefit of the build alternative vs. no-build. For example, decrease in the Number of Serious Injuries is shown as -112 in the build column.

The post miles are different from the original application because the original limits from the Project Study Report/PDS did not consider stage construction and final striping of the already widened sections North and South of the project limits. The limits shown in the original application from 1.7 to 7.5 is the area to be constructed. However, this is a gap closure project and the final striping will need to include the limits from 0.1 to 8.1. It should be noted no additional work is being added to the project except striping.

The initial project cost in the early PA&ED phase were estimated low and were based on an ongoing construction contract 06-470904. The updated cost is based on an 11 page estimate and is in the signed project report.

There is also a change in the Project Outputs for the "Mixed flow lane miles constructed". In the original ePPR there was 12.0 miles and it has been revised to 11.6. Project 06-0V120_ is within the same limits of this project and is proposing to widen the structures at Cottonwood Creek.

There has also been a swap in funds from MCTC. MCTC using COVID STIP funds, which is subject to the STIP amendment.

The transportation impact analysis for this project was conducted before Caltrans had established guidance for such analyses, the “Transportation Analysis Framework” and “Transportation Analysis Under CEQA” (both September 2020). Due to the timing of the transportation impact analysis for this project relative to the establishment of a VMT assessment methodology, departmental guidance did not require work on this project to be reworked to follow that methodology. Therefore the methods and conclusions shown should be considered exploratory and not valid precedent for other analyses. An assessment conducted per the department’s current process would likely produce different findings.

ADA is checked
Bike/Ped is checked

ADA is checked
Bike/Ped is checked

Performance Indicators and Measures						
Measure	**Required For**	**Indicator/Measure**	**Unit**	**Build**	**Future No Build**	**Change**
Congestion Reduction	TCEP	Daily Vehicle Hours of Travel Time Reduction	Hours	12,508	86,169	-73,661
	Optional	Daily Truck Trips	# of Trips	26,407	26,407	0
	Optional	Daily Truck Miles Traveled	Miles	153,158	153,158	0
Throughput (Freight)	TCEP	Change in Truck Volume	# of Trucks	20,278	2,944	17,334
	TCEP	Change in Rail Volume	# of Trailers	5,794	841	4,953
			# of Containers	20,278	2,944	17,334
	Optional	Change in Cargo Volume That Can Be Accommodated	# of Tons	115,873	16,820	99,053
			# of Containers	20,278	2,944	17,334
System Reliability (Freight)	Optional	Truck Travel Time Reliability Index	Index	1.13	2.56	-1.43
	Optional	Daily Vehicle Hours of Travel Time Reduction	Hours	11,408	27,854	-16,446
Velocity (Freight)	TCEP	Travel Time or Total Cargo Transport Time	Hours	0	0	0
Air Quality & GHG (only 'Change' required)	LPPF, LPPC, SCCP, TCEP	Particulate Matter	PM 2.5 Tons	-6	0	-6
			PM 10 Tons	-7	0	-7
	LPPF, LPPC, SCCP, TCEP	Carbon Dioxide (CO2)	Tons	-13,364	0	-13,364
	LPPF, LPPC, SCCP, TCEP	Volatile Organic Compounds (VOC)	Tons	-40	0	-40
	LPPF, LPPC, SCCP, TCEP	Sulphur Dioxides (SOx)	Tons	0	0	0
	LPPF, LPPC, SCCP, TCEP	Carbon Monoxide (CO)	Tons	-413	0	-413
	LPPF, LPPC, SCCP, TCEP	Nitrogen Oxides (NOx)	Tons	-753	0	-753
Safety	Optional	Number of Non-Motorized Fatalities and Non-Motorized Serious Injuries	Number	0	0	0
	LPPF, LPPC, SCCP, TCEP	Number of Fatalities	Number	-2	0	-2
	LPPF, LPPC, SCCP, TCEP	Fatalities per 100 Million VMT	Number	0.013	0.019	-0.006
	LPPF, LPPC, SCCP, TCEP	Number of Serious Injuries	Number	-112	0	-112
	LPPF, LPPC, SCCP, TCEP	Number of Serious Injuries per 100 Million VMT	Number	0.34	0.338	0.002
Economic Development	LPPF, LPPC, SCCP, TCEP	Jobs Created (Only 'Build' Required)	Number	1,199	0	1,199
Cost Effectiveness (only 'Change' required)	LPPF, LPPC, SCCP, TCEP	Cost Benefit Ratio	Ratio	5.2	0	5.2

STATE OF CALIFORNIA • DEPARTMENT OF TRANSPORTATION

PROJECT PROGRAMMING REQUEST (PPR)

PRG-0010 (REV 08/2020)

PPR ID
ePPR-D06-2020-0002 v7

District	County	Route	EA	Project ID	PPNO
06	Madera County	99	0H220	0612000158	6297

Project Title

South Madera 6 Lane

Existing Total Project Cost ($1,000s)									
Component	Prior	23-24	24-25	25-26	26-27	27-28	28-29+	Total	Implementing Agency
E&P (PA&ED)	3,413							3,413	Caltrans District 6
PS&E	9,460							9,460	Caltrans District 6
R/W SUP (CT)	1,500							1,500	Caltrans District 6
CON SUP (CT)				6,000	3,500			9,500	Caltrans District 6
R/W	4,000							4,000	Caltrans District 6
CON				44,000	30,000			74,000	Caltrans District 6
TOTAL	18,373			50,000	33,500			101,873	
Proposed Total Project Cost ($1,000s)									Notes
E&P (PA&ED)	3,413							3,413	
PS&E	9,460							9,460	
R/W SUP (CT)	1,500							1,500	
CON SUP (CT)				8,000				8,000	
R/W	4,000							4,000	
CON				85,700				85,700	
TOTAL	18,373			93,700				112,073	

Fund #1:	IIP - National Hwy System (Committed)								Program Code
Existing Funding ($1,000s)									20.XX.025.700
Component	Prior	23-24	24-25	25-26	26-27	27-28	28-29+	Total	Funding Agency
E&P (PA&ED)	3,413							3,413	Caltrans HQ
PS&E	6,400							6,400	
R/W SUP (CT)									
CON SUP (CT)					3,500			3,500	
R/W									
CON					30,000			30,000	
TOTAL	9,813				33,500			43,313	
Proposed Funding ($1,000s)									Notes
E&P (PA&ED)	3,413							3,413	
PS&E	6,400							6,400	
R/W SUP (CT)									
CON SUP (CT)				4,000				4,000	
R/W									
CON				35,000				35,000	
TOTAL	9,813			39,000				48,813	

Fund #2:	Future Need - Future Funds (Uncommitted)								Program Code
	Existing Funding ($1,000s)								FUTURE
Component	Prior	23-24	24-25	25-26	26-27	27-28	28-29+	Total	Funding Agency
E&P (PA&ED)									
PS&E									
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON									
TOTAL									
	Proposed Funding ($1,000s)								Notes
E&P (PA&ED)									
PS&E									
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON									
TOTAL									

Fund #3:	State Bond - State Route 99 Corridor (Committed)								Program Code
	Existing Funding ($1,000s)								20.XX.722.000
Component	Prior	23-24	24-25	25-26	26-27	27-28	28-29+	Total	Funding Agency
E&P (PA&ED)									Caltrans HQ
PS&E	3,060							3,060	$3060 PSE voted 08/18/21
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON									
TOTAL	3,060							3,060	
	Proposed Funding ($1,000s)								Notes
E&P (PA&ED)									
PS&E	3,060							3,060	
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON									
TOTAL	3,060							3,060	

Fund #4:	State SB1 TCEP - Trade Corridors Enhancement Account (Committed)								Program Code
	Existing Funding ($1,000s)								20.XX.723.100
Component	Prior	23-24	24-25	25-26	26-27	27-28	28-29+	Total	Funding Agency
E&P (PA&ED)									
PS&E									$1356 RW voted 08/18/21
R/W SUP (CT)	508							508	
CON SUP (CT)									
R/W	1,356							1,356	
CON									
TOTAL	1,864							1,864	
	Proposed Funding ($1,000s)								Notes
E&P (PA&ED)									
PS&E									
R/W SUP (CT)	508							508	
CON SUP (CT)									
R/W	1,356							1,356	
CON									
TOTAL	1,864							1,864	

Fund #5:	State SB1 TCEP - Trade Corridors Enhancement Account (Committed)								Program Code
	Existing Funding ($1,000s)								20.XX.723.200
Component	Prior	23-24	24-25	25-26	26-27	27-28	28-29+	Total	Funding Agency
E&P (PA&ED)									
PS&E									$2033 RW voted 08/18/21
R/W SUP (CT)	762							762	
CON SUP (CT)									
R/W	2,033							2,033	
CON									
TOTAL	2,795							2,795	
	Proposed Funding ($1,000s)								Notes
E&P (PA&ED)									
PS&E									
R/W SUP (CT)	762							762	
CON SUP (CT)									
R/W	2,033							2,033	
CON									
TOTAL	2,795							2,795	

Fund #6:	Local Funds - Local Measure (Committed)								Program Code
	Existing Funding ($1,000s)								20.10.400.100
Component	Prior	23-24	24-25	25-26	26-27	27-28	28-29+	Total	Funding Agency
E&P (PA&ED)									Madera County Transportation Comm
PS&E									
R/W SUP (CT)									
CON SUP (CT)									
R/W	9							9	
CON									
TOTAL	9							9	
	Proposed Funding ($1,000s)								Notes
E&P (PA&ED)									
PS&E									
R/W SUP (CT)									
CON SUP (CT)									
R/W	9							9	
CON									
TOTAL	9							9	

Fund #7:	RIP - COVID Relief Funds - STIP (Committed)								Program Code
	Existing Funding ($1,000s)								20.XX.075.600
Component	Prior	23-24	24-25	25-26	26-27	27-28	28-29+	Total	Funding Agency
E&P (PA&ED)									Madera County Transportation Comm
PS&E									
R/W SUP (CT)	230							230	
CON SUP (CT)									
R/W	602							602	
CON									
TOTAL	832							832	
	Proposed Funding ($1,000s)								Notes
E&P (PA&ED)									
PS&E									
R/W SUP (CT)	230							230	
CON SUP (CT)									
R/W	602							602	
CON									
TOTAL	832							832	

PPR ID
ePPR-D06-2020-0002 v7

Fund #8:	Other State - Road Maintenance and Rehabilitation Account (Committed)								Program Code
	Existing Funding ($1,000s)								SHOPP
Component	Prior	23-24	24-25	25-26	26-27	27-28	28-29+	Total	Funding Agency
E&P (PA&ED)									
PS&E									
R/W SUP (CT)									
CON SUP (CT)				6,000				6,000	
R/W									
CON				44,000				44,000	
TOTAL				50,000				50,000	
	Proposed Funding ($1,000s)								Notes
E&P (PA&ED)									
PS&E									
R/W SUP (CT)									
CON SUP (CT)				4,000				4,000	
R/W									
CON				50,700				50,700	
TOTAL				54,700				54,700	

STATE OF CALIFORNIA • DEPARTMENT OF TRANSPORTATION

PROJECT PROGRAMMING REQUEST (PPR)

PRG-0010 (REV 08/2020)

PPR ID
ePPR-D06-2020-0002 v7

Complete this page for amendments only Date 07/27/2023 06:45:28

District	County	Route	EA	Project ID	PPNO
06	Madera County	99	0H220	0612000158	6297

SECTION 1 - All Projects

Project Background

The initial funding strategy, the Interregional Transportation Improvement Program (ITIP) was planned to fund all support and capital components for this project. For this reason, the planned strategy to address the pavement for northbound and southbound #1 and #2 lanes were to be fully funded by the ITIP. For this reason, this section of roadway was not included in our SHOPP Ten-year Project Book as it was intended to be rehabilitated with project 06-0H220. However, the most recent ITIP cycles (2018 and onward) had limited funding capacity to fully address all the funding needs of the Program. However, a commitment has been made to continue to support this project. It was determined to change the pavement and funding strategy for this section of SR 99 and explore opportunities to close the funding gap. Due to the existing pavement condition, it was determined that the rehabilitation of the pavement can be considered SHOPP eligible rehabilitation. It was decided that SHOPP eligible rehabilitation work funded by the SHOPP combined with ITIP funding (constructing 2 lanes within the median) would achieve significant efficiencies, substantial savings, and ultimately support the implementation of a VMT reducing lane management strategy along SR 99. Furthermore, by leveraging various funding sources allowed the construction support and capital components to be fully funded. Recently, at the March 2023 CTC the SHOPP funding was approved for this project in the 25/26 Fiscal year.

Programming Change Requested

Reason for Proposed Change

To align the $54.7 million from the SHOPP which is in the 25/26 fiscal year with the current ITIP funding that is in the 26/27 fiscal year. Additionally, request an increase in the shortfall due to inflation. The 33.5 million that is currently programmed is based on an estimate that was done in July 2021 and does not take into account the above average escalation which has occurred between then and now.

If proposed change will delay one or more components, clearly explain 1) reason for the delay, 2) cost increase related to the delay, and 3) how cost increase will be funded

Other Significant Information

SECTION 2 - For SB1 Project Only

Project Amendment Request (Please follow the individual SB1 program guidelines for specific criteria)

Additional support and capital for the ITIP and advancing the schedule from 26/27 to 25/26.

Approvals

I hereby certify that the above information is complete and accurate and all approvals have been obtained for the processing of this amendment request.

Name (Print or Type)	Signature	Title	Date

SECTION 3 - All Projects

Attachments
1) Concurrence from Implementing Agency and/or Regional Transportation Planning Agency
2) Project Location Map

STATE OF CALIFORNIA • DEPARTMENT OF TRANSPORTATION

PROJECT PROGRAMMING REQUEST (PPR)

PRG-0010 (REV 08/2020)

PPR ID
ePPR-D06-2022-0004 v3

Amendment (Existing Project) ☐ YES ☒ NO					Date	09/05/2023 15:32:07
Programs ☐ LPP-C ☐ LPP-F ☐ SCCP ☐ TCEP ☒ STIP ☐ Other						
District	EA	Project ID	PPNO	Nominating Agency		
06	48950	0614000040	6369	Caltrans District 6		
County	Route	PM Back	PM Ahead	Co-Nominating Agency		
Tulare County	99	25.200	30.600	Tulare County Association of Governments		
				MPO	Element	
				TCAG	Capital Outlay	
Project Manager/Contact			Phone	Email Address		
Eric Karlson			559-246-7337	eric.karlson@dot.ca.gov		

Project Title

SR 99 Tulare City Widening

Location (Project Limits), Description (Scope of Work)

In and near the City of Tulare, from south of Avenue 200 to just north of Prosperity Avenue. This project will relieve traffic congestion, improve goods movement and passenger travel along State Route 99 by widening in the median from 4 to 6 lanes. In addition the project will reconstruct the Paige Avenue interchange, including roundabouts on Paige Avenue at the ramp termini, Blackstone Street, and Laspina Street to improve traffic operations.

Component	Implementing Agency
PA&ED	Caltrans District 6
PS&E	Caltrans District 6
Right of Way	Caltrans District 6
Construction	Caltrans District 6

Legislative Districts					
Assembly:	26	Senate:	16	Congressional:	22

Project Milestone	Existing	Proposed
Project Study Report Approved		
Begin Environmental (PA&ED) Phase	05/01/2019	05/01/2019
Circulate Draft Environmental Document Document Type EIR/EIS	05/19/2022	05/19/2022
Draft Project Report	06/17/2022	06/17/2022
End Environmental Phase (PA&ED Milestone)	12/16/2022	12/16/2022
Begin Design (PS&E) Phase	01/17/2023	01/17/2023
End Design Phase (Ready to List for Advertisement Milestone)	03/17/2026	03/17/2026
Begin Right of Way Phase	05/17/2023	05/17/2023
End Right of Way Phase (Right of Way Certification Milestone)	02/28/2026	02/28/2026
Begin Construction Phase (Contract Award Milestone)	11/02/2026	11/02/2026
End Construction Phase (Construction Contract Acceptance Milestone)	11/02/2029	11/02/2029
Begin Closeout Phase	12/06/2029	12/06/2029
End Closeout Phase (Closeout Report)	12/06/2032	12/06/2032

Date 09/05/2023 15:32:07

Purpose and Need

Demand for this facility is increasing due to the regional population growth and recent development in the area. The ADT will nearly double by 2040 and nearly triple by 2060. This project is needed to address a projected capacity problem and low Level of Service. The purpose of this project is to relieve congestion, reduce delays, and increase safety.

NHS Improvements ☒ YES ☐ NO	Roadway Class 1	Reversible Lane Analysis ☒ YES ☐ NO

Inc. Sustainable Communities Strategy Goals ☒ YES ☐ NO Reduce Greenhouse Gas Emissions ☒ YES ☐ NO

Project Outputs

Category	Outputs	Unit	Total
Pavement (lane-miles)	Mixed flow mainline constructed	Miles	21.2
Drainage	Culverts	LF	3,000
TMS (Traffic Management Systems)	Changeable message signs	EA	2
Operational Improvement	Ramp modifications	EA	4
Pavement (lane-miles)	Roadway lane miles	Miles	10.6
Pavement (lane-miles)	Ramps and Connectors constructed	Miles	1

PPR ID
ePPR-D06-2022-0004 v3

Date 09/05/2023 15:32:07

Additional Information

Performance Indicators and Measures						
Measure	**Required For**	**Indicator/Measure**	**Unit**	**Build**	**Future No Build**	**Change**
Congestion Reduction	TCEP	Daily Vehicle Hours of Travel Time Reduction	Hours	8,841	22,322	-13,481
	Optional	Daily Truck Trips	# of Trips	33,296	33,296	0
	Optional	Daily Truck Miles Traveled	Miles	169,811	169,811	0
Throughput (Freight)	TCEP	Change in Truck Volume	# of Trucks	26,071	9,605	16,466
	TCEP	Change in Rail Volume	# of Trailers	0	0	0
			# of Containers	7,449	2,744	4,705
	Optional	Change in Cargo Volume That Can Be Accommodated	# of Tons	148,980	54,887	94,093
			# of Containers	0	0	0
System Reliability (Freight)	Optional	Truck Travel Time Reliability Index	Index	1.02	2.22	-1.2
	Optional	Daily Vehicle Hours of Travel Time Reduction	Hours	8,701	12,616	-3,915
Velocity (Freight)	TCEP	Travel Time or Total Cargo Transport Time	Hours	0	0	0
Air Quality & GHG (only 'Change' required)	LPPC, SCCP, TCEP, LPPF	Particulate Matter	PM 2.5 Tons	-8	0	-8
			PM 10 Tons	-8	0	-8
	LPPC, SCCP, TCEP, LPPF	Carbon Dioxide (CO2)	Tons	-14,160	0	-14,160
	LPPC, SCCP, TCEP, LPPF	Volatile Organic Compounds (VOC)	Tons	-10	10	-20
	LPPC, SCCP, TCEP, LPPF	Sulphur Dioxides (SOx)	Tons	0	0	0
	LPPC, SCCP, TCEP, LPPF	Carbon Monoxide (CO)	Tons	-218	0	-218
	LPPC, SCCP, TCEP, LPPF	Nitrogen Oxides (NOx)	Tons	-286	0	-286
Safety	Optional	Number of Non-Motorized Fatalities and Non-Motorized Serious Injuries	Number	0	145	-145
	LPPC, SCCP, TCEP, LPPF	Number of Fatalities	Number	-2	0	-2
	LPPC, SCCP, TCEP, LPPF	Fatalities per 100 Million VMT	Number	0.002	0.005	-0.003
	LPPC, SCCP, TCEP, LPPF	Number of Serious Injuries	Number	-42	0	-42
	LPPC, SCCP, TCEP, LPPF	Number of Serious Injuries per 100 Million VMT	Number	0.07	0.11	-0.04
Economic Development	LPPC, SCCP, TCEP, LPPF	Jobs Created (Only 'Build' Required)	Number	1,656	0	1,656
Cost Effectiveness (only 'Change' required)	LPPC, SCCP, TCEP, LPPF	Cost Benefit Ratio	Ratio	2.6	0	2.6

STATE OF CALIFORNIA • DEPARTMENT OF TRANSPORTATION

PROJECT PROGRAMMING REQUEST (PPR)

PRG-0010 (REV 08/2020)

PPR ID
ePPR-D06-2022-0004 v3

District	County	Route	EA	Project ID	PPNO
06	Tulare County	99	48950	0614000040	6369

Project Title

SR 99 Tulare City Widening

Existing Total Project Cost ($1,000s)									
Component	Prior	24-25	25-26	26-27	27-28	28-29	29-30+	Total	Implementing Agency
E&P (PA&ED)	4,150							4,150	Caltrans District 6
PS&E	6,370							6,370	Caltrans District 6
R/W SUP (CT)	4,000							4,000	Caltrans District 6
CON SUP (CT)		14,000						14,000	Caltrans District 6
R/W	24,600	170,000						194,600	Caltrans District 6
CON									Caltrans District 6
TOTAL	39,120	184,000						223,120	
Proposed Total Project Cost ($1,000s)									Notes
E&P (PA&ED)	4,150							4,150	
PS&E	6,370							6,370	
R/W SUP (CT)	4,000							4,000	
CON SUP (CT)		14,000						14,000	
R/W	24,600	170,000						194,600	
CON									
TOTAL	39,120	184,000						223,120	

Fund #1:	RIP - National Hwy System (Committed)								Program Code
Existing Funding ($1,000s)									20.XX.075.600
Component	Prior	24-25	25-26	26-27	27-28	28-29	29-30+	Total	Funding Agency
E&P (PA&ED)	2,150							2,150	Tulare County Association of Govern
PS&E									
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON									
TOTAL	2,150							2,150	
Proposed Funding ($1,000s)									Notes
E&P (PA&ED)	2,150							2,150	
PS&E									
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON									
TOTAL	2,150							2,150	

PPR ID
ePPR-D06-2022-0004 v3

Fund #2:	Future Need - Future Funds (Uncommitted)								Program Code
	Existing Funding ($1,000s)								FUTURE
Component	Prior	24-25	25-26	26-27	27-28	28-29	29-30+	Total	Funding Agency
E&P (PA&ED)									
PS&E									
R/W SUP (CT)	4,000							4,000	
CON SUP (CT)		14,000						14,000	
R/W	24,600	170,000						194,600	
CON									
TOTAL	28,600	184,000						212,600	
	Proposed Funding ($1,000s)								Notes
E&P (PA&ED)									
PS&E									
R/W SUP (CT)	4,000							4,000	
CON SUP (CT)		14,000						14,000	
R/W	24,600	170,000						194,600	
CON									
TOTAL	28,600	184,000						212,600	

Fund #3:	IIP - National Hwy System (Committed)								Program Code
	Existing Funding ($1,000s)								20.XX.025.700
Component	Prior	24-25	25-26	26-27	27-28	28-29	29-30+	Total	Funding Agency
E&P (PA&ED)	2,000							2,000	Caltrans HQ
PS&E	4,300							4,300	
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON									
TOTAL	6,300							6,300	
	Proposed Funding ($1,000s)								Notes
E&P (PA&ED)	2,000							2,000	
PS&E	4,300							4,300	
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON									
TOTAL	6,300							6,300	

PPR ID
ePPR-D06-2022-0004 v3

Fund #4:	State Bond - State Route 99 Corridor (Committed)								Program Code
	Existing Funding ($1,000s)								20.XX.722.000
Component	Prior	24-25	25-26	26-27	27-28	28-29	29-30+	Total	Funding Agency
E&P (PA&ED)									Caltrans HQ
PS&E	2,070							2,070	
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON									
TOTAL	2,070							2,070	
	Proposed Funding ($1,000s)								Notes
E&P (PA&ED)									
PS&E	2,070							2,070	
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON									
TOTAL	2,070							2,070	

STATE OF CALIFORNIA • DEPARTMENT OF TRANSPORTATION
PROJECT PROGRAMMING REQUEST (PPR)
PRG-0010 (REV 08/2020)

PPR ID
ePPR-D06-2022-0004 v3

Complete this page for amendments only Date 09/05/2023 15:32:07

District	County	Route	EA	Project ID	PPNO
06	Tulare County	99	48950	0614000040	6369

SECTION 1 - All Projects

Project Background

na

Programming Change Requested

Reason for Proposed Change

na

If proposed change will delay one or more components, clearly explain 1) reason for the delay, 2) cost increase related to the delay, and 3) how cost increase will be funded

Other Significant Information

SECTION 2 - For SB1 Project Only

Project Amendment Request (Please follow the individual SB1 program guidelines for specific criteria)

na

Approvals

I hereby certify that the above information is complete and accurate and all approvals have been obtained for the processing of this amendment request.

Name (Print or Type)	Signature	Title	Date

SECTION 3 - All Projects

Attachments
1) Concurrence from Implementing Agency and/or Regional Transportation Planning Agency
2) Project Location Map

STATE OF CALIFORNIA • DEPARTMENT OF TRANSPORTATION

PROJECT PROGRAMMING REQUEST (PPR)

PRG-0010 (REV 08/2020)

PPR ID
ePPR-D08-2020-0001 v1

Amendment (Existing Project) ☐ YES ☒ NO					Date	09/05/2023 15:41:08
Programs ☐ LPP-C ☐ LPP-F ☐ SCCP ☐ TCEP ☒ STIP ☐ Other						
District	EA	Project ID	PPNO	Nominating Agency		
08	1N121	0823000023	3020Y	Caltrans District 8		
County	Route	PM Back	PM Ahead	Co-Nominating Agency		
San Bernardino Cou	15	180.900	185.500			
				MPO	Element	
				SCAG	Capital Outlay	
Project Manager/Contact			Phone	Email Address		
Mustapha Iaali			909-665-3576	mustapha.iaali@dot.ca.gov		

Project Title

I-15 Dynamic Cantilever Extinguishable Message Signs

Location (Project Limits), Description (Scope of Work)

In San Bernardino County, on Interstate 15 (I-15), from California Department of Food and Agriculture Mountain Pass Station, to the California / Nevada State Line. Install dynamic cantilever Extinguishable Message Signs (EMS) to improve operational conditions along southbound I-15, between Post Miles (PM) 180.9 and 185.5

Component	Implementing Agency
PA&ED	Caltrans District 8
PS&E	Caltrans District 8
Right of Way	Caltrans District 8
Construction	Caltrans District 8

Legislative Districts					
Assembly:	33	Senate:	16	Congressional:	8

Project Milestone	Existing	Proposed
Project Study Report Approved		
Begin Environmental (PA&ED) Phase	11/14/2022	11/14/2022
Circulate Draft Environmental Document Document Type		
Draft Project Report	12/30/2022	12/30/2022
End Environmental Phase (PA&ED Milestone)	01/10/2023	01/10/2023
Begin Design (PS&E) Phase	01/11/2023	01/11/2023
End Design Phase (Ready to List for Advertisement Milestone)	02/27/2023	02/27/2023
Begin Right of Way Phase	01/11/2023	01/11/2023
End Right of Way Phase (Right of Way Certification Milestone)	01/27/2023	01/27/2023
Begin Construction Phase (Contract Award Milestone)	05/15/2023	05/15/2023
End Construction Phase (Construction Contract Acceptance Milestone)	12/15/2023	12/15/2023
Begin Closeout Phase	12/16/2023	12/16/2023
End Closeout Phase (Closeout Report)	12/13/2024	12/13/2024

PPR ID
ePPR-D08-2020-0001 v1

Date 09/05/2023 15:41:08

Purpose and Need

The purpose of this project is to install an electronic lane control system that informs motorists when the part-time shoulder is available to be used on I-15 SB between Postmile 180.88 and 185.50. I-15 southbound at the state line experiences recurring traffic congestion during Sunday, Monday and major events that cause significant disruptions to operations along the freeway,

NHS Improvements ☐ YES ☒ NO	Roadway Class NA	Reversible Lane Analysis ☐ YES ☒ NO

Inc. Sustainable Communities Strategy Goals ☐ YES ☒ NO Reduce Greenhouse Gas Emissions ☐ YES ☒ NO

Project Outputs

Category	Outputs	Unit	Total
TMS (Traffic Management Systems)	Extinguishable message signs	EA	11

PPR ID
ePPR-D08-2020-0001 v1

Date 09/05/2023 15:41:08

Additional Information

Performance Indicators and Measures						
Measure	**Required For**	**Indicator/Measure**	**Unit**	**Build**	**Future No Build**	**Change**
Congestion Reduction	LPPC, SCCP, LPPF	Person Hours of Travel Time Saved (Only 'Change' required)	Person Hours	1	1	0
			Hours per Capita	1	1	0

STATE OF CALIFORNIA • DEPARTMENT OF TRANSPORTATION

PROJECT PROGRAMMING REQUEST (PPR)

PRG-0010 (REV 08/2020)

PPR ID
ePPR-D08-2020-0001 v1

District	County	Route	EA	Project ID	PPNO
08	San Bernardino County	015	1N121	0823000023	3020Y

Project Title

I-15 Dynamic Cantilever Extinguishable Message Signs

Existing Total Project Cost ($1,000s)									
Component	Prior	24-25	25-26	26-27	27-28	28-29	29-30+	Total	Implementing Agency
E&P (PA&ED)									Caltrans District 8
PS&E									Caltrans District 8
R/W SUP (CT)									Caltrans District 8
CON SUP (CT)	380							380	Caltrans District 8
R/W									Caltrans District 8
CON	1,249							1,249	Caltrans District 8
TOTAL	1,629							1,629	
Proposed Total Project Cost ($1,000s)									Notes
E&P (PA&ED)									
PS&E									
R/W SUP (CT)									
CON SUP (CT)	380							380	
R/W									
CON	1,249							1,249	
TOTAL	1,629							1,629	

Fund #1:	IIP - State Cash (Committed)								Program Code
Existing Funding ($1,000s)									20.XX.025.700
Component	Prior	24-25	25-26	26-27	27-28	28-29	29-30+	Total	Funding Agency
E&P (PA&ED)									Caltrans HQ
PS&E									
R/W SUP (CT)									
CON SUP (CT)	380							380	
R/W									
CON	1,249							1,249	
TOTAL	1,629							1,629	
Proposed Funding ($1,000s)									Notes
E&P (PA&ED)									
PS&E									
R/W SUP (CT)									
CON SUP (CT)	380							380	
R/W									
CON	1,249							1,249	
TOTAL	1,629							1,629	

STATE OF CALIFORNIA • DEPARTMENT OF TRANSPORTATION

PROJECT PROGRAMMING REQUEST (PPR)

PRG-0010 (REV 08/2020)

PPR ID
ePPR-D08-2020-0001 v1

Complete this page for amendments only Date 09/05/2023 15:41:08

District	County	Route	EA	Project ID	PPNO
08	San Bernardino County	015	1N121	0823000023	3020Y

SECTION 1 - All Projects

Project Background

na

Programming Change Requested

Reason for Proposed Change

na

If proposed change will delay one or more components, clearly explain 1) reason for the delay, 2) cost increase related to the delay, and 3) how cost increase will be funded

Other Significant Information

SECTION 2 - For SB1 Project Only

Project Amendment Request (Please follow the individual SB1 program guidelines for specific criteria)

na

Approvals

I hereby certify that the above information is complete and accurate and all approvals have been obtained for the processing of this amendment request.

Name (Print or Type)	Signature	Title	Date

SECTION 3 - All Projects

Attachments
1) Concurrence from Implementing Agency and/or Regional Transportation Planning Agency
2) Project Location Map

STATE OF CALIFORNIA • DEPARTMENT OF TRANSPORTATION

PROJECT PROGRAMMING REQUEST (PPR)

PRG-0010 (REV 08/2020)

PPR ID
ePPR-6065-2024-0001 v0

Amendment (Existing Project) ☐ YES ☒ NO						Date	09/05/2023 22:26:44
Programs ☐ LPP-C ☐ LPP-F ☐ SCCP ☐ TCEP ☒ STIP ☐ Other							
District	EA	Project ID	PPNO	Nominating Agency			
75			9882	Caltrans HQ			
County	Route	PM Back	PM Ahead	Co-Nominating Agency			
Los Angeles County							
				MPO		Element	
				SCAG		Rail	
Project Manager/Contact			Phone	Email Address			
Jeanet Owens			213-418-3189	OwensJ@metro.net			

Project Title

Link Union Station Phase A Component of the SCORE Program-Main Construction Contract

Location (Project Limits), Description (Scope of Work)

The project is located at Los Angeles Union Station, 800 Alameda St. in the City of Los Angeles. Project will convert Union Station to a run-through track station from a stub-end station & will vastly improve throughput capacity for Commuter/Intercity Rail & accommodate High Speed Rail systems.

Component	Implementing Agency
PA&ED	Los Angeles County Metropolitan Transportation Authority
PS&E	Los Angeles County Metropolitan Transportation Authority
Right of Way	Los Angeles County Metropolitan Transportation Authority
Construction	Los Angeles County Metropolitan Transportation Authority

Legislative Districts					
Assembly:	38,45	Senate:	27	Congressional:	30

Project Milestone		Existing	Proposed
Project Study Report Approved			
Begin Environmental (PA&ED) Phase		05/31/2016	05/31/2016
Circulate Draft Environmental Document	Document Type	01/17/2019	01/17/2019
Draft Project Report			12/31/2020
End Environmental Phase (PA&ED Milestone)		12/31/2020	12/31/2020
Begin Design (PS&E) Phase		01/01/2021	01/01/2021
End Design Phase (Ready to List for Advertisement Milestone)		12/31/2022	12/31/2022
Begin Right of Way Phase		08/01/2019	08/01/2019
End Right of Way Phase (Right of Way Certification Milestone)		07/30/2021	07/30/2021
Begin Construction Phase (Contract Award Milestone)		01/01/2023	01/01/2023
End Construction Phase (Construction Contract Acceptance Milestone)		12/11/2026	12/11/2026
Begin Closeout Phase		12/12/2026	12/12/2026
End Closeout Phase (Closeout Report)		12/01/2027	12/01/2027

Purpose and Need

The LinkUS Phase A Project will result in dramatic increase in operational efficiency and capacity for Union Station by converting the station from a stub-end track to a run-through track configuration. The Full Build LinkUS Project (Phases A&B) will ensure capacity for 15-min. service on core Metrolink system segments. The Project will address forecasted increase in ridership volumes, train movements & regional rail connectivity,& for future transit orientated development.

Additionally the project is needed to address the limited efficiency and station capacity currently limited by the stub-end tracks. The project would also indirectly contribute to other cumulative benefits for the region, including a regional reduction of GHG emissions and VMT, as demonstrated by the operational analysis included in the Project benefits and fully explained in the 2016 Regional Transportation Plan/ Sustainable Communities Strategy (RTP/SCS)(SCAG 2016).

NHS Improvements ☐ YES ☒ NO	Roadway Class NA	Reversible Lane Analysis ☐ YES ☒ NO

Inc. Sustainable Communities Strategy Goals ☐ YES ☒ NO Reduce Greenhouse Gas Emissions ☐ YES ☒ NO

Project Outputs

Category	Outputs	Unit	Total
Rail/ Multi-Modal	Grade separations/ rail crossing improvemnets	EA	3
Rail/ Multi-Modal	Miles of new track	Miles	1.43
Rail/ Multi-Modal	Station improvements	EA	1

PPR ID
ePPR-6065-2024-0001 v0

Date 09/05/2023 22:26:44

Additional Information

Performance Indicators and Measures						
Measure	**Required For**	**Indicator/Measure**	**Unit**	**Build**	**Future No Build**	**Change**
Air Quality & GHG (only 'Change' required)	LPPC, SCCP, TCEP, LPPF	Carbon Dioxide (CO2)	Tons	0	0	0

STATE OF CALIFORNIA • DEPARTMENT OF TRANSPORTATION

PROJECT PROGRAMMING REQUEST (PPR)

PRG-0010 (REV 08/2020)

PPR ID
ePPR-6065-2024-0001 v0

District	County	Route	EA	Project ID	PPNO
75	Los Angeles County				9882

Project Title

Link Union Station Phase A Component of the SCORE Program-Main Construction Contract

Existing Total Project Cost ($1,000s)									
Component	Prior	24-25	25-26	26-27	27-28	28-29	29-30+	Total	Implementing Agency
E&P (PA&ED)	84,431							84,431	Los Angeles County Metropolitan Tra
PS&E	76,324							76,324	Los Angeles County Metropolitan Tra
R/W SUP (CT)									Los Angeles County Metropolitan Tra
CON SUP (CT)									Los Angeles County Metropolitan Tra
R/W	137,063							137,063	Los Angeles County Metropolitan Tra
CON	246,701	140,000	216,609					603,310	Los Angeles County Metropolitan Tra
TOTAL	544,519	140,000	216,609					901,128	
Proposed Total Project Cost ($1,000s)									Notes
E&P (PA&ED)	84,431							84,431	
PS&E	76,324							76,324	
R/W SUP (CT)									
CON SUP (CT)									
R/W	137,063							137,063	
CON	246,701	140,000	216,609					603,310	
TOTAL	544,519	140,000	216,609					901,128	

Fund #1:	State Bond - High Speed Passenger Train Bond Program (Propositio (Committed)								Program Code
Existing Funding ($1,000s)									20.30.210.200
Component	Prior	24-25	25-26	26-27	27-28	28-29	29-30+	Total	Funding Agency
E&P (PA&ED)									Caltrans HQ
PS&E									
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON	125,000	100,000	198,335					423,335	
TOTAL	125,000	100,000	198,335					423,335	
Proposed Funding ($1,000s)									Notes
E&P (PA&ED)									
PS&E									
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON	125,000	100,000	198,335					423,335	
TOTAL	125,000	100,000	198,335					423,335	

PPR ID
ePPR-6065-2024-0001 v0

Fund #2:	Local Rail - STP Railroad Local (Committed)								Program Code
	Existing Funding ($1,000s)								LOCAL 130
Component	Prior	24-25	25-26	26-27	27-28	28-29	29-30+	Total	Funding Agency
E&P (PA&ED)	15,896							15,896	
PS&E	2,830							2,830	
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON									
TOTAL	18,726							18,726	
	Proposed Funding ($1,000s)								Notes
E&P (PA&ED)	15,896							15,896	
PS&E	2,830							2,830	
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON									
TOTAL	18,726							18,726	

Fund #3:	Local Rail - STP Railroad Local (Committed)								Program Code
	Existing Funding ($1,000s)								LOCAL 130
Component	Prior	24-25	25-26	26-27	27-28	28-29	29-30+	Total	Funding Agency
E&P (PA&ED)									
PS&E									
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON	10,496							10,496	
TOTAL	10,496							10,496	
	Proposed Funding ($1,000s)								Notes
E&P (PA&ED)									
PS&E									
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON	10,496							10,496	
TOTAL	10,496							10,496	

PPR ID
ePPR-6065-2024-0001 v0

Fund #4:	Local Rail - STP Railroad Local (Committed)								Program Code
	Existing Funding ($1,000s)								LOCAL 130
Component	Prior	24-25	25-26	26-27	27-28	28-29	29-30+	Total	Funding Agency
E&P (PA&ED)	45,514							45,514	
PS&E	6,158							6,158	
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON									
TOTAL	51,672							51,672	
	Proposed Funding ($1,000s)								Notes
E&P (PA&ED)	45,514							45,514	
PS&E	6,158							6,158	
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON									
TOTAL	51,672							51,672	

Fund #5:	Local Rail - STP Railroad Local (Committed)								Program Code
	Existing Funding ($1,000s)								LOCAL 130
Component	Prior	24-25	25-26	26-27	27-28	28-29	29-30+	Total	Funding Agency
E&P (PA&ED)									
PS&E									
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON			5,000					5,000	
TOTAL			5,000					5,000	
	Proposed Funding ($1,000s)								Notes
E&P (PA&ED)									
PS&E									
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON			5,000					5,000	
TOTAL			5,000					5,000	

PPR ID
ePPR-6065-2024-0001 v0

Fund #6:	Local Rail - STP Railroad Local (Committed)								Program Code
	Existing Funding ($1,000s)								LOCAL 130
Component	Prior	24-25	25-26	26-27	27-28	28-29	29-30+	Total	Funding Agency
E&P (PA&ED)									
PS&E									
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON			13,274					13,274	
TOTAL			13,274					13,274	
	Proposed Funding ($1,000s)								Notes
E&P (PA&ED)									
PS&E									
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON			13,274					13,274	
TOTAL			13,274					13,274	

Fund #7:	Other State - Transit and Intercity Rail Capital Program (TIRCP) (Committed)								Program Code
	Existing Funding ($1,000s)								30.20.020.000
Component	Prior	24-25	25-26	26-27	27-28	28-29	29-30+	Total	Funding Agency
E&P (PA&ED)	23,021							23,021	
PS&E	67,336							67,336	
R/W SUP (CT)									
CON SUP (CT)									
R/W	137,063							137,063	
CON	50,385	40,000						90,385	
TOTAL	277,805	40,000						317,805	
	Proposed Funding ($1,000s)								Notes
E&P (PA&ED)	23,021							23,021	
PS&E	67,336							67,336	
R/W SUP (CT)									
CON SUP (CT)									
R/W	137,063							137,063	
CON	50,385	40,000						90,385	
TOTAL	277,805	40,000						317,805	

PPR ID
ePPR-6065-2024-0001 v0

Fund #8:	IIP - State Cash (Committed)								Program Code
	Existing Funding ($1,000s)								20.XX.025.700
Component	Prior	24-25	25-26	26-27	27-28	28-29	29-30+	Total	Funding Agency
E&P (PA&ED)									Caltrans HQ
PS&E									
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON	60,820							60,820	
TOTAL	60,820							60,820	
	Proposed Funding ($1,000s)								Notes
E&P (PA&ED)									
PS&E									
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON	60,820							60,820	
TOTAL	60,820							60,820	

STATE OF CALIFORNIA • DEPARTMENT OF TRANSPORTATION

PROJECT PROGRAMMING REQUEST (PPR)

PRG-0010 (REV 08/2020)

PPR ID
ePPR-6065-2024-0001 v0

Complete this page for amendments only Date 09/05/2023 22:26:44

District	County	Route	EA	Project ID	PPNO
75	Los Angeles County				9882

SECTION 1 - All Projects

Project Background

na

Programming Change Requested

Reason for Proposed Change

na

If proposed change will delay one or more components, clearly explain 1) reason for the delay, 2) cost increase related to the delay, and 3) how cost increase will be funded

Other Significant Information

SECTION 2 - For SB1 Project Only

Project Amendment Request (Please follow the individual SB1 program guidelines for specific criteria)

na

Approvals

I hereby certify that the above information is complete and accurate and all approvals have been obtained for the processing of this amendment request.

Name (Print or Type)	Signature	Title	Date

SECTION 3 - All Projects

Attachments
1) Concurrence from Implementing Agency and/or Regional Transportation Planning Agency
2) Project Location Map

STATE OF CALIFORNIA • DEPARTMENT OF TRANSPORTATION

PROJECT PROGRAMMING REQUEST (PPR)

PRG-0010 (REV 08/2020)

PPR ID
ePPR-CT-2024-0002 v0

Amendment (Existing Project) ☐ YES ☒ NO					Date	09/05/2023 16:59:53
Programs ☐ LPP-C ☐ LPP-F ☐ SCCP ☐ TCEP ☒ STIP ☐ Other						
District	EA	Project ID	PPNO	Nominating Agency		
75		0021000225	2191	Caltrans HQ		
County	Route	PM Back	PM Ahead	Co-Nominating Agency		
Stanislaus County						
				MPO	Element	
				STANCOG	Rail	
Project Manager/Contact			Phone	Email Address		
Betty Miller			916-654-5739	betty.l.miller@dot.ca.gov		

Project Title

San Joaquin Corridor 2nd Platforms for Bi-hourly and Morning Express Service

Location (Project Limits), Description (Scope of Work)

The Turlock-Denair Amtrak station is located on the BNSF Stockton Subdivision approximately 90 miles south of Sacramento, in the County of Stanislaus, California. The Modesto Amtrak station is located on the BNSF Stockton Subdivision approximately 75 miles south of Sacramento, in the County of Stanislaus, California.

The Project consists design and construction of a second passenger platforms at the stations and all required associated track, signal, and grade crossing work, as well as potential construction of a pedestrian underpass.

Component	Implementing Agency
PA&ED	Caltrans HQ
PS&E	Caltrans HQ
Right of Way	Caltrans HQ
Construction	Caltrans HQ

Legislative Districts					
Assembly:	31	Senate:	14	Congressional:	21

Project Milestone	Existing	Proposed
Project Study Report Approved		
Begin Environmental (PA&ED) Phase	08/30/2020	08/30/2020
Circulate Draft Environmental Document Document Type		
Draft Project Report		06/30/2021
End Environmental Phase (PA&ED Milestone)	06/30/2021	06/30/2021
Begin Design (PS&E) Phase	08/31/2021	08/31/2021
End Design Phase (Ready to List for Advertisement Milestone)	06/30/2022	06/30/2022
Begin Right of Way Phase		
End Right of Way Phase (Right of Way Certification Milestone)		
Begin Construction Phase (Contract Award Milestone)	08/30/2022	08/30/2022
End Construction Phase (Construction Contract Acceptance Milestone)	06/30/2025	06/30/2025
Begin Closeout Phase		06/30/2026
End Closeout Phase (Closeout Report)		06/30/2027

Purpose and Need

Project Benefits:
Benefits include improved on-time performance, reduced freight and passenger delays, and improved freight and passenger operations locally and throughout the entire San Joaquin Corridor. Environmentally, the second platform with supporting infrastructure will reduce the locomotive idling time and offer considerable reductions in harmful emissions, which will help improve the air quality in the valley.

NHS Improvements ☐ YES ☒ NO	Roadway Class NA	Reversible Lane Analysis ☐ YES ☒ NO

Inc. Sustainable Communities Strategy Goals ☐ YES ☒ NO Reduce Greenhouse Gas Emissions ☐ YES ☒ NO

Project Outputs

Category	Outputs	Unit	Total
Intercity Rail/Mass Trans	Operational improvements	EA	2

PPR ID
ePPR-CT-2024-0002 v0

Date 09/05/2023 16:59:53

Additional Information

Performance Indicators and Measures						
Measure	**Required For**	**Indicator/Measure**	**Unit**	**Build**	**Future No Build**	**Change**
Air Quality & GHG (only 'Change' required)	LPPC, SCCP, TCEP, LPPF	Carbon Dioxide (CO2)	Tons	0	0	0

STATE OF CALIFORNIA • DEPARTMENT OF TRANSPORTATION

PROJECT PROGRAMMING REQUEST (PPR)

PRG-0010 (REV 08/2020)

PPR ID
ePPR-CT-2024-0002 v0

District	County	Route	EA	Project ID	PPNO
75	Stanislaus County			0021000225	2191

Project Title

San Joaquin Corridor 2nd Platforms for Bi-hourly and Morning Express Service

Existing Total Project Cost ($1,000s)									
Component	Prior	24-25	25-26	26-27	27-28	28-29	29-30+	Total	Implementing Agency
E&P (PA&ED)	600							600	Caltrans HQ
PS&E	2,000							2,000	Caltrans HQ
R/W SUP (CT)									Caltrans HQ
CON SUP (CT)									Caltrans HQ
R/W	1,000							1,000	Caltrans HQ
CON	16,400							16,400	Caltrans HQ
TOTAL	20,000							20,000	
Proposed Total Project Cost ($1,000s)									Notes
E&P (PA&ED)	600							600	
PS&E	2,000							2,000	
R/W SUP (CT)									
CON SUP (CT)									
R/W	1,000							1,000	
CON	16,400							16,400	
TOTAL	20,000							20,000	

Fund #1:	IIP - National Hwy System (Committed)								Program Code
Existing Funding ($1,000s)									30.20.020.720
Component	Prior	24-25	25-26	26-27	27-28	28-29	29-30+	Total	Funding Agency
E&P (PA&ED)	600							600	Caltrans HQ
PS&E	2,000							2,000	$600 PAED voted 05/12/21 $16400 CON EXT. TO 02/28/25
R/W SUP (CT)									
CON SUP (CT)									
R/W	1,000							1,000	
CON	16,400							16,400	
TOTAL	20,000							20,000	
Proposed Funding ($1,000s)									Notes
E&P (PA&ED)	600							600	
PS&E	2,000							2,000	
R/W SUP (CT)									
CON SUP (CT)									
R/W	1,000							1,000	
CON	16,400							16,400	
TOTAL	20,000							20,000	

STATE OF CALIFORNIA • DEPARTMENT OF TRANSPORTATION
PROJECT PROGRAMMING REQUEST (PPR)
PRG-0010 (REV 08/2020)

PPR ID
ePPR-CT-2024-0002 v0

Complete this page for amendments only Date 09/05/2023 16:59:53

District	County	Route	EA	Project ID	PPNO
75	Stanislaus County			0021000225	2191

SECTION 1 - All Projects

Project Background

na

Programming Change Requested

Reason for Proposed Change

na

If proposed change will delay one or more components, clearly explain 1) reason for the delay, 2) cost increase related to the delay, and 3) how cost increase will be funded

Other Significant Information

SECTION 2 - For SB1 Project Only

Project Amendment Request (Please follow the individual SB1 program guidelines for specific criteria)

na

Approvals

I hereby certify that the above information is complete and accurate and all approvals have been obtained for the processing of this amendment request.

Name (Print or Type)	Signature	Title	Date

SECTION 3 - All Projects

Attachments
1) Concurrence from Implementing Agency and/or Regional Transportation Planning Agency
2) Project Location Map

STATE OF CALIFORNIA • DEPARTMENT OF TRANSPORTATION

PROJECT PROGRAMMING REQUEST (PPR)

PRG-0010 (REV 08/2020)

PPR ID
ePPR-D12-2022-0002 v5

Amendment (Existing Project) ☐ YES ☒ NO				Date	08/23/2023 13:14:33
Programs ☐ LPP-C ☐ LPP-F ☐ SCCP ☐ TCEP ☒ STIP ☐ Other					
District	EA	Project ID	PPNO	Nominating Agency	
12	0Q950	1218000006	2833C	Caltrans District 12	
County	Route	PM Back	PM Ahead	Co-Nominating Agency	
Orange County	5	28.900	44.400		
				MPO	Element
				SCAG	Capital Outlay
Project Manager/Contact			Phone	Email Address	
Janilee Jablonski			657-328-6273	janilee.jablonski@dot.ca.gov	

Project Title

Interstate 5 (I-5) Managed Lanes Multimodal Operational Improvement

Location (Project Limits), Description (Scope of Work)

The Project will construct a 15-mile managed lanes from Red Hill Ave to ORA/LA county line. The Project's scope includes two mobility hub locations to include bike lockers, solar panel shade structure, and ZEV infrastructure encouraging a transportation mode shift to use transit, car/vanpool, and bike. The Project will fund projects and programs on affordable housing, BRT, new transit and transit efficiency services, rail operations (Metrolink and LOSSAN), discount programs to Equity communities, and new parallel bike facilities. Project alternatives are:
Alternative No. 1 (No Build)
Alternative No. 2: Modify existing HOV minimum occupancy requirement from the existing 2 to 3 passengers between Red Hill Ave and the OC/LA Line.
Alternative No. 3: Convert existing HOV lanes to HOT or Express lanes between Red Hill Ave and OC/LA Line.
Alternative No. 4: Convert the existing HOV lanes to HOT or Express lanes and construct an additional HOT or Express lane between SR 22/SR 57 and SR 91

Component	Implementing Agency
PA&ED	Caltrans District 12
PS&E	Caltrans District 12
Right of Way	Caltrans District 12
Construction	Caltrans District 12

Legislative Districts

Assembly:	65,68,69	Senate:	32,34,37,29	Congressional:	39,45,46

Project Milestone	Existing	Proposed
Project Study Report Approved	11/21/2019	
Begin Environmental (PA&ED) Phase	06/01/2021	06/01/2021
Circulate Draft Environmental Document Document Type EIR/FONSI	12/01/2022	06/05/2023
Draft Project Report	12/01/2022	05/31/2023
End Environmental Phase (PA&ED Milestone)	12/01/2023	01/08/2024
Begin Design (PS&E) Phase	12/01/2023	12/01/2023
End Design Phase (Ready to List for Advertisement Milestone)	08/19/2024	08/19/2024
Begin Right of Way Phase	10/01/2023	10/01/2023
End Right of Way Phase (Right of Way Certification Milestone)	08/01/2025	08/01/2025
Begin Construction Phase (Contract Award Milestone)	05/01/2026	05/01/2026
End Construction Phase (Construction Contract Acceptance Milestone)	08/01/2029	08/01/2029
Begin Closeout Phase	12/01/2030	12/01/2030
End Closeout Phase (Closeout Report)	12/01/2032	12/01/2032

PPR ID
ePPR-D12-2022-0002 v5

Date 08/23/2023 13:14:33

Purpose and Need

Purpose: The purpose of the Project is to improve overall movement of people and goods along this section of I-5. The proposed improvements along the I-5 corridor will accomplish the following objectives:
- Improving the overall regional managed lanes network operations
- Improving mobility and trip reliability
- Maximizing person throughput by facilitating efficient movement of bus and rideshare users
- Applying technology to help manage traffic demand

Need: Deficiencies on I-5 within the Project limits are summarized below:
- HOV lane degradation (does not meet the federal performance standards)
- Demand exceeds existing capacity
- Operational deficiencies

NHS Improvements ☒ YES ☐ NO	Roadway Class 1	Reversible Lane Analysis ☐ YES ☒ NO

Inc. Sustainable Communities Strategy Goals ☒ YES ☐ NO Reduce Greenhouse Gas Emissions ☒ YES ☐ NO

Project Outputs

Category	Outputs	Unit	Total
Pavement (lane-miles)	HOV/HOT mainline constructed	Miles	54

PPR ID
ePPR-D12-2022-0002 v5

Date 08/23/2023 13:14:33

Additional Information

Daily Vehicle Hours of Delay performance is for year 2055.

DRAFT

Performance Indicators and Measures						
Measure	**Required For**	**Indicator/Measure**	**Unit**	**Build**	**Future No Build**	**Change**
Congestion Reduction	TCEP	Change in Daily Vehicle Hours of Delay	Hours	27,822	28,793	-971
Air Quality & GHG (only 'Change' required)	LPPC, SCCP, TCEP, LPPF	Particulate Matter	PM 2.5 Tons	328	338	-10
			PM 10 Tons	1,259	1,296	-37
	LPPC, SCCP, TCEP, LPPF	Carbon Dioxide (CO2)	Tons	458,021	474,417	-16,396
	LPPC, SCCP, TCEP, LPPF	Volatile Organic Compounds (VOC)	Tons	159	168	-9
	LPPC, SCCP, TCEP, LPPF	Carbon Monoxide (CO)	Tons	5,516	5,747	-231
	LPPC, SCCP, TCEP, LPPF	Nitrogen Oxides (NOx)	Tons	881	936	-55

DRAFT

STATE OF CALIFORNIA • DEPARTMENT OF TRANSPORTATION

PROJECT PROGRAMMING REQUEST (PPR)

PRG-0010 (REV 08/2020)

PPR ID
ePPR-D12-2022-0002 v5

District	County	Route	EA	Project ID	PPNO
12	Orange County	5	0Q950	1218000006	2833C

Project Title

Interstate 5 (I-5) Managed Lanes Multimodal Operational Improvement

Existing Total Project Cost ($1,000s)									
Component	Prior	24-25	25-26	26-27	27-28	28-29	29-30+	Total	Implementing Agency
E&P (PA&ED)	15,000							15,000	Caltrans District 12
PS&E	12,500							12,500	Caltrans District 12
R/W SUP (CT)	2,200							2,200	Caltrans District 12
CON SUP (CT)		68,000						68,000	Caltrans District 12
R/W	8,700							8,700	Caltrans District 12
CON		311,000						311,000	Caltrans District 12
TOTAL	38,400	379,000						417,400	
Proposed Total Project Cost ($1,000s)									Notes
E&P (PA&ED)	15,000							15,000	
PS&E	12,500							12,500	
R/W SUP (CT)	2,200							2,200	
CON SUP (CT)		67,000						67,000	
R/W	8,700							8,700	
CON		333,000						333,000	
TOTAL	38,400	400,000						438,400	

Fund #1:	Other State - National Hwy System (Committed)								Program Code
Existing Funding ($1,000s)									SHOPP
Component	Prior	24-25	25-26	26-27	27-28	28-29	29-30+	Total	Funding Agency
E&P (PA&ED)	12,800							12,800	
PS&E									
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON									
TOTAL	12,800							12,800	
Proposed Funding ($1,000s)									Notes
E&P (PA&ED)	12,800							12,800	
PS&E									
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON									
TOTAL	12,800							12,800	

PPR ID
ePPR-D12-2022-0002 v5

Fund #2:	IIP - National Hwy System (Committed)								Program Code
	Existing Funding ($1,000s)								20.XX.025.700
Component	Prior	24-25	25-26	26-27	27-28	28-29	29-30+	Total	Funding Agency
E&P (PA&ED)									Caltrans HQ
PS&E									PSE fund for bridging documents (RFP) which contains Design Build Contract, Project Requirements, Applicable Standards and Instruction to the Proposer.
R/W SUP (CT)	2,200							2,200	
CON SUP (CT)									
R/W	4,396							4,396	
CON									
TOTAL	6,596							6,596	
	Proposed Funding ($1,000s)								Notes
E&P (PA&ED)									
PS&E									
R/W SUP (CT)	2,200							2,200	
CON SUP (CT)									
R/W	4,396							4,396	
CON									
TOTAL	6,596							6,596	

Fund #3:	Future Need - STIP (Uncommitted)								Program Code
	Existing Funding ($1,000s)								FUTURE
Component	Prior	24-25	25-26	26-27	27-28	28-29	29-30+	Total	Funding Agency
E&P (PA&ED)									Caltrans District 12
PS&E									
R/W SUP (CT)									
CON SUP (CT)		68,000						68,000	
R/W									
CON		311,000						311,000	
TOTAL		379,000						379,000	
	Proposed Funding ($1,000s)								Notes
E&P (PA&ED)									2024 ITIP for 24/25
PS&E									
R/W SUP (CT)									
CON SUP (CT)		14,000						14,000	
R/W									
CON		34,000						34,000	
TOTAL		48,000						48,000	

Fund #4:	IIP - COVID Relief Funds - STIP (Committed)								Program Code
	Existing Funding ($1,000s)								20.XX.025.700
Component	Prior	24-25	25-26	26-27	27-28	28-29	29-30+	Total	Funding Agency
E&P (PA&ED)	2,200							2,200	Caltrans HQ
PS&E	12,500							12,500	PSE fund for bridging documents (RFP) which contains Design Build Contract, Project Requirements, Applicable Standards and Instruction to the Proposer.
R/W SUP (CT)									
CON SUP (CT)									
R/W	4,304							4,304	
CON									
TOTAL	19,004							19,004	
	Proposed Funding ($1,000s)								Notes
E&P (PA&ED)	2,200							2,200	
PS&E	12,500							12,500	
R/W SUP (CT)									
CON SUP (CT)									
R/W	4,304							4,304	
CON									
TOTAL	19,004							19,004	

Fund #5:	Future Need - CRP (Uncommitted)								Program Code
	Existing Funding ($1,000s)								
Component	Prior	24-25	25-26	26-27	27-28	28-29	29-30+	Total	Funding Agency
E&P (PA&ED)									Caltrans District 12
PS&E									
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON									
TOTAL									
	Proposed Funding ($1,000s)								Notes
E&P (PA&ED)									Carbon Reduction Program (CRP) SHOPP Managed Lanes funds.
PS&E									
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON		100,000						100,000	
TOTAL		100,000						100,000	

PPR ID
ePPR-D12-2022-0002 v5

Fund #6:	Future Need - SHOPP (Uncommitted)								Program Code
	Existing Funding ($1,000s)								
Component	Prior	24-25	25-26	26-27	27-28	28-29	29-30+	Total	Funding Agency
E&P (PA&ED)									Caltrans District 12
PS&E									
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON									
TOTAL									
	Proposed Funding ($1,000s)								Notes
E&P (PA&ED)									
PS&E									
R/W SUP (CT)									
CON SUP (CT)		53,000						53,000	
R/W									
CON		199,000						199,000	
TOTAL		252,000						252,000	

PPR ID
ePPR-D12-2022-0002 v5

Complete this page for amendments only Date 08/23/2023 13:14:33

District	County	Route	EA	Project ID	PPNO
12	Orange County	5	0Q950	1218000006	2833C

SECTION 1 - All Projects

Project Background

No amendment

Programming Change Requested

Reason for Proposed Change

None

If proposed change will delay one or more components, clearly explain 1) reason for the delay, 2) cost increase related to the delay, and 3) how cost increase will be funded

Other Significant Information

The existing schedule is based on a Design-Build delivery method. However, the project will be evaluated with the recently approved legislative authority on Progressive Design Build delivery method.

SECTION 2 - For SB1 Project Only

Project Amendment Request (Please follow the individual SB1 program guidelines for specific criteria)

None

Approvals

I hereby certify that the above information is complete and accurate and all approvals have been obtained for the processing of this amendment request.

Name (Print or Type)	Signature	Title	Date

SECTION 3 - All Projects

Attachments
1) Concurrence from Implementing Agency and/or Regional Transportation Planning Agency
2) Project Location Map

STATE OF CALIFORNIA • DEPARTMENT OF TRANSPORTATION

PROJECT PROGRAMMING REQUEST (PPR)

PRG-0010 (REV 08/2020)

PPR ID
ePPR-0998-2020-0006 v1

Amendment (Existing Project) ☐ YES ☒ NO						Date	10/10/2023 21:13:18
Programs ☐ LPP-C ☐ LPP-F ☐ SCCP ☐ TCEP ☒ STIP ☐ Other							
District	EA	Project ID	PPNO	Nominating Agency			
75			9879	Capitol Corridor Joint Powers Authority			
County	Route	PM Back	PM Ahead	Co-Nominating Agency			
Placer County				Placer County Transportation Planning Agency			
				MPO	Element		
				SACOG	Rail		
Project Manager/Contact			Phone	Email Address			
James Allison			510-910-5162	JimA@capitolcorridor.org			

Project Title

Sacramento to Roseville 3rd Mainline Track

Location (Project Limits), Description (Scope of Work)

The Sacramento to Roseville Third Mainline - Phase One addition of the third main line starts in Sacramento County, near UP Milepost 100.99 at the westernmost limit and extends to approximately UP Milepost 107.74 in the City of Roseville in Placer County. Utility relocations, trackside ditches, new utilities, railroad signals, and earthwork are included to accommodate the new track. The layout of the third mainline reserves flexibility for future construction of a fourth main line by UPRR, should that ever be needed for railroad capacity in the future. Right of way fencing will be provided along portions of the alignment in areas that have residential and commercial adjacency to provide improved protection against unauthorized public access to the tracks provide enhanced safety and security. The project will include one new railroad bridge over Dry Creek. Five private and public grade at-grade crossings are situated along the alignment.

Component	Implementing Agency
PA&ED	Capitol Corridor Joint Powers Authority
PS&E	Capitol Corridor Joint Powers Authority
Right of Way	Capitol Corridor Joint Powers Authority
Construction	Capitol Corridor Joint Powers Authority

Legislative Districts					
Assembly:	6	Senate:	1	Congressional:	4

Project Milestone	Existing	Proposed
Project Study Report Approved		
Begin Environmental (PA&ED) Phase	01/15/2012	01/15/2012
Circulate Draft Environmental Document Document Type EIR	11/18/2015	11/18/2015
Draft Project Report	11/15/2016	11/15/2016
End Environmental Phase (PA&ED Milestone)	11/18/2015	11/18/2015
Begin Design (PS&E) Phase	08/01/2017	08/01/2017
End Design Phase (Ready to List for Advertisement Milestone)	10/31/2024	10/31/2024
Begin Right of Way Phase	12/01/2017	12/01/2017
End Right of Way Phase (Right of Way Certification Milestone)	04/30/2024	04/30/2024
Begin Construction Phase (Contract Award Milestone)	11/01/2024	11/01/2024
End Construction Phase (Construction Contract Acceptance Milestone)	10/31/2028	10/31/2028
Begin Closeout Phase	10/31/2028	10/31/2028
End Closeout Phase (Closeout Report)	04/30/2029	04/30/2029

Purpose and Need

The Project is needed to provide a car-free alternative to mobility within the Northern California megaregion. Roseville and /Placer County are one of the fastest growing cities/regions in California and there is only one Capitol Corridor round trip per day serving this burgeoning market. This project is needed to add two more round trips (for a total of three round trips) to triple the amount of intercity passenger rail service to/from this area growing region. In addition to providing the travelling public greater choice, accessible travel opportunity, this project is needed to provide highway congestion relief, improve air quality, and reduce greenhouse gas emissions. A corresponding marginal improvement in freight goods movement via rail and a corresponding offset in goods movement via trucking via routes from SF Bay Area through Sacramento and points east is expected. The CCJPA Board has identified this as a priority project and the 3 Northern California MPOs and 1 RTPA have this project on the top 12 megaregional project list.

NHS Improvements ☐ YES ☒ NO	Roadway Class NA	Reversible Lane Analysis ☐ YES ☒ NO

Inc. Sustainable Communities Strategy Goals ☒ YES ☐ NO Reduce Greenhouse Gas Emissions ☒ YES ☐ NO

Project Outputs

Category	Outputs	Unit	Total
Rail/ Multi-Modal	Miles of new track	Miles	6.75

Additional Information

The following are notes meant for the Uncommitted funding source(s) where field room would not fit the following details. CCJPA's 2021 CRISI application to FRA was not selected the CCJPA will have submitted a request for the 2022 CRISI program which will apparently be decided if awarded by FRA inSeptember 2023. The CCJPA didsubmit for Cycle 6 TIRCP project funding due in early December 2022 and was awarded that in March 2023. Additionally, SCC funding will be the subject of a PCTPA led application in 2022 where they will be a nominating agency with SACOG as the regional MPO (these selections are only needed as related to the SCC funding). SACOG has approved funding support via a rotating capital fund matching program and at this point the exact source of funding is not specified but for now a place holder of CMAQ is identified.

Costs and timing have been adjusted since a prior ePPR for this project. BCA information presented is based on the 2021 CRISI application with results of the 2022 CRISI application looking very similar.

PPR ID
ePPR-0998-2020-0006 v1

Performance Indicators and Measures						
Measure	**Required For**	**Indicator/Measure**	**Unit**	**Build**	**Future No Build**	**Change**
Congestion Reduction	LPPC, SCCP, LPPF	Change in Daily Vehicle Miles Travelled	Miles	23,604,265	23,615,079	-10,814
			VMT per Capita	0	0	0
	LPPC, SCCP, LPPF	Person Hours of Travel Time Saved (Only 'Change' required)	Person Hours	5,094	0	5,094
			Hours per Capita	0	95,448	-95,448
	TCEP	Change in Daily Vehicle Hours of Delay	Hours	125,949	126,103	-154
System Reliability (Freight)	LPPC, SCCP, LPPF	Peak Period Travel Time Reliability Index (Only 'No Build' Required)	Index	0	1	-1
	LPPC, SCCP, LPPF	Level of Transit Delay (if required)	% "On-time"	0.358	0.801	-0.443
Air Quality & GHG (only 'Change' required)	LPPC, SCCP, TCEP, LPPF	Particulate Matter	PM 2.5 Tons	0	0.09	-0.09
			PM 10 Tons	0	0.1	-0.1
	LPPC, SCCP, TCEP, LPPF	Carbon Dioxide (CO2)	Tons	0	38,111.4	-38,111.4
	LPPC, SCCP, TCEP, LPPF	Volatile Organic Compounds (VOC)	Tons	0	3.66	-3.66
	LPPC, SCCP, TCEP, LPPF	Sulphur Dioxides (SOx)	Tons	0	0.2	-0.2
	LPPC, SCCP, TCEP, LPPF	Carbon Monoxide (CO)	Tons	0	106	-106
	LPPC, SCCP, TCEP, LPPF	Nitrogen Oxides (NOx)	Tons	0	8.04	-8.04
Safety	LPPC, SCCP, TCEP, LPPF	Number of Fatalities	Number	3	3	0
	LPPC, SCCP, TCEP, LPPF	Fatalities per 100 Million VMT	Number	0.0425	0.0425	0
	LPPC, SCCP, TCEP, LPPF	Number of Serious Injuries	Number	12.8	13.56	-0.76
	LPPC, SCCP, TCEP, LPPF	Number of Serious Injuries per 100 Million VMT	Number	0.1813	0.1813	0
Accessibility	Optional	Number of Jobs Accessible by Mode	Number	590,562	590,427	135
	Optional	Number of Destinations Accessible by Mode	Number	782	781	1
	Optional	Percent of Population Defined as Low Income or Disadvantaged Within 1/2 Mile of Rail Station, Ferry Terminal, or High-Frequency Bus Stop	%	17.1	17.1	0
Economic Development	LPPC, SCCP, TCEP, LPPF	Jobs Created (Only 'Build' Required)	Number	4,403	0	4,403
Cost Effectiveness (only 'Change' required)	LPPC, SCCP, TCEP, LPPF	Cost Benefit Ratio	Ratio	1.14	0	1.14
Vehicle Volume	LPPC, LPPF, SCCP	Existing Average Annual Vehicle Volume on Project Segment	Number	0	0	0

Performance Indicators and Measures						
Measure	**Required For**	**Indicator/Measure**	**Unit**	**Build**	**Future No Build**	**Change**
	LPPC, LPPF, SCCP	Estimated Year 20 Average Annual Vehicle Volume on Project Segment with Project	Number	0	0	0

STATE OF CALIFORNIA • DEPARTMENT OF TRANSPORTATION

PROJECT PROGRAMMING REQUEST (PPR)

PRG-0010 (REV 08/2020)

PPR ID
ePPR-0998-2020-0006 v1

District	County	Route	EA	Project ID	PPNO
75	Placer County				9879

Project Title

Sacramento to Roseville 3rd Mainline Track

Existing Total Project Cost ($1,000s)									
Component	Prior	24-25	25-26	26-27	27-28	28-29	29-30+	Total	Implementing Agency
E&P (PA&ED)	3,530							3,530	Capitol Corridor Joint Powers Author
PS&E	18,481							18,481	Capitol Corridor Joint Powers Author
R/W SUP (CT)									Capitol Corridor Joint Powers Author
CON SUP (CT)									Capitol Corridor Joint Powers Author
R/W	39,968							39,968	Capitol Corridor Joint Powers Author
CON		152,010						152,010	Capitol Corridor Joint Powers Author
TOTAL	61,979	152,010						213,989	
Proposed Total Project Cost ($1,000s)									Notes
E&P (PA&ED)	3,530							3,530	
PS&E	18,481							18,481	
R/W SUP (CT)									
CON SUP (CT)									
R/W	39,968							39,968	
CON		152,010						152,010	
TOTAL	61,979	152,010						213,989	

Fund #1:	Other State - Transit and Intercity Rail Capital Program (TIRCP) (Committed)								Program Code
Existing Funding ($1,000s)									30.20.020.000
Component	Prior	24-25	25-26	26-27	27-28	28-29	29-30+	Total	Funding Agency
E&P (PA&ED)									
PS&E	6,099							6,099	Partially allocated at present
R/W SUP (CT)									
CON SUP (CT)									
R/W	2,380							2,380	
CON									
TOTAL	8,479							8,479	
Proposed Funding ($1,000s)									Notes
E&P (PA&ED)									
PS&E	6,099							6,099	
R/W SUP (CT)									
CON SUP (CT)									
R/W	2,380							2,380	
CON									
TOTAL	8,479							8,479	

PPR ID
ePPR-0998-2020-0006 v1

Fund #2:	State Bond - High Speed Passenger Train Bond Program (Propositio (Committed)								Program Code
	Existing Funding ($1,000s)								Bond Funding
Component	Prior	24-25	25-26	26-27	27-28	28-29	29-30+	Total	Funding Agency
E&P (PA&ED)									Caltrans HQ
PS&E	8,977							8,977	Partially allocated at this time$248 RW voted 06/27/17 $5492 PSE voted 06/27/17
R/W SUP (CT)									
CON SUP (CT)									
R/W	11,130							11,130	
CON		31,863						31,863	
TOTAL	20,107	31,863						51,970	
	Proposed Funding ($1,000s)								Notes
E&P (PA&ED)									
PS&E	8,977							8,977	
R/W SUP (CT)									
CON SUP (CT)									
R/W	11,130							11,130	
CON		31,863						31,863	
TOTAL	20,107	31,863						51,970	

Fund #3:	State Bond - Intercity rail improvements (Committed)								Program Code
	Existing Funding ($1,000s)								Bond Funding
Component	Prior	24-25	25-26	26-27	27-28	28-29	29-30+	Total	Funding Agency
E&P (PA&ED)									Caltrans HQ
PS&E	3,152							3,152	Partially allocated at this time$1939 PSE voted 06/27/17 $87 RW voted 06/27/17
R/W SUP (CT)									
CON SUP (CT)									
R/W	3,909							3,909	
CON		11,190						11,190	
TOTAL	7,061	11,190						18,251	
	Proposed Funding ($1,000s)								Notes
E&P (PA&ED)									
PS&E	3,152							3,152	
R/W SUP (CT)									
CON SUP (CT)									
R/W	3,909							3,909	
CON		11,190						11,190	
TOTAL	7,061	11,190						18,251	

PPR ID
ePPR-0998-2020-0006 v1

Fund #4:	IIP - Public Transportation Account (Committed)								Program Code
Existing Funding ($1,000s)									30.20.020.720
Component	Prior	24-25	25-26	26-27	27-28	28-29	29-30+	Total	Funding Agency
E&P (PA&ED)	3,530							3,530	Caltrans HQ
PS&E									Used for CEQA and initial design - already expended$252 PAED voted 11/02/00 $3530 PAED voted 01/20/11
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON									
TOTAL	3,530							3,530	
Proposed Funding ($1,000s)									Notes
E&P (PA&ED)	3,530							3,530	
PS&E									
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON									
TOTAL	3,530							3,530	

Fund #5:	Local Funds - CCJPA CCRP funds (Committed)								Program Code
Existing Funding ($1,000s)									20.10.400.100
Component	Prior	24-25	25-26	26-27	27-28	28-29	29-30+	Total	Funding Agency
E&P (PA&ED)									Capitol Corridor Joint Powers Author
PS&E	253							253	Funds are CCJPA's own annual operating revenue funds over the Amtrak contract ammount
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON									
TOTAL	253							253	
Proposed Funding ($1,000s)									Notes
E&P (PA&ED)									
PS&E	253							253	
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON									
TOTAL	253							253	

PPR ID
ePPR-0998-2020-0006 v1

Fund #6:	Federal Disc. - Commuter Authority Rail Safety Improvement (CARSI) (Committed)								Program Code
Existing Funding ($1,000s)									20.XX.400.300
Component	Prior	24-25	25-26	26-27	27-28	28-29	29-30+	Total	Funding Agency
E&P (PA&ED)									
PS&E									Discretionary 2022 CRISI award by FRA; award decision expected April/May/June 2023. Tied to ITIP in this project- see notes there.
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON		42,506						42,506	
TOTAL		42,506						42,506	
Proposed Funding ($1,000s)									Notes
E&P (PA&ED)									
PS&E									
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON		42,506						42,506	
TOTAL		42,506						42,506	

Fund #7:	IIP - Public Transportation Account (Committed)								Program Code
Existing Funding ($1,000s)									30.20.020.720
Component	Prior	24-25	25-26	26-27	27-28	28-29	29-30+	Total	Funding Agency
E&P (PA&ED)									Caltrans HQ
PS&E									This is now showing as committed funding pending CTC approval on a STIP amendment.to take this from a reserve of $30 million in the STIP
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON		30,000						30,000	
TOTAL		30,000						30,000	
Proposed Funding ($1,000s)									Notes
E&P (PA&ED)									
PS&E									
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON		30,000						30,000	
TOTAL		30,000						30,000	

PPR ID
ePPR-0998-2020-0006 v1

Fund #8:	Other State - Transit and Intercity Rail Capital Program (TIRCP) (Committed)								Program Code
	Existing Funding ($1,000s)								20.30.207.811
Component	Prior	24-25	25-26	26-27	27-28	28-29	29-30+	Total	Funding Agency
E&P (PA&ED)									Capitol Corridor Joint Powers Author
PS&E									awarded from Cycle 6
R/W SUP (CT)									
CON SUP (CT)									
R/W	22,549							22,549	
CON		7,451						7,451	
TOTAL	22,549	7,451						30,000	
	Proposed Funding ($1,000s)								Notes
E&P (PA&ED)									
PS&E									
R/W SUP (CT)									
CON SUP (CT)									
R/W	22,549							22,549	
CON		7,451						7,451	
TOTAL	22,549	7,451						30,000	

Fund #9:	Other State - State Railroad Assistance (Committed)								Program Code
	Existing Funding ($1,000s)								20.30.207.811
Component	Prior	24-25	25-26	26-27	27-28	28-29	29-30+	Total	Funding Agency
E&P (PA&ED)									Capitol Corridor Joint Powers Author
PS&E									Direct allocation to CCJPA or discretionary allocation from CalSTA to CCJPA - TBD in FY award year
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON		2,000						2,000	
TOTAL		2,000						2,000	
	Proposed Funding ($1,000s)								Notes
E&P (PA&ED)									
PS&E									
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON		2,000						2,000	
TOTAL		2,000						2,000	

PPR ID
ePPR-0998-2020-0006 v1

Fund #10:	Other Fed - SACOG Rotating Match Fund Source (Committed)								Program Code
Existing Funding ($1,000s)									20.30.010.300
Component	Prior	24-25	25-26	26-27	27-28	28-29	29-30+	Total	Funding Agency
E&P (PA&ED)									Sacramento Area Council of Governm
PS&E									$2M of rotating SACOG capital match funds - CMAQ a possible source but TBD by SACOG
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON		2,000						2,000	
TOTAL		2,000						2,000	
Proposed Funding ($1,000s)									Notes
E&P (PA&ED)									
PS&E									
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON		2,000						2,000	
TOTAL		2,000						2,000	

Fund #11:	State SB1 SCCP - Solution for Congested Corridors Program (Committed)								Program Code
Existing Funding ($1,000s)									30.20.110.000
Component	Prior	24-25	25-26	26-27	27-28	28-29	29-30+	Total	Funding Agency
E&P (PA&ED)									
PS&E									PCTPA is the co-nominating agency; these SCC funds are part of a mix of committed/uncommitted (with various timing resolutions) to deliver full project funding via several discretionary sources.
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON		25,000						25,000	
TOTAL		25,000						25,000	
Proposed Funding ($1,000s)									Notes
E&P (PA&ED)									
PS&E									
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON		25,000						25,000	
TOTAL		25,000						25,000	

PPR ID
ePPR-0998-2020-0006 v1

Complete this page for amendments only Date 10/10/2023 21:13:18

District	County	Route	EA	Project ID	PPNO
75	Placer County				9879

SECTION 1 - All Projects

Project Background

na

Programming Change Requested

Reason for Proposed Change

project carry over

If proposed change will delay one or more components, clearly explain 1) reason for the delay, 2) cost increase related to the delay, and 3) how cost increase will be funded

Other Significant Information

SECTION 2 - For SB1 Project Only

Project Amendment Request (Please follow the individual SB1 program guidelines for specific criteria)

na

Approvals

I hereby certify that the above information is complete and accurate and all approvals have been obtained for the processing of this amendment request.

Name (Print or Type)	Signature	Title	Date

SECTION 3 - All Projects

Attachments
1) Concurrence from Implementing Agency and/or Regional Transportation Planning Agency
2) Project Location Map

STATE OF CALIFORNIA • DEPARTMENT OF TRANSPORTATION

PROJECT PROGRAMMING REQUEST (PPR)

PRG-0010 (REV 08/2020)

PPR ID
ePPR-CT-2024-0003 v0

Amendment (Existing Project) ☐ YES ☒ NO					Date	10/09/2023 08:37:49
Programs ☐ LPP-C ☐ LPP-F ☐ SCCP ☐ TCEP ☒ STIP ☐ Other						
District	EA	Project ID	PPNO	Nominating Agency		
75			9885	Caltrans HQ		
County	Route	PM Back	PM Ahead	Co-Nominating Agency		
VAR						
				MPO	Element	
				NON-MPO	Rail	
Project Manager/Contact			Phone	Email Address		
Shalini Chandra			916-216-3449	shalini.chandra@dot.ca.gov		

Project Title

Rail Reserve

Location (Project Limits), Description (Scope of Work)

Rail Reserve

Component	Implementing Agency
PA&ED	Caltrans HQ
PS&E	Caltrans HQ
Right of Way	Caltrans HQ
Construction	Caltrans HQ

Legislative Districts

Assembly:	1	Senate:	1	Congressional:	1

Project Milestone		Existing	Proposed
Project Study Report Approved			
Begin Environmental (PA&ED) Phase			
Circulate Draft Environmental Document	Document Type		
Draft Project Report			
End Environmental Phase (PA&ED Milestone)			
Begin Design (PS&E) Phase			
End Design Phase (Ready to List for Advertisement Milestone)			
Begin Right of Way Phase			
End Right of Way Phase (Right of Way Certification Milestone)			
Begin Construction Phase (Contract Award Milestone)			
End Construction Phase (Construction Contract Acceptance Milestone)			
Begin Closeout Phase			06/30/2030
End Closeout Phase (Closeout Report)			06/30/2031

PPR ID
ePPR-CT-2024-0003 v0

Date 10/09/2023 08:37:49

Purpose and Need

This project is created for rail reserve funds. Funds will need to be reprogrammed to other projects for project delivery.

NHS Improvements ☐ YES ☒ NO	Roadway Class NA	Reversible Lane Analysis ☐ YES ☒ NO

Inc. Sustainable Communities Strategy Goals ☐ YES ☒ NO Reduce Greenhouse Gas Emissions ☐ YES ☒ NO

Project Outputs

Category	Outputs	Unit	Total
Rail/ Multi-Modal	Miles of new track	Miles	0.001

Date 10/09/2023 08:37:49

Additional Information

Performance Indicators and Measures						
Measure	**Required For**	**Indicator/Measure**	**Unit**	**Build**	**Future No Build**	**Change**
Safety	LPPC, SCCP, TCEP, LPPF	Number of Fatalities	Number	0	0	0

STATE OF CALIFORNIA • DEPARTMENT OF TRANSPORTATION

PROJECT PROGRAMMING REQUEST (PPR)

PRG-0010 (REV 08/2020)

PPR ID
ePPR-CT-2024-0003 v0

District	County	Route	EA	Project ID	PPNO
75	VAR				9885

Project Title

Rail Reserve

Existing Total Project Cost ($1,000s)								
Component	Prior	24-25	25-26	26-27	27-28	28-29	29-30+	Total	Implementing Agency
E&P (PA&ED)									Caltrans HQ
PS&E									Caltrans HQ
R/W SUP (CT)									Caltrans HQ
CON SUP (CT)									Caltrans HQ
R/W									Caltrans HQ
CON				7,500				7,500	Caltrans HQ
TOTAL				7,500				7,500	
Proposed Total Project Cost ($1,000s)									Notes
E&P (PA&ED)									
PS&E									
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON				7,500				7,500	
TOTAL				7,500				7,500	

Fund #1:	IIP - State Cash (Committed)								Program Code
Existing Funding ($1,000s)									20.XX.025.700
Component	Prior	24-25	25-26	26-27	27-28	28-29	29-30+	Total	Funding Agency
E&P (PA&ED)									Caltrans HQ
PS&E									
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON				7,500				7,500	
TOTAL				7,500				7,500	
Proposed Funding ($1,000s)									Notes
E&P (PA&ED)									
PS&E									
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON				7,500				7,500	
TOTAL				7,500				7,500	

STATE OF CALIFORNIA • DEPARTMENT OF TRANSPORTATION
PROJECT PROGRAMMING REQUEST (PPR)
PRG-0010 (REV 08/2020)

PPR ID
ePPR-CT-2024-0003 v0

Complete this page for amendments only Date 10/09/2023 08:37:49

District	County	Route	EA	Project ID	PPNO
75	VAR				9885

SECTION 1 - All Projects

Project Background

NA

Programming Change Requested

Reason for Proposed Change

NA

If proposed change will delay one or more components, clearly explain 1) reason for the delay, 2) cost increase related to the delay, and 3) how cost increase will be funded

Other Significant Information

SECTION 2 - For SB1 Project Only

Project Amendment Request (Please follow the individual SB1 program guidelines for specific criteria)

NA

Approvals

I hereby certify that the above information is complete and accurate and all approvals have been obtained for the processing of this amendment request.

Name (Print or Type)	Signature	Title	Date

SECTION 3 - All Projects

Attachments
1) Concurrence from Implementing Agency and/or Regional Transportation Planning Agency
2) Project Location Map

STATE OF CALIFORNIA • DEPARTMENT OF TRANSPORTATION

PROJECT PROGRAMMING REQUEST (PPR)

PRG-0010 (REV 08/2020)

PPR ID
ePPR-0190-2022-0003 v4

Amendment (Existing Project) ☐ YES ☒ NO						Date	09/05/2023 22:19:50
Programs ☐ LPP-C	☐ LPP-F	☐ SCCP	☐ TCEP	☒ STIP	☐ Other		

District	EA	Project ID	PPNO	Nominating Agency	
75			9887	Los Angeles-San Diego-San Luis Obispo Rail Corridor Agen	
County	**Route**	**PM Back**	**PM Ahead**	**Co-Nominating Agency**	
Ventura County	LOS	405.600	412.500		
				MPO	**Element**
				SCAG	Rail
Project Manager/Contact			**Phone**	**Email Address**	
James Campbell			714-560-5390	jcampbell@octa.net	

Project Title

Leesdale Passing Siding

Location (Project Limits), Description (Scope of Work)

Extension of the current Leesdale Siding between Oxnard and Camarillo, California. This project is based in a rural area between MP 405.6-412.6 within the Ventura Subdivision of the LOSSAN Rail Corridor. The current siding is ~3,700 feet, but would be extended nearly 3 miles west.

Component	Implementing Agency
PA&ED	Los Angeles-San Diego-San Luis Obispo Rail Corridor Agency (
PS&E	Los Angeles-San Diego-San Luis Obispo Rail Corridor Agency (
Right of Way	Los Angeles-San Diego-San Luis Obispo Rail Corridor Agency (
Construction	Los Angeles-San Diego-San Luis Obispo Rail Corridor Agency (

Legislative Districts

Assembly:	37,44	Senate:	19	Congressional:	26

Project Milestone		Existing	Proposed
Project Study Report Approved			
Begin Environmental (PA&ED) Phase		08/01/2022	08/01/2022
Circulate Draft Environmental Document	Document Type	05/01/2023	05/01/2023
Draft Project Report		09/01/2023	09/01/2023
End Environmental Phase (PA&ED Milestone)		10/01/2023	10/01/2023
Begin Design (PS&E) Phase		12/01/2023	12/01/2023
End Design Phase (Ready to List for Advertisement Milestone)		07/01/2024	07/01/2024
Begin Right of Way Phase			
End Right of Way Phase (Right of Way Certification Milestone)			
Begin Construction Phase (Contract Award Milestone)		10/01/2024	10/01/2024
End Construction Phase (Construction Contract Acceptance Milestone)		11/01/2026	11/01/2026
Begin Closeout Phase		11/01/2026	11/01/2026
End Closeout Phase (Closeout Report)		11/01/2027	11/01/2027

Date 09/05/2023 22:19:50

Purpose and Need

The existing Leesdale Siding is also not a Centralized Traffic Control (CTC) siding and requires manual operation to change the direction of the switches on either side. The project would replace the manual switches with remote-controlled switching equipment on both sides of the siding. The Las Posas Road and Pleasant Valley Road grade crossing signal systems would be modified to accommodate. The current Leesdale siding is 3,700 feet long and is manually operated. This is too short for the average freight train to currently utilize, as that the average freight train has the length of 5,500 feet. This configuration results in a bottleneck on the line, since one train must back up to clear the tracks for the other trains to depart, using about five to 10 minutes for the maneuver. This project would allow for service expansion, improved reliability and reduced travel time. Specifically, the project will provide direct benefits to Metrolink and Surfliner services in this area by allowing for 30-minute frequencies in this segment.

NHS Improvements ☐ YES ☒ NO	Roadway Class NA	Reversible Lane Analysis ☐ YES ☒ NO

Inc. Sustainable Communities Strategy Goals ☒ YES ☐ NO Reduce Greenhouse Gas Emissions ☒ YES ☐ NO

Project Outputs

Category	Outputs	Unit	Total
Rail/ Multi-Modal	Miles of new track	Miles	3

PPR ID
ePPR-0190-2022-0003 v4

Date 09/05/2023 22:19:50

Additional Information

Performance Indicators and Measures						
Measure	**Required For**	**Indicator/Measure**	**Unit**	**Build**	**Future No Build**	**Change**
Congestion Reduction	TCEP	Change in Daily Vehicle Hours of Delay	Hours	0	0.2	-0.2
System Reliability (Freight)	LPPC, SCCP, LPPF	Level of Transit Delay (if required)	% "On-time"	91	90	1

STATE OF CALIFORNIA • DEPARTMENT OF TRANSPORTATION

PROJECT PROGRAMMING REQUEST (PPR)

PRG-0010 (REV 08/2020)

PPR ID
ePPR-0190-2022-0003 v4

District	County	Route	EA	Project ID	PPNO
75	Ventura County	LOS			9887

Project Title

Leesdale Passing Siding

Existing Total Project Cost ($1,000s)									
Component	Prior	24-25	25-26	26-27	27-28	28-29	29-30+	Total	Implementing Agency
E&P (PA&ED)	1,000							1,000	Los Angeles-San Diego-San Luis Ob
PS&E	2,500							2,500	Los Angeles-San Diego-San Luis Ob
R/W SUP (CT)									Los Angeles-San Diego-San Luis Ob
CON SUP (CT)									Los Angeles-San Diego-San Luis Ob
R/W									Los Angeles-San Diego-San Luis Ob
CON		22,500						22,500	Los Angeles-San Diego-San Luis Ob
TOTAL	3,500	22,500						26,000	
Proposed Total Project Cost ($1,000s)									Notes
E&P (PA&ED)	1,000							1,000	
PS&E	2,500							2,500	
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON		22,500						22,500	
TOTAL	3,500	22,500						26,000	

Fund #1:	Other State - STA Transit Assist (Committed)								Program Code
Existing Funding ($1,000s)									30.20.020.000
Component	Prior	24-25	25-26	26-27	27-28	28-29	29-30+	Total	Funding Agency
E&P (PA&ED)	1,000							1,000	
PS&E	2,500							2,500	If earmark is NOT awarded, LOSSAN fully intends to fund this $6M with State Rail Assistance funding.
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON		2,500						2,500	
TOTAL	3,500	2,500						6,000	
Proposed Funding ($1,000s)									Notes
E&P (PA&ED)	1,000							1,000	
PS&E	2,500							2,500	
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON		2,500						2,500	
TOTAL	3,500	2,500						6,000	

PPR ID
ePPR-0190-2022-0003 v4

Fund #2:	IIP - Public Transportation Account (Committed)								Program Code
	Existing Funding ($1,000s)								30.20.020.720
Component	Prior	24-25	25-26	26-27	27-28	28-29	29-30+	Total	Funding Agency
E&P (PA&ED)									Caltrans HQ
PS&E									
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON		20,000						20,000	
TOTAL		20,000						20,000	
	Proposed Funding ($1,000s)								Notes
E&P (PA&ED)									
PS&E									
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON		20,000						20,000	
TOTAL		20,000						20,000	

STATE OF CALIFORNIA • DEPARTMENT OF TRANSPORTATION

PROJECT PROGRAMMING REQUEST (PPR)

PRG-0010 (REV 08/2020)

PPR ID
ePPR-0190-2022-0003 v4

Complete this page for amendments only Date 09/05/2023 22:19:50

District	County	Route	EA	Project ID	PPNO
75	Ventura County	LOS			9887

SECTION 1 - All Projects

Project Background

na

Programming Change Requested

Reason for Proposed Change

na

If proposed change will delay one or more components, clearly explain 1) reason for the delay, 2) cost increase related to the delay, and 3) how cost increase will be funded

Other Significant Information

SECTION 2 - For SB1 Project Only

Project Amendment Request (Please follow the individual SB1 program guidelines for specific criteria)

na

Approvals

I hereby certify that the above information is complete and accurate and all approvals have been obtained for the processing of this amendment request.

Name (Print or Type)	Signature	Title	Date

SECTION 3 - All Projects

Attachments
1) Concurrence from Implementing Agency and/or Regional Transportation Planning Agency
2) Project Location Map

STATE OF CALIFORNIA • DEPARTMENT OF TRANSPORTATION

PROJECT PROGRAMMING REQUEST (PPR)

PRG-0010 (REV 08/2020)

PPR ID
ePPR-6262-2022-0003 v5

Amendment (Existing Project) ☐ YES ☒ NO						Date	09/05/2023 22:11:20
Programs ☐ LPP-C ☐ LPP-F ☐ SCCP ☐ TCEP ☒ STIP ☐ Other							
District	EA	Project ID	PPNO	Nominating Agency			
75			9888	San Joaquin Joint Powers Authority			
County	Route	PM Back	PM Ahead	Co-Nominating Agency			
San Joaquin County							
				MPO		Element	
				SJCOG		Rail	
Project Manager/Contact			Phone	Email Address			
Paul Herman			209-487-4630	paul@acerail.com			

Project Title

San Joaquin Street Station Layover Track

Location (Project Limits), Description (Scope of Work)

The project is located in Stockton, at the existing San Joaquin Street Station along the BNSF Stockton Subdivision. The project will construct layover track, reconfigure parking lot, and install street lighting along San Joaquin Street between Hazelton Avenue and Worth Street in Stockton. The project will increase passenger safety and security as well as increase train storage capacity at the station.

Component	Implementing Agency
PA&ED	San Joaquin Regional Rail Commission
PS&E	San Joaquin Joint Powers Authority
Right of Way	San Joaquin Regional Rail Commission
Construction	San Joaquin Joint Powers Authority

Legislative Districts					
Assembly:	13	Senate:	5	Congressional:	9

Project Milestone	Existing	Proposed
Project Study Report Approved		
Begin Environmental (PA&ED) Phase	07/01/2022	07/01/2022
Circulate Draft Environmental Document Document Type		
Draft Project Report	08/31/2022	08/31/2022
End Environmental Phase (PA&ED Milestone)	09/30/2022	09/30/2022
Begin Design (PS&E) Phase	10/01/2022	10/01/2022
End Design Phase (Ready to List for Advertisement Milestone)	06/30/2023	06/30/2023
Begin Right of Way Phase		
End Right of Way Phase (Right of Way Certification Milestone)		
Begin Construction Phase (Contract Award Milestone)	07/01/2023	07/01/2023
End Construction Phase (Construction Contract Acceptance Milestone)	06/30/2024	06/30/2024
Begin Closeout Phase	07/01/2024	07/01/2024
End Closeout Phase (Closeout Report)	09/30/2024	09/30/2024

Purpose and Need

The project will provide a fourth San Joaquin train roundtrip serving the Sacramento area and to ensure convenient, reliable connections in Stockton for passengers traveling to/from the Sacramento area, without exceeding capacity restrictions south of Stockton. The project will also provide the opportunity to make future additional passenger rail connections to Sacramento for five San Joaquins trains that go from the San Joaquin Valley to the Bay Area. Station access improvements at San Joaquin Street Station would improve passenger safety and convenience and provide added capacity and amenities to promote increased ridership at the station.

NHS Improvements ☐ YES ☒ NO	Roadway Class NA	Reversible Lane Analysis ☐ YES ☒ NO

Inc. Sustainable Communities Strategy Goals ☐ YES ☒ NO Reduce Greenhouse Gas Emissions ☐ YES ☒ NO

Project Outputs

Category	Outputs	Unit	Total
Rail/ Multi-Modal	Miles of new track	Miles	2

PPR ID
ePPR-6262-2022-0003 v5

Date 09/05/2023 22:11:20

Additional Information

Performance Indicators and Measures						
Measure	**Required For**	**Indicator/Measure**	**Unit**	**Build**	**Future No Build**	**Change**
Throughput (Freight)	TCEP	Change in Rail Volume	# of Trailers	1	0	1
			# of Containers	0	0	0

STATE OF CALIFORNIA • DEPARTMENT OF TRANSPORTATION

PROJECT PROGRAMMING REQUEST (PPR)

PRG-0010 (REV 08/2020)

PPR ID
ePPR-6262-2022-0003 v5

District	County	Route	EA	Project ID	PPNO
75	San Joaquin County				9888

Project Title

San Joaquin Street Station Layover Track

Existing Total Project Cost ($1,000s)									
Component	Prior	24-25	25-26	26-27	27-28	28-29	29-30+	Total	Implementing Agency
E&P (PA&ED)									San Joaquin Regional Rail Commiss
PS&E			1,000					1,000	San Joaquin Joint Powers Authority
R/W SUP (CT)									San Joaquin Regional Rail Commiss
CON SUP (CT)									San Joaquin Joint Powers Authority
R/W									San Joaquin Regional Rail Commiss
CON				6,000				6,000	San Joaquin Joint Powers Authority
TOTAL			1,000	6,000				7,000	
Proposed Total Project Cost ($1,000s)									Notes
E&P (PA&ED)									
PS&E			1,000					1,000	
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON				6,000				6,000	
TOTAL			1,000	6,000				7,000	

Fund #1:	IIP - National Hwy System (Committed)								Program Code
Existing Funding ($1,000s)									30.20.020.720
Component	Prior	24-25	25-26	26-27	27-28	28-29	29-30+	Total	Funding Agency
E&P (PA&ED)									Caltrans HQ
PS&E			1,000					1,000	
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON				6,000				6,000	
TOTAL			1,000	6,000				7,000	
Proposed Funding ($1,000s)									Notes
E&P (PA&ED)									
PS&E			1,000					1,000	
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON				6,000				6,000	
TOTAL			1,000	6,000				7,000	

STATE OF CALIFORNIA • DEPARTMENT OF TRANSPORTATION
PROJECT PROGRAMMING REQUEST (PPR)
PRG-0010 (REV 08/2020)

PPR ID
ePPR-6262-2022-0003 v5

Complete this page for amendments only Date 09/05/2023 22:11:20

District	County	Route	EA	Project ID	PPNO
75	San Joaquin County				9888

SECTION 1 - All Projects

Project Background

na

Programming Change Requested

Reason for Proposed Change

na

If proposed change will delay one or more components, clearly explain 1) reason for the delay, 2) cost increase related to the delay, and 3) how cost increase will be funded

Other Significant Information

SECTION 2 - For SB1 Project Only

Project Amendment Request (Please follow the individual SB1 program guidelines for specific criteria)

na

Approvals

I hereby certify that the above information is complete and accurate and all approvals have been obtained for the processing of this amendment request.

Name (Print or Type)	Signature	Title	Date

SECTION 3 - All Projects

Attachments
1) Concurrence from Implementing Agency and/or Regional Transportation Planning Agency
2) Project Location Map

STATE OF CALIFORNIA • DEPARTMENT OF TRANSPORTATION

PROJECT PROGRAMMING REQUEST (PPR)

PRG-0010 (REV 08/2020)

PPR ID
ePPR-6054-2022-0004 v6

Amendment (Existing Project) ☐ YES ☒ NO						Date	09/05/2023 22:16:18
Programs ☐ LPP-C ☐ LPP-F ☐ SCCP ☐ TCEP ☒ STIP ☐ Other							
District	EA	Project ID	PPNO	Nominating Agency			
75			9891	Riverside County Transportation Commission			
County	Route	PM Back	PM Ahead	Co-Nominating Agency			
Riverside County				Caltrans HQ			
				MPO	Element		
				SCAG	Rail		
Project Manager/Contact			Phone	Email Address			
Sheldon Peterson			951-787-7141	SPeterson@RCTC.org			

Project Title

Coachella Valley-San Gorgonio Pass Rail Corridor Service

Location (Project Limits), Description (Scope of Work)

IN RIVERSIDE COUNTY - FOR RCTC/CALTRANS - INTERCITY RAIL SERVICE BETWEEN LOS ANGELES UNION STATION TO COACHELLA VALLEY (144 MILES, TIER 1 FOR 2 ROUNDTRIPS PER DAY). PAED TIER 2 PROJECT-LEVEL ENVIRONMENTAL FOR ANALYSIS OF UP TO SIX (6) STATION LOCATIONS AND DESIGN, AND UP TO 76 MILES OF 3RD TRACK BETWEEN COLTON TO COACHELLA VALLEY (5 ROUNDTRIPS PER DAY).

THROUGH THIS SCOPE, TIER 2 ENVIRONMENTAL WILL BE COMPLETED. DESIGN AND CONSTRUCTION PHASES WILL LIKELY BE SEGMENTED FOR EASE OF DELIVERY AND CONTINGENT UPON FUNDING AVAILABILITY. LATER PHASES OF THE PROJECT, INCLUDING CONSTRUCTION, WOULD BE FUNDED BY OTHER SOURCES INCLUDING, BUT NOT LIMITED TO, VARIOUS LOCAL, STATE, AND FEDERAL SOURCES.

Component	Implementing Agency
PA&ED	Riverside County Transportation Commission
PS&E	Riverside County Transportation Commission
Right of Way	Riverside County Transportation Commission
Construction	Riverside County Transportation Commission

Legislative Districts

Assembly: 65,68,40,42,47,51,53,55,56,57,58,60 Senate: 32,33,20,37,23,24,28,29,31 Congressional: 34,36,38,39,40,41,42,45,46,31

Project Milestone	Existing	Proposed
Project Study Report Approved		
Begin Environmental (PA&ED) Phase	07/01/2023	07/01/2023
Circulate Draft Environmental Document Document Type EIR/EIS	07/01/2029	07/01/2029
Draft Project Report	12/31/2029	12/31/2029
End Environmental Phase (PA&ED Milestone)	06/01/2030	06/01/2030
Begin Design (PS&E) Phase	09/01/2030	09/01/2030
End Design Phase (Ready to List for Advertisement Milestone)	03/31/2032	03/31/2032
Begin Right of Way Phase	09/01/2030	09/01/2030
End Right of Way Phase (Right of Way Certification Milestone)	03/31/2032	03/31/2032
Begin Construction Phase (Contract Award Milestone)	07/01/2032	07/01/2032
End Construction Phase (Construction Contract Acceptance Milestone)	06/30/2035	06/30/2035
Begin Closeout Phase	01/01/2036	01/01/2036
End Closeout Phase (Closeout Report)	06/30/2036	06/30/2036

Date 09/05/2023 22:16:18

Purpose and Need

THE PROJECT WILL ADDRESS THE ABSENCE OF EFFECTIVE TRANSPORTATION ALTERNATIVES TO THE AUTOMOBILE BETWEEN LOS ANGELES AND COACHELLA VALLEY AND THE PROJECTED INCREASE IN TRAVEL DEMAND ALONG THE CORRIDOR DUE TO POPULATION AND EMPLOYMENT GROWTH. CONGESTION CONTINUES TO RISE AND PROJECT WILL OFFER A SAFE, RELIABLE AND CONVENIENT INTERCITY PASSENGER RAIL SERVICE THAT HAS THE CAPABILITY TO MEET THE FUTURE MOBILITY NEEDS OF RESIDENTS, BUSINESSES, AND VISITORS.

NHS Improvements ☐ YES ☒ NO	Roadway Class NA	Reversible Lane Analysis ☐ YES ☒ NO

Inc. Sustainable Communities Strategy Goals ☒ YES ☐ NO Reduce Greenhouse Gas Emissions ☒ YES ☐ NO

Project Outputs

Category	Outputs	Unit	Total
Rail/ Multi-Modal	Miles of new track	Miles	76
Rail/ Multi-Modal	New stations	EA	6

Additional Information

Current project benefits are based on Tier 1 Program-level environmental which includes 2 roundtrips per day. Proposed Tier 2 Project-level environmental to include 5 roundtrips per day as the baseline. Long term project benefits to align with State Rail Plan which is to include hourly service. Outputs and performance measures identified will be delivered at project completion.

The project follows the FRA preferred tiered approach for completing NEPA requirements for intercity rail projects. The Tier 1 Program-level Environmental Impact Statement (EIS) addresses broad service level issues along the corridor. The Tier 2 Project-level EIS addresses site-specific project environmental reviews.

Fund #1 through #3 notes: PAED includes the Tier 1 Program-level environmental. $5,085 was allocated and obligated with prior year FRA, STA, and PTIMSEA funds. This phase is anticipated to be complete by mid-2022.

Fund #4 through #7 notes: Tier 2 Project-level environmental would begin in FY 23/24 and includes ITIP/RTIP, SRA, and CMAQ (CRISI to replace $20,000 CMAQ if successful).

Fund #8 notes: As required in STIP guidelines, future phase costs are listed.

Performance Indicators and Measures						
Measure	**Required For**	**Indicator/Measure**	**Unit**	**Build**	**Future No Build**	**Change**
Air Quality & GHG (only 'Change' required)	LPPC, SCCP, TCEP, LPPF	Particulate Matter	PM 2.5 Tons	86.7	87.4	-0.7
			PM 10 Tons	215	216.7	-1.7
	LPPC, SCCP, TCEP, LPPF	Volatile Organic Compounds (VOC)	Tons	10	10.1	-0.1
	LPPC, SCCP, TCEP, LPPF	Sulphur Dioxides (SOx)	Tons	9.3	9.4	-0.1
	LPPC, SCCP, TCEP, LPPF	Carbon Monoxide (CO)	Tons	1,903.4	1,918.8	-15.4
	LPPC, SCCP, TCEP, LPPF	Nitrogen Oxides (NOx)	Tons	78.8	79.4	-0.6

STATE OF CALIFORNIA • DEPARTMENT OF TRANSPORTATION

PROJECT PROGRAMMING REQUEST (PPR)

PRG-0010 (REV 08/2020)

PPR ID
ePPR-6054-2022-0004 v6

District	County	Route	EA	Project ID	PPNO
75	Riverside County				9891

Project Title

Coachella Valley-San Gorgonio Pass Rail Corridor Service

Existing Total Project Cost ($1,000s)									
Component	Prior	24-25	25-26	26-27	27-28	28-29	29-30+	Total	Implementing Agency
E&P (PA&ED)	55,085		10,000					65,085	Riverside County Transportation Com
PS&E							100,000	100,000	Riverside County Transportation Com
R/W SUP (CT)									Riverside County Transportation Com
CON SUP (CT)									Riverside County Transportation Com
R/W							123,250	123,250	Riverside County Transportation Com
CON							1,284,100	1,284,100	Riverside County Transportation Com
TOTAL	55,085		10,000				1,507,350	1,572,435	
Proposed Total Project Cost ($1,000s)									Notes
E&P (PA&ED)	55,085		10,000					65,085	
PS&E							100,000	100,000	
R/W SUP (CT)									
CON SUP (CT)									
R/W							123,250	123,250	
CON							1,284,100	1,284,100	
TOTAL	55,085		10,000				1,507,350	1,572,435	

Fund #1:	Other Fed - Federal Railroad Administration Earmarks (Committed)								Program Code
Existing Funding ($1,000s)									20.30.010.300
Component	Prior	24-25	25-26	26-27	27-28	28-29	29-30+	Total	Funding Agency
E&P (PA&ED)	2,982							2,982	
PS&E									
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON									
TOTAL	2,982							2,982	
Proposed Funding ($1,000s)									Notes
E&P (PA&ED)	2,982							2,982	
PS&E									
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON									
TOTAL	2,982							2,982	

PPR ID
ePPR-6054-2022-0004 v6

Fund #2:	State Bond - Public Transportation Modernization Improvement (Committed)								Program Code
	Existing Funding ($1,000s)								20.30.010.400
Component	Prior	24-25	25-26	26-27	27-28	28-29	29-30+	Total	Funding Agency
E&P (PA&ED)	1,000							1,000	Caltrans HQ
PS&E									
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON									
TOTAL	1,000							1,000	
	Proposed Funding ($1,000s)								Notes
E&P (PA&ED)	1,000							1,000	
PS&E									
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON									
TOTAL	1,000							1,000	

Fund #3:	Other State - STA Transit Assist (Committed)								Program Code
	Existing Funding ($1,000s)								20.30.207.811
Component	Prior	24-25	25-26	26-27	27-28	28-29	29-30+	Total	Funding Agency
E&P (PA&ED)	1,103							1,103	
PS&E									
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON									
TOTAL	1,103							1,103	
	Proposed Funding ($1,000s)								Notes
E&P (PA&ED)	1,103							1,103	
PS&E									
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON									
TOTAL	1,103							1,103	

PPR ID
ePPR-6054-2022-0004 v6

Fund #4:	IIP - National Hwy System (Committed)								Program Code
	Existing Funding ($1,000s)								30.20.020.720
Component	Prior	24-25	25-26	26-27	27-28	28-29	29-30+	Total	Funding Agency
E&P (PA&ED)			10,000					10,000	Caltrans HQ
PS&E									PAED incldS Tier 1 Prgm-lvl env. $5,085 alloc./oblgtd w prior yr FRA,STA&PTIMSEA funds. phse expctd compl. by mid-2022.Tier 2 Project-lvl env. wld bgn FY24 & incldS ITIP/RTIP, SRA, a oth. fed. funds.
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON									
TOTAL			10,000					10,000	
	Proposed Funding ($1,000s)								Notes
E&P (PA&ED)			10,000					10,000	
PS&E									
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON									
TOTAL			10,000					10,000	

Fund #5:	RIP - State Cash (Committed)								Program Code
	Existing Funding ($1,000s)								30.20.020.630
Component	Prior	24-25	25-26	26-27	27-28	28-29	29-30+	Total	Funding Agency
E&P (PA&ED)	15,658							15,658	Riverside County Transportation Com
PS&E									RCTC board approval to program STIP-RIP on October 13, 2021. CTC vote anticipated on March 23-24, 2022.
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON									
TOTAL	15,658							15,658	
	Proposed Funding ($1,000s)								Notes
E&P (PA&ED)	15,658							15,658	
PS&E									
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON									
TOTAL	15,658							15,658	

Fund #6:	Other State - State Rail Assistance (Committed)								Program Code
	Existing Funding ($1,000s)								20.30.207.811
Component	Prior	24-25	25-26	26-27	27-28	28-29	29-30+	Total	Funding Agency
E&P (PA&ED)	5,942							5,942	
PS&E									Awarded to RCTC in 2019.
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON									
TOTAL	5,942							5,942	
	Proposed Funding ($1,000s)								Notes
E&P (PA&ED)	5,942							5,942	
PS&E									
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON									
TOTAL	5,942							5,942	

Fund #7:	CMAQ - Congestion Mitigation (Committed)								Program Code
	Existing Funding ($1,000s)								20.30.010.820
Component	Prior	24-25	25-26	26-27	27-28	28-29	29-30+	Total	Funding Agency
E&P (PA&ED)	28,400							28,400	
PS&E									CMAQ may be supplanted with FRA CRISI funds; awards anticipated by USDOT/FRA spring 2022.
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON									
TOTAL	28,400							28,400	
	Proposed Funding ($1,000s)								Notes
E&P (PA&ED)	28,400							28,400	
PS&E									
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON									
TOTAL	28,400							28,400	

PPR ID
ePPR-6054-2022-0004 v6

Fund #8:	Future Need - Future Funds (Uncommitted)								Program Code
	Existing Funding ($1,000s)								FUTURE
Component	Prior	24-25	25-26	26-27	27-28	28-29	29-30+	Total	Funding Agency
E&P (PA&ED)									
PS&E							100,000	100,000	
R/W SUP (CT)									
CON SUP (CT)									
R/W							123,250	123,250	
CON							1,284,100	1,284,100	
TOTAL							1,507,350	1,507,350	
	Proposed Funding ($1,000s)								Notes
E&P (PA&ED)									
PS&E							100,000	100,000	
R/W SUP (CT)									
CON SUP (CT)									
R/W							123,250	123,250	
CON							1,284,100	1,284,100	
TOTAL							1,507,350	1,507,350	

STATE OF CALIFORNIA • DEPARTMENT OF TRANSPORTATION
PROJECT PROGRAMMING REQUEST (PPR)
PRG-0010 (REV 08/2020)

PPR ID
ePPR-6054-2022-0004 v6

Complete this page for amendments only Date 09/05/2023 22:16:18

District	County	Route	EA	Project ID	PPNO
75	Riverside County				9891

SECTION 1 - All Projects

Project Background

na

Programming Change Requested

Reason for Proposed Change

na

If proposed change will delay one or more components, clearly explain 1) reason for the delay, 2) cost increase related to the delay, and 3) how cost increase will be funded

Other Significant Information

SECTION 2 - For SB1 Project Only

Project Amendment Request (Please follow the individual SB1 program guidelines for specific criteria)

na

Approvals

I hereby certify that the above information is complete and accurate and all approvals have been obtained for the processing of this amendment request.

Name (Print or Type)	Signature	Title	Date

SECTION 3 - All Projects

Attachments
1) Concurrence from Implementing Agency and/or Regional Transportation Planning Agency
2) Project Location Map

STATE OF CALIFORNIA • DEPARTMENT OF TRANSPORTATION
PROJECT PROGRAMMING REQUEST (PPR)
PRG-0010 (REV 08/2020)

PPR ID
ePPR-6262-2022-0001 v5

Amendment (Existing Project) ☐ YES ☒ NO						Date	09/05/2023 21:43:54
Programs ☐ LPP-C ☐ LPP-F ☐ SCCP ☐ TCEP ☒ STIP ☐ Other							
District	EA	Project ID	PPNO	Nominating Agency			
75			9892	San Joaquin Joint Powers Authority			
County	Route	PM Back	PM Ahead	Co-Nominating Agency			
Sacramento County		121.300	123.900				
				MPO	Element		
				SACOG	Rail		
Project Manager/Contact			Phone	Email Address			
Brian Shmidt			209-944-6241	brian@acerail.com			

Project Title

Philips Siding Rehabilitation

Location (Project Limits), Description (Scope of Work)

The Philips Siding Rehabilitation project is located within Elk Grove in Sacramento County. The project is on the UPRR Sacramento Subdivision is located from MP 121.3 to MP 123.9. The project will require replacing the southern switch with a #20 turnout and rehabilitating the existing siding to mainline track standards. The Philips Siding Rehabilitation project is a necessary component of the Valley Rail Sacramento Extension, a proposed passenger rail service between Stockton and Sacramento with further connections to San Jose, Ceres, and Bakersfield. Once deployed, the improvements will provide 7 round trips to Sacramento, with service terminating in Natomas.

Component	Implementing Agency
PA&ED	San Joaquin Regional Rail Commission
PS&E	San Joaquin Joint Powers Authority
Right of Way	San Joaquin Regional Rail Commission
Construction	San Joaquin Joint Powers Authority

Legislative Districts					
Assembly:	9	Senate:	6	Congressional:	7

Project Milestone	Existing	Proposed
Project Study Report Approved		
Begin Environmental (PA&ED) Phase	09/13/2019	09/13/2019
Circulate Draft Environmental Document Document Type		
Draft Project Report	03/30/2020	03/30/2020
End Environmental Phase (PA&ED Milestone)	10/02/2020	10/02/2020
Begin Design (PS&E) Phase	03/31/2022	03/31/2022
End Design Phase (Ready to List for Advertisement Milestone)	07/01/2022	07/01/2022
Begin Right of Way Phase		
End Right of Way Phase (Right of Way Certification Milestone)		
Begin Construction Phase (Contract Award Milestone)	09/30/2022	09/30/2022
End Construction Phase (Construction Contract Acceptance Milestone)	03/31/2023	03/31/2023
Begin Closeout Phase	03/31/2023	03/31/2023
End Closeout Phase (Closeout Report)	04/30/2023	04/30/2023

PPR ID
ePPR-6262-2022-0001 v5

Date 09/05/2023 21:43:54

Purpose and Need

The project will rehabilitate the existing Philips Siding to mainline track standards. The project is needed as double tracks will be provided along the UPRR Sacramento Subdivision north of the project limits with the proposed Elk Grove Double Track project. If the Philips Siding is not rehabilitated to mainline track standards this would be inconsistent with track improvements proposed along the corridor that are intended to improve safety for trains in passing situation and support increased train speeds in the corridor. The track improvements to the UPRR Sacramento Subdivision are required for implementation of Valley Rail service, including a total of 7 round trips serving Sacramento.

NHS Improvements ☐ YES ☒ NO	Roadway Class NA	Reversible Lane Analysis ☐ YES ☒ NO

Inc. Sustainable Communities Strategy Goals ☒ YES ☐ NO Reduce Greenhouse Gas Emissions ☒ YES ☐ NO

Project Outputs

Category	Outputs	Unit	Total
Rail/ Multi-Modal	Miles of rehabilitated track	Miles	2.6

PPR ID
ePPR-6262-2022-0001 v5

Date 09/05/2023 21:43:54

Additional Information

Performance Indicators and Measures						
Measure	**Required For**	**Indicator/Measure**	**Unit**	**Build**	**Future No Build**	**Change**
Accessibility	Optional	Number of Destinations Accessible by Mode	Number	6	0	6

STATE OF CALIFORNIA • DEPARTMENT OF TRANSPORTATION
PROJECT PROGRAMMING REQUEST (PPR)
PRG-0010 (REV 08/2020)

PPR ID
ePPR-6262-2022-0001 v5

District	County	Route	EA	Project ID	PPNO
75	Sacramento County				9892

Project Title

Philips Siding Rehabilitation

Existing Total Project Cost ($1,000s)									
Component	Prior	24-25	25-26	26-27	27-28	28-29	29-30+	Total	Implementing Agency
E&P (PA&ED)									San Joaquin Regional Rail Commiss
PS&E	673							673	San Joaquin Joint Powers Authority
R/W SUP (CT)									San Joaquin Regional Rail Commiss
CON SUP (CT)									San Joaquin Joint Powers Authority
R/W									San Joaquin Regional Rail Commiss
CON			6,509					6,509	San Joaquin Joint Powers Authority
TOTAL	673		6,509					7,182	
Proposed Total Project Cost ($1,000s)									Notes
E&P (PA&ED)									
PS&E	673							673	
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON			6,509					6,509	
TOTAL	673		6,509					7,182	

Fund #1:	IIP - National Hwy System (Committed)								Program Code
Existing Funding ($1,000s)									30.20.020.720
Component	Prior	24-25	25-26	26-27	27-28	28-29	29-30+	Total	Funding Agency
E&P (PA&ED)									Caltrans HQ
PS&E									
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON			6,509					6,509	
TOTAL			6,509					6,509	
Proposed Funding ($1,000s)									Notes
E&P (PA&ED)									
PS&E									
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON			6,509					6,509	
TOTAL			6,509					6,509	

PPR ID
ePPR-6262-2022-0001 v5

Fund #2:	Other State - Transit and Intercity Rail Capital Program (TIRCP) (Committed)								Program Code
	Existing Funding ($1,000s)								20.30.207.811
Component	Prior	24-25	25-26	26-27	27-28	28-29	29-30+	Total	Funding Agency
E&P (PA&ED)									California Transportation Commissio
PS&E	673							673	Previously allocated funding from 2018 Valley Rail TIRCP Reward. Program Supplement 10SJRRCPS-04-A4 EA# R387GF
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON									
TOTAL	673							673	
	Proposed Funding ($1,000s)								Notes
E&P (PA&ED)									
PS&E	673							673	
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON									
TOTAL	673							673	

PPR ID
ePPR-6262-2022-0001 v5

Complete this page for amendments only Date 09/05/2023 21:43:54

District	County	Route	EA	Project ID	PPNO
75	Sacramento County				9892

SECTION 1 - All Projects

Project Background

na

Programming Change Requested

Reason for Proposed Change

na

If proposed change will delay one or more components, clearly explain 1) reason for the delay, 2) cost increase related to the delay, and 3) how cost increase will be funded

Other Significant Information

SECTION 2 - For SB1 Project Only

Project Amendment Request (Please follow the individual SB1 program guidelines for specific criteria)

na

Approvals

I hereby certify that the above information is complete and accurate and all approvals have been obtained for the processing of this amendment request.

Name (Print or Type)	Signature	Title	Date

SECTION 3 - All Projects

Attachments
1) Concurrence from Implementing Agency and/or Regional Transportation Planning Agency
2) Project Location Map

STATE OF CALIFORNIA • DEPARTMENT OF TRANSPORTATION

PROJECT PROGRAMMING REQUEST (PPR)

PRG-0010 (REV 08/2020)

PPR ID
ePPR-6262-2022-0002 v8

Amendment (Existing Project) ☐ YES ☒ NO						Date	09/05/2023 21:41:57
Programs ☐ LPP-C ☐ LPP-F ☐ SCCP ☐ TCEP ☒ STIP ☐ Other							
District	EA	Project ID	PPNO	Nominating Agency			
75	R524GA	1023000148	9893	San Joaquin Joint Powers Authority			
County	Route	PM Back	PM Ahead	Co-Nominating Agency			
Sacramento County		122.500	127.500				
				MPO	Element		
				SACOG	Rail		
Project Manager/Contact			Phone	Email Address			
Brian Shmidt			209-944-6241	brian@acerail.com			

Project Title

Elk Grove to Philips Siding Rail Operational and Capacity Improvements Project

Location (Project Limits), Description (Scope of Work)

The Elk Grove to Philips Siding Rail Operational and Capacity Improvements Project would be constructed between mile post 122.5 and mile post 127.75 along the UPRR Sacramento Subdivision. The project extend the existing Philips Siding 4.4 miles to connect with the proposed Elk Grove Station siding, creating an overall approximately 7.1-mile-long second main track that will serve trains entering the proposed Elk Grove Station.

Component	Implementing Agency
PA&ED	San Joaquin Joint Powers Authority
PS&E	San Joaquin Joint Powers Authority
Right of Way	San Joaquin Regional Rail Commission
Construction	San Joaquin Joint Powers Authority

Legislative Districts					
Assembly:	9	Senate:	6	Congressional:	7

Project Milestone	Existing	Proposed
Project Study Report Approved		
Begin Environmental (PA&ED) Phase	07/01/2022	07/01/2022
Circulate Draft Environmental Document Document Type EIR/CE	12/31/2022	12/31/2022
Draft Project Report	03/30/2023	03/30/2023
End Environmental Phase (PA&ED Milestone)	03/30/2023	03/30/2023
Begin Design (PS&E) Phase	07/01/2023	07/01/2023
End Design Phase (Ready to List for Advertisement Milestone)	06/30/2024	06/30/2024
Begin Right of Way Phase		
End Right of Way Phase (Right of Way Certification Milestone)		
Begin Construction Phase (Contract Award Milestone)	09/30/2024	09/30/2024
End Construction Phase (Construction Contract Acceptance Milestone)	06/30/2025	06/30/2025
Begin Closeout Phase	07/01/2025	07/01/2025
End Closeout Phase (Closeout Report)	09/30/2025	09/30/2025

PPR ID
ePPR-6262-2022-0002 v8

Date 09/05/2023 21:41:57

Purpose and Need

The existing siding switches will be upgraded to allow for increased train speed. The project will also include modifications to numerous existing private and public crossings, bridges, and culverts within the project limits.The Project is a necessary component of the Valley Rail Sacramento Extension, a proposed passenger rail service between Stockton and Sacramento with further connections to San Jose, Ceres, and Bakersfield. Once deployed, the improvements will provide 7 round trips to Sacramento, with service terminating in Natomas.
The project will increasing train speeds in the corridor which will provide benefits to the San Joaquins service, ACE, and UPRR. Allowing the ACE service to operate up to four (4) daily rounds trips to Natomas will greatly increase the transportation options for residents throughout the existing and proposed corridors.

NHS Improvements ☐ YES ☒ NO	Roadway Class NA	Reversible Lane Analysis ☐ YES ☒ NO

Inc. Sustainable Communities Strategy Goals ☒ YES ☐ NO Reduce Greenhouse Gas Emissions ☒ YES ☐ NO

Project Outputs

Category	Outputs	Unit	Total
Rail/ Multi-Modal	Miles of rehabilitated track	Miles	7.1

PPR ID
ePPR-6262-2022-0002 v8

Date 09/05/2023 21:41:57

Additional Information

Performance Indicators and Measures						
Measure	**Required For**	**Indicator/Measure**	**Unit**	**Build**	**Future No Build**	**Change**
Accessibility	Optional	Number of Destinations Accessible by Mode	Number	6	0	6

PPR ID
ePPR-6262-2022-0002 v8

District	County	Route	EA	Project ID	PPNO
75	Sacramento County		R524GA	1023000148	9893

Project Title

Elk Grove to Philips Siding Rail Operational and Capacity Improvements Project

Existing Total Project Cost ($1,000s)									
Component	Prior	24-25	25-26	26-27	27-28	28-29	29-30+	Total	Implementing Agency
E&P (PA&ED)	1,948							1,948	San Joaquin Joint Powers Authority
PS&E			5,846					5,846	San Joaquin Joint Powers Authority
R/W SUP (CT)									San Joaquin Regional Rail Commiss
CON SUP (CT)									San Joaquin Joint Powers Authority
R/W									San Joaquin Regional Rail Commiss
CON		45,522						45,522	San Joaquin Joint Powers Authority
TOTAL	1,948	45,522	5,846					53,316	
Proposed Total Project Cost ($1,000s)									Notes
E&P (PA&ED)	1,948							1,948	
PS&E			5,846					5,846	
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON		45,522						45,522	
TOTAL	1,948	45,522	5,846					53,316	

Fund #1:	Other State - Transit and Intercity Rail Capital Program (TIRCP) (Committed)								Program Code
Existing Funding ($1,000s)									30.20.020.000
Component	Prior	24-25	25-26	26-27	27-28	28-29	29-30+	Total	Funding Agency
E&P (PA&ED)									
PS&E									
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON		45,522						45,522	
TOTAL		45,522						45,522	
Proposed Funding ($1,000s)									Notes
E&P (PA&ED)									
PS&E									
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON		45,522						45,522	
TOTAL		45,522						45,522	

PPR ID
ePPR-6262-2022-0002 v8

Fund #2:	IIP - National Hwy System (Committed)								Program Code
	Existing Funding ($1,000s)								30.20.020.720
Component	Prior	24-25	25-26	26-27	27-28	28-29	29-30+	Total	Funding Agency
E&P (PA&ED)	1,948							1,948	Caltrans HQ
PS&E			5,846					5,846	$1948 PAED voted 03/22/23
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON									
TOTAL	1,948		5,846					7,794	
	Proposed Funding ($1,000s)								Notes
E&P (PA&ED)	1,948							1,948	
PS&E			5,846					5,846	
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON									
TOTAL	1,948		5,846					7,794	

STATE OF CALIFORNIA • DEPARTMENT OF TRANSPORTATION

PROJECT PROGRAMMING REQUEST (PPR)

PRG-0010 (REV 08/2020)

PPR ID
ePPR-6262-2022-0002 v8

Complete this page for amendments only Date 09/05/2023 21:41:57

District	County	Route	EA	Project ID	PPNO
75	Sacramento County		R524GA	1023000148	9893

SECTION 1 - All Projects

Project Background

na

Programming Change Requested

Reason for Proposed Change

na

If proposed change will delay one or more components, clearly explain 1) reason for the delay, 2) cost increase related to the delay, and 3) how cost increase will be funded

Other Significant Information

SECTION 2 - For SB1 Project Only

Project Amendment Request (Please follow the individual SB1 program guidelines for specific criteria)

na

Approvals

I hereby certify that the above information is complete and accurate and all approvals have been obtained for the processing of this amendment request.

Name (Print or Type)	Signature	Title	Date

SECTION 3 - All Projects

Attachments
1) Concurrence from Implementing Agency and/or Regional Transportation Planning Agency
2) Project Location Map

STATE OF CALIFORNIA • DEPARTMENT OF TRANSPORTATION

PROJECT PROGRAMMING REQUEST (PPR)

PRG-0010 (REV 08/2020)

PPR ID
ePPR-6084-2020-0002 v1

Amendment (Existing Project) ☐ YES ☒ NO						Date	09/25/2023 16:05:51
Programs ☐ LPP-C ☐ LPP-F ☐ SCCP ☐ TCEP ☒ STIP ☐ Other							
District	EA	Project ID	PPNO	Nominating Agency			
04	4W480			Caltrans HQ			
County	Route	PM Back	PM Ahead	Co-Nominating Agency			
Alameda County							
				MPO	Element		
				MTC	Local Assistance		
Project Manager/Contact			Phone	Email Address			
Gavin Lohry			415-778-6676	glohry@bayareametro.gov			

Project Title

Bay Skyway Phase 1 - West Oakland Link

Location (Project Limits), Description (Scope of Work)

Bay Skyway Phase 1 is located in San Francisco, on I-80 / Bay Bridge corridor, from West Oakland and Treasure Island to downtown San Francisco. The West Oakland Link connects the West Grand Avenue/ Mandela Parkway intersection in West Oakland with the existing Bay Bridge East Span path/Bay Trail, as a separated path located along the south side of West Grand Avenue. The West Oakland Link will be a 1.15-mile-long Class 1 paved multi-use path that will provide a safe biking, e-biking, and walking connection between the existing Bay Bridge East Span and West Oakland. Users of this path will be able to use the existing Bay Bridge East Span path to connect to the second portion of this Bay Skyway Phase 1 component, the Yerba Buena Island Multi-Use Path.

Component	Implementing Agency
PA&ED	Metropolitan Transportation Commission
PS&E	Metropolitan Transportation Commission
Right of Way	Metropolitan Transportation Commission
Construction	Metropolitan Transportation Commission

Legislative Districts					
Assembly:	18	Senate:	9	Congressional:	12

Project Milestone	Existing	Proposed
Project Study Report Approved	11/17/2023	
Begin Environmental (PA&ED) Phase		10/13/2013
Circulate Draft Environmental Document Document Type (ND/MND)/FONSI		06/15/2022
Draft Project Report		07/14/2022
End Environmental Phase (PA&ED Milestone)		11/17/2023
Begin Design (PS&E) Phase		07/11/2023
End Design Phase (Ready to List for Advertisement Milestone)		05/30/2025
Begin Right of Way Phase		02/05/2024
End Right of Way Phase (Right of Way Certification Milestone)		11/15/2024
Begin Construction Phase (Contract Award Milestone)		12/12/2025
End Construction Phase (Construction Contract Acceptance Milestone)		04/28/2028
Begin Closeout Phase		05/29/2028
End Closeout Phase (Closeout Report)		10/27/2028

Purpose and Need

There are multiple objectives that Bay Skyway Phase 1 will support, benefiting the needs of the communities in the project area, the region, and State goals. California is dedicated to reducing CO2 emissions across the state. Transportation drives 50% of these emissions. Shifting trips to walking, biking, and e-bikes is the most effective way of reducing these emissions. Bay Skyway Phase 1 will offer 1.3 million people the choice of using bike/e-bike to cross this congested corridor, rather than relying on emitting transportation modes. Additionally, Bay Skyway Phase 1 includes a low-cost transit option for communities in the corridor.

The purpose of the Project is to provide a safe connection for bicyclist and pedestrians to travel between West Oakland and the Bay Bridge Trail, Treasure Island, and eventually San Francisco. The West Oakland Link will eliminate these barriers by constructing a Class I path to connect Mandela Parkway, amid multiple Disadvantaged Communities, with the existing Class I Bay Bridge East Span pathway. This 1.3-mile project will run parallel to West Grand Avenue as it flies over industrial properties, two sets of railroad tracks, and Maritime Street. Currently, the route does not provide access for bicyclists and provides limited access for pedestrians. Active transportation access between West Oakland and the Bay Trail/Bay Bridge pathway is blocked by frequent rail and truck traffic serving the Port of Oakland. While it is possible to reach the shoreline on foot and by bike, doing so means walking on a narrow sidewalk or sharing a lane with fast-moving freeway-bound traffic; crossing a right-turn lane/freeway on-ramp and a 3-track at-grade railroad crossing; and sharing one of the Port's primary access roadways with high truck traffic.

NHS Improvements ☐ YES ☒ NO	Roadway Class NA	Reversible Lane Analysis ☐ YES ☒ NO

Inc. Sustainable Communities Strategy Goals ☒ YES ☐ NO Reduce Greenhouse Gas Emissions ☒ YES ☐ NO

Project Outputs

Category	Outputs	Unit	Total
Active Transportation	Pedestrian/Bicycle facilities miles constructed	Miles	1.15
Active Transportation	Sidewalk miles	Miles	1.15
Active Transportation	# Signs, lights, greenway, or other safety / beautification	EA	200
ADA Improvements	Repair/upgrade curb ramp	EA	2

PPR ID
ePPR-6084-2020-0002 v1

Date 09/25/2023 16:05:51

Additional Information

The Bay Area Toll Authority (BATA) is also an implementing agency for the West Oakland Link. The implementing agencies for PA&ED and PS&E are BATA / MTC, and MTC for ROW and Construction.

A request has been submitted to CalSMART to add BATA to the list of agencies in the General Info tab. This request is being processed.

Performance Indicators and Measures						
Measure	**Required For**	**Indicator/Measure**	**Unit**	**Build**	**Future No Build**	**Change**
Congestion Reduction	LPPC, SCCP, LPPF	Change in Daily Vehicle Miles Travelled	Miles	1,529,691	1,569,259	-39,568
			VMT per Capita	0	0	0
	LPPC, SCCP, LPPF	Person Hours of Travel Time Saved (Only 'Change' required)	Person Hours	82,056	84,611	-2,555
			Hours per Capita	0	0	0
System Reliability (Freight)	LPPC, SCCP, LPPF	Peak Period Travel Time Reliability Index (Only 'No Build' Required)	Index	0	5.13	-5.13
	LPPC, SCCP, LPPF	Level of Transit Delay (if required)	% "On-time"	0	0	0
Air Quality & GHG (only 'Change' required)	LPPC, SCCP, TCEP, LPPF	Particulate Matter	PM 2.5 Tons	-0.71	0	-0.71
			PM 10 Tons	-0.75	0	-0.75
	LPPC, SCCP, TCEP, LPPF	Carbon Dioxide (CO2)	Tons	-88,873	0	-88,873
	LPPC, SCCP, TCEP, LPPF	Volatile Organic Compounds (VOC)	Tons	-64.91	0	-64.91
	LPPC, SCCP, TCEP, LPPF	Sulphur Dioxides (SOx)	Tons	-0.78	0	-0.78
	LPPC, SCCP, TCEP, LPPF	Carbon Monoxide (CO)	Tons	-791.54	0	-791.54
	LPPC, SCCP, TCEP, LPPF	Nitrogen Oxides (NOx)	Tons	-67.53	0	-67.53
Safety	LPPC, SCCP, TCEP, LPPF	Number of Fatalities	Number	2.11	2.16	-0.05
	LPPC, SCCP, TCEP, LPPF	Fatalities per 100 Million VMT	Number	0.55	0.55	0
	LPPC, SCCP, TCEP, LPPF	Number of Serious Injuries	Number	174.67	178.83	-4.16
	LPPC, SCCP, TCEP, LPPF	Number of Serious Injuries per 100 Million VMT	Number	45.84	45.84	0
	Optional	Number of Property Damage Only and Non-Serious Injury Collisions	Number	1,094.07	1,120.15	-26.08
	Optional	Accident Cost Savings	Dollars	33,100,000	0	33,100,000
Accessibility	Optional	Number of Jobs Accessible by Mode	Number	8,230	0	8,230
	Optional	Number of Destinations Accessible by Mode	Number	8,230	0	8,230
	Optional	Percent of Population Defined as Low Income or Disadvantaged Within 1/2 Mile of Rail Station, Ferry Terminal, or High-Frequency Bus Stop	%	52.3	52.3	0
Economic Development	LPPC, SCCP, TCEP, LPPF	Jobs Created (Only 'Build' Required)	Number	2,211	0	2,211
Cost Effectiveness (only 'Change' required)	LPPC, SCCP, TCEP, LPPF	Cost Benefit Ratio	Ratio	3	0	3

Performance Indicators and Measures						
Measure	**Required For**	**Indicator/Measure**	**Unit**	**Build**	**Future No Build**	**Change**
Vehicle Volume	LPPC, LPPF, SCCP	Existing Average Annual Vehicle Volume on Project Segment	Number	0	51,900,000	-51,900,000
	LPPC, LPPF, SCCP	Estimated Year 20 Average Annual Vehicle Volume on Project Segment with Project	Number	526,700,000	539,900,000	-13,200,000

STATE OF CALIFORNIA • DEPARTMENT OF TRANSPORTATION

PROJECT PROGRAMMING REQUEST (PPR)

PRG-0010 (REV 08/2020)

PPR ID
ePPR-6084-2020-0002 v1

District	County	Route	EA	Project ID	PPNO
04	Alameda County		4W480		

Project Title

Bay Skyway Phase 1 - West Oakland Link

Existing Total Project Cost ($1,000s)									
Component	Prior	24-25	25-26	26-27	27-28	28-29	29-30+	Total	Implementing Agency
E&P (PA&ED)									Metropolitan Transportation Commiss
PS&E									Metropolitan Transportation Commiss
R/W SUP (CT)									Metropolitan Transportation Commiss
CON SUP (CT)									Metropolitan Transportation Commiss
R/W									Metropolitan Transportation Commiss
CON									Metropolitan Transportation Commiss
TOTAL									
Proposed Total Project Cost ($1,000s)									Notes
E&P (PA&ED)	1,700							1,700	
PS&E	6,000							6,000	
R/W SUP (CT)									
CON SUP (CT)									
R/W	1,800							1,800	
CON			34,200	34,200	30,000			98,400	
TOTAL	9,500		34,200	34,200	30,000			107,900	

Fund #1:	Local Funds - Alameda County Transportation Commission (Committed)								Program Code
Existing Funding ($1,000s)									
Component	Prior	24-25	25-26	26-27	27-28	28-29	29-30+	Total	Funding Agency
E&P (PA&ED)									Alameda County Transportation Com
PS&E									
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON									
TOTAL									
Proposed Funding ($1,000s)									Notes
E&P (PA&ED)									
PS&E	3,000							3,000	
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON									
TOTAL	3,000							3,000	

PPR ID
ePPR-6084-2020-0002 v1

Fund #2:	Local Funds - ACTC One Bay Area Grant 3 (OBAG 3) (Committed)								Program Code
	Existing Funding ($1,000s)								
Component	Prior	24-25	25-26	26-27	27-28	28-29	29-30+	Total	Funding Agency
E&P (PA&ED)									Alameda County Transportation Com
PS&E									
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON									
TOTAL									
	Proposed Funding ($1,000s)								Notes
E&P (PA&ED)									
PS&E									
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON				4,200				4,200	
TOTAL				4,200				4,200	

Fund #3:	Local Funds - Regional OBAG3 (Committed)								Program Code
	Existing Funding ($1,000s)								
Component	Prior	24-25	25-26	26-27	27-28	28-29	29-30+	Total	Funding Agency
E&P (PA&ED)									Metropolitan Transportation Commiss
PS&E									
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON									
TOTAL									
	Proposed Funding ($1,000s)								Notes
E&P (PA&ED)									
PS&E									
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON			1,900					1,900	
TOTAL			1,900					1,900	

PPR ID
ePPR-6084-2020-0002 v1

Fund #4:	Local Funds - Bay Area Tolling Authority (Committed)								Program Code
	Existing Funding ($1,000s)								
Component	Prior	24-25	25-26	26-27	27-28	28-29	29-30+	Total	Funding Agency
E&P (PA&ED)									Metropolitan Transportation Commiss
PS&E									
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON									
TOTAL									
	Proposed Funding ($1,000s)								Notes
E&P (PA&ED)	1,700							1,700	
PS&E	3,000							3,000	
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON									
TOTAL	4,700							4,700	

Fund #5:	State SB1 ATP - Active Transportation Program - SB1 (Committed)								Program Code
	Existing Funding ($1,000s)								
Component	Prior	24-25	25-26	26-27	27-28	28-29	29-30+	Total	Funding Agency
E&P (PA&ED)									California Transportation Commissio
PS&E									
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON									
TOTAL									
	Proposed Funding ($1,000s)								Notes
E&P (PA&ED)									
PS&E									
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON			17,600					17,600	
TOTAL			17,600					17,600	

PPR ID
ePPR-6084-2020-0002 v1

Fund #6:	IIP - State Cash (Uncommitted)								Program Code
	Existing Funding ($1,000s)								
Component	Prior	24-25	25-26	26-27	27-28	28-29	29-30+	Total	Funding Agency
E&P (PA&ED)									Caltrans HQ
PS&E									
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON									
TOTAL									
	Proposed Funding ($1,000s)								Notes
E&P (PA&ED)									
PS&E									
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON			4,356					4,356	
TOTAL			4,356					4,356	

Fund #7:	Other Fed - Reconnecting Communities and Neighborhoods (Uncommitted)								Program Code
	Existing Funding ($1,000s)								
Component	Prior	24-25	25-26	26-27	27-28	28-29	29-30+	Total	Funding Agency
E&P (PA&ED)									Federal Highway Administration
PS&E									
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON									
TOTAL									
	Proposed Funding ($1,000s)								Notes
E&P (PA&ED)									
PS&E									
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON			10,000	30,000	30,000			70,000	
TOTAL			10,000	30,000	30,000			70,000	

PPR ID
ePPR-6084-2020-0002 v1

Fund #8:	Local Funds - City Funds (Committed)								Program Code
	Existing Funding ($1,000s)								
Component	Prior	24-25	25-26	26-27	27-28	28-29	29-30+	Total	Funding Agency
E&P (PA&ED)									City of Oakland
PS&E									
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON									
TOTAL									
	Proposed Funding ($1,000s)								Notes
E&P (PA&ED)									In-kind ROW contribution
PS&E									
R/W SUP (CT)									
CON SUP (CT)									
R/W	1,800							1,800	
CON									
TOTAL	1,800							1,800	

Fund #9:	Local Funds - Air Board (Committed)								Program Code
	Existing Funding ($1,000s)								
Component	Prior	24-25	25-26	26-27	27-28	28-29	29-30+	Total	Funding Agency
E&P (PA&ED)									Bay Area Air Quality Management Di
PS&E									
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON									
TOTAL									
	Proposed Funding ($1,000s)								Notes
E&P (PA&ED)									Transportation Fund for Clean Air (TFCA) Regional Fund
PS&E									
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON			344					344	
TOTAL			344					344	

STATE OF CALIFORNIA • DEPARTMENT OF TRANSPORTATION

PROJECT PROGRAMMING REQUEST (PPR)

PRG-0010 (REV 08/2020)

PPR ID
ePPR-6084-2020-0004 v0

Amendment (Existing Project) ☐ YES ☒ NO						Date	09/28/2023 13:05:53
Programs ☐ LPP-C	☐ LPP-F	☐ SCCP	☐ TCEP	☒ STIP	☒ Other		
District	EA	Project ID	PPNO	Nominating Agency			
04				Caltrans HQ			
County	Route	PM Back	PM Ahead	Co-Nominating Agency			
San Francisco Count				Metropolitan Transportation Commission			
				MPO		Element	
				MTC		Capital Outlay	
Project Manager/Contact			Phone	Email Address			
Mike Tan			415-522-4826	mike.tan@sfcta.org			

Project Title

Bay Skyway Phase 1 – Yerba Buena Island Multi-Use Path

Location (Project Limits), Description (Scope of Work)

Bay Skyway Phase 1 is located in San Francisco, on I-80 / Bay Bridge corridor, from West Oakland and Treasure Island to downtown San Francisco. The Yerba Buena Island (YBI) Multi-Use Path connects the eastern touchdown of the East Span path on YBI with the Treasure Island ferry terminal located on Treasure Island. The YBI path will be located adjacent (on the water side) of Hillcrest and Treasure Island Roads.

The new path will divert active transportation users away from sharing Hillcrest and Treasure Island Roads with motorists. This separated multi-use bike/ped pathway connection will allow East Span path-users to safely walk, bike, and e-bike within the planned network of bikeways between Oakland and the Treasure Island ferry terminal on Treasure Island.

Component	Implementing Agency
PA&ED	San Francisco County Transportation Authority
PS&E	San Francisco County Transportation Authority
Right of Way	San Francisco County Transportation Authority
Construction	San Francisco County Transportation Authority

Legislative Districts					
Assembly:	17	Senate:	11	Congressional:	12

Project Milestone	Existing	Proposed
Project Study Report Approved	06/26/2014	
Begin Environmental (PA&ED) Phase		01/01/2022
Circulate Draft Environmental Document Document Type CE/CE		12/01/2022
Draft Project Report		03/01/2023
End Environmental Phase (PA&ED Milestone)		12/31/2023
Begin Design (PS&E) Phase		04/01/2024
End Design Phase (Ready to List for Advertisement Milestone)		12/31/2025
Begin Right of Way Phase		01/01/2025
End Right of Way Phase (Right of Way Certification Milestone)		12/31/2025
Begin Construction Phase (Contract Award Milestone)		03/01/2026
End Construction Phase (Construction Contract Acceptance Milestone)		12/31/2027
Begin Closeout Phase		01/01/2028
End Closeout Phase (Closeout Report)		06/30/2028

Purpose and Need

There are multiple objectives that the Project will support, benefiting the needs of the communities in the project area, the region, and State goals. California is dedicated to reducing CO2 emissions across the state. Transportation drives 50% of these emissions. Shifting trips to walking, biking, and e-bikes is the most effective way of reducing these emissions. Bay Skyway Phase 1 will offer 1.3 million people the choice of using bike/e-bike to cross this congested corridor, rather than relying on emitting transportation modes. Additionally, Bay Skyway Phase 1 includes a low-cost transit option for communities in the corridor.

Treasure Island and Yerba Buena Island (YBI) are currently being transformed from their current uses as a small residential community and former military base to a mixed-use, mixed-income, transit-oriented new neighborhood with 8,000 new residential units, 27% of them affordable, and about 2,200 jobs at full build out, according to the city's 2011 economic impact report. The Treasure Island Transportation Implementation Plan (TITIP) outlines a program of mobility improvements including expanded transit, congestion management, and transportation demand measures to achieve a goal of 50% of future island trips being made by walking, biking, or transit. The plan envisions a comprehensive network of bicycle and pedestrian pathways to provide access to all parts of the island.

The existing roadways connecting the East Span landing to the new Treasure Island Ferry Terminal are narrow and mostly without sidewalks. The YBI Multi-Use Path will connect the west end of the existing East Span path with the Treasure Island ferry and the rest of Treasure Island's planned biking and walking network, and will join the existing East Span path with the future one on the Bay Bridge West Span. The YBI Multi-Use Path will provide a safer, ADA-compliant space to walk and bike for those traveling between Oakland and San Francisco as well as the residents of Treasure Island. This Project will give Treasure Island residents access to Oakland jobs and other destinations and eventually to a multi-use path on the Bay Bridge West Span via Bay Skyway Phase 2.

NHS Improvements ☐ YES ☒ NO	Roadway Class 1	Reversible Lane Analysis ☐ YES ☒ NO

Inc. Sustainable Communities Strategy Goals ☒ YES ☐ NO Reduce Greenhouse Gas Emissions ☒ YES ☐ NO

Project Outputs

Category	Outputs	Unit	Total
Active Transportation	Pedestrian/Bicycle facilities miles constructed	Miles	1.2

PPR ID
ePPR-6084-2020-0004 v0

Date 09/28/2023 13:05:53

Additional Information

PPR ID
ePPR-6084-2020-0004 v0

Performance Indicators and Measures						
Measure	**Required For**	**Indicator/Measure**	**Unit**	**Build**	**Future No Build**	**Change**
Congestion Reduction	LPPC, SCCP, LPPF	Change in Daily Vehicle Miles Travelled	Miles	1,529,691	1,569,259	-39,568
			VMT per Capita	0	0	0
	LPPC, SCCP, LPPF	Person Hours of Travel Time Saved (Only 'Change' required)	Person Hours	82,056	84,611	-2,555
			Hours per Capita	0	0	0
System Reliability (Freight)	LPPC, SCCP, LPPF	Peak Period Travel Time Reliability Index (Only 'No Build' Required)	Index	0	5.13	-5.13
	LPPC, SCCP, LPPF	Level of Transit Delay (if required)	% "On-time"	0	0	0
Air Quality & GHG (only 'Change' required)	LPPC, SCCP, TCEP, LPPF	Particulate Matter	PM 2.5 Tons	-0.71	0	-0.71
			PM 10 Tons	-0.75	0	-0.75
	LPPC, SCCP, TCEP, LPPF	Carbon Dioxide (CO2)	Tons	-88,873	0	-88,873
	LPPC, SCCP, TCEP, LPPF	Volatile Organic Compounds (VOC)	Tons	-64.91	0	-64.91
	LPPC, SCCP, TCEP, LPPF	Sulphur Dioxides (SOx)	Tons	-0.78	0	-0.78
	LPPC, SCCP, TCEP, LPPF	Carbon Monoxide (CO)	Tons	-791.54	0	-791.54
	LPPC, SCCP, TCEP, LPPF	Nitrogen Oxides (NOx)	Tons	-67.53	0	-67.53
Safety	LPPC, SCCP, TCEP, LPPF	Number of Fatalities	Number	2.11	2.16	-0.05
	LPPC, SCCP, TCEP, LPPF	Fatalities per 100 Million VMT	Number	0.55	0.55	0
	LPPC, SCCP, TCEP, LPPF	Number of Serious Injuries	Number	174.67	178.83	-4.16
	LPPC, SCCP, TCEP, LPPF	Number of Serious Injuries per 100 Million VMT	Number	45.84	45.84	0
	Optional	Number of Property Damage Only and Non-Serious Injury Collisions	Number	1,094.07	1,120.15	-26.08
	Optional	Accident Cost Savings	Dollars	33,100,000	0	33,100,000
Accessibility	Optional	Number of Jobs Accessible by Mode	Number	8,230	0	8,230
	Optional	Number of Destinations Accessible by Mode	Number	8,230	0	8,230
	Optional	Percent of Population Defined as Low Income or Disadvantaged Within 1/2 Mile of Rail Station, Ferry Terminal, or High-Frequency Bus Stop	%	52.3	52.3	0
Economic Development	LPPC, SCCP, TCEP, LPPF	Jobs Created (Only 'Build' Required)	Number	2,211	0	2,211
Cost Effectiveness (only 'Change' required)	LPPC, SCCP, TCEP, LPPF	Cost Benefit Ratio	Ratio	3	0	3

Performance Indicators and Measures						
Measure	**Required For**	**Indicator/Measure**	**Unit**	**Build**	**Future No Build**	**Change**
Vehicle Volume	LPPC, LPPF, SCCP	Existing Average Annual Vehicle Volume on Project Segment	Number	0	51,900,000	-51,900,000
	LPPC, LPPF, SCCP	Estimated Year 20 Average Annual Vehicle Volume on Project Segment with Project	Number	526,700,000	539,900,000	-13,200,000

STATE OF CALIFORNIA • DEPARTMENT OF TRANSPORTATION

PROJECT PROGRAMMING REQUEST (PPR)

PRG-0010 (REV 08/2020)

PPR ID
ePPR-6084-2020-0004 v0

District	County	Route	EA	Project ID	PPNO
04	San Francisco County				

Project Title

Bay Skyway Phase 1 - Yerba Buena Island Multi-Use Path

Existing Total Project Cost ($1,000s)								
Component	Prior	20-21	21-22	22-23	23-24	24-25	25-26+	Total	Implementing Agency
E&P (PA&ED)									San Francisco County Transportation
PS&E									San Francisco County Transportation
R/W SUP (CT)									San Francisco County Transportation
CON SUP (CT)									San Francisco County Transportation
R/W									San Francisco County Transportation
CON									San Francisco County Transportation
TOTAL									
Proposed Total Project Cost ($1,000s)									Notes
E&P (PA&ED)			2,000					2,000	
PS&E					6,800			6,800	
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON							92,040	92,040	
TOTAL			2,000		6,800		92,040	100,840	

Fund #1:	Local Funds - Priority Conservation Area (Committed)								Program Code
Existing Funding ($1,000s)									
Component	Prior	20-21	21-22	22-23	23-24	24-25	25-26+	Total	Funding Agency
E&P (PA&ED)									Metropolitan Transportation Commiss
PS&E									
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON									
TOTAL									
Proposed Funding ($1,000s)									Notes
E&P (PA&ED)			1,000					1,000	
PS&E									
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON									
TOTAL			1,000					1,000	

PPR ID
ePPR-6084-2020-0004 v0

Fund #2:	State SB1 LPP - Local Partnership Program - Formula distribution (Committed)								Program Code
	Existing Funding ($1,000s)								
Component	Prior	20-21	21-22	22-23	23-24	24-25	25-26+	Total	Funding Agency
E&P (PA&ED)									California Transportation Commissio
PS&E									
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON									
TOTAL									
	Proposed Funding ($1,000s)								Notes
E&P (PA&ED)			1,000					1,000	
PS&E									
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON									
TOTAL			1,000					1,000	

Fund #3:	State SB1 ATP - Active Transportation Program - SB1 (Committed)								Program Code
	Existing Funding ($1,000s)								
Component	Prior	20-21	21-22	22-23	23-24	24-25	25-26+	Total	Funding Agency
E&P (PA&ED)									California Transportation Commissio
PS&E									
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON									
TOTAL									
	Proposed Funding ($1,000s)								Notes
E&P (PA&ED)									
PS&E					3,800			3,800	
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON									
TOTAL					3,800			3,800	

PPR ID
ePPR-6084-2020-0004 v0

Fund #4:	Local Funds - OBAG 3 (STP/CMAQ) (Committed)								Program Code
	Existing Funding ($1,000s)								
Component	Prior	20-21	21-22	22-23	23-24	24-25	25-26+	Total	Funding Agency
E&P (PA&ED)									Metropolitan Transportation Commiss
PS&E									
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON									
TOTAL									
	Proposed Funding ($1,000s)								Notes
E&P (PA&ED)									
PS&E					3,000			3,000	
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON									
TOTAL					3,000			3,000	

Fund #5:	IIP - State Cash (Uncommitted)								Program Code
	Existing Funding ($1,000s)								
Component	Prior	20-21	21-22	22-23	23-24	24-25	25-26+	Total	Funding Agency
E&P (PA&ED)									Caltrans HQ
PS&E									
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON									
TOTAL									
	Proposed Funding ($1,000s)								Notes
E&P (PA&ED)									
PS&E									
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON							4,944	4,944	
TOTAL							4,944	4,944	

PPR ID
ePPR-6084-2020-0004 v0

Fund #6:	Local Funds - Local Transportation Funds (Uncommitted)								Program Code
	Existing Funding ($1,000s)								
Component	Prior	20-21	21-22	22-23	23-24	24-25	25-26+	Total	Funding Agency
E&P (PA&ED)									City & County of San Francisco
PS&E									
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON									
TOTAL									
	Proposed Funding ($1,000s)								Notes
E&P (PA&ED)									
PS&E									
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON							4,100	4,100	
TOTAL							4,100	4,100	

Fund #7:	Future Need - Future Funds (Uncommitted)								Program Code
	Existing Funding ($1,000s)								
Component	Prior	20-21	21-22	22-23	23-24	24-25	25-26+	Total	Funding Agency
E&P (PA&ED)									
PS&E									
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON									
TOTAL									
	Proposed Funding ($1,000s)								Notes
E&P (PA&ED)									These funds would be requested during the SB #1 SCCP Cycle 4 application process
PS&E									
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON							82,996	82,996	
TOTAL							82,996	82,996	

STATE OF CALIFORNIA • DEPARTMENT OF TRANSPORTATION

PROJECT PROGRAMMING REQUEST (PPR)

PRG-0010 (REV 08/2020)

PPR ID
ePPR-D05-2024-0001 v0

Amendment (Existing Project) ☐ YES ☒ NO				Date	08/30/2023 12:32:14
Programs ☐ LPP-C ☐ LPP-F ☐ SCCP ☐ TCEP ☒ STIP ☐ Other					
District	EA	Project ID	PPNO	Nominating Agency	
05	NA		na	Caltrans District 5	
County	Route	PM Back	PM Ahead	Co-Nominating Agency	
Santa Barbara Coun	101	4.800	5.800	Santa Barbara County Association of Governments	
				MPO	Element
				SBCAG	Capital Outlay
Project Manager/Contact			Phone	Email Address	
David Emerson			805-748-1315	david.emerson@dot.ca.gov	

Project Title

Santa Claus Lane Railroad Crossing and Beach Access Improvements Phase 2

Location (Project Limits), Description (Scope of Work)

Along Santa Claus Lane (County of Santa Barbara) from Sandpoint Drive to South Padaro Lane, the project will enhance access to coastal resources through improved sidewalks, crosswalks, bicycle paths, improved parking, and a new, at grade pedestrian crossing over UPRR railroad tracks.

Component	Implementing Agency
PA&ED	Santa Barbara County
PS&E	Santa Barbara County
Right of Way	Santa Barbara County
Construction	Santa Barbara County

Legislative Districts					
Assembly:	37	Senate:	19	Congressional:	24

Project Milestone	Existing	Proposed
Project Study Report Approved		
Begin Environmental (PA&ED) Phase		01/02/2017
Circulate Draft Environmental Document Document Type (ND/MND)/CE		04/02/2018
Draft Project Report		10/31/2023
End Environmental Phase (PA&ED Milestone)		09/25/2019
Begin Design (PS&E) Phase		01/01/2018
End Design Phase (Ready to List for Advertisement Milestone)		01/17/2024
Begin Right of Way Phase		04/01/2019
End Right of Way Phase (Right of Way Certification Milestone)		03/22/2023
Begin Construction Phase (Contract Award Milestone)		08/30/2024
End Construction Phase (Construction Contract Acceptance Milestone)		06/30/2026
Begin Closeout Phase		12/30/2026
End Closeout Phase (Closeout Report)		12/30/2028

PPR ID
ePPR-D05-2024-0001 v0

Date 08/30/2023 12:32:14

Purpose and Need

• Improve bicycle and pedestrian travel by providing a direct coastal route along the Santa Claus Lane commercial area .
• Complete a segment of the California Coastal Trail consistent with the circulation and bikeway systems outlined in the Santa Barbara County Comprehensive Plan
• Enhance and improve coastal access for bicycles and pedestrians consistent with local coastal policies and plans while providing views of the Pacific Ocean and adjacent El Estero Marsh. Coastal access improved by providing formalized parking and safety improved by improving beach access across UPRR tracks.

NHS Improvements ☐ YES ☒ NO	Roadway Class NA	Reversible Lane Analysis ☐ YES ☒ NO

Inc. Sustainable Communities Strategy Goals ☒ YES ☐ NO Reduce Greenhouse Gas Emissions ☒ YES ☐ NO

Project Outputs

Category	Outputs	Unit	Total
Active Transportation	Crosswalk	EA	1
Active Transportation	Sidewalk miles	Miles	0.8

PPR ID
ePPR-D05-2024-0001 v0

Date 08/30/2023 12:32:14

Additional Information

This application is to fund Phase 2 of the improvements. Preconstruction is all fully funded and there is no request for funding for those phases.

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Performance Indicators and Measures						
Measure	**Required For**	**Indicator/Measure**	**Unit**	**Build**	**Future No Build**	**Change**
Accessibility	Optional	Number of Destinations Accessible by Mode	Number	1	0	1

STATE OF CALIFORNIA • DEPARTMENT OF TRANSPORTATION

PROJECT PROGRAMMING REQUEST (PPR)

PRG-0010 (REV 08/2020)

PPR ID
ePPR-D05-2024-0001 v0

District	County	Route	EA	Project ID	PPNO
05	Santa Barbara County	101	NA		na

Project Title

Santa Claus Lane Railroad Crossing and Beach Access Improvements Phase 2

Existing Total Project Cost ($1,000s)									
Component	Prior	24-25	25-26	26-27	27-28	28-29	29-30+	Total	Implementing Agency
E&P (PA&ED)									Santa Barbara County
PS&E									Santa Barbara County
R/W SUP (CT)									Santa Barbara County
CON SUP (CT)									Santa Barbara County
R/W									Santa Barbara County
CON									Santa Barbara County
TOTAL									
Proposed Total Project Cost ($1,000s)									Notes
E&P (PA&ED)									
PS&E									
R/W SUP (CT)									
CON SUP (CT)		1,500						1,500	
R/W									
CON		10,000						10,000	
TOTAL		11,500						11,500	

Fund #1:	IIP - National Hwy System (Uncommitted)								Program Code
Existing Funding ($1,000s)									
Component	Prior	24-25	25-26	26-27	27-28	28-29	29-30+	Total	Funding Agency
E&P (PA&ED)									Caltrans District 5
PS&E									
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON									
TOTAL									
Proposed Funding ($1,000s)									Notes
E&P (PA&ED)									
PS&E									
R/W SUP (CT)									
CON SUP (CT)		1,500						1,500	
R/W									
CON		10,000						10,000	
TOTAL		11,500						11,500	

STATE OF CALIFORNIA • DEPARTMENT OF TRANSPORTATION

PROJECT PROGRAMMING REQUEST (PPR)

PRG-0010 (REV 08/2020)

PPR ID
ePPR-D05-2024-0005 v0

Amendment (Existing Project) ☐ YES ☒ NO				Date	07/18/2023 11:15:38
Programs ☐ LPP-C ☐ LPP-F ☐ SCCP ☐ TCEP ☒ STIP ☐ Other					
District	EA	Project ID	PPNO	Nominating Agency	
05	1Q430	0523000029	3110	Caltrans District 5	
County	Route	PM Back	PM Ahead	Co-Nominating Agency	
San Luis Obispo Cou	46	49.540	49.540		
				MPO	Element
				SLOCOG	Capital Outlay
Project Manager/Contact			Phone	Email Address	
Joe Erwin			805-458-1829	joe.erwin@dot.ca.gov	

Project Title

Shandon Roadside Rest Area Improvements

Location (Project Limits), Description (Scope of Work)

In San Luis Obispo County, near Shandon, at Shandon Roadside Rest Area

ZEV infrastructure, Roadside Rest Improvements

Component	Implementing Agency
PA&ED	Caltrans District 5
PS&E	Caltrans District 5
Right of Way	Caltrans District 5
Construction	Caltrans District 5

Legislative Districts

Assembly:	33	Senate:	15	Congressional:	24

Project Milestone	Existing	Proposed
Project Study Report Approved	06/16/2000	
Begin Environmental (PA&ED) Phase		07/02/2003
Circulate Draft Environmental Document Document Type CE/CE		05/18/2023
Draft Project Report		04/28/2023
End Environmental Phase (PA&ED Milestone)		06/30/2023
Begin Design (PS&E) Phase		07/01/2024
End Design Phase (Ready to List for Advertisement Milestone)		05/29/2026
Begin Right of Way Phase		07/01/2024
End Right of Way Phase (Right of Way Certification Milestone)		05/29/2026
Begin Construction Phase (Contract Award Milestone)		01/29/2027
End Construction Phase (Construction Contract Acceptance Milestone)		07/21/2027
Begin Closeout Phase		07/22/2027
End Closeout Phase (Closeout Report)		01/10/2029

PPR ID
ePPR-D05-2024-0005 v0

Date 07/18/2023 11:15:38

Purpose and Need

To reduce congestion, improve level of service, improve safety, and provide route continuity. Current and predicted future traffic capacity problems as well as a higher than average collision rate. Zero Emission Vehicle charging infrastructure is needed to provide more reliable recharging options for electric vehicles. Current ZEV infrastructure is limited at the Shandon Roadside Rest Area.

NHS Improvements ☐ YES ☒ NO	Roadway Class NA	Reversible Lane Analysis ☐ YES ☒ NO

Inc. Sustainable Communities Strategy Goals ☐ YES ☒ NO Reduce Greenhouse Gas Emissions ☒ YES ☐ NO

Project Outputs

Category	Outputs	Unit	Total
Facilities	Facility Improvement	EA	1

PPR ID
ePPR-D05-2024-0005 v0

Date 07/18/2023 11:15:38

Additional Information

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PPR ID
ePPR-D05-2024-0005 v0

Performance Indicators and Measures						
Measure	**Required For**	**Indicator/Measure**	**Unit**	**Build**	**Future No Build**	**Change**
Congestion Reduction	TCEP	Change in Daily Vehicle Hours of Delay	Hours	0	0	0
	TCEP	Change in Daily Truck Hours of Delay	Hours	0	0	0
Throughput (Freight)	TCEP	Change in Truck Volume	# of Trucks	0	0	0
	TCEP	Change in Rail Volume	# of Trailers	0	0	0
			# of Containers	0	0	0
Velocity (Freight)	TCEP	Travel Time or Total Cargo Transport Time	Hours	0	0	0
Air Quality & GHG (only 'Change' required)	LPPF, LPPC, SCCP, TCEP	Particulate Matter	PM 2.5 Tons	0	0	0
			PM 10 Tons	0	0	0
	LPPF, LPPC, SCCP, TCEP	Carbon Dioxide (CO2)	Tons	0	0	0
	LPPF, LPPC, SCCP, TCEP	Volatile Organic Compounds (VOC)	Tons	0	0	0
	LPPF, LPPC, SCCP, TCEP	Sulphur Dioxides (SOx)	Tons	0	0	0
	LPPF, LPPC, SCCP, TCEP	Carbon Monoxide (CO)	Tons	0	0	0
	LPPF, LPPC, SCCP, TCEP	Nitrogen Oxides (NOx)	Tons	0	0	0
Safety	LPPF, LPPC, SCCP, TCEP	Number of Fatalities	Number	0	0	0
	LPPF, LPPC, SCCP, TCEP	Fatalities per 100 Million VMT	Number	0	0	0
	LPPF, LPPC, SCCP, TCEP	Number of Serious Injuries	Number	0	0	0
	LPPF, LPPC, SCCP, TCEP	Number of Serious Injuries per 100 Million VMT	Number	0	0	0
Economic Development	LPPF, LPPC, SCCP, TCEP	Jobs Created (Only 'Build' Required)	Number	0	0	0
Cost Effectiveness (only 'Change' required)	LPPF, LPPC, SCCP, TCEP	Cost Benefit Ratio	Ratio	0	0	0
Truck & Vehicle Volume (Freight)	TCEP	Existing Average Annual Vehicle Volume on Project Segment	Percent	0	0	0
	TCEP	Existing Average Annual Truck Percent on Project Segment	Percent	0	0	0
	TCEP	Estimated Year 20 Average Annual Vehicle Volume on Project Segment with Project	Number	0	0	0
	TCEP	Estimated Year 20 Average Annual Truck Percent on Project Segment with Project	Number	0	0	0

STATE OF CALIFORNIA • DEPARTMENT OF TRANSPORTATION

PROJECT PROGRAMMING REQUEST (PPR)

PRG-0010 (REV 08/2020)

PPR ID
ePPR-D05-2024-0005 v0

District	County	Route	EA	Project ID	PPNO
05	San Luis Obispo County	46	1Q430	0523000029	3110

Project Title

Shandon Roadside Rest Area Improvements

Existing Total Project Cost ($1,000s)									
Component	Prior	24-25	25-26	26-27	27-28	28-29	29-30+	Total	Implementing Agency
E&P (PA&ED)									Caltrans District 5
PS&E									Caltrans District 5
R/W SUP (CT)									Caltrans District 5
CON SUP (CT)									Caltrans District 5
R/W									Caltrans District 5
CON									Caltrans District 5
TOTAL									
Proposed Total Project Cost ($1,000s)									Notes
E&P (PA&ED)									
PS&E		600						600	
R/W SUP (CT)		2						2	
CON SUP (CT)				618				618	
R/W									
CON				1,300				1,300	
TOTAL		602		1,918				2,520	

Fund #1:	IIP - STPP (Uncommitted)								Program Code
Existing Funding ($1,000s)									
Component	Prior	24-25	25-26	26-27	27-28	28-29	29-30+	Total	Funding Agency
E&P (PA&ED)									Caltrans District 5
PS&E									
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON									
TOTAL									
Proposed Funding ($1,000s)									Notes
E&P (PA&ED)									
PS&E		600						600	
R/W SUP (CT)		2						2	
CON SUP (CT)									
R/W									
CON									
TOTAL		602						602	

STATE OF CALIFORNIA • DEPARTMENT OF TRANSPORTATION
PROJECT PROGRAMMING REQUEST (PPR)
PRG-0010 (REV 08/2020)

PPR ID
ePPR-D05-2024-0005 v0

Fund #2:	IIP - STPP (Uncommitted)								Program Code
	Existing Funding ($1,000s)								
Component	Prior	24-25	25-26	26-27	27-28	28-29	29-30+	Total	Funding Agency
E&P (PA&ED)									Caltrans District 5
PS&E									
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON									
TOTAL									
	Proposed Funding ($1,000s)								Notes
E&P (PA&ED)									
PS&E									
R/W SUP (CT)									
CON SUP (CT)				618				618	
R/W									
CON				1,300				1,300	
TOTAL				1,918				1,918	

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STATE OF CALIFORNIA • DEPARTMENT OF TRANSPORTATION

PROJECT PROGRAMMING REQUEST (PPR)

PRG-0010 (REV 08/2020)

PPR ID
ePPR-D06-2024-0002 v0

Amendment (Existing Project) ☐ YES ☒ NO					Date	08/15/2023 11:37:13
Programs ☐ LPP-C ☐ LPP-F ☐ SCCP ☐ TCEP ☒ STIP ☐ Other						
District	EA	Project ID	PPNO	Nominating Agency		
06	0W791	0621000142	7072	Tulare County Association of Governments		
County	Route	PM Back	PM Ahead	Co-Nominating Agency		
Tulare County	99	0.000	13.500			
Kern County	99	56.400	57.500	MPO	Element	
				TCAG	Capital Outlay	
Project Manager/Contact			Phone	Email Address		
Sumi Hoode			559-383-5189	sumangali.hoode@dot.ca.gov		

Project Title

Delano to Pixley 6-Lanes

Location (Project Limits), Description (Scope of Work)

Near Earlimart, from County line Road Overcrossing to 0.7 miles north of Avenue 100 (Court Street) Overcrossing. Widen from 4-lanes to 6-lanes. Also in Kern County from 0.1 miles south of Cecil Avenue Overcrossing to County Line Road. Restriped the northbound lanes from lanes to three lanes.

Component	Implementing Agency
PA&ED	Caltrans District 6
PS&E	Caltrans District 6
Right of Way	Caltrans District 6
Construction	Caltrans District 6

Legislative Districts					
Assembly:	26	Senate:	14	Congressional:	21

Project Milestone	Existing	Proposed
Project Study Report Approved		
Begin Environmental (PA&ED) Phase	09/20/2020	09/20/2020
Circulate Draft Environmental Document Document Type EIR/FONSI	05/04/2022	03/24/2023
Draft Project Report	05/04/2022	03/21/2023
End Environmental Phase (PA&ED Milestone)	05/05/2023	05/05/2023
Begin Design (PS&E) Phase	08/01/2023	08/01/2023
End Design Phase (Ready to List for Advertisement Milestone)	05/03/2024	05/03/2024
Begin Right of Way Phase	05/05/2023	05/05/2023
End Right of Way Phase (Right of Way Certification Milestone)	04/02/2024	04/02/2024
Begin Construction Phase (Contract Award Milestone)	09/23/2024	09/23/2024
End Construction Phase (Construction Contract Acceptance Milestone)	10/01/2026	10/01/2026
Begin Closeout Phase	10/01/2026	10/01/2026
End Closeout Phase (Closeout Report)	10/01/2029	10/01/2029

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Date 08/15/2023 11:37:13

Purpose and Need

Widening of this section of SR 99 is needed to enhance freight mobility, preserve acceptable facility operation, improve safety, and reduce congestion. The proposed 6-lane freeway would improve the flow and travel-time reliability along this segment of SR 99 for current volumes of traffic and provide enough capacity to manage the projected increases to both passenger and freight vehicle volumes. The segment is already beginning to break down and operate at unacceptable levels.

NHS Improvements ☐ YES ☒ NO	Roadway Class 2	Reversible Lane Analysis ☐ YES ☒ NO

Inc. Sustainable Communities Strategy Goals ☐ YES ☒ NO Reduce Greenhouse Gas Emissions ☒ YES ☐ NO

Project Outputs

Category	Outputs	Unit	Total
State Highway Road Construction	Mixed flow lane-miles constructed	Miles	25.2

PPR ID
ePPR-D06-2024-0002 v0

Date 08/15/2023 11:37:13

Additional Information

ADA is checked
Bike/Ped is checked

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Performance Indicators and Measures						
Measure	**Required For**	**Indicator/Measure**	**Unit**	**Build**	**Future No Build**	**Change**
Congestion Reduction	LPPF, LPPC, SCCP	Person Hours of Travel Time Saved (Only 'Change' required)	Person Hours	67,811,388	0	67,811,388
			Hours per Capita	0	0	0
Air Quality & GHG (only 'Change' required)	LPPF, LPPC, SCCP, TCEP	Particulate Matter	PM 2.5 Tons	-9	0	-9
			PM 10 Tons	0	0	0
	LPPF, LPPC, SCCP, TCEP	Carbon Dioxide (CO2)	Tons	133,124	0	133,124
	LPPF, LPPC, SCCP, TCEP	Volatile Organic Compounds (VOC)	Tons	38	0	38
	LPPF, LPPC, SCCP, TCEP	Sulphur Dioxides (SOx)	Tons	1	0	1
	LPPF, LPPC, SCCP, TCEP	Carbon Monoxide (CO)	Tons	1,087	0	1,087
	LPPF, LPPC, SCCP, TCEP	Nitrogen Oxides (NOx)	Tons	609	0	609

STATE OF CALIFORNIA • DEPARTMENT OF TRANSPORTATION
PROJECT PROGRAMMING REQUEST (PPR)
PRG-0010 (REV 08/2020)

PPR ID
ePPR-D06-2024-0002 v0

District	County	Route	EA	Project ID	PPNO
06	Tulare County, Kern County	99, 99	0W791	0621000142	7072

Project Title

Delano to Pixley 6-Lanes

Existing Total Project Cost ($1,000s)									
Component	Prior	24-25	25-26	26-27	27-28	28-29	29-30+	Total	Implementing Agency
E&P (PA&ED)	5,160							5,160	Caltrans District 6
PS&E	4,650							4,650	Caltrans District 6
R/W SUP (CT)	400							400	Caltrans District 6
CON SUP (CT)	11,100							11,100	Caltrans District 6
R/W	3,225							3,225	Caltrans District 6
CON	84,700							84,700	Caltrans District 6
TOTAL	109,235							109,235	
Proposed Total Project Cost ($1,000s)									Notes
E&P (PA&ED)	5,160							5,160	
PS&E	4,650							4,650	
R/W SUP (CT)	400							400	
CON SUP (CT)	11,100							11,100	
R/W	3,225							3,225	
CON	84,700	4,000						88,700	
TOTAL	109,235	4,000						113,235	

Fund #1:	Other State - National Hwy System (Committed)								Program Code
Existing Funding ($1,000s)									SHOPP
Component	Prior	24-25	25-26	26-27	27-28	28-29	29-30+	Total	Funding Agency
E&P (PA&ED)	3,360							3,360	
PS&E	4,450							4,450	
R/W SUP (CT)	400							400	
CON SUP (CT)	9,100							9,100	
R/W	225							225	
CON	56,800							56,800	
TOTAL	74,335							74,335	
Proposed Funding ($1,000s)									Notes
E&P (PA&ED)	3,360							3,360	
PS&E	4,450							4,450	
R/W SUP (CT)	400							400	
CON SUP (CT)	9,100							9,100	
R/W	225							225	
CON	56,800							56,800	
TOTAL	74,335							74,335	

PPR ID
ePPR-D06-2024-0002 v0

Fund #2:	Other Fed - ARRA - Regional Surface Transportation Program (Committed)								Program Code
	Existing Funding ($1,000s)								20.30.010.810
Component	Prior	24-25	25-26	26-27	27-28	28-29	29-30+	Total	Funding Agency
E&P (PA&ED)									
PS&E									
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON									
TOTAL									
	Proposed Funding ($1,000s)								Notes
E&P (PA&ED)									
PS&E									
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON									
TOTAL									

Fund #3:	Future Need - Future Funds (Uncommitted)								Program Code
	Existing Funding ($1,000s)								FUTURE
Component	Prior	24-25	25-26	26-27	27-28	28-29	29-30+	Total	Funding Agency
E&P (PA&ED)									
PS&E									
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON									
TOTAL									
	Proposed Funding ($1,000s)								Notes
E&P (PA&ED)									
PS&E									
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON									
TOTAL									

PPR ID
ePPR-D06-2024-0002 v0

Fund #4:	Other Fed - Coronavirus Response and Relief Supplemental Appro (Committed)								Program Code
	Existing Funding ($1,000s)								20.30.010.816
Component	Prior	24-25	25-26	26-27	27-28	28-29	29-30+	Total	Funding Agency
E&P (PA&ED)									
PS&E									
R/W SUP (CT)									
CON SUP (CT)	1,028							1,028	
R/W									
CON									
TOTAL	1,028							1,028	
	Proposed Funding ($1,000s)								Notes
E&P (PA&ED)									
PS&E									
R/W SUP (CT)									
CON SUP (CT)	1,028							1,028	
R/W									
CON									
TOTAL	1,028							1,028	

Fund #5:	State Bond - State Route 99 Corridor (Committed)								Program Code
	Existing Funding ($1,000s)								20.XX.722.000
Component	Prior	24-25	25-26	26-27	27-28	28-29	29-30+	Total	Funding Agency
E&P (PA&ED)									Caltrans HQ
PS&E									
R/W SUP (CT)									
CON SUP (CT)									
R/W	3,000							3,000	
CON	27,900							27,900	
TOTAL	30,900							30,900	
	Proposed Funding ($1,000s)								Notes
E&P (PA&ED)									
PS&E									
R/W SUP (CT)									
CON SUP (CT)									
R/W	3,000							3,000	
CON	27,900							27,900	
TOTAL	30,900							30,900	

PPR ID
ePPR-D06-2024-0002 v0

Fund #6:	RIP - COVID Relief Funds - STIP (Committed)								Program Code
	Existing Funding ($1,000s)								20.XX.075.600
Component	Prior	24-25	25-26	26-27	27-28	28-29	29-30+	Total	Funding Agency
E&P (PA&ED)	1,800							1,800	Tulare County Association of Govern
PS&E	200							200	
R/W SUP (CT)									
CON SUP (CT)	972							972	
R/W									
CON									
TOTAL	2,972							2,972	
	Proposed Funding ($1,000s)								Notes
E&P (PA&ED)	1,800							1,800	
PS&E	200							200	
R/W SUP (CT)									
CON SUP (CT)	972							972	
R/W									
CON									
TOTAL	2,972							2,972	

Fund #7:	IIP - National Hwy System (Uncommitted)								Program Code
	Existing Funding ($1,000s)								
Component	Prior	24-25	25-26	26-27	27-28	28-29	29-30+	Total	Funding Agency
E&P (PA&ED)									Caltrans HQ
PS&E									
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON									
TOTAL									
	Proposed Funding ($1,000s)								Notes
E&P (PA&ED)									
PS&E									
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON		4,000						4,000	
TOTAL		4,000						4,000	

STATE OF CALIFORNIA • DEPARTMENT OF TRANSPORTATION
PROJECT PROGRAMMING REQUEST (PPR)
PRG-0010 (REV 08/2020)

PPR ID
ePPR-D06-2024-0002 v0

Complete this page for amendments only Date 08/15/2023 11:37:13

District	County	Route	EA	Project ID	PPNO
06	Tulare County, Kern County	99, 99	0W791	0621000142	7072

SECTION 1 - All Projects

Project Background

Delano to Pixley 6-Lanes (Near Earlimart, from County line Road Overcrossing to 0.7 miles north of Avenue 100 (Court Street) Overcrossing. Widen from 4-lanes to 6-lanes. Also, in Kern County from 0.1 miles south of Cecil Avenue Overcrossing to County Line Road. Restripe the northbound lanes from two lanes to three lanes.

Programming Change Requested

The purpose of this programming change request is to program $4,000,000 IIP funding for construction capital.

Reason for Proposed Change

Capture funding from IIP to Construction Capital.

If proposed change will delay one or more components, clearly explain 1) reason for the delay, 2) cost increase related to the delay, and 3) how cost increase will be funded

Other Significant Information

SECTION 2 - For SB1 Project Only

Project Amendment Request (Please follow the individual SB1 program guidelines for specific criteria)

Discuss this section with HQ.

Approvals

I hereby certify that the above information is complete and accurate and all approvals have been obtained for the processing of this amendment request.

Name (Print or Type)	Signature	Title	Date

SECTION 3 - All Projects

Attachments
1) Concurrence from Implementing Agency and/or Regional Transportation Planning Agency
2) Project Location Map

STATE OF CALIFORNIA • DEPARTMENT OF TRANSPORTATION

PROJECT PROGRAMMING REQUEST (PPR)

PRG-0010 (REV 08/2020)

PPR ID
ePPR-D06-2024-0001 v0

Amendment (Existing Project) ☐ YES ☒ NO				Date	07/14/2023 16:12:09
Programs ☐ LPP-C ☐ LPP-F ☐ SCCP ☐ TCEP ☒ STIP ☐ Other					
District	EA	Project ID	PPNO	Nominating Agency	
06	0Y360	0619000052	7004	Caltrans District 6	
County	Route	PM Back	PM Ahead	Co-Nominating Agency	
Madera County	99	15.100	19.900	Madera County Transportation Commission	
				MPO	Element
				MCTC	Capital Outlay
Project Manager/Contact			Phone	Email Address	
Mike Day			559-383-5247	mike.day@dot.ca.gov	

Project Title

North Madera 99 6-lane

Location (Project Limits), Description (Scope of Work)

In Madera County from 0.5 miles north of Avenue 17 Overcrossing to 1.0 south of Avenue 21 1/2 Overcrossing.

Component	Implementing Agency
PA&ED	Caltrans District 6
PS&E	Caltrans District 6
Right of Way	Caltrans District 6
Construction	Caltrans District 6

Legislative Districts					
Assembly:	8,27	Senate:	14	Congressional:	13

Project Milestone	Existing	Proposed
Project Study Report Approved	06/14/2019	
Begin Environmental (PA&ED) Phase		10/01/2024
Circulate Draft Environmental Document Document Type (ND/MND)/CE		05/01/2026
Draft Project Report		08/01/2026
End Environmental Phase (PA&ED Milestone)		12/01/2026
Begin Design (PS&E) Phase		12/15/2026
End Design Phase (Ready to List for Advertisement Milestone)		08/07/2029
Begin Right of Way Phase		07/15/2027
End Right of Way Phase (Right of Way Certification Milestone)		08/01/2029
Begin Construction Phase (Contract Award Milestone)		02/02/2030
End Construction Phase (Construction Contract Acceptance Milestone)		02/17/2032
Begin Closeout Phase		12/17/2032
End Closeout Phase (Closeout Report)		12/17/2033

PPR ID
ePPR-D06-2024-0001 v0

Date 07/14/2023 16:12:09

Purpose and Need

Improvements to this section of SR 99 will add one lane in each direction of travel. This improvement is needed to enhance freight mobility, preserve acceptable facility operation, improve safety, and reduce congestion. The proposed 6-lane freeway would also improve the flow and travel-time reliability along this segment of SR 99 for current volumes of traffic and provide enough capacity to manage the projected passenger and freight vehicle volumes. SR 99 serves as a major freight corridor through the Central Valley and improvements are needed to ensure reliable delivery of time sensitive agricultural goods. The North Madera 99 6-lane project is one of the last portions of 6-lane needed to facilitate the SR 99 Corridor Plan, which is a comprehensive plan addressing managed lanes through the central valley. The 6-lane segment immediately south of this project was completed in August 2022. The North Madera 99 6-lane project will transition and tie into the existing 6 lane segment constructed in 2006.

NHS Improvements ☒ YES ☐ NO	Roadway Class 1	Reversible Lane Analysis ☒ YES ☐ NO

Inc. Sustainable Communities Strategy Goals ☒ YES ☐ NO Reduce Greenhouse Gas Emissions ☒ YES ☐ NO

Project Outputs

Category	Outputs	Unit	Total
Pavement (lane-miles)	Roadway lane miles	Miles	28.8
Pavement (lane-miles)	Ramps and Connectors constructed	Miles	2

PPR ID
ePPR-D06-2024-0001 v0

Date 07/14/2023 16:12:09

Additional Information

DRAFT

PPR ID
ePPR-D06-2024-0001 v0

Performance Indicators and Measures						
Measure	**Required For**	**Indicator/Measure**	**Unit**	**Build**	**Future No Build**	**Change**

PPR ID
ePPR-D06-2024-0001 v0

District	County	Route	EA	Project ID	PPNO
06	Madera County	99	0Y360	0619000052	7004

Project Title

North Madera 99 6-lane

Existing Total Project Cost ($1,000s)									
Component	Prior	24-25	25-26	26-27	27-28	28-29	29-30+	Total	Implementing Agency
E&P (PA&ED)									Caltrans District 6
PS&E									Caltrans District 6
R/W SUP (CT)									Caltrans District 6
CON SUP (CT)									Caltrans District 6
R/W									Caltrans District 6
CON									Caltrans District 6
TOTAL									
Proposed Total Project Cost ($1,000s)									Notes
E&P (PA&ED)		4,300						4,300	
PS&E					8,400			8,400	
R/W SUP (CT)					3,000			3,000	
CON SUP (CT)							6,600	6,600	
R/W					16,800			16,800	
CON							187,000	187,000	
TOTAL		4,300			28,200		193,600	226,100	

Fund #1:	IIP - National Hwy System (Uncommitted)								Program Code
Existing Funding ($1,000s)									
Component	Prior	24-25	25-26	26-27	27-28	28-29	29-30+	Total	Funding Agency
E&P (PA&ED)									
PS&E									
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON									
TOTAL									
Proposed Funding ($1,000s)									Notes
E&P (PA&ED)		4,300						4,300	
PS&E									
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON									
TOTAL		4,300						4,300	

PPR ID
ePPR-D06-2024-0001 v0

Fund #2:	Future Need - Future Funds (Uncommitted)								Program Code
	Existing Funding ($1,000s)								
Component	Prior	24-25	25-26	26-27	27-28	28-29	29-30+	Total	Funding Agency
E&P (PA&ED)									
PS&E									
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON									
TOTAL									
	Proposed Funding ($1,000s)								Notes
E&P (PA&ED)									
PS&E					8,400			8,400	
R/W SUP (CT)					3,000			3,000	
CON SUP (CT)							6,600	6,600	
R/W					16,800			16,800	
CON							187,000	187,000	
TOTAL					28,200		193,600	221,800	

STATE OF CALIFORNIA • DEPARTMENT OF TRANSPORTATION

PROJECT PROGRAMMING REQUEST (PPR)

PRG-0010 (REV 08/2020)

PPR ID
ePPR-0190-2024-0002 v0

Amendment (Existing Project) ☐ YES ☒ NO						Date	09/14/2023 12:27:56
Programs ☐ LPP-C ☐ LPP-F ☐ SCCP ☐ TCEP ☒ STIP ☐ Other							
District	EA	Project ID	PPNO	Nominating Agency			
75		0019000084	2195	Los Angeles-San Diego-San Luis Obispo Rail Corridor Agen			
County	Route	PM Back	PM Ahead	Co-Nominating Agency			
San Luis Obispo Cou	LOS	248.600	249.600				
				MPO	Element		
				SLOCOG	Rail		
Project Manager/Contact			Phone	Email Address			
James Campbell			714-560-5390	jcampbell@octa.net			

Project Title

Central Coast Layover Facility

Location (Project Limits), Description (Scope of Work)

This project is located in the City of San Luis Obispo located at 1011 Railroad Avenue on the Union Pacific Railroad (UPRR) Coast Subdivision adjacent to or near the San Luis Obispo Amtrak station. This would be an expansion and relocation of the existing layover track and facility in San Luis Obispo at the northern end of the corridor. The goal would be to increase overnight layover and storage capacity to support the service goals and objectives outlined in the 2018 and 2023 California State Rail Plans and LOSSAN Annual Business Plan.

Component	Implementing Agency
PA&ED	Los Angeles-San Diego-San Luis Obispo Rail Corridor Agency (
PS&E	Los Angeles-San Diego-San Luis Obispo Rail Corridor Agency (
Right of Way	Los Angeles-San Diego-San Luis Obispo Rail Corridor Agency (
Construction	Los Angeles-San Diego-San Luis Obispo Rail Corridor Agency (

Legislative Districts					
Assembly:	17	Senate:	35	Congressional:	24

Project Milestone		Existing	Proposed
Project Study Report Approved			
Begin Environmental (PA&ED) Phase		08/01/2018	01/01/2019
Circulate Draft Environmental Document	Document Type		05/18/2022
Draft Project Report			05/18/2022
End Environmental Phase (PA&ED Milestone)		01/01/2021	12/31/2022
Begin Design (PS&E) Phase		01/01/2021	06/01/2023
End Design Phase (Ready to List for Advertisement Milestone)		01/01/2022	06/30/2024
Begin Right of Way Phase			06/01/2023
End Right of Way Phase (Right of Way Certification Milestone)			06/30/2024
Begin Construction Phase (Contract Award Milestone)		01/01/2022	09/01/2024
End Construction Phase (Construction Contract Acceptance Milestone)		01/01/2025	03/31/2026
Begin Closeout Phase			04/01/2026
End Closeout Phase (Closeout Report)			10/01/2026

PPR ID
ePPR-0190-2024-0002 v0

Date 09/14/2023 12:27:56

Purpose and Need

The proposed project is needed to increase the frequency of trains that can run on the UPRR Coast Subdivision and to enable trains to layover at the northern terminus of the Pacific Surfliner service, in San Luis Obispo, to originate more morning frequencies. The layover facility will allow for improved efficiency of Surfliner operations and allow for service growth on the corridor. The existing single track layover facility is located directly across from the San Luis Obispo Amtrak station, which is located at 1011 Railroad Avenue on the Union Pacific Railroad (UPRR) Coast Subdivision approximately 189 miles north of Los Angeles Union Station. The project includes three phases. 1) Project Approval & Environmental Documents (PA&ED) including conducting California Environmental Quality Act (CEQA) - which is complete, 2) preparation of Plan, Specifications & Estimates (PS&E), and 3)Construction of three thousand feet (.57 mile) of additional layover track or rehabilitate 1,000 feet of track and construct 2,000 feet of track depending on the outcome of the environmental studies.

The proposed project is needed to improve the efficiency, on-time performance and frequency of intercity passenger rail services along the LOSSAN rail corridor. A new or expanded layover facility will improve intercity passenger rail service. The Pacific Surfliner would be able to improve the ridership, revenue, and expand service through additional layover capacity. This additional capacity would allow additional passenger trains to hold overnight for a second morning departure from San Luis Obispo, and the opportunity to hold and service additional train sets used for further expansion of the service. The project will facilitate the maintenance of equipment mid-route and at route terminus.

NHS Improvements ☐ YES ☒ NO	Roadway Class NA	Reversible Lane Analysis ☐ YES ☒ NO

Inc. Sustainable Communities Strategy Goals ☒ YES ☐ NO Reduce Greenhouse Gas Emissions ☒ YES ☐ NO

Project Outputs

Category	Outputs	Unit	Total
Intercity Rail/Mass Trans	Miles of new track	Miles	0.57
Rail/ Multi-Modal	Station improvements	EA	1

PPR ID
ePPR-0190-2024-0002 v0

Date 09/14/2023 12:27:56

Additional Information

DRAFT

PPR ID
ePPR-0190-2024-0002 v0

Performance Indicators and Measures						
Measure	**Required For**	**Indicator/Measure**	**Unit**	**Build**	**Future No Build**	**Change**
System Reliability (Freight)	LPPC, SCCP, LPPF	Level of Transit Delay (if required)	% "On-time"	96	85	11

STATE OF CALIFORNIA • DEPARTMENT OF TRANSPORTATION

PROJECT PROGRAMMING REQUEST (PPR)

PRG-0010 (REV 08/2020)

PPR ID
ePPR-0190-2024-0002 v0

District	County	Route	EA	Project ID	PPNO
75	San Luis Obispo County	LOS		0019000084	2195

Project Title

Central Coast Layover Facility

Existing Total Project Cost ($1,000s)								
Component	Prior	24-25	25-26	26-27	27-28	28-29	29-30+	Total
E&P (PA&ED)	3,600							3,600
PS&E	1,000							1,000
R/W SUP (CT)								
CON SUP (CT)								
R/W								
CON								
TOTAL	4,600							4,600

Implementing Agency
Los Angeles-San Diego-San Luis Ob
Los Angeles-San Diego-San Luis Ob
Los Angeles-San Diego-San Luis Ob
Los Angeles-San Diego-San Luis Ob
Los Angeles-San Diego-San Luis Ob
Los Angeles-San Diego-San Luis Ob

Proposed Total Project Cost ($1,000s)								
E&P (PA&ED)	3,810							3,810
PS&E	1,000	1,714						2,714
R/W SUP (CT)								
CON SUP (CT)								
R/W								
CON		34,990						34,990
TOTAL	4,810	36,704						41,514

Notes

Fund #1:	IIP - Public Transportation Account (Committed)								Program Code
	Existing Funding ($1,000s)								30.20.020.720
Component	Prior	24-25	25-26	26-27	27-28	28-29	29-30+	Total	Funding Agency
E&P (PA&ED)	3,500							3,500	Caltrans HQ
PS&E	1,000							1,000	$3500 PAED voted 10/17/18 $1000 PSE EXT. TO 12/31/22
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON									
TOTAL	4,500							4,500	

Proposed Funding ($1,000s)								
E&P (PA&ED)	3,500							3,500
PS&E	1,000							1,000
R/W SUP (CT)								
CON SUP (CT)								
R/W								
CON								
TOTAL	4,500							4,500

Notes

PPR ID
ePPR-0190-2024-0002 v0

Fund #2:	Local Funds - Local Transportation Funds (Committed)								Program Code
	Existing Funding ($1,000s)								20.XX.400.100
Component	Prior	24-25	25-26	26-27	27-28	28-29	29-30+	Total	Funding Agency
E&P (PA&ED)	100							100	
PS&E									
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON									
TOTAL	100							100	
	Proposed Funding ($1,000s)								Notes
E&P (PA&ED)	100							100	
PS&E									
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON									
TOTAL	100							100	

Fund #3:	Other State - Transit and Intercity Rail Capital Program (TIRCP) (Committed)								Program Code
	Existing Funding ($1,000s)								
Component	Prior	24-25	25-26	26-27	27-28	28-29	29-30+	Total	Funding Agency
E&P (PA&ED)									Caltrans HQ
PS&E									
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON									
TOTAL									
	Proposed Funding ($1,000s)								Notes
E&P (PA&ED)									
PS&E		1,714						1,714	
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON		22,590						22,590	
TOTAL		24,304						24,304	

PPR ID
ePPR-0190-2024-0002 v0

Fund #4:	Other State - STA Transit Assist (Committed)								Program Code
	Existing Funding ($1,000s)								
Component	Prior	24-25	25-26	26-27	27-28	28-29	29-30+	Total	Funding Agency
E&P (PA&ED)									
PS&E									
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON									
TOTAL									
	Proposed Funding ($1,000s)								Notes
E&P (PA&ED)	210							210	
PS&E									
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON									
TOTAL	210							210	

Fund #5:	IIP - Public Transportation Account (Uncommitted)								Program Code
	Existing Funding ($1,000s)								
Component	Prior	24-25	25-26	26-27	27-28	28-29	29-30+	Total	Funding Agency
E&P (PA&ED)									
PS&E									
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON									
TOTAL									
	Proposed Funding ($1,000s)								Notes
E&P (PA&ED)									
PS&E									
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON		9,000						9,000	
TOTAL		9,000						9,000	

PPR ID
ePPR-0190-2024-0002 v0

Fund #6:	State Bond - Intercity rail improvements (Committed)								Program Code
	Existing Funding ($1,000s)								
Component	Prior	24-25	25-26	26-27	27-28	28-29	29-30+	Total	Funding Agency
E&P (PA&ED)									
PS&E									
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON									
TOTAL									
	Proposed Funding ($1,000s)								Notes
E&P (PA&ED)									
PS&E									
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON		3,400						3,400	
TOTAL		3,400						3,400	

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PPR ID
ePPR-0190-2024-0002 v0

Complete this page for amendments only Date 09/14/2023 12:27:56

District	County	Route	EA	Project ID	PPNO
75	San Luis Obispo County	LOS		0019000084	2195

SECTION 1 - All Projects

Project Background

This project is located in the City of San Luis Obispo located at 1011 Railroad Avenue on the Union Pacific Railroad (UPRR) Coast Subdivision adjacent to or near the San Luis Obispo Amtrak station. This would be an expansion and relocation of the existing layover track and facility in San Luis Obispo at the northern end of the corridor. The goal would be to increase overnight layover and storage capacity to support the service goals and objectives outlined in the 2018 and 2023 California State Rail Plans and LOSSAN Annual Business Plan.

Programming Change Requested

Reason for Proposed Change

Additional Funding Request

If proposed change will delay one or more components, clearly explain 1) reason for the delay, 2) cost increase related to the delay, and 3) how cost increase will be funded

Other Significant Information

SECTION 2 - For SB1 Project Only

Project Amendment Request (Please follow the individual SB1 program guidelines for specific criteria)

NA

Approvals

I hereby certify that the above information is complete and accurate and all approvals have been obtained for the processing of this amendment request.

Name (Print or Type)	Signature	Title	Date

SECTION 3 - All Projects

Attachments
1) Concurrence from Implementing Agency and/or Regional Transportation Planning Agency
2) Project Location Map

STATE OF CALIFORNIA • DEPARTMENT OF TRANSPORTATION

PROJECT PROGRAMMING REQUEST (PPR)

PRG-0010 (REV 08/2020)

PPR ID
ePPR-6262-2024-0001 v0

Amendment (Existing Project) ☐ YES ☒ NO						Date	07/13/2023 10:24:41
Programs ☐ LPP-C ☐ LPP-F ☐ SCCP ☐ TCEP ☒ STIP ☐ Other							
District	EA	Project ID	PPNO	Nominating Agency			
75			CP035U	San Joaquin Regional Rail Commission			
County	Route	PM Back	PM Ahead	Co-Nominating Agency			
Sacramento County							
				MPO	Element		
				SACOG	Rail		
Project Manager/Contact			Phone	Email Address			
Laurence Farrell, P.E., PM			510-358-0001	laurence@acerail.com			

Project Title

Sacramento City College Station

Location (Project Limits), Description (Scope of Work)

In the City of Sacramento, adjacent to the existing Sacramento Regional Transit District (SacRT) Sacramento City College light rail station north of Sutterville Road on the Union Pacific Railroad (UPRR) Fresno Subdivision: Construct new station. The station will consist of a new 15-footwide by 1,000-foot-long at-grade side-loading passenger platform with an 8-foot by 300-foot-long back side extension for transfers to and from the existing LRT platform. The station would also include the construction of tracks for passenger trains within the existing station area. (No expansion of existing parking or bus facilities is included as part of the proposed City College Station.)

Component	Implementing Agency
PA&ED	San Joaquin Regional Rail Commission
PS&E	San Joaquin Regional Rail Commission
Right of Way	San Joaquin Regional Rail Commission
Construction	San Joaquin Regional Rail Commission

Legislative Districts					
Assembly:	6	Senate:	8	Congressional:	7

Project Milestone	Existing	Proposed
Project Study Report Approved		
Begin Environmental (PA&ED) Phase		04/24/2018
Circulate Draft Environmental Document Document Type EIR		04/22/2021
Draft Project Report		04/24/2018
End Environmental Phase (PA&ED Milestone)		10/05/2020
Begin Design (PS&E) Phase		07/01/2024
End Design Phase (Ready to List for Advertisement Milestone)		06/30/2026
Begin Right of Way Phase		07/01/2025
End Right of Way Phase (Right of Way Certification Milestone)		06/30/2026
Begin Construction Phase (Contract Award Milestone)		08/03/2026
End Construction Phase (Construction Contract Acceptance Milestone)		05/03/2027
Begin Closeout Phase		08/03/2027
End Closeout Phase (Closeout Report)		12/06/2027

PPR ID
ePPR-6262-2024-0001 v0

Date 07/13/2023 10:24:41

Purpose and Need

Interstate 5 (I-5) and State Route 99 (SR-99) are the primary links between the Fresno and Stockton areas to the Sacramento area. These already congested corridors are expected to see continued growth and travel demand. However, there is virtually no passenger rail service between the San Joaquin Valley and the Sacramento Region (currently only two daily roundtrips with the San Joaquins and no ACE service). The Sacramento City College Station Project makes significant investments as part of the Valley Rail program in reducing congestion and improving connectivity in the region.

NHS Improvements ☐ YES ☒ NO	Roadway Class NA	Reversible Lane Analysis ☐ YES ☒ NO

Inc. Sustainable Communities Strategy Goals ☒ YES ☐ NO Reduce Greenhouse Gas Emissions ☒ YES ☐ NO

Project Outputs

Category	Outputs	Unit	Total
Rail/ Multi-Modal	New stations	EA	1

PPR ID
ePPR-6262-2024-0001 v0

Date 07/13/2023 10:24:41

Additional Information

PA&ED authorized for this and other stations under EA R387GA

Performance Indicators and Measures						
Measure	**Required For**	**Indicator/Measure**	**Unit**	**Build**	**Future No Build**	**Change**
Air Quality & GHG (only 'Change' required)	LPPF, LPPC, SCCP, TCEP	Nitrogen Oxides (NOx)	Tons	0	0	0

STATE OF CALIFORNIA • DEPARTMENT OF TRANSPORTATION
PROJECT PROGRAMMING REQUEST (PPR)
PRG-0010 (REV 08/2020)

PPR ID
ePPR-6262-2024-0001 v0

District	County	Route	EA	Project ID	PPNO
75	Sacramento County				CP035U

Project Title

Sacramento City College Station

Existing Total Project Cost ($1,000s)									
Component	Prior	24-25	25-26	26-27	27-28	28-29	29-30+	Total	Implementing Agency
E&P (PA&ED)									San Joaquin Regional Rail Commiss
PS&E									San Joaquin Regional Rail Commiss
R/W SUP (CT)									San Joaquin Regional Rail Commiss
CON SUP (CT)									San Joaquin Regional Rail Commiss
R/W									San Joaquin Regional Rail Commiss
CON									San Joaquin Regional Rail Commiss
TOTAL									
Proposed Total Project Cost ($1,000s)									Notes
E&P (PA&ED)									
PS&E		6,000						6,000	
R/W SUP (CT)			200					200	
CON SUP (CT)				1,989				1,989	
R/W			1,000					1,000	
CON				16,911				16,911	
TOTAL		6,000	1,200	18,900				26,100	

Fund #1:	Other State - Transit and Intercity Rail Capital Program (TIRCP) (Committed)								Program Code
Existing Funding ($1,000s)									
Component	Prior	24-25	25-26	26-27	27-28	28-29	29-30+	Total	Funding Agency
E&P (PA&ED)									California Transportation Commissio
PS&E									
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON									
TOTAL									
Proposed Funding ($1,000s)									Notes
E&P (PA&ED)									
PS&E		1,397						1,397	
R/W SUP (CT)			200					200	
CON SUP (CT)									
R/W			1,000					1,000	
CON				6,127				6,127	
TOTAL		1,397	1,200	6,127				8,724	

PPR ID
ePPR-6262-2024-0001 v0

Fund #2:	IIP - State Cash (Uncommitted)								Program Code
Existing Funding ($1,000s)									
Component	Prior	24-25	25-26	26-27	27-28	28-29	29-30+	Total	Funding Agency
E&P (PA&ED)									California Transportation Commissio
PS&E									
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON									
TOTAL									
Proposed Funding ($1,000s)									Notes
E&P (PA&ED)									
PS&E		4,603						4,603	
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON									
TOTAL		4,603						4,603	

Fund #3:	Future Need - Transit and Intercity Rail Capital Program (TIRCP) (Uncommitted)								Program Code
Existing Funding ($1,000s)									
Component	Prior	24-25	25-26	26-27	27-28	28-29	29-30+	Total	Funding Agency
E&P (PA&ED)									California Transportation Commissio
PS&E									
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON									
TOTAL									
Proposed Funding ($1,000s)									Notes
E&P (PA&ED)									
PS&E									
R/W SUP (CT)									
CON SUP (CT)				1,989				1,989	
R/W									
CON				10,784				10,784	
TOTAL				12,773				12,773	

STATE OF CALIFORNIA • DEPARTMENT OF TRANSPORTATION

PROJECT PROGRAMMING REQUEST (PPR)

PRG-0010 (REV 08/2020)

PPR ID
ePPR-6262-2024-0002 v0

Amendment (Existing Project) ☐ YES ☒ NO				Date	10/05/2023 16:40:58
Programs ☐ LPP-C ☐ LPP-F ☐ SCCP ☐ TCEP ☒ STIP ☐ Other					
District	EA	Project ID	PPNO	Nominating Agency	
06				Caltrans HQ	
County	Route	PM Back	PM Ahead	Co-Nominating Agency	
Madera County				San Joaquin Regional Rail Commission	
				MPO	Element
				MCTC	Rail
Project Manager/Contact			Phone	Email Address	
Dan Leavitt			530-400-9475	dan@acerail.com	

Project Title

Madera High-Speed Rail Station Project

Location (Project Limits), Description (Scope of Work)

The project is located at 36° 56' 5" N and 119° 59' 7" W, roughly five miles southeast of the center of the City of Madera. It is less than two miles from the city limits and accessed by exiting SR 99 at Avenue 12 and traveling two and a half miles east. The city is in the California Central Valley between the Sierra Nevada Mountains and the Southern Coast Mountain Range.
The project will construct a new station in Madera County for California's Interim HSR Service between Merced and Bakersfield. Located along Avenue 12, the station will provide Madera County with direct access to HSR service and better connect it with Fresno, the larger Central Valley region, and the rest of California. Future transit-oriented development along the Avenue 12 Corridor, together with improved transit connectivity, will ensure that Madera County can capture the full economic and environmental benefits of HSR and sustainable growth patterns.

Component	Implementing Agency
PA&ED	San Joaquin Joint Powers Authority
PS&E	San Joaquin Joint Powers Authority
Right of Way	San Joaquin Joint Powers Authority
Construction	San Joaquin Joint Powers Authority

Legislative Districts					
Assembly:	4	Senate:	8	Congressional:	13

Project Milestone	Existing	Proposed
Project Study Report Approved		
Begin Environmental (PA&ED) Phase		05/01/2020
Circulate Draft Environmental Document Document Type ND/MND		10/01/2020
Draft Project Report		10/15/2023
End Environmental Phase (PA&ED Milestone)		01/01/2021
Begin Design (PS&E) Phase		06/01/2025
End Design Phase (Ready to List for Advertisement Milestone)		05/01/2027
Begin Right of Way Phase		10/01/2025
End Right of Way Phase (Right of Way Certification Milestone)		03/01/2027
Begin Construction Phase (Contract Award Milestone)		08/01/2027
End Construction Phase (Construction Contract Acceptance Milestone)		12/01/2029
Begin Closeout Phase		01/01/2030
End Closeout Phase (Closeout Report)		03/01/2030

STATE OF CALIFORNIA • DEPARTMENT OF TRANSPORTATION
PROJECT PROGRAMMING REQUEST (PPR)
PRG-0010 (REV 08/2020)

PPR ID
ePPR-6262-2024-0002 v0

Date 10/05/2023 16:40:58

Purpose and Need

The Madera High-Speed Rail Station Project will enable a high-speed rail (HSR) station in Madera County, California, for the Merced-Bakersfield California HSR's Early Operating Segment and better connect existing intercity railroad services to economic and educational centers in Madera County.

NHS Improvements ☐ YES ☒ NO	Roadway Class NA	Reversible Lane Analysis ☐ YES ☒ NO

Inc. Sustainable Communities Strategy Goals ☒ YES ☐ NO Reduce Greenhouse Gas Emissions ☒ YES ☐ NO

Project Outputs

Category	Outputs	Unit	Total
Rail/ Multi-Modal	New stations	EA	1

Additional Information

Platform: A single side-loaded platform would be constructed parallel to the HSR trackwork (under construction) and immediately adjacent to the proposed station siding track. The platform would be approximately 1,000 feet long, include canopies and the height would accommodate trainsets for the HSR system.

Trackwork and Overhead Contact System: To access the HSR platform, a new station siding track would be constructed to the east of the two-track HSR mainline tracks (under construction). The length of the new station siding track, from the turnout locations at the north and south, would be approximately 14,600 feet. New crossover tracks would be constructed within the HSR corridor to the north and south of the station siding track to allow southbound HSR trains to access the HSR platform. The station siding track would include a new rail bridge over Cottonwood Creek. The proposed bridge would be a single track, 5-span continuous cast-in-place, reinforced concrete slab structure. Two storage tracks for HSR trains would be constructed. The first would extend approximately 1,900 feet north from the station siding track and the second would extend south from the station siding track, approximately 1,900 feet.

An overhead contact system (OCS) would be constructed along the length of the station siding and storage tracks to provide power to electrified trainsets. A small transmission power substation (TPSS) may be needed to provide power to the OCS system.

Bus Depot: An expanded bus depot going from two to six bays would be constructed west of the access road as it approaches the station parking lot.

Parking: The surface parking lot would be expanded to 400 spaces and connect to Avenue 12 via the access road discussed below. The pick-up/drop-off facility would be expanded with an additional 530 feet of curbside access across two additional lanes.

Access Road: For the trackwork required to reach the HSR platform, the access road would be reconfigured. It would shift east and rise to meet the elevated portion of the Avenue 12 grade separation at a new intersection. The access road would be widened from two lanes to four lanes. A Class I bikeway connecting the station to Avenue 12 (approximately 1.3 miles) would be constructed west of the widened access road. A two-lane auxiliary access road would be built around the southern and eastern sides of the proposed stormwater retaining pond to provide access into the expanded parking lot.

Road Network: The new station siding track would be constructed in the same space as the automobile underpass currently under construction as part of the HSR program. This would result in the removal of the roadway, severing the original vehicle access to the Avenue 12 frontage road on the south of elevated Avenue 12. To address this, a new underpass would be constructed to the east to connect to the at-grade frontage road along the south side of Avenue 12 and require penetrating the retained fill of the Avenue 12 grade separation structure, built as part of the HSR program, and constructing necessary support structures for the elevated Avenue 12.

Initial Station Building: An interim one-floor station building1 would be built along the HSR platform to provide ticketing services, a waiting lobby, restrooms, staffing, and security. Lighting posts, signage, and bicycle storage facilities would be installed, as well as a stormwater retention pond for runoff from the paved portions of the project.

PPR ID
ePPR-6262-2024-0002 v0

Performance Indicators and Measures						
Measure	**Required For**	**Indicator/Measure**	**Unit**	**Build**	**Future No Build**	**Change**

STATE OF CALIFORNIA • DEPARTMENT OF TRANSPORTATION
PROJECT PROGRAMMING REQUEST (PPR)
PRG-0010 (REV 08/2020)

PPR ID
ePPR-6262-2024-0002 v0

District	County	Route	EA	Project ID	PPNO
06	Madera County				

Project Title

Madera High-Speed Rail Station Project

Existing Total Project Cost ($1,000s)									
Component	Prior	24-25	25-26	26-27	27-28	28-29	29-30+	Total	Implementing Agency
E&P (PA&ED)									San Joaquin Joint Powers Authority
PS&E									San Joaquin Joint Powers Authority
R/W SUP (CT)									San Joaquin Joint Powers Authority
CON SUP (CT)									San Joaquin Joint Powers Authority
R/W									San Joaquin Joint Powers Authority
CON									San Joaquin Joint Powers Authority
TOTAL									
Proposed Total Project Cost ($1,000s)									Notes
E&P (PA&ED)									
PS&E			9,568					9,568	
R/W SUP (CT)									
CON SUP (CT)									
R/W			819					819	
CON					124,143			124,143	
TOTAL			10,387		124,143			134,530	

Fund #1:	IIP - Public Transportation Account (Uncommitted)								Program Code
Existing Funding ($1,000s)									
Component	Prior	24-25	25-26	26-27	27-28	28-29	29-30+	Total	Funding Agency
E&P (PA&ED)									California Transportation Commissio
PS&E									
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON									
TOTAL									
Proposed Funding ($1,000s)									Notes
E&P (PA&ED)									
PS&E									
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON					80,000			80,000	
TOTAL					80,000			80,000	

PPR ID
ePPR-6262-2024-0002 v0

Fund #2:	Other Fed - MPDG (Uncommitted)								Program Code
	Existing Funding ($1,000s)								
Component	Prior	24-25	25-26	26-27	27-28	28-29	29-30+	Total	Funding Agency
E&P (PA&ED)									
PS&E									
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON									
TOTAL									
	Proposed Funding ($1,000s)								Notes
E&P (PA&ED)									MPDG Grant Application submitted by Caltrans August 2023. SJJPA will apply for TIRCP in early 2024 in case MPDG application is not successful or less funding is awarded.
PS&E			9,568					9,568	
R/W SUP (CT)									
CON SUP (CT)									
R/W			819					819	
CON					44,143			44,143	
TOTAL			10,387		44,143			54,530	

STATE OF CALIFORNIA • DEPARTMENT OF TRANSPORTATION

PROJECT PROGRAMMING REQUEST (PPR)

PRG-0010 (REV 08/2020)

PPR ID
ePPR-6066-2020-0040 v0

Amendment (Existing Project) ☐ YES ☒ NO | Date 10/11/2023 16:00:57

Programs ☐ LPP-C ☐ LPP-F ☐ SCCP ☐ TCEP ☒ STIP ☐ Other

District	EA	Project ID	PPNO	Nominating Agency	
75	T562GA		CP119	San Diego Association of Governments	
County	**Route**	**PM Back**	**PM Ahead**	**Co-Nominating Agency**	
San Diego County					
				MPO	**Element**
				SANDAG	Rail
Project Manager/Contact			**Phone**	**Email Address**	
Angela Anderson			619-699-6934	angela.anderson@sandag.org	

Project Title

San Dieguito Bridge Replacement, Double Track and Special Events Platform Project (San Dieguito Phase 2)

Location (Project Limits), Description (Scope of Work)

In the city of Del Mar, along the San Diego Subdivision of the LOSSAN Corridor between MP 243.0 to MP 243.9, San Dieguito Phase II will create a total of 0.9 miles of new usable double track.
Design 100% bid ready plan sets and construction specifications. Obtain Temporary Construction Easements and permanent license agreement with the Fairgrounds for the platform.
Construct Phase 2 work includes:
• Replacement of the aging wooden trestle San Dieguito Lagoon rail bridge
• Construction of a special events platform for the Del Mar Fairgrounds
• Construction of 0.3 miles of new main track, and siding rehabilitation/track improvements to 0.6 miles of siding track

Component	Implementing Agency
PA&ED	San Diego Association of Governments
PS&E	San Diego Association of Governments
Right of Way	San Diego Association of Governments
Construction	San Diego Association of Governments

Legislative Districts					
Assembly:	77,78	Senate:	39	Congressional:	49,52

Project Milestone		Existing	Proposed
Project Study Report Approved		01/14/2008	
Begin Environmental (PA&ED) Phase			08/01/2013
Circulate Draft Environmental Document	Document Type FONSI		05/05/2015
Draft Project Report			07/31/2020
End Environmental Phase (PA&ED Milestone)			08/25/2022
Begin Design (PS&E) Phase			01/31/2016
End Design Phase (Ready to List for Advertisement Milestone)			05/30/2025
Begin Right of Way Phase			10/30/2023
End Right of Way Phase (Right of Way Certification Milestone)			05/30/2025
Begin Construction Phase (Contract Award Milestone)			11/30/2025
End Construction Phase (Construction Contract Acceptance Milestone)			05/30/2029
Begin Closeout Phase			05/31/2029
End Closeout Phase (Closeout Report)			11/30/2029

PPR ID
ePPR-6066-2020-0040 v0

Date 10/11/2023 16:00:57

Purpose and Need

The project location is located in an existing single track bottleneck on the San Diego subdivision of the LOSSAN Rail Corridor. The existing bridge is near the end of its service life and often flooded during the major storm and subjected to sea level rise events. The single track bottleneck causes delays, restricts operational flexibility and capacity, and reduces the attractiveness of passenger rail as a travel mode choice. Double tracking in this area will eliminate delay of the single track bottleneck, improve train operations capacity, reliability and safety for both freight and passenger rail services, reduce train idling, reduce VMT and GHG emissions, and ultimately, make rail a more viable alternative to driving, increase rail ridership by providing a special events passenger platform to serve events at the Del Mar Fairgrounds, improve safety by removing an uncontrolled rail crossing with a new rail undercrossing for pedestrian and bicyclists, and increase resiliency of rail infrastructure to climate change and potential flooding by replacing the existing timber bridge and raising the track profile. Current design is 90% complete. This allocation is for 100% PS&E and bid ready documents.

NHS Improvements ☐ YES ☒ NO	Roadway Class NA	Reversible Lane Analysis ☐ YES ☒ NO

Inc. Sustainable Communities Strategy Goals ☐ YES ☒ NO Reduce Greenhouse Gas Emissions ☒ YES ☐ NO

Project Outputs

Category	Outputs	Unit	Total
Rail/ Multi-Modal	Miles of rehabilitated track	Miles	0.6
Rail/ Multi-Modal	Station improvements	EA	1
Rail/ Multi-Modal	Grade separations/ rail crossing improvemnets	EA	2
Bridge / Tunnel	New bridges/tunnels	SQFT	1

PPR ID
ePPR-6066-2020-0040 v0

Date 10/11/2023 16:00:57

Additional Information

Design for this project was begun with a combination of LPP Formula funds (LPP-A-1718), FTA 5307 funds and local sales tax measure funding. Design was completed up to 90% and a decision was made to split the project into two phases in order to be able to move forward with the funding available for construction. The design funding in this request is needed to finalize the 100% PS&E and bid ready documents for Phase 2 of the construction.
CM/GC project delivery method may be explored to accommodate the various funding availability requirements.

DRAFT

PPR ID
ePPR-6066-2020-0040 v0

Performance Indicators and Measures						
Measure	**Required For**	**Indicator/Measure**	**Unit**	**Build**	**Future No Build**	**Change**
Congestion Reduction	LPPC, SCCP, LPPF	Change in Daily Vehicle Miles Travelled	Miles	-6,455,977,637	0	-6,455,977,637
			VMT per Capita	0	0	0
Air Quality & GHG (only 'Change' required)	LPPC, SCCP, TCEP, LPPF	Carbon Dioxide (CO2)	Tons	-1,996,501	0	-1,996,501

DRAFT

PROJECT PROGRAMMING REQUEST (PPR)

PRG-0010 (REV 08/2020)

PPR ID
ePPR-6066-2020-0040 v0

District	County	Route	EA	Project ID	PPNO
75	San Diego County		T562GA		CP119

Project Title

San Dieguito Bridge Replacement, Double Track and Special Events Platform Project (San Dieguito Phase 2)

Existing Total Project Cost ($1,000s)								
Component	Prior	24-25	25-26	26-27	27-28	28-29	29-30+	Total	Implementing Agency
E&P (PA&ED)									San Diego Association of Governmen
PS&E									San Diego Association of Governmen
R/W SUP (CT)									San Diego Association of Governmen
CON SUP (CT)									San Diego Association of Governmen
R/W									San Diego Association of Governmen
CON									San Diego Association of Governmen
TOTAL									
Proposed Total Project Cost ($1,000s)									**Notes**
E&P (PA&ED)									
PS&E	3,942							3,942	
R/W SUP (CT)									
CON SUP (CT)									
R/W	1,383							1,383	
CON			225,428					225,428	
TOTAL	5,325		225,428					230,753	

Fund #1:	Other State - Transit and Intercity Rail Capital Program (TIRCP) (Committed)								Program Code
Existing Funding ($1,000s)									
Component	Prior	24-25	25-26	26-27	27-28	28-29	29-30+	Total	Funding Agency
E&P (PA&ED)									
PS&E									
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON									
TOTAL									
Proposed Funding ($1,000s)									**Notes**
E&P (PA&ED)									TIRCP Cycle 6 award
PS&E	3,942							3,942	
R/W SUP (CT)									
CON SUP (CT)									
R/W	1,383							1,383	
CON			94,675					94,675	
TOTAL	5,325		94,675					100,000	

PPR ID
ePPR-6066-2020-0040 v0

Fund #2:	Other Fed - FRA Federal State Partnership Intercity Pass Rail (Uncommitted)								Program Code
	Existing Funding ($1,000s)								
Component	Prior	24-25	25-26	26-27	27-28	28-29	29-30+	Total	Funding Agency
E&P (PA&ED)									
PS&E									
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON									
TOTAL									
	Proposed Funding ($1,000s)								Notes
E&P (PA&ED)									NCTD submitted applications with awards expected October 2023
PS&E									
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON			68,753					68,753	
TOTAL			68,753					68,753	

Fund #3:	IIP - STIP Advance Construction (Uncommitted)								Program Code
	Existing Funding ($1,000s)								
Component	Prior	24-25	25-26	26-27	27-28	28-29	29-30+	Total	Funding Agency
E&P (PA&ED)									
PS&E									
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON									
TOTAL									
	Proposed Funding ($1,000s)								Notes
E&P (PA&ED)									If the funds are not allocated in FY25/26, the project could be split in separate supplemental award packages or non-proportional spending may be requested to maintain the schedule.
PS&E									
R/W SUP (CT)									
CON SUP (CT)									
R/W									
CON			62,000					62,000	
TOTAL			62,000					62,000	

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Appendix C – ITIP Public Comments

The California Transportation Commission (Commission) will hold two hearings, one in Northern California and one in Southern California. For the 2024 ITIP, the Commission will hold the north hearing on November 1, 2023. The south hearing will be held on November 8, 2023. Both hearings will be recorded for those who are unable to attend the hearings in person. In addition to the hearings, formal comments may be sent to OCIP@dot.ca.gov email until November 15. This section will include all the public comments we receive at the hearings and via email.

Appendix D – Benefit Cost Analysis

The following tables provide the benefit cost analysis for the new project proposed for funding for the 2024 ITIP.

Central Coast Layover Facility (PPNO 2195)

BENEFIT-COST ANALYSIS SUMMARY TABLE

Year	Initial Capital Cost	Operations and Maintenance Costs Increase	Discounted Costs	Safety Benefits	Travel Time Benefits	Operational Benefits	Amenity Benefits	Emission Benefits	Discounted Benefits
2021[1]	$1,905,000	$0	$1,780,374	$0	$0	$0	$0	$0	$0
2022[2]	$1,905,000	$0	$1,663,901	$0	$0	$0	$0	$0	$0
2023[2]	$1,357,000	$0	$1,107,716	$0	$0	$0	$0	$0	$0
2024[2]	$1,357,000	$0	$1,035,249	$0	$0	$0	$0	$0	$0
2025[3]	$20,994,000	$0	$14,968,432	$0	$0	$0	$0	$0	$0
2026[4]	$13,996,000	$2,221,931	$10,806,692	$0	$0	$0	$0	$0	$0
2027[5]	$0	$210,000	$130,777	$25,563	$227,169	$3,382,730	$100,522	$1,823,903	$3,462,419
2028	$0	$210,000	$122,222	$25,563	$227,169	$3,382,730	$100,522	$1,823,903	$3,235,905
2029	$0	$210,000	$114,226	$25,563	$227,169	$3,382,730	$100,522	$1,823,903	$3,024,210
2030	$0	$210,000	$106,753	$25,563	$227,169	$3,382,730	$100,522	$1,823,903	$2,826,365
2031	$0	$210,000	$99,769	$25,563	$227,169	$3,382,730	$100,522	$1,823,903	$2,641,463
2032[6]	$0	$195,510	$86,809	$25,563	$227,169	$3,382,730	$100,522	$1,529,342	$2,337,868
2033	$0	$195,510	$81,130	$25,563	$227,169	$3,382,730	$100,522	$1,529,342	$2,184,923
2034	$0	$195,510	$75,822	$25,563	$227,169	$3,382,730	$100,522	$1,529,342	$2,041,984
2035	$0	$195,510	$70,862	$25,563	$227,169	$3,382,730	$100,522	$1,529,342	$1,908,396
2036	$0	$195,510	$66,226	$25,563	$227,169	$3,382,730	$100,522	$1,529,342	$1,783,548
2037	$0	$195,510	$61,893	$25,563	$227,169	$3,382,730	$100,522	$1,529,342	$1,666,867
2038	$0	$195,510	$57,844	$25,563	$227,169	$3,382,730	$100,522	$1,529,342	$1,557,820
2039	$0	$195,510	$54,060	$25,563	$227,169	$3,382,730	$100,522	$1,529,342	$1,455,907
2040	$0	$195,510	$50,523	$25,563	$227,169	$3,382,730	$100,522	$1,529,342	$1,360,660
2041	$0	$195,510	$47,218	$25,563	$227,169	$3,382,730	$100,522	$1,529,342	$1,271,645
2042	$0	$195,510	$44,129	$25,563	$227,169	$3,382,730	$100,522	$1,529,342	$1,188,453
2043	$0	$195,510	$41,242	$25,563	$227,169	$3,382,730	$100,522	$1,529,342	$1,110,704
2044	$0	$195,510	$38,544	$25,563	$227,169	$3,382,730	$100,522	$1,529,342	$1,038,041
2045	$0	$195,510	$36,023	$25,563	$227,169	$3,382,730	$100,522	$1,529,342	$970,132
2046	$0	$195,510	$33,666	$25,563	$227,169	$3,382,730	$100,522	$1,529,342	$906,665
2047	$0	$195,510	$31,463	$25,563	$227,169	$3,382,730	$100,522	$1,529,342	$847,351
2048	$0	$195,510	$29,405	$25,563	$227,169	$3,382,730	$100,522	$1,529,342	$791,917
2049	$0	$195,510	$27,481	$25,563	$227,169	$3,382,730	$100,522	$1,529,342	$740,109
2050	$0	$195,510	$25,684	$25,563	$227,169	$3,382,730	$100,522	$1,529,342	$691,691
2051	$0	$195,510	$24,003	$25,563	$227,169	$3,382,730	$100,522	$1,529,342	$646,440
2052	$0	$195,510	$22,433	$25,563	$227,169	$3,382,730	$100,522	$1,529,342	$604,149
2053	$0	$195,510	$20,965	$25,563	$227,169	$3,382,730	$100,522	$1,529,342	$564,626
2054	$0	$195,510	$19,594	$25,563	$227,169	$3,382,730	$100,522	$1,529,342	$527,688
2055	$0	$195,510	$18,312	$25,563	$227,169	$3,382,730	$100,522	$1,529,342	$493,166
2056	$0	$195,510	$17,114	$25,563	$227,169	$3,382,730	$100,522	$1,529,342	$460,903
TOTALS	**$41,514,000**	**$8,159,681**	**$33,018,560**	**$766,886**	**$6,815,070**	**$101,481,910**	**$3,015,660**	**$47,353,064**	**$44,342,015**
RV	Residual value assuming 50-year service life for the new CCLF								**$1,453,579**
NPV	**$12,777,035**								
BCR	**1.3870**								

[1] Environmental/Preliminary Engineering Phase; [2] Design/Engineering Phase; [3] Construction Phase Start (60% of costs); [4] Construction Phase Complete (40% of cost), 3 months operation; [5] Service expands to 3 daily round trips; [6] Service expands to 4 daily round trips

2023 Sacramento City College Valley Rail BCA

	Description	Value
BCA Results	Undiscounted Benefits	$199,949
	Undiscounted Costs	$23,281
	Undiscounted Benefit-Cost Ratio	8.59
	Total Benefits (4%)	$95,700
	Total Costs (4%)	$17,362
	Net Present Value (4%)	**$78,339**
	Benefit-Cost Ratio (4%)	**5.51**

	Description	Undiscounted	Discounted at 4%	Share of Total
Benefits (Disbenefits) by Type	Residual Value	$9,955	$3,320	3%
	Operating & Maintenance Costs	($357)	($177)	0%
	Safety Cost Savings	$25,487	$12,493	13%
	Travel Time Cost Savings	$27,646	$12,783	13%
	Vehicle Operating Cost Savings	$105,931	$51,923	54%
	Social Cost Savings (Congestion, Noise, and Pavement)	$28,365	$13,904	15%
	CO2 Emissions Cost Savings	$2,690	$1,336	1%
	Non-CO2 Emissions Cost Savings	$231	$120	0%
	Total Benefits	**$199,949**	**$95,700**	**100%**

Notes: Methodology is derived from CAL-B/C Parameter Guide Version 8.1. Benefits are discounted at 4%.

Madera High-Speed Rail Station (PPNO TBD)

Madera Station High-Speed Rail BCA Results

	Description	Value
BCA Results	Undiscounted Benefits	$539,364
	Undiscounted Costs	$108,656
	Undiscounted Benefit-Cost Ratio	4.96
	Total Benefits (7%, CO2 at 3%)	$130,375
	Total Costs (7%)	$68,556
	Net Present Value (7%)	**$61,819**
	Benefit-Cost Ratio (7%)	**1.90**

	Description	Undiscounted	Discounted at 7%	Share of Total
Benefits (Disbenefits) by Type	Residual Value	$52,533	$4,017	3%
	Operating & Maintenance Costs	($9,604)	($2,312)	-2%
	Safety Cost Savings	$117,567	$27,883	21%
	Travel Time Cost Savings	$190,752	$45,240	35%
	Vehicle Operating Cost Savings	$127,178	$30,163	23%
	Social Cost Savings (Congestion, Noise, and Pavement)	$13,115	$3,111	2%
	Transit Amenity Benefits	$6,292	$1,492	1%
	Property Value Enhancement Benefit	$35,721	$19,430	15%
	CO2 Emissions Cost Savings	$5,500	$1,266	1%
	Non-CO2 Emissions Cost Savings	$309	$85	0%
	Total Benefits	**$539,364**	**$130,375**	**100%**

	Description	Unit	Value
Reduced PMT & VMT Over Analysis Period	PMT	miles	461,711,294
	VMT	miles	276,473,828

	Description	Unit	Value
Reduced Crashes by Severity Over Analysis Period	Fatalities	fatalities	3.70
	Injuries	injuries	218.41
	PDO (per vehicle)	crashes	417.49

	Description	Unit	Value
Reduced Delay Time Over Analysis Period	Passenger Hours Traveled	hours	8,188,249

	Description	Unit	Value
Reduced Fuel Usage Over Analysis Period	Gallons of Gasoline	gallons	8,625,983

Notes: Methodology is derived from USDOT BCA Guidance published in 2023. All values are in thousands of 2021 dollars and are discounted at 7% in accordance with USDOT BCA Guidance. Benefits from avoided CO2 emissions are discounted at 3%. Benefits are captured over a 30-year period, starting in 2030 and ending in 2059.

San Dieguito Bridge Replacement, Double Track and Special Events Platform Project (PPNO CP119)

Intercity Rail Benefits		
Travel Time Savings	$4.06	$121.66
Travel Time Reliability	$2.04	$61.15
Vehicle Operating Cost Savings	$1.28	$38.40
Accident Reduction	$2	$74
Vehicle Emission Reductions	$0.14	$4.17
SUBTOTAL	$9.98	$299.47
Commuter Rail Benefits		
Travel Time Savings	$7.77	$233.1
Travel Time Reliability	$2.55	$76.61
Vehicle Operating Cost Savings	$1.25	$37.36
Accident Reduction	($0.29)	($8.55)
Vehicle Emission Reductions	$0.07	$2.05
SUBTOTAL	$11.35	$340.6
Freight Rail Benefits		
Shipping Cost Savings	$7.23	$216.80
Accident Reduction	$0.38	$11.31
Vehicle Emission Reductions	($1.11)	($33.35)
SUBTOTAL	**$6.49**	**$194.76**
Freight Rail Benefits		
Travel Time Savings	$0.17	$5.19
Accident Reduction	$1.31	$39.21
Vehicle Emission Reductions	$0.00	$0.00
SUBTOTAL	**$1.48**	**$44.40**
Benefits of Avoided Bluff Failure		
Transit Savings	$5.49	$164.76
Freight Savings	$0.59	$17.68
Bus-Bridge Operations Savings	$0.10	$2.91
Bluff Repair Savings	$0.48	$14.29
SUBTOTAL	$6.65	$199.64
Total Benefits		$1,078.88
Total Costs		$2,705.4
Benefit-Cost Ratio		**0.40**

Bay Skyway Phase 1 - West Oakland Link and YBL Multi use Path, Santa Claus Lane Railroad Crossing and Beach Access Improvements Phase 2 , Shandon Roadside Rest Area Improvements, Delano to Pixley 6-Lanes, North Madera 6 Lane

Waiting for information

REPORT TO CITY COUNCIL

Approved by:

Wendy Silva, Department Director

Arnoldo Rodriguez, City Manager

Council Meeting of: November 15, 2023

Agenda Number: B-6

SUBJECT:

Continuing Declaration Proclaiming the Existence of a Local Emergency – January 2023 Winter Storms

RECOMMENDATION:

Adopt a Resolution Continuing the Declaration Proclaiming the Existence of a Local Emergency – January 2023 Winter Storms in accordance with Madera Municipal Code Title III, Chapter 2

SUMMARY:

The City of Madera and State of California experienced significant storm events and related impacts beginning in December 2022. President Biden declared a major disaster for various counties in California, inclusive of Madera County, for severe winter storms, flooding, landslides, and mudslides. The disaster period began December 27, 2022, and concluded January 31, 2023.

The City of Madera declared a local emergency related to storm impacts incurred during the disaster period. The requested action is to continue the emergency declaration while the City works through project completion for repairs and finalizes disaster assistance through the Federal Emergency Management Agency (FEMA) and California Office of Emergency Services (CalOES).

DISCUSSION:

California experienced severe winter storms beginning in December 2022. President Biden declared a major disaster for various counties in California, inclusive of Madera County, for severe winter storms, flooding, landslides, and mudslides. The disaster period began December 27, 2022, and concluded January 31, 2023. During the disaster period, the City of Madera experienced significant impacts, including:

- Debris clearing in the storm system, public right-of-way, and park spaces

- Emergency protective measures
- Catastrophic failure of the Avenue 13 sewer trunk line at Granada Drive
- Multiple storm drain line failures and related asphalt and/or sidewalk failures
- Asphalt failure
- Degradation of equipment at the Wastewater Treatment Plant due to additional incoming debris
- Administrative costs associated with the above as well as with administration of the claim for damages with FEMA and CalOES

The City Manager as the Director of Emergency Services initially declared a local disaster for the City of Madera January 27, 2023. This declaration was ratified by the City Council at its meeting February 1, 2023, and has since been extended in compliance with the City's municipal code and FEMA and CalOES requirements. The contemplated action will continue the local emergency as staff works with FEMA and CalOES on projects to repair and mitigate local impacts related to the declared disaster. Attachment 1 to this report summarizes the City's projects submitted to FEMA and CalOES under this disaster.

FINANCIAL IMPACT:

The recommended action is necessary to ensure specific liability protection, emergency powers of the Emergency Services Director, and potential recovery of eligible costs, if any, from State and Federal emergency funds.

ALTERNATIVES:

Staff does not recommend consideration of other alternatives given alternatives likely would remove reimbursement to the City that may become possible as a result of this action.

ATTACHMENTS:

1. Table of submitted projects
2. Resolution continuing the Declaration of a Local Emergency for January 2023 winter storms

Attachment 1

Federal Emergency Management Agency Event 4683DR-CA: California Severe Winter Storms, Flooding, Landslides, and Mudslides
City of Madera Submitted Projects

Category	Project	Work Status	Documentation Submitted	Project Dollar Value	Federal Cost Share
A - Debris Removal	Various Debris Cleanup - Citywide	Complete	Yes	$31,639.79	100%
B - Emergency Protective Measures	Avenue 13 Sewer Trunk Line - Emergency Bypass Pumping (days 1-60)	Complete	Yes	$770,213.30	100%
B - Emergency Protective Measures	Avenue 13 Sewer Trunk Line - Emergency Bypass Pumping (61 days plus)	Complete	Yes	$375,984.30	75/25
C - Roads and Bridges	Lewis St / Monterey St - Storm Drain and Sidewalk	Complete	Yes	$41,952.22	75/25
C - Roads and Bridges	NW Corner D St / Green Way (Sherwood Pond) - Asphalt and Storm Drain	Incomplete	Pending permanent asphalt patch by contractor; all internal work complete and related documentation received		75/25
C - Roads and Bridges	Schnoor Ave / Modoc (T&C Park) - Asphalt, Curb and Gutter	Complete	Yes	$9,220.05	75/25
C - Roads and Bridges	Knox St / Neplus Way - Asphalt	Complete	Yes	$20,481.61	75/25
F - Utilities	WWTP - Repair/Replace Influent Pumps and Grit Pumps	Incomplete	Pending repair/replacement of damaged equipment		75/25
F - Utilities	Avenue 13 Sewer Trunk Line - Permanent Work	Complete	Yes	$1,000,000 (estimate*)	75/25

* Category F relating to the Avenue 13 sewer trunk failure will capture all costs not included in the two Category B projects for the same incident. The final number will be adjusted after all invoices are reviewed/reconciled by the FEMA Program Delivery Manager.

RESOLUTION NO. 23-__

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA, CONTINUING THE DECLARATION PROCLAIMING THE EXISTENCE OF A LOCAL EMERGENCY – JANUARY 2023 WINTER STORMS IN ACCORDANCE WITH MADERA MUNICIPAL CODE TITLE III, CHAPTER 2

WHEREAS, the City of Madera has already been adversely impacted by the effects of other local emergencies such as the recent unexpected closure of Madera Community Hospital and the ongoing COVID-19 pandemic; and

WHEREAS, pursuant to the provisions of Government Code section 8558(b), on January 4, 2023 the Governor of the State of California issued a "Proclamation of a State of Emergency" ("Governor's Proclamation") relating to severe winter storms and a series of atmospheric river systems that struck California, bringing high winds, substantial precipitation, and river, stream and urban flooding. The Governor's Proclamation declared that conditions of extreme peril to the safety of persons and property exist due to these storms; and

WHEREAS, the Director of Emergency Services has found that conditions of extreme peril to the safety of persons and property continue to exist within the City of Madera, caused by a series of extreme winter weather events that started on or about December 27, 2022; and

WHEREAS, these extreme winter storm events also referred to as "Atmospheric Rivers" produced large rainfall totals and wind, leading to localized flooding and storm surges within the City's critical infrastructure systems; and

WHEREAS, these extreme winter storm events have and may continue to cause damage to the City of Madera and other public and private facilities, including but not limited to roads, critical infrastructure, transportation corridors, and buildings, the extent of which has not been completely compiled; and

WHEREAS, strict compliance with certain Madera Municipal Code ("MMC") and other City regulations would prevent, hinder, or delay appropriate actions to prevent and mitigate the effects of the severe winter storms, which issue cannot be timely addressed absent a declaration of emergency; and

WHEREAS, the mobilization of local resources, ability to coordinate interagency response, accelerate procurement of vital supplies, use mutual aid, and allow for future reimbursement by the state and federal governments will be critical to successfully responding to the severe winter storms; and

WHEREAS, local resources have been and will continue to be deployed by the City of Madera to mitigate and recover from these extreme weather events, thereby depleting strained public safety resources such as Law Enforcement, Public Works, and Engineering services; and

WHEREAS, it has now been found that local resources will be unable to cope with the catastrophic effects of this emergency; and

WHEREAS, Section 3-2.04 of the Madera Municipal Code designates the City Manager as the

Director of Emergency Services for the City of Madera; and

WHEREAS, California Government Code Sections 8558 and 8630, et seq., and Section 3-2.04(A) of the Madera Municipal Code authorizes the Director of Emergency Services to proclaim the existence of a local emergency within the City of Madera when the City Council is not in session and the City of Madera is affected or likely to be affected by the existence or threatened existence of conditions of emergency or of extreme peril to the safety of persons and property within the territorial limits of the City of Madera; and

WHEREAS, on January 27, 2023, the City Council was not in session, and the City's Director of Emergency Services declared a local emergency thereby activating the Emergency Operations Center; and

WHEREAS, pursuant to Government Code Section 8630 and MMC Section 3-2.04(A), a local emergency declared by the Director of Emergency Services shall not remain in effect for a period in excess of seven (7) days unless it has been ratified by the City Council; and

WHEREAS, the health, safety and welfare of City residents, businesses, visitors and staff are of utmost importance to the City and additional future measures may be needed to protect the community. The mobilization of local resources, ability to coordinate interagency response, accelerate procurement of vital supplies, use mutual aid, and allow for future reimbursement by the state and federal governments will be critical to successfully responding to the present storm-related state of emergency. The City may require additional assistance in the future, and proclamation of local emergency allows additional resources to flow to the City in a timely manner; and

WHEREAS, the Director of Emergency Services requests that the City Council continue the declaration of a state of local emergency for the City of Madera as impacts from the storm events are evaluated, repaired, and or mitigated; and

WHEREAS, after consideration of all facts reasonably available for review and all items, the City Council of the City of Madera now desires to continue the proclamation and reaffirm the existence of a state of emergency throughout the City to make additional resources available to address the disaster impacts of the above-described 2023 winter storms, ratify the proclamation of the Director of Emergency Services made on January 27, 2023, and affirm the existence of a state of local emergency for the City of Madera as of the date of January 4, 2023 when Governor Newson declared the existence of a state of emergency for the State of California.

NOW, THEREFORE, be it resolved by the City Council of the City of Madera as follows:

1. Recitals. The above recitals true and correct and incorporated herein as findings by the City Council.

2. Proclamation of Local Emergency. The actual existence of conditions of extreme peril to the safety of persons and property have arisen within the City of Madera, caused by the effects of the above-described 2023 winter storms. The City Council, based upon the foregoing, now does proclaim, declare and affirm the continuing existence of a local emergency throughout the City.

3. Ratification. The aforementioned conditions of extreme peril warranted and necessitated the extension of the proclamation of the existence of a local emergency throughout the City of Madera

by the City's Director of Emergency Services on January 27, 2023. The City Council of the City of Madera does hereby ratify and affirm the need to continue the proclamation of a local emergency throughout the City of Madera.

4. Effective Date of Local Emergency. The City Council of the City of Madera does hereby extend and reaffirm the existence of a state of local emergency for the City of Madera as of the date of January 4, 2023, when the Governor of the State of California originally declared the existence of a state of emergency for the State of California, for the reasons articulated in the Governor's Proclamation of the existence of a state of emergency for the State of California on January 4, 2023, the reasons articulated herein, and for the reasons in the proclamation of a local emergency throughout the City of Madera by the City's Director of Emergency Services proclaimed on January 27, 2023.

5. Authority. During the existence of said local emergency, the powers, authority, functions and duties of the Director of Emergency Services and the City's emergency services organizations shall be those prescribed by state law, City ordinances, resolutions, and approved plans of the City in order to mitigate the effects of said local emergency. In this regard, the Council desires to make clear the powers, functions, and duties include:

a. As necessary for the public health, life, and property, entering into contracts to arrange for the procurement of materials, goods, and services needed to assist in preparing for, containing, responding to, mitigating the effects of, and recovering from the severe weather conditions. Applicable provisions of the Government Code and the Public Contract Code, including but not limited to travel, advertising, and competitive bidding requirements, as well as any City procurement or related policy, are suspended to the extent reasonably necessary to address the effects of the severe weather conditions.

b. The Emergency Services Director is expressly authorized to assist with any lawful order, including the enforcement of an order issued by Governor's Proclamation.

c. The designation and authorization of Arnoldo Rodriguez, City Manager and Emergency Services Director, or his designee, as the Local Hazard Mitigation Coordinator of the City of Madera is reaffirmed, including for the purposes of i) assessing damage within the City of Madera and consulting with federal/state survey teams about hazard mitigation actions; and ii) authorized representative for individual assistance of the City of Madera for purposes of receipt, processing, and coordination of all inquiries and requirements necessary to obtain available state and federal assistance

6. Duration. Per Government Code Section 8630, this ratification of the proclamation of local emergency shall expire in sixty (60) days unless extended by the City Council. At the direction of the Emergency Services Director, City Staff are directed to return this item for Council review of the need for continuing the local emergency prior to the expiration of the sixty (60) days period.

7. Notice to Agencies. In accordance to the California Disaster Assistance Act and the Stafford Act, the Emergency Services Director is authorized to send a copy of this ratification of a proclamation of local emergency be forwarded to the Director of California Governor's Office of Emergency Services requesting that the Director find it acceptable in accordance with State law; that the Governor waive regulations that may hinder response and recovery efforts; that recovery assistance be made available under the California Disaster Assistance Act; and that the State expedite access to State

and Federal resources and any other appropriate federal disaster relief programs. A copy of this Resolution shall be forwarded to the Madera County Office of Emergency Services.

8. Severability. If any subsection, sentence, clause, phrase, or word of this Resolution or any application of it to any person, structure, gathering, or circumstance is held to be invalid or unconstitutional by a decision of a court of competent jurisdiction, then such decision will not affect the validity of the remaining portions or applications of this Resolution.

9. Effective Date of Resolution. This Resolution shall be effective immediately upon passage and adoption. The City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original Resolutions.

10. Publication. This Resolution and its contents will be published and promulgated in as widespread a manner as is reasonably feasible under the conditions prevailing during this local emergency.

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REPORT TO CITY COUNCIL

Approved by:

Wendy Silva

Wendy Silva, Director of Human Resources

Arnoldo Rodriguez

Arnoldo Rodriguez, City Manager

Council Meeting of: November 15, 2023

Agenda Number: B-7

SUBJECT:

Approval to procure telecommunications services through California Network and Telecommunications (CALNET) Program NextGen contract

RECOMMENDATION:

Adopt a Resolution approving the City of Madera's participation in the CALNET NextGen contract to procure telecommunications services and authorizing the City Manager to execute necessary documents to participate in the program

SUMMARY:

The City procures various telecommunications services in the course of business. The California Department of Technology is responsible for CALNET, a program focused on providing oversight, statewide policy, and a suite of competitively bid telecommunications contracts that are available to state and local government agencies. The City participates in the current CALNET 3 contract. As that contract expires December 31, 2023, the City must take action to move to the new CALNET NextGen contract to maintain discounted pricing under the program.

DISCUSSION:

The City procures various telecommunications services such as telephone lines, fax lines, Centrex (trunk) lines, data services, and cellular services to conduct business. The California Department of Technology is responsible for CALNET, a program focused on providing services that meet the State of California's complex and critical telecommunications and network business needs. The CALNET Program accomplishes this by providing oversight, statewide policy, and a suite of competitively bid telecommunications contracts that are available to state and local government agencies.

The City currently participates in the CALNET 3 contract, which expires December 31, 2023. In order to continue to receive the CALNET pricing on applicable services, the City must transition to the new CALNET NextGen contract.

The Madera Municipal Code relating to Purchasing Procedures provides in §2-4.07 (B):

> *Information technology goods and services.* In accordance with Cal. Public Contract Code § 10299, the City, through the Purchasing Agent may, without formal or informal bidding, contract with suppliers who have been awarded contracts by governmental entities for the purchase of goods, information technology, and services under the competitive process in Cal. Public Contract Code §§ 12100 to 12113. Such contracts typically take the form of master agreements, price schedules, or multiple award schedules. The City may make these purchases directly from the vendors or the state may provide assistance to the city in making these acquisitions.

The CALNET contracts are between the State of California and participating providers and awarded per the California Public Contract Code as cited in the City's Purchasing Procedures. Local government agencies such as the City are allowed to procure services under the contract through a self-certification process to certify that the City is indeed a qualifying entity. While the contract participation is compliant with the City's Purchasing Procedures and the CALNET program requirements, the annual dollar value of participation exceeds the City Manager's authority. The City Manager may sign agreements to procure goods and services up to $60,000 and the City's annual expenditure on CALNET 3 services during Fiscal Year 2022/23 was approximately $80,000. For this reason, the item is being brought for Council's consideration.

The requested action will approve the continued use of CALNET contracts and authorize the City Manager to execute the applicable forms to register for the program and order the services under the new NextGen contract. The documents confirm the City's participation in the CALNET NextGen contract; however, the City is not tied to any specific services or term length and may modify or amend its services at any time.

FINANCIAL IMPACT:

The requested action will authorize the City to continue participation in the CALNET Program for applicable services. The program offers competitively bid rates on telecommunications services when compared to the open market. Two examples of specific services the City currently procures are our Business Access Lines and Centrex Lines. Under the NextGen contract, the Business Access Lines will cost approximately $400/month, while they would be over $34,000/month through the same provider if purchased at tariff (market) rates. Similarly, the City's Centrex lines will cost approximately $85/month under the NextGen contract, but would cost over $6,700/month at tariff rates. Overall savings will depend on specific services received.

The adopted operating budget was built with the assumption that the City will continue utilizing best-cost procurement methods such as the CALNET Program. The requested action will assist the City in procuring low-cost, high quality services, but is not anticipated to garner savings over budgeted operating costs.

ALTERNATIVES:

Council may direct staff to issue a Request for Proposals (RFP) for telecommunications services as opposed to participating in the State program.

ATTACHMENTS:

1. Resolution
    a. Exhibit 1: CALNET Program documents link
    b. Exhibit 2: Department of Technology Non-State Entity Service Policy and Agreement
    c. Exhibit 3: Authorization to Order for Legacy Categories 15-18
    d. Exhibit 4: Authorization to Order for Data Network and Communications Services Categories 20-30

Resolution No. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA APPROVING THE CITY OF MADERA'S PARTICIPATION IN THE CALNET NEXTGEN CONTRACT TO PROCURE TELECOMMUNICATIONS SERVICES

WHEREAS, the City of Madera (City) has a need to procure telecommunications services; and

WHEREAS, the City's Purchasing Procedures as codified in Madera Municipal Code Title II, Chapter 4, provide that the City may contract with suppliers who have been awarded contracts by government entities for the purchase of information technology goods and services under the competitive process contained in the California Public Contract Code §§ 12100 and 12113; and

WHEREAS, the State of California CALNET program meets the requirements as set forth in the City's Municipal Code and the California Public Contract Code for the City to utilize the program for the procurement of information technology goods and services; and

WHEREAS, the City currently participates in the CALNET 3 contracts for certain telecommunications services and the CALNET 3 contracts are expiring December 31, 2023; and

WHEREAS, the State of California has entered into new agreements with providers, known as CALNET NextGen contracts, to provide telecommunications services; and

WHEREAS, it is in the best interest of the City to continue its participation in the CALNET program to experience significant price discounts compared to tariff rates by participating under the CALNET NextGen contracts.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MADERA hereby resolves, finds, and orders as follows:

1. The foregoing recitals are true and correct and are incorporated by reference.
2. CALNET program documents, linked in Exhibit 1 and incorporated herein by reference, are approved for participation.
3. The City Manager is authorized to sign documents necessary to participate in the CALNET NextGen contracts, to include the following, attached hereto as the identified exhibits and incorporated herein:
    a. Exhibit 2: Department of Technology Non-State Entity Service Policy and Agreement
    b. Exhibit 3: Authorization to Order for Legacy Categories 15-18
    c. Exhibit 4: Authorization to Order for Data Network and Communications Services Categories 20-30

4. This resolution is effective immediately upon adoption.

* *

Exhibit 1: Link to CALNET Program Documents

https://cdt.ca.gov/services/calnet-services/

Exhibit 2: Department of Technology Non-State Entity Service Policy and Agreement

DEPARTMENT OF TECHNOLOGY
NON-STATE ENTITY SERVICE POLICY AND AGREEMENT (NESPA)

The California Network and Telecommunications Program (CALNET) service offerings are primarily intended to meet State entity requirements. However, CALNET services may be purchased by qualified non-State entities. To use the CALNET Next Generation of contracts, non-State entities are required to self-certify that their organization qualifies for one of the CALNET eligibility criteria below.

Authorized Entity Criteria

Please select one of the following:

- ☐ Local government entities are defined as "any city, county, city and county, district or other local governmental body or corporation empowered to expend public funds for the acquisition of goods, information technology or services" per Public Contract Code Chapter 2, Paragraph 10298 (a) (b). While the State makes this contract available to local governmental entities, each local governmental entity should determine whether this contract is consistent with its procurement policies and regulations.
- ☐ 100% tax supported governmental entity
- ☐ A governmental entity with a Joint Powers Agreement (JPA)
- ☐ Federally recognized Indian Tribe

NON-STATE ENTITY INFORMATION

REQUESTING NON-STATE ENTITY ORGANIZATION NAME

NAME AND TITLE OF AUTHORIZED REPRESENTATIVE SIGNING ON BEHALF OF NON-STATE ENTITY

STREET ADDRESS

CITY, STATE, ZIP CODE

CONTACT PHONE NUMBER

EMAIL ADDRESS

I certify under penalty of perjury the requesting entity meets the NESPA "Authorized Entity Criteria" selected above.

_____

NON-STATE ENTITY SIGNATURE DATE

CDT/CALNET PROGRAM

CUSTOMER CODE:

Exhibit 3: Authorization to Order for Legacy Categories 15-18

CALNET
AUTHORIZATION TO ORDER (ATO)

AT&T Corp and the California Department of Technology (CDT) have entered into a multi-year statewide contract for CALNET Legacy Telecommunications Voice and Data Services, C4A1LEG18, Categories 15, 16, 17, and 18. The CDT may, at its sole option elect to extend the Contract Term for up to the number of years as indicated in the Contract.

Category 15, Dedicated Transport:

- Contract award: 01/03/2019
- Contract end: 06/30/2026
- Number of optional extensions and extension duration(s): 3 extensions, 1 year per extension

Category 15.2.2, Carrier DSO Service:

- Contract award: 01/03/2019
- Contract end: 06/30/2024

Category 16, Long Distance Calling:

- Contract award: 01/03/2019
- Contract end: 06/30/2024
- Number of optional extensions and extension duration(s): 5 extensions, 1 year per extension

Category 17, Toll Free Voice Calling:

- Contract award: 01/03/2019
- Contract end: 06/30/2024
- Number of optional extensions and extension duration(s): 5 extensions, 1 year per extension

Category 18, Legacy Telecommunications:

- Contract award: 01/03/2019
- Contract end: 06/30/2026
- Number of optional extensions and extension duration(s): 3 extensions, 1 year per extension

Category 18.3.1.1, Analog Service:

- Contract award: 01/03/2019
- Contract end: 06/30/2024

Pursuant to the Contract C4-LEG-12-10-TS-01, which is incorporated herein by reference, any eligible on-state public entity (herein "Non-State Entity"), as authorized in Government Code section 11541 is allowed to order services and products (collectively "Services") solely as set forth in the Contract.

To establish CALNET eligibility, the Non-State Entity will be required to have a Non-State Entity Service Policy and Agreement (NESPA) on file with the CDT CALNET Program, prior to submitting the Authorization to Order (ATO).

Once the Non-State Entity and the Contractor approve and sign the ATO, the Contractor shall deliver the ATO to the CALNET Program for review and approval. No Service(s) shall be ordered by the Non-State Entity or provided by the Contractor until both parties and the CALNET Program execute the ATO.

By executing the ATO, the
[Non-State Entity] may subscribe to the Service(s), and the Contractor agrees to provide the Service(s), in accordance with the terms and conditions of the ATO and the Contract. Service catalogs, rates and Contract terms are available at the CALNET Program website.

The ATO, and any resulting order for Service(s), is a contract between the Non-State Entity and the Contractor. As such, the CDT will not facilitate, intervene, advocate or escalate any disputes between the Non-State Entity and the Contractor or represent the Non-State Entity in resolution of litigated disputes between the parties.

The ATO shall not exceed the term of the Contract and shall remain in effect for the duration of the contract unless:

- The CDT, at its discretion, revokes the approved ATO; or
- The Non-State Entity terminates the ATO, for specific Services(s) in part or in total, prior to termination of the Contract, by providing the Contractor with a 30 calendar days' prior written notice of cancellation.

The Non-State Entity, upon execution of the ATO, certifies that:

- The Non-State Entity understands that the Contractor and the CDT may, from time to time and without the Non-State Entity's consent, amend the terms and conditions of the Contract thereby affecting the terms of service the Non-State Entity receives from the Contractor.
- The Non-State Entity has reviewed the terms and conditions, including the rates and charges, of the Contract.
- The Non-State Entity understands and agrees that the Contractor invoices for Service(s) subscribed to under the Contract are subject to review and/or audit by the CDT, pursuant to provisions of the Contract.

- All Service(s) ordered under the ATO will be submitted to the Contractor using an authorized purchasing document, signed by the Non-State Entity's authorized signatory. Any additions, changes to, or deletions of Service(s) shall be accomplished by submission of a purchasing document to the Contractor, noting the changes.

- The Non-State Entity understands and agrees that the Contractor shall provide the CALNET Program all data, invoices, reports and access to trouble tickets for Service(s) subscribed to under the Contract, pursuant to provisions of the Contract. Upon execution of the ATO, the Non-State Entity authorizes the CALNET Contractor to release the Non-State Entity's Customer Proprietary Network Information (CPNI) to the CALNET Program for purposes of administering the Contract.

- The Non-State Entity understands that, the Contractor shall bill the Non-State Entity, and the Non-State Entity shall pay the Contractor according to the terms and conditions, and rates set forth in the Contract for such Service(s).

E-Rate Customers Only – Complete if applying for E-Rate funding:

[Enter Non-State Entity name] intends to seek Universal Service Funding (E-Rate) for eligible Service(s) provided under the ATO. The Service(s) ordered under the ATO shall commence [MM/DD/YYYY] ("Service Date"). Upon the Service Date, the ATO supersedes and replaces any applicable servicing arrangements between the Contractor and the Non-State Agency for the Service(s) ordered under the ATO.

Contact Information

Any notice or demand given under this Contract to the Contractor or the Non-State Entity shall be in writing and addressed to the following:

Non-State Entity

Non-State Entity Name

Authorized Agent

Contact Number

Title of Authorized Agent

Email

Address

City, State, Zip Code

Contractor

AT&T Corp

Authorized Agent: Keith Nagel

Attention: Program Management Office

Address 2700 Watt Avenue
Room 1213
Sacramento, CA 95821

Contact Number: 916-384-6175

Email: KN7135@att.com

IN WITNESS WHEREOF, the parties below hereto have caused the execution of this ATO. The effective date of this ATO, between the Non-State Entity, the Contractor and CDT/CALNET shall be pursuant to the CDT/CALNET "**DATE EXECUTED**" shown below.

Non-State Entity

Authorized Agent Name

Title of Authorized Agent

Signature

Date Signed

Contractor

Authorized Agent Name

Title of Authorized Agent

Signature

Date Signed

Approved By: State of California Department of Technology

Authorized Agent Name

Title of Authorized Agent

Signature

Date Executed

Exhibit 4: Authorization to Order for Data Network and Communications Services
Categories 20-30

CALNET
AUTHORIZATION TO ORDER (ATO)

AT&T Corp. and the California Department of Technology (CDT) have entered into a five-year statewide contract for CALNET IFB C4DNCS19, Data Networks and Communications Services, Categories 20, 21, 22, 23, 24, 25, 27, 28, 29 and 30. The CDT may, at its sole option elect to extend the Contract Term for up to the number of years as indicated in the Contract.

Category: 20, MPLS Data Network Services

- Contract award: 04/15/2020
- Contract end: 06/30/2025
- Number of optional extensions and extension duration(s): 3 extensions, 1 year per extension

Category: 21, Standalone VoIP Services

- Contract award: 04/15/2020
- Contract end: 06/30/2025
- Number of optional extensions and extension duration(s): 3 extensions, 1 year per extension

Category: 22, Cloud Hosted VoIP Services

- Contract award: 04/15/2020
- Contract end: 06/30/2025
- Number of optional extensions and extension duration(s): 3 extensions, 1 year per extension

Category: 23, Metropolitan Area Network (MAN) Ethernet Services and Features

- Contract award: 04/15/2020
- Contract end: 06/30/2025
- Number of optional extensions and extension duration(s): 3 extensions, 1 year per extension

Category: 24, Flat Rate Internet Services

- Contract award: 04/15/2020
- Contract end: 06/30/2025
- Number of optional extensions and extension duration(s): 3 extensions, 1 year per extension

Category: 25, Sustained Bandwidth Internet Services and Features

- Contract award: 04/15/2020
- Contract end: 06/30/2025
- Number of optional extensions and extension duration(s): 3 extensions, 1 year per extension

Category: 27, Standard Contact Center Services

- Contract award: 04/15/2020
- Contract end: 06/30/2025
- Number of optional extensions and extension duration(s): 3 extensions, 1 year per extension

Category: 28, Custom Contact Center Services

- Contract award: 04/15/2020
- Contract end: 06/30/2025
- Number of optional extensions and extension duration(s): 3 extensions, 1 year per extension

Category: 29, Converged VoIP Services

- Contract award: 04/15/2020
- Contract end: 06/30/2025
- Number of optional extensions and extension duration(s): 3 extensions, 1 year per extension

Category: 30, Broadband with Internet Services

- Contract award: 04/15/2020
- Contract end: 06/30/2025
- Number of optional extensions and extension duration(s): 3 extensions, 1 year per extension

Pursuant to the Contract C4-DNCS-19-001-40, which is incorporated herein by reference, any eligible non-state public entity (herein "Non-State Entity"), as authorized in Government Code section 11541 is allowed to order services and products (collectively "Services") solely as set forth in the Contract.

To establish CALNET eligibility, the Non-State Entity shall be required to have a Non-State Entity Service Policy and Agreement (NESPA) on file with the CDT CALNET Program, prior to submitting this Authorization to Order (ATO).

Once the Non-State Entity and the Contractor approve and sign the ATO, the Contractor shall deliver this ATO to the CALNET Program for review and approval. No Service(s) shall be ordered by the Non-State Entity or provided by the Contractor until both parties and the CALNET Program execute this ATO.

By executing this ATO, the
[Non-State Entity] may subscribe to the Service(s), and the Contractor agrees to provide the Service(s), in accordance with the terms and conditions of this ATO and the Contract. Service catalogs, rates and Contract terms are available at the CALNET Program website.

The ATO, and any resulting order for Service(s), is a contract between the Non-State Entity and the Contractor. As such, the CDT will not facilitate, intervene, advocate or escalate any disputes between the Non-State Entity and the Contractor or represent the Non-State Entity in resolution of litigated disputes between the parties.

The ATO shall not exceed the term of the Contract and shall remain in effect for the duration of the contract unless:

- The CDT, at its discretion, revokes the approved ATO; or
- The Non-State Entity terminates the ATO, for specific Service(s) in part or in total, prior to termination of the Contract, by providing the Contractor with a 30 calendar days' prior written notice of cancellation.

The Non-State Entity, upon execution of the ATO, certifies that:

- The Non-State Entity understands that the Contractor and the CDT may, from time to time and without the Non-State Entity's consent, amend the terms and conditions of the Contract thereby affecting the terms of the service the Non-State Entity receives from the Contractor.
- The Non-State Entity has reviewed the terms and conditions, including the rates and charges, of the Contract.
- The Non-State Entity understands and agrees that the Contractor invoices for Service(s) subscribed to under the Contract are subject to review and/or audit by the CDT, pursuant to provisions of the Contract.
- All Service(s) ordered under the ATO will be submitted to the Contractor using an authorized purchasing document, signed by the Non-State Entity's authorized signatory. Any additions, changes to, or deletions of Service(s) shall be accomplished by submission of a purchasing document to the Contractor, noting the changes.

- The Non-State Entity understands and agrees that the Contractor shall provide the CALNET Program all data, invoices, reports and access to trouble tickets for Service(s) subscribed to under the Contract, pursuant to provisions of the Contract. Upon execution of the ATO, the Non-State Entity authorizes the CALNET Contractor to release the Non-State Entity's Customer Proprietary Network Information (CPNI) to the CALNET Program for purposes of administering the Contract.
- The Non-State Entity understands that, the Contractor shall bill the Non-State Entity; and the Non-State Entity shall pay the Contractor according to the terms and conditions, and rates set forth in the Contract for such Service(s).

E-Rate Customers Only – Complete if applying for E-Rate funding:

(Enter Non-State Entity name) intends to seek Universal Service Funding (E-Rate) for eligible Service(s) provided under the ATO. The Service(s) ordered under the ATO shall commence MM/DD/YYYY ("Service Date"). Upon the Service Date, the ATO supersedes and replaces any applicable servicing arrangements between the Contractor and the Non-State Agency for the Service(s) ordered under the ATO.

Contact Information

Any notice or demand given under this Contract to the Contractor or the Non-State Entity shall be in writing and addressed to the following:

Non-State Entity

Non-State Entity Name

Authorized Agent

Title of Authorized Agent

Address

Contact Number

City, State, Zip Code

Email

Contractor

AT&T Corporation

Authorized Agent : Keith Nagel

Attention: Program Management Office

Address: 2700 Watt Avenue
Room 1213
Sacramento, CA 95821

Contact Number:
916-384-6175
Email:
KN7135@att.com

IN WITNESS WHEREOF, the parties below hereto have caused the execution of this ATO. The effective date of this ATO, between the Non-State Entity, the Contractor and CDT/CALNET shall be pursuant to the CDT/CALNET "**DATE EXECUTED**" shown below.

Non-State Entity

Authorized Agent Name

Title of Authorized Agent

Signature

Date Signed

Contractor

Authorized Agent Name

Title of Authorized Agent

Signature

Date Signed

Approved By: State of California, Department of Technology

Authorized Agent Name
CALNET Program
Title of Authorized Agent
Analyst
Signature

Date Executed

REPORT TO CITY COUNCIL

Approved by:

Michael Lima, Director of Financial Services

Arnoldo Rodriguez, City Manager

Council Meeting of: November 15, 2023

Agenda Number: B-8

SUBJECT:

Second Reading and Adoption of an Ordinance to Update Certain Fines Detailed in the Madera Municipal Code

RECOMMENDATION:

Waive full reading and adopt an Ordinance of the City Council of the City of Madera amending Sections 1-9.06(A) and (B), 3-2.08, 5-3.31, and 5-4.06 (I) of the Madera Municipal Code to update various fines

SUMMARY:

The California Government Code (Government Code) allows for cities to enact ordinances that define what is a public nuisance within that community. The Government Code also allows cities to set civil penalties up to certain limits. The City has utilized the language in the Government Code to establish various fine amounts in the Madera Municipal Code (MMC). As many of these fine amounts have not been adjusted in several years, staff is proposing to adjust them to improve their deterrent value.

These changes were introduced by staff at the November 1st Council meeting. At that meeting, Council waived the full reading, adopted the ordinance approving the changes, and introduced the proposed amendment to the MMC. If approved by Council, the proposed changes will go into effect on the 31st day after the second reading.

DISCUSSION:

California Government Code Sections 36901, 38771, and 38773.5(a) gives the City the authority to establish ordinances that define a public nuisance for the community, provide for the recovery of reasonable attorney's fees in any action to abate a public nuisance and impose fines for violations of these ordinances. The Government Code also specifies that the fine cannot be more than $1,000 for misdemeanors and $500 for administrative citations for infractions. The City has utilized this Government Code language to establish several public nuisance ordinances and associated fines for infractions against those ordinances in the Madera Municipal Code (MMC).

As part of the Fiscal Year (FY) 2023/24 Budget process, staff reviewed the fines to see if they were sufficient to continue serving as a deterrent to public nuisance behavior. One component of that review

was noting the last time the fine had been adjusted, taking into account how inflation can reduce deterrent effect, and determining whether intervening updates in the law would warrant additional refinement. Based on this, staff recommends updating four types of fines within the MMC. They are listed below, followed by a synopsis of each.

1. Administrative Citation Fines – MMC Section 1-9.06 (A) and (B)
2. Emergency Services Fines – MMC Section 3-2.08
3. Construction/Demolition Debris Disposal Violations – MMC Section 5-3.31
4. Sewage Disposal Enforcement – MMC Section 5-4.06 (I)

1. Administrative Citation Fines – MMC Section 1-9.06 (A) and (B)

Section 1-9 of the MMC sets up an administrative citation program to provide a method of enforcing violations of the Municipal Code. A portion of that section (Section 1-9.06) sets fines that are assessed through that program. These fines are subject to California Civil Code Section 2929.3, which prescribes a maximum fine of $1,000. The MMC's fines for this program have not been increased since 2014.

Staff is recommending that the fines be adjusted by $25 per fine category, with the exception of third/subsequent citations for violations not automatically or expressly deemed infractions under the Municipal Code (which are already at the $1,000 maximum). Table 1 summarizes the current fines and the proposed fines.

Table 1: *Existing vs. proposed fines*

Code Enforcement Fine	Current Rate	Proposed Rate
First Administrative Citation – Violation not automatically or expressly deemed infraction (i.e., misdemeanors).	$100	$125
Second Administrative Citation – Violation not automatically or expressly deemed infraction (i.e., misdemeanors).	$500	$525
Third Administrative Citation – Violation not automatically or expressly deemed infraction (i.e., misdemeanors).	$1,000	$1,000
First Administrative Citation – Violation automatically or expressly deemed infraction.	$75	$100
Second Administrative Citation – Violation automatically or expressly deemed infraction.	$200	$225
Third Administrative Citation – Violation automatically or expressly deemed infraction.	$500	$500

2. Emergency Services Fines – MMC Section 3-2.08

MMC Section 3.2 establishes an Emergency Services function within the City and defines the roles for that function. At the end of the Section, a fine is defined for anyone who either hinders an Emergency Services member from performing their duties, undertakes an act in the service of this function which is otherwise

forbidden by law or regulation, or impersonates a member the Emergency Services function. The fine is defined as "…not to exceed $500…." This language was last updated in 1972, and the fine amount has become less of a deterrent over the last 50+ plus years due to inflationary effects.

As fine is associated with a misdemeanor, it can be increased to $1,000. Consequently, staff is recommending that the language "a fine of not to exceed $500" be removed and replaced with "a fine of $1,000." This language also acknowledges intervening refinements in the law since the last update.

3. Construction/Demolition Debris Disposal Violations – MMC Section 5-3.31

MMC Section 5-3.30 creates requirements for the disposal of construction and demolition debris. An administrative penalty for violating MMC Section 5.3-30 of "…up to $1,000 for each project" is detailed in MMC Section 5-3.31. This section was last updated in 2008.

Staff is recommending that the language "The amount of the penalty may be up to $1,000 for each project" be removed and replaced with "The amount of the penalty shall be $1,000 for each project." This language also acknowledges intervening refinements in the law since the last update.

4. Sewage Disposal Enforcement – MMC Section 5-4.06 (I)

MMC Title V, Chapter 4 details various requirements and regulations for utilizing the City's sewage disposal system. The penalties for violating these requirements and regulations are detailed in MMC Section 5-4.06. Subsection I of Section 5-4.06 defines a violation of the sewage disposal regulations by any individual as a misdemeanor; punishable by jail time or a fine "…not to exceed $500." This section was last modified in 2012.

As a misdemeanor, the fine could be set at $1,000. However, due to the period of time since the last update, staff is recommending that the language "…or by a fine not to exceed $500…" be changed to "or by a fine of $1,000…." This language also acknowledges intervening refinements in the law.

These changes were heard by Council at their November 1, 2023 meeting. At that meeting, Council approved a resolution introducing these changes in the MMC. Approval of these proposed changes during this second reading will codify them into the MMC. If approved, the changes will go into effect 31 days after the second reading.

FINANCIAL IMPACT:

Assuming violation levels remain constant, the proposed increases are estimated to generate approximately $15,000. These additional revenues were not included in the FY 2023/24 Adopted Budget.

ALTERNATIVES:

Council may:

- Reject all proposed fee increases and adjustments.
- Approve a different amount than what is recommended for approval.
- Reject some recommended rates and approve others at recommended rates.

- Reject some recommended rates and approve others at a different amount than what is recommended for approval.

If all proposed actions are rejected, the City will not earn the additional $15,000 of revenue anticipated from the recommended actions. Additionally, the City may have some legal issue should the fines with the unclear language be contested. The effect of taking any of the other alternative action will depend on which action and which rate is adopted.

ATTACHMENTS:

1. Ordinance

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MADERA AMENDING SECTIONS 1-9.06(A) AND (B), 3-2.08, 5-3.31, AND 5-4.06(I) OF THE MADERA MUNICIPAL CODE TO UPDATE VARIOUS FINES

WHEREAS, the City of Madera has the authority, under its police power, to enact regulations for the public peace, morals, and welfare of the city, Cal. Const. Art. XI, section 7; and

WHEREAS, the City Council of the City of Madera finds that certain conditions constitute a public nuisance and are a threat to the public peace, safety and welfare of the City; and

WHEREAS, by declaring that violations of the Madera Municipal Code constitute a public nuisance, the City Council has determined that by violating the City's laws contained in the Madera Municipal Code, a person or entity creates a threat or danger to the public health, safety or welfare as a public nuisance; and

WHEREAS, Sections 36901, 38771 and 38773.5(a) of the California Government Code authorize the City of Madera to enact ordinances declaring what constitutes a public nuisance, the procedures for abating nuisance conditions, providing for the recovery of costs and attorney fees to abate the nuisance, providing for the collection of civil penalties; and

WHEREAS, the City Council finds that ensuring compliance with the Madera Municipal Code and other regulations vital to the protection of the public's health, safety and quality of life throughout the City is an important public service; and

WHEREAS, the City Council finds that an effective code compliance program eliminates and prevents the spread of blight, deterioration and crime, makes neighborhoods safer and more livable, and promotes economic development and pride in the community; and

WHEREAS, the City Council recognizes that an effective code compliance program requires the drafting and adoption of regulations that can be effectively applied by City personnel in a fair and expedient manner; and

WHEREAS, the City Council has determined that it is in the public interest to adopt this ordinance in order to facilitate the City's ability to protect the health, safety, and general welfare of the public through the use of updated administrative citations to promote nuisance abatement as set forth in the Madera Municipal Code and in other applicable laws, rules and regulations, and to address the effects of inflation; and

WHEREAS, the City Council now desires to update the administrative citation penalties.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MADERA does ordain as follows**:**

1. The above recitals are true and correct and are incorporated herein by this reference.

2. Subsections 1.9-06(A) and (B) of the Madera Municipal Code is hereby amended to read (new text is identified in ***bold italics***, deleted text in ~~strikethrough~~):

   § 1-9.06 FINES ASSESSED
   (A) With the exception of violations that are automatically or expressly deemed infractions under the Municipal Code, the amount of the fine assessed for each administrative citation issued for the same violation(s) within one year shall be as follows:
   (1) First administrative citation -- ~~$100~~ ***$125***;
   (2) Second administrative citation -- ~~$500~~ ***$525***;
   (3) Third or subsequent administrative citation -- $1,000.

   (B) For violations of the Municipal Code that are automatically or expressly deemed infractions, the amount of fine assessed for each administrative citation issued for the same violation within one year, shall be as follows:
   (1) First administrative citation -- ~~$75~~ ***$100***;
   (2) Second administrative citation -- ~~$200~~ ***$225***;
   (3) Third or subsequent administrative citation -- $500.

3. Section 3.2-08 of the Madera Municipal Code is hereby amended to read (new text is identified in ***bold italics***, deleted text in ~~strikethrough~~):

   § 3-2.08 PUNISHMENT OF VIOLATIONS.
   It shall be a misdemeanor, punishable by a fine of ~~not to exceed $500~~ ***$1,000***, or by imprisonment not to exceed six months, or both, for any person during an emergency to:
   (A) Willfully obstruct, hinder, or delay any member of the Emergency Services Organization in the enforcement of any lawful rule or regulation issued pursuant to the provisions of this chapter or in the performance of any duty imposed upon him or her by virtue of this chapter;
   (B) To do any act forbidden by any lawful rules or regulations issued pursuant to the provisions of this chapter, if such act is of such a nature as to give, or be likely to give, assistance to the enemy, or to imperil the lives or property of inhabitants of the city, or to prevent, hinder, or delay the defense or protection thereof; or
   (C) To wear, carry, or display without authority any reasons of identification specified by the emergency services agency of the state.

4. Section 5.3-31 of the Madera Municipal Code is hereby amended to read (new text is identified in ***bold italics***, deleted text in ~~strikethrough~~):

§ 5-3.31 PENALTIES FOR NON-COMPLIANCE

Any property owner, developer, or individual who does not comply with any requirement of the construction and demolition debris recycling provisions of this chapter may be assessed an administrative penalty for non-compliance pursuant to Chapter 9 of this code. The amount of the penalty assessed ~~may be up to~~ ***shall be*** $1,000 for each project. Each day that a violation continues shall be deemed a new and separate offense. Without full payment of fees, final occupancy, acceptance of subdivision, or sign off on demolition permit will not be granted.

5. Subsection 5.4-06 (I) of the Madera Municipal Code is hereby amended to read (new text is identified in ***bold italics***, deleted text in ~~strikethrough~~):

§ 5-4.06 ENFORCEMENT

…

(I) Misdemeanor. Any person violating any of these regulations shall be guilty of a misdemeanor and upon conviction thereof shall be punishable by imprisonment in the county jail for a term not to exceed six months, or by a fine ***of*** ~~$500~~ ***$1,000*** or by both such imprisonment and fine. Every day such violation continues shall constitute a separate offense.

REPORT TO CITY COUNCIL

Approved by:

Michael Lima, Director of Financial Services

Arnoldo Rodriguez, City Manager

Council Meeting of: November 15, 2023

Agenda Number: B-9

SUBJECT:

Rejection of bids received for the Request for Proposals # 20223-09 for Intelligent Transportation System Conversion Services

RECOMMENDATION:

Approve a resolution rejection of all four proposals received for RFP No. 20223-09

SUMMARY:

The goal of the Intelligent Transportation System (ITS) conversion Request for Proposals (RFP) was to add transit technology enhancements to the existing Madera Metro fleet and replacement vehicles as they are brought into the fleet. The City issued an RFP for ITS in late December 2022. An evaluation of the proposals was conducted in April and May of 2023.

After completing the City's evaluation process, staff is proposing to reject all bids due to the cost structure of the proposals, the scope of the technology proposed, and concerns about whether this technology will remain relevant for the Madera Metro system given possible changes in the system. The RFP contained language which permits the rejection of bids.

DISCUSSION:

As part of the Affordable Housing and Sustainable Communities (AHSC) Grant, the City received approximately $760,000 from the California Strategic Growth Council (CSGC) for Transportation Related Amenities Enhancement. Of that amount, $280,000 was allocated toward information technology enhancements. These funds need to be expended by December 2024.

After internal discussions, staff decided to expend these funds on ITS enhancements. These enhancements ranged from improving rider connectivity with transit services by receiving real-time bus arrival/delay times, improving the reservation system and driver availability by

providing live updates informing drivers of cancellations and upcoming reservations, and improving the existing passenger count system. To supplement the funding for these enhancements, the City also earmarked $559,403 of the Fiscal Year 2022/23 Low Carbon Transit Operations Program (LCTOP) allocation toward ITS.

The City released an RFP for ITS conversion services on December 23, 2022. The RFP was posted on the City's website and published in the Madera Tribune on December 24, 2022. The proposal was sent to 18 vendors registered with the City on PlanetBids. An additional 17 vendors received notification through PlanetBids. Of the 35 vendors who were notified, 22 downloaded the RFP.

The following is a summary of the RFP and evaluation process:

- The RFP allowed for questions from prospective vendors to be submitted by January 11, 2023. The City posted responses to questions received by the deadline.
- The deadline for RFP proposal submission was March 17, 2023.
- The City's evaluation team received four proposals for review. The four applicants were Connexioinz, Passio, Swiftly, and TransLoc.
- Each proposal was reviewed and scored by each member of the evaluation team. On April 5, 2023, the evaluation team met and discussed the proposals and each team member's scoring. The evaluation team determined that the top three highest-scored proposals would advance. Based on their scores, TransLoc did not finish in the top three proposers and was not advanced in the evaluation process.
- During the week of May 1, 2023, the evaluation team met with representatives from Passio, Connexioinz, and Swiftly.

Table 1 summarizes the proposers' final scores.

Table 1: *Grand Total, 500 Max Weighted Points*

Proposers	Weighted Totals	Rank
Connexioninz	350.33	3
Passio	401.78	2
Swiftly	420.55	1
TransLoc	*Did not reach competitive range*	

Since completing the procurement/evaluation process, questions surfaced related to the proposed agreement. As a result, staff realized there were a few inconsistencies in the released RFP including:

1. The RFP stated the Madera Metro fleet consists of 19 vehicles. However, there are 18 vehicles in the fleet. Of those 18 vehicles, only 12 vehicles are in the Madera Metro Fixed Route system, which are the vehicles that would receive these ITS enhancements. However, bidders submitted costs for 19 vehicles.

2. The RFP requires including a Passenger Infotainment component to the bid. This component consists of announcing route stops. Infotainment is a requirement of the Americans with Disabilities Act (ADA) for transit systems with a minimum 22-vehicle fleet. Therefore, this component should have been an optional service.

While staff did not believe that the issues with the RFP itself were sufficient grounds to reject all bids, they were considered in the context of other issues associated with this bid. Those issues were:

- An ongoing cost to support these enhancements that would prevent the utilization of Transit resources up to the next four fiscal years.
- Uncertainty regarding the City's transit system delivery model, including whether a micro-transit option might be implemented within the time period covered by the RFP.

Given the totality of these concerns, staff is recommending that Council reject all proposals submitted in response to RFP #20223-09. The RFP contained the following language which allows for the rejection of all proposals:

> *"This RFP does not commit the City to award a contract, to pay any costs incurred in the preparation of a Proposal for this request, or to procure or contract for services. The City reserves the right to accept or reject any or all Proposals received as a result of this request, to negotiate with any qualified Firm, or to modify or cancel in part or in its entirety the RFP if it is in the best interests of the City to do so. Furthermore, a contract award may not be made based solely on price."*

FINANCIAL IMPACT:

Transit expenses and personnel time are expended through Local Transportation Funds and other Transit-related grants, which are Federal, State, and local Funds. While rejecting all bids will not directly impact the budget, the City previously allocated AHSC and LCTOP funds toward technology enhancements. If bids are rejected, the monies previously earmarked for technology enhancements will have to be reallocated, unless a new technology enhancement project can be identified. Additionally, AHSC funds must be expensed by December 2024. If another use cannot be identified before that deadline, the City will need to repay the monies to the CSGC.

ALTERNATIVES:

As an alternative, Council may:

1. Deny the request to reject all bids received and award to one of the respondents.
2. Reject all bids received and direct staff to reissue the RFP.

ATTACHMENTS:

1. Resolution to reject all bids for RFP # 20223-09

RESOLUTION NO. 23- _____

A RESOLUTION OF THE CITY COUNCIL, OF THE CITY OF MADERA, CALIFORNIA, REJECTING ALL PROPOSALS FOR CITY OF MADERA RFP NO. 20223-09 INTELLIGENT TRANSPORTATION SYSTEMS CONVERSION

WHEREAS, as part of the Affordable Housing and Sustainable Communities (AHSC) grant the City of Madera (City) allocated $280,000 toward technology enhancements; and,

WHEREAS, the City allocated $559,403 of the 2022/23 Low Carbon Transit Operations Program (LCTOP) also toward technology enhancements; and,

WHEREAS, the City released a Request for Proposals (RFP) on December 23, 2022 for the completion of the Project; and,

WHEREAS, the RFP does not commit the City to award a contract and allows the City to reject any or all proposals received; and,

WHEREAS, staff is recommending that the City Council reject all proposals for the entitled City of Mader RFP No. 20223-09 Intelligent Transportation System Conversion Services.

NOW, THEREFORE, the City Council of the City of Madera finds, determines, resolves and orders as follows:

1. The recitals listed above are true and correct.
2. The Council rejects all proposals received for RFP No. 20223-09 Intelligent Transportation System Conversions services.
3. This resolution is effective immediately upon adoption.

*****

REPORT TO CITY COUNCIL

Approved by:

Michael Lima, Director of Financial Services

Arnoldo Rodriguez, City Manager

Council Meeting of: November 15, 2023

Agenda Number: B-10

SUBJECT:

City-wide piggyback purchase agreement for temporary staffing services

RECOMMENDATION:

Adopt a Resolution approving City-wide use of Maricopa County's piggyback agreement for the procurement of temporary staffing services with ACRO Service Corporation's contract 16111 for Fiscal Year 2023/24

SUMMARY:

The City occasionally utilizes temporary staffing services based on need when full-time positions are vacant during recruitment or when a full-time employee is on an approved leave of absence. The need for temporary staffing is assessed on a case-by-case basis, taking into account the anticipated duration of the vacancy or leave and the workload for the department and existing staff. Staff recommends that the City utilize the piggyback process to procure temporary staffing services through ACRO Service Corporation (ACRO). Any temporary staffing services under the contract will be within the Council-approved budget appropriations.

DISCUSSION:

Council approved Ordinance 996 C.S. on December 21, 2022, which amended the City's Municipal Code by adding Title II, Section 4 - Purchasing Procedures. This section allows the City to utilize piggyback purchasing procedures to purchase supplies, equipment, or services. A piggyback purchase takes advantage of a public bidding process completed by another public entity. The City's Procurement Services Manager oversees the process and ensures the proposed piggyback purchase is in compliance. More specifically, a piggyback contract can be executed via another entity's agreement when the items or services have already been bid by other governmental agencies or special cooperative agreements, provided such contracts are the result of a competitive bidding process, that the competitive bidding process used and all terms and

conditions are substantially the same as those used by the City, and that the competitive bidding process and terms and conditions contain a clause allowing piggybacking by other public agencies. Maricopa County in Arizona has such a contract for temporary staffing services with ACRO Corporation.

The City's workforce is in a state of constant flux as employees retire or move on to other employment. Various departments, including Planning, Engineering, Finance, and Information Technology, have utilized staffing firms to fill vacancies in their respective departments temporarily. In several instances, these temporary assignments have resulted in permanent hires for difficult to recruit positions within those departments. The City's Personnel Rules do not allow for a temp-to-hire situation, however temporary staff who meet the City's needs and fit well with existing staff are generally encouraged to consider applying for the position and completing the City's hiring process. If an individual on temporary assignment does participate in the City's recruitment and is hired as a City employee, the Maricopa contract has thresholds based on hours worked when a conversion fee no longer applies. The City typically evaluates the potential fee against the number of hours remaining to determine the best course of action to onboard the employee.

Under the City's Purchasing Procedures, any purchase within a given fiscal year anticipated to exceed $60,000 per like item must be considered and approved by the City Council. While most temporary assignments do not exceed this threshold, it occasionally occurs for highly qualified, technical assignments. Staff is requesting approval of ACRO's contract on a City-wide basis to allow all departments that have budgeted for staffing to take advantage of the piggyback contract.

Individual departments work with the Procurement Services Manager to obtain access to the ACRO system. When a department puts in a requisition request, ACRO then broadcasts that request to staffing agencies within their network. Any local temporary staffing agency that reaches out to the City to provide services is advised of the opportunity to participate through ACRO's contract and provided the contact information to become a registered vendor.

Pooling department resources is an innovative procurement strategy that allows staff to leverage the purchasing power of existing contracts to obtain much needed services at competitive prices, while achieving a streamlined procurement process.

FINANCIAL IMPACT:

Staffing services obtained under the recommended agreement will be procured within existing appropriations in the Fiscal Year 2023/24 Adopted Budget.

See Table 1 for an overview of Fiscal Year 2022/23 expenditures and anticipated expenditures for Fiscal Year 2023/24.

Table 1: *ACRO Corporation Contract Expenditures*				
Fiscal Year	*Department*	*Position*	*Account*	*Amount*
2022/23	IS	IS Manager	Salary Savings	$32,000
2022/23	Planning	Senior Planner	Contracted Services	$111,304
			FY 2022/23 Total:	***$143,304***
2023/24	Engineering	Senior Engineer (multiple)	Contracted Services	$250,000
2023/24	IS	Network Administrator	Salary Savings	$32,500
			FY 2023/24 Anticipated Total:	***$282,500***

ALTERNATIVES:

As an alternative, Council may direct staff to prepare an RFP to solicit proposals from temporary staffing firms or not utilize temporary staffing services.

ATTACHMENTS:

1. Resolution approving use of ACRO's contract for temporary staffing services
    a. Exhibit 1: ACRO Corporation Contract

RESOLUTION NO. _____

RESOLUTION APPROVING CITY-WIDE USE OF MARICOPA COUNTY'S PIGGYBACK AGREEMENT FOR THE PROCUREMENT OF TEMPORARY STAFFING SERVICES WITH ACRO SERVICE CORPORATION'S CONTRACT 16111 FOR FISCAL YEAR 2023/2024

WHEREAS, the City Council ('Council') approved Ordinance 996 C.S. on December 21, 2022, which amended the City's Municipal Code, adding Title II Section 4 Purchasing Procedures; and

WHEREAS, pursuant to the Purchasing Procedures, a piggyback contract can be executed via another entity's agreement when the items or services have already been bid by other governmental agencies or special cooperative agreements, provided such contracts are the result of competitive bidding, and that the competitive bidding process used and all terms and conditions are substantially the same as the City's competitive bidding process and terms and conditions; and

WHEREAS, the City's Procurement Services Manager has conducted due diligence and determined that ACRO Corporation's piggyback contract with Maricopa County meets the above criteria and is eligible to be used by the City of Madera in compliance with the Purchasing Procedures.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MADERA does hereby resolve, find, and order as follows**:**

1. The above recitals are true and correct and are incorporated herein by this reference.

2. The Council approves the City-wide use of Maricopa County's piggyback agreement for the procurement of temporary staffing services with ACRO Service Corporation's Contract 16111 for Fiscal Year 2023/2024, attached as Exhibit 1 and incorporated herein, and authorizes the City Manager to enter into any required agreement necessary to effectuate the same, subject to approval as to legal form by the City Attorney.

3. This Resolution shall take effect immediately upon its adoption.

* * *

C-73-17-010-7-00

CONTRACT PURSUANT TO RFP

SERIAL 16111-RFP

This Contract is entered into this 16th day of November, 2016 by and between Maricopa County ("County"), a political subdivision of the State of Arizona, and ACRO Service Corporation,a Michigan corporation ("Contractor") for the purchase of Staffing and Related Services.

1.0 CONTRACT TERM:

1.1 This Contract is for a term of Three (3) years, beginning on the 1st day of January, 2017 and ending the 31st day of December, 2019.

1.2 The County may, at its option and with the agreement of the Contractor, renew the term of this Contract for additional terms up to a maximum of Six (6) additional years, (or at the County's sole discretion, extend the contract on a month-to-month bases for a maximum of six (6) months after expiration). The County shall notify the Contractor in writing of its intent to extend the Contract term at least sixty (60) calendar days prior to the expiration of the original contract term, or any additional term thereafter.

2.0 FEE ADJUSTMENTS:

2.1 Any request for a fee adjustment must be submitted sixty (60) days prior to the current Contract expiration date. Requests for adjustment in cost of labor and/or materials must be supported by appropriate documentation. If County agrees to the adjusted fee, County shall issue written approval of the change. The reasonableness of the request will be determined by comparing the request with the (Consumer Price Index) or by performing a market survey.

3.0 PAYMENTS:

3.1 As consideration for performance of the duties described herein, County shall pay Contractor the sum(s) stated in Exhibit "A, A-1, A-2, A-3, A-4, A-5."

3.2 Payment shall be made upon the County's receipt of a properly completed invoice.

3.3 INVOICES:

3.3.1 The Contractor shall submit one (1) legible copy of their detailed invoice before payment(s) can be made. Incomplete invoices will not be processed. At a minimum, the invoice must provide the following information:

- Company name, address and contact
- County bill-to name and contact information
- Contract Serial Number or
- County purchase order number
- Invoice number and date
- Payment terms
- Date of service or delivery
- Quantity (number of days or weeks)

- Contract Item number(s)
- Description of Purchase (product or services)
- Pricing per unit of purchase
- Extended price
- Mileage w/rate (if applicable)
- Arrival and completion time (if applicable)
- Total Amount Due

3.3.2 Problems regarding billing or invoicing shall be directed to the using agency as listed on the Purchase Order.

3.3.3 Payment shall be made to the Contractor by Accounts Payable through the Maricopa County Vendor Express Payment Program. This is an Electronic Funds Transfer (EFT) process. After Contract Award the Contractor shall complete the Vendor Registration Form located on the County Department of Finance Vendor Registration Web Site (http://www.maricopa.gov/Finance/Vendors.aspx).

3.3.4 Discounts offered in the contract shall be calculated based on the date a properly completed invoice is received by the County (ROI).

3.3.5 EFT payments to the routing and account numbers designated by the Contractor will include the details on the specific invoices that the payment covers. The Contractor is required to discuss remittance delivery capabilities with their designated financial institution for access to those details.

3.4 APPLICABLE TAXES:

3.4.1 **Payment of Taxes:** The Contractor shall pay all applicable taxes. With respect to any installation labor on items that are not attached to real property performed by Contractor under the terms of this Contract, the installation labor cost and the gross receipts for materials provided shall be listed separately on the Contractor's invoices.

3.4.2 **State and Local Transaction Privilege Taxes:** Maricopa County is subject to all applicable state and local transaction privilege taxes. To the extent any state and local transaction privilege taxes apply to sales made under the terms of this contract_it is the responsibility of the seller to collect and remit all applicable taxes to the proper taxing jurisdiction of authority.

3.4.3 **Tax Indemnification:** Contractor and all subcontractors shall pay all Federal, state, and local taxes applicable to its operation and any persons employed by the Contractor. Contractor shall, and require all subcontractors to hold Maricopa County harmless from any responsibility for taxes, damages and interest, if applicable, contributions required under Federal, and/or state and local laws and regulations and any other costs including transaction privilege taxes, unemployment compensation insurance, Social Security and Worker's Compensation.

3.5 TAX: (SERVICES)

No tax shall be levied against labor. It is the responsibility of the Contractor to determine any and all taxes and include the same in proposal price.

3.6 STRATEGIC ALLIANCE for VOLUME EXPENDITURES ($AVE):

The County is a member of the $AVE cooperative purchasing group. $AVE includes the State of Arizona, many Phoenix metropolitan area municipalities, and many K-12 unified school districts. Under the $AVE Cooperative Purchasing Agreement, and with the concurrence of the successful Respondent under this solicitation, a member of $AVE may access a contract resulting from a solicitation issued by the County

3.7 INTERGOVERNMENTAL COOPERATIVE PURCHASING AGREEMENTS (ICPA's)

3.7.1 County currently holds ICPA's with numerous governmental entities throughout the State of Arizona. These agreements allow those entities, with the approval of the Contractor, to purchase their requirements under the terms and conditions of the County Contract. Please indicate on Attachment A, your acceptance or rejection regarding such participation of other governmental entities. Your response will not be considered as an evaluation factor in awarding a contract

4.0 AVAILABILITY OF FUNDS:

4.1 The provisions of this Contract relating to payment for services shall become effective when funds assigned for the purpose of compensating the Contractor as herein provided are actually available to County for disbursement. The County shall be the sole judge and authority in determining the availability of funds under this Contract. County shall keep the Contractor fully informed as to the availability of funds.

4.2 If any action is taken by any state agency, Federal department or any other agency or instrumentality to suspend, decrease, or terminate its fiscal obligations under, or in connection with, this Contract, County may amend, suspend, decrease, or terminate its obligations under, or in connection with, this Contract. In the event of termination, County shall be liable for payment only for services rendered prior to the effective date of the termination, provided that such services are performed in accordance with the provisions of this Contract. County shall give written notice of the effective date of any suspension, amendment, or termination under this Section, at least ten (10) days in advance.

5.0 DUTIES:

5.1 The Contractor shall perform all duties stated in Exhibit "B", or as otherwise directed in writing by the Procurement Officer or other using organization.

5.2 During the Contract term, County may provide Contractor's personnel with adequate workspace for consultants and such other related facilities as may be required by Contractor to carry out its contractual obligations as required.

6.0 TERMS and CONDITIONS:

6.1 INDEMNIFICATION:

To the fullest extent permitted by law, and to the extent that claims, damages, losses or expenses are not covered and paid by insurance purchased by the Contractor, the Contractor shall defend indemnify and hold harmless the County (as Owner), its agents, representatives, agents, officers, directors, officials, and employees from and against all claims, damages, losses, and expenses (including, but not limited to attorneys' fees, court costs, expert witness fees, and the costs and attorneys' fees for appellate proceedings) arising out of, or alleged to have resulted from the negligent acts, errors, omissions, or mistakes relating to the performance of this Contract.

Contractor's duty to defend, indemnify, and hold harmless the County, its agents, representatives, agents, officers, directors, officials, and employees shall arise in connection with any claim, damage, loss, or expense that is attributable to bodily injury, sickness, disease, death or injury to, impairment of, or destruction of tangible property, including loss of use resulting there from, caused by negligent acts, errors, omissions, or mistakes in the performance of this Contract, but only to the extent caused by the negligent acts or omissions of the Contractor, a subcontractor, any one directly or indirectly employed by them, or anyone for whose acts they may be liable, regardless of whether or not such claim, damage, loss, or expense is caused in part by a party indemnified hereunder.
The amount and type of insurance coverage requirements set forth herein will in no way be construed as limiting the scope of the indemnity in this paragraph.

The scope of this indemnification does not extend to the sole negligence of County.

6.2 INSURANCE.

6.2.1 Contractor, at Contractor's own expense, shall purchase and maintain the herein stipulated minimum insurance from a company or companies duly licensed by the State of Arizona and possessing a current A.M. Best, Inc. rating of B++. In lieu of State of Arizona licensing, the stipulated insurance may be purchased from a company or companies, which are authorized to do business in the State of Arizona, provided that said insurance companies meet the approval of County. The form of any insurance policies and forms must be acceptable to County.

6.2.2 All insurance required herein shall be maintained in full force and effect until all work or service required to be performed under the terms of the Contract is satisfactorily completed and formally accepted. Failure to do so may, at the sole discretion of County, constitute a material breach of this Contract.

6.2.3 Contractor's insurance shall be primary insurance as respects County, and any insurance or self-insurance maintained by County shall not contribute to it.

6.2.4 Any failure to comply with the claim reporting provisions of the insurance policies or any breach of an insurance policy warranty shall not affect the County's right to coverage afforded under the insurance policies.

6.2.5 The insurance policies may provide coverage that contains deductibles or self-insured retentions. Such deductible and/or self-insured retentions shall not be applicable with respect to the coverage provided to County under such policies. Contractor shall be solely responsible for the deductible and/or self-insured retention and County, at its option, may require Contractor to secure payment of such deductibles or self-insured retentions by a surety bond or an irrevocable and unconditional letter of credit.

6.2.6 The insurance policies required by this Contract, except Workers' Compensation and Errors and Omissions, shall name County, its agents, representatives, officers, directors, officials and employees as Additional Insureds.

6.2.7 The policies required hereunder, except Workers' Compensation and Errors and Omissions, shall contain a waiver of transfer of rights of recovery (subrogation) against County, its agents, representatives, officers, directors, officials and employees for any claims arising out of Contractor's work or service.

6.2.8 **Commercial General Liability.**

Commercial General Liability insurance and, if necessary, Commercial Umbrella insurance with a limit of not less than $2,000,000 for each occurrence, $4,000,000 Products/Completed Operations Aggregate, and $4,000,000 General Aggregate Limit. The policy shall include coverage for premises liability, bodily injury, broad form property damage, personal injury, products and completed operations and blanket contractual coverage, and shall not contain any provisions which would serve to limit third party action over claims. There shall be no endorsement or modifications of the CGL limiting the scope of coverage for liability arising from explosion, collapse, or underground property damage.

6.2.9 **Automobile Liability.**

Commercial/Business Automobile Liability insurance and, if necessary, Commercial Umbrella insurance with a combined single limit for bodily injury and property damage of not less than $1,000,000 each occurrence with respect to any of the Contractor's owned, hired, and non-owned vehicles assigned to or used in performance of the Contractor's work or services or use or maintenance of the Premises under this Contract.

6.2.10 **Workers' Compensation.**

Workers' Compensation insurance to cover obligations imposed by federal and state statutes having jurisdiction of Contractor's employees engaged in the performance of the work or services under this Contract; and Employer's Liability insurance of not less than $1,000,000 for each accident, $1,000,000 disease for each employee, and $1,000,000 disease policy limit.
Contractor, its contractors and its subcontractors waive all rights against Contract and its agents, officers, directors and employees for recovery of damages to the extent these damages are covered by the Workers' Compensation and Employer's Liability or commercial umbrella liability insurance obtained by Contractor, its contractors and its subcontractors pursuant to this Contract.

6.2.11 **Errors and Omissions (Professional Liability) Insurance.**

Errors and Omissions (Professional Liability) insurance and, if necessary, Commercial Umbrella insurance, which will insure and provide coverage for errors or omissions or professional liability of the **CONTRACTOR**, with limits of no less than $2,000,000 for each claim.

6.2.12 **Professional Liability.**

Contractor shall maintain Professional Liability insurance which will provide coverage for any and all acts arising out of the work or services performed by the Contractor under the terms of this Contract, with a limit of not less than $1,000,000 for each claim, and $3,000,000 aggregate claims.

6.2.13 **Crime – If any vendor is touching County funds**

CONTRACTOR shall maintain Commercial Crime Liability Insurance with a limit of not less than $500,000 for each occurrence. The policy shall include, but not be limited to, coverage for employee dishonesty, fraud, theft, or embezzlement.

6.2.14 **Cyber – If a vendor is "getting into" County computer systems**

Policy Limit:

6.2.14.1 The policy shall be issued with minimum limits of $100,000.
6.2.14.2 The policy shall include coverage for all directors, officers, agents and employees of the Contractor.
6.2.14.3 The policy shall **include coverage for third party fidelity.**
6.2.14.4 The policy shall **include coverage for theft.**
6.2.14.5 The policy shall **contain no requirement for arrest and conviction.**
6.2.14.6 The policy shall cover loss outside the premises of the **Named Insured.**
6.2.14.7 The policy shall endorse **(Blanket Endorsements are not acceptable)** the Department as **Loss Payee** as our interest may appear.

6.2.15 **Sexual molestation and physical abuse**

When services involve working with these groups of individuals, the insurance requirements in the contract need to be revised to include coverage for **"sexual molestation and physical abuse"**. Coverage for this type of claim, or allegation, is excluded from standard general liability policies. Therefore, contractors whose services include working with and/or caring for children/elderly and disabled persons should have their policies specifically endorsed to include this coverage.

6.2.15.1 **Commercial General Liability – Occurrence Form**
Policy shall include bodily injury, property damage and broad form contractual liability coverage.

a. **The policy shall be endorsed to include coverage for physical/sexual abuse and molestation.**
b. The policy shall be endorsed to include the following additional insured language: "(_____), its subsidiary, parent, associated and/or affiliated entities, successors, or assigns, its elected officials, trustees, employees, agents, and volunteers shall be named as additional insureds with respect to liability arising out of the activities performed by, or on behalf of the Contractor".

6.2.15.2 **Minimum Limits:**

General Aggregate	$1,000,000
Products/Completed Operations Aggregate	$1,000,000
Each Occurrence Limit	$1,000,000
Personal/Advertising Injury	$1,000,000
Sexual Abuse/Molestation	$1,000,000

6.2.16 **Medical Mal – Any contractor that has a medical degree doing work with patience such as Psych or any other type of treatment**

Medical Malpractice insurance and, if necessary, Commercial Umbrella insurance, which will insure and provide coverage for Medical Malpractice of the Contractor, with limits of no less than $5,000,000 for each claim.

6.2.17 Certificates of Insurance.

6.2.17.1 Prior to Contract **AWARD,** Contractor shall furnish the County with valid and complete certificates of insurance, or formal endorsements as required by the Contract in the form provided by the County, issued by Contractor's insurer(s), as evidence that policies providing the required coverage, conditions and limits required by this Contract are in full force and effect. Such certificates shall identify this contract number and title.

6.2.17.2 In the event any insurance policy (ies) required by this contract is (are) written on a "claims made" basis, coverage shall extend for two years past completion and acceptance of Contractor's work or services and as evidenced by annual Certificates of Insurance.

6.2.17.3 If a policy does expire during the life of the Contract, a renewal certificate must be sent to County fifteen (15) days prior to the expiration date.

6.2.18 Cancellation and Expiration Notice.

Applicable to all insurance policies required within the Insurance Requirements of this Contract, Contractor's insurance shall not be permitted to expire, be suspended, be canceled, or be materially changed for any reason without thirty (30) days prior written notice to Maricopa County. Contractor must provide to Maricopa County, within 2 business days of receipt, if they receive notice of a policy that has been or will be suspended, canceled, materially changed for any reason, has expired, or will be expiring. Such notice shall be sent directly to Maricopa County Office of Procurement Services and shall be mailed or hand delivered to 320 West Lincoln Street, Phoenix, AZ 85003, or emailed to Procurement Officer noted in solicitation.

6.3 WARRANTY OF SERVICES:

6.3.1 The Contractor warrants that all services provided hereunder will conform to the requirements of the Contract, including all descriptions, specifications and attachments made a part of this Contract. County's acceptance of services or goods provided by the Contractor shall not relieve the Contractor from its obligations under this warranty.

6.3.2 In addition to its other remedies, County may, at the Contractor's expense, require prompt correction of any services failing to meet the Contractor's warranty herein. Services corrected by the Contractor shall be subject to all the provisions of this Contract in the manner and to the same extent as services originally furnished hereunder.

6.4 REQUIREMENTS CONTRACT:

6.4.1 Contractors signify their understanding and agreement by signing a bid submittal, that the Contract resulting from the bid is a requirements contract. However, the Contract does not guarantee any minimum or maximum number of purchases will be made. It only indicates that if purchases are made for the materials or services contained in the Contract, they will be purchased from the Contractor awarded that item if the Contractor can meet all the delivery requirements of the County. Orders will only be placed when the County identifies a need and proper authorization and documentation have been approved.

6.4.2 County reserves the right to cancel Purchase Orders within a reasonable period of time after issuance. Should a Purchase Order be canceled, the County agrees to reimburse the Contractor for actual and documentable costs incurred by the Contractor in response to the Purchase Order. The County will not reimburse the Contractor for any costs incurred after receipt of County notice of cancellation, or for lost profits, shipment of product prior to issuance of Purchase Order, etc.

6.4.3 Contractors agree to accept verbal notification of cancellation of Purchase Orders from the County Procurement Officer with written notification to follow. By submitting a bid in response to this Invitation for Bids, the Contractor specifically acknowledges to be bound by this cancellation policy.

6.5 Background Check:

Contractors need to be aware that there may be multiple background checks (Sheriff's Office, County Attorney's Office, Courts as well as Maricopa County general government) to determine if the respondents employees are acceptable for the contractor to do business with the County. This applies to (but is not limited to) the company and sub-contractors. Employees or others who fail to pass these checks shall not be allowed to work on County projects. Failure to meet these requirements may lead to termination of the contract.

6.6 Suspension of Work

The Procurement Officer may order the Contractor, in writing, to suspend, delay, or interrupt all or any part of the work of this contract for the period of time that the Procurement Officer determines appropriate for the convenience of the County. No adjustment shall be made under this clause for any suspension, delay, or interruption to the extent that performance would have been so suspended, delayed, or interrupted by any other cause, including the fault or negligence of the Contractor. No request for adjustment under this clause shall be granted unless the claim, in an amount stated, is asserted in writing as soon as practicable after the termination of the suspension, delay, or interruption, but not later than the date of final payment under the contract.

6.7 Stop Work Order

The Procurement Officer may, at any time, by written order to the Contractor, require the Contractor to stop all, or any part, of the work called for by this contract for a period of 90 days after the order is delivered to the Contractor, and for any further period to which the parties may

agree. The order shall be specifically identified as a stop work order issued under this clause. Upon receipt of the order, the Contractor shall immediately comply with its terms and take all reasonable steps to minimize the incurrence of costs allocable to the work covered by the order during the period of work stoppage. Within a period of 90 days after a stop-work is delivered to the Contractor, or within any extension of that period to which the parties shall have agreed, the Procurement Officer shall either—

6.7.1 Cancel the stop-work order; or

6.7.2 Terminate the work covered by the order as provided in the Default, or the Termination for Convenience of the County, clause of this contract.

6.7.3 The Procurement Officer may make an equitable adjustment in the delivery schedule and/or contract price, or otherwise, and the contract shall be modified, in writing, accordingly, if the Contractor demonstrates that the stop work order resulted in an increase in costs to the Contractor.

6.8 UNCONDITIONAL TERMINATION FOR CONVENIENCE:

Maricopa County may terminate the resultant Contract for convenience by providing sixty (60) calendar days advance notice to the Contractor.

6.9 TERMINATION FOR DEFAULT:

The County may, by written notice of default to the Contractor, terminate this contract in whole or in part if the Contractor fails to:

6.9.1 Deliver the supplies or to perform the services within the time specified in this contract or any extension;

6.9.2 Make progress, so as to endanger performance of this contract; or

6.9.3 Perform any of the other provisions of this contract.

6.9.4 The County's right to terminate this contract under these subparagraph may be exercised if the Contractor does not cure such failure within 10 days (or more if authorized in writing by the County) after receipt of the notice from the Procurement Officer specifying the failure.

6.10 STATUTORY RIGHT OF CANCELLATION FOR CONFLICT OF INTEREST:

Notice is given that pursuant to A.R.S. § 38-511 the County may cancel any Contract without penalty or further obligation within three years after execution of the contract, if any person significantly involved in initiating, negotiating, securing, drafting or creating the contract on behalf of the County is at any time while the Contract or any extension of the Contract is in effect, an employee or agent of any other party to the Contract in any capacity or consultant to any other party of the Contract with respect to the subject matter of the Contract. Additionally, pursuant to A.R.S § 38-511 the County may recoup any fee or commission paid or due to any person significantly involved in initiating, negotiating, securing, drafting or creating the contract on behalf of the County from any other party to the contract arising as the result of the Contract.

6.11 CONTRACTOR LICENSE REQUIREMENT:

6.11.1 The Respondent shall procure all permits, insurance, licenses and pay the charges and fees necessary and incidental to the lawful conduct of his/her business, and as necessary complete any required certification requirements, required by any and all governmental or non-governmental entities as mandated to maintain compliance with and in good standing for all permits and/or licenses. The Respondent shall keep fully informed of existing and future trade or industry requirements, Federal, State and Local laws,

ordinances, and regulations which in any manner affect the fulfillment of a Contract and shall comply with the same. Contractor shall immediately notify both Office of Procurement Services and the using agency of any and all changes concerning permits, insurance or licenses.

6.12 SUBCONTRACTING:

6.12.1 The Contractor may not assign to another Contractor or Subcontract to another party for performance of the terms and conditions hereof without the written consent of the County. All correspondence authorizing subcontracting must reference the Bid Serial Number and identify the job project.

6.12.2 The Subcontractor's rate for the job shall not exceed that of the Prime Contractor's rate, as bid in the pricing section, unless the Prime Contractor is willing to absorb any higher rates or the County has approved the increase. The Subcontractor's invoice shall be invoiced directly to the Prime Contractor, who in turn shall pass-through the costs to the County, without mark-up. A copy of the Subcontractor's invoice must accompany the Prime Contractor's invoice.

6.13 AMENDMENTS:

All amendments to this Contract shall be in writing and approved/signed by both parties. Maricopa County Office of Procurement Services shall be responsible for approving all amendments for Maricopa County.

6.14 ADDITIONS/DELETIONS OF SERVICE:

6.14.1 The County reserves the right to add and/or delete materials and services to a Contract. If a service requirement is deleted, payment to the Contractor will be reduced proportionately, to the amount of service reduced in accordance with the bid price. If additional materials or services are required from a Contract, prices for such additions will be negotiated between the Contractor and the County.

6.14.2 The County reserves the right of final approval on proposed staff for all Task Orders. Also, upon request by the County, the Contractor will be required to remove any employees working on County projects and substitute personnel based on the discretion of the County within two business days, unless previously approved by the County.

6.15 VALIDITY:

The invalidity, in whole or in part, of any provision of this Contract shall not void or affect the validity of any other provision of the Contract.

6.16 SEVERABILITY:

The invalidity, in whole or in part, of any provision of this Contract shall not void or affect the validity of any other provision of this Contract.

6.17 RIGHTS IN DATA:

The County shall have the use of data and reports resulting from a Contract without additional cost or other restriction except as may be established by law or applicable regulation. Each party shall supply to the other party, upon request, any available information that is relevant to a Contract and to the performance thereunder.

6.18 NON-DISCRIMINATION:

CONTRACTOR agrees to comply with all provisions and requirements of Arizona Executive Order 2009-09 including flow down of all provisions and requirements to any subcontractors.

Executive Order 2009-09 supersedes Executive order 99-4 and amends Executive order 75-5 and may be viewed and downloaded at the Governor of the State of Arizona's website http://azmemory.azlibrary.gov/cdm/singleitem/collection/execorders/id/680/rec/1 which is hereby incorporated into this contract as if set forth in full herein. During the performance of this contract, CONTRACTOR shall not discriminate against any employee, client or any other individual in any way because of that person's age, race, creed, color, religion, sex, disability or national origin.

6.19 ISRAEL BOYCOTT:

By signing this Contract, the Contractor certifies that they are in compliance with Article 9, Arizona Revised Statutes Section 35-393 *et seq.*

6.20 CERTIFICATION REGARDING DEBARMENT AND SUSPENSION

6.20.1 The undersigned (authorized official signing for the Contractor) certifies to the best of his or her knowledge and belief, that the Contractor

6.20.1.1 is not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal Department or agency;

6.20.1.2 have not within 3-year period preceding this Contract been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statues or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;

6.20.1.3 are not presently indicted or otherwise criminally or civilly charged by a government entity (Federal, State or local) with commission of any of the offenses enumerated in paragraph (2) of this certification; and

6.20.1.4 have not within a 3-year period preceding this Contract had one or more public transaction (Federal, State or local) terminated for cause of default.

6.20.2 The Contractor agrees to include, without modification, this clause in all lower tier covered transactions (i.e. transactions with subcontractors) and in all solicitations for lower tier covered transactions related to this Contract.

6.21 VERIFICATION REGARDING COMPLIANCE WITH ARIZONA REVISED STATUTES §41-4401 AND FEDERAL IMMIGRATION LAWS AND REGULATIONS:

6.21.1 By entering into the Contract, the Contractor warrants compliance with the Immigration and Nationality Act (INA using e-verify) and all other federal immigration laws and regulations related to the immigration status of its employees and A.R.S. §23-214(A). The contractor shall obtain statements from its subcontractors certifying compliance and shall furnish the statements to the Procurement Officer upon request. These warranties shall remain in effect through the term of the Contract. The Contractor and its subcontractors shall also maintain Employment Eligibility Verification forms (I-9) as required by the Immigration Reform and Control Act of 1986, as amended from time to time, for all employees performing work under the Contract and verify employee compliance using the E-verify system and shall keep a record of the verification for the duration of the employee's employment or at least three years, whichever is longer. I-9 forms are available for download at USCIS.GOV.

6.21.2 The County retains the legal right to inspect contractor and subcontractor employee documents performing work under this Contract to verify compliance with paragraph 6.20.1 of this Section. Contractor and subcontractor shall be given reasonable notice of the

County's intent to inspect and shall make the documents available at the time and date specified. Should the County suspect or find that the Contractor or any of its subcontractors are not in compliance, the County will consider this a material breach of the contract and may pursue any and all remedies allowed by law, including, but not limited to: suspension of work, termination of the Contract for default, and suspension and/or debarment of the Contractor. All costs necessary to verify compliance are the responsibility of the Contractor.

6.22 INFLUENCE

As prescribed in MC1-1202 of the Maricopa County Procurement Code, any effort to influence an employee or agent to breach the Maricopa County Ethical Code of Conduct or any ethical conduct may be grounds for Disbarment or Suspension under MC1-902.
An attempt to influence includes, but is not limited to:

6.22.1 A Person offering or providing a gratuity, gift, tip, present, donation, money, entertainment or educational passes or tickets, or any type valuable contribution or subsidy,

6.22.2 That is offered or given with the intent to influence a decision, obtain a contract, garner favorable treatment, or gain favorable consideration of any kind.

If a Person attempts to influence any employee or agent of Maricopa County, the Chief Procurement Officer, or his designee, reserves the right to seek any remedy provided by the Maricopa County Procurement Code, any remedy in equity or in the law, or any remedy provided by this contract.

6.23 CONTRACTOR EMPLOYEE WHISTLEBLOWER RIGHTS AND REQUIREMENT TO INFORM EMPLOYEES OF WHISTLERBLOWER RIGHTS.

6.23.1 The Parties agree that this Contract and employees working on this Contract will be subject to the whistleblower rights and remedies in the pilot program on contractor employee whistleblower protections established at 41 U.S.C. § 4712 by section 828 of the National Defense Authorization Act for Fiscal Year 2013 (Pub. L. 112–239) and section 3.908 of the Federal Acquisition Regulation;

6.23.2 Contractor shall inform its employees in writing, in the predominant language of the workforce, of employee whistleblower rights and protections under 41 U.S.C. § 4712, as described in section 3.908 of the Federal Acquisition Regulation. Documentation of such employee notification must be kept on file by Contractor and copies provided to County upon request.

6.23.3 Contractor shall insert the substance of this clause, including this paragraph (c), in all subcontracts over the simplified acquisition threshold ($150,000 as of September 2013).

6.24 Uniform Administrative Requirements:

By entering into this Contract the Contractor agrees to comply with all applicable provisions of Title 2, Subtitle A, Chapter II, PART 200—UNIFORM ADMINISTRATIVE REQUIREMENTS, COST PRINCIPLES, AND AUDIT REQUIREMENTS FOR FEDERAL AWARDS contained in Title 2 C.F.R. § 200 *et seq.*

6.25 ACCESS TO AND RETENTION OF RECORDS FOR THE PURPOSE OF AUDIT AND/OR OTHER REVIEW:

6.25.1 In accordance with section MCI 371 of the Maricopa County Procurement Code the Contractor agrees to retain all books, records, accounts, statements, reports, files, and other records and back-up documentation relevant to this Contract for six (6) years after final payment or until after the resolution of any audit questions which could be more

than six (6) years, whichever is latest. The County, Federal or State auditors and any other persons duly authorized by the Department shall have full access to, and the right to examine, copy and make use of, any and all said materials.

6.25.2 If the Contractor's books, records , accounts, statements, reports, files, and other records and back-up documentation relevant to this Contract are not sufficient to support and document that requested services were provided, the Contractor shall reimburse Maricopa County for the services not so adequately supported and documented.

6.25.3 If at any time it is determined by the County that a cost for which payment has been made is a disallowed cost, the County shall notify the Contractor in writing of the disallowance. The course of action to address the disallowance shall be at sole discretion of the County, and may include either an adjustment to future invoices, request for credit, request for a check or deduction from current billings Submitted by the Contractor by the amount of the disallowance, or to require reimbursement forthwith of the disallowed amount by the Contractor by issuing a check payable to Maricopa County.

6.26 AUDIT DISALLOWANCES:

If at any time, County determines that a cost for which payment has been made is a disallowed cost, such as overpayment, County shall notify the Contractor in writing of the disallowance. County shall also state the means of correction, which may be but shall not be limited to adjustment of any future claim submitted by the Contractor by the amount of the disallowance, or to require repayment of the disallowed amount by the Contractor.

6.27 OFFSET FOR DAMAGES;

In addition to all other remedies at Law or Equity, the County may offset from any money due to the Contractor any amounts Contractor owes to the County for damages resulting from breach or deficiencies in performance of the contract.

6.28 PUBLIC RECORDS:

Under Arizona law, all Offers submitted and opened are public records and must be retained by the Records Manager at the Office of Procurement Services. Offers shall be open to public inspection and copying after Contract award and execution, except for such Offers or sections thereof determined to contain proprietary or confidential information. by the Office of Procurement Services. If an Offeror believes that information in its Offer or any resulting Contract should not be released in response to a public record request under Arizona law, the Offeror shall indicate the specific information deemed confidential or proprietary and submit a statement with its offer detailing the reasons that the information should not be disclosed. Such reasons shall include the specific harm or prejudice which may arise from disclosure. The Records Manager of the Office of Procurement Services shall determine whether the identified information is confidential pursuant to the Maricopa County Procurement Code.

6.29 PRICES:

Contractor warrants that prices extended to County under this Contract are no higher than those paid by any other customer for these or similar services.

6.30 INTEGRATION:

This Contract represents the entire and integrated agreement between the parties and supersedes all prior negotiations, proposals, communications, understandings, representations, or agreements, whether oral or written, express or implied.

6.31 RELATIONSHIPS:

In the performance of the services described herein, the Contractor shall act solely as an independent contractor, and nothing herein or implied herein shall at any time be construed as to create the relationship of employer and employee, co-employee, partnership, principal and agent, or joint venture between the County and the Contractor.

6.32 GOVERNING LAW:

This Contract shall be governed by the laws of the state of Arizona. Venue for any actions or lawsuits involving this Contract will be in Maricopa County Superior Court or in the United States District Court for the District of Arizona, sitting in Phoenix, Arizona

6.33 ORDER OF PRECEDENCE:

In the event of a conflict in the provisions of this Contract and Contractor's license agreement, if applicable, the terms of this Contract shall prevail.

6.34 INCORPORATION OF DOCUMENTS:

The following are to be attached to and made part of this Contract:

6.34.1 Exhibit A, Vendor Information;

6.34.2 Exhibit A-1, Pricing;

6.34.3 Exhibit A-2, Pricing;

6.34.4 Exhibit A-3, Pricing;

6.34.5 Exhibit A-4, Pricing;

6.34.6 Exhibit A-5, Pricing;

6.34.7 Exhibit A-6, IT Project Pricing;

6.34.8 Exhibit B, Scope of Work;

6.34.9 Exhibit C,Of fice of Procurement Services Contractor Travel and Per Diem Policy.

NOTICES:

All notices given pursuant to the terms of this Contract shall be addressed to:

For County:

Maricopa County
Office of Procurement Services
ATTN: Contract Administration
320 West Lincoln Street
Phoenix, Arizona 85003-2494

For Contractor:
Mr. Rick Faber
Executive Vice-president
ACRO Service Corporation
39209 Six Mile Road, Suite #250
Livonia, MI. 48152

IN WITNESS WHEREOF, this Contract is executed on the date set forth above.

CONTRACTOR

Richard E. Faber
AUTHORIZED SIGNATURE

Richard Faber, Executive Vice President
PRINTED NAME AND TITLE

39209W Six Mile Rd #250, Livonia MI 48152
ADDRESS

October 6, 2016
DATE

MARICOPA COUNTY

CHAIRMAN, BOARD OF SUPERVISORS — NOV 16 2016 — DATE

ATTESTED:

CLERK OF THE BOARD — NOV 16 2016 — DATE

APPROVED AS TO FORM:

LEGAL COUNSEL — November 2, 2016 — DATE

EXHIBIT A

VENDOR INFORMATION

COMPANY NAME:	Acro Service Corp.
VENDOR NUMBER	
MAILING ADDRESS:	39209 Six Mile Road, Suit #250
	Livonia, MI 48152
REMIT TO ADDRESS:	39209 Six Mile Road, Suit #250
	Livonia, MI 48152
TELEPHONE NUMBER:	734-591-1100
FACSIMILE NUMBER:	734-591-1217
WEB SITE:	www.acrocorp.com
REPRESENTATIVE NAME:	Mr. Tim Nau
REPRESENTATIVE PHONE NUMBER:	414-312-0975
REPRESENTATIVE E-MAIL:	tnau@acrocorp.com

	YES
WILL ALLOW OTHER GOVERNMENTAL ENTITIES TO PURCHASE FROM THIS CONTRACT:	[×]
WILL ACCEPT PROCUREMENT CARD FOR PAYMENT:	[×]

PAYMENT TERMS:

[×] NET 30 DAYS

EXHIBIT A-1, PRICING

EXHIBIT A-2, PRICING

EXHIBIT A-3, PRICING

EXHIBIT A-4
PAYROLL SERVICES

16111 EXHIBIT A-4

STAFFING SERVICES AND RELATED SERVICES AND SOLUTIONS

PAYROLL SERVICES

State	General Administrative, Call Center, Customer Service	Professional, Human Resource, Accounting / Finance, Human Services, Insurance, Media, Tax	Technical, Engineering	Information Technology	Trades	Laborer / Industrial, Food Related Services, Security	Medical
	MARKUP PERCENTAGE	MARKUP PERCENTAGE	MARKUP PERCENTAGE	MARKUP PERCENTAGE	MARKUP PERCENTAGE	MARKUP PERCENTAGE	MARKUP PERCENTAGE
Alabama	19.50%	19.10%	23.00%	18.90%	18.70%	28.55%	19.80%
Alaska	21.25%	21.25%	21.60%	20.80%	19.80%	31.15%	21.15%
Arizona	19.40%	19.40%	23.70%	19.20%	18.85%	29.45%	19.90%
Arkansas	20.10%	20.10%	25.25%	19.85%	19.20%	30.40%	20.35%
California	21.10%	21.10%	26.00%	20.90%	20.30%	31.60%	21.50%
Colorado	19.50%	19.50%	24.00%	19.35%	18.90%	29.75%	20.10%
Connecticut	30.20%	29.95%	37.20%	29.20%	27.90%	41.70%	29.45%
Delaware	19.70%	19.35%	23.65%	19.20%	19.00%	29.25%	19.95%
Florida	20.50%	19.80%	24.30%	19.40%	19.10%	29.95%	20.30%
Georgia	20.50%	19.80%	24.30%	19.40%	19.10%	29.95%	20.30%
Hawaii	28.50%	28.50%	31.90%	28.05%	26.10%	38.65%	27.85%
Idaho	22.20%	20.95%	25.50%	20.65%	19.65%	31.45%	21.00%
Illinois	21.75%	20.75%	25.95%	19.85%	19.50%	31.05%	20.85%
Indiana	21.50%	20.50%	25.60%	20.15%	19.40%	30.85%	20.65%
Iowa	32.60%	30.50%	36.00%	29.85%	28.25%	42.20%	29.90%
Kansas	19.25%	18.90%	22.50%	18.80%	18.64%	28.85%	19.70%
Kentucky	19.15%	18.90%	22.50%	18.80%	18.60%	28.65%	19.70%
Louisiana	19.15%	18.90%	22.50%	18.80%	18.60%	28.65%	19.70%
Maine	20.25%	19.65%	23.40%	19.50%	19.00%	29.70%	20.20%
Maryland	21.25%	20.30%	25.25%	19.75%	19.50%	30.60%	20.80%

Massachusetts	24.25%	22.35%	29.20%	21.25%	20.75%	32.90%	22.40%
Michigan	23.20%	21.80%	27.70%	20.95%	20.40%	32.40%	21.80%
Minnesota	22.00%	20.80%	25.25%	20.10%	19.65%	31.21%	21.00%
Mississippi	19.50%	19.10%	23.00%	18.90%	18.70%	28.55%	19.80%
Missouri	23.00%	21.50%	26.25%	20.70%	20.00%	32.15%	21.45%
Montana	23.00%	21.50%	26.25%	20.70%	20.00%	32.15%	21.45%
Nebraska	19.50%	19.10%	23.00%	18.90%	18.70%	29.05%	19.80%
Nevada	22.00%	21.75%	24.75%	20.75%	20.20%	31.90%	21.55%
New Hampshire	19.50%	19.10%	23.00%	18.90%	18.70%	28.90%	19.80%
New Jersey	21.80%	20.75%	25.00%	20.10%	19.75%	31.15%	21.10%
New Mexico	33.00%	31.30%	37.50%	30.30%	29.50%	42.90%	31.10%
New York	21.40%	20.40%	25.50%	20.00%	19.65%	30.75%	21.00%
North Carolina	24.40%	22.45%	29.10%	21.35%	20.40%	33.40%	22.00%
North Dakota	18.50%	18.60%	21.90%	18.50%	18.50%	28.40%	19.50%
Ohio	29.35%	28.70%	33.25%	28.40%	28.10%	39.55%	29.35%
Oklahoma	19.20%	18.90%	22.55%	18.75%	18.65%	28.75%	19.70%
Oregon	22.40%	21.85%	25.60%	20.90%	20.15%	32.05%	21.65%
Pennsylvania	23.50%	22.20%	20.75%	21.40%	20.80%	32.80%	22.20%
Rhode Island	28.10%	25.30%	33.85%	23.65%	22.65%	36.85%	24.55%
South Carolina	19.65%	19.20%	23.15%	19.00%	18.75%	29.15%	19.85%
South Dakota	26.85%	26.60%	30.45%	26.45%	26.35%	37.10%	26.45%
Tennessee	19.70%	19.70%	24.35%	19.00%	19.00%	30.00%	20.17%
Texas	21.40%	20.15%	25.45%	19.50%	19.50%	30.75%	20.80%
Utah	20.80%	20.00%	24.65%	19.30%	19.25%	30.35%	20.50%
Vermont	20.80%	20.00%	24.65%	19.30%	19.25%	30.35%	20.50%
Virginia	20.80%	20.00%	24.65%	19.30%	19.25%	30.35%	20.50%
Washington	26.65%	26.40%	29.90%	23.65%	23.65%	36.50%	25.50%
West Virginia	37.85%	37.30%	42.05%	36.65%	36.65%	48.80%	37.95%
Wisconsin	20.10%	20.10%	25.25%	19.85%	19.20%	42.80%	20.45%
Wyoming	27.95%	24.85%	32.55%	21.80%	21.90%	36.55%	23.75%

EXHIBIT A-5

DIRECT PLACEMENT FEES

I. Conversion Fees

II. Direct Placement Fees

III. Assessment Testing and Evaluations
IV. Payroll Service Rates by State (See EXHIBIT A-4)

I. Conversion Fees:

Conversion Fees: A participating public agency may hire any temporary employee without a conversion fee after 90 days (520 hours) for any Clerical/Administrative, Call Center/CSR, Food Related Services, Industrial/Laborer, Trades personnel OR 180 days (1040 hours) for all other classifications as listed in pricing sheets B, C and D .
If an agency hires a temporary worker prior to 520 hours or 1040 hours, respectively, mentioned above, a conversion fee will be charged. The conversion fee shall be equal to 160 hours times the temporary employee's straight time hourly rate.

II. Direct Placement Fees:

Acro offers permanent hire services and is pleased to provide the following pricing for such services. Acro will bill a participating public agency a permanent hire services fee equivalent to 16% of the starting annual salary (including guaranteed compensation of any kind, but excluding variable compensation, e.g., performance based bonuses) at which the candidate recruited by Acro or its associate vendors is hired by the participating public agency. For purposes hereof, annual salary shall be defined as: hourly pay rate x 2080, or weekly pay rate x 52, or monthly pay rate x 12.

III. Assessment Testing and Evaluation:

Acro utilizes Kenexa Prove It! Skills Testing and Pre-Employment Assessments. Acro has access to the entire library of Kenexa assessment tests. All sub-contractors will also utilize the same tests when required. All tests are included in our pricing there are no additional fees for assessments

EXHIBIT A-6

IT Project SOW Pricing			
ALL STATES			
Position Category	Job Position	Regular SOW Bill Rate - Low	Regular SOW Bill Rate - High
IT	Architect I	$ 77.25	$ 89.33
IT	Architect II	$ 89.33	$ 100.64
IT	Architect III	$ 100.65	$ 114.47
IT	Business Analyst I	$ 57.49	$ 71.73
IT	Business Analyst II	$ 71.74	$ 86.12
IT	Business Analyst III	$ 86.12	$ 102.04
IT	Business Intelligence Developer I	$ 69.98	$ 79.85
IT	Business Intelligence Developer II	$ 79.86	$ 92.17
IT	Business Intelligence Developer III	$ 92.18	$ 109.46
IT	C++ Programmer	$ 47.45	$ 100.95
IT	CADD Technician I	$ 43.98	$ 53.61
IT	CADD Technician II	$ 53.63	$ 64.09
IT	CADD Technician III	$ 64.10	$ 74.78
IT	Client/Server Specialist	$ 79.84	$ 105.72
IT	Computer Operator	$ 30.40	$ 55.01
IT	Data Communications Network Analyst	$ 61.64	$ 112.95
IT	Data Processing Operations Control	$ 31.49	$ 70.54
IT	Data Processing Planning Analyst II	$ 45.43	$ 107.50
IT	Data Warehouse Developer	$ 35.66	$ 89.51
IT	Database Administrator I	$ 50.89	$ 59.16
IT	Database Administrator II	$ 59.17	$ 71.74
IT	Database Administrator III	$ 71.74	$ 87.21
IT	Database Manager	$ 87.21	$ 95.94
IT	Database Specialist II	$ 42.78	$ 62.99
IT	Database Specialist III	$ 63.07	$ 83.14
IT	Database Modeler	$ 72.43	$ 95.94
IT	Development Manager	$ 46.02	$ 96.41
IT	Documentation Specialist	$ 41.15	$ 98.68
IT	E-Commerce Solutions Architect	$ 54.59	$ 98.68
IT	EDP Planning Analyst	$ 60.30	$ 108.34
IT	ETL Programmer I	$ 54.69	$ 64.05
IT	ETL Programmer II	$ 64.06	$ 73.94
IT	ETL Programmer III	$ 73.95	$ 94.83
IT	GISs Specialist	$ 85.32	$ 147.72
IT	Internet Application Developer	$ 42.78	$ 92.14
IT	Java Programmer I	$ 57.98	$ 72.40

IT	Java Programmer II	$	72.41	$	91.95
IT	Java Programmer III	$	91.96	$	107.02
IT	LAN/WAN Administrator	$	39.91	$	70.54
IT	Mainframe Capacity Study	$	60.30	$	98.34
IT	Management Information Specialist	$	63.07	$	83.14
IT	MS SQL Server Administrator	$	46.59	$	76.59
IT	Network Administrator I	$	46.45	$	57.06
IT	Network Administrator II	$	57.07	$	68.08
IT	Network Administrator III	$	68.09	$	79.52
IT	Oracle Server Administrator	$	54.59	$	103.30
IT	Other Database Server Administrator	$	54.59	$	103.30
IT	PC LAN Technician	$	26.12	$	52.49
IT	Programmer Analyst I	$	58.35	$	67.44
IT	Programmer Analyst II	$	67.52	$	77.80
IT	Programmer Analyst III	$	77.81	$	93.65
IT	Project Administrator	$	45.34	$	58.01
IT	Project Manager I	$	58.59	$	69.49
IT	Project Manager II	$	69.49	$	80.62
IT	Project Manager III	$	80.63	$	93.74
IT	Project Manager IV	$	93.75	$	121.52
IT	Quality Assurance Engineer I	$	51.56	$	63.62
IT	Quality Assurance Engineer II	$	63.62	$	75.04
IT	Quality Assurance Engineer III	$	75.04	$	89.51
IT	Quality Assurance Manager	$	89.52	$	103.69
IT	Quality Assurance/systems Testing Analyst	$	35.66	$	89.51
IT	Security Engineer I	$	60.75	$	76.14
IT	Security Engineer II	$	76.15	$	98.08
IT	Security Engineer III	$	98.09	$	138.30
IT	Server Based Computing Engineer	$	49.97	$	75.58
IT	Sr. EDP Planning Analyst	$	59.04	$	77.43
IT	Storage and Retrieval System Design	$	44.14	$	75.83
IT	System Architect	$	65.25	$	97.84
IT	Systems Project Manager	$	46.78	$	83.23
IT	Technical Support Specialist II	$	26.12	$	39.05
IT	Technical Support Specialist III	$	39.14	$	61.73
IT	Telecommunications Specialist II	$	43.08	$	52.40
IT	Telecommunications Specialist III	$	52.49	$	63.41
IT	UNIX System Administrator	$	41.99	$	70.54
IT	Visual Basic Developer I	$	37.83	$	58.37
IT	Visual Basic Developer II	$	58.45	$	77.26
IT	Visual Basic Developer III	$	77.18	$	95.26
IT	Web Content/Communications Manager	$	45.38	$	80.37
IT	WEB Site Developer	$	45.38	$	80.37
IT	WEB Document Specialist	$	41.15	$	98.68
IT	Misc IT Classification	$	71.02	$	184.65

EXHIBIT B

SCOPE OF SERVICES **STAFFING AND RELATED SERVICES**

1.0 INTENT:

1.1 MASTER AGREEMENT (US COMMUNITIES):

Maricopa County, AZ (herein "Lead Public Agency") on behalf of itself and all states, local governments, school districts, and higher education institutions in the United States of America, and other government agencies and nonprofit organizations (herein "Participating Public Agencies") is entering in contracts from qualified suppliers to enter into a Master Agreement for a complete line of Staffing Services and Related Services and Solutions (herein "Products and Services").

1.2 To establish a nationwide purchasing requirements contract with Staffing Services providers to provide all services in Section 2.0 of this document. This includes any proposed management tools available (see Section **2.14**).

1.3 Other governmental entities under agreement with the County may have access to services provided hereunder (see Section 2.17 and 2.18 and Exhibit 6, MICPA).

1.4 The County reserves the right to add additional contractors, at the County's sole discretion, in cases where the currently listed contractors are of an insufficient number or skill-set to satisfy the County's needs or to ensure adequate competition on any project or task order work.

2.0 SCOPE OF WORK:

2.1 GENERAL DEFINITION OF PRODUCTS AND/OR SERVICES:

2.1.1 **Staffing Services** – The complete portfolio of staffing services available by Contractor. Including administrative staffing (administrative, professional, laborer, technical, trades, etc.), information technology staffing, medical staffing, and any other staffing services offered by Contractor.

2.1.2 **Managed Service Provider Solutions – The complete portfolio of managed service provider** solutions such as contingent workforce management strategy development, strategic vendor management technology, risk mitigation methods, employment compliance methods, rate and spend management (cost savings), efficient standard processes and workflow, staffing vendor selection and management, workforce utilization trends, in-depth program reporting and analytics, and any other managed service provider solutions offered by Contractor.

2.1.3 **Related Services and Solutions** – The complete range of related services and solutions offered by Contractor such as temporary-to-hire services, direct hire services, outsourcing solutions, career management consulting, independent contractor compliance/risk management, onsite management programs, recruitment process outsourcing, outplacement services, payroll services, and any other services and solutions offered by Contractor.

2.2 SUBCONTRACTING AND TEAMING ARRANGEMENTS:

The Contractor shall agree that all subcontractors will be bound by the rules and regulations contained in this contract.

2.2.1. Contractor may use Contractor's affiliates as subcontractors, or other subcontractors, to perform Contractor's services under this Contract, subject to Contractor remaining primarily responsible for its obligations under this Contract and ensuring that services are provided to the same extent that Contractor would have provided such services had

Contractor performed those services without the use of an affiliate or subcontractor. The Contractor shall ensure that any subcontractor or agent agrees to the same restrictions, conditions, and requirements that apply through this Contract to such subcontractors and agents. The Contractor shall keep the County informed concerning the performance of all the subcontractors.

2.2.2. Contractor may not have exclusive teaming arrangements and/or other contractual provisions that result in limiting or preventing full and fair competition.

2.3 CONTRACTOR RESPONSIBILITIES:

Contractor's employees shall be required to adhere to all work policies, procedures, and standards established by the County. The Contractor's employees shall conform in all respects with regard to physical, fire and security / safety regulations while on the County's premises. Contractor shall be responsible for obtaining all rules, regulations, policies, etc. from the County.
Contractor shall be responsible for the following:

2.3.1 Recruiting, hiring, and administering any evaluations and/or disciplinary actions, implementing any reassignments and/or terminations of contractor employees provided to the County by Contractor.

2.3.2 Maintaining a recruiting and hiring program that is in compliance with applicable federal and state employment laws and their implementing rules and regulations, including, but not limited to, Title VII of the Civil Rights Act of 1964 ("Title VII"), the Americans With Disabilities Act ("ADA"), the Age Discrimination in Employment Act ("ADEA"), the Fair Credit Reporting Act ("FCRA"), and the Arizona Employment Protection Act ("AEPA").

2.3.3 Performing background screening on all contractor employees provided to the County, to include screening of credentials, licensure, personal history, qualifications, work history, and references, as well as criminal background checks and fingerprinting as provided herein. Contractor shall ensure that all contractor employees possess all certifications and qualifications necessary to enable them to perform their assignments.

2.3.4 Administering periodic performance evaluations for each contractor employee provided under this contract.

2.3.5 Informing contractor employees that they are required to adhere to the policies and procedures of the County. Contractor and/or its designee shall promptly notify the applicable County agency of any human-resource-type issue raised by a contractor employee that may affect the County, such as threats of violence, harassment, discrimination or retaliation.

2.3.6 Providing contractor employees all of County's safety, drug/alcohol, work policies, anti-harassment, anti-discrimination and anti-retaliation policies and informing them that they are required to adhere to such policies. Contractor shall establish a complaint and/or reporting procedure for violations of policies and instruct contractor employees on the use of the procedure. Contractor shall obtain written acknowledgement from each contractor employee provided under this contract that she or he has read, understood and agrees to abide by those policies and procedures.

2.3.7 Providing harassment, discrimination, and retaliation training for all contractor employees provided under this contract. Contractor shall maintain a record of all such training.

2.3.8 Informing contractor employees in writing that they are employed by Contractor, not the County.

2.3.9 Notifying contractor employees in writing that the only benefits they will receive will be from Contractor, and that they are not entitled to any benefits from the County.

2.3.10 Preparing and distributing an Employee Handbook to contractor employees that identifies and explains Contractor's policies and procedures that will be followed during the course of contractor employees' employment with Contractor.

2.3.11 Informing contractor employees in writing that job-related illness/injury reports are to be made to Contractor. Contractor and/or its designee shall notify the applicable County agency within 24 hours of receipt of any such reports.

2.3.12 Being solely responsible for, and holding County harmless from, all administrative employment matters regarding contractor employees including, but not limited to, all payroll and payroll income tax withholding matters; payment of workers' compensation premiums; funding of appropriate fringe benefit programs; and taking responsibility for and complying with (including offering coverage, if required) the Affordable Care Act with respect to its employees.

2.3.13 Paying contractor employees in compliance with applicable wage and hour laws including, but not limited to, the Fair Labor Standards Act ("FLSA") and Arizona Labor Code. Contractor shall maintain complete and accurate records of all wages paid to its employees assigned to provide services to County. Contractor shall be exclusively responsible for and will comply with applicable law governing the reporting and payment of wages, and payroll-related and unemployment taxes attributable to wages paid to its employees assigned to provide services to County. INTERVIEW OF PROSPECTIVE PERSONNEL:

2.4 The County shall have the right to interview all prospective personnel and to accept or reject any or all based upon the required skills and the background and experience of each individual. A resume may be required upon request prior to an interview.

2.5 TRAINING:

Referred personnel shall be immediately productive, requiring minimal training and orientation. In the event that extended training (over four (4) hours) is required, such as for an extended project or for any particular skill set, the Contractor may be required to pay the employee for up to sixteen (16) hours (two (2) business days) of training as determined by the County.

2.6 HOURS OF WORK:

The work week shall be Monday through Friday. Contractor shall verify work hours at the time order is placed. Work hours and holidays will vary dependent upon the County and position. Normal working hours are 8:00 a.m. to 5:00 p.m. Monday through Friday, excluding holidays.

There may be requirements for evening, weekend, and overtime work. Weekend work shall be defined as Saturday and Sunday during the same week. Weekend work shall not be considered overtime unless in excess of forty (40) hours.

Overtime shall be defined as hours worked in excess of forty (40) per week. Should a temporary employee works on a holiday, regular pay shall apply to all hours under forty (40), and time and a half shall apply for hours over forty (40). Overtime must be approved in writing, in advance, by the Agency in order to be reimbursable.

Lunch periods will range from 30-60 minutes and will be determined by the County. No payments shall be made for lunch periods.

Each temporary employee will receive one 15 minute break in the morning and one 15 minute break in the afternoon, exact time of the break will be agreed to by the employee and the County.

2.7 TRANSPORTATION AND PARKING

It will be the Contractor or the contractor's employee's responsibility to provide transportation to and from the required locations. Parking may or may not be provided and, if not, will be the responsibility of the Contractor or the contractor employee.

2.8 TEMPORARY PERSONNEL EXPENSES:

Contractor shall be responsible for temporary personnel expenses. Contractor may bill for certain travel expenses on a case-by-case basis. Contractor shall seek County approval before billing for any travel expenses. If approved by the Prospective Personnel, travel expenses shall be reimbursed in accordance with the County's Travel Policy. Original receipts for travel must be submitted for reimbursement of allowable direct costs (lodging, communications, etc.).

2.9 CONTRACTOR SINGLE POINT OF CONTACT:

Each Contractor shall designate a coordinator as a single, local point of contact (SPOC), as well as a backup, that will be accessible during normal work hours 8:00 a.m. until 5:00 p.m. Monday through Friday, with the exception of the designated holidays to receive employment requests, handle and assist in any and all inquiries regarding scheduling, billing, status of orders, availability, contract pricing, contract compliance requirements, reports, and problem solving. Contractor's SPOC shall be available via a toll free telephone number or email. The SPOC may have support staff that will serve as account managers for different County Agencies, or designated multiple points of contact in order to best provide service.

2.10 CONTRACTOR EMPLOYEE REQUIREMENTS:

2.10.1 Background Screening:

A background check is required for all employees of Contractor's staff providing services to the County. The cost of this service shall be incurred by the County.

Certain contractor employees based on position may be subject to various criminal checks, fingerprinting, and background checks upon whose results the County may choose to base its decision to accept an individual for an assignment. The requirements of these background checks are explained in Attachments B, C and D under Screening Fees. Contractor to include pricing for these services as indicated. The cost of this service shall be incurred by the County.

2.10.2 Drug Testing:

Drug testing requirements will vary for individual Agencies throughout the County. The County will identify if there is a drug test requirement at the time the order is placed. The County will pay for these tests as pass-through costs. These tests are normally conducted randomly, on a random number of temporary employees, in safety-sensitive positions, and consist of a urine sample. If a contractor employee fails a drug test, the contractor employee will no longer be eligible to provide services to the County under this contract. The requirements of these tests are explained in Attachments B, C and D under Screening Fees. Contractor to include pricing for these services as indicated. The cost of this service shall be incurred by the County.

2.10.3 If driving is a requirement of a position, County Agencies will require a DMV check. The cost of this service shall be incurred by the County.

2.10.4 Additional Certification(s):

Certain positions may require additional types of certifications such as First Aid and CPR certification. Contractor employees shall have these certifications prior to applying for such positions. Contractor employees shall maintain and recertify these

certifications at the contractors or their own expense.

2.10.5 Dress and Equipment:

Contractor employees shall report to job assignments dressed appropriately and with the equipment specified by the County as being required to perform work in the service categories covered under this contract. The County requires most field personnel to have safety shoes, at the expense of the temporary employee. The safety shoes must meet American National Standards Institute (ANSI) and Occupational Safety and Health Administration (OSHA) standards.

2.10.6 Communication Skills:

Unless otherwise requested, all contractor employees must be able to read, write, speak and comprehend the English language in accordance with the minimum requirements of the position description. Contractors that provide contractor employees that are unable to read, write, speak and comprehend the English language in accordance with the County's determination will refund any fees and wages incurred.

2.10.7 Courtesy and Cordiality Towards All Others:

Contractor employees shall be respectful of all people with whom they interact, including County employees and customers of the County.

2.10.8 County's Right of Refusal:

The Contractor will be given between four (4) business hours and one (1) business day to confirm availability of a contractor employee to fill a request. However, for "hard-to-fill" positions, the County may allow up to five (5) business days for Contractor to confirm availability of a contractor employee. In the event that the Contractor is unable to fill the job request, the County may cancel the request and place the request with another Contractor. The County reserves the right to simultaneously give all Contractors an opportunity to fill all "hard-to-fill" positions on a "first come" basis. In the event that all Contractors are unable to fill the request, the County may fill the requirement by soliciting pricing from other qualified sources.

2.11 SUPERVISION OF TEMPORARY EMPLOYEES:

Contractor's employees shall be supervised by the County. The County shall have direct control over the daily activities of the Contractor's employees. Work policies, procedures, and standards established by the County shall be followed at all times. The Contractor's employees shall conform in all respects with regard to physical, fire and security / safety regulations while on the County's premises. Contractor shall be responsible for obtaining all rules, regulations, policies, etc. from the County.

2.12 CONFIDENTIALITY OF COUNTY INFORMATION:

Contractor's employees may have access to confidential information. Under no circumstance will this information be given out to anyone without the express permission of County management.

2.12.1 The Parties acknowledge and agree that regardless of any provision in the Contract or this SOW to the contrary, the services to be provided by Contractor do not involve any access, use or disclosure by Contractor of any of the County's protected health information ("PHI"), as that term is defined in the Health Insurance Portability and Accountability Act of 1996 ("HIPAA"). Contractor is not a "business associate" of the County, as defined in HIPAA. In the event PHI is inadvertently transmitted to Contractor, Contractor shall immediately inform the County and the Parties shall work cooperatively to take all necessary action to address compliance with HIPAA and state privacy laws.

2.12.2 County shall provide Contractor a list identifying HIPAA covered departments of the County. For Contractor's employees assigned to any such department, employees will be required not to disclose or in any way reveal or disseminate PHI to Contractor or any other unauthorized parties. County shall instruct Contractor's employees concerning the confidentiality of medical information of County's patients, standard precautions, and the County's HIPAA policies and procedures. The Parties acknowledge and agree that for purposes of compliance with HIPAA, Contractor's employees shall be considered part of County's workforce as that term is defined in HIPAA, but shall otherwise not be considered workforce or employees of County for any other purposes, including by and not limited to tax or employment law.

2.13 REPLACEMENT OF CONTRACTOR EMPLOYEES:

In the event any contractor employee fails to adhere to the County's directions or security/safety regulations, or demonstrate that they are not qualified to perform the required duties, the County shall notify the Contractor who shall replace the employee immediately or as directed by the County at no cost to the County (including, but not limited to, training time, background checks, ID badges, drug testing, etc.).
This also applies to any contractor employee that leaves, for any reason, before the assignment is completed. When a contractor employee leaves, at any time, the Contractor shall be responsible for any unreturned keys, ID badges, etc. If such items are not returned to the County within five (5) working days the County shall send an invoice to the Contractor for the exact replacement cost. The Contractor shall pay this invoice within fourteen (14) days.

2.14M ANAGEMENT SYSTEM REQUIREMENTS:

The System should manage all processes required to procure contract employees, manage assignments, collect hours worked, consolidate invoicing and report on the contingent worker program for an organization. The basic implementation preloads job titles and descriptions, rates, vendors, users and business rules.

A keyf eature of the system should keep the users updated on the status of the order, and facilitates communication between all parties involved in the process. The System should utilize standard e mail applications to notify users when a task is required or has been completed. For example, a requesting manager is notified when their requisition has been distributed to vendors and in turn when the vendors have submitted resumes. The internal clock in the system should time stamps alla ctivities and provide reports accordingly. The system should be a "collaborative e-commerce" platform connecting requestors, process managers, vendors and contract employees for communication and collaboration in one central platform.

The system should be workflow based application delivered in Software as a Service (SaaS) delivery model accessed via the internet utilizing a standard browser, therefore the user need not be in the office to complete required tasks. The system shall be configured specifically for each client utilizing business rules, user roles and internal routing. The system should be extensive application configuration tool that allows new users, vendors and job information to be added or updated easily.

2.14.1 **The system solution will should reduce costs and improves efficiency for Enterprise clients by automating the contingent staffing process through:**

2.14.1.1 Single point of contact - multiple vendor resources
2.14.1.2 Consolidation and standardization of the contingent workforce procurement processes
2.14.1.3 Automated order entry/distribution, candidate submittal, response and order fulfillment
2.14.1.4 Replaces paper intensive and manually managing progress
2.14.1.5 Replaces fax, e mail or telephone order distribution– no data capture methods
2.14.1.6 Addressing the unique requirements for Commercial and Light Industrial

clients

2.14.1.7 Quick fill process
2.14.1.8 Visibility into weekly and daily resource loading schedules and ability to adjust
2.14.1.9 Mobile Apps for shop floor usage
2.14.1.10 Accommodates multiple shift differential methodologies
2.14.1.11 Flagging applicants that require special review
2.14.1.12 Provide additional information on applicant to assist hiring manager with evaluation
2.14.1.13 Tracking history of all assignments at client location
2.14.1.14 Providing collaborative features that reduce "telephone tag"

2.14.2 Streamlining the approval and billing process using:

2.14.2.1 Pre-established routing for approvals
2.14.2.2 Desktop action list, Email notification
2.14.2.3 Automatic approval proxies for manager absences
2.14.2.4 Tracking of company property

2.14.3 Automating time and expense capture/approval

2.14.3.1 Eliminate paper intensive time capture
2.14.3.2 Reduce audit requirements of time capture/invoice process
2.14.3.3 Enterprise wide reporting: transactions, financial, and performance metric – Data to make sound business decisions
2.14.3.4 Integration into financial, HRIS or eProcurement packages through standard API's
2.14.3.5 Allows for compliance to ERISA and co-employment time worked rules
2.14.3.6 Provides usage data immediately after payroll

2.14.4 Significant dollars ares aved through reducing process inefficiencies, managing actual dollars spent and providing management decision reporting statistics and data.

2.15 SECURITY GUARD SERVICES:

Required Uniformed Security services:

2.15.1 UNARMED SECURITY GUARD REQUIREMENT: Must be in possession of a valid State of Arizona security guard license as an unarmed security guard.

2.15.2 ARMED SECURITY GUARD REQUIREMENTS: Must be in possession of a valid State of Arizona security guard license as an armed security guard.

2.15.3 Current CPR and First Aid certification

2.15.4 Contractor shall provide ALL uniforms required exclusive of work shoes/boots, socks and underwear. No athletic shoes are permitted. Uniform shall be in compliance with Arizona Revised Statutes Title 32, Chapter 26, Section 32-2601 et seq. and the SECURITY OFFICERS AGENCY UNIFORM GUIDELINES as published by the Arizona Department of Public Safety Licensing Unit.

2.15.5 Duty belt should include OC spray, handcuffs and firearm (if armed security guard).

2.15.6 Personnel activities shall be coordinated with the designated Manager or designee. To enforce policies and regulations, communicate all issues with Manager or designee.

2.15.7 Complete daily activity reports and monthly reports and provide to customer accordingly.

2.15.8 Conduct internal and external patrols, as required. Spot check building for safety hazards,

monitor secured areas and be knowledgeable of staff access.

2.15.9 Escort visitors and vendors if requested.

2.15.10 Conduct monthly evaluations of safety equipment, including, but not limited to, fire extinguishers, exit signs and emergency lighting, and provide communication on any non-functioning equipment or broken facility equipment if requested from the County.

2.15.11 Contractor employees must be able to work with a diverse population in a professional and courteous manner and have experience with conflict resolution.

2.15.12 Assist staff with any related security issues that arise, including any difficult situations relating to staff and customers.

2.15.13 General Security Duties:
The following are a list of Standard Operating Procedures to be performed by assigned personnel. Assigned personnel shall become familiar with procedures and authorized persons associated with the location they are assigned to. Additional duties may be assigned by the Responsible Manager or assigned designee.

2.15.13.1 Protect the safety of all persons on site.

2.15.13.2 Be polite, courteous, respectful, and responsive to all individuals.

2.15.13.3 Prohibit entry into secure areas by anyone other than authorized individuals as directed.

2.15.13.4 Prevent fire, theft, vandalism, and trespassers on the property.

2.15.13.5 Contractor for guard services must provide a procedure manual for responding to medical emergencies, bomb threats, riots, fires, disruptive persons, and other emergencies.

2.15.13.6 Monitor security consoles (i.e. employee access control and alarm computer, CCTV video monitors, DVR's, etc.).

2.15.13.7 Be familiar with ad implement emergency fire or fire alarm including familiarity with floor plans and locations of firm alarm pull boxes, fire extinguishers, fire alarm monitoring panel and other life/safety systems.

2.15.13.8 Be familiar with and implement emergency intrusion alarm procedures including the use of computer programs, closed circuit television monitors, voice intercom systems, alarms and alarm enunciator panels and other equipment required for monitoring and control of building access.

2.15.13.9 Be responsible for all building and systems keys and access control cards in their possession and ability to account for the whereabouts of keys at all times. Should keys be lost or stolen, Responsible Manager shall be notified immediately. Contractor is responsible for the cost of replacement of lost, stolen or damaged keys and access cards.

2.15.13.10 Patrol the interior and exterior of the facility and buildings:

2.15.13.10.1 Monitor offices, classes, employees and customer areas without disruption.

2.15.13.10.2 Patrol any common computer lab, if applicable; visually scan customer's computer monitors to ensure that there are no inappropriate websites being used, i.e. sexual content.

2.15.13.10.3 Check for unauthorized open doors, i.e. exit and storage doors.

2.15.13.10.4 Check for leaks or damages, and identify anything out of the ordinary.

2.15.13.10.5 Patrol the interior of the building at the end of the work day to ensure all staff and visitors have left the building. Turn off all lights, lock all doors, and set alarm system, if applicable.

2.15.13.10.6 Patrol the exterior of the facility as directed.

2.15.13.10.7 Patrol prior to the arrival of staff at the beginning of the work day and after staff leaves, at the end of the work day.

2.15.13.10.8 Monitor people entering the building for any type of prohibited weapon, food or drink.

2.15.13.10.9 Check customer parking and employee parking areas, monitoring for any suspicious activity or vandalism. Report any unusual incidents or hazardous conditions.

2.15.13.11 Maintain a daily log for each shift in accordance with all policies for the site (i.e. sign in and sign out requirements for visitors.

2.15.13.12 Maintain a log of all security violations and report occurrences to Responsible Manage as quickly as possible considering the nature of the violation.

2.15.13.13 Be familiar with procedures for receiving and forwarding requests for maintenance.

2.15.13.14 Comply with all FCC rules and regulations when using assigned communication devices which must be supplied by the contracted guard service unless otherwise stated by the County.

2.15.13.15 The use of cell phones is strictly prohibited, except as required to perform assigned duties.

2.15.13.16 Personal electronic devices, portable electronic devices or reading materials not related to assigned duties are prohibited.

2.15.13.17 Engaging in or conducting any personal business or business outside of the assigned responsibilities is strictly prohibited.

2.15.13.18 Socializing is prohibited. No visitors are allowed in the building before or after work hours. Conversations with staff and customers are to remain cordial and brief.

2.16 MINIMUM WAGE, LIVING WAGE AND MANDATORY HEALTH AND WELFARE BENEFITS:

2.16.1 Contractor must meet all federal, state and local requirements regarding minimum wage, living wage and any mandatory health and welfare benefits.

2.17 STRATEGIC ALLIANCE for VOLUME EXPENDITURES ($AVE):

The County is a member of the $AVE cooperative purchasing group. $AVE includes the State of Arizona, many Phoenix metropolitan area municipalities, and many K-12 unified school districts. Under the $AVE Cooperative Purchasing Agreement, and with the concurrence of the successful Respondent under this solicitation, a member of $AVE may access a contract resulting from a solicitation issued by the County. In the absence of a statement to the contrary, the County will assume that you do wish to grant access to any contract that may result from this contract.

2.18 INTERGOVERNMENTAL COOPERATIVE PURCHASING AGREEMENTS (ICPA's):

County currently holds ICPA's with numerous governmental entities throughout the State of Arizona. These agreements allow those entities, with the approval of the Contractor, to purchase their requirements under the terms and conditions of the County Contract. Please indicate on Attachment A, your acceptance or rejection regarding such participation of other governmental entities.

3.0 PROCUREMENT REQUIREMENTS:

3.1 DELIVERY:

It shall be the Contractor's responsibility to meet the proposed delivery requirements. Maricopa County reserves the right to obtain services on the open market in the event the Contractor fails to make delivery and any price differential will be charged against the Contractor.

3.2 USAGE REPORT:

The Contractor shall furnish the County a usage report upon request delineating the acquisition activity governed by the Contract. The format of the report shall be approved by the County and shall disclose the quantity and dollar value of each contract item by individual unit.

EXHIBIT C

OFFICE OF PROCUREMENT SERVICES CONTRACTOR TRAVEL AND PER DIEM POLICY

1.0 All contract-related travel plans and arrangements shall be prior-approved by the County Contract Administrator.

2.0 Lodging, per diem and incidental expenses incurred in performance of Maricopa County/Special District (County) contracts shall be reimbursed based on current U.S. General Services Administration (GSA) domestic per diem rates for Phoenix, Arizona. Contractors must access the following internet site to determine rates (no exceptions): www.gsa.gov

2.1 Additional incidental expenses (i.e., telephone, fax, internet and copying charges) shall not be reimbursed. They should be included in the contractor's hourly rate as an overhead charge.

2.2 The County will not (under no circumstances) reimburse for Contractor guest lodging, per diem or incidentals.

3.0 Commercial air travel shall be reimbursed as follows:

3.1 Coach airfare will be reimbursed by the County. Business class airfare may be allowed only when preapproved in writing by the County Contract Administrator as a result of the business need of the County when there is no lower fare available.

3.2 The lowest direct flight airfare rate from the Contractors assigned duty post (pre-defined at the time of contract signing) will be reimbursed. Under no circumstances will the County reimburse for airfares related to transportation to or from an alternate site.

3.3 The County will not (under no circumstances) reimburse for Contractor guest commercial air travel.

4.0 Rental vehicles may only be used if such use would result in an overall reduction in the total cost of the trip, not for the personal convenience of the traveler. Multiple vehicles for the same set of travelers for the same travel period will not be permitted without prior written approval by the County Contract Administrator.

4.1 Purchase of comprehensive and collision liability insurance shall be at the expense of the contractor. The County will not reimburse contractor if the contractor chooses to purchase these coverage.

4.2 Rental vehicles are restricted to sub-compact, compact or mid-size sedans unless a larger vehicle is necessary for cost efficiency due to the number of travelers. (NOTE: contractors shall obtain pre-approval in writing from the County Contract Administrator prior to rental of a larger vehicle.)

4.3 County will reimburse for parking expenses if free, public parking is not available within a reasonable distance of the place of County business. All opportunities must be exhausted prior to securing parking that incurs costs for the County. Opportunities to be reviewed are the DASH; shuttles, etc. that can transport the contractor to and from County buildings with minimal costs.

4.4 County will reimburse for the lowest rate, long-term uncovered (e.g. covered or enclosed parking will not be reimbursed) airport parking only if it is less expensive than shuttle service to and from the airport.

4.5 The County will not (under no circumstances) reimburse the Contractor for guest vehicle rental(s) or other any transportation costs.

5.0 Contractor is responsible for all costs not directly related to the travel except those that have been pre-approved by the County Contract Administrator. These costs include (but not limited to) the following: in-room movies, valet service, valet parking, laundry service, costs associated with storing luggage at a hotel,

fuel costs associated with non-County activities, tips that exceed the per diem allowance, health club fees, and entertainment costs. Claims for unauthorized travel expenses will not be honored and are not reimbursable.

6.0 Travel and per diem expenses shall be capped at 15% of project price unless otherwise specified in individual contracts.

7.0 Contractor shall provide, (upon request) with their invoice(s), copies of receipts supporting travel and per diem expenses, and if applicable with a copy of the written consent issued by the Contract Administrator. No travel and per diem expenses shall be paid by County without copies of the written consent as described in this policy and copies of all receipts.

Maricopa County
Office of Procurement Services

www.maricopa.gov

Chief Procurement Officer
320 W. Lincoln St.
Phoenix, AZ 85003
Phone: (602) 506-3967
Fax: (602) 258-1573

February 07, 2019

ACRO Service Corporation
39209 W. Six Mile Rd. Suite 250
Livonia, MI 48152

We are pleased to notify you that Maricopa County has renewed your contract to supply the **STAFFING SERVICES AND RELATED SERVICES AND SOLUTIONS** as indicated on the attached award sheet with an effective date of **January 01, 2020.**

In accordance with the bid specifications, purchasing documents will be forwarded to you covering the specific items of this award, which will include deliveries and terms.

If you have any questions regarding **Serial-16111-RFP,** please contact **Simon Alvarez** at **(602) 506-8714.**

Sincerely,

Simon Alvarez, Procurement Officer
Office of Procurement Services

SA/yy
Attachments

cc: Office of Procurement Services
re: Serial-16111-RFP

SERIAL 16111 RFP STAFFING SERVICES AND RELATED SERVICES AND SOLUTIONS
Contract - ACRO Service Corporation

DATE OF LAST REVISION: February 07, 2019 CONTRACT END DATE: December 31, 2021

CONTRACT PERIOD THROUGH DECEMBER 31, ~~2019~~, 2021

TO: All Departments

FROM: Office of Procurement Services

SUBJECT: Contract for **STAFFING SERVICES AND RELATED SERVICES AND SOLUTIONS**

Attached to this letter is published an effective purchasing contract for products and/or services to be supplied to Maricopa County activities as awarded by Maricopa County on **November 16, 2016 (Eff. 01/01/17).**

All purchases of products and/or services listed on the attached pages of this letter are to be obtained from the vendor holding the contract. Individuals are responsible to the vendor for purchases made outside of contracts. The contract period is indicated above.



SA/yy
Attach

Copy to: Office of Procurement Services
Keely Farrow, Human Resources

(Please remove Serial 11143-RFP from your contract notebooks)

Maricopa County
Office of Procurement Services

www.maricopa.gov

Chief Procurement Officer
160 South 4th Avenue
Phoenix, AZ 85003
Phone: (602) 506-3967
Fax: (602) 506-6766

May 20, 2021

ACRO Service Corporation
39209 W. Six Mile Rd. Suite 250
Livonia, MI 48152

We are pleased to notify you that Maricopa County has renewed your contract to supply the **STAFFING SERVICES AND RELATED SERVICES AND SOLUTIONS** as indicated on the attached award sheet with an effective date of **January 1, 2022.**

In accordance with the bid specifications, purchasing documents will be forwarded to you covering the specific items of this award, which will include deliveries and terms.

If you have any questions regarding **Serial-16111-RFP,** please contact **Simon Alvarez** at **(602) 506-8714.**

Sincerely,

Simon Alvarez, Procurement Officer
Office of Procurement Services

SA/yy
Attachments

cc: Office of Procurement Services
re: Serial-16111-RFP

SERIAL 16111 RFP STAFFING SERVICES AND RELATED SERVICES AND SOLUTIONS
Contract - ACRO Service Corporation

DATE OF LAST REVISION: May 20, 2021 **CONTRACT END DATE: December 31, 2023**

CONTRACT PERIOD THROUGH DECEMBER 31, ~~2019~~, ~~2021~~ 2023

TO: All Departments

FROM: Office of Procurement Services

SUBJECT: Contract for **STAFFING SERVICES AND RELATED SERVICES AND SOLUTIONS**

Attached to this letter is published an effective purchasing contract for products and/or services to be supplied to Maricopa County activities as awarded by Maricopa County on **November 16, 2016 (Eff. 01/01/17).**

All purchases of products and/or services listed on the attached pages of this letter are to be obtained from the vendor holding the contract. Individuals are responsible to the vendor for purchases made outside of contracts. The contract period is indicated above.



SA/yy
Attach

Copy to: Office of Procurement Services
Darrien Ellison, Human Resources

(Please remove Serial 11143-RFP from your contract notebooks)

AMENDMENT No.3

To

SERIAL 16111-RFP STAFFING SERVICES AND RELATED SERVICES AND SOLUTIONS

Between

ACRO SERVICE CORPORATION
&
MARICOPA COUNTY, ARIZONA

WHEREAS, Maricopa County, Arizona ("County") and ACRO Service Corporation ("Contractor") have entered into a Contract for the purchase of Staffing Services and Related Services and Solutions dated January 1, 2017 ("Agreement") County Contract No: 16111-RFP.

WHEREAS, County and ACRO Service Corporation have agreed to further modify the Agreement by changing certain terms and conditions;

NOW, THEREFORE, in consideration of the foregoing, and for other good and valuable consideration, receipt of which is hereby acknowledged, the parties hereto agree as follows:

1. The addition of language to the end of section 6.1 INDEMNIFICATION
2. Modification to the address listed in Section 6.2.18 Cancellation and Expiration Notice
3. Modification to Procurement Code Reference in Section 6.25 Access to and Retention of Records for the Purpose of Audit and/or Other Review
4. Addition of Forced Labor Language as Section 6.43

Please see below for the revisions:

Additional Language:

Notwithstanding anything to the contrary in the Agreement, Acro shall not be liable for any claim, loss, or liability of any kind whatsoever (collectively, "claims") arising from the County requesting or permitting assigned employees of Acro or its associate vendors (i.e., subcontractors) to use any vehicle (including but not limited to automobiles, buses, trucks, forklifts, and powered industrial vehicles) regardless of ownership, in connection with the performance of services for the County. The County shall indemnify and hold harmless Acro and any involved associate vendor with respect to all such claims, except Workers' Compensation claims.

Notwithstanding anything to the contrary, Contractor shall not be liable for the acts or omissions of the assigned employees of Acro or its associate vendors (i.e., subcontractors) while under the direction, control, or supervision of County.

Current Language:

Applicable to all insurance policies required within the Insurance Requirements of this Contract, Contractor's insurance shall not be permitted to expire, be suspended, be canceled, or be materially changed for any reason without thirty (30) days prior written notice to Maricopa County. Contractor must provide to Maricopa County, within 2 business days of receipt, if they receive notice of a policy that has been or will be suspended, canceled, materially changed for any reason, has expired, or will be expiring. Such notice shall be sent directly to Maricopa County Office of Procurement Services and shall be mailed or hand delivered to **160 South 4th Avenue** ~~320 West Lincoln Street~~, Phoenix, AZ 85003, or emailed to Procurement Officer noted in solicitation.

Modified Language:

Applicable to all insurance policies required within the Insurance Requirements of this Contract, Contractor's insurance shall not be permitted to expire, be suspended, be canceled, or be materially changed for any reason without thirty (30) days prior written notice to Maricopa County. Contractor must provide to Maricopa County, within 2 business days of receipt, if they receive notice of a policy that has been or will be suspended,

canceled, materially changed for any reason, has expired, or will be expiring. Such notice shall be sent directly to Maricopa County Office of Procurement Services and shall be mailed or hand delivered to **301 West Jefferson St. Suite 700** ~~160 South 4th Avenue 320 West Lincoln Street~~, Phoenix, AZ 85003, or emailed to Procurement Officer noted in solicitation.

Current Language:

In accordance with section **MC1-373** ~~MCI 371~~ of the Maricopa County Procurement Code the Contractor agrees to retain all books, records, accounts, statements, reports, files, and other records and back-up documentation relevant to this Contract for six (6) years after final payment or until after the resolution of any audit questions which could be more than six (6) years, whichever is latest. The County, Federal or State auditors and any other persons duly authorized by the Department shall have full access to, and the right to examine, copy and make use of, any and all said materials.

Modified Language:

In accordance with section **MC1-372** ~~MC1-373~~ ~~MCI 371~~ of the Maricopa County Procurement Code the Contractor agrees to retain all books, records, accounts, statements, reports, files, and other records and back-up documentation relevant to this Contract for six (6) years after final payment or until after the resolution of any audit questions which could be more than six (6) years, whichever is latest. The County, Federal or State auditors and any other persons duly authorized by the Department shall have full access to, and the right to examine, copy and make use of, any and all said materials.

Additional Language:

FORCED LABOR

1.1.1 By submitting a bid for this solicitation and/or entering into a contract as a result of this solicitation, contractor agrees to comply with all applicable portions of Arizona Revised Statutes Section 35-394. Contracting; procurement; prohibition; written certification; remedy; termination; exception; definitions.

1.1.2 Contractor certifies that it does not currently, and agrees for the duration of the contract, that it will not use:

1.1.2.1 The forced labor of ethnic Uyghurs in the People's Republic of China.

1.1.2.2 Any goods or services produced by the forced labor of ethnic Uyghurs in the People's Republic of China.

1.1.2.3 Any contractors, subcontractors or suppliers that use the forced labor or any good or services produced by the forced labor of ethnic Uyghurs in the People's Republic of China.

1.1.3 If contractor becomes aware during the term of the agreement that contractor is not in compliance with this paragraph, the contractor shall notify the County within five business days after becoming aware of the noncompliance. If the contractor fails to provide a written certification to the County that the contractor has remedied the noncompliance within 180 days after notifying the County of its noncompliance, then the agreement terminates, except that if the agreement termination date occurs before the end the 180 day period, the agreement terminates on the agreement termination date.

ALL OTHER TERMS AND CONDITION REMAIN UNCHANGED

IN WITNESS WHEREOF, this Contract Amendment is executed on the date set forth below when executed by Maricopa County Office of Procurement Services.

ACRO SERVICE CORPORATION

Authorized Signature

Sean Trimble / Chief Operating Officer
Printed Name and Title

39209 W. Six Mile Road Suite 250 Livonia, MI 48152
Address

January 6, 2023
Date

MARICOPA COUNTY:

Kevin Tyne

Chief Procurement Officer

January 6, 2023
Date

Maricopa County
Office of Procurement Services

www.maricopa.gov

Chief Procurement Officer
160 South 4th Avenue
Phoenix, AZ 85003
Phone: (602) 506-3967
Fax: (602) 506-6766

March 10, 2022

ACRO Service Corporation
39209 W. Six Mile Rd. Suite 250
Livonia, MI 48152

We are pleased to notify you that Maricopa County has renewed your contract to supply the **STAFFING SERVICES AND RELATED SERVICES AND SOLUTIONS** as indicated on the attached award sheet with an effective date of **January 1, 2024.**

In accordance with the bid specifications, purchasing documents will be forwarded to you covering the specific items of this award, which will include deliveries and terms.

If you have any questions regarding **Serial-16111-RFP,** please contact **Robert Namor** at **(602) 506-8707.**

Sincerely,



Robert Namor, Procurement Officer
Office of Procurement Services

RN/yy
Attachments

cc: Office of Procurement Services
re: Serial-16111-RFP

SERIAL 16111-RFP STAFFING SERVICES AND RELATED SERVICES AND SOLUTIONS
Contract - ACRO Service Corporation

DATE OF LAST REVISION: January 24, 2022 CONTRACT END DATE: December 31, 2025

CONTRACT PERIOD THROUGH DECEMBER 31, ~~2019~~, ~~2021~~ ~~2023~~ 2025

TO: All Departments

FROM: Office of Procurement Services

SUBJECT: Contract for **STAFFING SERVICES AND RELATED SERVICES AND SOLUTIONS**

Attached to this letter is published an effective purchasing contract for products and/or services to be supplied to Maricopa County activities as awarded by Maricopa County on **November 16, 2016 (Eff. 01/01/17).**

All purchases of products and/or services listed on the attached pages of this letter are to be obtained from the vendor holding the contract. Individuals are responsible to the vendor for purchases made outside of contracts. The contract period is indicated above.

Kevin Tyne

Kevin Tyne, Chief Procurement Officer
Office of Procurement Services

RN/mm
Attach

Copy to: Office of Procurement Services
Darrien Ellison, Human Resources

(Please remove Serial 11143-RFP from your contract notebooks)

REPORT TO CITY COUNCIL

Approved by:

Joseph Hebert

Joseph Hebert, Parks & Community Services Director

Arnoldo Rodriguez

Arnoldo Rodriguez, City Manager

Council Meeting of: November 15, 2023

Agenda Number: B-11

SUBJECT:

Pacific Gas & Electric (PG&E) Better Together Giving Program Contribution

RECOMMENDATION:

1. Adopt a Resolution Accepting Pacific Gas & Electric Company's Better Together Giving Program charitable donation of $3,000.
2. Adopt a Resolution Amending the City's Fiscal Year 2023/24 Budget approving a related expenditure line item relating to the appropriation of PG&E's $3,000 charitable donation amount.

SUMMARY:

The City recently received a charitable donation of $3,000 from PG&E's Better Together Giving Program. Staff recommends appropriating the funds in the City's Fiscal Year 2023/24 Budget to allow for expenditure. More specifically, staff recommends allocating the funds to the City's Winter Wonderland holiday event scheduled for December 15, 2023.

DISCUSSION:

On September 11, 2023, PG&E contacted the City to donate $3,000 for a holiday event. The charitable funding is being made possible through PG&E's Better Together Giving Program. The Better Together Giving Program is funded by both PG&E and the PG&E Corporation Foundation, an independent 501(c)3 non-profit foundation.

The City submitted A Better Together Giving Program application on September 12, 2023. At the time of application, staff indicated that the funds would go towards the City's annual Winter Wonderland, hosted the same evening as the Jolly Trolley event. PG&E has since informed the City that it was selected and will receive a $3,000 charitable donation.

The Winter Wonderland event is a festive community event to celebrate the holiday season. The event aims to bring people together to enjoy various holiday-themed activities, spread joy and goodwill, and create a sense of togetherness within the community. In the past, the event has consisted of craft activities and games for attendees, refreshments and dinner, and a photoshoot opportunity with festive characters such as the Grinch and Santa Claus.

With additional funding possible, the City would like to enhance the Winter Wonderland activities that will allow attendees to leave the event with a worthwhile takeaway and memorabilia. With additional funding, staff anticipates adding holiday craft stations such as ornament decorating, a holiday photoshoot opportunity for attendees with a printed photograph, holiday-themed games, raffle prizes, and giveaways. The event is free of charge to the community.

FINANCIAL IMPACT:

The annual Winter Wonderland event as an expense is captured in the Parks & Community Services Department #10206270 budget. This Fiscal Year 2023/24, Council budgeted $1,500 for the Winter Wonderland event materials and supplies.

A budget amendment is proposed to recognize the corresponding donation as revenue received and appropriate the $3,000 into the #10206270-6532 expense line.

ALTERNATIVES:

The Council may elect not to accept PG&E's Better Together Giving Program charitable donation of $3,000, at which point the City may have to revert funds back to PG&E, or request amending the application for another event, as allowable and permissible by PG&E.

ATTACHMENTS:

1. Resolution – Accepting Charitable Donation Amount of $3,000 By PG&E
2. Resolution – Budget Adjustment
    a. Exhibit A – Budget Adjustment

ATTACHMENT 1

Resolution – Accepting Charitable Donation Amount of $3,000 By PG&E

RESOLUTION NO. 23-_____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA ACCEPTING $3,000 IN CHARITABLE DONATION FUNDS FROM PACIFIC GAS & ELECTRIC COMPANY'S BETTER TOGETHER GIVING PROGRAM

WHEREAS, Pacific Gas & Electric Company made available $3,000 in charitable donation funds available to the City; and

WHEREAS, the charitable donation is made possible through Pacific Gas & Electric Company's Better Together Giving Program; and

WHEREAS, the Better Together Giving Program is funded by both PG&E Company itself, and by the PG&E Corporation Foundation, an independent 501(c)3 non-profit foundation; and

WHEREAS, the $3,000 charitable donation is to be used for a holiday event; and

WHEREAS, the City's annual Winter Wonderland 2023 event will be the beneficiary, as funds will be used to augment and enhance the festive event to celebrate the holiday season.

NOW, THEREFORE, THE COUNCIL OF THE CITY OF MADERA hereby resolves, finds, determines and orders as follows:

1. The foregoing recitals are true and correct and incorporated herein by reference.
2. The charitable donation provided by Pacific Gas & Electric Company of $3,000 is accepted.
3. This resolution is effective immediately upon adoption.

* * * * * * * *

ATTACHMENT 2:

Resolution – Budget Adjustment

RESOLUTION NO. 23-_____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA AMENDING THE FISCAL YEAR 2023/24 BUDGET APPROVING RELATED EXPENDITURE LINE ITEM RELATED TO THE PG&E CHARITABLE DONATION OF $3,000

WHEREAS, the City Council previously adopted a City-wide Budget for 2023/24 Fiscal Year; and

WHEREAS, the City of Madera has received a charitable donation of $3,000; and

WHEREAS, the charitable donation is from Pacific Gas & Electric Company's Better Together Giving Program; and

WHEREAS, the charitable donation will be used for the Winter Wonderland 2023 holiday event.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF MADERA finds, orders, and resolves as follows:

4. The above recitals are true and correct.
5. The appropriations for the items listed in Exhibit A, attached hereto, are approved.
6. A signed copy of this Resolution shall be placed on file in the office of the Director of Financial Services, who shall prepare the entries necessary to reflect budget changes identified in the City's accounting system.
7. This Resolution is effective immediately upon adoption.

* * * * * * * *

EXHIBIT A
CITY OF MADERA

Budget Appropriations: Res. 23-_____

Budget Adjustments for Fiscal Year 2023/24

FUND	ORG CODE	OBJECT CODE	DESCRIPTION	(+)	(-)
General Fund / Special Events	10206270	6532	Maintenance/Other Supplies	3,000	-
				$ 3,000	**$ -**

REPORT TO CITY COUNCIL

Approved by:

Joseph Hebert

Joseph Hebert, Parks & Community Services Director

Arnoldo Rodriguez

Arnoldo Rodriguez, City Manager

Council Meeting of: November 15, 2023

Agenda Number: B-12

SUBJECT:

Acceptance of Playground Equipment and Park Amenities Installation at McNally Park

RECOMMENDATION:

Staff recommends that the City Council approve Minute Order Approving:

1. Acceptance of the Playground and Park Amenities Installation at McNally Park located at 825 A Street, Madera, CA 93638.
2. The Recording of Notice of Completion.
3. The release of retention 35 days after the recording of the Notice of Completion.

SUMMARY:

On May 3, 2023, the City Council approved a cooperative purchase agreement with Superior International Industries (Superior) for playground equipment for McNally Park for $244,508.42. The agreement was to replace playground equipment, fencing, and other park amenities.

DISCUSSION:

Staff determined that a cooperative purchase agreement represented the most advantageous purchasing strategy for procuring park amenities and improvement plans. Not utilizing a cooperative purchase agreement would have substantially extended the procurement process and lead times.

On March 6, 2023, the City released a request for quotes using the cooperative agreement process on CompareCoops.com, a website that caters to vendors that exclusively have cooperative contracts. Quote solicitations closed on March 24, 2023, with two quotes received. After review and further assessment, one quote was considered incomplete as it only quoted the

playground equipment items and did not quote the various additional park amenities. The second quote, from Superior, showed the the bidder's responsibility and responsiveness in the amount of $213,123.18. In the released request for quotes, staff included the removal and installation of new fencing. Due to time constraints and advancement in the procurement process, staff recommended Superior, understanding that the fencing may need to be bid out if Superior could not provide the service.

On May 3, 2023, Superior confirmed they could provide the fencing an updated quote for the fencing demolition and installation. The quote for all services needed totaled $244,508.42.

Since then, Superior has performed the demolition services of the existing playground equipment at McNally Park, the demolition of the existing safety perimeter fencing around the playground equipment, and the removal of the existing park amenities. Park amenities removed included picnic tables, grills, trash cans, water fountains, and benches.

McNally Park has been upgraded with new playground equipment, that includes a toddler lot for ages 2-5 years old, a lot for kids ages 5-12, as well as new swing sets. The playground area also has brand-new safety perimeter fencing. In addition, the park has:

- 4 new benches
- 13 new picnic tables
- 2 new water fountains with ADA and pet accessibility
- 7 new double grills
- 12 new thermoplastic 32-gallon trash cans

A final inspection was conducted on October 17, 2023, by a third-party Certified Playground Safety Inspector (CSPI). All parties agree that the project can be recommended for acceptance by the Council and a “Notice of Completion” recorded.

FINANCIAL IMPACT:

The improvements to McNally Park were made possible by the Community Development Block Grant (CDBG) funds of $609,307 awarded in 2022. The CDBG application the City submitted for McNally Park included two phases. Phase 1 would address replacing the existing playground structures and replacing them with new ones, as well as new park amenities that included picnic tables, fountains, trash bins, & benches. Phase 2 includes redesigning and reconstructing two basketball courts at the park. City staff is working with O’Dell Engineering for the design services and construction bid documents preparation for the completion of this phase. Services through O’Dell Engineering are being made possible through the citywide engineering consultant services noted in Resolution 22-178, approved October 19, 2022.

Adequate funds were appropriated in the current fiscal year budget to cover expenses for the McNally Park improvement project. The cost was budgeted in #1021-8020-7040-MCNAL. The final project cost to be paid to Superior is $239,244.92, which includes a savings of $5,263.50

from the initial agreement total of $244,508.42, as an additional discount was added after the bid had been accepted. The savings have been used towards the additional McNally Park improvements and safety inspection costs as part of the CDBG related funding goals.

Table 1: *CDBG Award of $609,307 for McNally Park Improvements Expenditure*	
Phase 1 – Playground and Park Amenities Costs	**Amount**
Superior International Industries	$239,244.92
Certified Playground Safety Inspection	$1,800
Landscaping, Concrete Bordering for Playground & Park	$6,912.36
Total Costs of Phase 1:	**$247,957.28**
Phase 2 – Basketball Redesign and Reconstruction	**Amount**
O'Dell Engineering – Task Order	$39,500
Total Cost of Phase 2 To Date:	**$39,500**
Total Cost of Phase 1 & 2 To Date	**$287,457.28**
CDBG Award	**$609,307**
Balance	**$321,849.72**

The $321,849.72 balance of CDBG funding will be utilized for the actual reconstruction of the basketballs, estimated to use the entirety of the balance.

ALTERNATIVES:

As an alternative, the Council may elect to reject the Notice of Completion with due cause. Rejection of the notice would result in the staff's inability to release retention funds until addressing Council concerns.

ATTACHMENTS:

1. Notice of Completion
2. Certificate of Compliance for Playground Ages 2-5
3. Certificate of Compliance for Playground Ages 5-12
4. Photos of Playground Equipment Before and After Installed
5. Photos of Park Amenities Before and After Installed

ATTACHMENT 1

Notice of Completion

Recording Requested by:
City of Madera

And When Recorded, Mail to:
City of Madera – City Clerk
205 W. 4th Street
Madera, CA 93637

_____ Space above this line for Recorder's Use _____
Fee Waived per Section 27383 & 27388.1(a)(2)(D) of the Government Code – No Document Tax Due $ -0-

NOTICE OF COMPLETION

NOTICE IS HEREBY GIVEN THAT:

1. The undersigned is owner of the interest or estate stated below in the property hereinafter described.
2. The full name of the undersigned is **City of Madera**.
3. The full address of the undersigned is **205 W. 4th Street, Madera, CA 93637**.
4. The nature of the title of the undersigned is: In fee **Public Construction**
   (If other than fee, strike "In fee" and insert, for example, "purchaser under contract of purchase" or "lessee".)
5. The full name and full addresses of all persons, if any, who hold title with the undersigned as joint tenant or as tenants in common are:

Name	Address
N/A	

6. A work of improvement on the property hereinafter described was completed on **10/17/2023**
7. The name of the original contractor, if any, for such work of improvement was:
   (If no contractor for work of improvements as a whole, insert "none".)
   Superior International Industries
8. The full name(s) and address(es) of the transferor(s) of the undersigned is(are):

Name	Address
N/A	

9. The property on which said work of improvement was completed is in the City of **Madera**, County of **Madera**, State of California, and is described as follows:
   McNally Park located at 825 A Street, Madera, CA 93638
10. The street address of said property is **See #9**
    (If no street address has been officially assigned, insert "none".)

(Signature of Owner named in Paragraph 2)

Dated

Joseph Hebert
Parks & Community Services Director

State of California
County of Madera

Joseph Hebert, being duly sworn says: He is the City of Madera Parks & Community Services Director, the corporation that executed the foregoing notice as owner of the aforesaid interest or estate in the property therein described; that he makes this verification on behalf of said corporation; that he has read said notice and knows the contents thereof, and that the facts herein stated are true.

(Signature of Officer)

_____
Joseph Hebert
Parks & Community Services Director

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

State of California
County of Madera

Subscribed and sworn to (or affirmed) before me on the _____ day of _____, 2023 by Joseph Hebert, proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.

_____ (Seal)
Alicia Gonzales
City Clerk

ATTACHMENT 2

Certificate of Compliance for Playground Ages 2-5

Certificate of Compliance

This certifies that

Madera, CA

McNally Park

2-5 Playground

complies with the

ASTM 1487-21 Standard Consumer Safety Performance Specification
For Playground Equipment for Public Use



B SAFE Playground Inspection Services, inc.
10349 Ormond Street
Sunland, CA 91040

Chris Tait — 10/23/23 w/Bunce
Signature — *Date*

Christopher Tait, Inspector
Certified Playground Safety Inspector #50513-032
Certified by National Recreation and Park Association

ATTACHMENT 3

Certificate of Compliance for Playground Ages 5-12

Certificate of Compliance

This certifies that

Madera, CA

McNally Park

5-12 Playground

complies with the

ASTM 1487-21 Standard Consumer Safety Performance Specification
For Playground Equipment for Public Use



B SAFE Playground Inspection Services, inc.
10349 Ormond Street
Sunland, CA 91040

Chris Tait — 10/23/23 w/Bunce

Signature — *Date*

Christopher Tait, Inspector
Certified Playground Safety Inspector #50513-032
Certified by National Recreation and Park Association

ATTACHMENT 4

Photos of Playground Equipment Before and After Installed

Before:





After:









ATTACHMENT 5

Photos of Park Amenities Before and After Installed

Before:







After:









REPORT TO CITY COUNCIL

Approved by:

Joseph Hebert

Joseph Hebert, Parks & Community Services Director

Arnoldo Rodriguez

Arnoldo Rodriguez, City Manager

Council Meeting of: November 15, 2023

Agenda Number: B-13

SUBJECT:

Facility Rental Fee Waiver Request by the Madera County Master Gardeners

RECOMMENDATION:

Adopt a Resolution waiving the rental fees of the Frank Bergon Senior Center related to the Madera County Master Gardeners request for utilization on January 27, 2024, in the amount of $545

SUMMARY:

The Madera County Master Gardeners (MCMG) is requesting that the City waive rental fees for the use of the Frank Bergon Senior Center (FBSC) on January 27, 2024, from 8 a.m. – 4 p.m., to host their annual Tea Party fundraising event.

DISCUSSION:

As current president of the MCMG, Ms. Candy Talley submitted a written letter requesting the waiver of fees for the FBSC. The waiver requested utilization of the FBSC for an annual Tea Party. The event would be Saturday, January 27, 2024 from 8 a.m. – 4 p.m. Specifically, this request is to utilize the Multi-Purpose Room at the FBSC.

The MCMG's mission includes enriching our community through education and promoting the value of horticulture. As part of the community education the group provides, they developed and maintain a 2-acre demonstration garden known as the 3 Sisters Garden at Madera Community College. The garden is open to the public.

Most recently, the MCMG collaborated with the City's Parks & Community Services Department in the Aging Expo hosted on October 5, 2023. Also, on August 30, 2023, the MCMG provided its

first gardening-related workshop at the FBSC. The plans are for MCMG to provide these gardening-related workshops quarterly at the FBSC. This latter program is provided at no cost to the City and to the seniors who participate.

It should be noted that the rental of the FBSC is subject to confirmation of insurance requirements by the City and must be obtained before the event date.

As City staff conforms to a more strategic plan for the rental of facilities and streamlines requests for waivers through Council, it should be noted that historically the MCMG has held its annual Tea Party at the FBSC, having fees waived. Staff recommends accepting the fee waiver request once again, due to the historical partnership with the MCMG and the continued partnership MCMG plans to continue with the City, specifically with the Parks & Community Services Department.

FINANCIAL IMPACT:

MCMG is requesting to use the FBSC, Multi-Purpose Room. The applicable costs associated with the rental of the FBSC Multi-Purpose Room, on a full-day basis, are summarized in Table 1. Staff would like to note that apart from the routine rental costs to consider, an additional financial impact comes at the cost of City staff being present at this facility rental. For this event, 1 staff member at approximately 10 hours to cover event setup, event duration, and event clean up would incur a cost of $155 (10 hours x $15.50 hourly rate = $155).

Table 1: *Financial Impact to the City*	
Administrative Fee	$25
Weekend, Full-Day Rental	$400
Deposit	$100
Early Entry/Late Fee	$20
Facility Aid Staff Coverage	$155
Total	**$700**

It is noted that at the time of this report, the FBSC was not reserved for the requested date, nor had the City received inquiries.

ALTERNATIVES:

1. Council may elect to reject the fee waiver and require the MCMG to pay any associated fees for the rental of the Frank Bergon Senior Center on the date being requested.
2. Council may request additional information be brought forth at the next Council meeting for further consideration.

ATTACHMENTS:

1. Resolution – Waiving Rental Fees for Frank Bergon Senior Center Related to the Madera County Master Gardeners

2. Parks & Community Services Facility Rental Fee Schedule
3. Request Letter Authored by Candy Talley, President, Madera County Master Gardeners

ATTACHMENT 1

Resolution – Waiving Rental Fees for Frank Bergon Senior Center Related to the Madera County Master Gardeners

RESOLUTION NO. 23-_____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA WAIVING RENTAL FEES FOR FRANK BERGON SENIOR CENTER RELATED TO THE MADERA COUNTY MASTER GARDENERS

WHEREAS, the Madera County Master Gardeners (MCMG) has submitted a written request for waiving of fees for the Frank Bergon Senior Center (FBSC); and

WHEREAS, the date being requested is Saturday, January 27, 2024, from 8 a.m. to 4 p.m.; and

WHEREAS, the MCMG plans to utilize the facility for their annual Tea Party fundraising event; and

WHEREAS, the fees for the weekend, and full-day rental of the FBSC multi-purpose room total $545.00; and

WHEREAS, the event organizers are still subject to providing insurance documentation that meets City requirements.

NOW, THEREFORE, THE COUNCIL OF THE CITY OF MADERA hereby resolves, finds, determines and orders as follows:

1. The foregoing recitals are true and correct and incorporated herein by reference.
2. The Council finds that the waiver of fees as set forth in this resolution is appropriate. The mission of the MCMG is to enrich the community through education and promoting the value of horticulture. As part this community education, MCMG has developed and maintain a two acre demonstration garden, The 3 Sisters Garden, on the campus of the Madera Community College that is open and available to the public. To support the garden, MCMG established a non-profit foundation, Friends of 3 Sisters, which is funded by the Tea Party event. The event directly contributes to the 3 Sisters Garden for the benefit of the community. Additionally, MCMG has a history of working closely with the City to provide community benefits, and will be providing aging services for garden-related workshops on a quarterly basis. A valid public purpose is served by the waiver of fees for the Tea Party event, as it directly benefits the community by providing activities for all members of the community (including seniors), promotes education, encourages healthy mental and physical lifestyles, and serves to beautify the community.
3. The City Council does hereby waive the City fees requested by the Madera County Master Gardeners for Rental Fees of the Frank Bergon Senior Center on January 27, 2024, subject to confirmation of insurance.
4. This resolution is effective immediately upon adoption.

* * * * * * *

ATTACHMENT 2:

Parks & Community Services Facility Rental Fee Schedule

Parks and Community Services Fees

FACILITY RENTALS		Administrative Fees	Weekday (Excluding Holidays)			Weekends and Holidays			Deposit	Miscellaneous	
		Admin. (Non-Refundable)	Min. Rental Charge (Note 1)	Hourly Rental	Full Day Rental	Min. Rental Charge (Note 1)	Hourly Rental	Full Day Rental	General (Note 2)	Early Entry or Late Fee/Hour	Alcohol Surcharge
Centennial Park	Swimming Pool Complex (1-100 people)	$ 25.00	$ 240.00	$ 60.00	N/A	$ 240.00	$ 60.00	N/A	$ 100.00	$ 20.00	
Centennial Park	Swimming Pool Complex (101-150 people)	$ 25.00	$ 320.00	$ 80.00	N/A	$ 320.00	$ 85.00	N/A	$ 100.00	$ 20.00	
Centennial Park	Swimming Pool Complex (151-200 people)	$ 25.00	$ 420.00	$ 105.00	N/A	$ 420.00	$ 105.00	N/A	$ 100.00	$ 20.00	
Centennial Park	Swimming Pool Complex (201-250 people)	$ 25.00	$ 540.00	$ 135.00	N/A	$ 540.00	$ 130.00	N/A	$ 100.00	$ 20.00	
Frank A. Bergon	Computer Lab	$ 25.00	$ 50.00	$ 25.00	$ 125.00	$ 50.00	$ 25.00	$ 125.00	$ 100.00	$ 20.00	
Frank A. Bergon	Multi-Purpose Room	$ 25.00	$ 150.00	$ 75.00	$ 400.00	$ 150.00	$ 75.00	$ 400.00	$ 100.00	$ 20.00	
Frank A. Bergon	Kitchen (Not Rented Independently)		$ 30.00	$ 10.00	$ 40.00	$ 30.00	$ 10.00	$ 40.00	$ 50.00		
Lions Town & Country Park	Pavilion	$ 25.00	$ 37.50	$ 12.50	$ 55.00	$ 60.00	$ 20.00	$ 115.00	$ 50.00	$ 20.00	
Lions Town & Country Park	Picnic Shelter 1	$ 25.00	$ 20.00	$ 5.00	$ 35.00	$ 30.00	$ 7.50	$ 50.00	$ 50.00	$ 20.00	
Lions Town & Country Park	Picnic Shelter 2	$ 25.00	$ 20.00	$ 5.00	$ 35.00	$ 30.00	$ 7.50	$ 50.00	$ 50.00	$ 20.00	
Lions Town & Country Park	Redwood Area	$ 25.00	$ 20.00	$ 5.00	$ 35.00	$ 30.00	$ 7.50	$ 50.00	$ 50.00	$ 20.00	
Lions Town & Country Park	Walking Track	$ 25.00	$ 50.00	$ 7.50	$ 75.00	$ 100.00	$ 15.00	$ 150.00	$ 50.00		
Lions Town & Country Park	Amphitheater (4 hr. Min)	$ 25.00	$ 100.00	$ 25.00	$ 175.00	$ 120.00	$ 30.00	$ 200.00	$ 100.00	$ 20.00	
Lions Town & Country Park	Ball Fields 1-9 (2 hr. Min.)	$ 25.00	$ 25.00	$ 12.50	$ 100.00	$ 25.00	$ 12.50	$ 100.00	$ 50.00	$ 20.00	
Lions Town & Country Park	Ball Fields 1-9 Lights			$ 20.00			$ 20.00				
Lions Town & Country Park	Ball Fields 1-9 Field Preparation		$ 45.00			$ 45.00					
Lions Town & Country Park	Ball Fields 1-9 Bi-Weekly Field Prep.		$ 150.00			$ 150.00					
Boy Scouts' One Week Camp		$ 25.00			$ 175.00			$ 175.00	$ 50.00		
Emergency Services	Staging Area	$ 25.00		$400 to $1000			$400 to $1000		$ 50.00		
McNally Park	Picnic Shelter 1	$ 25.00	$ 20.00	$ 5.00	$ 35.00	$ 30.00	$ 7.50	$ 50.00	$ 50.00	$ 20.00	
McNally Park	Basketball Courts	$ 25.00	$ 20.00	$ 5.00	$ 35.00	$ 40.00	$ 10.00	$ 70.00	$ 50.00		
Mexican American	Multi-Purpose Room 1	$ 25.00	$ 81.00	$ 27.00	$ 100.00	$ 81.00	$ 27.00	$ 100.00	$ 50.00	$ 20.00	
Mexican American	Multi-Purpose Room 2	$ 25.00	$ 81.00	$ 27.00	$ 100.00	$ 81.00	$ 27.00	$ 100.00	$ 50.00	$ 20.00	
Millview	Kitchen	$ 25.00	$ 105.00	$ 35.00	$ 250.00	$ 105.00	$ 35.00	$ 250.00	$ 200.00	$ 20.00	
Millview	Gym	$ 25.00	$ 105.00	$ 35.00	$ 250.00	$ 75.00	$ 25.00	$ 250.00	$ 200.00	$ 20.00	
Pan American	Gym w/out alcohol	$ 25.00	$ 330.00	$ 110.00	$ 600.00	$ 330.00	$ 110.00	$ 600.00	$ 200.00	$ 20.00	
Pan American	Gym with alcohol	$ 26.00	$ 330.00	$ 110.00	$ 600.00	$ 330.00	$ 110.00	$ 600.00	$ 500.00	$ 20.00	**$ 250.00**
Pan American	Multi-Purpose Room w/out alcohol	$ 25.00	$ 150.00	$ 50.00	$ 200.00	$ 150.00	$ 50.00	$ 200.00	$ 100.00	$ 20.00	
Pan American	Multi-Purpose Room with alcohol	$ 25.00	$ 150.00	$ 50.00	$ 200.00	$ 150.00	$ 50.00	$ 200.00	$ 250.00	$ 20.00	**$ 250.00**
Pan American	Kitchen (not rented independently)		$ 75.00	$ 25.00	$ 135.00	$ 75.00	$ 25.00	$ 135.00			
Pan American	Small Kitchen (not rented independently)		$ 30.00	$ 10.00	$ 40.00	$ 30.00	$ 10.00	$ 40.00			
Pan American	Computer Lab	$ 25.00	$ 60.00	$ 20.00	$ 100.00	$ 60.00	$ 20.00	$ 100.00	$ 100.00	$ 20.00	
Pan American	Picnic Shelter 1 (Park Shelter)	$ 25.00	$ 20.00	$ 5.00	$ 35.00	$ 30.00	$ 7.50	$ 50.00	$ 50.00	$ 20.00	

ATTACHMENT 3:

Request Letter Authored by Candy Talley, President, Madera County Master Gardeners



Friends of Three Sisters Garden

623 Park Lane
Madera, CA 93637

October 10, 2023

To whom it may concern,

My name is Candy Talley and I am the current president of the Madera County Master Gardeners. As Master Gardeners, our mission is to enrich our community through education and promoting the value of horticulture in our lives. As part our community education, we have developed and maintain a two acre demonstration garden, The 3 Sisters Garden, on the campus of the Madera Community College that is open and available to the public.

To support our garden, we established a foundation, Friends of 3 Sisters. The Friends of 3 Sisters is a 501 (c)(3)- Tax ID 27-3979073 non-profit. To fund the foundation, we have two fundraisers, our Tea Party in January and Glorious Garden Tour in April. In the past, we have held our annual Tea Party at the Bergon Center, and the rental fee has been waived. We are requesting the fee be waived for our Tea Party on Sat. January, 27, 2024 from 8 to 4. We are requesting the fee be waived so that the money we would have to pay towards rental can go towards maintenance and continued development of The 3 Sisters Garden for the benefit of our community.

In addition, this year we are collaborating with Madera Parks and Recreation Aging Services to provide a garden related workshop quarterly. Our first workshop was held on August 30 at the Bergon Center. We participated in the First Annual Aging Expo on October 5, 2023 and look forward to continued involvement.

Thank you for your consideration,

Candy Talley

REPORT TO CITY COUNCIL

Approved by:

Joseph Hebert

Joseph Hebert, Parks & Community Services Director

Arnoldo Rodriguez

Arnoldo Rodriguez, City Manager

Council Meeting of: November 15, 2023

Agenda Number: B-14

SUBJECT:

Madera Elk's Lodge Hoop Shoot Event Fee Waiver Request

RECOMMENDATION:

Adopt a Resolution waiving the rental fees of the John Wells Youth Center related to the Madera Elk's Lodge Hoop Shoot request for utilization on December 2, 2023, in the amount of $540

SUMMARY:

The Madera Elk's Lodge Hoop Shoot Committee is requesting that the City waive rental fees for the use of the John Wells Youth Center (JWYC) on Saturday, December 2,2023 from 9 a.m. – 1:00 p.m., to host their annual Hoop Shoot competition.

DISCUSSION:

As current Hoop Shoot Committee Chair, Ms. Cynthia Armiento has submitted a written letter requesting the waiver of fees for the JWYC, specifically the Gym area. The waiver requested utilization of the JWYC Gym for an annual basketball free throw contest. The event will be Saturday, December 2, 2023, from 9 a.m. – 1 p.m.

The event is overseen by the Madera Elks Lodge, as they are the sponsoring agency. The event has taken place at Matilda Torres High School in the past years. Due to the high demand for usage of the high school, the Hoop Shoot Committee reserved the JWYC Gym area and is requesting a fee waiver to cover expenses. The event is geared for children aged 8 to 13 in Madera and is a public event, free of charge.

Per the letter request from Ms. Armiento, the event is intended to promote inclusivity and encourage participation among individuals from diverse backgrounds. With the event being free

to the public, this removes the financial barrier that most otherwise would have prevented children from getting involved in sports-related events. Ms. Armiento also references the event as fostering a sense of community and providing equal opportunities for individuals to develop their basketball abilities and gain confidence.

The Madera Elk's Lodge has been informed the event must still abide by all rental insurance requirements and public event requirements.

FINANCIAL IMPACT:

The applicable costs associated with the rental of the JWYC Gym, on a full-day basis, are summarized in Table 1. Staff would like to note that apart from the routine rental costs to consider, an additional financial impact comes at the cost of City staff being present at this facility rental. For this event, 1 staff member at approximately 6 hours to cover event setup, event duration, and event clean up would incur a cost of $93 (6 hours x $15.50 hourly rate = $93).

Table 1: *Financial Impact to the City*	
Administrative Fee	$25
Weekend, Full-Day Rental	$295
Deposit	$200
Early Entry/Late Fee	$20
Facility Aid Staff Coverage	$93
Total	**$633**

It is noted that the JWYC is already open on Saturdays during this timeframe for youth-related programming. The event would not interfere with regular programming and would encourage any youth visiting the JYWC to participate in the Hoop Shoot event.

ALTERNATIVES:

1. Council may elect to reject the fee waiver and require the Madera Elk's Lodge to pay any associated fees for the rental of the John Wells Youth Center on the date being requested.
2. Council may request additional information be brought forth at the next Council meeting for further consideration.

ATTACHMENTS:

1. Resolution – Waiving Rental Fees for John Wells Youth Center Related to the Madera Elk's Lodge Hoop Shoot Event
2. Parks & Community Services Facility Rental Fee Schedule
3. Request Letter Authored by Cynthia Armiento, President, Hoop Shoot Committee Chair

ATTACHMENT 1

Resolution – Waiving Rental Fees for John Wells Youth Center Related to the Madera Elk's Lodge Hoop Shoot Event

RESOLUTION NO. 23-_____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA WAIVING RENTAL FEES FOR JOHN WELLS YOUTH CENTER RELATED TO THE MADERA ELK'S LODGE HOOP SHOOT COMMITTEE

WHEREAS, the Madera Elk's Lodge Hoop Shoot Committee has submitted a written request for waiving of fees for the John Wells Youth Center (JWYC) Gym; and

WHEREAS, the date being requested is Saturday, December 2, 2023 from 9 a.m. to 1 p.m.; and

WHEREAS, the Madera Elk's Lodge Hoop Shoot Committee plans to utilize the facility for their annual Hoop Shoot event; and

WHEREAS, the fees for the weekend and full-day rental of the JWYC Gym total $540; and

WHEREAS, the event organizers are still subject to providing insurance documentation that meets City requirements.

NOW, THEREFORE, THE COUNCIL OF THE CITY OF MADERA hereby resolves, finds, determines and orders as follows:

1. The foregoing recitals are true and correct and incorporated herein by reference.
2. The Council finds that the waiver of fees as set forth in this resolution serves a valid public purpose in that the Madera Elk's Lodge is a non-profit organization within the City of Madera, and the "Hoop Shoot" event is held within the City and directly benefits the community by providing activities for youth, encouraging physical fitness, and promoting sportsmanship and cooperation.
3. The City Council does hereby waive the City fees requested by the Madera Elk's Lodge for Rental Fees of the John Wells Youth Center on December 2, 2023, subject to confirmation of insurance.
4. This resolution is effective immediately upon adoption.

* * * * * *

ATTACHMENT 2:

Parks & Community Services Facility Rental Fee Schedule

Parks and Community Services Fees

FACILITY RENTALS		Administrative Fees	Weekday (Excluding Holidays)			Weekends and Holidays			Deposit	Miscellaneous	
		Admin. (Non-Refundable)	Min. Rental Charge (Note 1)	Hourly Rental	Full Day Rental	Min. Rental Charge (Note 1)	Hourly Rental	Full Day Rental	General (Note 2)	Early Entry or Late Fee/Hour	Alcohol Surcharge
Rotary Park	Pavilion w/out alcohol	$ 25.00	$ 37.50	$ 12.50	$ 55.00	$ 60.00	$ 20.00	$ 115.00	$ 50.00	$ 20.00	
Rotary Park	Pavilion with alcohol	$ 26.00	$ 37.50	$ 12.50	$ 55.00	$ 60.00	$ 20.00	$ 115.00	$ 200.00	$ 20.00	$ 150.00
Rotary Park	Picnic Shelter 1	$ 25.00	$ 40.00	$ 10.00	$ 75.00	$ 50.00	$ 15.00	$ 90.00	$ 50.00	$ 20.00	
Rotary Park	Picnic Shelter 2	$ 25.00	$ 40.00	$ 10.00	$ 75.00	$ 50.00	$ 15.00	$ 90.00	$ 50.00	$ 20.00	
Rotary Park	Picnic Shelter 3	$ 25.00	$ 40.00	$ 10.00	$ 75.00	$ 50.00	$ 15.00	$ 90.00	$ 50.00	$ 20.00	
Rotary Park	Walking Track	$ 25.00	$ 60.00	$ 15.00	$ 85.00	$ 100.00	$ 15.00	$ 150.00	$ 50.00		
Rotary Park	Skate Park	$ 25.00	$ 165.00	$ 50.00	$ 315.00	$ 165.00	$ 50.00	$ 315.00	$ 50.00	$ 20.00	
Rotary Youth Hut	Multi-Purpose Room	$ 25.00	$ 120.00	$ 40.00	$ 180.00	$ 120.00	$ 40.00	$ 180.00	$ 50.00	$ 20.00	
Sunrise Rotary Sports Comp.	Pavilion	$ 25.00	$ 37.50	**$ 12.50**	$ 55.00	$ 60.00	$ 20.00	$ 115.00	$ 50.00	$ 20.00	
Sunrise Rotary Sports Comp.	Softball Fields 1 & 2 (2 hr. min.)	$ 25.00	$ 25.00	**$ 12.50**	$ 90.00	$ 25.00	$ 12.50	$ 90.00	$ 50.00	$ 20.00	
Sunrise Rotary Sports Comp.	Softball Fields 1 & 2 Lights			$ 20.00			$ 20.00				
Sunrise Rotary Sports Comp.	Softball Fields 1 & 2 Field Prep.		$ 45.00			$ 45.00					
Sunrise Rotary Sports Comp.	Softball Fields 1 & 2 Bi-Weekly Field Prep.		$ 150.00			$ 150.00					
Sunrise Rotary Sports Comp.	Soccer Field (2 hr. min.)	$ 25.00	$ 25.00	$ 12.50	$ 90.00	$ 25.00	$ 12.50	$ 90.00	$ 50.00	$ 20.00	
Sunrise Rotary Sports Comp.	Soccer Field Lights			$ 20.00			$ 20.00				
Sunrise Rotary Sports Comp.	Soccer Field Prep.		$ 50.00			$ 50.00					
Sunrise Rotary Sports Comp.	Soccer Field Bi-Weekly Prep.		$ 150.00			$ 150.00					
Wells Youth Center	Conference Room 1st Floor	$ 25.00	$ 60.00	$ 20.00	$ 100.00				$ 100.00	$ 20.00	
Wells Youth Center	Conference Room 2nd Floor	$ 25.00	$ 60.00	$ 20.00	$ 100.00				$ 100.00	$ 20.00	
Wells Youth Center	Computer Lab	$ 25.00	$ 150.00	$ 75.00	$ 300.00	$ 75.00	$ 150.00	$ 300.00	$ 100.00	$ 20.00	
Wells Youth Center	Multi-Purpose Room (Rec Room)	$ 25.00	$ 120.00	$ 40.00	$ 235.00	$ 120.00	$ 40.00	$ 235.00	$ 100.00	$ 20.00	
Wells Youth Center	Multi-Purpose Room (Teen Lounge)	$ 25.00	$ 120.00	$ 40.00	$ 235.00	$ 120.00	$ 40.00	$ 235.00	$ 100.00	$ 20.00	
Wells Youth Center	Multi-Purpose Room (Crafts)	$ 25.00	$ 120.00	$ 40.00	$ 235.00	$ 120.00	$ 40.00	$ 235.00	$ 100.00	$ 20.00	
Wells Youth Center	Gym	$ 25.00	$ 150.00	$ 50.00	$ 295.00	$ 150.00	$ 50.00	$ 295.00	$ 200.00	$ 20.00	
Wells Youth Center	Patio	$ 25.00	$ 40.00	$ 20.00	$ 70.00	$ 40.00	$ 20.00	$ 70.00	$ 100.00	$ 20.00	
Wells Youth Center	Dance Studio	$ 25.00	$ 90.00	$ 30.00	$ 100.00	$ 90.00	$ 30.00	$ 100.00	$ 100.00	$ 20.00	
Wells Youth Center	Music Studio	$ 25.00	$ 195.00	$ 65.00		$ 195.00	$ 65.00		$ 500.00	$ 20.00	

ATTACHMENT 3:

Request Letter Authored by Cynthia Armiento, President, Hoop Shoot Committee Chair

Dear John C Wells Center,

I would like to start off by thanking your organization for approving our Madera Elks Hoop Shoot that will be taking place in your beautiful facility on Dec 2nd 2023. I am writing to bring your attention to Coach Villalobos' invaluable contribution to the Madera Elks Lodge's Hoop Shoot competition over the past few years. Mr. Villalobos has donated Torres High School as the venue for our Hoop Shoot Competition. Unfortunately, this year, Coach Villalobos was unable to secure Torres High School due to high demand. Therefore, we kindly request your facility to host the event. Additionally, we would greatly appreciate it if you could waive the facility fee considering the non-profit nature of the competition.

Waiving the fee for a basketball free throw contest holds significant importance as it promotes inclusivity and encourages participation among individuals from diverse backgrounds. By removing the financial barrier, more people, regardless of their economic status, can engage in the contest and showcase their skills. This not only fosters a sense of community but also provides equal opportunities for individuals to develop their basketball abilities and gain confidence. Moreover, waiving the fee can attract a larger pool of participants, leading to a more competitive and exciting event.

Overall, this gesture of waiving the fee promotes accessibility, fairness, and the spirit of sportsmanship, making the basketball free throw contest more enjoyable and beneficial for all involved. We sincerely appreciate your consideration.

Respectfully,
Cynthia Armiento

Cynthia Armiento

- Hoop Shoot Committee Chair

REPORT TO CITY COUNCIL

Approved by:

_____
Will Tackett, Community Development Director

_____
Arnoldo Rodriguez, City Manager

Council Meeting of: November 15, 2023

Agenda Number: ___B-15_____

SUBJECT:

Consider an Amendment to the Professional Services Agreement with Fire Safety Solutions.

RECOMMENDATION:

That Council consider the following:

1. Adopt a resolution of the Council of the City of Madera approving a First Amendment to the Professional Services Agreement with Fire Safety Solutions, INC. for Building and Fire Plan Review and Inspection Services.

SUMMARY:

The City of Madera (City) and Fire Safety Solutions, INC (formerly Fire Safety Solutions, LLC). (Consultant) are parties to an effective Professional Services Agreement (Agreement) approved by the Madera City Council on February 20, 2008, through passage of Madera City Council Resolution No. 08-38.

On October 31, 2023, Fire Safety Solutions submitted a written request to the City of Madera (City) for certain amendments to the Agreement to effectuate an increase to the hourly rates, which are subject to annual revision pursuant to the terms of the Agreement.

Building Department staff have prepared the First Amendment to the Professional Services Agreement by and between the City of Madera and Fire Safety Solutions (First Amendment), included as Exhibit A to the Resolution attached to this report, in order to set forth and approve amendments to reflect an increase to the hourly rates in accordance with the terms of the Professional Services Agreement; as well as, to provide certain acknowledgements, clarifications and understandings with respect to the Professional Services Agreement.

BACKGROUND:

Amongst other provisions, the existing Professional Services Agreement (Article 2, Section 2.1) provides the hourly rates and estimated amount are subject to annual revision, effective January 1st of each year. The proposed flat hourly rate reflected in the First Amendment represents an increase from $80 per hour to $120 per hour.

As acknowledged within the letter from Fire Safety Solutions dated October 31, 2023, the original rate of $80/hr. has not changed since execution of the original Agreement in 2008. Given this fact and based upon the knowledge and quality of service demonstrated by the Consultant since execution of the original Agreement, it is staff's opinion that the requested $120/hr. flat rate is both reasonable and fair when compared to contemporary industry standards. In addition, based on the U.S. Bureau of Labor Statistics Consumer Price Index (CPI) Inflation Calculator, the requested rate is consistent with what would be a contemporary rate had an annual increase been applied to the original hourly rate year-over-year since execution of the Agreement. The First Amendment proposes to amend the frequency of invoicing from a monthly to a bi-weekly basis.

Incidentally, the original Agreement did not include a sunset clause or length of term relative to an expiration date, number of effective years, or not-to-exceed compensation limitation. Therefore, the First Amendment also includes a proposed term/expiration date of January 1, 2025, for the Agreement.

Section 6.7 of the Agreement allows City and Fire Safety Solutions to effectuate modifications or amendments to the Original Professional Services Agreement only by a subsequent written agreement signed by both parties. Staff have negotiated the revised terms presented in the First Amendment, to which staff understand the Consultant is agreeable.

Workload volumes and staff resources require supplemental contracted consultant services in order to meet customer and industry expectations and timeliness for delivery of Building Department plan review and inspection services. Fire Safety Solutions has performed its duties and scope of services in an exemplary manner and has invested time and effort in building a positive reputation and rapport with the City of Madera's customers. Staff recommends the Council approve the proposed First Amendment in accordance with the terms and spirit of the provisions of the original agreement. Such approval will help the City ensure Building Department services may continue to be provided in a qualitative manner for its customers.

FINANCIAL IMPACT:

There is no fiscal impact associated with the recommended action. Utilization of professional contracted services was anticipated and budgeted by the Building Department in the approved City of Madera 2023/24 Fiscal Year budget.

ALTERNATIVES:

The Council may propose any such alternative terms or provisions in its motion; or, may elect to continue the item (to a future time and date certain) and/or refer the item back to staff, with further direction or requests for additional information, negotiations, or amendments.

ATTACHMENTS:

1. Resolution approving a First Amendment to the Professional Services Agreement with Fire Safety Solutions, INC. for Building and Fire Plan Review and Inspection Service; including:

   Exhibit A: First Amendment to the Professional Services Agreement by and between City of Madera and Fire Safety Solutions

2. Original Professional Services Agreement by and between the City of Madera and Fire Safety Solutions.

ATTACHMENT 1

Resolution approving a First Amendment to the Professional Services Agreement with Fire Safety Solutions, INC. for Building and Fire Plan Review and Inspection Service;

Including:
Exhibit A – First Amendment to the Professional Services Agreement by and between City of Madera and Fire Safety Solutions

RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF MADERA, CALIFORNIA, APPROVING A FIRST AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT WITH FIRE SAFETY SOLUTIONS, INC. FOR BUILDING AND FIRE PLAN REVIEW AND INSPECTION SERVICES.

WHEREAS, the City of Madera is committed to protecting public health, safety, welfare and environment, and as such, desires to provide professional fire and building plan review and inspection services; and

WHEREAS, existing staff persons are not available to provide the full range of services necessary to perform all duties related to professional fire and building plan review and inspection services; and

WHEREAS, the City of Madera (the "City") and Fire Safety Solutions, INC (formerly Fire Safety Solutions, LLC). (the "Consultant") are parties to that certain Professional Services Agreement, approved by the Madera City Council on February 20, 2008, through passage of Madera City Council Resolution No. 08-38, and subsequently executed (the "Professional Services Agreement"); and

WHEREAS, the provisions of the Professional Services Agreement allow City and the Consultant to effectuate modifications or amendments to the Professional Services Agreement only by a subsequent written agreement signed by both parties; and

WHEREAS, the City and Consultant desire to enter into a First Amendment to the Professional Services Agreement (the "First Amendment") in order to set forth and approve amendments to enact an increase to the hourly rates in accordance with the terms of the Professional Services Agreement as well as provide certain acknowledgements, clarifications and understandings with respect to the Professional Services Agreement; and

WHEREAS, approval of the First Amendment to the Professional Services Agreement by and between the City and Consultant would continue to ensure City availability to sufficient resources to continue to provide for these services; and

WHEREAS, sufficient monies exist within budgeted Contracted Services funds reserved for use by the Building Department.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Madera as follows:

1. The above recitals are true and correct.

2. The City Council approves the attached First Amendment to the Professional Services Agreement by and between the City of Madera and Fire Safety Solutions INC., to perform

professional fire and building plan review and inspection services (Exhibit “A”), and authorizes the Mayor to execute the same.

3. This Resolution is effective immediately upon adoption.

* * * * *

Attachments:

Exhibit “A”: First Amendment to the Professional Services Agreement by and between the City of Madera and Fire Safety Solutions, INC.

EXHIBIT A

FIRST AMENDMENT
TO THE PROFESSIONAL SERVICES AGREEMENT BY AND BETWEEN CITY OF MADERA AND FIRE SAFETY SOLUTIONS

This First Amendment to the Professional Services Agreement by and between the City of Madera and Fire Safety Solutions, LLC (the **"First Amendment"**) is entered into by and between the CITY OF MADERA, a municipal corporation, organized and existing pursuant to the laws of the State of California and the City of Madera (the **"City" or "Agency"**), on the one hand, and FIRE SAFETY SOLUTIONS, INC. (formerly Fire Safety Solutions, LLC) on the other hand and hereinafter referred to as the "**Consultant**". This First Amendment shall become effective upon the final signature date of execution by both parties (the "**First Amendment Date**"). The City and Consultant enter into this First Amendment with reference to the following facts:

R E C I T A L S

A. City and Consultant are parties to that certain Professional Services Agreement, dated as of February 20, 2008, that was passed, adopted, and recorded in the Official Records of City of Madera, on February 20, 2008, as Resolution No. 08-38 (the **"Original Professional Services Agreement"**).

B. Section 6.7 of the Professional Services Agreement allows City and the Consultant to effectuate modifications or amendments to the Original Professional Services Agreement only by a subsequent written agreement signed by both parties.

C. On October 31, 2023, Consultant has submitted a written request to the City for certain amendments to the Professional Services Agreement to facilitate an increase to the hourly rates in accordance with the provisions of the Original Professional Services Agreement and as set forth in this First Amendment. City and Consultant desire to enter into this First Amendment in order to set forth and approve: (i) such amendments to the Professional Services Agreement; and (ii) certain acknowledgements, clarifications and understandings with respect to the Professional Services Agreement.

D. On November __, 2023, at a duly noticed public meeting and after due review and consideration of (i) the report of City staff, (ii) the recommendations of the Community Development Director of the City, (iii) all other evidence heard and submitted, and (iv) all other appropriate documentation and circumstances, the City Council adopted Resolution No.____ to approve this First Amendment set forth herein.

NOW THEREFORE, with reference to the above Recitals, the City and Consultant agree as follows:

A G R E E M E N T

1. Recitals. Each and all of the foregoing recitals of background facts are

incorporated herein by this reference as though set forth herein verbatim.

2. Fee Compensation. Section 2.1 (Fee) of the Original Professional Services Agreement is deleted in its entirety and amended to read in its entirety as follows:

> For services performed pursuant to this Agreement, commencing the First Amendment Date the AGENCY agrees to pay and the CONSULTANT agrees to accept, as payment in full for each assigned Plan Review or Inspection a sum computed at the agreed flat rate of $120/Hour for Services. The computed amount shall constitute complete compensation, including document production and out-of-pocket expenses for all services for the work identified in the Scope of Services.
>
> The CONSULTANT agrees that the agreed flat rate of $120/hour shall be used for the duration of the contract.
>
> The CONSULTANT shall be paid by AGENCY according to the biweekly billing invoices submitted by the CONSULTANT and approved by the AGENCY. The invoices shall clearly break down all costs for specific Services in a manner deemed acceptable by the AGENCY. The CONSULTANT shall provide itemized invoices listing permit numbers and charges for each Service provided. The CONSULTANT shall be paid no later than thirty (30) days following submission of a written, verified billing to the AGENCY.
>
> The CONSULTANT shall provide compensation to the representative employee in accordance with State and Federal laws.

3. Terms of Compensation. The first sentence of Section 2.3 (Terms of Compensation) of the Original Professional Services Agreement is deleted in its entirety and is amended to read as follows:

> CONSULTANT will submit invoices bi-weekly for the percentage of work completed in the previous weeks.

4. Term of Amended Professional Services Agreement. Section 4.2 (Term of Contract) is added to Article 4 (TERMINATION) of the Original Professional Services Agreement to read in its entirety as follows:

> 4.2 Term of Contract
>
> If not previously terminated, the term of this Agreement shall automatically expire and terminate on January 1, 2025, unless extended in writing by mutual consent of the Parties.

5. Representation. The "AGENCY Representative" portion Section 6.1 (Representation) of the Original Professional Services Agreement is amended to read as follows:

AGENCY Representative

~~David Merchen, Director~~
Will Tackett, Community Development Director
205 W 4th Street
Madera, CA 93637
~~(559) 661-5430~~
(559) 661-5451

6. Extent of Agreement. Section 6.7 (Extent of Agreement) of the Original Professional Services Agreement, is amended in its entirety to read as follows:

> This Agreement, as amended, represents the entire and integrated Agreement between AGENCY and CONSULTANT and supersedes all prior negotiations, representations or agreements, either written or oral. This Agreement may be modified or amended only by a subsequent written agreement signed by both parties.

7. Exhibit "A". Section 3.1 of Exhibit "A' of the Original Professional Services Agreement is amended in its entirety to read as follows:

> Work shall be performed at a flat rate of $120/hour effective as of the First Amendment Date.

8. Conflict. Except as expressly provided in this First Amendment the remaining terms of the Original Professional Services Agreement shall remain in full force and effect.

9. Binding and Effective. This First Amendment shall become: (a) binding upon the effective date of Resolution No._____ of the City of Madera approving the First Amendment to the Professional Services Agreement; and (b) upon becoming binding pursuant to clause (a), shall become effective as of the First Amendment Date.

[SIGNATURES ARE ON THE FOLLOWING PAGES]

IN WITNESS WHEREOF, the parties have executed this First Amendment at Madera, California, on the day and year first above written.

CITY OF MADERA:

By: _____
Santos Garcia, Mayor

Date: _____

FIRE SAFETY SOLUTIONS:

By: _____
Matthew S. Tarr, CEO

Date: _____

Number: _____
Federal Employer Identification

Attest:

_____
City Clerk

Approved as to Form:

_____
City Attorney

ATTACHMENT 2

Original Professional Services Agreement by and between the City of Madera and Fire Safety Solutions.

FIRE SAFETY SOLUTIONS, LLC

Professional Services Agreement

THIS AGREEMENT is made and entered into this 20th day of February, 2008, by and between City of Madera, hereinafter referred to as "AGENCY", and Fire Safety Solutions LLC., hereafter referred to as "Consultant".

IN CONSIDERATION of the covenants hereinafter set forth, the parties hereto mutually agree as follows:

ARTICLE 1
SCOPE OF SERVICES

1.1 Project Description

Refer to scope of services in Exhibit "A".

1.2 Description of Services

CONSULTANT shall perform Services described in Exhibit "A", Scope of Work, attached hereto and incorporated herein by this reference. CONSULTANT shall not have control over or charge of and shall not be responsible for construction means, methods, techniques, sequences or procedures, or for safety precautions and programs in connection with the work since these are solely the construction contractor's responsibility. CONSULTANT shall not be responsible for the construction contractor's schedules or failure to carry out the work in accordance with the contract documents. CONSULTANT shall not have control over or charge of acts or omissions of the construction contractor, subcontractors, or their agents or employees, or of any other persons performing portions of the work.

1.3 Responsibilities of Agency

The Responsibilities of the AGENCY shall be those as described in Exhibit "A" attached hereto and incorporated herein by this reference.

1.4 Schedule of Work

Upon receipt of written Notice to Proceed from the AGENCY, CONSULTANT shall perform Services in the Scope of Work with diligence. CONSULTANT shall not be responsible for delay, nor shall CONSULTANT be responsible for damages or be in default or deemed to be in default by reason of strikes, lockouts, accidents, or acts of God, or the failure of AGENCY to furnish timely information or to approve or disapprove CONSULTANT'S work promptly, or delay or faulty performance by AGENCY, other contractors, or governmental agencies, or any other delays beyond CONSULTANT'S control or without CONSULTANT's fault.

ARTICLE 2
COMPENSATION

2.1 Fee

AGENCY agrees to compensate CONSULTANT for time and materials, in accordance with the hourly rates in effect at the time the services are performed. AGENCY will compensate CONSULTANT for the cost of materials plus 15% and the cost of mileage in accordance with Exhibit "A". The hourly rates and estimated amount are subject to annual revision, effective January 1st of each year.

CONSULTANT will submit invoices monthly for the work completed.

2.2 Payment Address

All payments due CONSULTANT shall be paid to:

Fire Safety Solutions
1405 E. Omaha
Fresno, CA 93720

2.3 Terms of Compensation

CONSULTANT will submit invoices monthly for the percentage of work completed in the previous month. AGENCY agrees to pay all undisputed invoice amounts within thirty (30) days of the invoice date. AGENCY agrees to notify CONSULTANT of any disputed invoice amounts within ten (10) days of the invoice date. Delinquent invoices will be subject to a late payment carrying charge computed at a periodic rate of 1.5% per month, which is an annual percentage rate of 18%, which will be applied to any unpaid balance commencing forty-five (45) days after date of the original invoice.

Additionally, in the event AGENCY fails to pay any undisputed amounts due CONSULTANT within forty-five (45) days after invoices are rendered, then AGENCY agrees that CONSULTANT shall have the right to consider said default a total breach of this Agreement and the duties of CONSULTANT under this Agreement may be terminated by CONSULTANT without liability to CONSULTANT upon ten (10) working days advance written Notice.

2.4 Additional Services

AGENCY may request CONSULTANT to perform additional services not covered by the specific Scope of Work set forth in this Agreement, and CONSULTANT shall perform such services and will be paid for such additional services when they are mutually agreed to and made part of this Agreement by written amendment.

ARTICLE 3
INDEMNIFICATION, LIMITATION OF LIABILITY AND INSURANCE

3.1 Indemnification

CONSULTANT agrees to indemnify and hold harmless AGENCY, its officers and employees from and against liability, damages, costs, losses, claims and expenses, including reasonable attorneys' fees, arising out of the negligent acts, errors, or omissions of CONSULTANT in the performance of this Agreement.

In the event AGENCY obtains indemnification for itself from another party performing work on the Project, AGENCY shall require that party to indemnify CONSULTANT to the same extent that party indemnifies AGENCY.

3.2 Limitation of Liability

AGENCY and CONSULTANT have discussed their risks, rewards and benefits of the Project and the CONSULTANT fee for services. The risks have been allocated such that AGENCY agrees that to the fullest extent permitted by law, CONSULTANT's total liability to AGENCY under this Agreement shall not exceed the amount of $50,000.00.

3.3 Workers' Compensation

CONSULTANT maintains Workers' Compensation and Employer's Liability Insurance of a form and in an amount as required by state law.

3.4 General Liability

CONSULTANT maintains Comprehensive General Bodily Injury and Property Damage Liability, including Automobile (owned, non-owned, or hired), in the amount of One Million Dollars ($1,000,000), combined single limits per occurrence and annual aggregate.

3.5 Notice of Cancellation

CONSULTANT agrees to provide ten (10) days written Notice to AGENCY prior to cancellation of any policy.

3.6 Agency Provided Information

AGENCY agrees to indemnify and hold harmless CONSULTANT, its officers and employees, from and against any and all liability, damages, costs, losses, claims and expenses, including reasonable attorneys' fees, due to incorrect data or information provided by the AGENCY including, but not limited to utility location data, as-built drawings, topographic survey, geotechnical reports, etc.

In the event AGENCY fails to provide a soils or geotechnical report for the services to be performed in this Agreement, CONSULTANT will bear no responsibility for and CLIENT will indemnify and hold harmless CONSULTANT, its officers and employees from and against any and all liability, damages, costs, losses, claims and expenses of any nature arising out of or related to soils or geotechnical requirements needed for the subject Agreement.

ARTICLE 4
TERMINATION

4.1 Termination of Contract

This Agreement may be terminated by either party at any time with or without cause upon thirty (30) days prior written Notice. In the event of termination by AGENCY, CONSULTANT shall be paid at the hourly rates then in effect within thirty (30) days of submittal of invoice for all services performed to the date of termination and for all expenses directly attributable to the termination, including, but not limited to, any cancellation charges by subconsultants and/or contractors.

ARTICLE 5
OWNERSHIP OF DOCUMENTS

5.1 Ownership of Documents

All plans, specifications, reports and other design documents prepared by CONSULTANT pursuant to this Agreement are instruments of service which shall be deemed the property of the AGENCY. AGENCY acknowledges and agrees that all plans, specifications, reports and other design documents prepared by CONSULTANT pursuant to this Agreement shall be used exclusively on this Project and shall not be used for any other work without the written consent of CONSULTANT. In the event AGENCY and CONSULTANT permit the reuse or other use of the plans, specifications, reports or other design documents, AGENCY shall require the party using them to indemnify and hold harmless AGENCY and CONSULTANT regarding such reuse or other use, and AGENCY shall require the party using them to eliminate any and all references to CONSULTANT from the plans, specifications, reports and other design documents. CONSULTANT may apply for copyrights or patents on all or any part of the work performed under this Agreement.

ARTICLE 6
GENERAL PROVISIONS

6.1 Representation

An AGENCY representative shall be designated by the AGENCY and a CONSULTANT representative shall be designated by CONSULTANT as the primary contact person for each party regarding performance of this Agreement.

AGENCY Representative	CONSULTANT Representative
David Merchen, Director	Matthew S. Tarr
205 W 4th Street	1405 E. Omaha
Madera Ca 93637	Fresno CA 93720
(559) 661-5430	(559) 274-3925

6.2 Non-Discrimination

In the performance of the terms of this Agreement, CONSULTANT shall not engage in discrimination in the employment of persons because of race, creed, color, religion, national origin, age, physical handicap, marital status or sex.

6.3 Legal Action

Should either party to this Agreement bring legal action against the other, the case shall be handled in Fresno County, California, and the party prevailing in such action shall be entitled to reasonable attorneys' fee which shall be fixed by the judge hearing the case and such fee shall be included in the judgment.

Should any legal action about the Project between AGENCY and a party other than CONSULTANT require the testimony of CONSULTANT when there is no allegation that CONSULTANT was negligent, AGENCY shall compensate CONSULTANT for its testimony and preparation to testify at the CONSULTANT hourly rates in effect at the time of such testimony.

6.4 Assignment

This Agreement shall not be assignable by either party without the prior written consent of the other party.

Notwithstanding the above, CONSULTANT may use the services of persons and entities not in their employ, when it is appropriate and customary to do so. Such persons and entities include, but are not necessarily limited to, surveyors, specialized consultants, and testing laboratories. CONSULTANT's use of others for additional services shall not be unreasonably restricted by the AGENCY provided CONSULTANT notifies the AGENCY in advance.

6.5 Hazardous Materials

Unless otherwise provided in this Agreement, CONSULTANT and its sub-consultants and/or contractors shall have no responsibility for the discovery, presence, handling, removal or disposal of, or exposure of persons to hazardous materials in any form at the site of the Project.

6.6 Titles

The titles used in this Agreement are for general reference only and are not part of the Agreement.

6.7 Extent of Agreement

This Agreement represents the entire and integrated Agreement between AGENCY and CONSULTANT and supersedes all prior negotiations, representations or agreements, either written or oral. This Agreement may be modified or amended only by a subsequent written agreement signed by both parties.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed as of the day and year first above written.

APPROVED AS TO FORM

By: _____
Richard K. Denhalter, City Attorney
2/22/08

CITY OF MADERA

By: _____
Sally J. Bomprezzi, Mayor

ATTEST:

By: _____
Sonia Alvarez, City Clerk

CITY OF MADERA INCORPORATED March 27, 1907 CALIFORNIA

Fire Safety Solutions, LLC

By: _____
Matt Tarr

Title: C.E.O.

_____
Taxpayer I.D. Number

EXHIBIT "A"
Scope of Services

1. DUTIES OF CONTRACTOR

1.1 Function as extension of in-house staff, including
Building Plan Check
Fire Plan Check
Building Inspection
Fire Inspection
General Fire Prevention Duties (To be specified as determined)
Such duties shall be under the direction of the Community Development Director, and under the day to day supervision of the Chief Building Official.

1.2 On each of the 3 business days, work at least 7 business hours (between 7:00 – 5:30) in the Building Department. An additional period of at least ½ hour each day shall be designated for a meal break, which shall not be billable. A total of 27 hours, not including meal breaks, shall be provided during the three business days. The actual work schedule shall be coordinated with the Building Official.

1.3 The 27 hours per week specified in item 1.2 above shall be billed as time spent in the office and not on the basis of specific tasks or jobs. Work shall consist of day to day assignments made by Building Official or Community Development Director.

1.4 As needed, and with assigned tasks, be available for a minimum of an additional 9 hours per week, which may be provided in the Building Department or outside the department, billed at the same flat rate specified in this agreement.

1.5 Contractor shall provide a work vehicle and shall not be reimbursed for mileage, or provided any other compensation for use of said vehicle in the performance of duties under this agreement.

1.6 Contractor shall provide insurance in accordance with City requirements.

1.7 This agreement shall be exclusively serviced by Matthew Tarr, as the Contractor's representative employee.

2. DUTIES OF AGENCY

2.1 The Agency shall provide a work station with a computer and office supplies consistent with the normal operations of the Building Department.

2.2 The Agency agrees to compensate the contractor in accordance with Section 3 below.

3. COMPENSATION

3.1 Work shall be performed at a flat rate of $80 / hour.

3.2 The Contractor shall provide compensation to the representative employee in accordance with State and Federal laws.

REPORT TO CITY COUNCIL

Approved by:

Keith Helmuth, City Engineer

Arnoldo Rodriguez, City Manager

Council Meeting of: November 15, 2023

Agenda Number: B-16

SUBJECT:

Traffic Signal Modification at the Intersections of Howard Road & Pine Street, Howard Road & Yosemite Avenue/Q Street, New Signal Installations at Intersections of Cleveland Avenue & Granada Drive and E South Street & N D Street

RECOMMENDATION:

Adopt a Resolution of the City Council of the City of Madera Rejecting all Bids Received for the City Projects TS-23, TS-24, and TS-32 (Traffic Signals)

SUMMARY:

On October 31st the Engineering Department received two bids for Traffic Signal Modification at Howard Road and Pine Street, Howard Road and Yosemite Avenue/Q Street (HOPYQ) City Project TS-23, Federal Project CML 5157(121); Traffic Signal Installations at Cleveland Avenue and Granada Drive City Project No. TS-24, Federal Project CML 5157(124); Traffic Signal Installation at South Street and D Street City Project No. TS-32, Federal Project CML 5157(125). The Bid Schedules were split into three parts for each project location. Of the three Bid Schedules, two were in line with engineer estimates, however both bids received for the HOPYQ location were approximately $340,000 above budget.

Based on the excessive costs, relative to that which was anticipated, of the HOPYQ portion of the project, staff is recommending that City Council (Council) reject all bids.

DISCUSSION:

TJKM Consultants prepared plans and specifications for three traffic signal improvement projects described below. These Capital Improvement Program (CIP) projects are funded primarily with

Congestion Mitigation and Air Quality (CMAQ) funds and were combined into one bid document for bidding and construction using three separate bid schedules.

- Bid Schedule A – CIP Project TS-23 HOPYQ Intersection Traffic Signals

  The HOPYQ intersections project consists of installing Adaptive Signal Control Technology (ASCT) at the existing traffic signals. ASCT uses hardware (cameras) and software to collect data and evaluate it to develop signal-timing improvements intended to provide green time where most needed depending on changing needs throughout the day. Installation includes controllers, pull boxes, conduits, conductors, video detection units, cellular modem and antenna installation, and fiber optic cabling.

- Bid Schedule B – CIP Project TS-24 New Traffic Signal at Cleveland Avenue and Granada Drive

  The intersection of Cleveland & Granada is a typical traffic signal installation however the location has three existing signal poles without mast arms. Therefore, the cost of this location would be expected to be less than a full traffic signal installation that typically includes cabinets, pullboxes, conduit, controller, mast arms, push buttons, Emergency Vehicle Pre-emption, signing, and striping.

- Bid Schedule C – CIP Project TS-32 New Traffic Signal at South Street and D Street

  The work at this location generally consists of installing a new traffic signal system in place of the current all-way stop. The project includes traffic signal pole installation, cabinets, pullboxes, conduits, conductors, push buttons, Emergency Vehicle Pre-emption (EVP), programming the signal controller for signal timing, signing, and striping.

The project was advertised in the Madera Tribune as well as on PlanetBids from September 12th to October 31st when the bid opening occurred.

Shown below are the bids received along with TJKM engineer's estimate:

Table 1: *Bid Abstract*

Bidder	*TS-23 Schedule A*	*TS-24 Schedule B*	*TS-32 Schedule C*	*Bid Total*
St. Francis Electric, LLC	$506,750.00	$177,500.00	$554,200.00	$1,238,450.00
A-C Electric Company	$504,725.00	$394,300.00	$482,025.00	$1,381,050.00
Engineer's Estimate	*$159,555.60*	*$361,890.00*	*$492,772.80*	*$1,014,218.42*

Bids received for the new traffic signals at Cleveland Avenue and Granada Drive and at D Street and South Street, Schedule B and Schedule C are considered reasonable based on the engineer's estimate. However, Bid Schedule A, the HOPYQ Improvements TS-23, there is an unexpected $340,000 difference between the bids and the engineer's estimate.

With both bids for Schedule A being an approximate $340,000 above the estimated cost, staff does not feel the envisioned benefit of the ASCT justifies the cost of the intersection improvements. As such, staff does not recommend moving forward with awarding the contract. Staff will review this location further to determine if the cost can be reduced in a future bid. If costs cannot be reduced to a level that justifies the cost relative to the benefit, the improvements may be abandoned.

Recommendation is to reject all bids and rebid the projects in one of the following ways:

1. Remove Bid Schedule A from the project.
2. Add Bid Schedule A as a bid alternative.

FINANCIAL IMPACT:

There is no impact to the General Fund by rejecting these bids. There will be some additional non-General Fund costs incurred by the projects to rebid.

ALTERNATIVES:

Should the Council wish to award the contract an additional $340,000 would have to be added to the project budget to cover the unexpected cost.

ATTACHMENTS:

1. Resolution

Attachment 1

Resolution

RESOLUTION NO. 23-_____

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA REJECTING ALL BIDS RECEIVED FOR CITY PROJECTS TS-23, TS-24, AND TS-32 (TRAFFIC SIGNALS)

WHEREAS, the City of Madera advertised for bids the Traffic Signal Modification at Howard Road and Pine Street, Howard Road and Yosemite Avenue/Q Street (HOPYQ) City Project TS-23, Federal Project CML 5157 (121); Traffic Signal Installations at Cleveland Avenue and Granada Drive City Project No. TS-24, Federal Project CML 5157(124); Traffic Signal Installation at South Street and D Street City Project No. TS-32, Federal Project CML 5157(125) (collectively "Project") ; and

WHEREAS, the City received two bids for the Project, both of which were more than $340,000 above budget; and

WHEREAS, the City Council has determined that it is in the best interest of the City to reject all bids and re-advertise for bids as may be appropriate.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Madera as follows:

1. The above recitals are true and correct.

2. The City Council (Council) has reviewed and considered all the information presented including the report to Council from the Engineering Department.

3. It is in the best interests of the City to reject all bids for the Project, and the City Council so rejects all bids.

4. The City's Engineering Department is authorized to re-advertise for bids for the Project or any component of the same.

5. This Resolution is effective immediately upon adoption.

****

REPORT TO CITY COUNCIL

Approved by:

_____
Will Tackett, Community Development Director

_____
Arnoldo Rodriguez, City Manager

Council Meeting of: November 15, 2023

Agenda Number: C-1

SUBJECT:

Consideration of the Mitigated Negative Declaration prepared for Environmental Assessment (EA) No. SCH 2023090606 for the Westberry Bridge Project, City Project B-02.

RECOMMENDATION:

Adopt a Resolution adopting the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program prepared for the Westberry Bridge Project, City Project B-02 (EA No. SCH 2023090606).

SUMMARY:

This matter involves consideration of the Environmental Assessment and associated initial study, analyses and findings of Mitigated Negative Declaration (EA No. SCH 2023090606) prepared for the proposed Westberry Bridge across the Fresno River (Project), in accordance with the provisions of the California Environmental Quality Act (CEQA).

Pursuant to the provisions of Section 15074(b) of the CEQA Guidelines, prior to approving a project, the decision-making body of the lead agency shall consider the proposed mitigated negative declaration together with any comments received during the public review process. The decision-making body shall adopt the proposed mitigated negative declaration only if it finds on the basis of the whole record before it (including the initial study and any comments received), that there is no substantial evidence that the project will have a significant effect on the environment and that the negative declaration reflects the lead agency's independent judgment and analysis.

Based upon the attached Environmental Assessment and applicable mitigation measures, staff has determined that there is no evidence in the record that the project may have a significant effect on the environment and recommends the Mitigated Negative Declaration (SCH 2023090606) and Mitigation Monitoring and Reporting Program prepared by Provost and

Pritchard Consulting Group and dated November 2023 (see Attachment 1, Exhibit A), be adopted for this project.

BACKGROUND:

The project is on the Westberry Boulevard alignment crossing the Fresno River. The proposed bridge is approximately 402 feet in length, consisting of 4 travel lanes, sidewalks, bike paths, street lighting, and a 12-inch water main connection between the water mains on both sides of the river. The existing Fresno River Trail will be rerouted under the south end of the bridge next to the bridge abutment. The bridge will also facilitate better access to commercial and industrial areas to the south and southeast of the bridge area.

City Council approved a contract with Cornerstone Engineering Group on August 3, 2022, to perform all engineering, permitting applications/support, and environmental studies of the project. Provost and Prichard Consulting Group Inc., working as a subconsultant to Cornerstone Engineering Group, performed an environmental review that included studies pursuant to the provisions of the California Environmental Quality Act (CEQA) for permitting purposes of the Westberry Bridge. A Final Initial Study/Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program was prepared by Provost and Prichard Consulting Group Inc.

CEQA applies to governmental action. This action may involve:

1. Activities directly undertaken by a governmental agency;
2. Activities financed in whole or in part by a governmental agency; or
3. Private activities which require approval from a governmental agency.

A "project," as defined at Section 15378 et seq. of the CEQA Guidelines, is an activity subject to CEQA, and means the whole of an action which has potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment, and that is any of the following:

1. An activity directly undertaken by any public agency including but not limited to public works construction and related activities clearing or grading of land, improvements to existing public structures, enactment and amendment of zoning ordinances, and the adoption and amendment of local General Plans or elements thereof pursuant to Government Code Sections 65100–65700.
2. An activity undertaken by a person which is supported in whole or in part through public agency contacts, grants, subsidies, loans, or other forms of assistance from one or more public agencies.
3. An activity involving the issuance to a person of a lease, permit, license, certificate, or other entitlement for use by one or more public agencies.

As such, the proposed construction of a new bridge across the Fresno River at the Westberry

Boulevard alignment is a Project subject to the requirements of CEQA. Those requirements include the preparation of detailed and comprehensive research, studies and analyses of various environmental criteria defined by CEQA and as necessary to ensure the project will not have the potential to substantially degrade the quality of the environment; will not have impacts that are cumulatively considerable; and will not have environmental effects which cause substantial adverse effects on human beings or wildlife species either directly or indirectly.

A Draft Initial Study/Mitigated Negative Declaration was prepared and a public notice of intent to adopt the Mitigated Negative Declaration was subsequently published in the Madera Tribune to allow the public the review period provided under Section 15105 of the CEQA Guidelines, and submitted to appropriate state agencies through the State Clearinghouse with the Governor's Office of Planning and Research, on September 27, 2023; initiating the public review period through October 27, 2023.

DISCUSSION:

The agency and public review period as required by CEQA ended on October 27, 2023. As of that date, no comments had been received, although the San Joaquin Valley Air Pollution Control District submitted comments on October 31, 2023, four days after the public review period ended. Based upon review of the SJVAPCD's comments and consideration of the Consultant responses, it is staff's opinion that no new avoidable significant effect is identified and no new mitigation measures or project revisions must be added in order to reduce the effect to insignificance. In addition, it is staff's opinion that the proposed mitigation measures will reduce potential effects to less than significant and no new measures or revisions must be required. However, in accordance with the provisions of Section 15073.65(c)(3) of the CEQA Guidelines, staff is recommending supplemental mitigation reporting requirements be included in the Mitigation Monitoring and Reporting Program which will assist the City with implementation monitoring. These supplemental reporting requirements are not deemed to be required by CEQA, do not create new significant environmental effects and are not necessary to mitigate an avoidable significant effect. Recirculation of the Final Initial Study/Mitigated Negative Declaration Report is therefore not warranted pursuant to the provisions of Section 15073.5 of the CEQA Guidelines. The City's review and determination of the potential environmental impact of the project is based on the data presented in the attached Report. The environmental review has been prepared in accordance with the CEQA. The attached report will provide the environmental documentation needed for City and State compliance requirements. The City has assumed the role of 'Lead Agency" for this project in accordance with CEQA and State CEQA guidelines. The report will also fulfill the CEQA environmental review requirements for any reviews and approvals pertaining to this project by other agencies.

Based on the analyses included in the initial study, the findings of the Mitigated Negative Declaration and proposed mitigation measures included in the Mitigation Monitoring and Reporting Program, staff recommends the Council finds on the basis of the whole record before it (including the initial study and any comments received), that there is no substantial evidence that the project will have a significant effect on the environment and that the Mitigated Negative

Declaration (SCH 2023090606) reflects the lead agency's independent judgment and analysis.

FISCAL IMPACT:

There is no impact to the General Fund. The cost for the preparation of the Report is included in the contract with Cornerstone Engineering Group. There are no significant impacts to the environment that require modification to the proposed bridge design.

ALTERNATIVES:

Delay the adoption of the Report until the time construction is to begin. Delay could prevent the City from having the ability to pursue certain State and/or Federal permits prior to approval and commencement of construction activities as well as hinder the City's ability to pursue certain funding opportunities that may be available.

Adoption of the environmental findings does not constitute approval to commence construction. While circumstances may change between the time at which environmental studies and analyses are performed and the adoption date of an environmental finding, it should be noted that CEQA regulations do require the lead agency to consider any substantial changes in projects, or circumstances (under which the project is undertaken) which may have occurred, or new information of substantial importance which may become available prior to subsequent discretionary actions pertaining to the project being approved; including those action necessary to approve commencement of construction.

ATTACHMENTS:

1. Resolution adopting the Final Initial Study/Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for the Westberry Bridge Project; including:

    Exhibit A: Initial Study/Mitigated Negative Declaration and a Mitigation Monitoring and Reporting Program (State Clearinghouse No. SCH 2023090606) for the Westberry Bridge Project prepared by Provost and Prichard Consulting Group Inc.

    Exhibit B: San Joaquin Valley Air Pollution Control District comment letter dated October 31, 2023

    Exhibit C: Response Memorandum to the San Joaquin Valley Air Pollution Control District comment letter dated November 1, 2023

ATTACHMENT 1

Resolution adopting the Final Initial Study/Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for the Westberry Bridge Project

Including:

Exhibit A: Initial Study/Mitigated Negative Declaration and a Mitigation Monitoring and Reporting Program (State Clearinghouse No. SCH 2023090606) for the Westberry Bridge Project prepared by Provost and Prichard Consulting Group Inc.

Exhibit B: San Joaquin Valley Air Pollution Control District comment letter dated October 31, 2023

Exhibit C: Response Memorandum to the San Joaquin Valley Air Pollution Control District comment letter dated November 1, 2023

RESOLUTION NO. 23-_____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA ADOPTING A MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING AND REPORTING PROGRAM FOR THE WESTBERRY BRIDGE PROJECT

WHEREAS, the City of Madera proposes to construct a new vehicular bridge along the proposed Westberry Boulevard Alignment crossing the Fresno River in the northwest portion of the City of Madera for purposes of improving traffic circulation and avoiding any future congestion on existing upstream bridges at Granada Drive and Schnoor Avenue (Westberry Bridge Project); and

WHEREAS, an Environmental Assessment (EA), which includes an Initial Study/Mitigated Negative Declaration and a Mitigation Monitoring and Reporting Program (State Clearinghouse No. SCH 2023090606), has been prepared for the Westberry Bridge Project, circulated, and made available for public comment pursuant to the California Environmental Quality Act (CEQA), Public Resources Code, sections 21000, et seq., the Guidelines for implementation of CEQA, Title 14 California Code of Regulations, Chapter 3, Section 15000, et seq., and the Madera Municipal Code; and

WHEREAS*,* pursuant to the provisions of Section 15074(b) of the CEQA Guidelines and prior to approving a project, the City Council as the elected decision-making body of the lead agency shall consider the proposed mitigated negative declaration together with any comments received during the public review process; and

WHEREAS, the City Council shall adopt the proposed mitigated negative declaration only if it finds on the basis of the whole record before it (including the initial study and any comments received), that there is no substantial evidence that the project will have a significant effect on the environment and that the mitigated negative declaration reflects the lead agency's independent judgment and analysis; and

WHEREAS, the City provided a properly noticed public hearing on the project on November 15, 2023, at which time all interested parties had the opportunity to be heard; and

WHEREAS, the City Council received and reviewed the Initial Study/Mitigated Negative Declaration and a Mitigation Monitoring and Reporting Program (State Clearinghouse No. SCH 2023090606) for the Westberry Bridge Project at a duly noticed meeting on November 15, 2023, opened the public hearing, at which time all interested parties had the opportunity to be heard, and then closed the public hearing,; and

WHEREAS, the City Council completed its review of the documents prepared, evaluated the information contained, and considered testimony received as a part of the public hearing process, and now desires to adopt the Initial Study/Mitigated Negative Declaration and

Mitigation Monitoring and Reporting Program (State Clearinghouse No. SCH 2023090606) for the Westberry Bridge Project.

NOW THEREFORE, THE CITY COUNCIL RESOLVES as follows:

1. The foregoing recitals are true and correct and made a part of this resolution.

2. The proceedings and all evidence introduced before the City Council at the public hearing, including staff reports, attachments, and presentations, are hereby incorporated into the record of this proceeding. These documents, along with any reports, documents, testimony, or evidence submitted to the City Council, including all documents specified under applicable State law including Public Resources Code section 21167.6(e), shall comprise the entire record of proceedings for any claims under CEQA.

3. The City of Madera City Council finds an environmental assessment initial study and mitigation monitoring and reporting program were prepared for this project in accordance with the requirements of the California Environmental Quality Act (CEQA) Guidelines. This process included the distribution of requests for comment from other responsible or affected agencies and interested organizations. Preparation of the environmental assessment necessitated a thorough review of the proposed project and relevant environmental issues. Based on this review and assessment, the City Council independently finds, that although the project could have a significant effect on the environment, there will not be a significant effect because mitigation measures have been identified to reduce the significant direct, indirect or cumulative effects on the environment, and that a Mitigated Negative Declaration is appropriate for this project. The City Council further affirms and independently finds, the Initial Study and Mitigated Negative Declaration were timely and properly published and noticed as required by CEQA.

The City Council has fully considered the Initial Study/Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program (State Clearinghouse No. SCH 2023090606) for the Westberry Bridge Project (MND), and finds that the proposed project is consistent with, and has been fully assessed by the MND, and that adoption of said MND is likewise consistent and appropriate. Based on its independent judgement and analysis and record before it, the City Council finds and determines that there is substantial evidence in the administrative record to support the determination that the project has been adequately environmentally assessed as required by CEQA per the MND. Additionally, the City Council also finds and determines that in light of the entire administrative record and the substantial evidence before it, the project has been adequately environmentally assessed as required by CEQA per the MND.

Based on the foregoing, the City Council independently adopts the Initial Study/Mitigated Negative Declaration (State Clearinghouse No. SCH 2023090606) for the Westberry Bridge Project, including the associated mitigation monitoring and reporting program, as the project will not result in any significant, adverse, environmental impacts with the mitigation imposed.

The City of Madera Engineering Department located at 428 East Yosemite Avenue,

Madera, CA 93638 shall serve as the custodian of all documents or other material which constitutes the record of proceedings upon which the Council's affirmation and adoption of this Mitigated Negative Declaration is based. The Council authorizes and directs the Director of the Engineering Department, or designee, to execute and file with the Madera County Clerk, a Notice of Determination for the approval of the project that complies with the CEQA Guidelines.

4. This Resolution shall become effective immediately.

****

ATTACHMENTS:

Exhibit A: Initial Study/Mitigated Negative Declaration and a Mitigation Monitoring and Reporting Program (State Clearinghouse No. SCH 2023090606) for the Westberry Bridge Project prepared by Provost and Prichard Consulting Group Inc.

Exhibit B: San Joaquin Valley Air Pollution Control District comment letter dated October 31, 2023

Exhibit C: Response Memorandum to the San Joaquin Valley Air Pollution Control District comment letter dated November 1, 2023

EXHIBIT A

WESTBERRY BRIDGE PROJECT

FINAL INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

NOVEMBER 2023

SCH NO. 2023090606

PREPARED FOR:

City of Madera Engineering Department
428 E. Yosemite Avenue
Madera, CA 93638

PREPARED BY:

Provost & Pritchard Consulting Group

TABLE OF CONTENTS

Chapter 1 Introduction 1-1
1.1 Regulatory Information 1-1
1.2 Document Format 1-1
Chapter 2 Project Description 2-1
2.1 Project Background 2-1
2.1.1 Project Title 2-1
2.1.2 Lead Agency Name and Address 2-1
2.1.3 Contact Person and Phone Number 2-1
2.1.4 Project Location 2-1
2.1.5 General Plan Designation and Zoning 2-1
2.1.6 Description of Project 2-2
2.1.7 Other Public Agencies Whose Approval May Be Required 2-4
2.1.8 Consultation with California Native American Tribes 2-4
2.1.9 "CEQA–Plus" Assessment 2-4
Chapter 3 Determination 3-1
3.1 Potential Environmental Impacts 3-1
3.2 Determination 3-2
Chapter 4 Environmental Impact Analysis 4-1
4.1 Aesthetics 4-1
4.1.1 Baseline Conditions 4-1
4.1.2 Impact Analysis 4-2
4.1.3 Federal Cross-Cutting Topic 4-3
4.1.4 Mitigation 4-3
4.2 Agriculture and Forestry Resources 4-4
4.2.1 Baseline Conditions 4-4
4.2.2 Impact Analysis 4-5
4.2.3 Federal Cross-Cutting Topic 4-6
4.3 Air Quality 4-9
4.3.1 Baseline Conditions 4-9
4.3.2 Applicable Regulations 4-9
4.3.3 Thresholds 4-10
4.3.4 Impact Analysis 4-10

4.3.5 Federal Cross-Cutting Topic 4-12
4.3.6 Mitigation 4-12
4.4 Biological Resources 4-13
4.4.1 Baseline Conditions 4-13
Topography 4-14
Climate 4-14
Hydrology 4-14
Soils 4-14
Biotic Habitats 4-15
Natural communities of special concern 4-20
4.4.2 Applicable Regulations 4-25
4.4.3 Impact Analysis 4-28
4.4.4 Mitigation 4-32
4.5 Cultural Resources 4-39
4.5.1 Baseline Conditions 4-39
4.5.2 Impact Analysis 4-40
4.5.3 Federal Cross-Cutting Topic 4-40
4.5.4 Mitigation 4-41
4.6 Energy 4-42
4.6.1 Baseline Conditions 4-42
4.6.2 Impact Analysis 4-42
4.7 Geology and Soils 4-44
4.7.1 Baseline Conditions 4-44
4.7.2 Impact Analysis 4-46
4.7.3 Mitigation 4-48
4.8 Greenhouse Gas Emissions 4-50
4.8.1 Baseline Conditions 4-50
4.8.2 Impact Analysis 4-50
4.9 Hazards and Hazardous Materials 4-51
4.9.1 Baseline Conditions 4-51
4.9.2 Impact Analysis 4-52
4.10 Hydrology and Water Quality 4-54
4.10.1 Baseline Conditions 4-54
4.10.2 Impact Analysis 4-55
4.10.3 Federal Cross-Cutting Topic 4-57

4.11 Land Use and Planning 4-59
4.11.1 Baseline Conditions 4-59
4.11.2 Impact Analysis 4-59
4.11.3 Federal Cross-Cutting Topic 4-60
4.12 Mineral Resources 4-61
4.12.1 Baseline Conditions 4-61
4.12.2 Impact Analysis 4-61
4.13 Noise 4-62
4.13.1 Baseline Conditions 4-62
4.13.2 Impact Analysis 4-63
4.14 Population and Housing 4-65
4.14.1 Baseline Conditions 4-65
4.14.2 Impact Analysis 4-65
4.14.3 Federal Cross-Cutting Topic 4-66
4.15 Public Services 4-67
4.15.1 Baseline Conditions 4-67
4.15.2 Impact Analysis 4-67
4.16 Recreation 4-69
4.16.1 Baseline Conditions 4-69
4.16.2 Impact Analysis 4-69
4.17 Transportation 4-71
4.17.1 Baseline Conditions 4-71
4.17.2 Impact Analysis 4-71
4.18 Tribal Cultural Resources 4-73
4.18.1 Baseline Conditions 4-73
4.18.2 Impact Assessment 4-74
4.18.3 Mitigation 4-74
4.19 Utilities and Service Systems 4-75
4.19.1 Baseline Conditions 4-75
4.19.2 Impact Analysis 4-76
4.20 Wildfire 4-78
4.20.1 Baseline Conditions 4-78
4.20.2 Impact Analysis 4-78
4.21 CEQA Mandatory Findings of Significance 4-80
4.21.1 Statement of Findings 4-80

Chapter 5 Mitigation, Monitoring, and Reporting Program 5-1
Chapter 6 References 6-1

LIST OF APPENDICES

Appendix A: CalEEMod Output Files A-1
Appendix B: Biological Evaluation B-1
Appendix C: Class III Inventory/Phase I Cultural Resources Survey C-1
Appendix D: Aquatic Resources Delineation D-1

LIST OF FIGURES

Figure 2-1: Regional Location Map 2-5
Figure 2-2: Topo Quad Map 2-6
Figure 2-3: Biological APE 2-7
Figure 2-4: General Plan Land Use Designation Map 2-8
Figure 2-5: Zone District Map 2-9
Figure 4-1. Farmland Map 4-8
Figure 4-2: Project Site Photos 4-16
Figure 4-3: Project Site Photos 4-17
Figure 4-4: Project Site Photos 4-18
Figure 4-5: Project Site Photos 4-19
Figure 4-6. Soils Map 4-49
Figure 4-7. FEMA Flood Map 4-58

LIST OF TABLES

Table 4-1: Aesthetics Impacts 4-1
Table 4-2: Agriculture and Forest Impacts 4-4
Table 4-3: Air Quality Impacts 4-9
Table 4-4: SJVAPCD Thresholds of Significance, Criteria Air Pollutants 4-10
Table 4-5: SJVAPCD Thresholds of Significance, Toxic Air Contaminants 4-10
Table 4-6: Unmitigated Short-Term Construction-Generated Emissions of Criteria Air Pollutants 4-11
Table 4-7: Health Risk Assessment of Construction Emissions 4-11
Table 4-8: Biological Resources Impacts 4-13
Table 4-9. List of Soils Located Onsite and Their Basic Properties 4-14
Table 4-10: List of Special Status Animals with Potential to Occur Onsite and/or in the Vicinity 4-20
Table 4-11: List of Special Status Plants with Potential to Occur Onsite and/or in the Vicinity 4-23
Table 4-12: Cultural Resources Impacts 4-39
Table 4-13: Energy Impacts 4-42
Table 4-14: Geology and Soils Impacts 4-44
Table 4-15: Greenhouse Gas Emissions Impacts 4-50
Table 4-16: Hazards and Hazardous Materials Impacts 4-51
Table 4-17: Hydrology and Water Quality Impacts 4-54
Table 4-18: Land Use and Planning Impacts 4-59
Table 4-19: Mineral Resources Impacts 4-61

Table 4-20: Noise Impacts....4-62
Table 4-21. Typical Construction Noise Levels....4-63
Table 4-22: Population and Housing Impacts....4-65
Table 4-23: Public Services....4-67
Table 4-24: Recreation Impacts....4-69
Table 4-25: Transportation Impacts....4-71
Table 4-26: Tribal Cultural Resources Impacts....4-73
Table 4-27: Utilities and Service Systems Impacts....4-75
Table 4-28: Wildfire Impacts....4-78
Table 4-29: CEQA Mandatory Findings of Significance....4-80
Table 5-1: Mitigation, Monitoring, and Reporting Program....5-2

ACRONYMS AND ABBREVIATIONS

AB ..... Assembly Bill
APE ..... Area of Potential Effect
ARD ..... Aquatic Resources Delineation
BMP ..... Best Management Practices
CalEEMod ..... California Emissions Estimator Modeling (software)
CBC ..... California Building Code
CDFW ..... California Fish and Wildlife
CESA ..... California Endangered Species Act
CEQA ..... California Environmental Quality Act
CGP ..... Construction General Permit
CGS ..... California Geological Survey
CHRIS ..... California Historical Resources Information System
City ..... City of Madera
CNDDB ..... California Natural Diversity Database
CNPS ..... California Native Plant Society
CO ..... Carbone Monoxide
CO_2 ..... Carbon dioxide
County ..... Madera County
CRHR ..... California Register of Historical Resources
dBA ..... A-weighted decibels
District ..... Madera Irrigation District
DOC ..... Department of Conservation
DTSC ..... Department of Toxic Substances Control
ECOS ..... (USFWS) Environmental Conservation Online System
EIR ..... Environmental Impact Report
ESA ..... Endangered Species Act
FEMA ..... Federal Emergency Management Agency
FMMP ..... Farmland Mapping and Monitoring Program
FPPA ..... Farmland Protection and Policy Act
GHG ..... Greenhouse Gas
GIS ..... Geographic Information System

HUC .....Hydrologic Unit Code
IPaC .....U.S. Fish and Wildlife Service's Information for Planning and Consultation system
IS ..... Initial Study
IS/MND .....Initial Study/Mitigated Negative Declaration
ITP .....Incidental Take Permit
km ..... kilometers
LSA ..... Lake or Streambed Alteration
MBTA ..... Migratory Bird Act
MID ..... Madera Irrigation District
MMRP..... Mitigation Monitoring and Reporting Program
MND ..... Mitigated Negative Declaration
MRZ .....Mineral Resource Zones
NAHC ..... Native American Heritage Commission
ND ..... Negative Declaration
NEPA.....National Environmental Policy Act
NO_2 .....Nitrogen Dioxide
NOx .....Nitrogen Oxides
NPT ..... Northwestern Pond Turtle
NRCS ..... Natural Resources Conservation Service
NRHP ..... National Register of Historic Places
NWI .....National Wetland Inventory
O_3 .....Ozone
OHWM.....ordinary high-water mark
Pb .....Lead
PG&E .....Pacific Gas and Electric
PM_{10} ..... particulate matter 10 microns in size
$PM_{2.5}$ ..... particulate matter 2.5 microns in size
ppb .....parts per billion
ppm .....parts per million
Project ..... Westberry Bridge Project
ROG ..... Reactive Organic Gases
RWQCB .....Regional Water Quality Control Board
SJVAPCD .....San Joaquin Valley Air Pollution Control District

SO_2 ..... Sulfur Dioxide
SOWA ..... Safe Drinking Water Act
SPT ..... Southwestern Pond turtle
SR ..... State Route
SRA ..... State Responsibility Areas
SSA ..... Sole Source Aquifer
SSJVIC ..... Southern San Joaquin Valley Information Center
SWPPP ..... Storm Water Pollution Prevention Plan
SWRCB ..... State Water Resources Control Board
Tons/year ..... tons per year
TPY ..... tons per year
USACE ..... United States Army Corps of Engineers
USBR ..... United States Bureau of Reclamation
USC ..... United States Code
USEPA ..... United States Environmental Protection Agency
USFWS ..... United States Fish and Wildlife Service
UST ..... underground storage tank
µg/m3 ..... micrograms per cubic meter
WDR ..... Waste Discharge Requirements
WEAP ..... Worker Environmental Awareness Program

CHAPTER 1 INTRODUCTION

Provost & Pritchard Consulting Group (Provost & Pritchard) has prepared this Initial Study/Mitigated Negative Declaration (IS/MND) on behalf of the City of Madera to address the environmental effects of the Westberry Bridge Project (Project). This document has been prepared in accordance with the California Environmental Quality Act (CEQA), Public Resources Code Section 21000 et seq. The City of Madera is the CEQA lead agency for this Project.

The site and the Project are described in detail in Chapter 2 Project Description.

1.1 REGULATORY INFORMATION

An Initial Study (IS) is a document prepared by a lead agency to determine whether a project may have a significant effect on the environment. In accordance with California Code of Regulations Title 14 (Chapter 3, Section 15000, *et seq.*)-- also known as the CEQA Guidelines--Section 15064 (a)(1) states that an environmental impact report (EIR) must be prepared if there is substantial evidence in light of the whole record that the Project under review may have a significant effect on the environment and should be further analyzed to determine mitigation measures or project alternatives that might avoid or reduce project impacts to less than significant levels. A negative declaration (ND) may be prepared instead if the lead agency finds that there is no substantial evidence in light of the whole record that the project may have a significant effect on the environment. An ND is a written statement describing the reasons why a proposed Project, not otherwise exempt from CEQA, would not have a significant effect on the environment and, therefore, why it would not require the preparation of an EIR (CEQA Guidelines Section 15371). According to CEQA Guidelines Section 15070, a ND or *mitigated* ND shall be prepared for a project subject to CEQA when either:

a. The IS shows there is no substantial evidence, in light of the whole record before the agency, that the proposed Project may have a significant effect on the environment, or
b. The IS identified potentially significant effects, but:
    1. Revisions in the project plans or proposals made by or agreed to by the applicant before the proposed MND and IS is released for public review would avoid the effects or mitigate the effects to a point where clearly no significant effects would occur is prepared, and
    2. There is no substantial evidence, in light of the whole record before the agency, that the proposed Project as *revised* may have a significant effect on the environment.

1.2 DOCUMENT FORMAT

This IS/MND contains six chapters. Chapter 1 Introduction, provides an overview of the Project and the CEQA process. Chapter 2 Project Description, provides a detailed description of proposed Project components and objectives. Chapter 3 Determination, the Lead Agency's determination based upon this initial evaluation. Chapter 4 Environmental Impact Analysis presents the CEQA checklist and environmental analysis for all impact areas, mandatory findings of significance, and feasible mitigation measures. If the Project does not have the potential to significantly impact a given issue area, the relevant section provides a brief discussion of the reasons why no impacts are expected. If the Project could have a potentially significant impact on a resource, the issue area discussion provides a description of potential impacts, and appropriate mitigation measures and/or permit requirements that would reduce those impacts to a less than significant level. Chapter 5 Mitigation, Monitoring, and Reporting Program (MMRP), provides the

proposed mitigation measures, implementation timelines, and the entity/agency responsible for ensuring implementation. Chapter 6 details the documents and reports this document relies upon to provide its analysis.

The CalEEMod Output Files, Biological Evaluation, Class III Inventory/Phase I Cultural Resources Survey, and Aquatics Resource Delineation are provided as technical Appendix A, Appendix B, Appendix C, and Appendix D, respectively, at the end of this document.

CHAPTER 2 PROJECT DESCRIPTION

2.1 PROJECT BACKGROUND

2.1.1 Project Title

Westberry Bridge Project

2.1.2 Lead Agency Name and Address

City of Madera Engineering Department
428 E. Yosemite Avenue
Madera, CA 93638

2.1.3 Contact Person and Phone Number

Lead Agency Contact

Steve Bettencourt
Senior Civil Engineer
(559) 661-5425

CEQA Consultant

Provost & Pritchard Consulting Group
Briza Sholars, Environmental Project Manager
(559) 449-2700

2.1.4 Project Location

The Project is located in the northwest portion of Madera, California, approximately 130 miles southeast of Sacramento and 120 miles northeast of Bakersfield (see Figure 2-1 and Figure 2-2). The Project area is located along the Westberry Boulevard Alignment crossing the Fresno River. The centroid of the Project area is 36° 57’ 57.57” N, 120° 06’ 04.50” W.

2.1.5 General Plan Designation and Zoning

Project Area	General Plan Designation	Zoning District
ONSITE	• Resource Conservation/Agriculture • Open Space • Low Density Residential	• U: Unclassified • PD (3,000): Planned Development -3,000 sq. ft. • PD (6,000): Planned Development -6,000 sq. ft. • PD (8,000): Planned Development -8,000 sq. ft. • PD (12,000): Planned Development -12,000 sq. ft.
ADJACENT LANDS	• Resource Conservation/Agriculture • Open Space • Low Density Residential	• PD (3,000) • PD (6,000): • PD (8,000): • PD (12,000):

2.1.6 Description of Project

Project Background and Purpose

The Fresno River traverses through the center of the City of Madera in a horizontal east-west direction. Due to urban development on both sides of the river, various bridges have been built across the river to provide access to the north and south. The City of Madera General Plan Circulation Plan depicts eight existing bridges and one proposed bridge.[1] The single proposed bridge is the Westberry Boulevard Bridge as proposed under this Project.

Project Description

The City of Madera proposes to construct a new vehicular bridge along the proposed Westberry Boulevard Alignment crossing the Fresno River in the northwest portion of the City of Madera, to improve traffic circulation and to avoid any future congestion on existing upstream bridges at Granada Drive and Schnoor Avenue. The proposed bridge crossing structure would be approximately 408 feet long by approximately 92 feet wide and would accommodate two 11-foot traveled ways in each direction, one 14-foot-wide center median, two 6-foot shoulder/bike lanes with 1-foot buffer striping, two 9-foot sidewalks, and two 1-foot concrete barriers (Type 732SW) with tubular hand railing along each side of the bridge deck. An earthen irrigation canal runs along the exterior side of each riverbank. Both earthen canal alignments are owned by the United States Bureau of Reclamation (USBR) and operated by the Madera Irrigation District (MID). The Vern McCullough Fresno River Trail runs along the south bank of the river. The proposed bridge structure would consist of an 8-span cast-in-place prestressed concrete flat slab bridge supported on reinforced concrete seat-type abutments with 42-inch diameter cast-in-drilled-hole (CIDH) piles and 42-inch diameter CIDH piles at the piers.

The depth of the 42-inch diameter pier piles extend down to an elevation of 152.5 feet. The existing ground elevation ranges from an elevation of 240 feet to 250 feet, so the depth of the pier piles would be between 87 feet to 98. feet. The depth of the 42-inch diameter abutment piles extends down to an elevation of 206 feet. The bottom of abutment elevations are set at an elevation of 244 feet, so the depth of the abutment piles would be approximately 38 feet.

The proposed bridge will contain deck drains that allow stormwater to flow off of the bridge deck and into the Fresno River.

Access to the proposed bridge during construction is anticipated to be provided via previously completed portions of the Westberry Boulevard Bridge or temporary access roads extending within the channel from Riverview Drive to N Westberry Boulevard. Temporary access ramps will also need to be constructed to allow equipment and materials to be transported within the limits of the 100-year flood plain during construction of the proposed piers and during falsework erection and removal. The temporary access ramps will be constructed after a temporary water diversion is implemented. All fill material used as part of the project, either temporary or permanently, shall be in conformance with Caltrans Standard Specifications Section 19. The fill material shall also be free from debris and deleterious materials.

Falsework will be required to construct the bridge's superstructure. Conventional falsework will be used with piers on either side of the proposed pier locations and at the faces of the proposed seat-type abutments. Falsework spans will range from 30-50 ft.

[1] See Figure CI-1: Circulation Master Plan at the following link: City-of-Madera-GP-12-04-20.pdf

Piers and falsework will be located within OHW. The Contractor shall be responsible for means and methods of water diversion and an appropriate plan shall be developed and submitted for approval to the appropriate agencies.

Construction of the new bridge will require structural excavation for the proposed piers and abutments. Due to sandy soils and perched groundwater encountered at the site, Caltrans slurry displacement or temporary casing may be required to protect against cave-in conditions while constructing the CIDH piers. Slurry displacement introduces liquid slurry into the drilling process which remains in the drilled hole until the contractor displaces the slurry with the concrete introduced via a rigid pipe to the bottom of the drilled hole. Temporary casing will consist of steel pipes that support the walls of the drilled hole until the concrete is placed and can withstand the ground and groundwater pressures, upon which point the casing is removed from the drilled hole.

The abutments are sized approximately 4.5 ft. wide, 10 ft. tall and 96 ft. long. Structural excavation for the abutments will extend within the limits of the 100-year floodplain. Structural excavation will be required at the piers with a total of 40 cubic yards of excavation that will occur within the 100-year flood plain and within the OHW. The reinforced concrete piers at the existing grade will be 42-inches in diameter.

Earthen irrigation canals border the north and south riverbanks. The northern canal is identified as Lateral 24.2-14.2, and the southern canal is Lateral 24.2. The canals would be converted to culverts where they intersect the proposed roadway improvements.

As mentioned above, the Project area contains the Vern McCullough Fresno River Trail that runs along the south bank of the river. As part of the Project, the trail would be realigned for easier access post construction. Non-native vegetation removal along the trail and south side of the 24.2 canal would occur as part of Project activities. Retaining walls will be required to route the trail beneath the proposed bridge.

Road and sidewalk improvements would be completed on the approaches to the bridge north and south of the Fresno River. The proposed bridge would hold a new City of Madera 12-inch water main, and AT&T and PG&E utilities would be located within the bridge itself. The City of Madera has an existing buried 33-inch sewer main which crosses the USBR canals and Fresno River within the new bridge/roadway alignment and would remain in service.

The Project's Area of Potential Effect (APE) includes approximately 10.5 acres. The Project APE includes paved roads, two irrigation canals, a walking trail, and the Fresno River, with an additional 50-foot biological survey buffer surrounding the Project area for a total of approximately 15 acres for the biological resources APE. Surrounding lands on both sides of the Fresno River are residential neighborhoods with paved roads.

Tree and shrub removal and/or branch trimming are anticipated for the construction of the Westberry Bridge Project.

Construction Schedule

Construction is expected to take approximately seven months over one (1) construction season, weather and conditions permitting.

Operation and Maintenance

Operation and Maintenance would be similar to that of existing facilities and infrastructure owned and operated by the City of Madera, MID, and USBR. These activities would occur on an as-needed basis.

2.1.7 Other Public Agencies Whose Approval May Be Required

- Madera Irrigation District
- United States Bureau of Reclamation
- State of California Department of Fish and Wildlife
- State of California Department of Transportation
- State of California Reclamation Board
- State of California Regional Water Quality Control Board
- United Stated Army Corps of Engineers

2.1.8 Consultation with California Native American Tribes

Public Resources Code Section 21080.3.1, *et seq. (codification of Assembly Bill 52, 2013-14)*) requires that a lead agency, within 14 days of determining that it will undertake a project, must notify in writing any California Native American Tribe traditionally and culturally affiliated with the geographic area of the project if that Tribe has previously requested notification about projects in that geographic area. The notice must briefly describe the project and inquire whether the Tribe wishes to initiate request formal consultation. Tribes have 30 days from receipt of notification to request formal consultation. The lead agency then has 30 days to initiate the consultation, which then continues until the parties come to an agreement regarding necessary mitigation or agree that no mitigation is needed, or one or both parties determine that negotiation occurred in good faith, but no agreement will be made.

The City of Madera has not received any written correspondence from a Tribe pursuant to Public Resources Code Section 21080.3.1 requesting notification of proposed project.

2.1.9 "CEQA–Plus" Assessment

In addition to meeting the requirements of CEQA, and because the Project includes regulatory and federal permitting, the Project could be subject to "federal cross-cutting authority" requirements of other federal laws and Executive Orders. (This process is frequently referred to as "CEQA-Plus".) Therefore, the City may also complete certain studies and analyses to satisfy various federal environmental requirements. These federal cross-cutting analyses are documented.

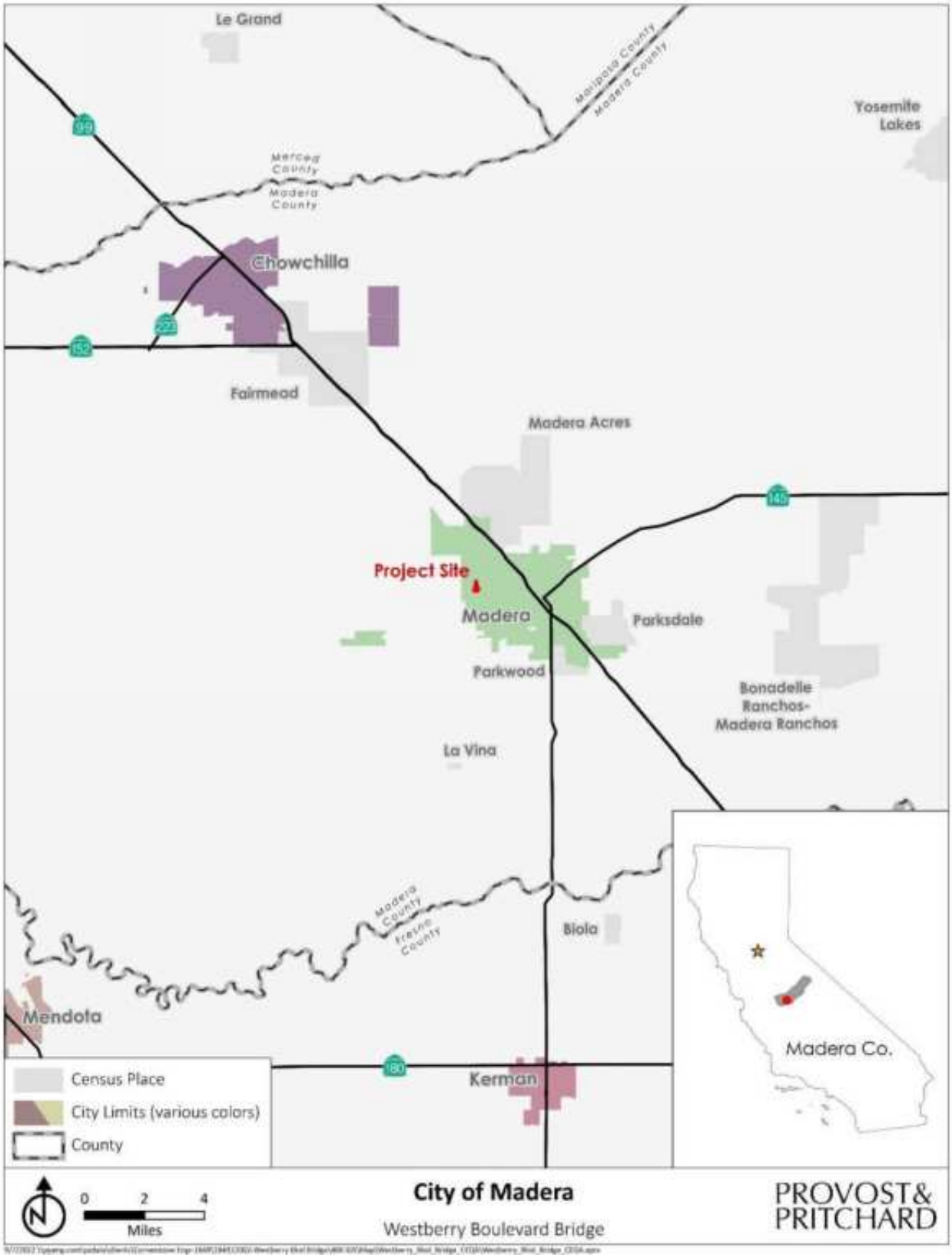


Figure 2-1: Regional Location Map

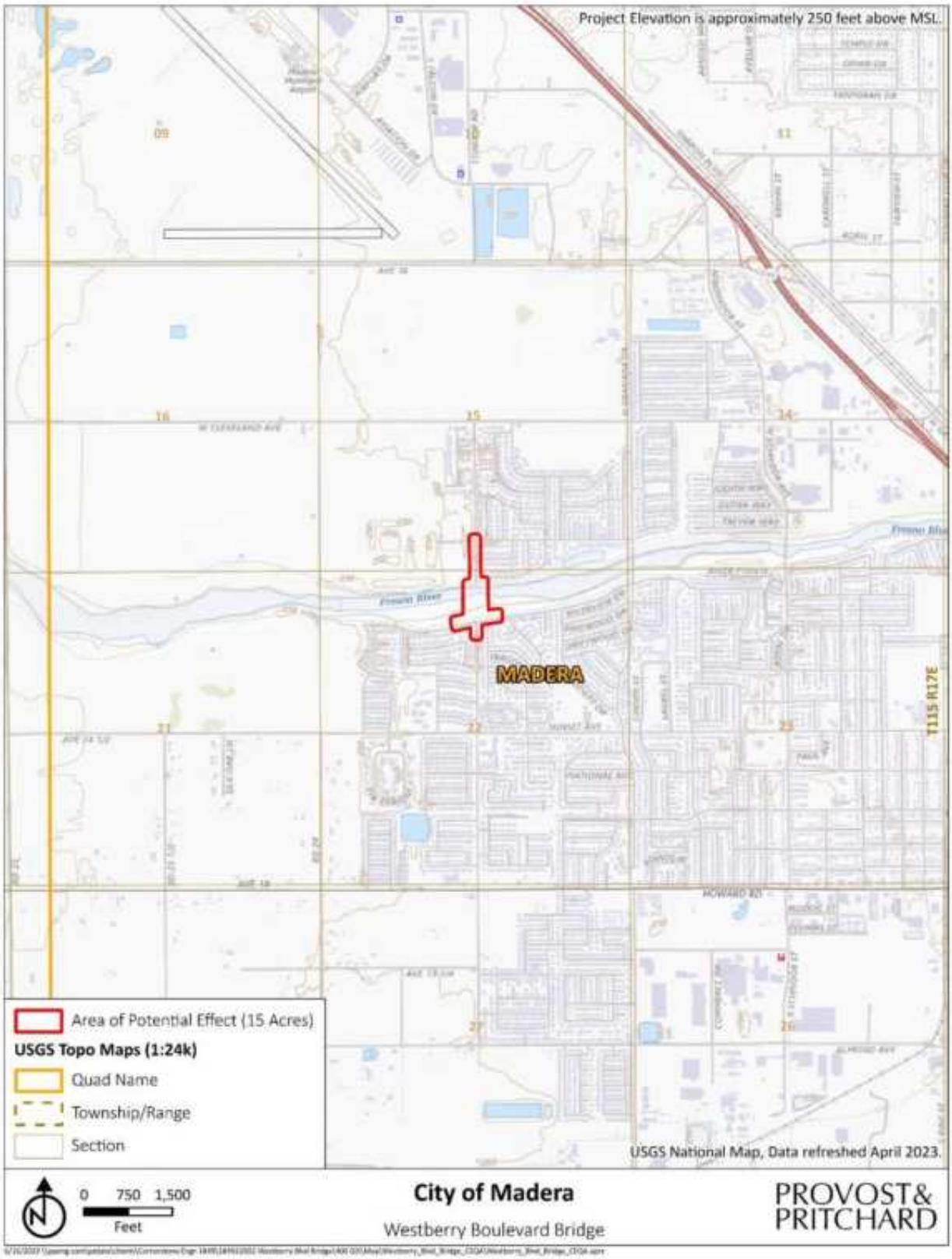


Figure 2-2: Topo Quad Map



Figure 2-3: Biological APE



Figure 2-4: General Plan Land Use Designation Map



Figure 2-5: Zone District Map

CHAPTER 3 DETERMINATION

3.1 POTENTIAL ENVIRONMENTAL IMPACTS

As indicated by the discussions of existing and baseline conditions, and impact analyses that follow in this Chapter, environmental factors not checked below would have no impacts or less than significant impacts resulting from the project. Environmental factors that are. checked below would have potentially significant impacts resulting from the project. Mitigation measures are recommended for each of the potentially significant impacts that would reduce the impact to less than significant.

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

The analyses of environmental impacts in Chapter 4 Impact Analysis result in an impact statement, which shall have the following meanings.

Potentially Significant Impact. This category is applicable if there is substantial evidence that an effect may be significant, and no feasible mitigation measures can be identified to reduce impacts to a less than significant level. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.

Less than Significant with Mitigation Incorporated. This category applies where the incorporation of mitigation measures would reduce an effect from a "Potentially Significant Impact" to a "Less than Significant Impact." The lead agency must describe the mitigation measure(s), and briefly explain how they would reduce the effect to a less than significant level (mitigation measures from earlier analyses may be cross-referenced).

Less than Significant Impact. This category is identified when the proposed Project would result in impacts below the threshold of significance, and no mitigation measures are required.

No Impact. This category applies when a project would not create an impact in the specific environmental issue area. "No Impact" answers do not require a detailed explanation if they are adequately supported by the information sources cited by the lead agency, which show that the impact does not apply to the specific project (e.g. the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g. the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).

3.2 DETERMINATION

On the basis of this initial evaluation (to be completed by the Lead Agency):

☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

☒ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

☐ I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.



Signature

November 15, 2023
Date

Community Development Director
Printed Name/Position

CHAPTER 4 ENVIRONMENTAL IMPACT ANALYSIS

4.1 AESTHETICS

Table 4-1: Aesthetics Impacts

Except as provided in Public Resources Code Section 21099, would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Have substantial adverse effect on a scenic vista?	☐	☐	☒	☐
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	☐	☐	☐	☒
c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	☐	☐	☒	☐
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	☐	☒	☐	☐

4.1.1 Baseline Conditions

The City of Madera is located within Madera County in the San Joaquin Valley in Central California. The San Joaquin Valley extends from the Sacramento–San Joaquin River Delta in the north to the Tehachapi Mountains in the south, and from the various California coastal ranges in the west to the Sierra Nevada in the east. The Sierra Nevada mountain range begins to form approximately 22 miles east of City of Madera. Views of the Sierras can be seen on clear days when visibility is high. The city's visual features include urban areas, agricultural lands, rivers, and creeks. The Project area is located within the eastern region of the city along the Fresno River at the intersection of Riverview Drive and Westberry Boulevard. The Project area is bordered on both its north and south side by single-family residential neighborhoods. The Fresno River runs east-west and is the separation between the north and south neighborhoods. Both sides of the Fresno River are fenced off and planted with various non-native vegetation types. The Vern McCullough Fresno River Trail runs parallel to the Fresno River on its south side.

California Scenic Highway Program

The California Scenic Highway Program was established in 1963 with the purpose to protect and enhance the natural scenic beauty of California highways and adjacent corridors, through special conservation treatment. A highway may be designated scenic depending upon how much of the natural landscape can

be seen by travelers, the scenic quality of the landscape, and the extent to which development intrudes upon the traveler's enjoyment of the view. There are no officially designated State Scenic Highways in the City of Madera, inclusive of the Project area. The nearest eligible State Scenic Highways are State-Route 152 and Interstate 5 where they intersect approximately 48 miles northwest from the Project area near the San Luis Reservoir and the O'Neill Forebay.[2]

4.1.2 Impact Analysis

a) Have substantial adverse effect on a scenic vista?

Less than Significant Impact. While distant views of the Sierra Nevada foothills from the Project area exist, no officially designated scenic resources, view sheds, scenic roadways, or recreation areas are located in the vicinity of the Project area. The Project area and the surrounding land does not contain a designated scenic vista identified by the City of Madera General Plan. The proposed bridge would be constructed in a manner consistent with the existing aesthetics of surrounding development and would not result in any adverse visual impacts due to its relatively low-profile height and flat arch design. Additionally, the proposed bridge would be physically similar to existing surrounding bridges that cross the Fresno River in the City of Madera. The proposed bridge would be ordinary relative to the existing visual character of the neighborhood. Impacts would be less than significant.

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

No Impact. Neither the Project area, nor its nearby surroundings contain a State Scenic Highway. The nearest State Scenic Highway is located approximately 48 miles away. Additionally, the Project design would be consistent with the level of existing and proposed urban development in the area. Therefore, the Project would not damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway. There would be no impact.

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

Less than Significant Impact. Due to the low profile of the proposed bridge and its similar design to other City of Madera bridges, implementation of the Project would not result in a significant change or degrade the existing visual character of the site or its surroundings. Generally, the bridge would be constructed perpendicular to the existing grade of the Fresno River. The Project area's riverine environment would, for the most part, be maintained. While the site of where the bridge would be constructed would result in minor amounts of vegetation removal, the Project would not disturb the surrounding native vegetation in or around the river that surrounds the proposed bridge. The scenic qualities that the native vegetation provides would be maintained. As such, the Project would not conflict with applicable zoning and other regulations governing scenic quality. The Project would have a less than significant impact on visual character.

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

[2] (California Department of Transportation 2018)

Less than Significant Impact with Mitigation Incorporated. The Project would include a new source of light. Lighting on the bridge would be installed consistent with City of Madera Engineering Department Standards. City standards require such lighting to be hooded and directed in a manner not to impact surrounding properties. Implementation of **AES-1** will ensure all such lighting will be constructed in that manner.

4.1.3 Federal Cross-Cutting Topic

Wild, Scenic, and Recreational Rivers Act

The National Wild and Scenic Rivers Act was established in 1968, to maintain the natural beauty, biology, and wildness of federally designated "wild," "scenic," or "recreational" rivers that may be threatened by construction of dams, diversions, and canals. The act seeks to preserve these designated rivers in their free-flowing condition, and to protect their immediate environments for the benefit and enjoyment of present and future generations. There are no "wild" or "scenic" rivers within or proximate to the Project area.[3]

4.1.4 Mitigation

AES-1 All outdoor lighting shall be hooded or screened as to direct the source of light downward and directed towards the bridge deck so as not to negatively impact surrounding properties or wildlife in or around the Fresno River.

[3] (National Wild and Scenic River System 2020)

4.2 AGRICULTURE AND FORESTRY RESOURCES

Table 4-2: Agriculture and Forest Impacts

Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	☐	☐	☐	☒
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	☒
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	☐	☐	☐	☒
d) Result in the loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	☒
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	☐	☐	☐	☒

4.2.1 Baseline Conditions

The Project area is located in an urbanized area in the city of Madera. The Project area is currently zoned for Planned Development residential uses in the areas where existing residences and right-of-way are developed, and Unclassified where the Fresno River channel runs. The City's General Plan designates the residential/right-of-way area for Low Density Residential and the river area for Resource Conservation/Agriculture. Neither the Project area nor surrounding properties are subject to a Williamson Act contract.

Farmland Mapping and Monitoring Program (FMMP): The FMMP produces maps and statistical data used for analyzing impacts to California's agricultural resources. Agricultural land is rated according to soil quality and irrigation status; the best quality land is called Prime Farmland. The maps are updated every two years with the use of a computer mapping system, aerial imagery, public review, and field reconnaissance. The California Department of Conservation's (DOC) 2018 FMMP is a non-regulatory program that produces "Important Farmland" maps and statistical data used for analyzing impacts on California's agricultural resources. The Important Farmland maps identify eight land use categories, five of which are agriculture related: prime farmland, farmland of statewide importance, unique farmland, farmland of local importance, and grazing land — rated according to soil quality and irrigation status. Each is summarized below:

- PRIME FARMLAND (P): Farmland with the best combination of physical and chemical features able to sustain long term agricultural production. This land has the soil quality, growing season, and moisture supply needed to produce sustained high yields. Land must have been used for irrigated agricultural production at some time during the four years prior to the mapping date.
- FARMLAND OF STATEWIDE IMPORTANCE (S): Farmland similar to Prime Farmland but with minor shortcomings, such as greater slopes or less ability to store soil moisture. Land must have been used for irrigated agricultural production at some time during the four years prior to the mapping date.
- UNIQUE FARMLAND (U): Farmland of lesser quality soils used for the production of the state's leading agricultural crops. This land is usually irrigated but may include non- irrigated orchards or vineyards as found in some climatic zones in California. Land must have been cropped at some time during the four years prior to the mapping date.
- FARMLAND OF LOCAL IMPORTANCE (L): Land of importance to the local agricultural economy as determined by each county's board of supervisors and a local advisory committee.
- GRAZING LAND (G): Land on which the existing vegetation is suited to the grazing of livestock. The minimum mapping unit for Grazing Land is 40 acres.
- URBAN AND BUILT-UP LAND (D): Land occupied by structures with a building density of at least 1 unit to 1.5 acres, or approximately 6 structures to a 10-acre parcel. This land is used for residential, industrial, commercial, institutional, public administrative purposes, railroad and other transportation yards, cemeteries, airports, golf courses, sanitary landfills, sewage treatment, water control structures, and other developed purposes.
- OTHER LAND (X): Land not included in any other mapping category. Common examples include low density rural developments; brush, timber, wetland, and riparian areas not suitable for livestock grazing; confined livestock, poultry, or aquaculture facilities; strip mines, borrow pits; and water bodies smaller than 40 acres. Vacant and nonagricultural land surrounded on all sides by urban development and greater than 40 acres is mapped as Other Land.
- WATER (W): Perennial water bodies with an extent of at least 40 acres.

As demonstrated in Figure 4-1, the FMMP for the Project area as Urban and Built-Up Land, Vacant or Disturbed Land, and Native Vegetation.[4]

4.2.2 Impact Analysis

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

No Impact. The Project area is designated as Urban and Built-Up Land, Vacant or Disturbed Land, and Native Vegetation. There are no lands within the Project area that have been determined to be designated as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance. Therefore, there would be no impact.

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

No Impact. The Project area is not designated, zoned, or used for agricultural related purposes, nor are the Project lands subject to a Williamson Act contract. Therefore, there would be no impact.

[4] (Calfornia Department of Conservation 2019)

c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?

No Impact. There are no lands zoned for forest or timberland use in the Project area. The Project area is located in the boundaries of the City of Madera, specifically in a residential area of the city. Therefore, the Project would not conflict with existing zoning for, or cause rezoning of, forest land, timberland, or timberland zoned Timberland Production. There would be no impact.

d) Result in the loss of forest land or conversion of forest land to non-forest use?

No Impact. As mentioned above, the Project is located in an urban, residential area of the City of Madera. The Project area does not contain any forest land; therefore, the Project would not result in the loss of forest land or conversion of forest land to non-forest use. There would be no impact.

e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?

No Impact. The Project proposes to construct a bridge over the Fresno River within the City of Madera. No aspect of the Project would convert farmland to non-agricultural use or convert forest land to a non-forest use. Moreover, the areas to be served by the bridge have been identified for urban type uses by the City of Madera. Completion of the Project would be consistent with the City of Madera General Plan and would reduce pressure to convert farmland to urban uses by allowing planned areas to urbanize. Therefore, there would be no impact.

4.2.3 Federal Cross-Cutting Topic

Farmland Protection Act

The Farmland Protection and Policy Act (FPPA) was enacted in 1981 to minimize the loss of prime farmland and unique farmlands because of federal actions that converted these lands to nonagricultural uses. The act assures that federal programs are compatible with state and local governments, and private programs and policies to protect farmland.

As defined by the FPPA, prime farmland is farmland that has the best combination of physical and chemical characteristics for producing food, feed, forage, fiber, and oilseed crops, and also is available for these uses. A unique farmland is land other than prime farmland that is used for production of specific, high-value food and fiber crops; it has the special combination of soil quality, location, growing season, and moisture supply needed to economically produce sustained high quality or high yields of specific crops.

As previously concluded, the proposed project is not located on land classified by the DOC as Prime Farmland, Farmland of Statewide Importance, Unique Farmland, and Farmland of Local Importance. These classifications recognize a land' s suitability for agricultural production by considering the physical and chemical characteristics of the soil, such as soil temperature range, depth of the groundwater table, flooding potential, rock fragment content, and rooting depth. The classifications also consider location, growing season, and moisture available to sustain high-yield crops. Together, Important Farmland and Grazing Land are defined by the DOC as "Agricultural Land."

The proposed project would be on land that is classified as "Other Lands," which consists of lands supporting miscellaneous uses, such as low-density rural developments; brush, timber, wetland, and

riparian areas not suitable for livestock grazing; confined livestock, poultry, or aquaculture facilities; and water bodies smaller than forty acres. Therefore, no farmland would be converted as a result of the Project. Therefore, the Project would not conflict with the Farmland Protection and Policy Act or adversely affect prime or unique farmland.

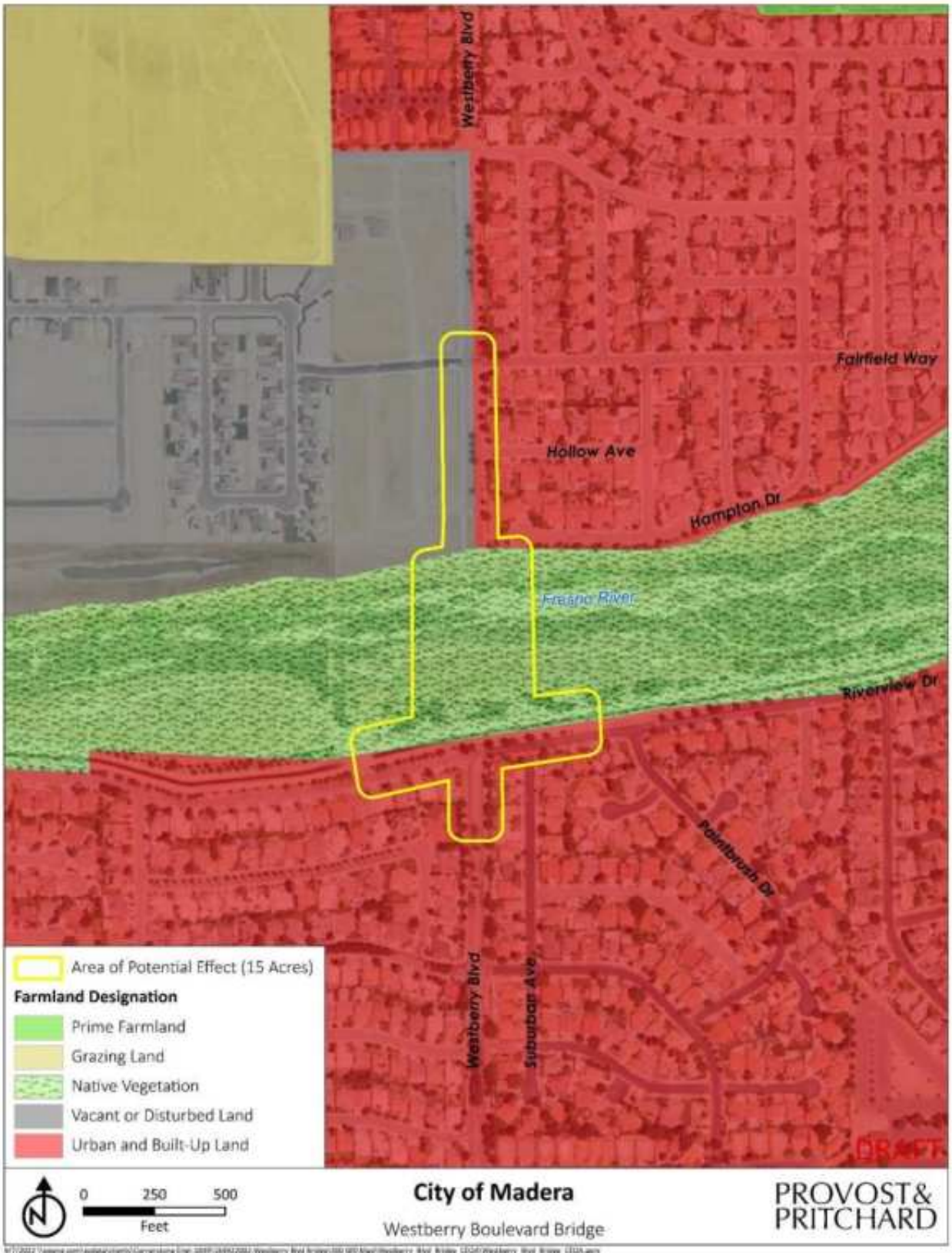


Figure 4-1. Farmland Map

4.3 AIR QUALITY

Table 4-3: Air Quality Impacts

Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☒	☐
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	☐	☐	☒	☐
c) Expose sensitive receptors to substantial pollutant concentrations?	☐	☒	☐	☐
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	☐	☐	☐	☒

4.3.1 Baseline Conditions

Currently there is no bridge connecting North and South Westberry Boulevards.

4.3.2 Applicable Regulations

- Regulation VIII (Fugitive Dust Prohibitions), Regulation VIII (Rules 8011-8081): This regulation is a series of rules designed to reduce particulate emissions generated by human activity, including construction and demolition activities, carryout and trackout, use of paved and unpaved roads and traffic areas, bulk material handling and storage, open space areas, etc.
- Rule 8021 – Construction, Demolition, Excavation, and Other Earthmoving Activities: District Rule 8021 requires owners or operators of construction projects to submit a Dust Control Plan to the District if at any time the project involves non-residential developments of five or more acres of disturbed surface area or moving, depositing, or relocating of more than 2,500 cubic yards per day of bulk materials on at least three days of the project. The Project will meet these criteria and will be required to submit a Dust Control Plan to the District in order to comply with this rule.
- Rule 9510 – Indirect Source Review: Rule 9510, *Indirect Source Review*, fulfills the San Joaquin Valley Air Pollution Control District (SJVAPCD) emission reduction commitments in the Particulate Matter less than 10 microns in diameter (PM_{10}) and Ozone Attainment Plans through emission reductions associated with construction and operational activities for projects subject to the rule. Since the project contains more than 20,000 square feet of recreational space it will be required to comply with Rule 9510. Compliance with Rule 9510 is separate from the CEQA process, although the control measures used to comply with Rule 9510 may be used to mitigate CEQA impacts.
- Rule 4641 – Cutback, Slow Cure, and Emulsified Asphalt, Paving and Maintenance Operations: If asphalt paving will be used, then paving operations of the Project will be subject to Rule 4641. This rule applies to the manufacture and use of cutback asphalt, slow cure asphalt, and emulsified asphalt for paving and maintenance operations.

4.3.3 Thresholds

Table 4-4 and Table 4-5 shows the SJVAPCD thresholds of significance for the Project.

Table 4-4: SJVAPCD Thresholds of Significance, Criteria Air Pollutants

SJVAPCD Thresholds of Significance (tons/year)		
Pollutant	**Construction Emissions**	**Operation Emissions**
ROG	10	10
NO_x	10	10
CO	100	100
SO_x	27	27
PM_{10}	15	15
$PM_{2.5}$	15	15

Source: SJVAPCD, May 2015.

Table 4-5: SJVAPCD Thresholds of Significance, Toxic Air Contaminants

SJVAPCD Thresholds of Significance	
Carcinogenic Health Effects	Maximally Exposed Individual risk equals or exceeds 20 in one million
Acute Health Effects	Hazard Index equals or exceeds 1 for the Maximally Exposed Individual
Chronic Health Effects	Hazard Index equals or exceeds 1 for the Maximally Exposed Individual

Source: SJVAPCD, May 2015.

4.3.4 Impact Analysis

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

Less than Significant Impact. CEQA requires that certain projects be analyzed for consistency with the applicable air quality plan. For a project to be consistent with SJVAPCD air quality plans, the pollutants emitted from a project should not exceed the SJVAPCD emission thresholds or cause a significant impact on air quality. In addition, emission reductions achieved through implementation of offset requirements are a major component of the SJVAPCD air quality plans. As discussed below, construction of the Project would not result in the generation of criteria air pollutants that would exceed SJVAPCD thresholds of significance. Implementation of SJVAPCD Regulation VIII would further reduce construction dust impacts. Operational emissions associated with the Project would not exceed SJVAPCD established significance thresholds for Reactive Organic Gases (ROG), Nitrogen oxides (NO_x), Carbon Monoxide (CO), sulfur oxides (SO_x), PM_{10}, or $PM_{2.5}$ emissions. The Project would be subject to Rule 9510, Indirect Source Review (ISR). The purpose of an ISR is to encourage projects to incorporate clean air measures and reduce emissions of NO_x and PM_{10}.[5] Therefore, the Project would not conflict with or obstruct implementation of SJVAPCD air quality plans. Impacts would be less than significant.

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

Less than Significant Impact. Construction-generated emissions are temporary in duration, site improvements and construction of the Project would take place over approximately six months. The

[5] (San Joaquin Valley Air Pollution Control District 2023)

construction of the Project would result in the temporary generation of emissions associated with site grading and excavation, motor vehicle exhaust associated with construction equipment and worker trips, as well as the movement of construction equipment on unpaved surfaces. Estimated construction-generated emissions are summarized in Table 4-6. Operational emissions would be consistent of maintenance visits and are anticipated to be minimal and not further analyzed. Background vehicular emissions are anticipated to decrease due to the trip length-reducing effect of bridge construction.

Table 4-6: Unmitigated Short-Term Construction-Generated Emissions of Criteria Air Pollutants

Source	Annual Emissions (Tons/Year)					
	ROG	NO_X	CO	SO_x	PM_{10}	$PM_{2.5}$
Maximum Annual Proposed Project Emissions:	0.1935	1.4336	1.5472	0.0029	0.0945	0.0704
SJVAPCD Significance Thresholds:	*10*	*10*	*100*	*27*	*15*	*15*
Exceed SJVAPCD Thresholds?	*No*	*No*	*No*	*No*	*No*	*No*

*Emissions were quantified using CalEEmod Output Files Version 2020.4.0. Refer to **Appendix A** for modeling results and assumptions. Totals may not sum due to rounding.*

As Project emissions would not exceed established thresholds, impacts would be less than significant.

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

Less than Significant Impact. The Project would generate diesel particulate matter during construction. These emissions are short in duration, temporary, and consistent with emissions found in the Project vicinity. A Health Risk Assessment utilizing Hotspots Analysis and Reporting Program (HARP) Air Dispersion Modeling and Risk Assessment Tool version 21081 was prepared for the Project. The analysis used the fence line of single-family residences on each side of the construction site and assumed a six-month exposure period. Construction emissions were expected to occur for these six months between 8 a.m. and 5 p.m., with no construction from noon to 1 p.m. The maximum impact was found to be 89 in a million, a significant impact. Mitigation Measure AIR-1 is proposed, as utilizing USEPA Tier 4 Final engines in construction equipment reduces diesel particulate matter by approximately 90%.[6] The resulting risk would be below 20 in a million. Therefore, impacts would be less than significant.

Table 4-7: Health Risk Assessment of Construction Emissions

	Cancer	Chronic	Acute
Project Construction	89.64	0.19	0
SJVAPCD Significance Thresholds:	*20*	*1*	*1*
Exceed SJVAPCD Thresholds?	***Yes***	*No*	*No*
Project Construction with AIR-1	*4.85*	*0.01*	*0*

*Risk was quantified using CalEEmod Output Files Version 2020.4.0 and HARP2 version 21081. Refer to **Appendix A** for modeling results and assumptions.*

[6] (California Air Resources Board 2017)

d) Would the project result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?

No Impact. Land uses that are typically identified as sources of objectionable odors include landfills, transfer stations, sewage treatment plants, wastewater pump stations, composting facilities, feed lots, coffee roasters, asphalt batch plants, and rendering plants, among other uses. The Project does not include any of these activities or land uses. The Project would therefore have no impact with respect to generation of emissions leading to odors or other adverse or objectionable emissions.

4.3.5 Federal Cross-Cutting Topic

Clean Air Act (CAA)

Under the federal CAA, federal actions conducted in air basins that are not in attainment with the federal ozone standard (such as the San Joaquin Valley Air Basin) must demonstrate conformity with the SIP. Conformity to a SIP is defined in the federal CAA as meaning conformity to a SIP's purpose of eliminating or reducing the severity and number of violations of the national standards and achieving an expeditious attainment of such standards. The SJVAPCD has published Regulation IX, Rule 9110 (referred as the General Conformity Rule) that indicates how most federal agencies can make such a determination.[7]

The SJVAPCD specifies that a project is conforming to the applicable attainment or maintenance plan if it:

- complies with all applicable SJVAPCD rules and regulations,
- complies with all applicable control measures from the applicable plans, and
- is consistent with the growth forecast in the applicable plans.

The SJVAPCD does not require a detailed quantification of construction emissions unless the project's indirect source emissions are expected to increase pollutant emissions of ROG or NOx in excess of 10 tons per year. Because proposed project construction would not exceed this threshold, the proposed project would comply with the conformity criteria.

4.3.6 Mitigation

AIR-1 Project construction equipment shall be equipped with USEPA Tier 4 Final engines or better.

[7] The SJVAPCD's Rule 9110 is consistent with USEPA 's General Conformity Rule, Determining Conformity of General Federal Actions to State or Federal Implementation Plans (40 CFR, Part 93), available online at http://www.valleyair.org/rules/currntrules/r9110.pdf.

4.4 BIOLOGICAL RESOURCES

Table 4-8: Biological Resources Impacts

Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	☐	☒	☐	☐
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	☐	☒	☐	☐
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☒	☐	☐
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	☐	☒	☐	☐
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☐	☒
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	☐	☐	☐	☒

4.4.1 Baseline Conditions

The Project is located within the northwest portion in the City of Madera in Madera County, California. A reconnaissance-level field survey of the biological APE and surrounding areas was conducted on August 26, 2022. The field survey consisted of walking and driving the APE while identifying and noting land uses, biological habitats and communities, and plant and animal species encountered and their habitat. The full written report of biological findings is contained in Appendix B. The APE for biological purposes includes paved roads, two irrigation canals, a walking trail, and the Fresno River, with an additional 50-foot buffer surrounding the Project area for a total of 15 acres. Surrounding lands on both sides of the Fresno River are residential neighborhoods with paved roads. The APE and surrounding areas have high human disturbance which deters most wildlife.

Topography

The Project site is located in Madera County within the San Joaquin Valley California (see Figure 2-3). This area lies within the San Joaquin Valley and the topography is relatively flat with elevations ranging from approximately 240 to 255 feet.

Climate

The city of Madera experiences a Mediterranean climate. Warm, dry summers are followed by cool, moist winters. Summer temperatures range between 80- and 90-degrees Fahrenheit (˚F), but often exceeds 90˚F in the upper reaches of the counties. Winter minimum temperatures are near 40˚F. The average annual precipitation is approximately 13 inches, falling mainly from November to April[8].

Hydrology

The Project area lies within two watersheds, Middle Fresno River; Hydrologic Unit Code (HUC): 1804000703, and Root Creek-San Joaquin River; HUC: 1804000108. The proposed Project also lies within two subwatersheds, Schmidt Creek-Fresno River; HUC: 180400070304, and Columbia well; HUC: 180400010805. The Middle Fresno River watershed and Root Creek-San Joaquin River watershed are both comprised of stormwater or snowmelt collected in upland areas which flows down into Rancheria Creek, China Creek, Miami Creek, Carter Creek, Peterson Creek, Crooks Creek, Spangle Gold Creek, Coarse Gold Creek, and Ashbrook Creek, which all flow into the Fresno River. The Fresno River then flows through Hensley Lake and flows through the City of Madera and terminates into the San Joaquin River. The San Joaquin River flows into the Sacramento-San Joaquin River Delta where it meets the Pacific Ocean[9].

There are wetlands south of the Fresno River identified utilizing the National Wetland Inventory (NWI[10]) database, although this area is now developed with residential housing and paved roads. The August 26, 2022, field survey confirmed that wetlands are no longer present in the area or within the APE.

Soils

Three soil mapping units representing two soil types were identified within the APE and are listed in Table 4-9. The soils are displayed with their core properties in the table above, according to the Major Land Resource Area of California 19 map area. Riverwash is found within the channel of the Fresno River and consists of sand.

Table 4-9. List of Soils Located Onsite and Their Basic Properties

Soil	Soil Map Unit	Percent of APE	Hydric Unit	Hydric Minor Units	Drainage	Permeability	Runoff
Grangeville	Fine sandy loam, 0 to 1 percent slopes	38.2%	Yes	Yes	Somewhat poorly drained	Rapid permeability	Very low runoff
	Fine sandy loam, slightly saline alkali, 0 to 1 percent slopes	25.1%	Yes	Yes	Somewhat poorly drained	Moderate permeability	Very low runoff

[8] (Weather Spark 2022)
[9] (National Resource Conservation Service (NRCS) 2022)
[10] (National Wetlands Inventory (NWI) map 2022)

Soil	Soil Map Unit	Percent of APE	Hydric Unit	Hydric Minor Units	Drainage	Permeability	Runoff
Pachappa	Fine sandy loam, slightly saline-alkali, 0 to 1 percent slopes	1.1%	No	No	Well drained	Moderate permeability	Low runoff
Riverwash	-	35.6%	Yes	-	Excessively drained	-	Very low runoff

The soils found in the APE are saline-alkali. The key difference between saline-alkali and alkaline soils is that saline soils have a pH less than 8.5 and an exchangeable sodium percentage less than 15, while alkaline soils have a pH greater than 8.5 and an exchangeable sodium percentage higher than 15. Three of the four major soil components were identified as hydric. Three of the ten minor components were identified as hydric. Hydric soils are defined as soils that are saturated, flooded, or ponded long enough during the growing season to develop anaerobic conditions such that under sufficiently wet conditions, hydrophytic vegetation can be supported.

The complete Natural Resources Conservation Service (NRCS) Web Soil Survey report is available in Appendix B at the end of this document.

Biotic Habitats

Riverine

The riverine habitat includes an approximate 3.5-acre section of the Fresno River. The river was dry at the time of the biological survey and appeared to have been driven through and cleared of vegetation recently. Vegetation within the Fresno River included telegraph weed (*Heterotheca grandiflora*), mule fat (*Baccharis salicifolia*), willows (*Salix* sp.), giant reed (*Arundo donax*), Fremont cottonwood (*Populus fremontii*), Spanish clover (*Acmispon americanus*), wire lettuce species (*Stephanomeria* sp.), Goodding's willow (*Salix gooddingii*), and western sycamore (*Platanus racemose*). The survey of the riverine habitat resulted in the observation of Canada Goose (*Branta canadensis*), Hummingbird species (*Trochilidae* sp.), Mourning Dove (*Zenaida macroura*), and western fence lizard (*Sceloporus occidentalis*).

Canal

The Canal habitat includes two canals, one to the north of the Fresno River, Lateral Canal 24.2-14.2 and one to the south, Lateral Canal 24.2. They both run parallel to the Fresno River. Vegetation found within the Canals included buffalo gourd (*Cucurbita foetidissima*), Russian thistle (*Salsola tragus*), rat's-tail fescue (*Vulpia myuros*), great brome (*Bromus diandrus*), and other invasive grasses. Lateral Canal 24.2-14.2 is surrounded by a fence and does not drain to jurisdictional water. Lateral Canal 24.2 has no barriers and eventually connects to the Fresno River and is considered jurisdictional.

Residential

The residential portion of the APE contains houses, paved roads, and a walking trail. Vegetation in this section of the APE included ornamental plants surrounding houses, Chinese pistache trees (*Pistacia chinensis*), horseweed (*Erigeron canadensis*), mustard species (*Brassica* sp.), flatspine bursage (*Ambrosia acanthicarpa*), puncture vine (*Tribulus terrestris*), flax leaved horseweed (*Erigeron bonariensis*), Chinese hackberry tree (*Celtis sinensis*), Valley oak tree (*Quercus lobata*), sacred datura (*Datura wrightii*), Deodar cedar tree (*Cedrus deodara*), Jeffrey pine (*Pinus jeffreyi*), Bishop pine (*Pinus muricata*), western sycamore (*Platanus racemose*), turkey mullein (*Croton setiger*), Callery pear (*Pyrus calleryana*), and mistletoe (*Viscum*

album). The survey of the residential habitat resulted in the observation of Western Kingbird (*Tyrannus verticalis*), California Scrub Jay (*Aphelocoma californica*), and California ground squirrels (*Otospermophilus beecheyi*).

Representative photographs of the site at the time of the survey are shown below.



Figure 4-2: Project Site Photos



Figure 4-3: Project Site Photos



Figure 4-4: Project Site Photos



Figure 4-5: Project Site Photos

Natural communities of special concern

According to the California Natural Diversity Database (CNDDB), there are no recorded observations of natural communities of special concern with potential to occur within the Project area or vicinity. Portions of riparian habitat were identified during the survey, specifically within the Fresno River. Riparian habitats fall under the jurisdiction of California Department of Fish and Wildlife (CDFW) and therefore any work occurring within these areas would require regulatory permitting through this agency.

Special Status Plants and Animals

California contains several "rare" plant and animal species. In this context, rare is defined as species known to have low populations or limited distributions. As the human population grows, urban expansion encroaches on the already-limited suitable habitat. This results in sensitive species becoming increasingly vulnerable to extirpation[11]. State and federal regulations have provided the CDFW and the United States Fish and Wildlife Services (USFWS) with a mechanism for conserving and protecting the diversity of plant and animal species native to California. Numerous native plants and animals have been formally designated as "threatened" or "endangered" under State and federal endangered species legislation. Other formal designations include "candidate" for listing or "species of special concern" by CDFW. The California Native Plant Society (CNPS) has its list of native plants considered rare, threatened, or endangered. Collectively these plants and animals are referred to as "special status species." The field survey was conducted outside of the blooming season for most plants.

A thorough search of the CNDDB and Information for Planning and Consultation (IPaC) databases for published accounts of special status plant and animal species was conducted for the *Madera* 7.5-minute quadrangle that contains the APE in its entirety, and for the eight surrounding quadrangles: *Berenda*, *Kismet*, *Daulton*, *Gregg*, *Herndon*, *Biola*, *Gravelly Ford*, and *Bonita Ranch*. These species, and their potential to occur within the APE, are listed in Table 4-10 and Table 4-11 on the following pages. Raw data obtained from CNDDB and IPaC are available Appendix B in at the end of this document.

Table 4-10: List of Special Status Animals with Potential to Occur Onsite and/or in the Vicinity

Species	Status	Habitat	Occurrence within APE
American badger (*Taxidea taxus*)	CSC	Grasslands, savannas, and mountain meadows near timberline are preferred. Most abundant in drier open spaces of shrub and grassland. Burrows in soil.	**Unlikely.** The APE and surrounding areas have high human disturbance and are unsuitable for this species. An American Badger could potentially pass through the APE, but it is unlikely they would forage or live within the APE. The nearest recorded observation of this species was approximately 10.5 miles northeast of the APE in 1965. The most recent recorded observation of this species was approximately 11 miles southwest of the APE in 2016.
Blunt-nosed leopard lizard (*Gambelia sila*)	FE, CE, CFP	Inhabits semi-arid grasslands, alkali flats, low foothills, canyon floors, large washes, and arroyos, usually on sandy, gravelly, or loamy substrate, sometimes on hardpan. Often found where there are abundant rodent burrows in dense vegetation or tall grass. Cannot survive on lands under cultivation. Known to bask on kangaroo rat mounds and often seeks shelter at the	**Unlikely.** The APE and surrounding areas have high human disturbance and lacked suitable vegetation for this species. The nearest recorded observation was approximately 5.5 miles southwest of the APE in 1990.

[11] The word extirpated is used to describe species that no longer exist in a specific region.

Species	Status	Habitat	Occurrence within APE
		base of shrubs, in small mammal burrows, or in rock piles. Adults may excavate shallow burrows but rely on deeper pre-existing rodent burrows for hibernation and reproduction.	
Burrowing Owl (*Athene cunicularia*)	CSC	Resides in open, dry annual or perennial grasslands, deserts, and scrublands with low growing vegetation. Nests underground in existing burrows created by mammals, most often ground squirrels.	**Possible.** The APE and surrounding areas have high human disturbance which could discourage this species from residing in the area. There is suitable habitat, but no evidence of Burrowing Owls was observed during the biological survey. The nearest recorded observation of this species was approximately 1.5 miles north of the APE in 2005 but is listed as possibly extirpated.
California tiger salamander (*Ambystoma californiense*)	FT, CT, CWL	Requires vernal pools or seasonal ponds for breeding and small mammal burrows for aestivation. Generally found in grassland and oak savannah plant communities in central California from sea level to 1500 feet in elevation.	**Unlikely.** Vernal pools and upland habitat are absent within the APE and surrounding areas. The APE and surrounding areas have high human disturbance, and the Fresno River is unsuitable for this species. The most recent recorded observation of this species was approximately 3.5 miles northeast of the APE in 2022.
Coast horned lizard (*Phrynosoma blainvillii*)	CSC	Found in grasslands, coniferous forests, woodlands, and chaparral, primarily in open areas with patches of loose, sandy soil and low-lying vegetation in valleys, foothills, and semi-arid mountains. Frequently found near ant hills and along dirt roads in lowlands along sandy washes with scattered shrubs.	**Possible.** Appropriate soils and scattered vegetation occurred throughout the APE. The only recorded observation of this species was approximately 9.5 miles southwest of the APE in 2011.
Delta smelt (*Hypomesus transpacificus*)	FT, CE	This pelagic and euryhaline species is Endemic to the Sacramento-San Joaquin River Delta, upstream through Contra Costa, Sacramento, San Joaquin, and Solano Counties.	**Absent.** The APE is outside the known range for this species. The Fresno River and the Canals that flow through the APE do not flow perennially and are not connected to the Delta. There are no recorded observations of this species on CNDDB within the regional vicinity of the Project. This species is currently only found in the Sacramento-San Joaquin River Delta, upstream through Contra Costa, Sacramento, San Joaquin, and Solano Counties.
Fresno kangaroo rat (*Dipodomys nitratoides exilis*)	FE, CE	An inhabitant of alkali sinks open grassland environments in western Fresno County. Prefers bare, alkaline, clay-based soils subject to seasonal inundation with more friable soil mounds around shrubs and grasses.	**Unlikely.** The highly disturbed habitats of the APE and surrounding lands are unsuitable for this species. Humans and domestic dogs were observed within the APE and surrounding areas which would deter this species from residing within the APE. No tail drags were found at any burrows within the APE. The only recorded observation of this species was approximately 6 miles southwest of the APE in 1934.
Monarch Butterfly (*Danaus plexippus*)	FC	Roosts located in wind-protected tree groves (eucalyptus, Monterey pine, cypress), with nectar and water sources nearby. Larval host plants consist of	**Absent.** Foraging and roosting habitat is absent from within the APE and surrounding areas. The APE contained minimal vegetation with no nectar,

Species	Status	Habitat	Occurrence within APE
		milkweeds (*Asclepias* sp.). Winter roost sites extend along the coast from northern Mendocino to Baja California, Mexico.	milkweeds, or suitable groves of trees and were not observed during the biological survey. The nearest observation was approximately 5 miles south of the APE in 2022.
San Joaquin kit fox (*Vulpes macrotis mutica*)	FE, CT	Underground dens with multiple entrances in alkali sink, valley grassland, and woodland in valleys and adjacent foothills.	**Unlikely.** There were no suitable dens, tracks, or scat observed during the biological survey. It is unlikely this species would reside within the APE due to human disturbance and domestic dogs that were observed in the APE during the biological survey. The nearest recorded observation of this species was approximately 9.5 miles southwest of the APE in 1990.
Swainson's Hawk (*Buteo swainsoni*)	CT	Nests in large trees in open areas adjacent to grasslands, grain or alfalfa fields, or livestock pastures suitable for supporting rodent populations.	**Possible.** There are trees within the APE and surrounding areas that could support nesting raptors. The nearest recorded observation of this species was approximately 1 mile south of the APE in 2016.
Tricolored Blackbird (*Agelaius tricolor*)	CT, CSC	Nests colonially near fresh water in dense cattails or tules, or in thickets of riparian shrubs. Forages in grassland and cropland. Large colonies are often found on dairy farm forage fields.	**Possible.** Vegetation within the Fresno River looked like it had been cleared recently. If vegetation grew back, this species could nest within the APE. The nearest recorded observation of this species was approximately 10 miles northeast of the APE in 2011.
Valley elderberry longhorn beetle (*Desmocerus californicus dimorphus*)	FT	Lives in mature elderberry shrubs of the Central Valley and foothills. Adults are active March to June.	**Absent.** No elderberry shrubs were found within the APE or surrounding areas. The only recorded observation of this species was approximately 13.5 miles southeast of the APE in 1989.
Vernal pool fairy shrimp (*Branchinecta lynchi*)	FT	Occupies vernal pools, clear to tea-colored water, in grass or mud-bottomed swales, and basalt depression pools.	**Absent.** Vernal pool habitat is absent from the APE and surrounding lands. The nearest recorded observation of this species was approximately 3.5 miles northeast of the APE in 2017.
Northwestern pond turtle (*Emys marmorata*)	CSC	An aquatic turtle of ponds, marshes, slow-moving rivers, streams, and irrigation ditches with riparian vegetation. Requires adequate basking sites and sandy banks or grassy open fields to deposit eggs.	**Possible.** Suitable habitat is present within the APE. This species is often found in slow moving rivers and irrigation canals. There are no recorded observations of this species on CNDDB within the regional vicinity of the Project.
Western spadefoot (*Spea hammondii*)	CSC	Prefers open areas with sandy or gravelly soils, in a variety of habitats including mixed woodlands, grasslands, coastal sage scrub, chaparral, sandy washes, lowlands, river floodplains, alluvial fans, playas, alkali flats, foothills, and mountains. Vernal pools or temporary wetlands, lasting a minimum of three weeks, which do not contain bullfrogs, fish, or crayfish are necessary for breeding.	**Possible.** Suitable habitat is present within the APE. This species is often found in rivers and irrigation canals. The nearest recorded observation of western spadefoot was approximately 2.5 miles north of the APE in 2015. The most recent recorded observation of this species was approximately 3.5 miles northeast of the APE in 2021.

Table 4-11: List of Special Status Plants with Potential to Occur Onsite and/or in the Vicinity

Species	Status	Habitat	Occurrence within APE
Alkali-sink goldfields (*Lasthenia chrysantha*)	CNPS 1B	Found in vernal pool and wet saline flat habitats. Occurrences documented in the San Joaquin and Sacramento Valleys at elevations below 656 feet. Blooms February - April.	**Possible.** Saline-alkali soils are present within the APE and the surrounding areas. The only recorded observation of this species is approximately 13.5 miles south of the APE in 1956 but is listed as possibly extirpated.
California alkali grass (*Puccinellia simplex*)	CNPS 1B	Found in the San Joaquin Valley and other parts of California in saline flats and mineral springs within valley grassland and wetland-riparian communities at elevations below 3000 feet. Blooms March–May.	**Possible.** Aquatic habitat and saline-alkali soils are present within the APE. The nearest recorded observation of this species was approximately 6.8 miles southwest of the APE in 2011.
Greene's tuctoria (*Tuctoria greenei*)	FE, CR, CNPS 1B	Found in the San Joaquin Valley and other parts of California in vernal pools within valley grassland, wetland, and riparian communities at elevations below 3500 feet. Blooms May – September.	**Unlikely.** The APE is outside of the known current range of this species. The only recorded observation of this species was approximately 6.5 miles southeast of the APE in 1987 but is listed as possibly extirpated.
Hairy Orcutt grass (*Orcuttia pilosa*)	FE, CE, CNPS 1B	Found in vernal pools in valley grassland, wetland, and riparian communities at elevations below 650 feet. Blooms May – September.	**Possible.** Aquatic habitat is present within the APE and surrounding lands. The nearest recorded observation of this species was approximately 5.5 miles east of the APE in 2017.
Heartscale (*Atriplex cordulata* var. *cordulata*)	CNPS 1B	Found in the San Joaquin Valley and Sacramento Valley in saline or alkaline soils within shadscale scrub, valley grassland, and wetland-riparian communities at elevations below 230 feet. Blooms June–July.	**Possible.** Aquatic habitat and saline-alkali soils are present within the APE and surrounding lands. The only recorded observation of this species was approximately 8 miles southwest of the APE in 2000.
Lesser saltscale (*Atriplex minuscula*)	CNPS 1B	Found in the San Joaquin Valley in sandy, alkaline soils in alkali scrub, valley and foothill grassland, and alkali sink communities at elevations below 750 feet. Blooms April–October.	**Possible.** Required habitat and saline-alkali soils are present within the APE and surrounding lands. The most recent recorded observation of this species was approximately 10 miles northwest of the APE in 2000.
Madera leptosiphon (*Leptosiphon serrulatus*)	CNPS 1B	Found in openings in foothill woodland, often yellow-pine forest, and chaparral at elevations between 1000 feet and 4300 feet. Blooms April – May.	**Absent.** The APE is outside of the elevational requirements of this species. Required habitats are absent within the APE and surrounding lands. The only recorded observation of this species was approximately 1 mile east of the APE in 1889.
Munz's tidy-tips (*Layia munzii*)	CNPS 1B	Found in the San Joaquin Valley in alkaline clay soils; often along hillsides in alkali scrub and sometimes valley and foothill grassland. Occurs at elevations between 145 feet and 2625 feet Blooms March–April.	**Absent.** Required habitat and soils are absent within the APE and surrounding lands. The only recorded observation of this species was mapped to the general area of Madera in 1937.
Recurved larkspur (*Delphinium recurvatum*)	CNPS 1B	Occurs in poorly drained, fine, alkaline soils in grassland and alkali scrub communities at elevations between 100 feet and 2600 feet. Blooms March–June.	**Absent.** Required soils are absent within the APE and surrounding lands. The only recorded observation of this species was approximately 8 miles southwest of the APE in 2000.
San Joaquin Valley Orcutt grass (*Orcuttia inaequalis*)	FT, CE, CNPS 1B	Found in the eastern San Joaquin Valley and the Sierra Nevada foothills in vernal pools within valley grassland, freshwater wetland, and wetland-riparian	**Absent.** Required vernal pool habitat and associated soils are absent within the APE and surrounding lands. The nearest recorded observation of this species was

Species	Status	Habitat	Occurrence within APE
		communities at elevations below 2600 feet. Blooms April – September.	approximately 5.5 miles northeast of the APE in 2010 but is listed as extirpated.
Sanford's arrowhead (*Sagittaria sanfordii*)	CNPS 1B	Found in the San Joaquin Valley and other parts of California in freshwater-marsh, primarily ponds and ditches, at elevations below 1000 feet. Blooms May–October.	**Possible.** Suitable aquatic habitat occurs within the Canals. The only recorded observation of this species was approximately 15.5 miles southeast of the APE in 2020.
Shining navarretia (*Navarretia nigelliformis* ssp. *radians*)	CNPS 1B	Found in cismontane woodland and valley and foothill grassland communities, sometimes in vernal pools. Occurs at elevations between 200 feet and 3200 feet. Blooms May – July.	**Absent.** Vernal pool habitat and acidic soils are absent from the APE and surrounding areas. The nearest recorded observation of this species was approximately 6 miles northeast of the APE in 1927.
Spiny-sepaled button-celery (*Eryngium spinosepalum*)	CNPS 1B	Found in the Sierra Nevada Foothills and the San Joaquin Valley. Occurs in vernal pools, swales, and roadside ditches. Often associated with clay soils in vernal pools within grassland communities. Occurs at elevations between 50 feet and 4160 feet. Blooms April–July.	**Absent.** Vernal pool habitat and required clay soils are absent from the APE and surrounding areas. The most recent recorded observation of this species was approximately 10 miles southwest of the APE in 2000.
Subtle orache (*Atriplex subtilis*)	CNPS 1B	Found in the San Joaquin Valley in saline depressions in alkaline soils within valley and foothill grassland communities at elevations below 330 feet. Blooms June–October.	**Absent.** Alkaline soils are not present within the APE. The most recent recorded observation of this species was approximately 10 miles southwest of the APE in 2009.
Succulent owl's-clover (*Castilleja campestris* var. *succulenta*)	FT, CE, CNPS 1B	Found in vernal pools, often in acidic soils at elevations below 2500 feet. Blooms April – July.	**Absent.** Vernal pool habitat and acidic soils are absent from the APE and surrounding areas. The nearest recorded observation of this species was approximately 7.5 miles east of the APE in 1982.
Vernal pool smallscale (*Atriplex persistens*)	CNPS 1B	Occurs in the San Joaquin Valley and Sacramento Valley in alkaline vernal pools at elevations below 375 feet. Blooms June–September.	**Absent.** Vernal pool habitat and acidic soils are absent from the APE and surrounding areas. The most recent recorded observation of this species was approximately 6.5 miles southwest of the APE in 2009.

EXPLANATION OF OCCURRENCE DESIGNATIONS AND STATUS CODES

Present:	Species observed on the site at time of field surveys or during recent past.
Likely:	Species not observed on the site, but it may reasonably be expected to occur there on a regular basis.
Possible:	Species not observed on the site, but it could occur there from time to time.
Unlikely:	Species not observed on the site, and would not be expected to occur there except, perhaps, as a transient.
Absent:	Species not observed on the site and precluded from occurring there due to absence of suitable habitat.

STATUS CODES

FE	Federally Endangered	CE	California Endangered
FT	Federally Threatened	CT	California Threatened
FC	Federal Candidate	CFP	California Fully Protected
		CSC	California Species of Concern
		CWL	California Watch List
		CR	California Rare

CNPS LISTING

1B Plants Rare, Threatened, or Endangered in California and elsewhere.

4.4.2 Applicable Regulations

Threatened and Endangered Species

Permits may be required from the USFWS and/or CDFW if activities associated with a project have the potential to result in the "take" of a species listed as threatened or endangered under the federal and/or state Endangered Species Acts. Take is defined by the State of California as "to hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture or kill" (California Fish and Game Code, Section 86). Take is more broadly defined by the federal Endangered Species Act to include "harm" (16 United States Code (USC), Section 1532(19), 50 Code of Federal Regulation (CFR), Section 17.3). CDFW and USFWS are responsible agencies under CEQA and the National Environmental Policy Act (NEPA). Both agencies review CEQA and NEPA documents in order to determine the adequacy of their treatment of endangered species issues and to make project-specific recommendations for their conservation.[12]

Designated Critical Habitat

When species are listed as threatened or endangered, the USFWS often designates areas of "Critical Habitat" as defined by Section 3(5)(A) of the federal Endangered Species Act (ESA). Critical Habitat is a term defined in the ESA as a specific geographic area that contains features essential for the conservation of a threatened or endangered species and that may require special management and protection. Critical Habitat is a tool that supports the continued conservation of imperiled species by guiding cooperation with the federal government. Designations only affect federal agency actions or federally funded or permitted activities. Critical Habitat does not prevent activities that occur within the designated area. Only activities that involve a federal permit, license, or funding and are likely to destroy or adversely modify Critical Habitat would be affected.[13]

Migratory Birds

The Federal Migratory Bird Treaty Act (MBTA) (16 USC 703-712) prohibits killing, possessing, or trading in any bird species covered in one of four international conventions to which the United States is a party, except in accordance with regulations prescribed by the Secretary of the Interior. The name of the act is misleading, as it covers nearly all bird's native to the United States, even those that are non-migratory. The MBTA encompasses whole birds, parts of birds, nests, and eggs. Additionally, California Fish and Game Code makes it unlawful to take or possess any non-game bird covered by the MBTA (Section 3513), as well as any other native non-game bird (Section 3800).[14]

Birds of Prey

Birds of prey are protected in California under provisions of Fish and Game Code (Section 3503.5), which states that it is unlawful to take, possess, or destroy any birds in the order Falconiformes (hawks and eagles) or Strigiformes (owls), as well as their nests and eggs. The Bald Eagle and Golden Eagle are afforded additional protection under the federal Bald and Golden Eagle Protection Act (16 USC 668), which makes it unlawful to kill birds or their eggs.[15]

[12] (California Department of Fish and Wildlife 2022)
[13] (United States Fish and Wildlife Service. 2022)
[14] (United States Fish and Wildlife Service. 2022)
[15] (United States Fish and Wildlife Service. 2022)

Nesting Birds

In California, protection is afforded to the nests and eggs of all birds. California Fish and Game Code (Section 3503) states that it is "unlawful to take, possess, or needlessly destroy the nest or eggs of any bird except as otherwise provided by this code or any regulation adopted pursuant thereto". Breeding-season disturbance that causes nest abandonment and/or loss of reproductive effort is considered a form of "take" by the CDFW.[16]

Wetlands and other "Jurisdictional Waters"

Natural drainage channels and adjacent wetlands may be considered "waters of the United States" or "jurisdictional waters" subject to the jurisdiction of the United States Army Corps of Engineers (USACE). The extent of jurisdiction has been defined in the Code of Federal Regulations but has also been subject to interpretation of the federal courts. Jurisdictional waters generally include:
All waters which are currently used, or were used in the past, or may be susceptible to use in interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide;

- All interstate waters including interstate wetlands;
- All other waters such as intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds, the use, degradation or destruction of which could affect interstate or foreign commerce;
- All impoundments of waters otherwise defined as waters of the United States under the definition;
- Tributaries of waters identified in paragraphs the bulleted items above.

As of October 2021, the regulations have reverted back to 2015 compliance standards. As determined by the United States Supreme Court in its 2001 Solid Waste Agency of Northern Cook County v. United States Army Corps of Engineers decision, channels and wetlands isolated from other jurisdictional waters cannot be considered jurisdictional on the basis of their use, hypothetical or observed, by migratory birds. Similarly, in its 2006 consolidated Carabell/Rapanos decision, the Supreme Court ruled that a significant nexus between a wetland and other navigable waters must exist for the wetland itself to be considered a navigable and therefore jurisdictional water. Furthermore, the Supreme Court clarified that the United States Environmental Protection Agency (USEPA) and the USACE will not assert jurisdiction over ditches excavated wholly in and draining only uplands and that do not carry a relatively permanent flow of water.

The USACE regulates the filling or grading of Waters of the United States under the authority of Section 404 of the Clean Water Act. The extent of jurisdiction within drainage channels is defined by "ordinary high-water marks" on opposing channel banks. All activities that involve the discharge of dredge or fill material into Waters of the United States are subject to the permit requirements of the USACE. Such permits are typically issued on the condition that the applicant agrees to provide mitigation that results in no net loss of wetland functions or values. No permit can be issued until the Regional Water Quality Control Board RWQCB issues a Section 401 Water Quality Certification (or waiver of such certification) verifying that the proposed activity will meet State water quality standards.

Under the Porter-Cologne Water Quality Control Act of 1969, the SWRCB has regulatory authority to protect the water quality of all surface water and groundwater in the State of California ("Waters of the State"). Nine RWQCBs oversee water quality at the local and regional level. The RWQCB for a given region regulates discharges of fill or pollutants into Waters of the State through the issuance of various permits and orders. Discharges into Waters of the State that are also Waters of the United States require a Section

[16] (United States Fish and Wildlife Service. 2022)

401 Water Quality Certification from the RWQCB as a prerequisite to obtaining certain federal permits, such as a Section 404 Clean Water Act permit. Discharges into all Waters of the State, even those that are not also Waters of the United States., require Waste Discharge Requirements (WDRs), or waivers of WDRs, from the RWQCB. The RWQCB also administers the Construction Storm Water Program and the federal National Pollution Discharge Elimination System (NPDES) program. Projects that disturb one acre or more of soil must obtain a Construction General Permit under the Construction Storm Water Program. A prerequisite for this permit is the development of a Storm Water Pollution Prevention Plan (SWPPP) by a certified Qualified SWPPP Developer. Projects that discharge wastewater, storm water, or other pollutants into a Water of the United States may require a NPDES permit.

CDFW has jurisdiction over the bed and bank of natural drainages and lakes according to provisions of Section 1601 and 1602 of the California Fish and Game Code. Activities that may substantially modify such waters through the diversion or obstruction of their natural flow, change or use of any material from their bed or bank, or the deposition of debris require a notification of a Lake or Streambed Alteration. If CDFW determines that the activity may adversely affect fish and wildlife resources, a Lake or Streambed Alteration Agreement would be prepared. Such an agreement typically stipulates those certain measures will be implemented to protect the habitat values of the lake or drainage in question.[17]

City of Madera General Plan

The City of Madera General Plan Document[18] contain the following goals and policies related to the Project:

Biology

Goal Con-7: Protection of special-status plant and animal species, including their habitats, in compliance with all applicable state, federal, and other laws and regulations.

Goal Con-8: A balance between the protection of special status plants and animals and the need to provide recreational opportunities and other needs.

Goal Con-10: A revitalized Fresno River which serves as an amenity, a source of civic pride, and a catalyst for residential and commercial development.

Water Quality

Policy Con-11: The City shall protect and maintain water quality for the health of all users, including natural plant and animal communities.

Biological Resources

Policy Con-23: The City shall seek to conserve and improve native wildlife and plant habitat in cooperation with governmental agencies, private associations, and individuals in Madera. Residential, commercial, industrial, and recreational projects shall avoid impacts to native wildlife and plant habitat to the extent feasible.

Policy Con-24: Residential, commercial, industrial, and recreational projects shall avoid impacts to native wildlife and plant habitat to the extent feasible.

[17] (United States Environmental Protection Agency (USEPA) 2021)

[18] (City of Madera 2009)

4.4.3 Impact Analysis

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

Less than Significant Impact with Mitigation Incorporated. Species identified as candidate, sensitive, or special status species in local or regional plans, policies, or regulations by CDFW or USFWS that have the potential to be impacted by the Project are Burrowing Owl, coast horned lizard, Swainson's Hawk, Tricolored Blackbird, northwestern pond turtle, western spadefoot, alkali-sink goldfields, California alkali grass, hairy Orcutt grass, heartscale, lesser saltscale, and Sanford's arrowhead. Discussion and corresponding mitigation measures are provided below.

Project-Related Mortality and/or Disturbance of Nesting Raptors, Migratory Birds, and Special Status Birds

The APE contains suitable nesting and/or foraging habitat for a variety of ground and tree nesting avian species. It is anticipated that during nesting bird season, numerous species of birds could use the APE for nesting. Swainson's Hawks and Tricolored Blackbirds were deemed the only special status species possible to occur within the APE. Trees near the APE have the potential to host a multitude of nesting birds, and species such as Killdeer (*Charadrius vociferus*) are known to build nests on bare ground or compacted dirt roads. Construction activities could disturb birds nesting within or adjacent to work areas, resulting in nest abandonment. Construction activities that adversely affect the nesting success of raptors and migratory birds or result in the mortality of individual birds constitute a violation of State and federal laws and are considered a significant impact under CEQA and NEPA. Birds nesting within the APE during construction have the potential to be injured or killed by Project-related activities. In addition to the direct "take" of nesting birds, nesting birds within the APE or adjacent areas could be disturbed by Project-related activities resulting in nest abandonment. Projects that adversely affect the nesting success of raptors and migratory birds or result in the mortality of individual birds is considered a violation of State and federal laws and are considered a potentially significant impact under CEQA and NEPA.

Mitigation measures are warranted and are identified in Section 4.4.4 below. Implementation of Mitigation Measures BIO-6, BIO-7, BIO-8, and BIO-9 will reduce potential impacts to nesting raptors, migratory birds, and special status birds to a less than significant level under CEQA and will ensure compliance with State and federal laws protecting these avian species.

Project-Related Mortality and/or Disturbance of Burrowing Owls

The APE contains suitable nesting and/or foraging habitat for Burrowing Owls. Construction activities that adversely affect the nesting success of Burrowing Owls or result in the mortality of individual birds constitute a violation of State and federal laws and are considered a significant impact under CEQA and NEPA. Birds nesting within the APE during construction have the potential to be injured or killed by Project-related activities. In addition to the direct "take" of nesting birds, nesting birds within the APE or adjacent areas could be disturbed by Project-related activities resulting in nest abandonment. Projects that adversely affect the nesting success of migratory birds or result in the mortality of individual birds is considered a violation of State and federal laws and are considered a potentially significant impact under CEQA and NEPA.

Mitigation measures are warranted and are identified in Section 4.4.4 below. With implementation of mitigation measures **BIO-10**, **BIO-11,** and **BIO-12**, impacts to Burrowing Owls during construction would be less than significant.

Project-Related Mortality and/or Disturbance of Coast Horned Lizards

Habitats and soils within the APE and surrounding area were determined to be suitable for coast horned lizards, a California Species of Special Concern. Construction activities occurring within occupied habitat could result in injury, mortality, displacement, disturbance, or inhibit the movement of this species. Implementation of mitigation measure **BIO-1** listed above, requires each employee, worker, or visitor onsite to attend a mandatory training session, including printed educational materials regarding the conservation status of special status amphibians with potential to occur onsite, laws protecting these species, penalties for violation of those laws, and a list of required protective measures that must be employed to avoid "take" or other significant impacts. Additionally, mitigation measure **BIO-2** requires implementation of Best Management Practices (BMPs) on the work site which would avoid and minimize potential impacts to special status species.

Mitigation measures are warranted and are identified in Section 4.4.4 below. With implementation of mitigation measures **BIO-13**, **BIO-14, BIO-15**, and **BIO-16,** impacts to Coast Horned Lizards during construction would be less than significant.

Project-Related Morality and/or Disturbance of Bats

Although no special status bat species were identified as possible to occur within the APE there is the possibility for common bat species to occur within the APE. Roosting habitat becomes especially sensitive to bat populations during the maternity season (March 1 to September 30) while pups are maturing. A survey for bats was determined to be necessary to identify if Project activities would impact existing bat habitat, presence of high-quality roosting habitat, and/or foraging areas within the APE. Trees within the APE would be removed during the Project and could potentially be used as roosting habitat for bat species. Implementation of the following measures will reduce potential impacts to roosting and foraging bats to a less than significant level under CEQA and ensure compliance with State and federal laws protecting these bat species.

Mitigation measures are warranted and are identified in Section 4.4.4 below. With implementation of mitigation measures **BIO-17**, **BIO-18, BIO-19**, **BIO-20**, and **BIO-21**, impacts to bats during construction would be less than significant.

Project-Related Morality and/or Disturbance of Northwestern Pond Turtle

Western pond turtles were once a single species known as *Actinemys marmorata* but was split into two distinct species by Spinks et al. in 2014[19]. The two distinct species are now known as Northwestern pond turtles (*Actinemys marmorata*) and Southwestern pond turtles (*Actinemys pallida*). The Northwestern Pond turtle (NPT) range extends from Washington State south and inland through California's San Joaquin Valley. The Southwestern Pond turtle (SPT) range extends from the south of the San Francisco Bay along the central California coast to Baja California.[20] The top four threats for NPT are predation by nonnative species, pathogens, land alterations, and drought. The top three threats for SPT were drought, predation by nonnative species, floods, and land alteration[21]. The APE lies within the San Joaquin Valley where only NPT inhabit. NPT habitat features for nesting, overwintering, dispersal, and basking and can occur in the

[19] (Spinks PQ 2014)
[20] (Spinks PQ 2014)
[21] (Manzo S 2021)

APE. These features include aquatic and terrestrial habitats such as ponded areas, irrigation canals, riparian, and upland habitat. NPT are known to nest in the spring or early summer within 100 meters of a water body, although nest sites as far away as 500 meters have also been reported. Noise, vegetation removal, movement of workers, construction, and ground disturbance as a result of Project activities have the potential to significantly impact NPT populations. Without appropriate avoidance and minimization measures for NPT, potentially significant impacts associated with Project activities could include nest reduction, inadvertent entrapment, reduced reproductive success, reduction in health or vigor of eggs and/or young, and direct mortality.

Mitigation measures are warranted and are identified in Section 4.4.44.1.4 below. With implementation of mitigation measures BIO-22, BIO-23, and BIO-24, impacts NPT during construction would be less than significant.

Project-Related Morality and/or Disturbance of Western Spadefoot

Habitats within the APE and surrounding area were determined to be suitable for western spadefoot, a California Species of Special Concern. Construction activities occurring within occupied habitat could result in injury, mortality, displacement, disturbance, or inhibit the movement of this species. Implementation of mitigation measure BIO-1 listed above, requires each employee, worker, or visitor onsite to attend a mandatory training session, including printed educational materials regarding the conservation status of special status amphibians with potential to occur onsite, laws protecting these species, penalties for violation of those laws, and a list of required protective measures that must be employed to avoid "take" or other significant impacts. Additionally, mitigation measure BIO-2 requires implementation of BMPs on the work site which would avoid and minimize potential impacts to special status species.

Mitigation measures are warranted and are identified in Section 4.4.4 below. With implementation of mitigation measures BIO-25, BIO-26, BIO-27, BIO-28, and BIO-29, impacts to western spadefoot during construction would be less than significant.

Project-Related Morality and/or Disturbance to Special Status Plant Species

The following special status plant species were identified to potentially occur within or adjacent to the APE: alkali-sink goldfields, California alkali grass, hairy Orcutt grass, heartscale, lesser saltscale, and Sanford's arrowhead. The survey of the APE was conducted outside the blooming season for these plants, therefore, a more detailed survey within the blooming season would be required to determine presence or absence. Projects that adversely affect special status plants or result in the mortality of special status plants is considered a violation of State and federal laws and are considered a potentially significant impact under CEQA and NEPA.

Mitigation measures are warranted and are identified in Section 4.4.4 below. With implementation of mitigation measures BIO-30, BIO-31, and BIO-32, impacts to these special status plant species during construction would be less than significant.

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

Less than Significant Impact with Mitigation Incorporated. There are no CNDDB-designated "natural communities of special concern" recorded within the APE or surrounding lands. Riparian habitat was identified during the survey, specifically within the Fresno River. Portions of the riparian habitat would

be removed during Project activities. Riparian habitat falls under the jurisdiction of CDFW and therefore any work occurring within these areas would require regulatory permitting through this agency.

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

Less than Significant Impact with Mitigation Incorporated. The Project involves the construction of a bridge over the Fresno River. An Aquatic Resources Delineation (ARD), attached as Appendix D, was conducted on August 26, 2022, to evaluate the site for potential waters of the United States and delineate potential jurisdictional boundaries of these features. The investigation and delineation were conducted in accordance with the 1987 *Corps of Engineers Wetland Delineation Manual*, the *Arid West Regional Supplement*,[22] *the State Wetland Definition and Procedures for Discharges of Dredged or Fill Material to Waters of the State*,[23] and the USFWS, NWI Map was consulted for known wetlands in the area.

The Fresno River within the APE, below the ordinary high-water mark (OHWM), would most likely fall under the jurisdiction of USACE as a waters of the United States and construction activities in this area would be subject to USACE permit requirements pursuant to Section 404 of the CWA. This Project may be authorized under a Nationwide Permit but could require an individual permit if Nationwide Permit limits are exceeded. In addition, a Section 401 of the Clean WaterAct Water Quality Certification from the RWQCB is required for dredge and fill of waters of the State and activities must meet State water quality standards. These permits and certifications are typically issued on the condition that the applicant agrees to provide mitigation that result in no net loss of wetland functions, jurisdictional waters, or beneficial uses. An ARD was performed on the Fresno River and Lateral Canal 24.2-14.2 to determine the channel and OHWM.

If the Project's construction work would result in impacts to waters of the United States, the Project proponent would be required to secure permits from USACE and RWQCB. Compliance with each permit requires avoidance, minimization, and mitigation measures to ensure that Project-related impacts to these potentially jurisdictional waters are less-than-significant in nature or are fully mitigated.

Project activities with potential to alter the Fresno River including the bed, bank, floodplain and associated riparian habitat, would be within CDFWs jurisdiction, pursuant to Section 1602 of the California Fish and Game Code. The Project proponent would be required to notify CDFW if the Project's activities have potential to impact rivers, streams, or the riparian corridor of any aquatic features onsite that may be beneficial to fish or wildlife resources. If CDFW determines that the Project could potentially adversely affect fish and wildlife resources and/or riparian habitat, a Lake or Streambed Alteration (LSA) Agreement would be issued prior to construction. LSA Agreements are typically issued with mandatory avoidance and minimization measures, protective measures for special status species, and required compensatory mitigation for removal of riparian trees, shrubs, and herbaceous cover along the banks. Compliance with measures of the LSA Agreement would ensure that the Project's impacts to aquatic features and riparian habitat within CDFW's jurisdiction remain less-than-significant or are fully mitigated.

There are no designated wild and scenic rivers within the APE; therefore, the Project would not result in direct impacts to wild and scenic rivers. Compliance with USACE, RWQCB, and CDFW permits,

[22] (United States Army Corps of Engineers 1987)
[23] (State Water Resources Control Board 2021)

certifications, and agreements would ensure there are no indirect downstream effects to jurisdictional waters.

Since construction would involve ground disturbance over an area greater than one acre, the Project would also be required to obtain a Construction General Permit under the Construction Storm Water Program administered by the RWQCB. A prerequisite for this permit is the development of a SWPPP to ensure construction activities do not adversely affect water quality.

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

Less than Significant Impact with Mitigation Incorporated. The APE does contain features that would be likely to function as wildlife movement corridors. The Fresno River and the Canals could be used as wildlife movement corridors. Many game trails and tracks were observed within the Fresno River during the biological field survey. The Project could influence the use of a wildlife movement corridor and mitigation measures are warranted and are identified in Section 4.4.4 below. With implementation of mitigation measures BIO-3, BIO-4, and BIO-5, impacts to wildlife movement corridors during construction would be less than significant. Migratory fish species would not be expected to occur within the Fresno River or the Canals. The Fresno River and Canals lack water for most of the year and work would only occur while they are dry.

e) Would the project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

No Impact. The Project is consistent with the goals and policies of the City of Madera General Plan. Tree removal along the walking trail would be a part of Project activities but there is no permitting process for tree removal within the City of Madera. There would be no impact. Any riparian vegetation that is removed would fall under the jurisdiction of CDFW and therefore any work occurring within these areas would require regulatory permitting through this agency.

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

No Impact. The Project is consistent with the goals and policies of the City of Madera General Plan. There are no known habitat conservation plans or a Natural Community Conservation Plan in the Project vicinity. There would be no impact.

4.4.4 Mitigation

General

BIO-1a (*WEAP Training*): Prior to initiating construction activities (including staging and mobilization), all personnel associated with Project construction will attend mandatory Worker Environmental Awareness Program (WEAP) training, conducted by a qualified biologist, to aid workers in identifying special status resources that may occur in the APE. The specifics of this program will include identification of the sensitive species and suitable habitats, a description of the regulatory status and general ecological characteristics of sensitive resources, and review of the limits of construction and mitigation measures required to reduce impacts to biological resources within the work area. This training will discuss special status species, describe the laws and regulations in

place to provide protection of these species, identify the penalties for violation of applicable environmental laws and regulations, and a list of required protective measures to avoid "take." A fact sheet conveying this information, along with photographs or illustrations of sensitive species with potential to occur onsite, will also be prepared for distribution to all contractors, their employees, and all other personnel involved with construction of the Project. All employees will sign a form documenting that they have attended WEAP training and understand the information presented to them.

BIO-1b ***(BMPs)*:** The Project proponent will ensure that all workers employ the following BMPs in order to avoid and minimize potential impacts to special status species:

- Vehicles will observe a 15-mph speed limit while on unpaved access routes.
- Workers will inspect areas beneath parked vehicles prior to mobilization. If special status species are detected beneath vehicles, the individual will either be allowed to leave of its own volition or will be captured by the qualified biologist (must possess appropriate collecting/handling permits) and relocated out of harm's way to the nearest suitable habitat beyond the influence of the Project work area. "Take" of a listed (rare, threatened, or endangered) species is prohibited.

Wildlife Movement Corridors

BIO-2a **(*Operational Hours*):** Construction activities will be limited to daylight hours to reduce potential impacts to wildlife movement corridors.

BIO-2b **(*Wildlife Access*):** At no point will access to the river and canals be blocked outside of construction hours or during overnight hours or weekends. If construction must block both sides of a wildlife access route, an alternative route through the construction area will be identified by a qualified biologist and maintained throughout the construction schedule timeframe.

BIO-2c **(*Cover Excavations*)**: Pipeline/culvert/siphon excavations and vertical pipes will be covered each night to prevent wildlife from falling in and becoming trapped or injured during migratory or dispersal movements.

Nesting Raptors, Migratory Birds, and Special Status Birds

BIO-3a **(*Avoidance*):** The Project's construction activities will occur, if feasible, between September 16 and January 31 (outside of nesting bird season) in an effort to avoid impacts to nesting birds. If all Project activities will occur outside of nesting bird season, no further mitigation is required.

BIO-3b **(*Pre-construction Surveys*):** If activities must occur within nesting bird season (February 1 to September 15), a qualified biologist will conduct a pre-construction survey for nesting birds including Swainson's Hawk onsite and within a 0.5-mile radius. This survey will be conducted in accordance with the *Recommended Timing and Methodology for Swainson's Hawk Nesting Surveys in California's Central Valley*,[24] and the *Staff Guidance*

[24] (Swainson's Hawk Technical Advisory Committe 2000)

Regarding Avoidance of Impacts to Tricolored Blackbird Breeding Colonies on Agricultural Fields,[25] or current guidance. The Swainson's Hawk survey will not be completed between April 21 to June 10 due to the difficulty of identifying nests during this time of year. The pre-construction survey would also provide a presence/absence survey for all other nesting birds within the APE and an additional 50 feet, no more than seven (7) days prior to the start of construction. All raptor nests would be considered "active" upon the nest-building stage.

BIO-3c (***Establish Buffers***): On discovery of any active nests or breeding colonies near work areas, the biologist will determine appropriate construction setback distances based on applicable CDFW and/or USFWS guidelines and/or the biology of the species in question. Active Swainson's Hawk nests will receive a 0.5-mile buffer and active Tricolored Blackbird nests will receive a 200-foot buffer. Reduced buffer distances may be appropriate for Swainson's Hawk and Tricolored Blackbirds depending on site conditions and ongoing disturbance levels and may be discussed with CDFW. Construction buffers will be identified with flagging, fencing, or other easily visible means, and will be maintained until the biologist has determined that the nestlings have fledged.

BIO-3d (***Incidental Take Permit (ITP)***): In the event an active Swainson's Hawk nest, Tricolored Blackbird nest, or other nest are detected during surveys and cannot be avoided, consultation with CDFW will be warranted to discuss how to implement the Project and avoid take. If take cannot be avoided, take authorization through the acquisition of an ITP pursuant to Fish and Game Code section 2081, subdivision (b) is necessary to comply with the California Endangered Species Act (CESA).

Burrowing Owls

BIO-4a (***Pre-construction Take Avoidance Survey***): A qualified biologist will conduct a pre-construction take avoidance survey for burrowing owls in accordance with CDFW's Staff Report on Burrowing Owl Mitigation,[26] within thirty (30) days prior to the start of construction activities. The survey will include the proposed work area and surrounding lands within 250 feet. If no burrowing owl individuals or suitable burrows are observed, no further mitigation is required.

BIO-4b (***Avoidance/Monitoring***): If an active burrowing owl burrow is detected, a qualified biologist will remain onsite to monitor and the occurrence will be reported to the local CDFW office and the CNDDB. A disturbance-free buffer will be implemented in accordance with CDFW's 2012 *Staff Report on Burrowing Owl Mitigation*, as outlined in the table below:

Location	Time of Year	Level of Disturbance		
		Low	Medium	High
Nesting sites	April 1 – August 15	200 meters	500 meters	500 meters
Nesting sites	August 16 – October 15	200 meters	200 meters	500 meters
Nesting sites	October 16 – March 31	50 meters	100 meters	500 meters

[25] (California Emissions Estimator Model (CalEEMod) version 2013.2.2 n.d.)
[26] (Placeholder2)

BIO-4c (*Consultation with CDFW and Passive Relocation*): If avoidance of an active burrowing owl burrow is not feasible, CDFW will be immediately consulted to determine the best course of action, which may include passive relocation during non-breeding season. Passive relocation and/or burrow exclusion will not take place without coordination with CDFW and preparation of an approved exclusion and relocation plan.

Coast Horned Lizards

BIO-5a (*Pre-construction Survey*): A qualified biologist will conduct a pre-construction survey of Project areas within thirty (30) days prior to vegetation clearing or ground disturbing activities. Environmentally sensitive areas will be flagged for avoidance. If Coast horned lizards are detected, construction monitoring will be required. Surveys will not take place when daytime temperatures are below 60˚F or above 95˚F. If no suitable habitat or species observations are found, no further mitigation is required.

BIO-5b (*Monitor*): If species observations are found, a qualified biologist will conduct a pre-activity clearance survey each day and remain onsite to oversee all vegetation clearing and ground disturbing activities conducted within suitable habitat for Coast horned lizards. If a listed species is observed within the Project area, the biologist will stop work and allow the species to leave the site of its own volition or contact the appropriate regulatory agency (CDFW and/or USFWS) for guidance on how to proceed.

BIO-5c (*ITP*): In the event Coast horned lizards are detected during surveys and cannot be avoided, or a biological monitor is not on-site through construction, consultation with CDFW is warranted to discuss how to implement the Project and avoid take. If take cannot be avoided, take authorization through the acquisition of an ITP pursuant to Fish and Game Code section 2081, subdivision (b) is necessary to comply with CESA.

BIO-5d (*Mortality Reporting*): The Sacramento Field Office of USFWS and the Fresno Field Office of CDFW will be notified in writing within three working days in the case of the accidental death or injury to a Coast horned lizard during construction. Notification must include the date, time, and location of the incident and any other pertinent information.

Bats

BIO-6a (*Avoidance*): The Project's construction activities will occur, if feasible, between November 1 and February 28 (outside of bat maternity season) in an effort to avoid impacts to maternity roosts.

BIO-6b (*Pre-Construction Survey*): A pre-construction survey for bats will be performed if construction activities fall between March 1 and September 30 (bat maternity season) and include tree removal. The survey will be focused on trees to be removed during construction and be conducted by a qualified biologist within fourteen (14) days prior to tree removal. All trees will be inspected for potential roosting habitat. This survey can be performed simultaneously with nesting bird surveys.

BIO-6c (*Emergence Survey*): An emergence bat survey will be performed if suitable habitat or trees for roosting bats are found during the pre-construction survey. This survey will take place between May and September (outside of bat hibernation) and will be conducted during dusk hours. The survey will be focused on trees to be removed during

construction and will be conducted by a qualified biologist within two (2) days prior to tree removal.

BIO-6d (***Establish Buffers***): On discovery of any bat roosts near work areas, a qualified biologist should determine appropriate construction setback distances (buffer zones) based on applicable CDFW and/or USFWS guidelines, if appropriate. Construction buffers should be identified with flagging, fencing, or other easily visible means, and should be maintained until the biologist has determined that the roost should no longer be impacted by construction.

BIO-6e (***Operational Hours***): Construction activities shall be limited to daylight hours to reduce potential impacts to special status bats that could be foraging onsite.

Northwestern Pond Turtle (NPT)

BIO-7a (***Pre-construction Survey***): No less than fourteen (14) days and no more than thirty (30) days prior to the start of construction, a qualified biologist will conduct a pre-construction survey for NPT within the Fresno River and Canals, as well as adjacent to the proposed work area. Pre-construction surveys will be conducted in accordance with the *United States Geological Survey Western Pond Turtle (Emys marmorata) Visual Survey Protocol for the Southcoast Ecoregion*[27]. Surveys will be conducted outside of winter months (December – February). If no NPT are observed during the pre-construction survey, then construction activities may begin. If construction is delayed or halted for more than 90 days, another pre-construction survey for NPT will be conducted. If the surveys result in the identification of a special status species, the qualified biologist should determine if appropriate buffers can be implemented to avoid impacts to the individual(s) or if further surveys are required to avoid impacts to potential nesting sites.

BIO-7b (***Monitor***): If species observations are found, a qualified biologist will conduct a pre-activity clearance survey each day and remain onsite to oversee all vegetation clearing and ground disturbing activities conducted within suitable habitat for NPT. If a listed species is observed within the Project area, the biologist will stop work and allow the species to leave the site of its own volition or contact the appropriate regulatory agency (CDFW and/or USFWS) for guidance on how to proceed.

BIO-7c (***ITP***): In the event NPT are detected during surveys and cannot be avoided, consultation with CDFW is warranted to discuss how to implement the Project and avoid take. If take cannot be avoided, take authorization through the acquisition of an ITP pursuant to Fish and Game Code section 2081, subdivision (b) is necessary to comply with CESA.

Western Spadefoot

BIO-8a (***Pre-construction Survey***): A qualified biologist will conduct a preconstruction survey within thirty (30) days prior to the start of construction. The goals of this survey will be to identify if any suitable breeding or upland habitat is present within the APE and an additional 100-foot survey area around the designated APE. If no individuals or suitable habitat is observed, no further mitigation is required.

[27] (United States Geological Survey 2006)

BIO-8b (*Avoidance*): On discovery of any suitable habitat near work areas, the biologist will determine appropriate construction setback distances based on applicable CDFW and/or USFWS guidelines for western spadefoot. Construction buffers will be identified with flagging, fencing, or other easily visible means, and will be maintained until the end of the Project. If appropriate construction buffers cannot be maintained a focused survey will be required to determine if western spadefoots are found within the Project area or 100 feet of the Project.

BIO-8c (*Focused Survey*): If appropriate buffers cannot be maintained, a qualified biologist will conduct a focused survey during the known peak breeding months of this species (February-March), prior to the start of construction. Transects will be walked throughout the entire APE and surrounding lands within 100 feet and vantage points will be used to survey for standing water. If no western spadefoots adults or larvae are observed during the survey, then construction activities may begin. If the survey results in the identification of this special status species, a qualified biologist will consult CDFW to determine if appropriate buffers can be implemented to avoid impacts to individual(s) during construction.

BIO-8d (*Monitor*): If species observations are found, a qualified biologist will conduct a pre-activity clearance survey each day and remain onsite to oversee all vegetation clearing and ground disturbing activities conducted within suitable habitat for western spadefoot. If a listed species is observed within the Project area, the biologist will stop work and allow the species to leave the site of its own volition or contact the appropriate regulatory agency (CDFW and/or USFWS) for guidance on how to proceed.

BIO-8e (*Formal Consultation*): If western spadefoots are detected during surveys and cannot be avoided, consultation with CDFW is warranted to discuss how to implement the Project and avoid take. If take cannot be avoided, take authorization through the acquisition of an ITP pursuant to Fish and Game Code section 2081, subdivision (b) is necessary to comply with CESA.

Special Status Plant Species

BIO-9a (*Focused Survey*): A qualified botanist/biologist will conduct focused botanical surveys during their specific blooming period or overlapping blooming period. Alkali-sink goldfields (Feb-April), California alkali grass (March-May), hairy Orcutt grass (May-Sept), heartscale (June-July), lesser saltscale (April-Oct), and Sanford's arrowhead (May-Oct) will be surveyed according to CDFW's *Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Sensitive Natural Communities*,[28] or current guidance, for areas where ground disturbance will occur and prior to the start of construction.

BIO-9b (*Avoidance*): If any suitable habitat for special status plants is identified during the survey, disturbance-free buffers and use of exclusion fencing will be placed around the area as not to disturb the plants or its root system.

BIO-9c (*Formal Consultation*): If rare plant individuals or populations or sensitive natural communities are detected within Project work areas during the survey, and the plants

[28] (California Department of Water Resources 2018)

cannot be avoided, the Project proponent will initiate consultation with CDFW and/or USFWS to determine next steps for relocation or to obtain an ITP.

4.5 CULTURAL RESOURCES

Table 4-12: Cultural Resources Impacts

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

4.5.1 Baseline Conditions

Records Search

A records search from the Southern San Joaquin Valley Information Center (SSJVIC) of the California Historical Resources Information System (CHRIS), located at California State University, Bakersfield was conducted in October 2022. The SSJVIC records search includes a review of all recorded archaeological and built-environment resources as well as a review of cultural resource reports on file. In addition, the California Points of Historical Interest, the California Historical Landmarks, the California Register of Historical Resources, the National Register of Historic Places (NRHP), and the California State Built Environment Resources Directory listings were reviewed for the above referenced APE and an additional ¼-mile radius. Due to the sensitive nature of cultural resources, archaeological site locations are not released.

Additional sources included the State Office of Historic Preservation (SHPO) Historic Properties Directory, Archaeological Determinations of Eligibility, and the California Inventory of Historic Resources.

Native American Outreach

The Native American Heritage Commission (NAHC) in Sacramento was also contacted in November 2022. They were provided with a brief description of the Project and a map showing its location and requested that the NAHC perform a search of the Sacred Lands File to determine if any Native American resources have been recorded in the immediate APE. The NAHC identifies, catalogs, and protects Native American cultural resources -- ancient places of special religious or social significance to Native Americans and known ancient graves and cemeteries of Native Americans on private and public lands in California. The NAHC is also charged with ensuring California Native American tribes' accessibility to ancient Native American cultural resources on public lands, overseeing the treatment and disposition of inadvertently discovered Native American human remains and burial items, and administering the California Native American Graves Protection and Repatriation Act (CalNAGPRA), among many other powers and duties. NAHC provide a current list of Native American Tribal contacts to notify of the project. The ten tribal representatives identified by NAHC were contacted in writing via United States Postal Service in a letter mailed November 18, 2022, informing each Tribe of the Project.

1. Big Sandy Rancheria of Western Mono Indians, Elizabeth D. Kipp, Chairperson
2. California Valley Miwok Tribe, AKA Sheep Rancheria of Me-Wuk, Tribal Contact
3. California Valley Miwok Tribe, Tribal Contact
4. Dumna Wo-Wah Tribal Government, Robert Ledger, Chairperson
5. North Fork Rancheria of Mono Indians, Elaine Fink, Chairperson
6. North Valley Yokuts Tribe, Katherine Perez, Chairperson
7. North Valley Yokuts Tribe, Timothy Perez, Tribal Contact
8. Picayune Rancheria of Chukchansi Indians, Heather Airey, Tribal Historic Preservation Officer
9. Picayune Rancheria of Chukchansi Indians, Claudia Gonzales, Chairwoman
10. Southern Sierra Miwuk Nation, Sandra Chapman, Chairperson
11. Tule River Indian Tribe, Tribal Archaeologist
12. Tule River Indian Tribe, Neil Peyron, Chairperson
13. Tule River Indian Tribe, Kerri Vera, Environmental Department
14. Wuksache Indian Tribe/Eshom Valley Band, Kenneth Woodrow, Chairperson

4.5.2 Impact Analysis

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

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

Less than Significant Impact with Mitigation Incorporated. A CHRIS records search, from the SSJVIC, was conducted in October 2022 and confirmed there have been no previous cultural resource studies conducted within the Project area and no previous cultural resource studies within the one-quarter mile radius. The search identified one cultural resource within the Project APE, the MID Canal. The search indicated that there were no cultural resources within the one-quarter mile radius. It is unlikely that the Project has the potential to result in significant impacts or adverse effects to cultural or historical resources, such as archaeological remains, artifacts or historic properties. However, in the improbable event that cultural resources are encountered during Project construction, implementation of mitigation measure CUL-1 outlined below would reduce impacts to less than significant.

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

Less than Significant Impact with Mitigation Incorporated. The Project APE for cultural surveys includes approximately 10.5 acres. Surrounding lands on both sides of the Fresno River are residential neighborhoods with paved roads. There is no evidence or record that the Project has the potential to be an unknown burial site, or the site of buried human remains. In the unlikely event of such a discovery, mitigation shall be implemented. With incorporation of mitigation measure CUL-2 outlined below, impacts resulting from the discovery of remains interred on the Project site would be less than significant.

4.5.3 Federal Cross-Cutting Topic

National Historic Preservation Act

The National Historic Preservation Act of 1966 as amended created the National Register of Historic Places and extended protection to historic places of State, local, and national significance. It established the Advisory Council on Historic Preservation, State Historic Preservation Officer (SHPO), Tribal Preservation Officers, and a preservation grants-in-aid program. Section 106 directs federal agencies to take into account

effects of their actions ("undertakings") on properties in or eligible for the National Register. Section 106 of the act is implemented by regulations of the Advisory Council on Historic Preservation (36 Code of Federal Regulations [CFR] Part 800).

The United States Department of the Interior criteria and procedures for evaluating a property's eligibility for inclusion in the National Register are at 36 CFR Part 60. The 36 CFR Part 800 regulations, implementing Section 106, call for consultation with the SHPO, Native American tribes, and interested members of the public throughout the Section 106 compliance process. The four principal steps are to:

- Initiate the Section 106 process (36 CFR Part 800.3);
- Identify historic properties, cultural resources that are eligible for inclusion in the National Register of Historic Places (36 CFR Part 800.4);
- Assess the effects of the undertaking to historic properties within the area of potential effect (36 CFR Part 800.5); and
- Resolve adverse effects (36 CFR Part 800.6).

Adverse effects on historic properties often are resolved through preparation of a Memorandum of Agreement (MOA), developed in consultation with USBR, the SHPO, Native American tribes, the Advisory Council on Historic Preservation, and interested members of the public. The MOA stipulates procedures that treat historic properties to mitigate adverse effects (36 CFR Part 800.14[b]).

No historic properties have been identified within the area of potential effects. Therefore, the proposed project would not have an adverse effect on historic properties.

4.5.4 Mitigation

CUL-1 (Archaeological Remains): Should archaeological remains or artifacts be unearthed during any stage of project activities, work in the area of discovery shall cease until the area is evaluated by a qualified archaeologist. If mitigation is warranted, the project proponent shall abide by recommendations of the archaeologist.

CUL-2 (Human Remains): In the event that any human remains are discovered on the Project site, the Madera County Coroner must be notified of the discovery (California Health and Safety Code, Section 7050.5) and all activities in the immediate area of the find or in any nearby area reasonably suspected to overlie adjacent human remains must cease until appropriate and lawful measures have been implemented. If the Coroner determines that the remains are not recent, but rather of Native American origin, the Coroner shall notify the Native American Heritage Commission (NAHC) in Sacramento within 24 hours to permit the NAHC to determine the Most Likely Descendent of the deceased Native American.

4.6 ENERGY

Table 4-13: Energy Impacts

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

4.6.1 Baseline Conditions

The Project area is currently devoid of any energy-consuming equipment and is periodically disced for weeds as there is an existing pedestrian trail along the Fresno River. The City of Madera is served by Pacific Gas and Electric (PG&E) for its energy needs. PG&E obtains its power through hydroelectric, natural gas, and eligible renewable sources. PG&E continually produces new electric generation and natural gas sources and implements continuous improvements to gas lines throughout its service areas to ensure the provision of services to residents. New construction would be subject to Titles 20 and 24 of the California Code of Regulations which each serve to reduce demand for electrical energy by implementing energy-efficient standards for structures.

4.6.2 Impact Analysis

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

Less than Significant Impact. Implementation of the Project would require the temporary use of energy resources for removal of existing features and construction of the bridge and associated features. This energy use would primarily be in the form of petroleum products and electricity used to operate construction equipment and consumed during vehicle trips associated with material delivery/debris hauling and commuting workers. Indirect energy use would also occur and include the extraction, production, and transportation of goods and materials needed for construction. While construction activities would result in the temporary consumption of energy resources in the form of vehicle and equipment fuels (gasoline and diesel fuel) and electricity (directly or indirectly), such consumption would be incidental and temporary and would not result in wasteful, inefficient, or unnecessary consumption of energy resources. The proposed bridge would include permanent lighting, which would be beneficial for bridge users. In addition, lighting fixtures attached to the bridge would be hooded and directed in a manner to not impact neighboring properties, as identified in **AES-1** in Section 4.1.4. Maintenance of these structures would require minimal energy use, similar to existing City infrastructure maintenance activities. These activities would occur on an as-needed basis. Additionally, the Project would not involve constructing habitable structures; therefore, no energy efficiency policies apply. For these reasons, energy impacts during Project construction, maintenance, and operation would be less than significant.

b) Would the project conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

No Impact. The Project would not conflict with any local, State, or federal regulations regarding energy use, energy efficiency, or construction regulations. All BMPs and existing industry-standard measures would be implemented by the City's contractor to reduce impacts to energy to the extent feasible. There would be no impact.

4.7 GEOLOGY AND SOILS

Table 4-14: Geology and Soils Impacts

Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	☐	☐	☒	☐
ii. Strong seismic ground shaking?	☐	☐	☒	☐
iii. Seismic-related ground failure, including liquefaction?	☐	☐	☒	☐
iv. Landslides?	☐	☐	☒	☐
b) Result in substantial soil erosion or the loss of topsoil?	☐	☐	☒	☐
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	☐	☐	☒	☐
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994) creating substantial direct or indirect risks to life or property?	☐	☐	☒	☐
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of wastewater?	☐	☐	☒	☒
f) Directly or indirectly destroy a unique paleontological resource or site or unique geological feature?	☐	☒	☐	☐

4.7.1 Baseline Conditions

Geology and Soils

The City of Madera is located in the Great Valley Geomorphic Province of California, which is also known as the San Joaquin Valley. The San Joaquin Valley is largely comprised of alluvial fans derived from the Sierra Nevada Mountain Range on the east, the Coastal Range to the west, and to an extent the Tehachapi Mountains to the south. Weathering of these mountain ranges together with surface water flows and flooding have emanated in accretion of alluvial (river), lacustrine (lake), and marine (ocean) deposits

throughout the San Joaquin Valley at significant depths of thousands of feet. Alluvium depths in the vicinity of the City of Madera average 500 feet, with depths by and large increasing from east to west.[29]

Excluding the banks of the Fresno River channel, the Project area and its nearby vicinity is generally flat. Much of the topography along the banks of the Fresno River has been heavily modified as a result of flood control and other efforts.[30]

As identified in Table 4-9, three soil mapping units representing two soil types lie within the Project area. The three soil mapping units are grangeville fine sandy loam, pachappa fine sandy loam, and riverwash. Expansive soils are those with excessive swelling clay minerals such as montmorillonite. The presence of expansive clay minerals in soils can cause excessive swelling when the soil comes into contact with water and also shrinkage when it undergoes drying. The three soil mapping units identified in the Project area are not considered expansive soils.

Faults and Seismicity

As part of compliance with the Alquist-Priolo Act, the State Geologist published a list of counties, cities, and state agencies that are affected by Alquist-Priolo Fault Zones. The County and City of Madera do not appear on this list.

Five major active and potentially active faults are close to the City of Madera. They include the San Andreas, San Joaquin, Ortigalita, Owens Valley, and Melones faults. Of these five, the San Andreas and the Owens Valley faults are expected to be the sources of future major earthquakes in California. There are no active earthquake faults located in the City of Madera. The closest active fault to the Project area is the Ortigalita fault, located approximately 47 miles east-southeast.[31]

Liquefaction

Liquefaction is a process that occurs during earthquakes when the soil behaves like quicksand. Significant damage to structures can result when buildings sink into the liquefied soil. Liquefaction potential is determined from a variety of factors, including soil type, soil density, depth to the groundwater table, and the duration and intensity of ground shaking. Liquefaction is most likely to occur in deposits of water-saturated alluvium or areas of considerable artificial fill. Areas most prone to liquefaction are those which are water-saturated (specifically where the water table is less than 30 feet below the surface) and consist of relatively uniform sands that are of loose to medium density. Although there are areas within the City where the water table at 30 feet or less below the surface, soil types in the area are not conducive to liquefaction because they are either too coarse in texture or too high in clay content. Liquefaction potential at the Project area is considered low.

Subsidence

There are two types of Subsidence: Land subsidence and hydrocompaction subsidence. Hydrocompaction subsidence occurs when a large land area settles due to over-saturation. These areas are typically composed of open-textured soils that become saturated, high in silt or clay content. Land subsidence occurs when an extensive amount of ground water, oil, or natural gas is withdrawn from below the ground surface. Although the San Joaquin Valley has become an area that has increasingly experienced subsidence due to excessive groundwater pumping activities, lowering the water table, the valley areas of Madera County have not experienced this problem. The nearest subsidence issues are outside Madera County, in

[29] (City of Madera and PMC 2009)
[30] Ibid.
[31] (California Department of Conservation 2021)

Fresno County to the west. Due to Madera County's absence of a high-water table, the risk of subsidence is considered to be very low.[32]

Dam and Levee Failure

There are three major dams that would inundate portions of the county if they were to fail. Said dams are Hidden Dam on the Fresno River, Buchanan Dam on the Chowchilla River, and Friant Dam on the San Joaquin River. There are also several smaller dams within Madera county that would inundate mainly smaller areas if they were to fail. The entire city limit of Madera is located within the inundation area of Hidden Dam.[33] Hidden Dam is located approximately 15.5 miles northeast of the Project area.

Failure of the Hidden Dam has an extremely low probability of occurring and is not considered to be a reasonably foreseeable event. The dam is regularly inspected and maintained by the USACE, and repairs and improvements are made when necessary. Additionally, dams are regulated by the California Department of Water Resources, Division of Safety of Dams and are routinely inspected. The likelihood of inundation due to dam failure at the Project area is considered low.

4.7.2 Impact Analysis

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

i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.

ii. Strong seismic ground shaking?

iii. Seismic-related ground failure, including liquefaction?

a-i – a-iii) Less than Significant Impact. The Project would not directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving seismic-related ground failure, including liquefaction. Liquefaction describes a phenomenon in which saturated soil loses strength during an earthquake as a result of induced shearing strains. Lateral and vertical movement of the soil mass combined with loss of bearing usually results. Loose sand, high groundwater conditions (where the water table is less than 30 feet below the surface), higher intensity earthquakes, and particularly long duration of ground shaking are the requisite conditions for liquefaction. None of these conditions are present within the Project area. Therefore, the Project would result in a less than significant impact.

iv. Landslides?

Less than Significant Impact. Ground shaking intensity is largely a function of distance from the earthquake epicenter and underlying geology. As previously identified, the City of Madera, which is located on deep alluvial and unconsolidated sediments, could experience shaking during a large earthquake. The most common impact associated with strong ground shaking is damage to structures. The California Building Code (CBC) establishes minimum standards for structures located in regions

[32] (City of Madera and PMC 2009)
[33] Ibid.

subject to ground shaking hazard areas. The proposed bridge would be required by state law and City ordinances to be constructed in accordance with CBC, and to adhere to all current earthquake construction requirements. The Project would not directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving the rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault. No known faults with evidence of historic activity cut through the Project area. Due to the geology of the Project area and its distance from active faults, the potential for loss of life, property damage, ground settlement, or liquefaction to occur in the Project area is considered minimal. Therefore, the Project would result in a less than significant impact.

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

Less than Significant Impact. Implementation of the Project could result in substantial erosion or the loss of topsoil. Therefore, the Project would be required to obtain coverage under the Statewide General Permit for Discharges of Storm Water Associated with Construction Activity (Construction General Permit (CGP) Order 2009-0009-DWQ). Construction activities subject to this permit includes clearing, grading and disturbances to the ground such as stockpiling, or excavation, and construction of linear underground or overhead facilities associated with trail construction, but does not include regular maintenance activities performed to restore the original lines, grade, or capacity of the overhead or underground facilities. The CGP requires the development of a SWPPP by a certified Qualified SWPPP Developer. Through the completion of a SWPPP, any possible impacts from construction related activities involving soil erosion and loss of topsoil would be reduced. Therefore, any impacts would be less than significant.

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

Less than Significant Impact. Soils in the Project area are stable and would not become unstable as a result of the Project. The Project would be engineered to account for the possibility of on- or off-site landslides, lateral spreading, subsidence, liquefaction, or collapse. The Project would be required to incorporate site-specific and City-wide measures, as identified in the grading standards defined in the CBC, which describe appropriate measures used to reduce potential impacts resulting from unstable soils. In addition, as identified above, the Project would be required to comply with the CGP and SWPPP to ensure impacts maintain a level of less than significant.

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

Less than Significant Impact. As identified above, the Project does not contain expansive soils. In addition, construction of the Project would comply with CBC regulations. CBC compliance ensures the adequate design and construction of structural foundations to resist soil movement. In addition, the CBC also contains drainage related requirements in order to control surface drainage and reduce seasonal fluctuations in soil moisture content. The City's General Plan contains policies to ensure that new structures are protected by geologic and soil conditions, including impacts from earthquakes. With compliance with CBC regulations and policies identified in the General Plan, impacts would be less than significant.

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

No Impact. The Project would not involve the use of septic tanks or alternative wastewater disposal systems. There would be no impact.

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

Less than Significant Impact. No known paleontological resources have been identified in the Project area. However, if a paleontological resource is found then construction can result in a significant impact unless mitigated properly. **GEO-1** will be implemented in the unlikely event that paleontological resources are encountered during Project construction.

4.7.3 Mitigation

GEO-1 Should paleontological resources be encountered on the Project area, all ground disturbing activities in the area shall stop. A qualified paleontologist shall be contacted to assess the discovery. Mitigation may include monitoring, recording the fossil locality, data recovery and analysis, and a final report. Public educational outreach may also be appropriate. Upon completion of the assessment, a report documenting methods, findings, and recommendations shall be prepared and submitted to the City of Madera for review, and (if paleontological materials are recovered) a paleontological repository, such as the University of California Museum of Paleontology.

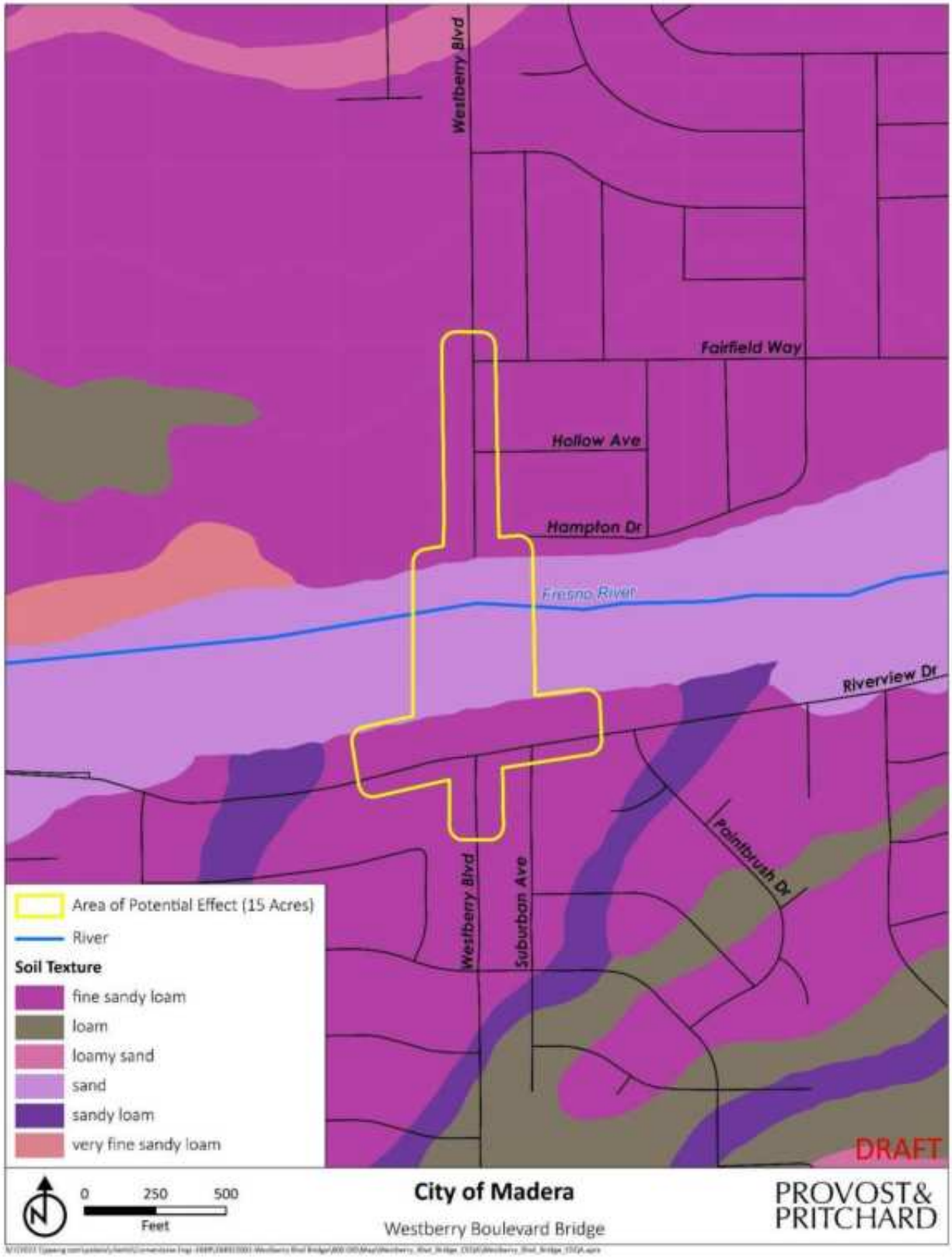


Figure 4-6. Soils Map

4.8 GREENHOUSE GAS EMISSIONS

Table 4-15: Greenhouse Gas Emissions Impacts

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

4.8.1 Baseline Conditions

Currently, there is no bridge connecting North and South Westberry Boulevards. The north and south side of Westberry Boulevard is segmented by the Fresno River, an earthen irrigation canal, and the Vern McCullough Fresno River Trail.

4.8.2 Impact Analysis

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

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

a and b) Less than Significant Impact. The Project proposes to reduce trip lengths by constructing a bridge envisioned by the Madera General Plan. Non-native vegetation would be removed while native vegetation would remain. With the features incorporated into the Project, it is consistent with Madera's Climate Action Plan, which was adopted for the purpose of reducing greenhouse gas emissions. Impacts would be less than significant

4.9 HAZARDS AND HAZARDOUS MATERIALS

Table 4-16: Hazards and Hazardous Materials Impacts

Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☒	☐
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☐	☒	☐
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☒	☐
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	☐	☐	☐	☒
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	☐	☐	☒	☐
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☒	☐
g) Expose people or structures, either directly or indirectly to a significant risk of loss, injury or death involving wildland fires?	☐	☐	☒	☐

4.9.1 Baseline Conditions

Hazardous Materials

The Hazardous Waste and Substances Sites (Cortese) List is a planning document used by the State, local agencies, and developers to comply with CEQA requirements in providing information about the location of hazardous materials release sites. Government Code (GC) Section 65962.5 requires the California Environmental Protection Agency to develop at least annually an updated Cortese List. The Department of Toxic Substances Control (DTSC) is responsible for a portion of the information contained in the Cortese List. Other State and local government agencies are required to provide additional hazardous material release information for the Cortese List. DTSC's EnviroStor database provides DTSC's component of Cortese List data (DTSC, 2010). In addition to the EnviroStor database, the State Water Resources Control Board

(SWRCB) Geotracker database provides information on regulated hazardous waste facilities in California, including underground storage tank (UST) cases and non-UST cleanup programs, including Spills-Leaks-Investigations-Cleanups sites, Department of Defense sites, and Land Disposal program. A search of the DTSC EnviroStor database and the SWRCB Geotracker performed on October 19, 2022 determined that there are no known active hazardous waste generators or hazardous material spill sites within the Project area or immediate surrounding vicinity.[34]

Airports

The nearest active public airport is the Madera Municipal Airport, located approximately 0.9 miles north of the Project area.

Emergency Response Plan

Madera County manages and coordinates its emergency response activities in conjunction with the California State Standardized Emergency Management System.

Sensitive Receptors

Sensitive receptors are areas where occupants are more susceptible to the adverse effects of exposure to toxic chemicals, pesticides, noise, and other pollutants. Sensitive receptors can include hospitals, schools, and homes. The near sensitive receptors to the Project are the various single-family residences located in adjacent neighborhoods.

4.9.2 Impact Analysis

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

Less than Significant Impact. Potential impacts during construction include potential spills associated with the use of fuels and lubricants in construction equipment. These potential impacts would be short-term in nature and would be reduced to less than significant levels through compliance with applicable local, state, and federal regulations, as well as the use of standard equipment operating practices. Compliance with applicable laws and regulations would minimize hazards associated with the routine transport, use, or disposal of hazardous materials to the maximum extent practicable. Therefore, impacts would be less than significant.

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

Less than Significant Impact. There are no known hazardous materials located within or near the Project area. Construction of the Project would not create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment. Therefore, impacts would be less than significant.

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

[34] (California Department of Toxic Substances Control 2022); (State of California 2022)

Less than Significant Impact. The Project is located less than one-quarter mile of Lincoln Elementary School. Construction of the Project would not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste. Any potential for hazardous substances to be released during construction would be reduced through the use of construction BMPs. Therefore, impacts would be less than significant.

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

No Impact. The Project would not include sites located on a list of active hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, it would not create a significant hazard to the public or the environment. Therefore, there would be no impact.

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

Less than Significant Impact. The Project is located less than two miles of the Madera Municipal Airport and is located within the Primary Traffic Pattern Zone depicted in the Madera Countywide Airport Land Use Compatibility Plan.[35] The Project is approximately 0.9 acres from the airport. Excessive noise or a safety hazard would not result due to implementation of the Project. Construction would be temporary, and the Project would not involve habitable structures resulting in permanent inhabitants working or residing in the area post construction. In addition, it can be assumed that construction personnel are accustomed to loud noise from construction; therefore, noise from an airplane overhead would not be significant compared to existing conditions during construction. Impacts would be less than significant.

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

Less than Significant Impact. Once Project construction is complete, the newly-constructed bridge would improve emergency response times and facilitate emergency evacuation. Temporary road closures within the Project area are anticipated during the construction phase of the Project. However, these routine closures would be accommodated by adequate detours and signage in accordance with industry BMPs and City standards. The public would be made aware of the Project and given adequate time to prepare alternate routes. Impacts would be less than significant.

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

Less than Significant Impact. As mentioned in Section 4.20 Wildfire, the Project area is located in an area of low fire risk and is not located in or near a SRA nor near land classified by CalFire or the City of Madera as a Very High Fire Hazard Severity Zone. Therefore, impacts would be less than significant.

[35] (Mead & Hunt 2015)

4.10 HYDROLOGY AND WATER QUALITY

Table 4-17: Hydrology and Water Quality Impacts

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

4.10.1 Baseline Conditions

The City of Madera lies within the San Joaquin River watershed and Basin Hydrological Study Area, which covers roughly 13,500 square miles, or approximately the southern two-thirds of the San Joaquin Valley. The San Joaquin River watershed is divided into numerous hydrologic areas and subareas. The Madera hydrologic area encompasses the southwestern and northwestern portions of the City and extends northwest to the City of Chowchilla, draining into the Fresno River and its tributaries. The Fresno River, which runs through the Project area, is the main hydrologic feature in the City. The river flows west from the Sierra Nevada Mountain Range before entering the Chowchilla Bypass in western Madera County. The

Fresno River is dry throughout most of the year, with flows depending mainly on water releases from upstream water agencies.[36]

The City of Madera is not within or adjacent to the boundaries of a sole source aquifer. The nearest sole source aquifer is the Fresno County Sole Source Aquifer, located approximately 12.5 miles to the southeast.

Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps Panel No. 06039C1155E (September 26, 2008) indicates that a portion of the Project area (the Fresno River channel) is located in the Zone A flood hazard area. Zone A is an area designated with a 1 percent chance of flooding annually.[37] The Project area surrounding the Fresno River is not located in a flood hazard area.

4.10.2 Impact Analysis

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

Less than Significant Impact. Work within the Fresno River would require permits from CDFW, USACE and RWQCB to meet the regulatory compliance requirements for potentially jurisdictional waters of the United States and would provide the necessary avoidance and minimization measures to protect water quality. Further, SWRCB requires that a SWPPP be prepared for projects that disturb one (1) or more acres of soil. A SWPPP would include site planning and scheduling, limiting disturbed soil areas, and determining BMPs to minimize the risk of pollution and sediments being discharged from construction areas. Implementation of the SWPPP would minimize the potential for the Project to substantially alter the existing drainage pattern in a manner that would result in substantial erosion or siltation on- or off-site. In addition, an environmental training program would be established to communicate environmental concerns and appropriate work practices, including spill prevention and response measures and SWPPP measures, to all construction crew members. A monitoring program shall be implemented to ensure that the plans are followed throughout the period of construction. The construction SWPPP identified above would include procedures for quick and safe cleanup of accidental spills. The construction SWPPP would prescribe hazardous materials handling procedures for reducing the potential for a spill during construction and would include an emergency response program to ensure quick and safe cleanup of accidental spills. The SWPPP would identify areas where refueling and vehicle maintenance activities and storage of hazardous materials, if any, shall be permitted. Use of chemicals or surfactants would not be generated through the maintenance or operation of the Project and as such, there would be no discharge directly associated with Project implementation that could impact water quality standards during operation or maintenance. Compliance with regulatory requirements would ensure that the Project would not violate any water quality standards and would not impact waste discharge requirements. Impacts would be less than significant.

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

No Impact. The Project would not use groundwater and would not result in any impacts associated with the depletion of groundwater supply or recharge. There would be no impact.

[36] (The City of Madera 2009)
[37] (United States Federal Emergency Management Agency (FEMA) 2020)

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

i. result in substantial erosion or siltation on- or off-site;

ii. substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;

iii. create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or

iv. impede or redirect flood flows?

c-i – civ) Less than Significant Impact. Construction activities would involve excavation and filling and grading of soils, which would expose areas to potential erosion during construction. Grading activities would be performed in accordance with City of Madera standards. BMPs would be implemented during construction to further reduce potential impacts of erosion or siltation on- or off-site. Areas disturbed during construction would be restored. As mentioned previously, a SWPPP would be prepared to comply with the conditions of the NPDES general stormwater permit for construction activities.

As identified in the Project description, the Project would construct a bridge over the Fresno River. Construction of the bridge would be started within the dry season and no work would take place when water is flowing in the river. Sediment and erosion control BMPs, appropriate to aquatic conditions would be employed during construction. All work done in the riverbed would comply with the BMPs, which would reduce any potential impacts to the flow in the riverbed to less than significant. In the unlikely event of stormflows in the Fresno River in the summer months or early fall, construction crews would not work in the river until flows have subsided.

The bridge itself would not increase the rate or amount of surface runoff or result in flooding. Any stormwater flows would flow to and through the riverbed. The bridge would be designed to handle most flow rates through the Fresno River during stormflow situations. As discussed above, no construction would be done in the creek when there are stormflows. Lastly, the Project would not add sources of polluted runoff. Therefore, any impacts would be less than significant with the incorporation of regulatory standards and construction BMPs.

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

Less than Significant Impact. The Project is not located in a seiche or tsunami zone; therefore, there would be no impact from tsunamis or seiches. A portion of the Project area (the Fresno River channel) is located within Zone A flood hazard, which means there is a risk of 1% annual chance of flooding. As identified previously, Project work would be done during the dry season when the Fresno River is empty of water. Sediment and erosion control BMPs, appropriate to aquatic conditions would be employed during construction. All work done in the riverbed would comply with the BMPs, which would reduce any potential impacts to the flow in the riverbed to less than significant. If stormflows fill the Fresno River, construction crews would not work in the river until flows have subsided. Therefore, impacts would be less than significant.

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

No Impact. The Project would not affect the implementation of the water quality control plan or the groundwater sustainability plan as no new water sources or discharges would be developed as part of the Project. There would be no impact.

4.10.3 Federal Cross-Cutting Topic

Flood Plain Management- Executive Order Numbers 11988, 12148, and 13690

The Federal Emergency Management Agency (FEMA) designates flood hazard and frequency for cities and counties on its Flood Insurance Rate Maps. The proposed project area is within a designated 100-year floodplain. The Project does not include any habitable structures that would be affected by the floodplain.

Rivers and Harbors Act

The Rivers and Harbors Act of 1899 prohibits construction of any bridge, dam, dike, or causeway over or in navigable waterways of the U.S., without Congressional approval. Under Section 10 of the Act, the building of any wharfs, piers, jetties, and other structures is prohibited without Congressional approval, and excavation or fill within navigable waters requires the approval of the Chief of Engineers. The USACE is authorized to issue permits for the discharge of refuse matter into or affecting navigable waters under Section 13 of the act.

The proposed project would be constructed in a location that would affect a navigable waterway, requiring permit or approval by USACE.

Safe Drinking Water Act, Sole Source Aquifer Protection

The Safe Drinking Water Act (SOWA) required USEPA to establish criteria through which an aquifer may be declared a critical aquifer protection area. Since 1977, it has been used by communities to help prevent contamination of groundwater from federally funded projects. These aquifers are defined as "sole source aquifers." USEPA's Sole Source Aquifer (SSA) Program was established under Section 1424(e) of the SOWA. These are, essentially, aquifers that are the only drinking water supply for the population of a region.

SSA designation protects an area's groundwater resources by requiring USEPA to review all proposed projects within the designated area that will receive federal financial assistance. The SSA Program states that if USEPA determines an area to have an aquifer which is the sole or principal drinking water source for the area, that if contaminated would create a significant hazard to public health, a notice of that determination needs to be published in the Federal Register. After publication of any such notice, no commitment for federal financial aid may be applied for any project that the Administrator determines may contaminate the aquifer through a recharge zone, so as to create a significant hazard to public health (US EPA 2019).

The Project is not located in a Sole Source Aquifer.



Figure 4-7. FEMA Flood Map

4.11 LAND USE AND PLANNING

Table 4-18: Land Use and Planning Impacts

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

4.11.1 Baseline Conditions

The Project is located in the City of Madera between N. Granada Drive and Road 24 over the Fresno River The Project and surrounding area is designated for urban development. There are existing homes located both north and south of the river. The Project area contains a portion of the Fresno River and the existing right-of-way on both sides of the river channel. Lands north and south of the river channel are zoned for Planned Development. The Fresno River and riverbank have an Unclassified zoning designation. The land on either side of the Fresno River is planned by the General Plan for Low Density Residential and the river and riverbank itself are planned for Resource Conservation/Agriculture.

4.11.2 Impact Analysis

a) Would the project physically divide an established community?

No Impact. The Project proposes to construct a bridge to connect two areas within the City of Madera. Implementation of the Project would not physically divide an established community but would rather provide a new connection between two areas within one existing established community. Therefore, the Project would not result in a significant impact by physically dividing an established community. There would be no impact.

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

No Impact. The Project would not result in changes to existing land use designations or zoning and would not conflict with any land use plan, policy, or regulation. The City's Land Use and Transportation Element policies of the General Plan identified the Westberry Bridge as a future project. Therefore, the Project is consistent with the applicable State and local goals and policies. There would be no impact.

4.11.3 Federal Cross-Cutting Topic

Coastal Zone Management Act

The Coastal Zone Management Act was enacted in 1972. This act, administered by the National Oceanic and Atmospheric Administration, provides management of the nation' s coastal resources. The California coastal zone generally extends 1,000 yards inland from the mean high tide line. The Project area is more than 100 miles from the coastline. Therefore, the Project would not conflict with the Coastal Zone Management Act.

4.12 MINERAL RESOURCES

Table 4-19: Mineral Resources Impacts

Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	☐	☐	☐	☒
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	☐	☐	☐	☒

4.12.1 Baseline Conditions

The California Geological Survey (CGS) is responsible for the classification and designation of areas within California containing or potentially containing significant mineral resources. The CGS classifies lands into Aggregate and Mineral Resource Zones (MRZs) based on guidelines adopted by the California State Mining and Geologic Board, as mandated by the Surface Mining and Reclamation Act of 1975. These MRZs identify whether known or inferred significant mineral resources are presented in areas. Lead agencies are required to incorporate identified MRZs resource areas delineated by the state into their general plans.[38] According to the findings of the City of Madera General Plan Update EIR, the Project area does not contain any state or locally designated mineral resource.

4.12.2 Impact Analysis

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

Less than Significant Impact with Mitigation Incorporated. Neither the Project area or its surroundings has been identified as containing any mineral deposits. Therefore, the Project would not result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state. Therefore, there would be no impact.

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

Less than Significant Impact. As mentioned above in Impact Analysis "a", neither the Project area, nor its surroundings has been identified as an area containing mineral deposits. Therefore, the Project would not result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan. As such, there would be no impact.

[38] Public Resources Code, Section 2762(a)(1).

4.13 NOISE

Table 4-20: Noise Impacts

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

4.13.1 Baseline Conditions

In general, there are two (2) types of noise sources: 1) mobile source and 2) stationary sounds. Mobile source noises are typically associated with transportation activities including automobiles, trains, and aircraft. Stationary sounds are sources that do not move such as machinery or construction sites. The Madera General Plan Noise Element and Madera Municipal Code outlines policies and regulations to diminish health effects of noise in the community and prevent exposures to excessive noise levels.

Noise can be defined as unwanted and objectionable sound. Sound levels are usually measured and expressed in decibels (dB) with 0 dB corresponding roughly to the threshold of hearing. The method commonly used to quantify environmental sounds consists of evaluating all frequencies of a sound in accordance with a filter that reflects the fact that human hearing is less sensitive at very low and very high frequencies compared to mid-range frequencies. This is called "A" weighting, and the dB level measurement is called the A-weighted sound level (dBA).

A-weighted sound level is expressed on a logarithmic (power of 10) scale using a frequency weighted pattern that duplicates the human ear's sensitivity to sound. A 70-dBA sound level is approximately twice as loud as a 60-dBA sound level and four times as loud as a 50-dBA sound level.

Sound intensity is normally measured through the dBA. This scale gives greater weight to the frequencies of sound to which the human ear is most sensitive. The A-weighted sound level is the basis for many various sound level metrics, including the day/night sound level (Ldn) and the Community Noise Equivalent Level (CNEL), both of which represent how humans are more sensitive to sound at night. In addition, the equivalent continuous sound level (Leq) is the average sound energy of time-varying noise over a sample period and the (Lmax) is the maximum instantaneous noise level occurring over a sample period.

Table 4-21. Typical Construction Noise Levels

Equipment	50 feet from Source (dBA L_{eq})	100 feet from Source (dBA L_{eq})	200 feet from Source (dBA L_{eq})	300 feet from Source (dBA L_{eq})
Air Compressor	80	74	68	64
Backhoe	80	74	68	64
Concrete Mixer	85	79	73	69
Grader	85	79	73	69
Jack Hammer	88	82	76	72
Loader	80	74	68	64
Paver	85	79	73	69
Roller	85	79	73	69
Saw	76	70	64	60
Scraper	85	79	73	69
Truck	84	78	72	68

Source: Noise level at 50 feet from (John A. Volpe National Transportation Systems Center 2018)
Note: Noise Levels at 100 feet, 200 feet, and 300 feet were extrapolated using a 6 dBA attenuation rate per doubling of distance. Each noise level assumes the piece of equipment is operating at full power for the expected duration to complete the construction activity. The duration varies widely between each piece of equipment. Noise levels also depend on the model and year of the equipment used.

Noise levels from point sources such as equipment at construction sites typically attenuate at a rate of 6 dBA per doubling of distance. Therefore, only areas within several hundred feet of construction sites would typically be exposed to perceptible construction noise levels.

Noise at the Project site is generated from mobile sources from vehicles driving by, as well as airplanes flying overhead as they travel to and from the Madera Municipal Airport.

4.13.2 Impact Analysis

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

Less than Significant Impact. Construction at the Project site would require the utilization of large construction equipment, including rollers, pavers, dozers, and graders. This type of equipment can have noise levels exceeding General Plan noise standards for residential land uses when measured 50 feet away from the noise source. General Plan Policies N-5, N-6, and MMC Section 3-11.02(B) requires the reduction of noise, including construction noise, to acceptable levels. Construction at the Project site would be limited to hours to between 7 a.m. and 7 p.m., Monday through Friday, and between 9 a.m. and 5 p.m. on Saturdays, which is consistent with the City noise ordinance and General Plan Policies. Therefore, construction-related noise impacts would remain less than significant. The noise associated with construction would not be significant due to the distance between the construction site and the nearest sensitive receptors.

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

Less than Significant Impact. Project construction is restricted between the hours of 7 a.m. and 7 p.m., Monday through Friday, and 9 a.m. to 5 p.m., Saturdays, consistent with the City's noise ordinance and General Plan Policies. The Federal Highway Administration (FHWA) has compiled noise measurement data regarding the noise-generating characteristics of various types of construction equipment (see Table

4-21). Typical background vibration decibel (VdB) levels measured from 50 feet away, according to the Federal Transit Administration (FTA) are approximately 50 VdB, with a level of 100 VdB resulting in minor cosmetic damage to fragile buildings. For infrequent events, such as construction, impacts would be significant to residences, the nearest sensitive receptors, if they exceed 80 VdB. Vibration velocity levels are typically not additive. Bulldozers generate approximately 58 VdB when measured 25 feet away. Given the type of equipment expected to be found during construction, it is not anticipated that construction at the Project site would generate excessive ground-borne vibration or ground-borne noise levels. Therefore, the Project would have a less than significant impact.

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

Less than Significant Impact. The Project is located less than two miles of the Madera Municipal Airport and is located within the Primary Traffic Pattern Zone depicted in the Madera Countywide Airport Land Use Compatibility Plan.[39] The Project is approximately 0.9 acres from the airport. Excessive noise would not result due to implementation of the Project. Construction would be temporary, and the Project would not involve habitable structures resulting in permanent inhabitants working or residing in the area post construction. In addition, it can be assumed that construction personnel are accustomed to excessive noise from construction; therefore, noise from an airplane overhead would not be significant compared to existing conditions during construction. Impacts would be less than significant.

[39] (Mead & Hunt 2015)

4.14 POPULATION AND HOUSING

Table 4-22: Population and Housing Impacts

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

4.14.1 Baseline Conditions

According to the U.S. Census Bureau, as of July 1, 2021, the population of the City of Madera is estimated to be 67,944.[40] The City has seen a 10.6% increase in population since the last census was conducted in 2010. The City of Madera is characterized as an urbanized area surrounded by agricultural fields and orchards, typical of other cities within the San Joaquin Valley. The majority of the Project area is located in a residentially planned and zoned area of the City, with single-family residences located north and south of the span of the Project (see Figure 2-2).

4.14.2 Impact Analysis

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

Less than Significant Impact. The Project proposes to construct a new vehicular bridge over the Fresno River along the Westberry Boulevard Alignment. Other minor improvements ancillary to the bridge would take place as part of the Project. The Project's intent is to improve traffic circulation between existing and proposed residential subdivisions in the area and assist in improving potential future congestion on existing upstream bridges. Construction of the bridge would not result in any unplanned population growth. The Project would not result in unplanned population growth, but the neighborhoods in the area would benefit from Project implementation. Impacts would be less than significant.

[40] (United States Census Bureau 2022)

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

No Impact. The Project would connect existing and proposed residential subdivisions and assist in improving future congestion. No Project features would displace people or housing. Therefore, there would be no impact.

4.14.3 Federal Cross-Cutting Topic

Environmental Justice Executive Order 12898

Executive Order (EO) 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, was issued in 1994. The EO directs federal agencies to identify and address the disproportionately high and adverse human health or environmental effects of their actions on minority and low-income populations, to the greatest extent practicable and permitted by law.

USEPA has developed a mapping and screening tool called EJSCREEN that uses nationally consistent data to identify minority or low-income communities. According to EJSCREEN, the proposed Project area is not in an environmental justice community (USEPA 2015). In addition, the purpose of the project would be to provide a new location for additional access across the Fresno River within the City of Madera. Because the proposed project would directly benefit the local community, no disproportional health of environmental effect would be imposed on minority or low-income populations. The proposed project would not conflict with the purpose and objectives of EO 12898.

4.15 PUBLIC SERVICES

Table 4-23: Public Services

Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:	☐	☐	☒	☐
Fire protection?	☐	☐	☒	☐
Police protection?	☐	☐	☒	☐
Schools?	☐	☐	☒	☐
Parks?	☐	☐	☒	☐
Other public facilities?	☐	☐	☒	☐

4.15.1 Baseline Conditions

Fire, emergency, medical, and police protection services in the Project area is provided by the City of Madera and augmented through contracts with other agencies and service providers. The City of Madera has a contract with CalFire to provide management and staffing of the City's fire stations and equipment. Ambulance services are provided by a private contractor. The nearest ambulance contractor site to the development site is Pistoresi Ambulance, located approximately 1.7 miles to the southeast. Madera City Fire Department 58 is located approximately one mile to the north of the Project, while the Madera Police Department is located approximately 2.5 miles to the east. The Project area is located within the Madera Unified School District. The District oversees pre-K through 12 education services. Parks are operated and maintained by the City of Madera Department of Parks and Community Services. The nearest City operated park to the Project area is Sunset Park, located approximately one mile to the southwest of the development site, and Pan American Park, located approximately 0.4 miles southwest. There are several schools within two miles of the Project area, with Lincoln Elementary School being the closest at 0.2 miles southwest.

4.15.2 Impact Analysis

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

i. Fire Protection:

ii. Police Protection:

iii. Schools:

iv. Parks:

v. Other public facilities:

Less than Significant Impact. The Project would not construct dwelling units, buildings, businesses, or other similar facilities that would result in an increased human population in the Project area. There would be no long-term demands on fire or police protection services generated by the Project. Similarly, there would be no increased demands on school services or parks. The Project would not cause any permanent closures to the roadway, nor block access to private property. Temporary average delays are not anticipated to exceed 5-10 minutes. The construction is expected to take approximately six months over one (1) construction season, weather and conditions permitting. Temporary road delays and closures during construction may affect traffic patterns near the construction site and potentially affect fire and police response times for multiple apparatus events; however, any such impacts would be minor and would not significantly affect long-term service ratios, response times, or other performance objectives for public services. Traffic detours are not anticipated during construction as the Project is a new alignment. The Project would not add to the area's population or increase demands on police or fire services. The effects of the temporary road closure would not cause significant environmental impacts as it relates to police and fire service. Therefore, relative to the provision of police and fire service, the Project would generate a less than significant impact.

4.16 RECREATION

Table 4-24: Recreation Impacts

Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	☐	☐	☐	☒
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	☐	☐	☒	☐

4.16.1 Baseline Conditions

The City of Madera Department of Parks and Community Services manages the recreational facilities within the city. Madera's park and recreation facilities include parks, community and senior centers, trails, a municipal golf course, and landscaped areas. The Department of Parks and Community Services provides parks operations and maintenance, park and recreation facility planning, recreation programming, and senior services.[41] In total, there are approximately 326 acres of planned parkland within the City of Madera, with 146 acres being currently developed for its intended use.[42] The nearest park to the Project is the 1.4-acre Sunset Park located approximately 0.4 miles southwest.

4.16.2 Impact Analysis

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

No Impact. The Project would construct a new bridge and ancillary features across the Fresno River in order to alleviate existing congestion in both the Project area and surrounding areas. The Project would not increase the use of existing neighborhood parks, regional parks, or other recreational facilities. There would be no impact.

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

Less than Significant Impact. . The Project would include the realignment of the existing Vern McCullough Fresno River Trail. At the Project site, the trail is located on the south side of the Fresno Riverbank. In order to construct the bridge, the Project would relocate the portion of the trail at the Project site to an area just north of the Fresno Riverbank, while also maintaining the continued functionality of the trail.

[41] (Madera Department of Parks and Community Services 2009)
[42] Ibid.

This would preserve continuation of the trail, avoiding any obstructions while simultaneously maintaining the integrity and operation of the trail. Realigning the trail would also result in increased pedestrian access and aesthetic value. Therefore, any impacts would be less than significant.

4.17 TRANSPORTATION

Table 4-25: Transportation Impacts

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

4.17.1 Baseline Conditions

The Project is located within the City of Madera at the three-way junction of Westberry Boulevard and Riverway Lane. The nearest highway to the Project area is SR 99, located approximately 1.5 miles northeast. Project access from SR 99 would exit off of W. Cleveland Avenue off-ramp.

4.17.2 Impact Analysis

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

Less than Significant Impact. The City of Madera General Plan identified the proposed bridge as a future connection to be implemented in order to facilitate the planned development north of the Fresno River. The bridge would allow easier access and would reduce congestion in and around the Project area. The bridge would include bicycle lanes for additional access and increased accessibility for active transportation.

Additionally, the Project would include the realignment of the existing Vern McCullough Fresno River Trail. At the Project site, the trail is located on the south side of the Fresno Riverbank. In order to construct the bridge, the Project would relocate the portion of the trail at the Project site to an area just north of the Fresno Riverbank while simultaneously maintaining the continued functionality of the trail,. This would preserve the integrity and operation of the Vern McCullough Fresno River Trail. Therefore, impacts would be less than significant.

b) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3 subdivision (b)?

Less than Significant Impact. The Project proposes a bridge across the Fresno River in order to improve traffic circulation between existing and proposed residential subdivisions in the area. The Project would

assist in improving potential future congestion on existing upstream bridges at Granada Drive and Schnoor Ave. Construction of the bridge and its ancillary facilities would not have an impact on vehicle miles traveled (VMT) since the Project would not result in additional daily trips. The Project would make it easier for existing drivers to get from one place to another in the Project area. Impacts would be less than significant.

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

Less than Significant Impact. The Project would not increase hazards. The Project would do the opposite by providing a new circulation element so that congestion could be reduced by providing an additional access point to cross the Fresno River. In addition, the proposed bridge would be directionally straight in nature and would be compatible for both vehicles and pedestrians. Therefore, impacts would be less than significant.

d) Would the project result in inadequate emergency access?

Less than Significant Impact. The Project would provide an additional roadway for existing and future motorists and pedestrians to utilize. The bridge would provide permanent accessibility over an area that currently cannot be crossed by vehicle due to the obstruction created by the Fresno River. The bridge would provide new emergency access in the Project area. No Project feature would impede any existing emergency access. As discussed above, the Project would not substantially increase traffic delays on nearby roadways, but rather reduce any that may currently be experienced. Therefore, it would not cause delays in emergency access on roadways. The impact on emergency access would be less than significant.

4.18 TRIBAL CULTURAL RESOURCES

Table 4-26: Tribal Cultural Resources Impacts

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

4.18.1 Baseline Conditions

Public Resources Code Section 21080.3.1, et seq. (codification of AB 52, 2013-14) requires that a lead agency, within 14 days of determining that it would undertake a project, must notify in writing any California Native American Tribe traditionally and culturally affiliated with the geographic area of the project if that Tribe has previously requested notification about projects in that geographic area. The notice must briefly describe the project and inquire whether the Tribe wishes to initiate request formal consultation. Tribes have 30 days from receipt of notification to request formal consultation. The lead agency then has 30 days to initiate the consultation, which then continues until the parties come to an agreement regarding necessary mitigation or agree that no mitigation is needed, or one or both parties determine that negotiation occurred in good faith, but no agreement would be made. The City of Madera does not have any AB 52 tribal letter on file.

4.18.2 Impact Assessment

a) Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

i. Listed or eligible for listing in the California Register of Historical Resources, or in the local register of historical resources as defined in Public Resources Code section 5020.1(k), or

ii. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

Less than Significant Impact with Mitigation Incorporated. The City of Madera has not received a letter from any Native American Tribe pursuant to PRC § 21080.3.1 (AB 52) officially requesting notification of Projects within a geographic area of traditional and cultural affiliation. No request for tribal consultation was made for the Project. Less than significant impacts, with mitigation incorporated, to tribal resources are expected. **Mitigation Measures CUL-1** and **CUL-2**, described above in Section 4.5.4, are recommended in the event cultural materials or human remains are unearthed during excavation or construction.

4.18.3 Mitigation

See **CUL-1** and **CUL-2** above in Section 4.5.4

4.19 UTILITIES AND SERVICE SYSTEMS

Table 4-27: Utilities and Service Systems Impacts

Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	☐	☐	☒	☐
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	☐	☐	☐	☒
c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	☐	☐	☒	☐
d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	☐	☐	☒	☐
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	☐	☐	☒	☐

4.19.1 Baseline Conditions

There are two existing underground utilities (sewer and gas mains) running below the proposed bridge site.

Water

The City of Madera Water Division manages and operates the City of Madera's water supply system. Groundwater is the sole source of water supply through 18 active wells that pump from the Madera Subbasin of the San Joaquin groundwater basin directly into the City's distribution system. The distribution system consists of 200 miles of water mains that are maintained as a single pressure zone. The system also contains a one (1) million-gallon storage reservoir. The system's connections are primarily "looped," which provides increased capacity and reliability. According to the City's 2014 Water System Master Plan (WSMP), existing 12-inch water supply pipelines are located in Condor Drive and Condor Road, immediately adjacent to the Project on the site's westerly border. These pipelines are between Avenue 17 and Avenue 16 and ultimately connect to groundwater wells number 25 and 26. As of 2014, Well 25 has a rated capacity of 1,997 Gallons per Minute (GPM) with peak production recorded in summer, whereas Well 26 is a fire flow/emergency pump and is not typically used. However, the WSMP indicates that Well 26 is intended to

be a full production well when water demand increases in the northwest with planned development (inclusive of the Project area).

Wastewater

In the City of Madera, wastewater is collected through a network of sanitary sewer collection pipelines ranging from eight (8) to 38 inches in diameter in addition to five (5) sewer lift stations. The influent is gravity-fed to the Wastewater Treatment Plant Facility (WWTF) that is located seven (7) miles west of the city. Due to topography, the sanitary sewer system is divided into five (5) dendritic sewer collection basins including: Westberry, Schnoor, Fourth Street, Stadium, and Pecan. The Project area is within the Westberry Collection Basin which includes the Airport and two (2) trunk systems – Airport Trunk and Westberry Trunk – which flow into the WWTP.

Solid Waste

Solid waste recycling and composting services are provided by a private contractor, Mid Valley Disposal.

Stormwater

There are four (4) major watersheds that collect and convey stormwater runoff in Madera. These watersheds include Cottonwood Creek, Root Creek/San Joaquin, Middle Fresno River, and Dry Creek. Within these watersheds there are smaller drainage basins, which have existing or natural conveyance systems and may discharge to retention basins, pump stations, or direct outfalls to Madera Irrigation District (MID) canals, or Fresno River. Some basins are connected to MID facilities that receive surface water for recharge. In recent years, captured stormwater has been held in the basins to maximize percolation opportunities. When runoff exceeds basin capacity, water is sent to local streams and irrigation canals to allow basins to accommodate further runoff.

Natural Gas and Electricity

PG&E, the natural gas and electric service provider for the area, incrementally expands and updates its service system as needed to serve its users.

Telecommunications

Accordingly, telecommunications providers in the area incrementally expand and update their service systems in response to usage and demand. The Project area contains AT&T communications towers.

4.19.2 Impact Analysis

a) Would the project require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?

Less than Significant Impact. There are two existing underground utilities (sewer and gas mains) running below the proposed bridge site. These two utility mains would not be moved and would be potholed in order to ensure they are not damaged. A new 12-inch water main would be installed to the underside of the bridge, as required by the City. In addition, utility conduits, up to 5 inches in diameter for electrical, cable TV, fiber optic, etc. would be constructed within the sidewalk on either side of the bridge. The Project would not require other large diameter utility lines such as stormwater and sewer mains. All utility

adjustments would comply with applicable regulations and would be coordinated with the respective utility companies. Therefore, impacts would be less than significant.

b) Would the project have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?

No Impact. The Project would not require new water sources as water would not be necessary for Project construction or maintenance. Therefore, there would be no impact.

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

Less than Significant Impact. The proposed vehicular bridge and associated improvements would not require municipal wastewater service since no such waste would be generated by the bridge construction. During construction, the site would be served by temporary restrooms that would be properly maintained by a licensed contractor. Impacts would be less than significant.

d) Would the project generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?

Less than Significant Impact. Mid Valley Disposal is the solid waste provider for the City of Madera. The Project would only generate solid waste during construction, but due to its temporary nature, it is not anticipated to be significant. Therefore, the Project would not generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals. Impacts would be less than significant.

e) Would the project comply with federal, state, and local management and reduction statutes and regulations related to solid waste?

Less than Significant Impact. The Project would comply with all federal, State, and local statutes and regulations relating to solid waste. All waste generated at the site during construction would be subject to the City of Madera waste recycling regulations. Impacts would be less than significant.

4.20 WILDFIRE

Table 4-28: Wildfire Impacts

If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☒
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrollable spread of wildfire?	☐	☐	☐	☒
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	☐	☐	☐	☒
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	☐	☐	☐	☒

4.20.1 Baseline Conditions

The Project area would not be located in or near State Responsibility Areas (SRA), nor lands classified as Very High Fire Hazard Severity Zones. The nearest SRA is located approximately nine miles northeast, while the nearest Very High Fire Hazard Severity Zone is approximately 30 miles northeast of the Project.[43] The Project would be served by the City of Madera Fire Department for fire protection, with the nearest station to the Project area being Station 58, located approximately 1.1 miles north.

4.20.2 Impact Analysis

a) If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project substantially impair an adopted emergency response plan or emergency evacuation plan?

b) If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project due to slope, prevailing winds, and other factors, exacerbate wildfire risks and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?

[43] (California Department of Forestry and Fire Protection 2022); (California Department of Forestry and Fire Protection 2022)

c) If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?

d) If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?

a-d) No Impact. The Project area is located in an area of low fire risk and is not located in or near a SRA. As mentioned previously, the Project has not been designated by CalFire or the City of Madera as a Very High Fire Hazard Severity Zone. Therefore, there would be no impact.

4.21 CEQA MANDATORY FINDINGS OF SIGNIFICANCE

Table 4-29: CEQA Mandatory Findings of Significance

Does the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	☐	☒	☐	☐
b) Have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	☐	☐	☐	☒
c) Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☐	☒	☐

4.21.1 Statement of Findings

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

Less than Significant Impact with Mitigation Incorporated. The analysis conducted in this IS/MND results in a determination that the Project, with incorporation of mitigation measures, would have a less than significant effect on the environment. The potential for impacts to aesthetics, air quality, biological resources, cultural resources, geology and soils, and tribal cultural resources from the construction and operation of the Project would be less than significant with the incorporation of the mitigation measures discussed in Chapter 5 Mitigation, Monitoring, and Reporting Program. Accordingly, the Project would involve no potential for significant impacts through the degradation of the quality of the environment, the reduction in the habitat or population of fish or wildlife, including endangered plants or animals, the elimination of a plant or animal community or example of a major period of California history or prehistory.

b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when

viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?

No Impact. The Project is located in the City of Madera. The purpose of the Project is to improve traffic circulation between existing and proposed residential subdivisions in the area and assist in improving potential future congestion on existing upstream bridges at Granada Drive and Schnoor Ave. There are no like past, present, or future projects that have been identified. As mentioned previously, the proposed Westberry Bridge is the last remaining bridge identified in the City of Madera General Plan to be constructed along the Fresno River. Therefore, there would be no impact.

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

Less than Significant Impact. The Project would construct a bridge over the Fresno River in the City of Madera in order to alleviate traffic congestion. As identified within Chapter 2 Project Description , the Project also includes rerouting the existing Vern McCullough Fresno River Trail and replacing two canal locations with culverts where the bridge would cross the river. These items are ancillary and incidental to the construction of the bridge. The Project in and of itself would not create a significant hazard to the public or the environment. Construction-related impacts could occur temporarily as a result of construction; however, implementation of basic regulatory requirements identified in this IS/MND would ensure that impacts would be less than significant. Therefore, the Project would not have any direct or indirect adverse impacts on humans. This impact would be less than significant.

CHAPTER 5 MITIGATION, MONITORING, AND REPORTING PROGRAM

This Mitigation Monitoring and Reporting Program (MMRP) has been formulated based upon the findings of the Initial Study/Mitigated Negative Declaration (IS/MND) for the Westberry Bridge Project in the City of Madera. The MMRP lists mitigation measures recommended in the IS/MND for the Project and identifies monitoring and reporting requirements.

Table 5-1: Mitigation, Monitoring, and Reporting Program presents the mitigation measures identified for the Project. Each mitigation measure is numbered with a symbol indicating the topical section to which it pertains, a hyphen, and the impact number. For example, AIR-2 would be the second mitigation measure identified in the Air Quality analysis of the IS/MND.

The first column of ***Table 5-1: Mitigation, Monitoring, and Reporting*** Program identifies the mitigation measure. The second column, entitled "When Monitoring is to Occur," identifies the time the mitigation measure should be initiated. The third column, "Frequency of Monitoring," identifies the frequency of the monitoring of the mitigation measure. The fourth column, "Agency Responsible for Monitoring," names the party ultimately responsible for ensuring that the mitigation measure is implemented. The last columns will be used by the Lead and Responsible Agencies to ensure that individual mitigation measures have been complied with and monitored.

Table 5-1: Mitigation, Monitoring, and Reporting Program

Mitigation, Monitoring, and Reporting Program						
Item	Mitigation Measure	When Monitoring is to Occur	Frequency of Monitoring	Agency Responsible for Monitoring	Method to Verify Compliance	Verification of Compliance
Aesthetics						
AES-1	All outdoor lighting shall be hooded or screened as to direct the source of light downward and directed towards the bridge deck so as not to negatively impact surrounding properties or wildlife in or around the river.	During construction, as applicable	As applicable	City of Madera – Engineering Department		
Air Quality						
AIR-1	Project construction equipment shall be equipped with USEPA Tier 4 Final engines or better.	During construction	Daily	City of Madera – Engineering Department	Construction contractors and operators shall submit acknowledgements of construction equipment and fleet specification requirements pursuant to Mitigation Measure AIR-1 to the City prior to any contract for work being awarded. During construction activities, contractors shall maintain records on-site demonstrating compliance with this requirement and shall make records available for inspection by the local jurisdiction, air district, and/or state upon request.	
BIO-1A	**(*WEAP Training*):** Prior to initiating construction activities (including staging and mobilization), all personnel associated with Project construction will attend mandatory Worker Environmental Awareness Program (WEAP) training, conducted by a qualified biologist, to aid workers in identifying special status resources that may occur in the APE. The specifics of this program will include identification of the sensitive species and suitable habitats, a description of the regulatory status and general ecological characteristics of sensitive resources, and review of the limits of construction and mitigation measures required to reduce impacts to biological resources within the work area. This training will discuss special status species, describe the laws and regulations in place to provide protection of these species, identify the penalties for violation of applicable environmental laws and regulations, and a list of required protective measures to avoid "take." A fact sheet conveying this information, along with photographs or illustrations of sensitive species with potential to occur onsite, will also be prepared for distribution to all contractors, their employees, and all other	Prior to construction	Once	City of Madera – Engineering Department		

Mitigation, Monitoring, and Reporting Program						
Item	Mitigation Measure	When Monitoring is to Occur	Frequency of Monitoring	Agency Responsible for Monitoring	Method to Verify Compliance	Verification of Compliance
	personnel involved with construction of the Project. All employees will sign a form documenting that they have attended WEAP training and understand the information presented to them.					
BIO-1B	**(BMPs):** The Project proponent will ensure that all workers employ the following BMPs in order to avoid and minimize potential impacts to special status species: • Vehicles will observe a 15-mph speed limit while on unpaved access routes. • Workers will inspect areas beneath parked vehicles prior to mobilization. If special status species are detected beneath vehicles, the individual will either be allowed to leave of its own volition or will be captured by the qualified biologist (must possess appropriate collecting/handling permits) and relocated out of harm's way to the nearest suitable habitat beyond the influence of the Project work area. "Take" of a listed (rare, threatened, or endangered) species is prohibited.	During construction	Daily	City of Madera – Engineering Department		
BIO-2A	**(*Operational Hours*):** Construction activities will be limited to daylight hours to reduce potential impacts to wildlife movement corridors.	During construction	Daily	City of Madera – Engineering Department		
BIO-2B	**(*Wildlife Access*):** At no point will access to the river and canals be blocked outside of construction hours or during overnight hours or weekends. If construction must block both sides of a wildlife access route, an alternative route through the construction area will be identified by a qualified biologist and maintained throughout the construction schedule timeframe.	During construction	Daily	City of Madera – Engineering Department		
BIO-2C	**(*Cover Excavations*)**: Pipeline/culvert/siphon excavations and vertical pipes will be covered each night to prevent wildlife from falling in and	During construction	Daily	City of Madera – Engineering Department		

Mitigation, Monitoring, and Reporting Program						
Item	Mitigation Measure	When Monitoring is to Occur	Frequency of Monitoring	Agency Responsible for Monitoring	Method to Verify Compliance	Verification of Compliance
	becoming trapped or injured during migratory or dispersal movements.					
BIO-3A	**(*Avoidance*):** The Project's construction activities will occur, if feasible, between September 16 and January 31 (outside of nesting bird season) in an effort to avoid impacts to nesting birds. If all Project activities will occur outside of nesting bird season, no further mitigation is required.	During construction	Only if construction activities occur between September 16 and January 31	City of Madera – Engineering Department		
BIO-3B	**(*Pre-construction Surveys*):** If activities must occur within nesting bird season (February 1 to September 15), a qualified biologist will conduct a pre-construction survey for nesting birds including Swainson's Hawk onsite and within a 0.5-mile radius. This survey will be conducted in accordance with the *Recommended Timing and Methodology for Swainson's Hawk Nesting Surveys in California's Central Valley*,[44] and the *Staff Guidance Regarding Avoidance of Impacts to Tricolored Blackbird Breeding Colonies on Agricultural Fields*,[45] or current guidance. The Swainson's Hawk survey will not be completed between April 21 to June 10 due to the difficulty of identifying nests during this time of year. The pre-construction survey would also provide a presence/absence survey for all other nesting birds within the APE and an additional 50 feet, no more than seven (7) days prior to the start of construction. All raptor nests would be considered "active" upon the nest-building stage.	Prior to construction	If activities must occur within nesting bird season (February 1 to September 15)	City of Madera – Engineering Department		
BIO-3C	(Establish Buffers): On discovery of any active nests or breeding colonies near work areas, the biologist will determine appropriate construction setback distances based on applicable CDFW and/or USFWS guidelines and/or the biology of the species in question. Active Swainson's Hawk nests will receive	During construction, on discovery of active nests or breeding colonies near work area	Daily upon discovery	City of Madera – Engineering Department		

[44] (Swainson's Hawk Technical Advisory Committe 2000)
[45] (California Emissions Estimator Model (CalEEMod) version 2013.2.2 n.d.)

Mitigation, Monitoring, and Reporting Program						
Item	Mitigation Measure	When Monitoring is to Occur	Frequency of Monitoring	Agency Responsible for Monitoring	Method to Verify Compliance	Verification of Compliance
	a 0.5-mile buffer and active Tricolored Blackbird nests will receive a 200-foot buffer. Reduced buffer distances may be appropriate for Swainson's Hawk and Tricolored Blackbirds depending on site conditions and ongoing disturbance levels and may be discussed with CDFW. Construction buffers will be identified with flagging, fencing, or other easily visible means, and will be maintained until the biologist has determined that the nestlings have fledged.					
BIO-3D	**(ITP)**: In the event an active Swainson's Hawk nest, Tricolored Blackbird nest, or other nest are detected during surveys and cannot be avoided, consultation with CDFW will be warranted to discuss how to implement the Project and avoid take. If take cannot be avoided, take authorization through the acquisition of an ITP pursuant to Fish and Game Code section 2081, subdivision (b) is necessary to comply with CESA.	During construction, in the event an active Swainson's Hawk nest, Tricolored Blackbird nest, or other nest are detected during surveys and cannot be avoided	Once	City of Madera – Engineering Department		
BIO-4A	**(*Pre-construction Take Avoidance Survey*)**: A qualified biologist will conduct a pre-construction take avoidance survey for burrowing owls in accordance with CDFW's Staff Report on Burrowing Owl Mitigation,[46] within thirty (30) days prior to the start of construction activities. The survey will include the proposed work area and surrounding lands within 250 feet. If no burrowing owl individuals or suitable burrows are observed, no further mitigation is required.	Prior to construction	Once within 30-days	City of Madera – Engineering Department		
BIO-4B	**(*Avoidance/Monitoring*):** If an active burrowing owl burrow is detected, a qualified biologist will remain onsite to monitor and the occurrence will be reported to the local CDFW office and the CNDDB. A disturbance-free buffer will be implemented in accordance with CDFW's 2012 *Staff Report on*	During construction, if an active burrowing owl burrow is detected	Daily, if an active burrowing owl burrow is detected	City of Madera – Engineering Department		

[46] (Placeholder2)

<table>
<tr><th colspan="7">Mitigation, Monitoring, and Reporting Program</th></tr>
<tr><th>Item</th><th>Mitigation Measure</th><th>When Monitoring is to Occur</th><th>Frequency of Monitoring</th><th>Agency Responsible for Monitoring</th><th>Method to Verify Compliance</th><th>Verification of Compliance</th></tr>
<tr><td></td><td>Burrowing Owl Mitigation, as outlined in the table below.
<table><tr><th rowspan="2">Location</th><th rowspan="2">Time of Year</th><th colspan="3">Level of Disturbance</th></tr><tr><th>Low</th><th>Medium</th><th>High</th></tr><tr><td>Nesting sites</td><td>April 1 – August 15</td><td>200 meters</td><td>500 meters</td><td>500 meters</td></tr><tr><td>Nesting sites</td><td>August 16 – October 15</td><td>200 meters</td><td>200 meters</td><td>500 meters</td></tr><tr><td>Nesting sites</td><td>October 16 – March 31</td><td>50 meters</td><td>100 meters</td><td>500 meters</td></tr></table></td><td></td><td></td><td></td><td></td><td></td></tr>
<tr><td>BIO-4C</td><td>(Consultation with CDFW and Passive Relocation): If avoidance of an active burrowing owl burrow is not feasible, CDFW will be immediately consulted to determine the best course of action, which may include passive relocation during non-breeding season. Passive relocation and/or burrow exclusion will not take place without coordination with CDFW and preparation of an approved exclusion and relocation plan.</td><td>During construction, If avoidance of an active burrowing owl burrow is not feasible</td><td>Once, If avoidance of an active burrowing owl burrow is not feasible</td><td>City of Madera – Engineering Department</td><td></td><td></td></tr>
<tr><td>BIO-5A</td><td>(Pre-construction Survey): A qualified biologist will conduct a pre-construction survey of Project areas within thirty (30) days prior to vegetation clearing or ground disturbing activities. Environmentally sensitive areas will be flagged for avoidance. If Coast horned lizards are detected, construction monitoring will be required. Surveys will not take place when daytime temperatures are below 60˚F or above 95˚F. If no suitable habitat or species observations are found, no further mitigation is required.</td><td>Prior to construction</td><td>Once within 30-days</td><td>City of Madera – Engineering Department</td><td></td><td></td></tr>
<tr><td>BIO-5B</td><td>(Monitor): If species observations are found, a qualified biologist will conduct a pre-activity clearance survey each day and remain onsite to oversee all vegetation clearing and ground disturbing activities conducted within suitable habitat for Coast horned lizards. If a listed species is observed within the Project area, the biologist will stop work and allow the species to leave the site of</td><td>During construction, if species observations are found</td><td>Daily</td><td>City of Madera – Engineering Department</td><td></td><td></td></tr>
</table>

Mitigation, Monitoring, and Reporting Program						
Item	Mitigation Measure	When Monitoring is to Occur	Frequency of Monitoring	Agency Responsible for Monitoring	Method to Verify Compliance	Verification of Compliance
	its own volition or contact the appropriate regulatory agency (CDFW and/or USFWS) for guidance on how to proceed.					
BIO-5C	(**ITP**): In the event Coast horned lizards are detected during surveys and cannot be avoided, or a biological monitor is not on-site through construction, consultation with CDFW is warranted to discuss how to implement the Project and avoid take. If take cannot be avoided, take authorization through the acquisition of an ITP pursuant to Fish and Game Code section 2081, subdivision (b) is necessary to comply with CESA.	During construction, in the event Coast horned lizards are detected during surveys and cannot be avoided	Daily	City of Madera – Engineering Department		
BIO-5D	(**Mortality Reporting**): The Sacramento Field Office of USFWS and the Fresno Field Office of CDFW will be notified in writing within three working days in the case of the accidental death or injury to a Coast horned lizard during construction. Notification must include the date, time, and location of the incident and any other pertinent information.	During construction within three working days in the case of the accidental death or injury to a Coast horned lizard	Daily	City of Madera – Engineering Department		
BIO-6A	**(*Avoidance*):** The Project's construction activities will occur, if feasible, between November 1 and February 28 (outside of bat maternity season) in an effort to avoid impacts to maternity roosts.	During construction	Daily	City of Madera – Engineering Department		
BIO-6B	**(*Pre-Construction Survey*):** A pre-construction survey for bats will be performed if construction activities fall between March 1 and September 30 (bat maternity season) and include tree removal. The survey will be focused on trees to be removed during construction and be conducted by a qualified biologist within fourteen (14) days prior to tree removal. All trees will be inspected for potential roosting habitat. This survey can be performed simultaneously with nesting bird surveys.	Prior to construction	Daily, if construction activities fall between March 1 and September 30	City of Madera – Engineering Department		
BIO-6C	**(*Emergence Survey*):** An emergence bat survey will be performed if suitable habitat or trees for roosting bats are found during the pre-construction survey. This survey will take place between May and	During construction, if suitable habitat or trees for roosting bats are found during the	Between May and September (outside of bat hibernation) and	City of Madera – Engineering Department		

Mitigation, Monitoring, and Reporting Program						
Item	Mitigation Measure	When Monitoring is to Occur	Frequency of Monitoring	Agency Responsible for Monitoring	Method to Verify Compliance	Verification of Compliance
	September (outside of bat hibernation) and will be conducted during dusk hours. The survey will be focused on trees to be removed during construction and will be conducted by a qualified biologist within two (2) days prior to tree removal.	pre-construction survey	will be conducted during dusk hours			
BIO-6D	**(*Establish Buffers*):** On discovery of any bat roosts near work areas, a qualified biologist should determine appropriate construction setback distances (buffer zones) based on applicable CDFW and/or USFWS guidelines, if appropriate. Construction buffers should be identified with flagging, fencing, or other easily visible means, and should be maintained until the biologist has determined that the roost should no longer be impacted by construction.	During construction, on discovery of any bat roosts near work areas	Daily	City of Madera – Engineering Department		
BIO-6E	**(*Operational Hours*):** Construction activities shall be limited to daylight hours to reduce potential impacts to special status bats that could be foraging onsite.	During construction	Daily	City of Madera – Engineering Department		
BIO-7A	**(*Pre-construction Survey*):** No less than fourteen (14) days and no more than thirty (30) days prior to the start of construction, a qualified biologist will conduct a pre-construction survey for NPT within the Fresno River and Canals, as well as adjacent to the proposed work area. Pre-construction surveys will be conducted in accordance with the *United States Geological Survey Western Pond Turtle (Emys marmorata) Visual Survey Protocol for the Southcoast Ecoregion*[47]. Surveys will be conducted outside of winter months (December – February). If no NPT are observed during the pre-construction survey, then construction activities may begin. If construction is delayed or halted for more than 90 days, another pre-construction survey for NPT will be conducted. If the surveys result in the identification of a special status species, the	No less than fourteen (14) days and no more than thirty (30) days prior to the start of construction	Once	City of Madera – Engineering Department		

[47] (United States Geological Survey 2006)

Mitigation, Monitoring, and Reporting Program						
Item	Mitigation Measure	When Monitoring is to Occur	Frequency of Monitoring	Agency Responsible for Monitoring	Method to Verify Compliance	Verification of Compliance
	qualified biologist should determine if appropriate buffers can be implemented to avoid impacts to the individual(s) or if further surveys are required to avoid impacts to potential nesting sites.					
BIO-7B	**(*Monitor*):** If species observations are found, a qualified biologist will conduct a pre-activity clearance survey each day and remain onsite to oversee all vegetation clearing and ground disturbing activities conducted within suitable habitat for NPT. If a listed species is observed within the Project area, the biologist will stop work and allow the species to leave the site of its own volition or contact the appropriate regulatory agency (CDFW and/or USFWS) for guidance on how to proceed.	During construction, if species observations are found	Daily	City of Madera – Engineering Department		
BIO-7C	**(*ITP*):** In the event NPT are detected during surveys and cannot be avoided, consultation with CDFW is warranted to discuss how to implement the Project and avoid take. If take cannot be avoided, take authorization through the acquisition of an ITP pursuant to Fish and Game Code section 2081, subdivision (b) is necessary to comply with CESA.	Prior to construction	Once	City of Madera – Engineering Department		
BIO-8A	**(*Pre-construction Survey*):** A qualified biologist will conduct a preconstruction survey within thirty (30) days prior to the start of construction. The goals of this survey will be to identify if any suitable breeding or upland habitat is present within the APE and an additional 100-foot survey area around the designated APE. If no individuals or suitable habitat is observed, no further mitigation is required.	Prior to construction	Once, within 30-days	City of Madera – Engineering Department		
BIO-8B	**(*Avoidance*):** On discovery of any suitable habitat near work areas, the biologist will determine appropriate construction setback distances based on applicable CDFW and/or USFWS guidelines for western spadefoot. Construction buffers will be identified with flagging, fencing, or other easily visible means, and will be maintained until the end of the Project. If appropriate construction buffers	Prior to construction, on discovery of any suitable habitat near work areas	Once	City of Madera – Engineering Department		

Mitigation, Monitoring, and Reporting Program						
Item	Mitigation Measure	When Monitoring is to Occur	Frequency of Monitoring	Agency Responsible for Monitoring	Method to Verify Compliance	Verification of Compliance
	cannot be maintained a focused survey will be required to determine if western spadefoots are found within the Project area or 100 feet of the Project.					
BIO-8C	**(*Focused Survey*):** If appropriate buffers cannot be maintained, a qualified biologist will conduct a focused survey during the known peak breeding months of this species (February-March), prior to the start of construction. Transects will be walked throughout the entire APE and surrounding lands within 100 feet and vantage points will be used to survey for standing water. If no western spadefoots adults or larvae are observed during the survey, then construction activities may begin. If the survey results in the identification of this special status species, a qualified biologist will consult CDFW to determine if appropriate buffers can be implemented to avoid impacts to individual(s) during construction.	Prior to construction, If appropriate buffers cannot be maintained, a qualified biologist will conduct a focused survey during the known peak breeding months of this species (February-March)	During the known peak breeding months of this species (February-March)	City of Madera – Engineering Department		
BIO-8D	**(*Monitor*):** If species observations are found, a qualified biologist will conduct a pre-activity clearance survey each day and remain onsite to oversee all vegetation clearing and ground disturbing activities conducted within suitable habitat for western spadefoot. If a listed species is observed within the Project area, the biologist will stop work and allow the species to leave the site of its own volition or contact the appropriate regulatory agency (CDFW and/or USFWS) for guidance on how to proceed.	Prior to construction, if species observations are found	Daily and remain onsite	City of Madera – Engineering Department		
BIO-8E	**(*Formal Consultation*):** If western spadefoots are detected during surveys and cannot be avoided, consultation with CDFW is warranted to discuss how to implement the Project and avoid take. If take cannot be avoided, take authorization through the acquisition of an ITP pursuant to Fish and Game	Prior to construction, If western spadefoots are detected during survey	Once	City of Madera – Engineering Department		

Mitigation, Monitoring, and Reporting Program						
Item	Mitigation Measure	When Monitoring is to Occur	Frequency of Monitoring	Agency Responsible for Monitoring	Method to Verify Compliance	Verification of Compliance
	Code section 2081, subdivision (b) is necessary to comply with CESA.					
BIO-9A	**(*Focused Survey*):** A qualified botanist/biologist will conduct focused botanical surveys during their specific blooming period or overlapping blooming period. Alkali-sink goldfields (Feb-April), California alkali grass (March-May), hairy Orcutt grass (May-Sept), heartscale (June-July), lesser saltscale (April-Oct), and Sanford's arrowhead (May-Oct) will be surveyed according to CDFW's *Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Sensitive Natural Communities*,[48] or current guidance, for areas where ground disturbance will occur and prior to the start of construction.	Prior to construction For areas where ground disturbance will occur	Alkali-sink goldfields (Feb-April), California alkali grass (March-May), hairy Orcutt grass (May-Sept), heartscale (June-July), lesser saltscale (April-Oct), and Sanford's arrowhead (May-Oct)	City of Madera – Engineering Department		
BIO-9B	**(*Avoidance*):** If any suitable habitat for special status plants is identified during the survey, disturbance-free buffers and use of exclusion fencing will be placed around the area as not to disturb the plants or its root system.	During construction	Daily	City of Madera – Engineering Department		
BIO-9C	**(*Formal Consultation*):** If rare plant individuals or populations or sensitive natural communities are detected within Project work areas during the survey, and the plants cannot be avoided, the Project proponent will initiate consultation with CDFW and/or USFWS to determine next steps for relocation or to obtain an Incidental Take Permit (ITP).	Prior to construction	Daily	City of Madera – Engineering Department		
Cultural Resources						
CUL-1	**(Archaeological Remains):** Should archaeological remains or artifacts be unearthed during any stage of project activities, work in the area of discovery shall cease until the area is evaluated by a qualified archaeologist. If mitigation is warranted, the project	During construction	Daily	City of Madera – Engineering Department		

[48] (California Department of Water Resources 2018)

Mitigation, Monitoring, and Reporting Program						
Item	Mitigation Measure	When Monitoring is to Occur	Frequency of Monitoring	Agency Responsible for Monitoring	Method to Verify Compliance	Verification of Compliance
	proponent shall abide by recommendations of the archaeologist.					
CUL-2	**(Human Remains):** In the event that any human remains are discovered on the Project site, the Madera County Coroner must be notified of the discovery (California Health and Safety Code, Section 7050.5) and all activities in the immediate area of the find or in any nearby area reasonably suspected to overlie adjacent human remains must cease until appropriate and lawful measures have been implemented. If the Coroner determines that the remains are not recent, but rather of Native American origin, the Coroner shall notify the Native American Heritage Commission (NAHC) in Sacramento within 24 hours to permit the NAHC to determine the Most Likely Descendent of the deceased Native American.	During construction	Daily	City of Madera – Engineering Department		
Geology and Soils						
GEO-1	Should paleontological resources be encountered on the Project area, all ground disturbing activities in the area shall stop. A qualified paleontologist shall be contacted to assess the discovery. Mitigation may include monitoring, recording the fossil locality, data recovery and analysis, a final report. Public educational outreach may also be appropriate. Upon completion of the assessment, a report documenting methods, findings, and recommendations shall be prepared and submitted to the City of Madera for review, and (if paleontological materials are recovered) a paleontological repository, such as the University of California Museum of Paleontology.	During Construction	Dail	City of Madera – Engineering Department		
Tribal Cultural Resources						
	See CUL-1					
	See CUL-2					

CHAPTER 6 REFERENCES

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Appendix A: CalEEMod Output Files

Madera Westberry Bridge Project - Madera County, Annual

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied

Madera Westberry Bridge Project

Madera County, Annual

1.0 Project Characteristics

1.1 Land Usage

Land Uses	Size	Metric	Lot Acreage	Floor Surface Area	Population
Unenclosed Parking Structure	47.00	1000sqft	1.08	47,000.00	0

1.2 Other Project Characteristics

Urbanization	Urban	**Wind Speed (m/s)**	2.9	**Precipitation Freq (Days)**	51
Climate Zone	3			**Operational Year**	2024
Utility Company	Pacific Gas and Electric Company				
CO2 Intensity (lb/MWhr)	203.98	**CH4 Intensity (lb/MWhr)**	0.033	**N2O Intensity (lb/MWhr)**	0.004

1.3 User Entered Comments & Non-Default Data

Project Characteristics -

Land Use - Bridge construction modeled as unenclosed parking structure

Construction Off-road Equipment Mitigation - Project subject to Dust Control Plan

Table Name	Column Name	Default Value	New Value
tblConstDustMitigation	WaterUnpavedRoadVehicleSpeed	0	15
tblConstEquipMitigation	NumberOfEquipmentMitigated	0.00	1.00
tblConstEquipMitigation	NumberOfEquipmentMitigated	0.00	1.00
tblConstEquipMitigation	NumberOfEquipmentMitigated	0.00	1.00
tblConstEquipMitigation	NumberOfEquipmentMitigated	0.00	1.00
tblConstEquipMitigation	NumberOfEquipmentMitigated	0.00	1.00
tblConstEquipMitigation	NumberOfEquipmentMitigated	0.00	2.00

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied

tblConstEquipMitigation	NumberOfEquipmentMitigated	0.00	1.00
tblConstEquipMitigation	NumberOfEquipmentMitigated	0.00	1.00
tblConstEquipMitigation	NumberOfEquipmentMitigated	0.00	3.00
tblConstEquipMitigation	NumberOfEquipmentMitigated	0.00	8.00
tblConstEquipMitigation	NumberOfEquipmentMitigated	0.00	1.00
tblConstEquipMitigation	NumberOfEquipmentMitigated	0.00	1.00
tblConstEquipMitigation	NumberOfEquipmentMitigated	0.00	3.00
tblConstEquipMitigation	Tier	No Change	Tier 4 Final
tblConstEquipMitigation	Tier	No Change	Tier 4 Final
tblConstEquipMitigation	Tier	No Change	Tier 4 Final
tblConstEquipMitigation	Tier	No Change	Tier 4 Final
tblConstEquipMitigation	Tier	No Change	Tier 4 Final
tblConstEquipMitigation	Tier	No Change	Tier 4 Final
tblConstEquipMitigation	Tier	No Change	Tier 4 Final
tblConstEquipMitigation	Tier	No Change	Tier 4 Final
tblConstEquipMitigation	Tier	No Change	Tier 4 Final
tblConstEquipMitigation	Tier	No Change	Tier 4 Final
tblConstEquipMitigation	Tier	No Change	Tier 4 Final
tblConstEquipMitigation	Tier	No Change	Tier 4 Final

2.0 Emissions Summary

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied

2.1 Overall Construction

Unmitigated Construction

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Year	tons/yr										MT/yr					
2023	0.1935	1.4336	1.5472	2.9100e-003	0.0436	0.0622	0.1058	0.0161	0.0597	0.0758	0.0000	245.4768	245.4768	0.0403	2.7300e-003	247.2987
Maximum	**0.1935**	**1.4336**	**1.5472**	**2.9100e-003**	**0.0436**	**0.0622**	**0.1058**	**0.0161**	**0.0597**	**0.0758**	**0.0000**	**245.4768**	**245.4768**	**0.0403**	**2.7300e-003**	**247.2987**

Mitigated Construction

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Year	tons/yr										MT/yr					
2023	0.0522	0.4309	1.6229	2.9100e-003	0.0324	3.9600e-003	0.0363	0.0107	3.9500e-003	0.0147	0.0000	245.4766	245.4766	0.0403	2.7300e-003	247.2984
Maximum	**0.0522**	**0.4309**	**1.6229**	**2.9100e-003**	**0.0324**	**3.9600e-003**	**0.0363**	**0.0107**	**3.9500e-003**	**0.0147**	**0.0000**	**245.4766**	**245.4766**	**0.0403**	**2.7300e-003**	**247.2984**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio-CO2	Total CO2	CH4	N20	CO2e
Percent Reduction	**73.01**	**69.94**	**-4.89**	**0.00**	**25.79**	**93.63**	**65.66**	**33.60**	**93.38**	**80.66**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**

Madera Westberry Bridge Project - Madera County, Annual

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied

Quarter	Start Date	End Date	Maximum Unmitigated ROG + NOX (tons/quarter)	Maximum Mitigated ROG + NOX (tons/quarter)
1	1-1-2023	3-31-2023	0.4662	0.1050
2	4-1-2023	6-30-2023	0.4453	0.1454
3	7-1-2023	9-30-2023	0.4502	0.1470
		Highest	0.4662	0.1470

2.2 Overall Operational

Unmitigated Operational

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Area	4.0600e-003	0.0000	4.3000e-004	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	8.4000e-004	8.4000e-004	0.0000	0.0000	8.9000e-004
Energy	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	7.6101	7.6101	1.2300e-003	1.5000e-004	7.6853
Mobile	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Waste						0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Water						0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Total	**4.0600e-003**	**0.0000**	**4.3000e-004**	**0.0000**	**0.0000**	**0.0000**	**0.0000**	**0.0000**	**0.0000**	**0.0000**	**0.0000**	**7.6109**	**7.6109**	**1.2300e-003**	**1.5000e-004**	**7.6862**

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied

2.2 Overall Operational

Mitigated Operational

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Area	4.0600e-003	0.0000	4.3000e-004	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	8.4000e-004	8.4000e-004	0.0000	0.0000	8.9000e-004
Energy	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	7.6101	7.6101	1.2300e-003	1.5000e-004	7.6853
Mobile	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Waste						0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Water						0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Total	**4.0600e-003**	**0.0000**	**4.3000e-004**	**0.0000**	**0.0000**	**0.0000**	**0.0000**	**0.0000**	**0.0000**	**0.0000**	**0.0000**	**7.6109**	**7.6109**	**1.2300e-003**	**1.5000e-004**	**7.6862**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio-CO2	Total CO2	CH4	N20	CO2e
Percent Reduction	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**

3.0 Construction Detail

Construction Phase

Phase Number	Phase Name	Phase Type	Start Date	End Date	Num Days Week	Num Days	Phase Description
1	Demolition	Demolition	1/1/2023	1/27/2023	5	20	
2	Site Preparation	Site Preparation	1/28/2023	1/31/2023	5	2	
3	Grading	Grading	2/1/2023	2/6/2023	5	4	

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied

4	Building Construction	Building Construction	2/7/2023	11/13/2023	5	200	
5	Paving	Paving	11/14/2023	11/27/2023	5	10	
6	Architectural Coating	Architectural Coating	11/28/2023	12/11/2023	5	10	

Acres of Grading (Site Preparation Phase): 1.88

Acres of Grading (Grading Phase): 4

Acres of Paving: 1.08

Residential Indoor: 0; Residential Outdoor: 0; Non-Residential Indoor: 0; Non-Residential Outdoor: 0; Striped Parking Area: 2,820 (Architectural Coating – sqft)

OffRoad Equipment

Phase Name	Offroad Equipment Type	Amount	Usage Hours	Horse Power	Load Factor
Architectural Coating	Air Compressors	1	6.00	78	0.48
Paving	Cement and Mortar Mixers	1	6.00	9	0.56
Demolition	Concrete/Industrial Saws	1	8.00	81	0.73
Building Construction	Cranes	1	6.00	231	0.29
Building Construction	Forklifts	1	6.00	89	0.20
Building Construction	Generator Sets	1	8.00	84	0.74
Grading	Graders	1	8.00	187	0.41
Site Preparation	Graders	1	8.00	187	0.41
Paving	Pavers	1	6.00	130	0.42
Paving	Paving Equipment	1	8.00	132	0.36
Paving	Rollers	1	7.00	80	0.38
Demolition	Rubber Tired Dozers	1	8.00	247	0.40
Grading	Rubber Tired Dozers	1	8.00	247	0.40
Site Preparation	Rubber Tired Dozers	1	7.00	247	0.40
Building Construction	Tractors/Loaders/Backhoes	1	6.00	97	0.37
Demolition	Tractors/Loaders/Backhoes	3	8.00	97	0.37
Grading	Tractors/Loaders/Backhoes	2	7.00	97	0.37

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied

Paving	Tractors/Loaders/Backhoes	1	8.00	97	0.37
Site Preparation	Tractors/Loaders/Backhoes	1	8.00	97	0.37
Building Construction	Welders	3	8.00	46	0.45

Trips and VMT

Phase Name	Offroad Equipment Count	Worker Trip Number	Vendor Trip Number	Hauling Trip Number	Worker Trip Length	Vendor Trip Length	Hauling Trip Length	Worker Vehicle Class	Vendor Vehicle Class	Hauling Vehicle Class
Demolition	5	13.00	0.00	0.00	10.80	7.30	20.00	LD_Mix	HDT_Mix	HHDT
Site Preparation	3	8.00	0.00	0.00	10.80	7.30	20.00	LD_Mix	HDT_Mix	HHDT
Grading	4	10.00	0.00	0.00	10.80	7.30	20.00	LD_Mix	HDT_Mix	HHDT
Building Construction	7	20.00	8.00	0.00	10.80	7.30	20.00	LD_Mix	HDT_Mix	HHDT
Paving	5	13.00	0.00	0.00	10.80	7.30	20.00	LD_Mix	HDT_Mix	HHDT
Architectural Coating	1	4.00	0.00	0.00	10.80	7.30	20.00	LD_Mix	HDT_Mix	HHDT

3.1 Mitigation Measures Construction

Use Cleaner Engines for Construction Equipment

Water Exposed Area

Reduce Vehicle Speed on Unpaved Roads

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied

3.2 Demolition - 2023

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Off-Road	0.0147	0.1432	0.1346	2.4000e-004		6.7700e-003	6.7700e-003		6.3300e-003	6.3300e-003	0.0000	21.0866	21.0866	5.3500e-003	0.0000	21.2202
Total	**0.0147**	**0.1432**	**0.1346**	**2.4000e-004**		**6.7700e-003**	**6.7700e-003**		**6.3300e-003**	**6.3300e-003**	**0.0000**	**21.0866**	**21.0866**	**5.3500e-003**	**0.0000**	**21.2202**

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	4.5000e-004	2.9000e-004	3.6200e-003	1.0000e-005	1.0400e-003	1.0000e-005	1.0400e-003	2.8000e-004	1.0000e-005	2.8000e-004	0.0000	0.8605	0.8605	3.0000e-005	3.0000e-005	0.8688
Total	**4.5000e-004**	**2.9000e-004**	**3.6200e-003**	**1.0000e-005**	**1.0400e-003**	**1.0000e-005**	**1.0400e-003**	**2.8000e-004**	**1.0000e-005**	**2.8000e-004**	**0.0000**	**0.8605**	**0.8605**	**3.0000e-005**	**3.0000e-005**	**0.8688**

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied

3.2 Demolition - 2023

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Off-Road	2.8100e-003	0.0122	0.1472	2.4000e-004		3.7000e-004	3.7000e-004		3.7000e-004	3.7000e-004	0.0000	21.0865	21.0865	5.3500e-003	0.0000	21.2202
Total	**2.8100e-003**	**0.0122**	**0.1472**	**2.4000e-004**		**3.7000e-004**	**3.7000e-004**		**3.7000e-004**	**3.7000e-004**	**0.0000**	**21.0865**	**21.0865**	**5.3500e-003**	**0.0000**	**21.2202**

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	4.5000e-004	2.9000e-004	3.6200e-003	1.0000e-005	1.0400e-003	1.0000e-005	1.0400e-003	2.8000e-004	1.0000e-005	2.8000e-004	0.0000	0.8605	0.8605	3.0000e-005	3.0000e-005	0.8688
Total	**4.5000e-004**	**2.9000e-004**	**3.6200e-003**	**1.0000e-005**	**1.0400e-003**	**1.0000e-005**	**1.0400e-003**	**2.8000e-004**	**1.0000e-005**	**2.8000e-004**	**0.0000**	**0.8605**	**0.8605**	**3.0000e-005**	**3.0000e-005**	**0.8688**

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied

3.3 Site Preparation - 2023

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Fugitive Dust					6.2700e-003	0.0000	6.2700e-003	3.0000e-003	0.0000	3.0000e-003	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road	1.1300e-003	0.0124	6.6400e-003	2.0000e-005		5.1000e-004	5.1000e-004		4.7000e-004	4.7000e-004	0.0000	1.5114	1.5114	4.9000e-004	0.0000	1.5236
Total	**1.1300e-003**	**0.0124**	**6.6400e-003**	**2.0000e-005**	**6.2700e-003**	**5.1000e-004**	**6.7800e-003**	**3.0000e-003**	**4.7000e-004**	**3.4700e-003**	**0.0000**	**1.5114**	**1.5114**	**4.9000e-004**	**0.0000**	**1.5236**

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	3.0000e-005	2.0000e-005	2.2000e-004	0.0000	6.0000e-005	0.0000	6.0000e-005	2.0000e-005	0.0000	2.0000e-005	0.0000	0.0530	0.0530	0.0000	0.0000	0.0535
Total	**3.0000e-005**	**2.0000e-005**	**2.2000e-004**	**0.0000**	**6.0000e-005**	**0.0000**	**6.0000e-005**	**2.0000e-005**	**0.0000**	**2.0000e-005**	**0.0000**	**0.0530**	**0.0530**	**0.0000**	**0.0000**	**0.0535**

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied

3.3 Site Preparation - 2023

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Fugitive Dust					2.8200e-003	0.0000	2.8200e-003	1.3500e-003	0.0000	1.3500e-003	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road	2.1000e-004	9.1000e-004	8.6700e-003	2.0000e-005		3.0000e-005	3.0000e-005		3.0000e-005	3.0000e-005	0.0000	1.5114	1.5114	4.9000e-004	0.0000	1.5236
Total	**2.1000e-004**	**9.1000e-004**	**8.6700e-003**	**2.0000e-005**	**2.8200e-003**	**3.0000e-005**	**2.8500e-003**	**1.3500e-003**	**3.0000e-005**	**1.3800e-003**	**0.0000**	**1.5114**	**1.5114**	**4.9000e-004**	**0.0000**	**1.5236**

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	3.0000e-005	2.0000e-005	2.2000e-004	0.0000	6.0000e-005	0.0000	6.0000e-005	2.0000e-005	0.0000	2.0000e-005	0.0000	0.0530	0.0530	0.0000	0.0000	0.0535
Total	**3.0000e-005**	**2.0000e-005**	**2.2000e-004**	**0.0000**	**6.0000e-005**	**0.0000**	**6.0000e-005**	**2.0000e-005**	**0.0000**	**2.0000e-005**	**0.0000**	**0.0530**	**0.0530**	**0.0000**	**0.0000**	**0.0535**

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied

3.4 Grading - 2023

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Fugitive Dust					0.0142	0.0000	0.0142	6.8500e-003	0.0000	6.8500e-003	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road	2.6700e-003	0.0289	0.0174	4.0000e-005		1.2100e-003	1.2100e-003		1.1100e-003	1.1100e-003	0.0000	3.6208	3.6208	1.1700e-003	0.0000	3.6501
Total	**2.6700e-003**	**0.0289**	**0.0174**	**4.0000e-005**	**0.0142**	**1.2100e-003**	**0.0154**	**6.8500e-003**	**1.1100e-003**	**7.9600e-003**	**0.0000**	**3.6208**	**3.6208**	**1.1700e-003**	**0.0000**	**3.6501**

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	7.0000e-005	4.0000e-005	5.6000e-004	0.0000	1.6000e-004	0.0000	1.6000e-004	4.0000e-005	0.0000	4.0000e-005	0.0000	0.1324	0.1324	0.0000	0.0000	0.1337
Total	**7.0000e-005**	**4.0000e-005**	**5.6000e-004**	**0.0000**	**1.6000e-004**	**0.0000**	**1.6000e-004**	**4.0000e-005**	**0.0000**	**4.0000e-005**	**0.0000**	**0.1324**	**0.1324**	**0.0000**	**0.0000**	**0.1337**

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied

3.4 Grading - 2023

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Fugitive Dust					6.3700e-003	0.0000	6.3700e-003	3.0800e-003	0.0000	3.0800e-003	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road	5.0000e-004	2.1900e-003	0.0218	4.0000e-005		7.0000e-005	7.0000e-005		7.0000e-005	7.0000e-005	0.0000	3.6208	3.6208	1.1700e-003	0.0000	3.6501
Total	**5.0000e-004**	**2.1900e-003**	**0.0218**	**4.0000e-005**	**6.3700e-003**	**7.0000e-005**	**6.4400e-003**	**3.0800e-003**	**7.0000e-005**	**3.1500e-003**	**0.0000**	**3.6208**	**3.6208**	**1.1700e-003**	**0.0000**	**3.6501**

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	7.0000e-005	4.0000e-005	5.6000e-004	0.0000	1.6000e-004	0.0000	1.6000e-004	4.0000e-005	0.0000	4.0000e-005	0.0000	0.1324	0.1324	0.0000	0.0000	0.1337
Total	**7.0000e-005**	**4.0000e-005**	**5.6000e-004**	**0.0000**	**1.6000e-004**	**0.0000**	**1.6000e-004**	**4.0000e-005**	**0.0000**	**4.0000e-005**	**0.0000**	**0.1324**	**0.1324**	**0.0000**	**0.0000**	**0.1337**

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied

3.5 Building Construction - 2023

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Off-Road	0.1523	1.1710	1.2611	2.2100e-003		0.0515	0.0515		0.0497	0.0497	0.0000	181.5991	181.5991	0.0308	0.0000	182.3701
Total	**0.1523**	**1.1710**	**1.2611**	**2.2100e-003**		**0.0515**	**0.0515**		**0.0497**	**0.0497**	**0.0000**	**181.5991**	**181.5991**	**0.0308**	**0.0000**	**182.3701**

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	9.6000e-004	0.0353	0.0119	1.6000e-004	5.2900e-003	2.3000e-004	5.5200e-003	1.5300e-003	2.2000e-004	1.7500e-003	0.0000	15.6498	15.6498	6.0000e-005	2.2900e-003	16.3329
Worker	6.8500e-003	4.4900e-003	0.0557	1.4000e-004	0.0159	1.0000e-004	0.0160	4.2400e-003	9.0000e-005	4.3200e-003	0.0000	13.2379	13.2379	4.4000e-004	3.9000e-004	13.3664
Total	**7.8100e-003**	**0.0398**	**0.0676**	**3.0000e-004**	**0.0212**	**3.3000e-004**	**0.0216**	**5.7700e-003**	**3.1000e-004**	**6.0700e-003**	**0.0000**	**28.8877**	**28.8877**	**5.0000e-004**	**2.6800e-003**	**29.6993**

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied

3.5 Building Construction - 2023

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Off-Road	0.0293	0.3712	1.3124	2.2100e-003		3.0300e-003	3.0300e-003		3.0300e-003	3.0300e-003	0.0000	181.5989	181.5989	0.0308	0.0000	182.3698
Total	**0.0293**	**0.3712**	**1.3124**	**2.2100e-003**		**3.0300e-003**	**3.0300e-003**		**3.0300e-003**	**3.0300e-003**	**0.0000**	**181.5989**	**181.5989**	**0.0308**	**0.0000**	**182.3698**

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	9.6000e-004	0.0353	0.0119	1.6000e-004	5.2900e-003	2.3000e-004	5.5200e-003	1.5300e-003	2.2000e-004	1.7500e-003	0.0000	15.6498	15.6498	6.0000e-005	2.2900e-003	16.3329
Worker	6.8500e-003	4.4900e-003	0.0557	1.4000e-004	0.0159	1.0000e-004	0.0160	4.2400e-003	9.0000e-005	4.3200e-003	0.0000	13.2379	13.2379	4.4000e-004	3.9000e-004	13.3664
Total	**7.8100e-003**	**0.0398**	**0.0676**	**3.0000e-004**	**0.0212**	**3.3000e-004**	**0.0216**	**5.7700e-003**	**3.1000e-004**	**6.0700e-003**	**0.0000**	**28.8877**	**28.8877**	**5.0000e-004**	**2.6800e-003**	**29.6993**

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied

3.6 Paving - 2023

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Off-Road	3.2200e-003	0.0312	0.0440	7.0000e-005		1.5400e-003	1.5400e-003		1.4200e-003	1.4200e-003	0.0000	5.8862	5.8862	1.8700e-003	0.0000	5.9329
Paving	0.0000					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Total	**3.2200e-003**	**0.0312**	**0.0440**	**7.0000e-005**		**1.5400e-003**	**1.5400e-003**		**1.4200e-003**	**1.4200e-003**	**0.0000**	**5.8862**	**5.8862**	**1.8700e-003**	**0.0000**	**5.9329**

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	2.2000e-004	1.5000e-004	1.8100e-003	0.0000	5.2000e-004	0.0000	5.2000e-004	1.4000e-004	0.0000	1.4000e-004	0.0000	0.4302	0.4302	1.0000e-005	1.0000e-005	0.4344
Total	**2.2000e-004**	**1.5000e-004**	**1.8100e-003**	**0.0000**	**5.2000e-004**	**0.0000**	**5.2000e-004**	**1.4000e-004**	**0.0000**	**1.4000e-004**	**0.0000**	**0.4302**	**0.4302**	**1.0000e-005**	**1.0000e-005**	**0.4344**

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied

3.6 Paving - 2023

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Off-Road	8.0000e-004	3.4600e-003	0.0493	7.0000e-005		1.1000e-004	1.1000e-004		1.1000e-004	1.1000e-004	0.0000	5.8862	5.8862	1.8700e-003	0.0000	5.9329
Paving	0.0000					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Total	**8.0000e-004**	**3.4600e-003**	**0.0493**	**7.0000e-005**		**1.1000e-004**	**1.1000e-004**		**1.1000e-004**	**1.1000e-004**	**0.0000**	**5.8862**	**5.8862**	**1.8700e-003**	**0.0000**	**5.9329**

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	2.2000e-004	1.5000e-004	1.8100e-003	0.0000	5.2000e-004	0.0000	5.2000e-004	1.4000e-004	0.0000	1.4000e-004	0.0000	0.4302	0.4302	1.0000e-005	1.0000e-005	0.4344
Total	**2.2000e-004**	**1.5000e-004**	**1.8100e-003**	**0.0000**	**5.2000e-004**	**0.0000**	**5.2000e-004**	**1.4000e-004**	**0.0000**	**1.4000e-004**	**0.0000**	**0.4302**	**0.4302**	**1.0000e-005**	**1.0000e-005**	**0.4344**

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied

3.7 Architectural Coating - 2023

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Archit. Coating	9.8000e-003					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road	9.6000e-004	6.5100e-003	9.0600e-003	1.0000e-005		3.5000e-004	3.5000e-004		3.5000e-004	3.5000e-004	0.0000	1.2766	1.2766	8.0000e-005	0.0000	1.2785
Total	**0.0108**	**6.5100e-003**	**9.0600e-003**	**1.0000e-005**		**3.5000e-004**	**3.5000e-004**		**3.5000e-004**	**3.5000e-004**	**0.0000**	**1.2766**	**1.2766**	**8.0000e-005**	**0.0000**	**1.2785**

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	7.0000e-005	4.0000e-005	5.6000e-004	0.0000	1.6000e-004	0.0000	1.6000e-004	4.0000e-005	0.0000	4.0000e-005	0.0000	0.1324	0.1324	0.0000	0.0000	0.1337
Total	**7.0000e-005**	**4.0000e-005**	**5.6000e-004**	**0.0000**	**1.6000e-004**	**0.0000**	**1.6000e-004**	**4.0000e-005**	**0.0000**	**4.0000e-005**	**0.0000**	**0.1324**	**0.1324**	**0.0000**	**0.0000**	**0.1337**

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied

3.7 Architectural Coating - 2023

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Archit. Coating	9.8000e-003					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road	1.5000e-004	6.4000e-004	9.1600e-003	1.0000e-005		2.0000e-005	2.0000e-005		2.0000e-005	2.0000e-005	0.0000	1.2766	1.2766	8.0000e-005	0.0000	1.2785
Total	**9.9500e-003**	**6.4000e-004**	**9.1600e-003**	**1.0000e-005**		**2.0000e-005**	**2.0000e-005**		**2.0000e-005**	**2.0000e-005**	**0.0000**	**1.2766**	**1.2766**	**8.0000e-005**	**0.0000**	**1.2785**

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	7.0000e-005	4.0000e-005	5.6000e-004	0.0000	1.6000e-004	0.0000	1.6000e-004	4.0000e-005	0.0000	4.0000e-005	0.0000	0.1324	0.1324	0.0000	0.0000	0.1337
Total	**7.0000e-005**	**4.0000e-005**	**5.6000e-004**	**0.0000**	**1.6000e-004**	**0.0000**	**1.6000e-004**	**4.0000e-005**	**0.0000**	**4.0000e-005**	**0.0000**	**0.1324**	**0.1324**	**0.0000**	**0.0000**	**0.1337**

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied

4.0 Operational Detail - Mobile

4.1 Mitigation Measures Mobile

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Mitigated	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Unmitigated	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000

4.2 Trip Summary Information

	Average Daily Trip Rate			Unmitigated	Mitigated
Land Use	Weekday	Saturday	Sunday	Annual VMT	Annual VMT
Unenclosed Parking Structure	0.00	0.00	0.00		
Total	0.00	0.00	0.00		

4.3 Trip Type Information

	Miles			Trip %			Trip Purpose %		
Land Use	H-W or C-W	H-S or C-C	H-O or C-NW	H-W or C-W	H-S or C-C	H-O or C-NW	Primary	Diverted	Pass-by
Unenclosed Parking Structure	9.50	7.30	7.30	0.00	0.00	0.00	0	0	0

4.4 Fleet Mix

Land Use	LDA	LDT1	LDT2	MDV	LHD1	LHD2	MHD	HHD	OBUS	UBUS	MCY	SBUS	MH
Unenclosed Parking Structure	0.500104	0.052860	0.172660	0.158983	0.033384	0.008488	0.010945	0.028437	0.000810	0.000210	0.026444	0.001975	0.004700

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied

5.0 Energy Detail

Historical Energy Use: N

5.1 Mitigation Measures Energy

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Electricity Mitigated						0.0000	0.0000		0.0000	0.0000	0.0000	7.6101	7.6101	1.2300e-003	1.5000e-004	7.6853
Electricity Unmitigated						0.0000	0.0000		0.0000	0.0000	0.0000	7.6101	7.6101	1.2300e-003	1.5000e-004	7.6853
NaturalGas Mitigated	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
NaturalGas Unmitigated	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied

5.2 Energy by Land Use - NaturalGas

Unmitigated

	NaturalGas Use	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Land Use	kBTU/yr	tons/yr										MT/yr					
Unenclosed Parking Structure	0	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Total		**0.0000**	**0.0000**	**0.0000**	**0.0000**		**0.0000**	**0.0000**		**0.0000**	**0.0000**	**0.0000**	**0.0000**	**0.0000**	**0.0000**	**0.0000**	**0.0000**

Mitigated

	NaturalGas Use	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Land Use	kBTU/yr	tons/yr										MT/yr					
Unenclosed Parking Structure	0	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Total		**0.0000**	**0.0000**	**0.0000**	**0.0000**		**0.0000**	**0.0000**		**0.0000**	**0.0000**	**0.0000**	**0.0000**	**0.0000**	**0.0000**	**0.0000**	**0.0000**

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied

5.3 Energy by Land Use - Electricity

Unmitigated

	Electricity Use	Total CO2	CH4	N2O	CO2e
Land Use	kWh/yr	MT/yr			
Unenclosed Parking Structure	82250	7.6101	1.2300e-003	1.5000e-004	7.6853
Total		**7.6101**	**1.2300e-003**	**1.5000e-004**	**7.6853**

Mitigated

	Electricity Use	Total CO2	CH4	N2O	CO2e
Land Use	kWh/yr	MT/yr			
Unenclosed Parking Structure	82250	7.6101	1.2300e-003	1.5000e-004	7.6853
Total		**7.6101**	**1.2300e-003**	**1.5000e-004**	**7.6853**

6.0 Area Detail

6.1 Mitigation Measures Area

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Mitigated	4.0600e-003	0.0000	4.3000e-004	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	8.4000e-004	8.4000e-004	0.0000	0.0000	8.9000e-004
Unmitigated	4.0600e-003	0.0000	4.3000e-004	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	8.4000e-004	8.4000e-004	0.0000	0.0000	8.9000e-004

6.2 Area by SubCategory

Unmitigated

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
SubCategory	tons/yr										MT/yr					
Architectural Coating	9.8000e-004					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Consumer Products	3.0400e-003					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Landscaping	4.0000e-005	0.0000	4.3000e-004	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	8.4000e-004	8.4000e-004	0.0000	0.0000	8.9000e-004
Total	**4.0600e-003**	**0.0000**	**4.3000e-004**	**0.0000**		**0.0000**	**0.0000**		**0.0000**	**0.0000**	**0.0000**	**8.4000e-004**	**8.4000e-004**	**0.0000**	**0.0000**	**8.9000e-004**

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied

6.2 Area by SubCategory

Mitigated

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
SubCategory	tons/yr										MT/yr					
Architectural Coating	9.8000e-004					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Consumer Products	3.0400e-003					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Landscaping	4.0000e-005	0.0000	4.3000e-004	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	8.4000e-004	8.4000e-004	0.0000	0.0000	8.9000e-004
Total	**4.0600e-003**	**0.0000**	**4.3000e-004**	**0.0000**		**0.0000**	**0.0000**		**0.0000**	**0.0000**	**0.0000**	**8.4000e-004**	**8.4000e-004**	**0.0000**	**0.0000**	**8.9000e-004**

7.0 Water Detail

7.1 Mitigation Measures Water

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied

	Total CO2	CH4	N2O	CO2e
Category	MT/yr			
Mitigated	0.0000	0.0000	0.0000	0.0000
Unmitigated	0.0000	0.0000	0.0000	0.0000

7.2 Water by Land Use

Unmitigated

	Indoor/Outdoor Use	Total CO2	CH4	N2O	CO2e
Land Use	Mgal	MT/yr			
Unenclosed Parking Structure	0 / 0	0.0000	0.0000	0.0000	0.0000
Total		**0.0000**	**0.0000**	**0.0000**	**0.0000**

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied

7.2 Water by Land Use

Mitigated

	Indoor/Outdoor Use	Total CO2	CH4	N2O	CO2e
Land Use	Mgal	MT/yr			
Unenclosed Parking Structure	0 / 0	0.0000	0.0000	0.0000	0.0000
Total		**0.0000**	**0.0000**	**0.0000**	**0.0000**

8.0 Waste Detail

8.1 Mitigation Measures Waste

Category/Year

	Total CO2	CH4	N2O	CO2e
	MT/yr			
Mitigated	0.0000	0.0000	0.0000	0.0000
Unmitigated	0.0000	0.0000	0.0000	0.0000

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied

8.2 Waste by Land Use

Unmitigated

	Waste Disposed	Total CO2	CH4	N2O	CO2e
Land Use	tons	MT/yr			
Unenclosed Parking Structure	0	0.0000	0.0000	0.0000	0.0000
Total		**0.0000**	**0.0000**	**0.0000**	**0.0000**

Mitigated

	Waste Disposed	Total CO2	CH4	N2O	CO2e
Land Use	tons	MT/yr			
Unenclosed Parking Structure	0	0.0000	0.0000	0.0000	0.0000
Total		**0.0000**	**0.0000**	**0.0000**	**0.0000**

9.0 Operational Offroad

Equipment Type	Number	Hours/Day	Days/Year	Horse Power	Load Factor	Fuel Type

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied

10.0 Stationary Equipment

Fire Pumps and Emergency Generators

Equipment Type	Number	Hours/Day	Hours/Year	Horse Power	Load Factor	Fuel Type

Boilers

Equipment Type	Number	Heat Input/Day	Heat Input/Year	Boiler Rating	Fuel Type

User Defined Equipment

Equipment Type	Number

11.0 Vegetation

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied

Madera Westberry Bridge Project

Madera County, Winter

1.0 Project Characteristics

1.1 Land Usage

Land Uses	Size	Metric	Lot Acreage	Floor Surface Area	Population
Unenclosed Parking Structure	47.00	1000sqft	1.08	47,000.00	0

1.2 Other Project Characteristics

Urbanization	Urban	**Wind Speed (m/s)**	2.9	**Precipitation Freq (Days)**	51
Climate Zone	3			**Operational Year**	2024
Utility Company	Pacific Gas and Electric Company				
CO2 Intensity (lb/MWhr)	203.98	**CH4 Intensity (lb/MWhr)**	0.033	**N2O Intensity (lb/MWhr)**	0.004

1.3 User Entered Comments & Non-Default Data

Project Characteristics -

Land Use - Bridge construction modeled as unenclosed parking structure

Construction Off-road Equipment Mitigation - Project subject to Dust Control Plan

Table Name	Column Name	Default Value	New Value
tblConstDustMitigation	WaterUnpavedRoadVehicleSpeed	0	15
tblConstEquipMitigation	NumberOfEquipmentMitigated	0.00	1.00
tblConstEquipMitigation	NumberOfEquipmentMitigated	0.00	1.00
tblConstEquipMitigation	NumberOfEquipmentMitigated	0.00	1.00
tblConstEquipMitigation	NumberOfEquipmentMitigated	0.00	1.00
tblConstEquipMitigation	NumberOfEquipmentMitigated	0.00	1.00
tblConstEquipMitigation	NumberOfEquipmentMitigated	0.00	2.00

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied

tblConstEquipMitigation	NumberOfEquipmentMitigated	0.00	1.00
tblConstEquipMitigation	NumberOfEquipmentMitigated	0.00	1.00
tblConstEquipMitigation	NumberOfEquipmentMitigated	0.00	3.00
tblConstEquipMitigation	NumberOfEquipmentMitigated	0.00	8.00
tblConstEquipMitigation	NumberOfEquipmentMitigated	0.00	1.00
tblConstEquipMitigation	NumberOfEquipmentMitigated	0.00	1.00
tblConstEquipMitigation	NumberOfEquipmentMitigated	0.00	3.00
tblConstEquipMitigation	Tier	No Change	Tier 4 Final
tblConstEquipMitigation	Tier	No Change	Tier 4 Final
tblConstEquipMitigation	Tier	No Change	Tier 4 Final
tblConstEquipMitigation	Tier	No Change	Tier 4 Final
tblConstEquipMitigation	Tier	No Change	Tier 4 Final
tblConstEquipMitigation	Tier	No Change	Tier 4 Final
tblConstEquipMitigation	Tier	No Change	Tier 4 Final
tblConstEquipMitigation	Tier	No Change	Tier 4 Final
tblConstEquipMitigation	Tier	No Change	Tier 4 Final
tblConstEquipMitigation	Tier	No Change	Tier 4 Final
tblConstEquipMitigation	Tier	No Change	Tier 4 Final
tblConstEquipMitigation	Tier	No Change	Tier 4 Final

2.0 Emissions Summary

Madera Westberry Bridge Project - Madera County, Winter

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied

2.1 Overall Construction (Maximum Daily Emission)

Unmitigated Construction

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Year	lb/day										lb/day					
2023	2.1664	14.4924	13.8152	0.0251	7.1647	0.6773	7.7696	3.4465	0.6333	4.0030	0.0000	2,416.2278	2,416.2278	0.6480	0.0299	2,431.9438
Maximum	**2.1664**	**14.4924**	**13.8152**	**0.0251**	**7.1647**	**0.6773**	**7.7696**	**3.4465**	**0.6333**	**4.0030**	**0.0000**	**2,416.2278**	**2,416.2278**	**0.6480**	**0.0299**	**2,431.9438**

Mitigated Construction

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Year	lb/day										lb/day					
2023	2.0044	4.1235	15.0759	0.0251	3.2693	0.0381	3.3034	1.5629	0.0381	1.5970	0.0000	2,416.2278	2,416.2278	0.6480	0.0299	2,431.9438
Maximum	**2.0044**	**4.1235**	**15.0759**	**0.0251**	**3.2693**	**0.0381**	**3.3034**	**1.5629**	**0.0381**	**1.5970**	**0.0000**	**2,416.2278**	**2,416.2278**	**0.6480**	**0.0299**	**2,431.9438**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio-CO2	Total CO2	CH4	N20	CO2e
Percent Reduction	**7.48**	**71.55**	**-9.13**	**0.00**	**54.37**	**94.37**	**57.48**	**54.65**	**93.99**	**60.11**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied

2.2 Overall Operational

Unmitigated Operational

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Area	0.0225	4.0000e-005	4.7900e-003	0.0000		2.0000e-005	2.0000e-005		2.0000e-005	2.0000e-005		0.0103	0.0103	3.0000e-005		0.0110
Energy	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Mobile	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Total	**0.0225**	**4.0000e-005**	**4.7900e-003**	**0.0000**	**0.0000**	**2.0000e-005**	**2.0000e-005**	**0.0000**	**2.0000e-005**	**2.0000e-005**		**0.0103**	**0.0103**	**3.0000e-005**	**0.0000**	**0.0110**

Mitigated Operational

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Area	0.0225	4.0000e-005	4.7900e-003	0.0000		2.0000e-005	2.0000e-005		2.0000e-005	2.0000e-005		0.0103	0.0103	3.0000e-005		0.0110
Energy	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Mobile	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Total	**0.0225**	**4.0000e-005**	**4.7900e-003**	**0.0000**	**0.0000**	**2.0000e-005**	**2.0000e-005**	**0.0000**	**2.0000e-005**	**2.0000e-005**		**0.0103**	**0.0103**	**3.0000e-005**	**0.0000**	**0.0110**

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio-CO2	Total CO2	CH4	N20	CO2e
Percent Reduction	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

3.0 Construction Detail

Construction Phase

Phase Number	Phase Name	Phase Type	Start Date	End Date	Num Days Week	Num Days	Phase Description
1	Demolition	Demolition	1/1/2023	1/27/2023	5	20	
2	Site Preparation	Site Preparation	1/28/2023	1/31/2023	5	2	
3	Grading	Grading	2/1/2023	2/6/2023	5	4	
4	Building Construction	Building Construction	2/7/2023	11/13/2023	5	200	
5	Paving	Paving	11/14/2023	11/27/2023	5	10	
6	Architectural Coating	Architectural Coating	11/28/2023	12/11/2023	5	10	

Acres of Grading (Site Preparation Phase): 1.88

Acres of Grading (Grading Phase): 4

Acres of Paving: 1.08

Residential Indoor: 0; Residential Outdoor: 0; Non-Residential Indoor: 0; Non-Residential Outdoor: 0; Striped Parking Area: 2,820 (Architectural Coating – sqft)

OffRoad Equipment

Phase Name	Offroad Equipment Type	Amount	Usage Hours	Horse Power	Load Factor
Architectural Coating	Air Compressors	1	6.00	78	0.48
Paving	Cement and Mortar Mixers	1	6.00	9	0.56
Demolition	Concrete/Industrial Saws	1	8.00	81	0.73
Building Construction	Cranes	1	6.00	231	0.29
Building Construction	Forklifts	1	6.00	89	0.20

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied

Building Construction	Generator Sets	1	8.00	84	0.74
Grading	Graders	1	8.00	187	0.41
Site Preparation	Graders	1	8.00	187	0.41
Paving	Pavers	1	6.00	130	0.42
Paving	Paving Equipment	1	8.00	132	0.36
Paving	Rollers	1	7.00	80	0.38
Demolition	Rubber Tired Dozers	1	8.00	247	0.40
Grading	Rubber Tired Dozers	1	8.00	247	0.40
Site Preparation	Rubber Tired Dozers	1	7.00	247	0.40
Building Construction	Tractors/Loaders/Backhoes	1	6.00	97	0.37
Demolition	Tractors/Loaders/Backhoes	3	8.00	97	0.37
Grading	Tractors/Loaders/Backhoes	2	7.00	97	0.37
Paving	Tractors/Loaders/Backhoes	1	8.00	97	0.37
Site Preparation	Tractors/Loaders/Backhoes	1	8.00	97	0.37
Building Construction	Welders	3	8.00	46	0.45

Trips and VMT

Phase Name	Offroad Equipment Count	Worker Trip Number	Vendor Trip Number	Hauling Trip Number	Worker Trip Length	Vendor Trip Length	Hauling Trip Length	Worker Vehicle Class	Vendor Vehicle Class	Hauling Vehicle Class
Demolition	5	13.00	0.00	0.00	10.80	7.30	20.00	LD_Mix	HDT_Mix	HHDT
Site Preparation	3	8.00	0.00	0.00	10.80	7.30	20.00	LD_Mix	HDT_Mix	HHDT
Grading	4	10.00	0.00	0.00	10.80	7.30	20.00	LD_Mix	HDT_Mix	HHDT
Building Construction	7	20.00	8.00	0.00	10.80	7.30	20.00	LD_Mix	HDT_Mix	HHDT
Paving	5	13.00	0.00	0.00	10.80	7.30	20.00	LD_Mix	HDT_Mix	HHDT
Architectural Coating	1	4.00	0.00	0.00	10.80	7.30	20.00	LD_Mix	HDT_Mix	HHDT

3.1 Mitigation Measures Construction

Use Cleaner Engines for Construction Equipment

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied

Water Exposed Area

Reduce Vehicle Speed on Unpaved Roads

3.2 Demolition - 2023

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Off-Road	1.4725	14.3184	13.4577	0.0241		0.6766	0.6766		0.6328	0.6328		2,324.3959	2,324.3959	0.5893		2,339.1278
Total	**1.4725**	**14.3184**	**13.4577**	**0.0241**		**0.6766**	**0.6766**		**0.6328**	**0.6328**		**2,324.3959**	**2,324.3959**	**0.5893**		**2,339.1278**

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Worker	0.0458	0.0322	0.3575	9.1000e-004	0.1068	6.2000e-004	0.1074	0.0283	5.7000e-004	0.0289		91.8319	91.8319	3.3900e-003	3.0200e-003	92.8160
Total	**0.0458**	**0.0322**	**0.3575**	**9.1000e-004**	**0.1068**	**6.2000e-004**	**0.1074**	**0.0283**	**5.7000e-004**	**0.0289**		**91.8319**	**91.8319**	**3.3900e-003**	**3.0200e-003**	**92.8160**

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied

3.2 Demolition - 2023

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Off-Road	0.2811	1.2179	14.7184	0.0241		0.0375	0.0375		0.0375	0.0375	0.0000	2,324.3959	2,324.3959	0.5893		2,339.1278
Total	**0.2811**	**1.2179**	**14.7184**	**0.0241**		**0.0375**	**0.0375**		**0.0375**	**0.0375**	**0.0000**	**2,324.3959**	**2,324.3959**	**0.5893**		**2,339.1278**

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Worker	0.0458	0.0322	0.3575	9.1000e-004	0.1068	6.2000e-004	0.1074	0.0283	5.7000e-004	0.0289		91.8319	91.8319	3.3900e-003	3.0200e-003	92.8160
Total	**0.0458**	**0.0322**	**0.3575**	**9.1000e-004**	**0.1068**	**6.2000e-004**	**0.1074**	**0.0283**	**5.7000e-004**	**0.0289**		**91.8319**	**91.8319**	**3.3900e-003**	**3.0200e-003**	**92.8160**

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied

3.3 Site Preparation - 2023

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Fugitive Dust					6.2662	0.0000	6.2662	3.0041	0.0000	3.0041			0.0000			0.0000
Off-Road	1.1339	12.4250	6.6420	0.0172		0.5074	0.5074		0.4668	0.4668		1,666.0573	1,666.0573	0.5388		1,679.5282
Total	**1.1339**	**12.4250**	**6.6420**	**0.0172**	**6.2662**	**0.5074**	**6.7736**	**3.0041**	**0.4668**	**3.4709**		**1,666.0573**	**1,666.0573**	**0.5388**		**1,679.5282**

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Worker	0.0282	0.0198	0.2200	5.6000e-004	0.0657	3.8000e-004	0.0661	0.0174	3.5000e-004	0.0178		56.5119	56.5119	2.0900e-003	1.8600e-003	57.1175
Total	**0.0282**	**0.0198**	**0.2200**	**5.6000e-004**	**0.0657**	**3.8000e-004**	**0.0661**	**0.0174**	**3.5000e-004**	**0.0178**		**56.5119**	**56.5119**	**2.0900e-003**	**1.8600e-003**	**57.1175**

Madera Westberry Bridge Project - Madera County, Winter

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied

3.3 Site Preparation - 2023

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Fugitive Dust					2.8198	0.0000	2.8198	1.3518	0.0000	1.3518			0.0000			0.0000
Off-Road	0.2106	0.9126	8.6714	0.0172		0.0281	0.0281		0.0281	0.0281	0.0000	1,666.0573	1,666.0573	0.5388		1,679.5282
Total	**0.2106**	**0.9126**	**8.6714**	**0.0172**	**2.8198**	**0.0281**	**2.8479**	**1.3518**	**0.0281**	**1.3799**	**0.0000**	**1,666.0573**	**1,666.0573**	**0.5388**		**1,679.5282**

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Worker	0.0282	0.0198	0.2200	5.6000e-004	0.0657	3.8000e-004	0.0661	0.0174	3.5000e-004	0.0178		56.5119	56.5119	2.0900e-003	1.8600e-003	57.1175
Total	**0.0282**	**0.0198**	**0.2200**	**5.6000e-004**	**0.0657**	**3.8000e-004**	**0.0661**	**0.0174**	**3.5000e-004**	**0.0178**		**56.5119**	**56.5119**	**2.0900e-003**	**1.8600e-003**	**57.1175**

Madera Westberry Bridge Project - Madera County, Winter

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied

3.4 Grading - 2023

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Fugitive Dust					7.0826	0.0000	7.0826	3.4247	0.0000	3.4247			0.0000			0.0000
Off-Road	1.3330	14.4676	8.7038	0.0206		0.6044	0.6044		0.5560	0.5560		1,995.6147	1,995.6147	0.6454		2,011.7503
Total	**1.3330**	**14.4676**	**8.7038**	**0.0206**	**7.0826**	**0.6044**	**7.6869**	**3.4247**	**0.5560**	**3.9807**		**1,995.6147**	**1,995.6147**	**0.6454**		**2,011.7503**

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Worker	0.0352	0.0248	0.2750	7.0000e-004	0.0822	4.8000e-004	0.0826	0.0218	4.4000e-004	0.0222		70.6399	70.6399	2.6100e-003	2.3200e-003	71.3969
Total	**0.0352**	**0.0248**	**0.2750**	**7.0000e-004**	**0.0822**	**4.8000e-004**	**0.0826**	**0.0218**	**4.4000e-004**	**0.0222**		**70.6399**	**70.6399**	**2.6100e-003**	**2.3200e-003**	**71.3969**

Madera Westberry Bridge Project - Madera County, Winter

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied

3.4 Grading - 2023

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Fugitive Dust					3.1872	0.0000	3.1872	1.5411	0.0000	1.5411			0.0000			0.0000
Off-Road	0.2522	1.0927	10.9071	0.0206		0.0336	0.0336		0.0336	0.0336	0.0000	1,995.6147	1,995.6147	0.6454		2,011.7503
Total	**0.2522**	**1.0927**	**10.9071**	**0.0206**	**3.1872**	**0.0336**	**3.2208**	**1.5411**	**0.0336**	**1.5748**	**0.0000**	**1,995.6147**	**1,995.6147**	**0.6454**		**2,011.7503**

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Worker	0.0352	0.0248	0.2750	7.0000e-004	0.0822	4.8000e-004	0.0826	0.0218	4.4000e-004	0.0222		70.6399	70.6399	2.6100e-003	2.3200e-003	71.3969
Total	**0.0352**	**0.0248**	**0.2750**	**7.0000e-004**	**0.0822**	**4.8000e-004**	**0.0826**	**0.0218**	**4.4000e-004**	**0.0222**		**70.6399**	**70.6399**	**2.6100e-003**	**2.3200e-003**	**71.3969**

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied

3.5 Building Construction - 2023

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Off-Road	1.5233	11.7104	12.6111	0.0221		0.5145	0.5145		0.4968	0.4968		2,001.7877	2,001.7877	0.3399		2,010.2858
Total	**1.5233**	**11.7104**	**12.6111**	**0.0221**		**0.5145**	**0.5145**		**0.4968**	**0.4968**		**2,001.7877**	**2,001.7877**	**0.3399**		**2,010.2858**

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	9.3200e-003	0.3619	0.1211	1.6400e-003	0.0543	2.3100e-003	0.0566	0.0156	2.2100e-003	0.0178		172.7071	172.7071	6.0000e-004	0.0253	180.2503
Worker	0.0704	0.0495	0.5500	1.4000e-003	0.1643	9.5000e-004	0.1653	0.0436	8.8000e-004	0.0445		141.2798	141.2798	5.2200e-003	4.6400e-003	142.7938
Total	**0.0797**	**0.4114**	**0.6710**	**3.0400e-003**	**0.2186**	**3.2600e-003**	**0.2218**	**0.0592**	**3.0900e-003**	**0.0623**		**313.9869**	**313.9869**	**5.8200e-003**	**0.0299**	**323.0441**

Madera Westberry Bridge Project - Madera County, Winter

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied

3.5 Building Construction - 2023

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Off-Road	0.2930	3.7120	13.1241	0.0221		0.0303	0.0303		0.0303	0.0303	0.0000	2,001.7877	2,001.7877	0.3399		2,010.2858
Total	**0.2930**	**3.7120**	**13.1241**	**0.0221**		**0.0303**	**0.0303**		**0.0303**	**0.0303**	**0.0000**	**2,001.7877**	**2,001.7877**	**0.3399**		**2,010.2858**

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	9.3200e-003	0.3619	0.1211	1.6400e-003	0.0543	2.3100e-003	0.0566	0.0156	2.2100e-003	0.0178		172.7071	172.7071	6.0000e-004	0.0253	180.2503
Worker	0.0704	0.0495	0.5500	1.4000e-003	0.1643	9.5000e-004	0.1653	0.0436	8.8000e-004	0.0445		141.2798	141.2798	5.2200e-003	4.6400e-003	142.7938
Total	**0.0797**	**0.4114**	**0.6710**	**3.0400e-003**	**0.2186**	**3.2600e-003**	**0.2218**	**0.0592**	**3.0900e-003**	**0.0623**		**313.9869**	**313.9869**	**5.8200e-003**	**0.0299**	**323.0441**

Madera Westberry Bridge Project - Madera County, Winter

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied

3.6 Paving - 2023

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Off-Road	0.6446	6.2357	8.8024	0.0136		0.3084	0.3084		0.2846	0.2846		1,297.6880	1,297.6880	0.4114		1,307.9725
Paving	0.0000					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Total	**0.6446**	**6.2357**	**8.8024**	**0.0136**		**0.3084**	**0.3084**		**0.2846**	**0.2846**		**1,297.6880**	**1,297.6880**	**0.4114**		**1,307.9725**

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Worker	0.0458	0.0322	0.3575	9.1000e-004	0.1068	6.2000e-004	0.1074	0.0283	5.7000e-004	0.0289		91.8319	91.8319	3.3900e-003	3.0200e-003	92.8160
Total	**0.0458**	**0.0322**	**0.3575**	**9.1000e-004**	**0.1068**	**6.2000e-004**	**0.1074**	**0.0283**	**5.7000e-004**	**0.0289**		**91.8319**	**91.8319**	**3.3900e-003**	**3.0200e-003**	**92.8160**

Madera Westberry Bridge Project - Madera County, Winter

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied

3.6 Paving - 2023

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Off-Road	0.1598	0.6922	9.8512	0.0136		0.0213	0.0213		0.0213	0.0213	0.0000	1,297.6880	1,297.6880	0.4114		1,307.9725
Paving	0.0000					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Total	**0.1598**	**0.6922**	**9.8512**	**0.0136**		**0.0213**	**0.0213**		**0.0213**	**0.0213**	**0.0000**	**1,297.6880**	**1,297.6880**	**0.4114**		**1,307.9725**

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Worker	0.0458	0.0322	0.3575	9.1000e-004	0.1068	6.2000e-004	0.1074	0.0283	5.7000e-004	0.0289		91.8319	91.8319	3.3900e-003	3.0200e-003	92.8160
Total	**0.0458**	**0.0322**	**0.3575**	**9.1000e-004**	**0.1068**	**6.2000e-004**	**0.1074**	**0.0283**	**5.7000e-004**	**0.0289**		**91.8319**	**91.8319**	**3.3900e-003**	**3.0200e-003**	**92.8160**

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied

3.7 Architectural Coating - 2023

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Archit. Coating	1.9606					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Off-Road	0.1917	1.3030	1.8111	2.9700e-003		0.0708	0.0708		0.0708	0.0708		281.4481	281.4481	0.0168		281.8690
Total	**2.1523**	**1.3030**	**1.8111**	**2.9700e-003**		**0.0708**	**0.0708**		**0.0708**	**0.0708**		**281.4481**	**281.4481**	**0.0168**		**281.8690**

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Worker	0.0141	9.9100e-003	0.1100	2.8000e-004	0.0329	1.9000e-004	0.0331	8.7200e-003	1.8000e-004	8.8900e-003		28.2560	28.2560	1.0400e-003	9.3000e-004	28.5588
Total	**0.0141**	**9.9100e-003**	**0.1100**	**2.8000e-004**	**0.0329**	**1.9000e-004**	**0.0331**	**8.7200e-003**	**1.8000e-004**	**8.8900e-003**		**28.2560**	**28.2560**	**1.0400e-003**	**9.3000e-004**	**28.5588**

Madera Westberry Bridge Project - Madera County, Winter

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied

3.7 Architectural Coating - 2023

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Archit. Coating	1.9606					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Off-Road	0.0297	0.1288	1.8324	2.9700e-003		3.9600e-003	3.9600e-003		3.9600e-003	3.9600e-003	0.0000	281.4481	281.4481	0.0168		281.8690
Total	**1.9903**	**0.1288**	**1.8324**	**2.9700e-003**		**3.9600e-003**	**3.9600e-003**		**3.9600e-003**	**3.9600e-003**	**0.0000**	**281.4481**	**281.4481**	**0.0168**		**281.8690**

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Worker	0.0141	9.9100e-003	0.1100	2.8000e-004	0.0329	1.9000e-004	0.0331	8.7200e-003	1.8000e-004	8.8900e-003		28.2560	28.2560	1.0400e-003	9.3000e-004	28.5588
Total	**0.0141**	**9.9100e-003**	**0.1100**	**2.8000e-004**	**0.0329**	**1.9000e-004**	**0.0331**	**8.7200e-003**	**1.8000e-004**	**8.8900e-003**		**28.2560**	**28.2560**	**1.0400e-003**	**9.3000e-004**	**28.5588**

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied

4.0 Operational Detail - Mobile

4.1 Mitigation Measures Mobile

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Mitigated	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Unmitigated	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000

4.2 Trip Summary Information

	Average Daily Trip Rate			Unmitigated	Mitigated
Land Use	Weekday	Saturday	Sunday	Annual VMT	Annual VMT
Unenclosed Parking Structure	0.00	0.00	0.00		
Total	0.00	0.00	0.00		

4.3 Trip Type Information

	Miles			Trip %			Trip Purpose %		
Land Use	H-W or C-W	H-S or C-C	H-O or C-NW	H-W or C-W	H-S or C-C	H-O or C-NW	Primary	Diverted	Pass-by
Unenclosed Parking Structure	9.50	7.30	7.30	0.00	0.00	0.00	0	0	0

4.4 Fleet Mix

Land Use	LDA	LDT1	LDT2	MDV	LHD1	LHD2	MHD	HHD	OBUS	UBUS	MCY	SBUS	MH
Unenclosed Parking Structure	0.500104	0.052860	0.172660	0.158983	0.033384	0.008488	0.010945	0.028437	0.000810	0.000210	0.026444	0.001975	0.004700

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied

5.0 Energy Detail

Historical Energy Use: N

5.1 Mitigation Measures Energy

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
NaturalGas Mitigated	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
NaturalGas Unmitigated	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000

5.2 Energy by Land Use - NaturalGas

Unmitigated

	NaturalGas Use	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Land Use	kBTU/yr	lb/day										lb/day					
Unenclosed Parking Structure	0	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Total		**0.0000**	**0.0000**	**0.0000**	**0.0000**		**0.0000**	**0.0000**		**0.0000**	**0.0000**		**0.0000**	**0.0000**	**0.0000**	**0.0000**	**0.0000**

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied

5.2 Energy by Land Use - NaturalGas

Mitigated

	NaturalGas Use	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Land Use	kBTU/yr	lb/day										lb/day					
Unenclosed Parking Structure	0	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Total		**0.0000**	**0.0000**	**0.0000**	**0.0000**		**0.0000**	**0.0000**		**0.0000**	**0.0000**		**0.0000**	**0.0000**	**0.0000**	**0.0000**	**0.0000**

6.0 Area Detail

6.1 Mitigation Measures Area

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Mitigated	0.0225	4.0000e-005	4.7900e-003	0.0000		2.0000e-005	2.0000e-005		2.0000e-005	2.0000e-005		0.0103	0.0103	3.0000e-005		0.0110
Unmitigated	0.0225	4.0000e-005	4.7900e-003	0.0000		2.0000e-005	2.0000e-005		2.0000e-005	2.0000e-005		0.0103	0.0103	3.0000e-005		0.0110

Madera Westberry Bridge Project - Madera County, Winter

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied

6.2 Area by SubCategory

Unmitigated

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
SubCategory	lb/day										lb/day					
Architectural Coating	5.3700e-003					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Consumer Products	0.0167					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Landscaping	4.4000e-004	4.0000e-005	4.7900e-003	0.0000		2.0000e-005	2.0000e-005		2.0000e-005	2.0000e-005		0.0103	0.0103	3.0000e-005		0.0110
Total	**0.0225**	**4.0000e-005**	**4.7900e-003**	**0.0000**		**2.0000e-005**	**2.0000e-005**		**2.0000e-005**	**2.0000e-005**		**0.0103**	**0.0103**	**3.0000e-005**		**0.0110**

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied

6.2 Area by SubCategory

Mitigated

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
SubCategory	lb/day										lb/day					
Architectural Coating	5.3700e-003					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Consumer Products	0.0167					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Landscaping	4.4000e-004	4.0000e-005	4.7900e-003	0.0000		2.0000e-005	2.0000e-005		2.0000e-005	2.0000e-005		0.0103	0.0103	3.0000e-005		0.0110
Total	**0.0225**	**4.0000e-005**	**4.7900e-003**	**0.0000**		**2.0000e-005**	**2.0000e-005**		**2.0000e-005**	**2.0000e-005**		**0.0103**	**0.0103**	**3.0000e-005**		**0.0110**

7.0 Water Detail

7.1 Mitigation Measures Water

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied

8.0 Waste Detail

8.1 Mitigation Measures Waste

9.0 Operational Offroad

Equipment Type	Number	Hours/Day	Days/Year	Horse Power	Load Factor	Fuel Type

10.0 Stationary Equipment

Fire Pumps and Emergency Generators

Equipment Type	Number	Hours/Day	Hours/Year	Horse Power	Load Factor	Fuel Type

Boilers

Equipment Type	Number	Heat Input/Day	Heat Input/Year	Boiler Rating	Fuel Type

User Defined Equipment

Equipment Type	Number

11.0 Vegetation

Appendix B: Biological Evaluation

Biological Evaluation

CITY OF MADERA

WESTBERRY BOULEVARD BRIDGE PROJECT

SEPTEMBER 2022

Shaylea Stark, Biologist
PROVOST & PRITCHARD CONSULTING GROUP | 455 W. FIR AVE, CLOVIS CA 93611

Table of Contents

I. Introduction 4
Project Description 4
Report Objectives 4
Study Methodology 9
II. Existing Conditions 10
Regional Setting 10
Topography 10
Climate 10
Hydrology 10
Soils 10
Biotic Habitats 11
Riverine 11
Canal 11
Residential 11
Natural Communities of Special Concern 12
Designated Critical Habitat of the APE 12
Wildlife Movement Corridors 12
Special Status Plants and Animals 12
III. Impacts and Mitigation 18
Significance Criteria 18
CEQA 18
NEPA 19
Relevant Goals, Policies, and Laws 19
City of Madera General Plan 19
Threatened and Endangered Species 20
Designated Critical Habitat 20
Migratory Birds 20
Birds of Prey 20
Nesting Birds 21
Wetlands and other "Jurisdictional Waters" 21
Potentially Significant Project-Related Impacts and Mitigation 22
General Mitigation Measures 22

Project-Related Impacts to Wildlife Movement Corridors and Native Wildlife Nursery Sites. 23
Project-Related Mortality and/or Disturbance of Nesting Raptors, Migratory Birds, and Special Status Birds 23
Project-Related Mortality and/or Disturbance of Burrowing Owls 24
Project-Related Mortality and/or Disturbance to Coast Horned Lizards 25
Project-Related Mortality and/or Disturbance to Bats 26
Project-Related Mortality and/or Disturbance to Northwestern Pond Turtles 27
Project-Related Mortality and/or Disturbance to Western Spadefoot 27
Project-Related Impacts to Special Status Plant Species 28
Project-Related Impacts to Riparian Habitat and Natural Communities of Special Concern 29
Project-Related Impacts to Regulated Waters, Wetlands, and Water Quality 29
Section 7 Determinations 30
Less than Significant Project-Related Impacts 31
Project-Related Impacts to Special Status Animal Species Absent From, or Unlikely to Occur on, the Project Site 31
Project-Related Impacts to Special Status Plant Species Absent From, or Unlikely to Occur on, the Project Site 31
Project-Related Impacts to Special Status Fishes Absent From, or Unlikely to Occur on, the Project Site 32
Project-Related Impacts to Critical Habitat 32
Local Policies or Habitat Conservation Plans 32
Coastal Zone and Coastal Barriers Resources Act 32
Project-Related Impact to Essential Fish Habitat 32
IV. References 33

List of Figures

Figure 1. Regional Location 6
Figure 2. Topographic Quadrangle Map 7
Figure 3. Area of Potential Effect 8

List of Tables

Table 1. List of Soils Located Onsite and Their Basic Properties 10
Table 2. List of Special Status Animals with Potential to Occur Onsite and/or in the Vicinity 13
Table 3. List of Special Status Plants with Potential to Occur Onsite and/or in the Vicinity 15
Table 4. Section 7 Determinations 30

List of Appendices

Appendix A: Photos of the Project Area
Appendix B: CNDDB 9-Quad Search
Appendix C: IPaC Search
Appendix D: NRCS Soils Report
Appendix E: NMFS EFH Mapper

I. Introduction

The following technical report, prepared by Provost & Pritchard Consulting Group, in compliance with the California Environmental Quality Act (CEQA) and National Environmental Policy Act (NEPA), includes a description of the biological resources present or with potential to occur within the proposed Westberry Boulevard Bridge Project (Project) and surrounding areas, and evaluates potential Project-related impacts to those resources.

Project Description

The Project is located within the northwest portion in the City of Madera in Madera County, California, northwest of the City of Fresno (see **Figure 1** and **Figure 2**). The Developer and the City of Madera propose to construct a new vehicular bridge along the Westberry Boulevard Alignment. This bridge would cross the Fresno River to the northwest portion of the City of Madera in order to improve traffic circulation and to avoid and future congestion on existing upstream bridges at Granada Drive and Schnoor Avenue. The bridge crossing structure would be approximately 402 feet long by approximately 94 feet wide and will accommodate two 12-foot traveled ways in each direction, one 12-foot-wide center median, two 6-foot shoulder/bike lanes, two 10-foot sidewalks, and two 1-foot concrete barriers with tubular hand railing along each side of the bridge deck. The structure would consist of a 10-span cast-in-place reinforced concrete flat slab bridge supported on seat type abutments and 36-inch diameter cast-in-steel-shell or cast-in-drilled-hole piles at the abutments and piers. An earthen irrigation canal runs along the exterior side of each riverbank and are owned by the Bureau of Reclamation and are operated by Madera Irrigation District. The northern canal is Lateral Canal 24.2-14.2, and the southern canal is Lateral Canal 24.2. There is also an existing pedestrian trail that runs along the south bank of the river. Tree removal along the trail will be a part of Project activities but there is no permitting process for tree removal within the City of Madera.

The Project's Area of Potential Effect (APE) includes approximately 10.5 acres. The Project includes paved roads, two irrigation canals, a walking trail, and the Fresno River, with an additional 50-foot buffer surrounding the Project site for a total of 14.7 acres (see **Figure 3**). Surrounding lands on both sides of the Fresno River are residential neighborhoods with paved roads.

Report Objectives

Construction activities such as that proposed by the Project could potentially damage biological resources or modify habitats that are crucial for sensitive plant and wildlife species. In cases such as these, development may be regulated by State or federal agencies, and/or addressed by local regulatory agencies.

This report addresses issues related to the following:

1. The presence of sensitive biological resources onsite, or with the potential to occur onsite.
2. The federal, State, and local regulations regarding these resources.
3. Mitigation measures that may be required to reduce the magnitude of anticipated impacts and/or comply with permit requirements of state and federal resource agencies.

Therefore, the objectives of this report are:

1. Summarize all site-specific information related to existing biological resources.
2. Make reasonable inferences about the biological resources that could occur onsite based on habitat suitability and the proximity of the site to a species' known range.

3. Summarize all State and federal natural resource protection laws that may be relevant to the APE.
4. Identify and discuss Project impacts to biological resources likely to occur onsite within the context of CEQA, NEPA, and/or State or federal laws.
5. Identify and publish a set of avoidance and mitigation measures that would reduce impacts to a less-than-significant level (as identified by CEQA and NEPA) and are generally consistent with recommendations of the resource agencies for affected biological resources.

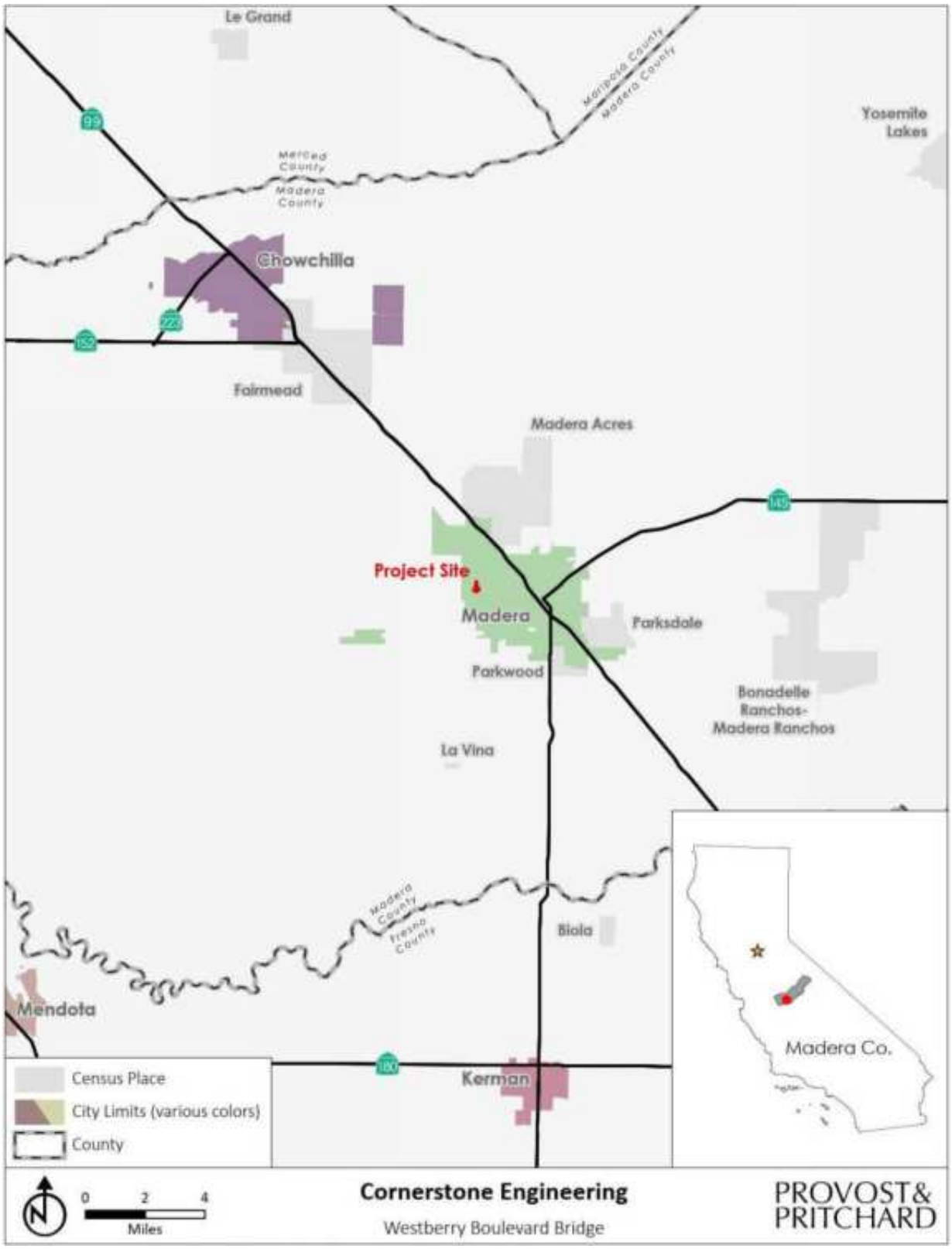


Figure 1. Regional Location

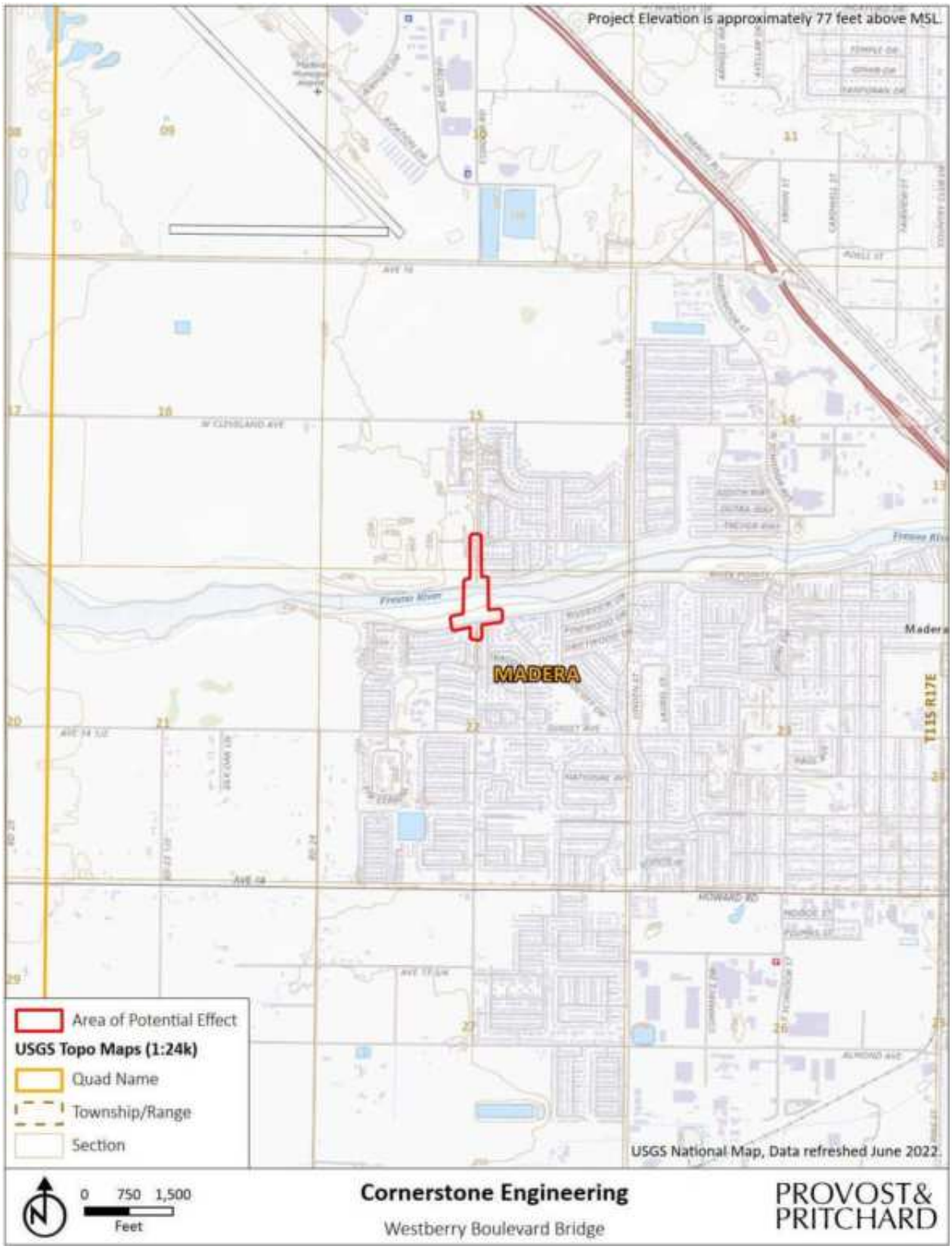


Figure 2. Topographic Quadrangle Map



Figure 3. Area of Potential Effect

Study Methodology

A reconnaissance-level field survey of the APE (**Figure 3**) was conducted on August 26, 2022, by Provost & Pritchard biologists, Shaylea Stark and Roman Endicott. The survey consisted of walking and driving through the APE while identifying and noting land uses, biological habitats and communities, plant and animal species encountered and assessed for suitable habitats of various wildlife species.

The biologist conducted an analysis of potential Project-related impacts to biological resources based on the resources known to exist or with potential to exist within the APE. Sources of information used in preparation of this analysis included: the California Department of Fish and Wildlife (CDFW) California Natural Diversity Database (CNDDB); the California Native Plant Society (CNPS) Online Inventory of Rare and Endangered Vascular Plants of California; CalFlora's online database of California native plants; the Jepson Herbarium online database (Jepson eFlora); United States Fish and Wildlife Service (USFWS) Environmental Conservation Online System (ECOS); Information for Planning and Consultation (IPaC) system; USFW National Wetlands Inventory (NWI); iNaturalist; the NatureServe Explorer online database; the United States Department of Agriculture (USDA) Natural Resources Conservation Service (NRCS) Plants Database; CDFW California Wildlife Habitat Relationships (CWHR) database; the California Herps online database; and various manuals, reports, and references related to plants and animals of the San Joaquin Valley region.

The field investigation did not include focused surveys for special status species. The field survey conducted included the appropriate level of detail to assess the significance of potential impacts to sensitive biological resources resulting from the Project. Furthermore, the field survey was sufficient to generally describe those features of the Project that could be subject to the jurisdiction of federal and/or State agencies, such as the United States Army Corps of Engineers (USACE) *1987 Corps of Engineers Wetland Delineation Manual,* and the *Arid West Regional Supplement*, CDFW, Regional Water Quality Control Board (RWQCB) and the State Water Resources Control Board (SWRCB) *State Wetland Definition and Procedures for Discharges of Dredged or Fill Material to Waters of the State*, and used to support CEQA and NEPA documents.

II. Existing Conditions

Regional Setting

Topography

The APE is located in Madera County within the San Joaquin Valley, northwest of the City of Fresno, California (see **Figure 1** and **Figure 2**). This area lies within the San Joaquin Valley and the topography is relatively flat with elevations ranging from approximately 240 to 255 feet.

Climate

Like most of California, the APE experiences a Mediterranean climate. Warm, dry summers are followed by cool, moist winters. Summer temperatures range between 80- and 90-degrees Fahrenheit (˚F), but often exceeds 90˚F in the upper reaches of the counties. Winter minimum temperatures are near 40˚F. The average annual precipitation is approximately 13 inches, falling mainly from November to April (Weatherspark 2022).

Hydrology

The APE lies within two watersheds, Middle Fresno River; Hydrologic Unit Code (HUC): 1804000703, and Root Creek-San Joaquin River; HUC: 1804000108. The APE lies within two subwatersheds, Schmidt Creek-Fresno River; HUC: 180400070304, and Columbia well; HUC: 180400010805. The Middle Fresno River watershed and Root Creek-San Joaquin River watershed are both comprised of stormwater or snowmelt collected in upland areas which flows down into Rancheria Creek, China Creek, Miami Creek, Carter Creek, Peterson Creek, Crooks Creek, Spangle Gold Creek, Coarse Gold Creek, and Ashbrook Creek, which all flow into the Fresno River. The Fresno River then flows through Hensley Lake and flows through the City of Madera and terminates into the San Joaquin River. The San Joaquin River terminates at the Sacramento-San Joaquin River Delta and into the Pacific Ocean (United States Environmental Protection Agency (USEPA) 2022).

Wetlands showed up south of the Fresno River on NWI, (United States Fish and Wildlife Service 2022) though this area is now developed with residential housing and paved roads. The field survey confirmed that wetlands are no longer present in the area or within the APE.

Soils

Three soil mapping units representing two types were identified within the APE are listed in **Table 1**. The soils are displayed with their core properties in the table above, according to the Major Land Resource Area of California (MLRA) 19 map area. Riverwash is found within the channel of the Fresno River and consists of sand. The two soils are primarily used for row crops and irrigated pasture.

Table 1. List of Soils Located Onsite and Their Basic Properties

Soil	Soil Map Unit	Percent of APE	Hydric Unit	Hydric Minor Units	Drainage	Permeability	Runoff
Grangeville	Fine sandy loam, 0 to 1 percent slopes	38.2%	Yes	Yes	Somewhat poorly drained	Rapid permeability	Very low runoff
	Fine sandy loam, slightly saline alkali, 0 to 1 percent slopes	25.1%	Yes	Yes	Somewhat poorly drained	Moderate permeability	Very low runoff
Pachappa	Fine sandy loam, slightly saline-	1.1%	No	No	Well drained	Moderate permeability	Low runoff

Soil	Soil Map Unit	Percent of APE	Hydric Unit	Hydric Minor Units	Drainage	Permeability	Runoff
	alkali, 0 to 1 percent slopes						
Riverwash	-	35.6%	Yes	-	Excessively drained	-	Very low runoff

Three of the four major components were identified as hydric. Three of the 10 minor components were identified as hydric. Hydric soils are defined as soils that are saturated, flooded, or ponded long enough during the growing season to develop anaerobic conditions such that under sufficiently wet conditions, hydrophytic vegetation can be supported.

The complete Natural Resources Conservation Service (NRCS) Web Soil Survey report is available in **Appendix D** at the end of this document.

Biotic Habitats

Riverine

The riverine habitat includes an approximate 3.5-acre section of the Fresno River. The river was dry at the time of the biological survey and appeared to have been driven through and cleared of vegetation recently. Vegetation within the Fresno River included telegraph weed (*Heterotheca grandiflora*), mule fat (*Baccharis salicifolia*), willows (*Salix* sp.), giant reed (*Arundo donax*), Fremont cottonwood (*Populus fremontii*), Spanish clover (*Acmispon americanus*), wire lettuce species (*Stephanomeria* sp.), Goodding's willow (*Salix gooddingii*), and western sycamore (*Platanus racemose*). The survey of the riverine habitat resulted in the observation of Canada Goose (*Branta canadensis*), Hummingbird species (*Trochilidae* sp.), Mourning Dove (*Zenaida macroura*), and western fence lizard (*Sceloporus occidentalis*).

Canal

The Canal habitat includes two Canals, one to the north of the Fresno River, Lateral Canal 24.2-14.2 and one to the south, Lateral Canal 24.2. They both run parallel to the Fresno River. Vegetation found within the Canals included buffalo gourd (*Cucurbita foetidissima*), Russian thistle (*Salsola tragus*), rat's-tail fescue (*Vulpia myuros*), great brome (*Bromus diandrus*), and other invasive grasses. Lateral Canal 24.2-14.2 is surrounded by a fence and does not drain to a jurisdictional water. Lateral Canal 24.2 has no barriers and eventually connects to the Fresno River and is considered jurisdictional.

Residential

The residential portion of the APE contains houses, paved roads, and a walking trail. Vegetation in this section of the APE included ornamental plants surrounding houses, Chinese pistache trees (*Pistacia chinensis*), horseweed (*Erigeron canadensis*), mustard species (*Brassica* sp.), flatspine bursage (*Ambrosia acanthicarpa*), puncture vine (*Tribulus terrestris*), flax leaved horseweed (*Erigeron bonariensis*), Chinese hackberry tree (*Celtis sinensis*), Valley oak tree (*Quercus lobata*), sacred datura (*Datura wrightii*), Deodar cedar tree (*Cedrus deodara*), Jeffrey pine (*Pinus jeffreyi*), Bishop pine (*Pinus muricata*), western sycamore (*Platanus racemose*), turkey mullein (*Croton setiger*), Callery pear (*Pyrus calleryana*), and mistletoe (*Viscum album*). The survey of the residential habitat resulted in the observation of Western Kingbird (*Tyrannus verticalis*), California Scrub Jay (*Aphelocoma californica*), and California ground squirrels (*Otospermophilus beecheyi*).

Representative photographs of the site at the time of the survey are available in **Appendix A** at the end of this document.

Natural Communities of Special Concern

Natural communities of special concern are those that are of limited distribution, distinguished by significant biological diversity, or home to special status species. CDFW is responsible for the classification and mapping of all-natural communities in California. Just as the special status plant and animal species, these natural communities of special concern can be found within the CNDDB.

According to CNDDB, there are no recorded observations of natural communities of special concern with potential to occur within the APE or vicinity. Additionally, no natural communities of special concern were observed during the biological survey.

Designated Critical Habitat of the APE

The USFWS often designates areas of "Critical Habitat" when it lists species as threatened or endangered. Critical Habitat is a specific geographic area that contains features essential for the conservation of a threatened or endangered species and that may require special management and protection. According to CNDDB and IPaC, designated critical habitat is absent from the APE and vicinity.

Wildlife Movement Corridors

Wildlife movement corridors are routes that animals regularly and predictably follow during seasonal migration, dispersal from native ranges, daily travel within home ranges, and inter-population movements. Movement corridors in California are typically associated with valleys, ridgelines, and rivers and creeks supporting riparian vegetation.

Most of the APE contains features that would be likely to function as a wildlife movement corridor. The Fresno River and the Canals could be used as wildlife movement corridors. Many game trails and tracks were observed within the Fresno River during the field survey. The Project could influence use of a wildlife movement corridor and mitigation measures are warranted.

Special Status Plants and Animals

California contains several "rare" plant and animal species. In this context, rare is defined as species known to have low populations or limited distributions. As the human population grows, urban expansion encroaches on the already-limited suitable habitat. This results in sensitive species becoming increasingly more vulnerable to extirpation. State and federal regulations have provided the CDFW and the USFWS with a mechanism for conserving and protecting the diversity of plant and animal species native to California. Numerous native plants and animals have been formally designated as "threatened" or "endangered" under State and federal endangered species legislation. Other formal designations include "candidate" for listing or "species of special concern" by CDFW. The CNPS has its list of native plants considered rare, threatened, or endangered. Collectively these plants and animals are referred to as "special status species." This survey was conducted outside of the blooming season for most plants. Further investigation of special status plants is recommended to occur inside the plants' blooming seasons.

A thorough search of the CNDDB for published accounts of special status plant and animal species was conducted for the *Madera* 7.5-minute quadrangle that contains the APE in its entirety, and for the eight surrounding quadrangles: *Berenda*, *Kismet*, *Daulton*, *Gregg*, *Herndon*, *Biola*, *Gravelly Ford*, and *Bonita Ranch*. These species, and their potential to occur within the APE, are listed in **Table 2** and **Table 3** on the following pages. Raw data obtained from CNDDB and IPaC is available in **Appendix B** and **Appendix C** at the end of this document. All relevant sources of information, as discussed in the *Study Methodology* section of this report, as well as field observations, were used to determine if any special status species are known to be within the APE.

Figure 2 shows the Project's 7.5-minute quadrangle, according to United States Geological Survey Topographic Maps.

Table 2. List of Special Status Animals with Potential to Occur Onsite and/or in the Vicinity

Species	Status	Habitat	Occurrence within APE
American badger (*Taxidea taxus*)	CSC	Grasslands, savannas, and mountain meadows near timberline are preferred. Most abundant in drier open spaces of shrub and grassland. Burrows in soil.	**Unlikely.** The APE and surrounding areas have high human disturbance and are unsuitable for this species. An American Badger could potentially pass through the APE, but it is unlikely they would forage or live within the APE. The nearest recorded observation of this species was approximately 10.5 miles northeast of the APE in 1965. The most recent recorded observation of this species was approximately 11 miles southwest of the APE in 2016.
Blunt-nosed leopard lizard (*Gambelia sila*)	FE, CE, CFP	Inhabits semi-arid grasslands, alkali flats, low foothills, canyon floors, large washes, and arroyos, usually on sandy, gravelly, or loamy substrate, sometimes on hardpan. Often found where there are abundant rodent burrows in dense vegetation or tall grass. Cannot survive on lands under cultivation. Known to bask on kangaroo rat mounds and often seeks shelter at the base of shrubs, in small mammal burrows, or in rock piles. Adults may excavate shallow burrows but rely on deeper pre-existing rodent burrows for hibernation and reproduction.	**Unlikely.** The APE and surrounding areas have high human disturbance and lacked suitable vegetation. The nearest recorded observation of this species was approximately 5.5 miles southwest of the APE in 1990.
Burrowing Owl (*Athene cunicularia*)	CSC	Resides in open, dry annual or perennial grasslands, deserts, and scrublands with low growing vegetation. Nests underground in existing burrows created by mammals, most often ground squirrels.	**Possible.** The APE and surrounding areas have high human disturbance which could discourage this species from residing in the area. There is suitable habitat, but no burrows or evidence of Burrowing Owls was observed during the biological survey. The nearest recorded observation of this species was approximately 1.5 miles north of the APE in 2005 but is listed as possibly extirpated.
California tiger salamander (*Ambystoma californiense*)	FT, CT, CWL	Requires vernal pools or seasonal ponds for breeding and small mammal burrows for aestivation. Generally found in grassland and oak savannah plant communities in central California from sea level to 1500 feet in elevation.	**Unlikely.** Vernal pools and upland habitat are absent within the APE and surrounding areas. The APE and surrounding areas have high human disturbance, and the Fresno River is unsuitable for this species. The most recent recorded observation of this species was approximately 3.5 miles northeast of the APE in 2022.
Coast horned lizard (*Phrynosoma blainvillii*)	CSC	Found in grasslands, coniferous forests, woodlands, and chaparral, primarily in open areas with patches of	**Possible.** Appropriate soils and scattered vegetation occurred throughout the APE. The only

Species	Status	Habitat	Occurrence within APE
		loose, sandy soil and low-lying vegetation in valleys, foothills, and semi-arid mountains. Frequently found near ant hills and along dirt roads in lowlands along sandy washes with scattered shrubs.	recorded observation of this species was approximately 9.5 miles southwest of the APE in 2011.
Delta smelt (*Hypomesus transpacificus*)	FT, CE	This pelagic and euryhaline species is Endemic to the Sacramento-San Joaquin River Delta, upstream through Contra Costa, Sacramento, San Joaquin, and Solano Counties.	**Absent.** The APE is outside the known range for this species. The Fresno River and the Canals that flow through the APE do not flow perennially and are not connected to the Delta. There are no recorded observations of this species on CNDDB within the regional vicinity of the Project. This species is currently only found in the Sacramento-San Joaquin River Delta, upstream through Contra Costa, Sacramento, San Joaquin, and Solano Counties.
Fresno kangaroo rat (*Dipodomys nitratoides exilis*)	FE, CE	An inhabitant of alkali sinks open grassland environments in western Fresno County. Prefers bare, alkaline, clay-based soils subject to seasonal inundation with more friable soil mounds around shrubs and grasses.	**Unlikely.** The highly disturbed habitats of the APE and surrounding lands are unsuitable for this species. Humans and domestic dogs were observed within the APE and surrounding areas which would deter this species from residing within the APE. No tail drags were found at any burrows within the APE. The only recorded observation of this species was approximately 6 miles southwest of the APE in 1934.
Monarch Butterfly (*Danaus plexippus*)	FC	Roosts located in wind-protected tree groves (eucalyptus, Monterey pine, cypress), with nectar and water sources nearby. Larval host plants consist of milkweeds (*Asclepias* sp.). Winter roost sites extend along the coast from northern Mendocino to Baja California, Mexico.	**Absent.** Foraging and roosting habitat is absent from within the APE and surrounding areas. The APE contained minimal vegetation with no nectar, milkweeds or suitable groves of trees were observed during the biological survey. The nearest observation was approximately 5 miles south of the APE in 2022.
San Joaquin kit fox (*Vulpes macrotis mutica*)	FE, CT	Underground dens with multiple entrances in alkali sink, valley grassland, and woodland in valleys and adjacent foothills.	**Unlikely.** There were no suitable dens, tracks, or scat observed during the biological survey. It is unlikely this species would reside within the APE due to human disturbance and domestic dogs that were observed in the APE during the biological survey. The nearest recorded observation of this species was approximately 9.5 miles southwest of the APE in 1990.
Swainson's Hawk (*Buteo swainsoni*)	CT	Nests in large trees in open areas adjacent to grasslands, grain or alfalfa fields, or livestock pastures suitable for supporting rodent populations.	**Possible.** There are trees within the APE and surrounding areas that could support nesting raptors. The nearest recorded observation of this species

Species	Status	Habitat	Occurrence within APE
			was approximately 1 mile south of the APE in 2016.
Tricolored Blackbird (*Agelaius tricolor*)	CT, CSC	Nests colonially near fresh water in dense cattails or tules, or in thickets of riparian shrubs. Forages in grassland and cropland. Large colonies are often found on dairy farm forage fields.	**Possible.** Vegetation within the Fresno River looked like it had been cleared recently. If vegetation grew back, this species could nest within the APE. The nearest recorded observation of this species was approximately 10 miles northeast of the APE in 2011.
Valley elderberry longhorn beetle (*Desmocerus californicus dimorphus*)	FT	Lives in mature elderberry shrubs of the Central Valley and foothills. Adults are active March to June.	**Absent.** No elderberry shrubs were found within the APE or surrounding areas. The only recorded observation of this species was approximately 13.5 miles southeast of the APE in 1989.
Vernal pool fairy shrimp (*Branchinecta lynchi*)	FT	Occupies vernal pools, clear to tea-colored water, in grass or mud-bottomed swales, and basalt depression pools.	**Absent.** Vernal pool habitat is absent from the APE and surrounding lands. The nearest recorded observation of this species was approximately 3.5 miles northeast of the APE in 2017.
Northwestern pond turtle (*Emys marmorata*)	CSC	An aquatic turtle of ponds, marshes, slow-moving rivers, streams, and irrigation ditches with riparian vegetation. Requires adequate basking sites and sandy banks or grassy open fields to deposit eggs.	**Possible.** Suitable habitat is present within the APE. This species is often found in slow moving rivers and irrigation canals. There are no recorded observations of this species on CNDDB within the regional vicinity of the Project.
Western spadefoot (*Spea hammondii*)	CSC	Prefers open areas with sandy or gravelly soils, in a variety of habitats including mixed woodlands, grasslands, coastal sage scrub, chaparral, sandy washes, lowlands, river floodplains, alluvial fans, playas, alkali flats, foothills, and mountains. Vernal pools or temporary wetlands, lasting a minimum of three weeks, which do not contain bullfrogs, fish, or crayfish are necessary for breeding.	**Possible.** Suitable habitat is present within the APE. This species is often found in rivers and irrigation canals. The nearest recorded observation of western spadefoot was approximately 2.5 miles north of the APE in 2015. The most recent recorded observation of this species was approximately 3.5 miles northeast of the APE in 2021.

Table 3. List of Special Status Plants with Potential to Occur Onsite and/or in the Vicinity

Species	Status	Habitat	Occurrence within APE
Alkali-sink goldfields (*Lasthenia chrysantha*)	CNPS 1B	Found in vernal pool and wet saline flat habitats. Occurrences documented in the San Joaquin and Sacramento Valleys at elevations below 656 feet. Blooms February - April.	**Possible.** Saline-alkali soils are present within the APE and the surrounding areas. The only recorded observation of this species is approximately 13.5 miles south of the APE in 1956 but is listed as possibly extirpated.
California alkali grass (*Puccinellia simplex*)	CNPS 1B	Found in the San Joaquin Valley and other parts of California in saline flats and mineral springs within valley grassland and wetland-riparian communities at elevations below 3000 feet. Blooms March–May.	**Possible.** Aquatic habitat and saline-alkali soils are present within the APE. The nearest recorded observation of this species was approximately 6.8 miles southwest of the APE in 2011.

Species	Status	Habitat	Occurrence within APE
Greene's tuctoria (*Tuctoria greenei*)	FE, CR, CNPS 1B	Found in the San Joaquin Valley and other parts of California in vernal pools within valley grassland, wetland, and riparian communities at elevations below 3500 feet. Blooms May – September.	**Unlikely.** The APE is outside of the known current range of this species. The only recorded observation of this species was approximately 6.5 miles southeast of the APE in 1987 but is listed as possibly extirpated.
Hairy Orcutt grass (*Orcuttia pilosa*)	FE, CE, CNPS 1B	Found in vernal pools in valley grassland, wetland, and riparian communities at elevations below 650 feet. Blooms May – September.	**Possible.** Aquatic habitat is present within the APE and surrounding lands. The nearest recorded observation of this species was approximately 5.5 miles east of the APE in 2017.
Heartscale (*Atriplex cordulata* var. *cordulata*)	CNPS 1B	Found in the San Joaquin Valley and Sacramento Valley in saline or alkaline soils within shadscale scrub, valley grassland, and wetland-riparian communities at elevations below 230 feet. Blooms June–July.	**Possible.** Aquatic habitat and saline-alkali soils are present within the APE and surrounding lands. The only recorded observation of this species was approximately 8 miles southwest of the APE in 2000.
Lesser saltscale (*Atriplex minuscula*)	CNPS 1B	Found in the San Joaquin Valley in sandy, alkaline soils in alkali scrub, valley and foothill grassland, and alkali sink communities at elevations below 750 feet. Blooms April–October.	**Possible.** Required habitat and saline-alkali soils are present within the APE and surrounding lands. The most recent recorded observation of this species was approximately 10 miles northwest of the APE in 2000.
Madera leptosiphon (*Leptosiphon serrulatus*)	CNPS 1B	Found in openings in foothill woodland, often yellow-pine forest, and chaparral at elevations between 1000 feet and 4300 feet. Blooms April – May.	**Absent.** The APE is outside of the elevational requirements of this species. Required habitats are absent within the APE and surrounding lands. The only recorded observation of this species was approximately 1 mile east of the APE in 1889.
Munz's tidy-tips (*Layia munzii*)	CNPS 1B	Found in the San Joaquin Valley in alkaline clay soils; often along hillsides in alkali scrub and sometimes valley and foothill grassland. Occurs at elevations between 145 feet and 2625 feet Blooms March–April.	**Absent.** Required habitat and soils are absent within the APE and surrounding lands. The only recorded observation of this species was mapped to the general area of Madera in 1937.
Recurved larkspur (*Delphinium recurvatum*)	CNPS 1B	Occurs in poorly drained, fine, alkaline soils in grassland and alkali scrub communities at elevations between 100 feet and 2600 feet. Blooms March–June.	**Absent.** Required soils are absent within the APE and surrounding lands. The only recorded observation of this species was approximately 8 miles southwest of the APE in 2000.
San Joaquin Valley Orcutt grass (*Orcuttia inaequalis*)	FT, CE, CNPS 1B	Found in the eastern San Joaquin Valley and the Sierra Nevada foothills in vernal pools within valley grassland, freshwater wetland, and wetland-riparian communities at elevations below 2600 feet. Blooms April – September.	**Absent.** Required vernal pool habitat and associated soils are absent within the APE and surrounding lands. The nearest recorded observation of this species was approximately 5.5 miles northeast of the APE in 2010 but is listed as extirpated.
Sanford's arrowhead (*Sagittaria sanfordii*)	CNPS 1B	Found in the San Joaquin Valley and other parts of California in freshwater-marsh, primarily ponds and ditches, at elevations below 1000 feet. Blooms May–October.	**Possible.** Suitable aquatic habitat occurs within the Canals. The only recorded observation of this species was approximately 15.5 miles southeast of the APE in 2020.
Shining navarretia	CNPS 1B	Found in cismontane woodland and valley and foothill grassland	**Absent.** Vernal pool habitat and acidic soils are absent from the APE and

Species	Status	Habitat	Occurrence within APE
(*Navarretia nigelliformis* ssp. *radians*)		communities, sometimes in vernal pools. Occurs at elevations between 200 feet and 3200 feet. Blooms May – July.	surrounding areas. The nearest recorded observation of this species was approximately 6 miles northeast of the APE in 1927.
Spiny-sepaled button-celery (*Eryngium spinosepalum*)	CNPS 1B	Found in the Sierra Nevada Foothills and the San Joaquin Valley. Occurs in vernal pools, swales, and roadside ditches. Often associated with clay soils in vernal pools within grassland communities. Occurs at elevations between 50 feet and 4160 feet. Blooms April–July.	**Absent.** Vernal pool habitat and required clay soils are absent from the APE and surrounding areas. The most recent recorded observation of this species was approximately 10 miles southwest of the APE in 2000.
Subtle orache (*Atriplex subtilis*)	CNPS 1B	Found in the San Joaquin Valley in saline depressions in alkaline soils within valley and foothill grassland communities at elevations below 330 feet. Blooms June–October.	**Absent.** Alkaline soils are not present within the APE. The most recent recorded observation of this species was approximately 10 miles southwest of the APE in 2009.
Succulent owl's-clover (*Castilleja campestris* var. *succulenta*)	FT, CE, CNPS 1B	Found in vernal pools, often in acidic soils at elevations below 2500 feet. Blooms April – July.	**Absent.** Vernal pool habitat and acidic soils are absent from the APE and surrounding areas. The nearest recorded observation of this species was approximately 7.5 miles east of the APE in 1982.
Vernal pool smallscale (*Atriplex persistens*)	CNPS 1B	Occurs in the San Joaquin Valley and Sacramento Valley in alkaline vernal pools at elevations below 375 feet. Blooms June–September.	**Absent.** Vernal pool habitat and acidic soils are absent from the APE and surrounding areas. The most recent recorded observation of this species was approximately 6.5 miles southwest of the APE in 2009.

EXPLANATION OF OCCURRENCE DESIGNATIONS AND STATUS CODES

Present:	Species observed on the site at time of field surveys or during recent past.
Likely:	Species not observed on the site, but it may reasonably be expected to occur there on a regular basis.
Possible:	Species not observed on the site, but it could occur there from time to time.
Unlikely:	Species not observed on the site, and would not be expected to occur there except, perhaps, as a transient.
Absent:	Species not observed on the site and precluded from occurring there due to absence of suitable habitat.

STATUS CODES

FE	Federally Endangered	CE	California Endangered
FT	Federally Threatened	CT	California Threatened
FC	Federal Candidate	CFP	California Fully Protected
		CSC	California Species of Concern
		CWL	California Watch List
		CR	California Rare

CNPS LISTING

1B Plants Rare, Threatened, or Endangered in California and elsewhere.

III. Impacts and Mitigation

Significance Criteria

CEQA

General plans, area plans, and specific projects are subject to the provisions of CEQA. The purpose of CEQA is to assess the impacts of proposed projects on the environment prior to project implementation. Impacts to biological resources are just one type of environmental impact assessed under CEQA and vary from project to project in terms of scope and magnitude. Projects requiring removal of vegetation may result in the mortality or displacement of animals associated with this vegetation. Animals adapted to humans, roads, buildings, and pets may replace those species formerly occurring on a site. Plants and animals that are State and/or federally listed as threatened or endangered may be destroyed or displaced. Sensitive habitats such as wetlands and riparian woodlands may be altered or destroyed. Such impacts may be considered either "significant" or "less than significant" under CEQA. According to CEQA, Statute and Guidelines (AEP 2012), "significant effect on the environment" means a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic interest. Specific project impacts to biological resources may be considered "significant" if they would:

- Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the CDFW or USFWS;
- Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the CDFW or USFWS;
- Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means;
- Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors or impede the use of native wildlife nursery sites.
- Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance; or
- Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or State habitat conservation plan.

Furthermore, CEQA Guidelines Section 15065(a) states that a project may trigger the requirement to make a "mandatory finding of significance" if the project has the potential to:

> "Substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of an endangered, rare or threatened species, or eliminate important examples of the major periods of California history or prehistory."

NEPA

Federal projects are subject to the provisions of NEPA. The purpose of NEPA is to assess the effects of a proposed action on the human environment, assess the significance of those effects, and recommend measures that if implemented would mitigate those effects. As used in NEPA, a determination that certain effects on the human environment are "significant" requires considerations of both context and intensity (40 Code of Federal Regulations (CFR) 1508.27).

For the purposes of assessing effects of an action on biological resources, the relevant context is often local. The analysis may, however, require a comparison of the action area's biological resources with the biological resources of an entire region. Project activities must have a federal nexus and discuss federally listed species, and/or designated critical habitat that may be affected in the action area.

Federal agencies are required to determine whether their actions may affect listed or proposed species and designated and proposed critical habitat. The primary role of this document is to provide agencies conclusion and the rationale to support those conclusions regarding the effects of any proposed actions of the Project on protected resources. Document content and recommended elements are identified in 50 CFR 402.12(f).

Under section 7 of the Endangered Species Act, federal agencies must consult with NOAA Fisheries through an informal or formal consultation when any action the agency carries out, funds, or authorizes may affect either a species listed as threatened or endangered under the Act, or any critical habitat designated for it.

Once resources are assessed an Endangered Species Act Section 7 finding needs to be made regarding proposed or listed species and/or designated critical habitat that may be present in the Project area. This report will provide the necessary information for the lead federal agency to make a determination on affects. This finding may result in one of the following determinations:

- *No Effect* - means there will be no impacts, positive or negative, to listed or proposed resources. Generally, this means no listed resources will be exposed to action and its environmental consequences. Concurrence from the Service is not required.
- *May affect* - but not likely to adversely affect" means that all effects are beneficial, insignificant, or discountable. Beneficial effects have contemporaneous positive effects without any adverse effects to the species or habitat. Insignificant effects relate to the size of the impact and include those effects that are undetectable, not measurable, or cannot be evaluated. Discountable effects are those extremely unlikely to occur. These determinations require written concurrence from the Service.
- *May affect* - and is likely to adversely affect" means that listed resources are likely to be exposed to the action or its environmental consequences and will respond in a negative manner to the exposure.

Relevant Goals, Policies, and Laws

City of Madera General Plan

The City of Madera General Plan contains the following goals and policies related to the Project:

Biology

Goal Con-7: Protection of special-status plant and animal species, including their habitats, in compliance with all applicable state, federal, and other laws and regulations.

Goal Con-8: A balance between the protection of special status plants and animals and the need to provide recreational opportunities and other needs.

Goal Con-10: A revitalized Fresno River which serves as an amenity, a source of civic pride, and a catalyst for residential and commercial development.

Water Quality

Policy Con-11: The City shall protect and maintain water quality for the health of all users, including natural plant and animal communities.

Biological Resources

Policy Con-23: The City shall seek to conserve and improve native wildlife and plant habitat in cooperation with governmental agencies, private associations, and individuals in Madera. Residential, commercial, industrial, and recreational projects shall avoid impacts to native wildlife and plant habitat to the extent feasible.

Policy Con-24: Residential, commercial, industrial, and recreational projects shall avoid impacts to native wildlife and plant habitat to the extent feasible.

Threatened and Endangered Species

Permits may be required from the USFWS and/or CDFW if activities associated with a project have the potential to result in the "take" of a species listed as threatened or endangered under the federal and/or state Endangered Species Acts. Take is defined by the State of California as "to hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture or kill" (California Fish and Game Code, Section 86). Take is more broadly defined by the federal Endangered Species Act to include "harm" (16 USC, Section 1532(19), 50 CFR, Section 17.3). CDFW and USFWS are responsible agencies under CEQA and NEPA. Both agencies review CEQA and NEPA documents in order to determine the adequacy of their treatment of endangered species issues and to make project-specific recommendations for their conservation.

Designated Critical Habitat

When species are listed as threatened or endangered, the USFWS often designates areas of "Critical Habitat" as defined by section 3(5)(A) of the federal Endangered Species Act (ESA). Critical Habitat is a term defined in the ESA as a specific geographic area that contains features essential for the conservation of a threatened or endangered species and that may require special management and protection. Critical Habitat is a tool that supports the continued conservation of imperiled species by guiding cooperation with the federal government. Designations only affect federal agency actions or federally funded or permitted activities. Critical Habitat does not prevent activities that occur within the designated area. Only activities that involve a federal permit, license, or funding and are likely to destroy or adversely modify Critical Habitat will be affected.

Migratory Birds

The Federal Migratory Bird Treaty Act (MBTA: 16 USC 703-712) prohibits killing, possessing, or trading in any bird species covered in one of four international conventions to which the United States is a party, except in accordance with regulations prescribed by the Secretary of the Interior. The name of the act is misleading, as it actually covers almost all bird's native to the United States, even those that are non-migratory. The MBTA encompasses whole birds, parts of birds, and bird nests and eggs. Additionally, California Fish and Game Code makes it unlawful to take or possess any non-game bird covered by the MBTA (Section 3513), as well as any other native non-game bird (Section 3800).

Birds of Prey

Birds of prey are protected in California under provisions of Fish and Game Code (Section 3503.5), which states that it is unlawful to take, possess, or destroy any birds in the order Falconiformes (hawks and eagles) or Strigiformes (owls), as well as their nests and eggs. The bald eagle and golden eagle are afforded additional

protection under the federal Bald and Golden Eagle Protection Act (16 USC 668), which makes it unlawful to kill birds or their eggs.

Nesting Birds

In California, protection is afforded to the nests and eggs of all birds. California Fish and Game Code (Section 3503) states that it is "unlawful to take, possess, or needlessly destroy the nest or eggs of any bird except as otherwise provided by this code or any regulation adopted pursuant thereto." Breeding-season disturbance that causes nest abandonment and/or loss of reproductive effort is considered a form of "take" by the CDFW.

Wetlands and other "Jurisdictional Waters"

Natural drainage channels and adjacent wetlands may be considered "Waters of the United States" or "jurisdictional waters" subject to the jurisdiction of the USACE. The extent of jurisdiction has been defined in the Code of Federal Regulations but has also been subject to interpretation of the federal courts. Jurisdictional waters generally include:

- All waters which are currently used, or were used in the past, or may be susceptible to use in interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide;
- All interstate waters including interstate wetlands;
- All other waters such as intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds, the use, degradation or destruction of which could affect interstate or foreign commerce;
- All impoundments of waters otherwise defined as Waters of the United States under the definition;
- Tributaries of waters identified in paragraphs (a)(1)-(4) (i.e., the bulleted items above).

As determined by the United States Supreme Court in its 2001 Solid Waste Agency of Northern Cook County v. United States Army Corps of Engineers (SWANCC) decision, channels and wetlands isolated from other jurisdictional waters cannot be considered jurisdictional on the basis of their use, hypothetical or observed, by migratory birds. Similarly, in its 2006 consolidated Carabell/Rapanos decision, the Supreme Court ruled that a significant nexus between a wetland and other navigable waters must exist for the wetland itself to be considered a navigable and therefore jurisdictional water. Furthermore, the Supreme Court clarified that the United States Environmental Protection Agency (USEPA) and the USACE will not assert jurisdiction over ditches excavated wholly in and draining only uplands and that do not carry a relatively permanent flow of water.

The USACE regulates the filling or grading of Waters of the United States. under the authority of Section 404 of the Clean Water Act. The extent of jurisdiction within drainage channels is defined by "ordinary high-water marks" on opposing channel banks. All activities that involve the discharge of dredge or fill material into Waters of the United States are subject to the permit requirements of the USACE. Such permits are typically issued on the condition that the applicant agrees to provide mitigation that results in no net loss of wetland functions or values. No permit can be issued until the RWQCB issues a Section 401 Water Quality Certification (or waiver of such certification) verifying that the proposed activity will meet State water quality standards.

Under the Porter-Cologne Water Quality Control Act of 1969, the SWRCB has regulatory authority to protect the water quality of all surface water and groundwater in the State of California ("Waters of the State"). Nine RWQCBs oversee water quality at the local and regional level. The RWQCB for a given region regulates discharges of fill or pollutants into Waters of the State through the issuance of various permits and orders. Discharges into Waters of the State that are also Waters of the United States require a Section 401 Water Quality Certification from the RWQCB as a prerequisite to obtaining certain federal permits, such as a Section 404 Clean Water Act permit. Discharges into all Waters of the State, even those that are not also Waters of the

United States., require Waste Discharge Requirements (WDRs), or waivers of WDRs, from the RWQCB. The RWQCB also administers the Construction Storm Water Program and the federal National Pollution Discharge Elimination System (NPDES) program. Projects that disturb one acre or more of soil must obtain a Construction General Permit under the Construction Storm Water Program. A prerequisite for this permit is the development of a Storm Water Pollution Prevention Plan (SWPPP) by a certified Qualified SWPPP Developer. Projects that discharge wastewater, storm water, or other pollutants into a Water of the United States. may require a NPDES permit.

CDFW has jurisdiction over the bed and bank of natural drainages and lakes according to provisions of Section 1601 and 1602 of the California Fish and Game Code. Activities that may substantially modify such waters through the diversion or obstruction of their natural flow, change or use of any material from their bed or bank, or the deposition of debris require a notification of a Lake or Streambed Alteration. If CDFW determines that the activity may adversely affect fish and wildlife resources, a Lake or Streambed Alteration Agreement will be prepared. Such an agreement typically stipulates that certain measures will be implemented to protect the habitat values of the lake or drainage in question.

Potentially Significant Project-Related Impacts and Mitigation

Species identified as candidate, sensitive, or special status species in local or regional plans, policies, or regulations by CDFW or USFWS that have the potential to be impacted by the Project include Burrowing Owl, coast horned lizard, Swainson's Hawk, Tricolored Blackbird, western pond turtle, western spadefoot, alkali-sink goldfields, California alkali grass, hairy Orcutt grass, heartscale, lesser saltscale, and Sanford's arrowhead. Discussion and corresponding mitigation measures are provided below.

General Mitigation Measures

Prior to the start of construction, all personnel associated with construction of the Project will be trained to be able to identify these candidate, sensitive, or special status species in order to prevent impacts to sensitive resources; therefore, the following general mitigation measures will be implemented:

> **Mitigation Measure BIO-1a (*WEAP Training*):** Prior to initiating construction activities (including staging and mobilization), all personnel associated with Project construction will attend mandatory Worker Environmental Awareness Program (WEAP) training, conducted by a qualified biologist, to aid workers in identifying special status resources that may occur in the APE. The specifics of this program will include identification of the sensitive species and suitable habitats, a description of the regulatory status and general ecological characteristics of sensitive resources, and review of the limits of construction and mitigation measures required to reduce impacts to biological resources within the work area. This training will discuss special status species, describe the laws and regulations in place to provide protection of these species, identify the penalties for violation of applicable environmental laws and regulations, and a list of required protective measures to avoid "take." A fact sheet conveying this information, along with photographs or illustrations of sensitive species with potential to occur onsite, will also be prepared for distribution to all contractors, their employees, and all other personnel involved with construction of the Project. All employees will sign a form documenting that they have attended WEAP training and understand the information presented to them.
>
> **Mitigation Measure BIO-1b (*BMPs*):** The Project proponent will ensure that all workers employ the following best management practices (BMPs) in order to avoid and minimize potential impacts to special status species:
>
> - Vehicles will observe a 15-mph speed limit while on unpaved access routes.

- Workers will inspect areas beneath parked vehicles prior to mobilization. If special status species are detected beneath vehicles, the individual will either be allowed to leave of its own volition or will be captured by the qualified biologist (must possess appropriate collecting/handling permits) and relocated out of harm's way to the nearest suitable habitat beyond the influence of the Project work area. "Take" of a listed (rare, threatened, or endangered) species is prohibited.
- The presence of any special status species and/or any wildlife mortalities will be reported to the Project's designated biologist and the appropriate regulatory agencies.

Project-Related *Impacts to Wildlife Movement Corridors and Native Wildlife Nursery Sites.*

Rivers and canal banks can function as passages through highly disturbed areas within the San Joaquin Valley. Anthropogenic activities would deter wildlife from using these corridors during the day, though these deterrents are absent at night. The following mitigation measures would reduce impacts to nocturnal wildlife movement to a less than significant level.

Mitigation. The following measures will be implemented during or prior to the start of construction:

Mitigation Measure BIO-2a (*Operational Hours*): Construction activities will be limited to daylight hours to reduce potential impacts to wildlife movement corridors.

Mitigation Measure BIO-2b (*Wildlife Access*): At no point will access to the river and canals be blocked outside of construction hours or during overnight hours or weekends. If construction must block both sides of a wildlife access route, an alternative route through the construction area will be identified by a qualified biologist and maintained throughout the construction schedule timeframe.

Mitigation Measure BIO-2c (*Cover Excavations*): Pipeline/culvert/siphon excavations and vertical pipes will be covered each night to prevent wildlife from falling in and becoming trapped or injured during migratory or dispersal movements.

Project-Related Mortality and/or Disturbance of Nesting Raptors, Migratory Birds, and Special Status Birds

The APE contains suitable nesting and/or foraging habitat for a variety of ground and tree nesting avian species. It is anticipated that during nesting bird season, numerous species of birds could use the APE for nesting. Swainson's Hawks and Tricolored Blackbirds were deemed the only special status species possible to occur within the APE. Trees near the APE have the potential to host a multitude of nesting birds, and species such as Killdeer (*Charadrius vociferus)* are known to build nests on bare ground or compacted dirt roads. Construction activities could disturb birds nesting within or adjacent to work areas, resulting in nest abandonment. Construction activities that adversely affect the nesting success of raptors and migratory birds or result in the mortality of individual birds constitute a violation of State and federal laws and are considered a significant impact under CEQA and NEPA. Birds nesting within the APE during construction have the potential to be injured or killed by Project-related activities. In addition to the direct "take" of nesting birds, nesting birds within the APE or adjacent areas could be disturbed by Project-related activities resulting in nest abandonment. Projects that adversely affect the nesting success of raptors and migratory birds or result in the mortality of individual birds is considered a violation of State and federal laws and are considered a potentially significant impact under CEQA and NEPA.

Implementation of the following measures will reduce potential impacts to nesting raptors, migratory birds, and special status birds to a less than significant level under CEQA and NEPA and will ensure compliance with State and federal laws protecting these avian species.

Mitigation. The following measures would be implemented prior to the start of construction:

Mitigation Measure BIO-3a (*Avoidance*): The Project's construction activities will occur, if feasible, between September 16 and January 31 (outside of nesting bird season) in an effort to avoid impacts to nesting birds. If all Project activities will occur outside of nesting bird season, no further mitigation is required.

Mitigation Measure BIO-3b (*Pre-construction Surveys*): If activities must occur within nesting bird season (February 1 to September 15), a qualified biologist will conduct a pre-construction survey for Swainson's Hawk nests onsite and within a 0.5-mile radius. This survey will be conducted in accordance with the *Recommended Timing and Methodology for Swainson's Hawk Nesting Surveys in California's Central Valley* (Swainson's Hawk Technical Advisory Committee 2000), the *Staff Guidance Regarding Avoidance of Impacts to Tricolored Blackbird Breeding Colonies on Agricultural Fields* (California Department of Fish and Wildlife 2015), or current guidance. The Swainson's Hawk survey will not be completed between April 21 to June 10 due to the difficulty of identifying nests during this time of year. The pre-construction survey would also provide a presence/absence survey for all other nesting birds within the APE and an additional 50 feet, no more than seven (7) days prior to the start of construction. All raptor nests would be considered "active" upon the nest-building stage.

Mitigation Measure BIO-3c (*Establish Buffers*): On discovery of any active nests or breeding colonies near work areas, the biologist will determine appropriate construction setback distances based on applicable CDFW and/or USFWS guidelines and/or the biology of the species in question. Active Swainson's Hawk nests will receive a 0.5-mile buffer and active Tricolored Blackbird nests will receive a 200-foot buffer. Reduced buffer distances may be appropriate for Swainson's Hawk and Tricolored Blackbirds depending on site conditions and ongoing disturbance levels and may be discussed with CDFW. Construction buffers will be identified with flagging, fencing, or other easily visible means, and will be maintained until the biologist has determined that the nestlings have fledged.

Mitigation Measure BIO-3d (*ITP*): In the event an active Swainson's Hawk nest, Tricolored Blackbird nest, or other nest is detected during surveys and cannot be avoided, consultation with CDFW will be warranted to discuss how to implement the Project and avoid take. If take cannot be avoided, take authorization through the acquisition of an ITP pursuant to Fish and Game Code section 2081, subdivision (b) is necessary to comply with CESA.

Project-Related Mortality and/or Disturbance of Burrowing Owls

The APE contains suitable nesting and/or foraging habitat for Burrowing Owls. Construction activities that adversely affect the nesting success of Burrowing Owls or result in the mortality of individual birds constitute a violation of State and federal laws and are considered a significant impact under CEQA and NEPA. Birds nesting within the APE during construction have the potential to be injured or killed by Project-related activities. In addition to the direct "take" of nesting birds, nesting birds within the APE or adjacent areas could be disturbed by Project-related activities resulting in nest abandonment. Projects that adversely affect the nesting success of migratory birds or result in the mortality of individual birds is considered a violation of State and federal laws and are considered a potentially significant impact under CEQA and NEPA.

Implementation of the following measures will reduce potential impacts to nesting raptors, migratory birds, and special status birds to a less than significant level under CEQA and NEPA and will ensure compliance with State and federal laws protecting this avian species.

Mitigation. The following measures would be implemented prior to the start of construction:

Mitigation Measure BIO-4a (Pre-construction Take Avoidance Survey): A qualified biologist will conduct a pre-construction take avoidance survey for burrowing owls in accordance with CDFW's *Staff Report on Burrowing Owl Mitigation* (California Department of Fish and Wildlife 2012), within thirty (30) days prior to the start of construction activities. The survey will include the proposed work area and surrounding lands within 250 feet. If no burrowing owl individuals or suitable burrows are observed, no further mitigation is required.

Mitigation Measure BIO-4b (Avoidance/Monitoring): If an active burrowing owl burrow is detected, a qualified biologist will remain onsite to monitor and the occurrence will be reported to the local CDFW office and the CNDDB. A disturbance-free buffer will be implemented in accordance with CDFW's 2012 *Staff Report on Burrowing Owl Mitigation*, as outlined in the table below:

Location	Time of Year	Level of Disturbance		
		Low	Medium	High
Nesting sites	April 1 – August 15	200 meters	500 meters	500 meters
Nesting sites	August 16 – October 15	200 meters	200 meters	500 meters
Nesting sites	October 16 – March 31	50 meters	100 meters	500 meters

Mitigation Measure BIO-4c (Consultation with CDFW and Passive Relocation): If avoidance of an active burrowing owl burrow is not feasible, CDFW will be immediately consulted to determine the best course of action, which may include passive relocation during non-breeding season. Passive relocation and/or burrow exclusion will not take place without coordination with CDFW and preparation of an approved exclusion and relocation plan.

Project-Related Mortality and/or Disturbance to Coast Horned Lizards

Habitats and soils within the APE and surrounding area were determined to be suitable for coast horned lizards, a California Species of Special Concern. Construction activities occurring within occupied habitat could result in injury, mortality, displacement, disturbance, or inhibit the movement of this species. Implementation of mitigation measure **BIO-1a** listed above, requires each employee, worker, or visitor onsite to attend a mandatory training session, including printed educational materials regarding the conservation status of special status amphibians with potential to occur onsite, laws protecting these species, penalties for violation of those laws, and a list of required protective measures that must be employed to avoid "take" or other significant impacts. Additionally, mitigation measure **BIO-1b** requires implementation of BMPs on the work site which would avoid and minimize potential impacts to special status species.

Mitigation. The following measures will be implemented prior to the start of construction:

Mitigation Measure BIO-5a (*Pre-construction Survey*): A qualified biologist will conduct a pre-construction survey of Project areas within thirty (30) days prior to vegetation clearing or ground disturbing activities. Environmentally sensitive areas will be flagged for avoidance. If Coast horned lizards are detected, construction monitoring will be required. Surveys will not take place when daytime temperatures are below 60˚F or above 95˚F. If no suitable habitat or species observations are found, no further mitigation is required.

Mitigation Measure BIO-5b (*Monitor*): If species observations are found, a qualified biologist will conduct a pre-activity clearance survey each day and remain onsite to oversee all vegetation clearing and ground disturbing activities conducted within suitable habitat for Coast horned lizards. If a listed species is observed within the Project area, the biologist will stop work and allow the species to leave

the site of its own volition or contact the appropriate regulatory agency (CDFW and/or USFWS) for guidance on how to proceed.

Mitigation Measure BIO-5c (*ITP*): In the event Coast horned lizards are detected during surveys and cannot be avoided, or a biological monitor is not on-site through construction, consultation with CDFW is warranted to discuss how to implement the Project and avoid take. If take cannot be avoided, take authorization through the acquisition of an ITP pursuant to Fish and Game Code section 2081, subdivision (b) is necessary to comply with CESA.

Mitigation Measure BIO-5d (*Mortality Reporting*): The Sacramento Field Office of USFWS and the Fresno Field Office of CDFW will be notified in writing within three working days in the case of the accidental death or injury to a Coast horned lizard during construction. Notification must include the date, time, and location of the incident and any other pertinent information.

Project-Related Mortality and/or Disturbance to Bats

Although no special status bat species were identified as possible to occur within the APE there is the possibility for common bat species to occur within the APE. Roosting habitat becomes especially sensitive to bat populations during the maternity season (March 1 to September 30) while pups are maturing. A survey for bats was determined to be necessary to identify if Project activities would impact existing bat habitat, presence of high-quality roosting habitat, and/or foraging areas within the APE. Trees within the APE will be removed during the Project and could potentially be used as roosting habitat for bat species. Implementation of the following measures will reduce potential impacts to roosting and foraging bats to a less than significant level under CEQA and ensure compliance with State and federal laws protecting these bat species.

Mitigation. The following measures will be implemented prior to the start of construction:

Mitigation Measure BIO-6a (*Avoidance*): The Project's construction activities will occur, if feasible, between November 1 and February 28 (outside of bat maternity season) in an effort to avoid impacts to maternity roosts.

Mitigation Measure BIO-6b (*Pre-Construction Survey*): A pre-construction survey for bats will be performed if construction activities fall between March 1 and September 30 (bat maternity season) and include tree removal. The survey will be focused on trees to be removed during construction and be conducted by a qualified biologist within fourteen (14) days prior to tree removal. All trees will be inspected for potential roosting habitat. This survey can be performed simultaneously with nesting bird surveys.

Mitigation Measure BIO-6c (*Emergence Survey*): An emergence bat survey will be performed if suitable habitat or trees for roosting bats are found during the pre-construction survey. This survey will take place between May and September (outside of bat hibernation) and will be conducted during dusk hours. The survey will be focused on trees to be removed during construction and will be conducted by a qualified biologist within two (2) days prior to tree removal.

Mitigation Measure BIO-6d (*Establish Buffers*): On discovery of any bat roosts near work areas, a qualified biologist should determine appropriate construction setback distances (buffer zones) based on applicable CDFW and/or USFWS guidelines, if appropriate. Construction buffers should be identified with flagging, fencing, or other easily visible means, and should be maintained until the biologist has determined that the roost should no longer be impacted by construction.

Mitigation Measure BIO–6e (*Operational Hours*): Construction activities shall be limited to daylight hours to reduce potential impacts to special status bats that could be foraging onsite.

Project-Related Mortality and/or Disturbance to Northwestern Pond Turtles

Western pond turtles were once a single species known as *Actinemys marmorata* but was split into two distinct species by Spinks et al. in 2014. The two distinct species are now known as Northwestern pond turtles (*Actinemys marmorata*) and Southwestern pond turtles (*Actinemys pallida*). The Northwestern Pond turtle (NPT) range extends from Washington State south and inland through California's San Joaquin Valley. The Southwestern Pond turtle (SPT) range extends from the south of the San Francisco Bay along the central California coast to Baja California (Spinks PQ 2014). The top four threats for NPT are predation by nonnative species, pathogens, land alterations, and drought. The top three threats for SPT were drought, predation by nonnative species, floods, and land alteration (Manzo S 2021). The APE lies within the San Joaquin Valley where only NPT inhabit. NPT habitat features for nesting, overwintering, dispersal, and basking and can occur in the APE. These features include aquatic and terrestrial habitats such as ponded areas, irrigation canals, riparian, and upland habitat. NPT are known to nest in the spring or early summer within 100 meters of a water body, although nest sites as far away as 500 meters have also been reported. Noise, vegetation removal, movement of workers, construction, and ground disturbance as a result of Project activities have the potential to significantly impact NPT populations. Without appropriate avoidance and minimization measures for NPT, potentially significant impacts associated with Project activities could include nest reduction, inadvertent entrapment, reduced reproductive success, reduction in health or vigor of eggs and/or young, and direct mortality.

Mitigation. The following measures will be implemented prior to the start of construction:

Mitigation Measure BIO-7a (*Pre-construction Survey*): No less than fourteen (14) days and no more than thirty (30) days prior to the start of construction, a qualified biologist will conduct a pre-construction survey for NPT within the Fresno River and Canals, as well as adjacent to the proposed work area. Pre-construction surveys will be conducted in accordance with the *United States Geological Survey Western Pond Turtle (Emys marmorata) Visual Survey Protocol for the Southcoast Ecoregion* (United States Geological Survey 2006). Surveys will be conducted outside of winter months (December – February). If no NPT are observed during the pre-construction survey, then construction activities may begin. If construction is delayed or halted for more than 90 days, another pre-construction survey for NPT will be conducted. If the surveys result in the identification of a special status species, the qualified biologist should determine if appropriate buffers can be implemented to avoid impacts to the individual(s) or if further surveys are required to avoid impacts to potential nesting sites.

Mitigation Measure BIO-7b (*Monitor*): If species observations are found, a qualified biologist will conduct a pre-activity clearance survey each day and remain onsite to oversee all vegetation clearing and ground disturbing activities conducted within suitable habitat for NPT. If a listed species is observed within the Project area, the biologist will stop work and allow the species to leave the site of its own volition or contact the appropriate regulatory agency (CDFW and/or USFWS) for guidance on how to proceed.

Mitigation Measure BIO-7c (*ITP*): In the event NPT are detected during surveys and cannot be avoided, consultation with CDFW is warranted to discuss how to implement the Project and avoid take. If take cannot be avoided, take authorization through the acquisition of an ITP pursuant to Fish and Game Code section 2081, subdivision (b) is necessary to comply with CESA.

Project-Related Mortality and/or Disturbance to Western Spadefoot

Habitats within the APE and surrounding area were determined to be suitable for western spadefoot, a California Species of Special Concern. Construction activities occurring within occupied habitat could result in

injury, mortality, displacement, disturbance, or inhibit the movement of this species. Implementation of mitigation measure **BIO-1a** listed above, requires each employee, worker, or visitor onsite to attend a mandatory training session, including printed educational materials regarding the conservation status of special status amphibians with potential to occur onsite, laws protecting these species, penalties for violation of those laws, and a list of required protective measures that must be employed to avoid "take" or other significant impacts. Additionally, mitigation measure **BIO-1b** requires implementation of BMPs on the work site which would avoid and minimize potential impacts to special status species.

Mitigation. The following measures will be implemented prior to the start of construction:

> **Mitigation Measure BIO-8a (*Pre-construction Survey*):** A qualified biologist will conduct a preconstruction survey within thirty (30) days prior to the start of construction. The goals of this survey will be to identify if any suitable breeding or upland habitat is present within the APE and an additional 100-foot survey area around the designated APE. If no individuals or suitable habitat is observed, no further mitigation is required.
>
> **Mitigation Measure BIO-8b (*Avoidance*):** On discovery of any suitable habitat near work areas, the biologist will determine appropriate construction setback distances based on applicable CDFW and/or USFWS guidelines for western spadefoot. Construction buffers will be identified with flagging, fencing, or other easily visible means, and will be maintained until the end of the Project. If appropriate construction buffers cannot be maintained a focused survey will be required to determine if western spadefoots are found within the Project area or 100 feet of the Project.
>
> **Mitigation Measure BIO-8c (*Focused Survey*):** If appropriate buffers cannot be maintained, a qualified biologist will conduct a focused survey during the known peak breeding months of this species (February-March), prior to the start of construction. Transects will be walked throughout the entire APE and surrounding lands within 100 feet and vantage points will be used to survey for standing water. If no western spadefoots adults or larvae are observed during the survey, then construction activities may begin. If the survey results in the identification of this special status species, a qualified biologist will consult CDFW to determine if appropriate buffers can be implemented to avoid impacts to individual(s) during construction.
>
> **Mitigation Measure BIO-8d (*Monitor*):** If species observations are found, a qualified biologist will conduct a pre-activity clearance survey each day and remain onsite to oversee all vegetation clearing and ground disturbing activities conducted within suitable habitat for western spadefoot. If a listed species is observed within the Project area, the biologist will stop work and allow the species to leave the site of its own volition or contact the appropriate regulatory agency (CDFW and/or USFWS) for guidance on how to proceed.
>
> **Mitigation Measure BIO-8e (*Formal Consultation*):** If western spadefoots are detected during surveys and cannot be avoided, consultation with CDFW is warranted to discuss how to implement the Project and avoid take. If take cannot be avoided, take authorization through the acquisition of an ITP pursuant to Fish and Game Code section 2081, subdivision (b) is necessary to comply with CESA.

Project-Related Impacts to Special Status Plant Species

In reviewing the CNDDB, the following special status plant species were identified to occur within or adjacent to the APE: alkali-sink goldfields, California alkali grass, hairy Orcutt grass, heartscale, lesser saltscale, and Sanford's arrowhead. The survey of the APE was conducted outside the blooming season for these plants. It is recommended a more detailed survey be conducted within the blooming season. Projects that adversely affect

special status plants or result in the mortality of special status plants is considered a violation of State and federal laws and are considered a potentially significant impact under CEQA and NEPA.

Implementation of the following measures will reduce potential impacts to special status plants to a less than significant level under CEQA and NEPA and will ensure compliance with State and Federal laws protecting these plant species.

Mitigation. The following measures will be implemented prior to the start of construction:

> **Mitigation Measure BIO-9a (*Focused Survey*):** A qualified botanist/biologist will conduct focused botanical surveys during their specific blooming period or overlapping blooming period. Alkali-sink goldfields (Feb-April), California alkali grass (March-May), hairy Orcutt grass (May-Sept), heartscale (June-July), lesser saltscale (April-Oct), and Sanford's arrowhead (May-Oct) will be surveyed for according to CDFW's *Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Sensitive Natural Communities* (California Department of Fish and Wildlife (CDFW) 2018), or current guidance, for areas where ground disturbance will occur and prior to the start of construction. Disturbance-free buffers and use of exclusion fencing will be placed around the area as not to disturb the plants or its root system.
>
> **Mitigation Measure BIO-9b (*Avoidance*):** If any suitable habitat for special status plants are identified during the survey, a disturbance-free buffer and use of exclusion fencing will be placed around the area.
>
> **Mitigation Measure BIO-9c (*Formal Consultation*):** If rare plant individuals or populations or sensitive natural communities are detected within Project work areas during the survey, and the plants cannot be avoided, the Project proponent will initiate consultation with CDFW and/or USFWS to determine next steps for relocation or to obtain an Incidental Take Permit (ITP).

Project-Related Impacts to Riparian Habitat and Natural Communities of Special Concern

There are no CNDDB-designated "natural communities of special concern" recorded within the APE or surrounding lands. Portions of riparian habitat were identified during the survey, specifically within the Fresno River. Riparian habitats fall under the jurisdiction of CDFW and therefore any work occurring within these areas will require regulatory permitting through this agency.

Project-Related Impacts to Regulated Waters, Wetlands, and Water Quality

The Project involves the construction of a bridge over the Fresno River. An Aquatic Resources Delineation was conducted on August 26, 2022, to evaluate the site for potential waters of the United States and delineate potential jurisdictional boundaries of these features. The investigation and delineation were conducted in accordance with the 1987 *Corps of Engineers Wetland Delineation Manual*, the *Arid West Regional Supplement* (United States Army Corps of Engineers 1987), *the State Wetland Definition and Procedures for Discharges of Dredged or Fill Material to Waters of the State* (State Water Resources Control Board 2021), and the United States Fish and Wildlife Service National Wetlands Inventory Map was consulted for known wetlands in the area.

The Fresno River within the APE, below the ordinary high-water mark, would most likely fall under the jurisdiction of USACE as a waters of the United States and construction activities in this area would be subject to USACE permit requirements pursuant to Section 404 of the CWA. This Project may be authorized under a Nationwide Permit but could require an individual permit if Nationwide Permit limits are exceeded. In addition, a Section 401 of the CWA Water Quality Certification from the RWQCB is required for dredge and fill of waters of the State and activities must meet State water quality standards. These permits and certifications are

typically issued on the condition that the applicant agrees to provide mitigation that result in no net loss of wetland functions, jurisdictional waters or beneficial uses. An Aquatic Resource Delineation (ARD) was performed on the Fresno River and Lateral Canal 24.2-14.2 to determine the channel and Ordinary High-Water Mark (OHWM).

If the Project's construction work would result in impacts to waters of the United States, the Project proponent will be required to secure permits from USACE and RWQCB. Compliance with each permit requires avoidance, minimization, and mitigation measures to ensure that Project-related impacts to these potentially jurisdictional waters are less-than-significant in nature or are fully mitigated.

Project activities with potential to alter the Fresno River including the bed, bank, floodplain and associated riparian habitat, would be within CDFWs jurisdiction, pursuant to Section 1602 of the California Fish and Game Code. The Project proponent would be required to notify CDFW if the Project's activities have potential to impact rivers, streams, or the riparian corridor of any aquatic features onsite that may be beneficial to fish or wildlife resources. If CDFW determines that the Project could potentially adversely affect fish and wildlife resources and/or riparian habitat, a Lake or Streambed Alteration (LSA) Agreement would be issued prior to construction. LSA Agreements are typically issued with mandatory avoidance and minimization measures, protective measures for special status species, and required compensatory mitigation for removal of riparian trees, shrubs, and herbaceous cover along the banks. Compliance with measures of the LSA Agreement would ensure that the Project's impacts to aquatic features and riparian habitat within CDFW's jurisdiction remain less-than-significant or are fully mitigated.

There are no designated wild and scenic rivers within the APE; therefore, the Project would not result in direct impacts to wild and scenic rivers. Compliance with USACE, RWQCB, and CDFW permits, certifications, and agreements would ensure there are no indirect downstream effects to jurisdictional waters.

Since construction would involve ground disturbance over an area greater than one acre, the Project would also be required to obtain a Construction General Permit under the Construction Storm Water Program administered by the RWQCB. A prerequisite for this permit is the development of a Storm Water Pollution Prevention Plan (SWPPP) to ensure construction activities do not adversely affect water quality.

Section 7 Determinations

In addition to the effects analysis performed in **Table 2** and **Table 3** of this document, **Table 4** summarizes Project effect determinations for Federally Listed Species found on the USFWS IPaC list generated on August 25, 2022 (**Appendix C**), in accordance with Section 7 of the Endangered Species Act.

Table 4. Section 7 Determinations

Species	Determination	Rationale for Determination
Blunt-nosed leopard lizard (*Gambelia sila*)	**No effect**	**Habitat absent**. The APE and surrounding areas have high human disturbance and lacked suitable vegetation.
California tiger salamander *(Ambystoma californiense)*	**No effect**	**Habitat absent.** Vernal pools and upland habitat are absent within the APE and surrounding areas. The APE and surrounding areas have high human disturbance, and the Fresno River is unsuitable for this species.
Delta smelt *(Hypomesus transpacificus)*	**No effect**	**Habitat absent.** The APE is outside of the known distribution range of this species.
Fresno kangaroo rat (*Dipodomys nitratoides exilis*)	**No effect**	**Disturbed habitat**. The highly disturbed habitats of the APE and surrounding lands are unsuitable

Species	Determination	Rationale for Determination
		for this species. Humans and domestic dogs were observed within the APE and surrounding areas which would deter this species from residing within the APE.
Monarch butterfly (*Danaus plexippus*)	**No effect**	**Habitat absent**. Foraging and roosting habitat is absent from within the APE and surrounding areas.
Hairy Orcutt grass (*Orcuttia pilosa*)	**No effect**	**Habitat present.** Aquatic habitat is present within the APE and surrounding lands. Implementation of mitigation measure **BIO-8** found on **Page 22** would reduce affects to no effect.
San Joaquin kit fox (*Vulpes macrotis mutica*)	**No effect**	**Habitat absent.** There were no suitable dens, tracks, or scat observed during the biological survey. It is unlikely this species would reside within the APE due to human disturbance and domestic dogs that were observed in the APE during the biological survey.
Valley elderberry longhorn beetle (*Desmocerus californicus dimorphus*)	**No effect**	**Habitat absent.** No elderberry shrubs were found within the APE or surrounding areas.
Vernal pool fairy shrimp (*Branchinecta lynchi*)	**No effect**	**Habitat absent**. Vernal pools and upland habitat are absent within the APE and surrounding areas. The APE and surrounding areas have high human disturbance, and the Fresno River is unsuitable for this species.

Less than Significant Project-Related Impacts

Project-Related Impacts to Special Status Animal Species Absent From, or Unlikely to Occur on, the Project Site

Of the 15 regionally occurring special status animal species, 9 are considered absent from or unlikely to occur within the APE due to past or ongoing disturbance and/or the absence of suitable habitat. These species include: American badger, blunt-nosed leopard lizard, California tiger salamander, Delta smelt, Fresno kangaroo rat, Monarch butterfly, San Joaquin kit fox, Valley elderberry longhorn beetle, vernal pool fairy shrimp.

Since it is unlikely that these species would occur onsite, implementation of the Project would have no impact on these 9 special status species through construction mortality, disturbance, or loss of habitat. Mitigation measures are not warranted.

Project-Related Impacts to Special Status Plant Species Absent From, or Unlikely to Occur on, the Project Site

Of the 16 regionally occurring special status plant species, 10 are considered absent from or unlikely to occur within the APE due to past or ongoing disturbance and/or the absence of soils or suitable habitat. These species include: Greene's tuctoria, Madera leptosiphone, Munz's tidy-tips, recurved larkspur, San Joaquin Valley Orcutt grass, shining navarretia, spiny-sepaled button-celery, subtle orache, succulent owl's-clover, and vernal pool smallscale.

Since it is unlikely that these species would occur onsite, implementation of the Project should have no impact on these 10 special status species through construction mortality, disturbance, or loss of habitat. Mitigation measures are not warranted.

Project-Related Impacts to Special Status Fishes Absent From, or Unlikely to Occur on, the Project Site

Chinook salmon were identified in the National Marine Fisheries (NMFS) Essential Fish Habitat (EFH) Mapper (**Appendix E)**. At the time of the survey, special status fishes are not considered present or likely to occur within the APE. The Fresno River does not flow perennially, and the Canals do not have connections to waterbodies that contain special status fish species. Mitigation measures are not warranted.

Project-Related Impacts to Critical Habitat

Designated critical habitat is absent from the APE and surrounding lands. Therefore, there would be no impact to critical habitat, and mitigation is not warranted.

Local Policies or Habitat Conservation Plans

The Project appears to be consistent with the goals and policies of the City of Madera General Plan. There are no known habitat conservation plans (HCPs) or a Natural Community Conservation Plan (NCCP) in the Project vicinity. Tree removal will be a part of Project activities but there is no permitting process for tree removal within the City of Madera. Mitigation measures are not warranted.

Coastal Zone and Coastal Barriers Resources Act

The Project would not be located within the coastal zone. The Project would not impact or be located within or near the Coastal Barrier Resources System or its adjacent wetlands, marshes, estuaries, inlets, and near-shore waters. Mitigation is not warranted.

Project-Related Impact to Essential Fish Habitat

Habitat Areas of Particular Concern (HAPC) and EFH and are absent from the APE and surrounding lands, and consultation with the NMFS would not be required. Query results of the NMFS EHF Mapper can be found in **Appendix E** at the end of this document. Mitigation is not warranted.

IV. References

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Appendix A: Photos of the Project Area

CITY OF MADERA

WESTBERRY BLVD BRIDGE PROJECT



Photograph 1

Overview of North Westberry Boulevard on the south side of the Fresno River.



Photograph 2

Overview of Riverview Drive facing west.



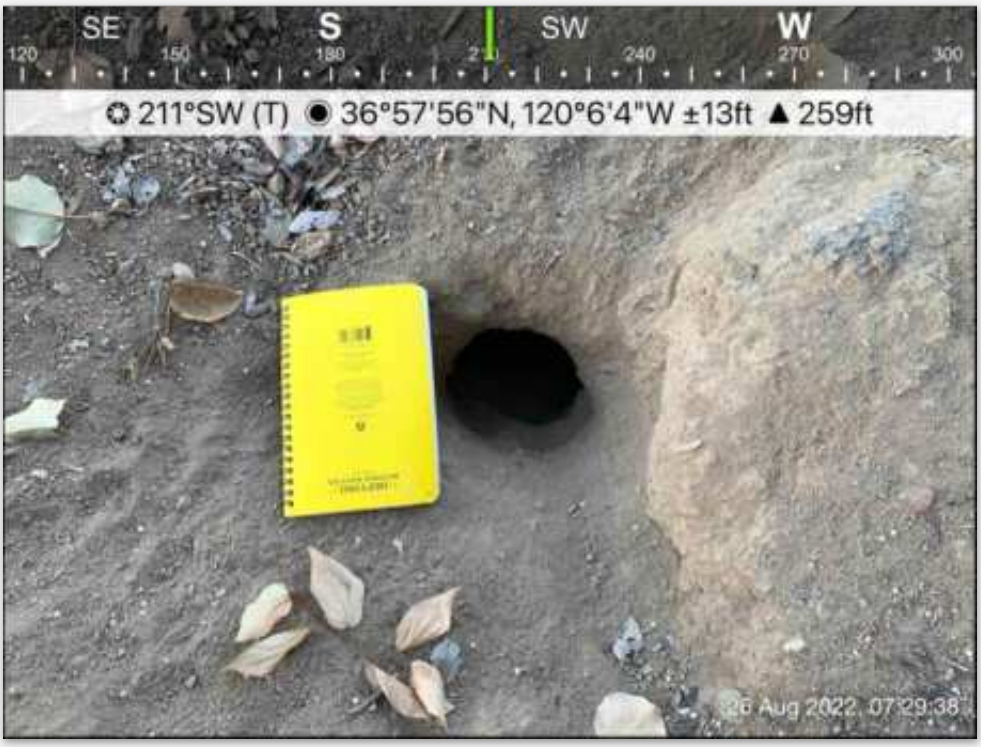
Photograph 3

Overview of the Irrigation Canal located south of the Fresno River.



Photograph 4

Overview of the paved walking trail south of the Fresno River. Human and domestic dog disturbance was prevalent along the trail.



Photograph 5

Overview a typical California ground squirrel burrow found within the APE.



Photograph 6

Overview of the Fresno River from the south bank. Human and domestic dog disturbance was prevalent within the channel of the Fresno River.



Photograph 7

Overview of soil disturbance within the river bed. Tire tracks can be seen throughout.



Photograph 8

Overview of giant reed (Arundo donax) found within the river bed. This species is considered invasive in riparian habitats.



Photograph 9

Overview of unidentifiable wildlife tracks left in the sandy soil of the river channel. The Fresno River and Canals are used as wildlife movement corridors.



Photograph 10

Overview of the Fresno River from the north bank looking southwest.



Photograph 11

Overview of the Irrigation Canal located north of the Fresno River.



Photograph 12

Overview of North Westberry Boulevard on the north side of the Fresno River.



Photograph 13

Overview of surrounding roads outside of the APE located south of the Fresno River.



Photograph 14

Overview of residential housing outside of the APE on the south side of the Fresno River.

Appendix B: CNDDB 9-Quad Search

CITY OF MADERA

WESTBERRY BLVD BRIDGE PROJECT

Selected Elements by Common Name

California Department of Fish and Wildlife

California Natural Diversity Database

Query Criteria: Quad IS (Madera (3612081) OR Berenda (3712012) OR Kismet (3712011) OR Daulton (3711918) OR Gregg (3611988) OR Herndon (3611978) OR Biola (3612071) OR Gravelly Ford (3612072) OR Bonita Ranch (3612082))

Species	Element Code	Federal Status	State Status	Global Rank	State Rank	Rare Plant Rank/CDFW SSC or FP
alkali-sink goldfields *Lasthenia chrysantha*	PDAST5L030	None	None	G2	S2	1B.1
American badger *Taxidea taxus*	AMAJF04010	None	None	G5	S3	SSC
blunt-nosed leopard lizard *Gambelia sila*	ARACF07010	Endangered	Endangered	G1	S1	FP
burrowing owl *Athene cunicularia*	ABNSB10010	None	None	G4	S3	SSC
California alkali grass *Puccinellia simplex*	PMPOA53110	None	None	G2	S2	1B.2
California linderiella *Linderiella occidentalis*	ICBRA06010	None	None	G2G3	S2S3	
California tiger salamander - central California DPS *Ambystoma californiense pop. 1*	AAAAA01181	Threatened	Threatened	G2G3T3	S3	WL
coast horned lizard *Phrynosoma blainvillii*	ARACF12100	None	None	G3G4	S3S4	SSC
Fresno kangaroo rat *Dipodomys nitratoides exilis*	AMAFD03151	Endangered	Endangered	G3TH	SH	
Greene's tuctoria *Tuctoria greenei*	PMPOA6N010	Endangered	Rare	G1	S1	1B.1
hairy Orcutt grass *Orcuttia pilosa*	PMPOA4G040	Endangered	Endangered	G1	S1	1B.1
heartscale *Atriplex cordulata var. cordulata*	PDCHE040B0	None	None	G3T2	S2	1B.2
hoary bat *Lasiurus cinereus*	AMACC05030	None	None	G3G4	S4	
lesser saltscale *Atriplex minuscula*	PDCHE042M0	None	None	G2	S2	1B.1
Madera leptosiphon *Leptosiphon serrulatus*	PDPLM09130	None	None	G3	S3	1B.2
midvalley fairy shrimp *Branchinecta mesovallensis*	ICBRA03150	None	None	G2	S2S3	
moestan blister beetle *Lytta moesta*	IICOL4C020	None	None	G2	S2	
molestan blister beetle *Lytta molesta*	IICOL4C030	None	None	G2	S2	
Munz's tidy-tips *Layia munzii*	PDAST5N0B0	None	None	G2	S2	1B.2

Selected Elements by Common Name

California Department of Fish and Wildlife

California Natural Diversity Database

Species	Element Code	Federal Status	State Status	Global Rank	State Rank	Rare Plant Rank/CDFW SSC or FP
Northern Hardpan Vernal Pool *Northern Hardpan Vernal Pool*	CTT44110CA	None	None	G3	S3.1	
recurved larkspur *Delphinium recurvatum*	PDRAN0B1J0	None	None	G2?	S2?	1B.2
San Joaquin kit fox *Vulpes macrotis mutica*	AMAJA03041	Endangered	Threatened	G4T2	S2	
San Joaquin pocket mouse *Perognathus inornatus*	AMAFD01060	None	None	G2G3	S2S3	
San Joaquin Valley Orcutt grass *Orcuttia inaequalis*	PMPOA4G060	Threatened	Endangered	G1	S1	1B.1
Sanford's arrowhead *Sagittaria sanfordii*	PMALI040Q0	None	None	G3	S3	1B.2
shining navarretia *Navarretia nigelliformis ssp. radians*	PDPLM0C0J2	None	None	G4T2	S2	1B.2
spiny-sepaled button-celery *Eryngium spinosepalum*	PDAPI0Z0Y0	None	None	G2	S2	1B.2
subtle orache *Atriplex subtilis*	PDCHE042T0	None	None	G1	S1	1B.2
succulent owl's-clover *Castilleja campestris var. succulenta*	PDSCR0D3Z1	Threatened	Endangered	G4?T2T3	S2S3	1B.2
Swainson's hawk *Buteo swainsoni*	ABNKC19070	None	Threatened	G5	S3	
tricolored blackbird *Agelaius tricolor*	ABPBXB0020	None	Threatened	G1G2	S1S2	SSC
valley elderberry longhorn beetle *Desmocerus californicus dimorphus*	IICOL48011	Threatened	None	G3T2T3	S3	
Valley Sacaton Grassland *Valley Sacaton Grassland*	CTT42120CA	None	None	G1	S1.1	
vernal pool fairy shrimp *Branchinecta lynchi*	ICBRA03030	Threatened	None	G3	S3	
vernal pool smallscale *Atriplex persistens*	PDCHE042P0	None	None	G2	S2	1B.2
western spadefoot *Spea hammondii*	AAABF02020	None	None	G2G3	S3	SSC

Record Count: 36

Appendix C: IPaC Search

CITY OF MADERA

WESTBERRY BLVD BRIDGE PROJECT

United States Department of the Interior

FISH AND WILDLIFE SERVICE
Sacramento Fish And Wildlife Office
Federal Building
2800 Cottage Way, Room W-2605
Sacramento, CA 95825-1846
Phone: (916) 414-6600 Fax: (916) 414-6713

In Reply Refer To: August 25, 2022
Project Code: 2022-0079126
Project Name: Westberry Boulevard Bridge

Subject: List of threatened and endangered species that may occur in your proposed project location or may be affected by your proposed project

To Whom It May Concern:

The enclosed species list identifies threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*).

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the ECOS-IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the ECOS-IPaC system by completing the same process used to receive the enclosed list.

The purpose of the Act is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2) of the Act and its implementing regulations (50 CFR 402 *et seq.*), Federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered species and to determine whether projects may affect threatened and endangered species and/or designated critical habitat.

A Biological Assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2)

(c)). For projects other than major construction activities, the Service suggests that a biological evaluation similar to a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12.

If a Federal agency determines, based on the Biological Assessment or biological evaluation, that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Service recommends that candidate species, proposed species and proposed critical habitat be addressed within the consultation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at:

http://www.fws.gov/endangered/esa-library/pdf/TOC-GLOS.PDF

Migratory Birds: In addition to responsibilities to protect threatened and endangered species under the Endangered Species Act (ESA), there are additional responsibilities under the Migratory Bird Treaty Act (MBTA) and the Bald and Golden Eagle Protection Act (BGEPA) to protect native birds from project-related impacts. Any activity, intentional or unintentional, resulting in take of migratory birds, including eagles, is prohibited unless otherwise permitted by the U.S. Fish and Wildlife Service (50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)). For more information regarding these Acts see https://www.fws.gov/birds/policies-and-regulations.php.

The MBTA has no provision for allowing take of migratory birds that may be unintentionally killed or injured by otherwise lawful activities. It is the responsibility of the project proponent to comply with these Acts by identifying potential impacts to migratory birds and eagles within applicable NEPA documents (when there is a federal nexus) or a Bird/Eagle Conservation Plan (when there is no federal nexus). Proponents should implement conservation measures to avoid or minimize the production of project-related stressors or minimize the exposure of birds and their resources to the project-related stressors. For more information on avian stressors and recommended conservation measures see https://www.fws.gov/birds/bird-enthusiasts/threats-to-birds.php.

In addition to MBTA and BGEPA, Executive Order 13186: *Responsibilities of Federal Agencies to Protect Migratory Birds*, obligates all Federal agencies that engage in or authorize activities that might affect migratory birds, to minimize those effects and encourage conservation measures that will improve bird populations. Executive Order 13186 provides for the protection of both migratory birds and migratory bird habitat. For information regarding the implementation of Executive Order 13186, please visit https://www.fws.gov/birds/policies-and-regulations/executive-orders/e0-13186.php.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. Please include the Consultation Code in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.

Attachment(s):

- Official Species List

Official Species List

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

Sacramento Fish And Wildlife Office
Federal Building
2800 Cottage Way, Room W-2605
Sacramento, CA 95825-1846
(916) 414-6600

Project Summary

Project Code: 2022-0079126
Project Name: Westberry Boulevard Bridge
Project Type: Bridge - New Construction
Project Description: We understand that the base scope of work assumes the new Westberry Blvd bridge over the
Fresno River in the City of Madera will consist of a 402 ft. long, 94 ft. wide 10-span cast-in-place
reinforced concrete flat slab bridge. It is assumed the bridge will be supported on seat type
abutments founded on 36 in. diameter cast-in-steel-shell or cast-in-drilled-hole piles.

Project Location:

Approximate location of the project can be viewed in Google Maps: https://www.google.com/maps/@36.9668852,-120.10124715491538,14z



Counties: Madera County, California

Endangered Species Act Species

There is a total of 9 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries[1], as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

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1. NOAA Fisheries, also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

Mammals

NAME	STATUS
Fresno Kangaroo Rat *Dipodomys nitratoides exilis* There is **final** critical habitat for this species. The location of the critical habitat is not available. Species profile: https://ecos.fws.gov/ecp/species/5150	Endangered
San Joaquin Kit Fox *Vulpes macrotis mutica* No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/2873	Endangered

Reptiles

NAME	STATUS
Blunt-nosed Leopard Lizard *Gambelia silus* No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/625	Endangered

Amphibians

NAME	STATUS
California Tiger Salamander *Ambystoma californiense* Population: U.S.A. (Central CA DPS) There is **final** critical habitat for this species. The location of the critical habitat is not available. Species profile: https://ecos.fws.gov/ecp/species/2076	Threatened

Fishes

NAME	STATUS
Delta Smelt *Hypomesus transpacificus* There is **final** critical habitat for this species. The location of the critical habitat is not available. Species profile: https://ecos.fws.gov/ecp/species/321	Threatened

Insects

NAME	STATUS
Monarch Butterfly *Danaus plexippus* No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/9743	Candidate
Valley Elderberry Longhorn Beetle *Desmocerus californicus dimorphus* There is **final** critical habitat for this species. The location of the critical habitat is not available. Species profile: https://ecos.fws.gov/ecp/species/7850	Threatened

Crustaceans

NAME	STATUS
Vernal Pool Fairy Shrimp *Branchinecta lynchi* There is **final** critical habitat for this species. The location of the critical habitat is not available. Species profile: https://ecos.fws.gov/ecp/species/498	Threatened

Flowering Plants

NAME	STATUS
Hairy Orcutt Grass *Orcuttia pilosa* There is **final** critical habitat for this species. The location of the critical habitat is not available. Species profile: https://ecos.fws.gov/ecp/species/2262	Endangered

Critical habitats

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

IPaC User Contact Information

Agency: Provost & Pritchard Consulting Group
Name: Roman Endicott
Address: 455 W. Fir Ave
City: Clovis
State: CA
Zip: 93611
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Phone: 5594492700

Appendix D: NRCS Soils Report

CITY OF MADERA

WESTBERRY BLVD BRIDGE PROJECT

United States Department of Agriculture

NRCS

Natural Resources Conservation Service

A product of the National Cooperative Soil Survey, a joint effort of the United States Department of Agriculture and other Federal agencies, State agencies including the Agricultural Experiment Stations, and local participants

Custom Soil Resource Report for Madera Area, California

Westberry Bridge



August 25, 2022

Preface

Soil surveys contain information that affects land use planning in survey areas. They highlight soil limitations that affect various land uses and provide information about the properties of the soils in the survey areas. Soil surveys are designed for many different users, including farmers, ranchers, foresters, agronomists, urban planners, community officials, engineers, developers, builders, and home buyers. Also, conservationists, teachers, students, and specialists in recreation, waste disposal, and pollution control can use the surveys to help them understand, protect, or enhance the environment.

Various land use regulations of Federal, State, and local governments may impose special restrictions on land use or land treatment. Soil surveys identify soil properties that are used in making various land use or land treatment decisions. The information is intended to help the land users identify and reduce the effects of soil limitations on various land uses. The landowner or user is responsible for identifying and complying with existing laws and regulations.

Although soil survey information can be used for general farm, local, and wider area planning, onsite investigation is needed to supplement this information in some cases. Examples include soil quality assessments (http://www.nrcs.usda.gov/wps/portal/nrcs/main/soils/health/) and certain conservation and engineering applications. For more detailed information, contact your local USDA Service Center (https://offices.sc.egov.usda.gov/locator/app?agency=nrcs) or your NRCS State Soil Scientist (http://www.nrcs.usda.gov/wps/portal/nrcs/detail/soils/contactus/?cid=nrcs142p2_053951).

Great differences in soil properties can occur within short distances. Some soils are seasonally wet or subject to flooding. Some are too unstable to be used as a foundation for buildings or roads. Clayey or wet soils are poorly suited to use as septic tank absorption fields. A high water table makes a soil poorly suited to basements or underground installations.

The National Cooperative Soil Survey is a joint effort of the United States Department of Agriculture and other Federal agencies, State agencies including the Agricultural Experiment Stations, and local agencies. The Natural Resources Conservation Service (NRCS) has leadership for the Federal part of the National Cooperative Soil Survey.

Information about soils is updated periodically. Updated information is available through the NRCS Web Soil Survey, the site for official soil survey information.

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, genetic information, political beliefs, reprisal, or because all or a part of an individual's income is derived from any public assistance program. (Not all prohibited bases apply to all programs.) Persons with disabilities who require

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Contents

Preface.....2
How Soil Surveys Are Made.....5
Soil Map.....8
Soil Map.....9
Legend.....10
Map Unit Legend.....11
Map Unit Descriptions.....11
Madera Area, California.....13
GaA—Grangeville fine sandy loam, 0 to 1 percent slopes, MLRA 17.....13
GbA—Grangeville fine sandy loam, slightly saline-alkali, 0 to 1 percent slopes.....14
PbA—Pachappa fine sandy loam, slightly saline-alkali, 0 to 1 percen slopes.....16
Rh—Riverwash.....17
References.....18

How Soil Surveys Are Made

Soil surveys are made to provide information about the soils and miscellaneous areas in a specific area. They include a description of the soils and miscellaneous areas and their location on the landscape and tables that show soil properties and limitations affecting various uses. Soil scientists observed the steepness, length, and shape of the slopes; the general pattern of drainage; the kinds of crops and native plants; and the kinds of bedrock. They observed and described many soil profiles. A soil profile is the sequence of natural layers, or horizons, in a soil. The profile extends from the surface down into the unconsolidated material in which the soil formed or from the surface down to bedrock. The unconsolidated material is devoid of roots and other living organisms and has not been changed by other biological activity.

Currently, soils are mapped according to the boundaries of major land resource areas (MLRAs). MLRAs are geographically associated land resource units that share common characteristics related to physiography, geology, climate, water resources, soils, biological resources, and land uses (USDA, 2006). Soil survey areas typically consist of parts of one or more MLRA.

The soils and miscellaneous areas in a survey area occur in an orderly pattern that is related to the geology, landforms, relief, climate, and natural vegetation of the area. Each kind of soil and miscellaneous area is associated with a particular kind of landform or with a segment of the landform. By observing the soils and miscellaneous areas in the survey area and relating their position to specific segments of the landform, a soil scientist develops a concept, or model, of how they were formed. Thus, during mapping, this model enables the soil scientist to predict with a considerable degree of accuracy the kind of soil or miscellaneous area at a specific location on the landscape.

Commonly, individual soils on the landscape merge into one another as their characteristics gradually change. To construct an accurate soil map, however, soil scientists must determine the boundaries between the soils. They can observe only a limited number of soil profiles. Nevertheless, these observations, supplemented by an understanding of the soil-vegetation-landscape relationship, are sufficient to verify predictions of the kinds of soil in an area and to determine the boundaries.

Soil scientists recorded the characteristics of the soil profiles that they studied. They noted soil color, texture, size and shape of soil aggregates, kind and amount of rock fragments, distribution of plant roots, reaction, and other features that enable them to identify soils. After describing the soils in the survey area and determining their properties, the soil scientists assigned the soils to taxonomic classes (units). Taxonomic classes are concepts. Each taxonomic class has a set of soil characteristics with precisely defined limits. The classes are used as a basis for comparison to classify soils systematically. Soil taxonomy, the system of taxonomic classification used in the United States, is based mainly on the kind and character of soil properties and the arrangement of horizons within the profile. After the soil

scientists classified and named the soils in the survey area, they compared the individual soils with similar soils in the same taxonomic class in other areas so that they could confirm data and assemble additional data based on experience and research.

The objective of soil mapping is not to delineate pure map unit components; the objective is to separate the landscape into landforms or landform segments that have similar use and management requirements. Each map unit is defined by a unique combination of soil components and/or miscellaneous areas in predictable proportions. Some components may be highly contrasting to the other components of the map unit. The presence of minor components in a map unit in no way diminishes the usefulness or accuracy of the data. The delineation of such landforms and landform segments on the map provides sufficient information for the development of resource plans. If intensive use of small areas is planned, onsite investigation is needed to define and locate the soils and miscellaneous areas.

Soil scientists make many field observations in the process of producing a soil map. The frequency of observation is dependent upon several factors, including scale of mapping, intensity of mapping, design of map units, complexity of the landscape, and experience of the soil scientist. Observations are made to test and refine the soil-landscape model and predictions and to verify the classification of the soils at specific locations. Once the soil-landscape model is refined, a significantly smaller number of measurements of individual soil properties are made and recorded. These measurements may include field measurements, such as those for color, depth to bedrock, and texture, and laboratory measurements, such as those for content of sand, silt, clay, salt, and other components. Properties of each soil typically vary from one point to another across the landscape.

Observations for map unit components are aggregated to develop ranges of characteristics for the components. The aggregated values are presented. Direct measurements do not exist for every property presented for every map unit component. Values for some properties are estimated from combinations of other properties.

While a soil survey is in progress, samples of some of the soils in the area generally are collected for laboratory analyses and for engineering tests. Soil scientists interpret the data from these analyses and tests as well as the field-observed characteristics and the soil properties to determine the expected behavior of the soils under different uses. Interpretations for all of the soils are field tested through observation of the soils in different uses and under different levels of management. Some interpretations are modified to fit local conditions, and some new interpretations are developed to meet local needs. Data are assembled from other sources, such as research information, production records, and field experience of specialists. For example, data on crop yields under defined levels of management are assembled from farm records and from field or plot experiments on the same kinds of soil.

Predictions about soil behavior are based not only on soil properties but also on such variables as climate and biological activity. Soil conditions are predictable over long periods of time, but they are not predictable from year to year. For example, soil scientists can predict with a fairly high degree of accuracy that a given soil will have a high water table within certain depths in most years, but they cannot predict that a high water table will always be at a specific level in the soil on a specific date.

After soil scientists located and identified the significant natural bodies of soil in the survey area, they drew the boundaries of these bodies on aerial photographs and

identified each as a specific map unit. Aerial photographs show trees, buildings, fields, roads, and rivers, all of which help in locating boundaries accurately.

Soil Map

The soil map section includes the soil map for the defined area of interest, a list of soil map units on the map and extent of each map unit, and cartographic symbols displayed on the map. Also presented are various metadata about data used to produce the map, and a description of each soil map unit.



Map Scale: 1:3,200 if printed on A portrait (8.5" x 11") sheet.

N

Meters: 0 45 90 180 270

Feet: 0 150 300 600 900

Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 10N WGS84

MAP LEGEND

Area of Interest (AOI)
- Area of Interest (AOI)

Soils
- Soil Map Unit Polygons
- Soil Map Unit Lines
- Soil Map Unit Points

Special Point Features
- Blowout
- Borrow Pit
- Clay Spot
- Closed Depression
- Gravel Pit
- Gravelly Spot
- Landfill
- Lava Flow
- Marsh or swamp
- Mine or Quarry
- Miscellaneous Water
- Perennial Water
- Rock Outcrop
- Saline Spot
- Sandy Spot
- Severely Eroded Spot
- Sinkhole
- Slide or Slip
- Sodic Spot
- Spoil Area
- Stony Spot
- Very Stony Spot
- Wet Spot
- Other
- Special Line Features

Water Features
- Streams and Canals

Transportation
- Rails
- Interstate Highways
- US Routes
- Major Roads
- Local Roads

Background
- Aerial Photography

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:20,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
Web Soil Survey URL:
Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Madera Area, California
Survey Area Data: Version 15, Sep 7, 2021

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Mar 16, 2022—Mar 21, 2022

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
GaA	Grangeville fine sandy loam, 0 to 1 percent slopes, MLRA 17	5.6	38.2%
GbA	Grangeville fine sandy loam, slightly saline-alkali, 0 to 1 percent slopes	3.7	25.1%
PbA	Pachappa fine sandy loam, slightly saline-alkali, 0 to 1 percen slopes	0.2	1.1%
Rh	Riverwash	5.2	35.6%
Totals for Area of Interest		**14.7**	**100.0%**

Map Unit Descriptions

The map units delineated on the detailed soil maps in a soil survey represent the soils or miscellaneous areas in the survey area. The map unit descriptions, along with the maps, can be used to determine the composition and properties of a unit.

A map unit delineation on a soil map represents an area dominated by one or more major kinds of soil or miscellaneous areas. A map unit is identified and named according to the taxonomic classification of the dominant soils. Within a taxonomic class there are precisely defined limits for the properties of the soils. On the landscape, however, the soils are natural phenomena, and they have the characteristic variability of all natural phenomena. Thus, the range of some observed properties may extend beyond the limits defined for a taxonomic class. Areas of soils of a single taxonomic class rarely, if ever, can be mapped without including areas of other taxonomic classes. Consequently, every map unit is made up of the soils or miscellaneous areas for which it is named and some minor components that belong to taxonomic classes other than those of the major soils.

Most minor soils have properties similar to those of the dominant soil or soils in the map unit, and thus they do not affect use and management. These are called noncontrasting, or similar, components. They may or may not be mentioned in a particular map unit description. Other minor components, however, have properties and behavioral characteristics divergent enough to affect use or to require different management. These are called contrasting, or dissimilar, components. They generally are in small areas and could not be mapped separately because of the scale used. Some small areas of strongly contrasting soils or miscellaneous areas are identified by a special symbol on the maps. If included in the database for a given area, the contrasting minor components are identified in the map unit descriptions along with some characteristics of each. A few areas of minor components may not have been observed, and consequently they are not mentioned in the descriptions, especially where the pattern was so complex that it was impractical to make enough observations to identify all the soils and miscellaneous areas on the landscape.

The presence of minor components in a map unit in no way diminishes the usefulness or accuracy of the data. The objective of mapping is not to delineate pure taxonomic classes but rather to separate the landscape into landforms or landform segments that have similar use and management requirements. The delineation of such segments on the map provides sufficient information for the development of resource plans. If intensive use of small areas is planned, however, onsite investigation is needed to define and locate the soils and miscellaneous areas.

An identifying symbol precedes the map unit name in the map unit descriptions. Each description includes general facts about the unit and gives important soil properties and qualities.

Soils that have profiles that are almost alike make up a *soil series*. Except for differences in texture of the surface layer, all the soils of a series have major horizons that are similar in composition, thickness, and arrangement.

Soils of one series can differ in texture of the surface layer, slope, stoniness, salinity, degree of erosion, and other characteristics that affect their use. On the basis of such differences, a soil series is divided into *soil phases*. Most of the areas shown on the detailed soil maps are phases of soil series. The name of a soil phase commonly indicates a feature that affects use or management. For example, Alpha silt loam, 0 to 2 percent slopes, is a phase of the Alpha series.

Some map units are made up of two or more major soils or miscellaneous areas. These map units are complexes, associations, or undifferentiated groups.

A *complex* consists of two or more soils or miscellaneous areas in such an intricate pattern or in such small areas that they cannot be shown separately on the maps. The pattern and proportion of the soils or miscellaneous areas are somewhat similar in all areas. Alpha-Beta complex, 0 to 6 percent slopes, is an example.

An *association* is made up of two or more geographically associated soils or miscellaneous areas that are shown as one unit on the maps. Because of present or anticipated uses of the map units in the survey area, it was not considered practical or necessary to map the soils or miscellaneous areas separately. The pattern and relative proportion of the soils or miscellaneous areas are somewhat similar. Alpha-Beta association, 0 to 2 percent slopes, is an example.

An *undifferentiated group* is made up of two or more soils or miscellaneous areas that could be mapped individually but are mapped as one unit because similar interpretations can be made for use and management. The pattern and proportion of the soils or miscellaneous areas in a mapped area are not uniform. An area can be made up of only one of the major soils or miscellaneous areas, or it can be made up of all of them. Alpha and Beta soils, 0 to 2 percent slopes, is an example.

Some surveys include *miscellaneous areas*. Such areas have little or no soil material and support little or no vegetation. Rock outcrop is an example.

Madera Area, California

GaA—Grangeville fine sandy loam, 0 to 1 percent slopes, MLRA 17

Map Unit Setting

National map unit symbol: 2vncx
Elevation: 30 to 1,760 feet
Mean annual precipitation: 8 to 25 inches
Mean annual air temperature: 61 to 64 degrees F
Frost-free period: 240 to 300 days
Farmland classification: Prime farmland if irrigated

Map Unit Composition

Grangeville and similar soils: 85 percent
Minor components: 15 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Grangeville

Setting

Landform: Flood plains, alluvial fans
Landform position (two-dimensional): Toeslope
Down-slope shape: Linear
Across-slope shape: Linear
Parent material: Alluvium derived from granite

Typical profile

A - 0 to 12 inches: fine sandy loam
C - 12 to 79 inches: fine sandy loam

Properties and qualities

Slope: 0 to 1 percent
Depth to restrictive feature: More than 80 inches
Drainage class: Somewhat poorly drained
Runoff class: Very low
Capacity of the most limiting layer to transmit water (Ksat): High (1.98 to 5.95 in/hr)
Depth to water table: About 0 inches
Frequency of flooding: OccasionalNone
Frequency of ponding: None
Calcium carbonate, maximum content: 2 percent
Maximum salinity: Nonsaline to very slightly saline (0.0 to 2.0 mmhos/cm)
Sodium adsorption ratio, maximum: 3.0
Available water supply, 0 to 60 inches: High (about 9.2 inches)

Interpretive groups

Land capability classification (irrigated): 2w
Land capability classification (nonirrigated): 4w
Hydrologic Soil Group: A/D
Ecological site: R017XY903CA - Stream Channels and Floodplains
Hydric soil rating: Yes

Minor Components

Hanford

Percent of map unit: 5 percent

Landform: Alluvial fans, flood plains
Landform position (two-dimensional): Toeslope
Down-slope shape: Linear
Across-slope shape: Linear
Ecological site: R017XY903CA - Stream Channels and Floodplains
Hydric soil rating: No

Traver

Percent of map unit: 5 percent
Landform: Flood plains, alluvial fans
Landform position (two-dimensional): Toeslope
Down-slope shape: Linear
Across-slope shape: Linear
Ecological site: R017XY903CA - Stream Channels and Floodplains
Hydric soil rating: Yes

Unnamed, hydric

Percent of map unit: 3 percent
Landform: Flood plains, alluvial fans
Landform position (two-dimensional): Toeslope
Down-slope shape: Linear
Across-slope shape: Linear
Hydric soil rating: Yes

Unnamed, channeled

Percent of map unit: 2 percent
Landform: Alluvial fans on alluvial fans, channels on flood plains on alluvial fans, channels on flood plains on flood plains
Landform position (two-dimensional): Toeslope
Down-slope shape: Linear
Across-slope shape: Linear
Hydric soil rating: No

GbA—Grangeville fine sandy loam, slightly saline-alkali, 0 to 1 percent slopes

Map Unit Setting

National map unit symbol: hk72
Elevation: 10 to 1,800 feet
Mean annual precipitation: 8 to 16 inches
Mean annual air temperature: 61 to 64 degrees F
Frost-free period: 200 to 300 days
Farmland classification: Prime farmland if irrigated

Map Unit Composition

Grangeville and similar soils: 85 percent
Minor components: 15 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Grangeville

Setting

Landform: Alluvial fans
Landform position (two-dimensional): Toeslope
Landform position (three-dimensional): Talf
Down-slope shape: Linear
Across-slope shape: Linear
Parent material: Alluvium derived from granite

Typical profile

H1 - 0 to 11 inches: fine sandy loam
H2 - 11 to 20 inches: sandy loam
H3 - 20 to 60 inches: stratified loamy sand to silt loam

Properties and qualities

Slope: 0 to 1 percent
Depth to restrictive feature: More than 80 inches
Drainage class: Somewhat poorly drained
Runoff class: Very low
Capacity of the most limiting layer to transmit water (Ksat): High (1.98 to 5.95 in/hr)
Depth to water table: More than 80 inches
Frequency of flooding: Rare
Frequency of ponding: None
Calcium carbonate, maximum content: 1 percent
Maximum salinity: Slightly saline to moderately saline (4.0 to 8.0 mmhos/cm)
Sodium adsorption ratio, maximum: 5.0
Available water supply, 0 to 60 inches: Moderate (about 6.3 inches)

Interpretive groups

Land capability classification (irrigated): 2s
Land capability classification (nonirrigated): 4s
Hydrologic Soil Group: A
Ecological site: R017XY904CA - Subirrigated Deep Alluvial Fans
Hydric soil rating: Yes

Minor Components

Hanford

Percent of map unit: 5 percent
Hydric soil rating: No

Traver

Percent of map unit: 5 percent
Hydric soil rating: No

Foster

Percent of map unit: 5 percent
Landform: Flood plains
Hydric soil rating: Yes

PbA—Pachappa fine sandy loam, slightly saline-alkali, 0 to 1 percen slopes

Map Unit Setting

National map unit symbol: hk8t
Elevation: 1,000 feet
Mean annual precipitation: 14 inches
Mean annual air temperature: 63 degrees F
Frost-free period: 270 days
Farmland classification: Prime farmland if irrigated

Map Unit Composition

Pachappa and similar soils: 85 percent
Minor components: 15 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Pachappa

Setting

Landform: Fan remnants
Landform position (two-dimensional): Toeslope
Landform position (three-dimensional): Tread
Down-slope shape: Linear
Across-slope shape: Linear
Parent material: Alluvium derived from granite

Typical profile

H1 - 0 to 14 inches: fine sandy loam
H2 - 14 to 28 inches: loam
H3 - 28 to 45 inches: fine sandy loam
H4 - 45 to 60 inches: stratified loamy sand to fine sandy loam

Properties and qualities

Slope: 0 to 1 percent
Depth to restrictive feature: More than 80 inches
Drainage class: Well drained
Runoff class: Low
Capacity of the most limiting layer to transmit water (Ksat): Moderately high to high (0.57 to 1.98 in/hr)
Depth to water table: More than 80 inches
Frequency of flooding: None
Frequency of ponding: None
Calcium carbonate, maximum content: 5 percent
Maximum salinity: Slightly saline to moderately saline (4.0 to 8.0 mmhos/cm)
Sodium adsorption ratio, maximum: 5.0
Available water supply, 0 to 60 inches: Moderate (about 7.6 inches)

Interpretive groups

Land capability classification (irrigated): 2s
Land capability classification (nonirrigated): 4s

Hydrologic Soil Group: B
Hydric soil rating: No

Minor Components

Traver
Percent of map unit: 5 percent
Hydric soil rating: No

Fresno
Percent of map unit: 5 percent
Hydric soil rating: No

Hanford
Percent of map unit: 5 percent
Hydric soil rating: No

Rh—Riverwash

Map Unit Composition
Riverwash: 100 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Riverwash

Setting
Landform: Flood plains
Parent material: Sandy and gravelly alluvium

Typical profile
H1 - 0 to 6 inches: sand
H2 - 6 to 60 inches: stratified coarse sand to sandy loam

Properties and qualities
Slope: 0 to 1 percent
Drainage class: Excessively drained
Runoff class: Very low
Capacity of the most limiting layer to transmit water (Ksat): High to very high (5.95 to 19.98 in/hr)
Depth to water table: About 0 inches
Available water supply, 0 to 60 inches: Very low (about 3.0 inches)

Interpretive groups
Land capability classification (irrigated): None specified
Land capability classification (nonirrigated): 8
Ecological site: R017XY903CA - Stream Channels and Floodplains
Hydric soil rating: Yes

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Appendix E: NMFS EFH Mapper

CITY OF MADERA

WESTBERRY BLVD BRIDGE PROJECT

EFH Mapper Report

EFH Data Notice

Essential Fish Habitat (EFH) is defined by textual descriptions contained in the fishery management plans developed by the regional fishery management councils. In most cases mapping data can not fully represent the complexity of the habitats that make up EFH. This report should be used for general interest queries only and should not be interpreted as a definitive evaluation of EFH at this location. A location-specific evaluation of EFH for any official purposes must be performed by a regional expert. Please refer to the following links for the appropriate regional resources.

West Coast Regional Office
Alaska Regional Office

Query Results

Degrees, Minutes, Seconds: Latitude = 36º 58' 0" N, Longitude = 121º 53' 55" W
Decimal Degrees: Latitude = 36.967, Longitude = -120.101

The query location intersects with spatial data representing EFH and/or HAPCs for the following species/management units.

EFH

No Essential Fish Habitats (EFH) were identified at the report location.

Salmon EFH

Link	HUC Name	Species/Management Unit	Lifestage(s) Found at Location	Management Council	FMP
	Fresno River - Below Hidden	Chinook Salmon	All	Pacific	Pacific Coast Salmon Plan

HAPCs

No Habitat Areas of Particular Concern (HAPC) were identified at the report location.

EFH Areas Protected from Fishing

No EFH Areas Protected from Fishing (EFHA) were identified at the report location.

Spatial data does not currently exist for all the managed species in this area. The following is a list of species or management units for which there is no spatial data.
****For links to all EFH text descriptions see the complete data inventory: open data inventory -->**

Spatial data does not currently exist for all the managed species in this area. The following is a list of species or management units for which there is no spatial data.
****For links to all EFH text descriptions see the complete data inventory: open data inventory -->**

Pacific Coastal Pelagic Species,
Jack Mackerel,
Pacific (Chub) Mackerel,
Pacific Sardine,
Northern Anchovy - Central Subpopulation,
Northern Anchovy - Northern Subpopulation,
Pacific Highly Migratory Species,
Bigeye Thresher Shark - North Pacific,
Bluefin Tuna - Pacific,
Dolphinfish (Dorado or Mahimahi) - Pacific,
Pelagic Thresher Shark - North Pacific,
Swordfish - North Pacific

Appendix C: Class III Inventory/Phase I Cultural Resources Survey

Draft

CLASS III INVENTORY/PHASE I SURVEY, WESTBERRY BOULEVARD BRIDGE PROJECT, MADERA COUNTY, CALIFORNIA

23-SCAO-107

Prepared for:

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May 2023
PN 36510.26

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TABLE OF CONTENTS

Chapter **Page**

MANAGEMENT SUMMARY ..... **iii**

1. INTRODUCTION AND REGULATORY CONTEXT **1**
1.1 PROJECT LOCATION, DESCRIPTION, AND APE 1
1.2 REGULATORY CONTEXT 2
1.2.1 National Historic Preservation Act 2
1.2.2 National Register Criteria for Evaluation 3
1.2.3 California Environmental Quality Act 4

2. ENVIRONMENTAL AND CULTURAL BACKGROUND **9**
2.1 ENVIRONMENTAL BACKGROUND 9
2.2 GEOARCHAEOLOGICAL CONTEXT 9
2.3 ETHNOGRAPHIC CONTEXT 9
2.4 PRE-CONTACT ARCHAEOLOGICAL BACKGROUND 11
2.5 HISTORICAL CONTEXT 14
2.6 RESEARCH DESIGN 16
2.6.1 Pre-Contact Archaeology 16
2.6.2 Historical Archaeology: Native American 18
2.6.3 Historical Archaeology: Euro-American 19

3. ARCHIVAL RECORDS SEARCH **25**
3.1 TRIBAL COORDINATION 25

4. METHODS AND RESULTS **27**
4.1 SURVEY RESULTS 27

5. SUMMARY AND RECOMMENDATIONS **33**
5.1 RECOMMENDATIONS 33

REFERENCES **35**

CONFIDENTIAL APPENDICES **41**
Confidential Appendix A: Records Search and Tribal Coordination
Confidential Appendix B: Site Record Update and Original Site Record

LIST OF FIGURES

Page

Figure 1. Location of the Westberry Boulevard Bridge, Madera County, California..... 6
Figure 2. APE detail map of the Westberry Boulevard Bridge Project, Madera County, California 7
Figure 3. Overview of the Westberry Boulevard Bridge Project, looking north 30
Figure 4. Overview of the Westberry Boulevard Bridge Project, showing surrounding development, looking north-northeast..... 30
Figure 5. Drawing of Lateral 24.2 between Stations 790 and 795, on the south side of the Fresno River channel, United States Bureau of Reclamation 1953..... 31
Figure 6. Drawing of Lateral 24.2-14.2 between Stations 3500 and 4000, United States Bureau of Reclamation, 1960..... 32

MANAGEMENT SUMMARY

An intensive Class III inventory/Phase I cultural resources survey was conducted for the Westberry Boulevard Bridge Project (Project), Madera County, California. This study was conducted by ASM Affiliates (ASM), with Peter A. Carey, M.A, RPA, serving as Principal Investigator. Background studies and fieldwork for the survey were completed in October 2022 – February 2023 under a Fieldwork Authorization issued by the Bureau of Reclamation (Reclamation) April 8th, 2022 (CGB-153/2.1.1.04). The study was undertaken to assist with compliance with Section 106 of the National Historic Preservation Act (NHPA) of 1966, as amended (54 USC § 306108; 36 CFR §800), and the California Environmental Quality Act (CEQA).

The proposed Project consists of the construction of a new bridge along Westberry Boulevard across the Fresno River. The Area of Potential Effects (APE) for the Project was defined by the Reclamation as all areas of potential ground-surface disturbance including staging, lay-down, and work areas. The horizontal APE is approximately 10.5-acres (ac). The vertical APE, defined as the maximum depth of excavation for the pier piles, is approximately 95-feet (ft).

A records search of site files and maps was conducted by staff at the Southern San Joaquin Valley Archaeological Information Center (SSJVIC), California State University, Bakersfield on October 4th, 2022. According to the records search results, no previous archaeological surveys had been completed within the Project APE or within a 0.5-mile (mi) radius. One resource is known to cross the APE: P-20-002308, Madera Irrigation District (MID). The MID laterals that cross the APE are Lateral 24.2 and Lateral 24.2-14.2. In 2018 consultation correspondence related to a City of Madera sewer crossing project, State Historic Preservation Officer Julianne Polanco commented to Reclamation that Madera Canal Lateral 24.2 is one of three primary laterals built in the 1950s by Reclamation to divert water from the Madera Canal, and that it is eligible for listing in the National Register of Historic Places (NRHP) as a contributor to the Madera Canal, which itself is a contributor to the CVP; however the three laterals are not individually eligible (Julianne Polanco to Anastasia T. Leigh, January 17, 2018 regarding Project #17-SCAO-232.001).

A search of the Native American Heritage Commission (NAHC) *Sacred Lands File* was completed November 28th, 2022. Based on the NAHC records, no sacred sites or traditional cultural places had been identified within or adjacent to the Project APE. Outreach letters and follow-up emails were sent to tribal organizations on the NAHC contact-list. No responses have been received as a result of this outreach.

The Class III inventory/Phase I survey fieldwork was conducted in February 2023 with parallel transects spaced at approximately 15-meter (m) intervals walked across the APE. Ground surface visibility within the APE was excellent. Two segments of previously recorded built environment resource P-20-002308 (Madera Irrigation District) are located within the APE. The resource within the APE consists of segments of Lateral 24.2 and Lateral 24.2-14.2. Both laterals retain sufficient integrity for National Register of Historic Places (NRHP) and California Register of Historical Resources (CRHR) eligibility at the local level under Criteria A/1 and C/3 as contributors to the Madera Canal, which is itself eligible as a contributor to the Central Valley Project (CVP). After review, the Project would not result in loss of eligibility for the resource as a whole. Therefore, the

modification to these segments of Lateral 24.2 and Lateral 24.2-14.2 will not result in a significant adverse effect to historic resources.

Based on these findings, a determination of No Historic Properties Affected/No Significant Impact is recommended for the Project. It is further recommended an archaeologist be contacted if cultural resources are identified during the construction of the proposed Project.

1. INTRODUCTION AND REGULATORY CONTEXT

ASM was retained by Provost and Pritchard Consulting Group to conduct an intensive Class III Inventory/Phase I cultural resources survey for the Westberry Boulevard Bridge Project, Madera County, California. The purpose of this investigation was to assist with compliance with Section 106 of the National Historic Preservation Act (NHPA) of 1966, as amended (54 USC § 300101 et seq.; 36 CFR § 800), and the California Environmental Quality Act (CEQA). The investigation was undertaken, specifically, to ensure that no significant adverse effects or impacts to historical resources or historic properties occur as a result of the construction of this project.

This current study included:

- A background records search and literature review to determine if any known archaeological sites were present in the project zone and/or whether the APE had been previously and systematically studied by archaeologists;
- A search of the NAHC *Sacred Lands File* to determine if any traditional cultural places or cultural landscapes have been identified within the APE, with outreach letters sent and follow-up calls made to the NAHC tribal contact list;
- An on-foot, intensive inventory of the Project APE to identify and record previously undiscovered cultural resources and to examine known sites; and
- A preliminary assessment of any such resources found within the subject property.

This study was conducted by ASM Affiliates, Inc., of Tehachapi, California, with Peter A. Carey, M.A., RPA, serving as Principal Investigator. Fieldwork was conducted by ASM Assistant Archaeologist Margarita Medina Lemus, B.A.

This manuscript constitutes a report on the Class III Inventory/Phase I survey. Subsequent chapters provide background to the investigation, including historic context studies; the findings of the archival records search; a summary of the field surveying techniques employed; and the results of the fieldwork. We conclude with management recommendations for the Project APE.

1.1 PROJECT LOCATION, DESCRIPTION, AND APE

The proposed Project is located on the west side of Madera in southern Madera County, California. More specifically, it is in Section 15 and 22, Township 11 South, Range 17 East (Mount Diablo Base and Meridian), along Westberry Boulevard, Madera, California, 93636. This places it on the open flats of the San Joaquin Valley along the Fresno River (Figures 1 and 2).

The City of Madera proposes to construct a new vehicular bridge along the proposed Westberry Boulevard Alignment crossing the Fresno River in the northwest portion of the City of Madera in order to improve traffic circulation and to avoid any future congestion on existing upstream bridges at Granada Drive and Schnoor Avenue. The proposed bridge crossing structure will be approximately 402-ft long by approximately 94-ft wide and will accommodate two 12-ft traveled ways in each direction, one 12-ft wide center median, two 6-ft shoulder/bike lanes, two 10-ft sidewalks, and two 1-ft concrete barriers with tubular hand railing along each side of the bridge

deck. Based on the geography of the existing site, earthen irrigation canals owned by Reclamation and operated by MID run along the exterior side of each riverbank and there is also an existing pedestrian trial that runs along the south bank of the river. The proposed structure will consist of a 10-span cast-in-place reinforced concrete flat slab bridge supported on seat type abutments and 36-inch diameter cast-n-steel-shell or cast-in-drilled hole piles at the abutments and piers.

The depth of the 36-inch diameter pier piles extends down to an elevation of 152.5-ft. The existing ground elevation ranges from elevation 242-ft to elevation 247-ft, so the depth of the pier piles would be between 89 feet to 95 feet. The depth of the 42-inch diameter abutment piles extends down to an elevation of 206-ft. The bottom of abutment elevations are 246-ft and 247-ft, so the depth of the abutment piles would be approximately 40-ft.

Earthen irrigation canals border the north and south riverbanks. The northern canal is Lateral 24.2-14.2, and the southern canal is Lateral 24.2. The canals will be converted to culverts where they intersect the proposed roadway improvements. There is also an existing pedestrian trail that runs along the south bank of the river. Non-native vegetation removal along the trail and south side of the Lateral 24.2 will be a part of Project activities.

Road and sidewalk improvements will be completed on the approaches to the bridge north and south of the river. The new bridge will hold a new City of Madera 12-inch water main, and AT&T and PG&E utilities will be located within the bridge itself. The City of Madera has an existing buried 33-inch sewer main which crosses the Reclamation canals and Fresno River within the new bridge/roadway alignment and will remain in service.

The Project APE was defined by Reclamation as all areas of potential ground-surface disturbance including staging, lay-down, and work areas. For this project, the horizontal APE comprises a total of 10.5-ac. The vertical APE, defined as the maximum depth of excavation for the pier piles, is approximately 95-ft.

1.2 REGULATORY CONTEXT

1.2.1 National Historic Preservation Act

The NHPA of 1966, as amended (54 United States Code § 300101 *et seq*.), is the primary federal legislation that outlines the federal government's responsibility to consider the effects of its actions on historic properties and affords the Advisory Council on Historic Preservation a reasonable opportunity to comment. Section 106 of the NHPA and its implementing regulations at 36 CFR Part 800 describes the process that the federal agency shall take to identify cultural resources and assess the level of effect that the proposed undertaking will have on historic properties. An undertaking is defined as a "…project, activity or program funded in whole or in part, under the direct or indirect jurisdiction of a federal agency." This includes projects that are carried out by, or on behalf of, the agency; those carried out with federal assistance; those requiring a federal permit, license, or approval; and those subject to state or local regulation administered pursuant to a delegation, or approval by, a federal agency.

A cultural resource is a broad term that includes prehistoric, historic, architectural, and traditional cultural properties. Those cultural resources that are listed on, or are eligible for inclusion in, the National Register of Historic Places (NRHP) are referred to as historic properties. The criteria for NRHP eligibility are outlined at 36 CFR Part 60. Other applicable federal cultural resources laws and regulations that could apply include, but are not limited to, the Native American Graves Protection and Repatriation Act (NAGPRA), and the Archaeological Resources Protection Act (ARPA).

Compliance with Section 106 of the NHPA (36 CFR Part 800) follows a series of steps that are designed to identify and consult with interested parties, determine the APE, determine if historic properties are present within the APE, and assess the effects the undertaking will have on historic properties. Section 106 requires consultation with Indian Tribes concerning the identification of sites of religious or cultural significance and with individuals or groups who are entitled, or requested, to be consulting parties. The regulations at 36 CFR Part 800.5 require federal agencies to apply the criteria of adverse effect to the historic properties identified within the APE. The criteria of adverse effect, defined at 36 CFR Part 800.5(a)(1), states that:

> "An adverse effect is found when an undertaking may alter, directly or indirectly, any of the characteristics of a historic property that qualify the property for inclusion in the National Register in a manner that would diminish the integrity of the property's location, design, setting, materials, workmanship, feeling, or association."

The 36 CFR Part 800 regulations include consultation with the State Historic Preservation Officer (SHPO) to provide an opportunity to comment on, and concur with, a federal agency's determinations. If the undertaking would result in adverse effects to historic properties, these adverse effects must be resolved in consultation with the SHPO and other parties identified during the Section 106 process before the undertaking can proceed to implementation.

1.2.2 National Register Criteria for Evaluation

The criteria for evaluation of NRHP eligibility are outlined at 36 CFR Part 60.4. A district, site, building, structure, or object must generally be at least 50 years old to be eligible for consideration as a historic property. That district, site, building, structure, or object must retain integrity of location, design, setting, materials, workmanship, feelings, and association as well as meet one of the following criteria to demonstrate its significance in American history, architecture, archeology, engineering, and culture. A district, site, building, structure, or object must:

> (A) be associated with events that have made a significant contribution to the broad patterns of history; or,
>
> (B) be associated with the lives of people significant in our past; or,
>
> (C) embody the distinct characteristics of a type, period, or method of construction, or represent the work of a master, or possess high artistic values,

> or represent a significant and distinguishable entity whose components may lack individual distinction; or,
>
> (D) have yielded, or may be likely to yield, information important in prehistory or history.

A site must have integrity and meet one of the four criteria of eligibility to demonstrate its historic associations in order to convey its significance. A property must be associated with one or more events important in the history or prehistory in order to be considered for listing under Criterion A. Additionally, the specific association of the property itself must also be considered significant. Criterion B applies to properties associated with individuals whose specific contributions to the history can be identified and documented. Properties significant for their physical design or construction under Criterion C must have features with characteristics that exemplify such elements as architecture, landscape architecture, engineering, and artwork. Criterion D most commonly applies to properties that have the potential to answer, in whole or in part, important research questions about human history that can only be answered by the actual physical materials of cultural resources. A property eligible under Criterion D must demonstrate the potential to contain information relevant to the prehistory and history (*National Register Bulletin* 15).

A district, site, building, structure, or object may also be eligible for consideration as a historic property if that property meets the criteria considerations for properties generally less than 50 years old, in addition to possessing integrity and meeting the criteria for evaluation.

1.2.3 California Environmental Quality Act

CEQA is applicable to discretionary actions by state or local lead agencies. Under CEQA, lead agencies must analyze impacts to cultural resources. Significant impacts under CEQA occur when "historically significant" or "unique" cultural resources are adversely impacted, which occurs when such resources could be altered or destroyed through project implementation. Historically significant cultural resources are defined by eligibility for or by listing in the California Register of Historical Resources (CRHR). In practice, the federal NRHP criteria for significance applied under Section 106 are generally (although not entirely) consistent with CRHR criteria (see PRC § 5024.1, Title 14 CCR, Sections § 4852 and § 15064.5(a)(3)).

Significant cultural resources are those archaeological resources and historical properties that:

(A) Are associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage;

(B) Are associated with the lives of persons important in our past;

(C) Embody the distinctive characteristics of a type, period, region, or method of construction, or represent the work of an important creative individual, or possess high artistic values; or

(D) Have yielded, or may be likely to yield, information important in prehistory or history.

Unique resources under CEQA, in slight contrast, are those that represent:

an archaeological artifact, object, or site about which it can be clearly demonstrated that, without merely adding to the current body of knowledge, there is a high probability that it meets any of the following criteria:

(1) Contains information needed to answer important scientific research questions and that there is a demonstrable public interest in that information.

(2) Has a special and particular quality such as being the oldest of its type or the best available example of its type.

(3) Is directly associated with a scientifically recognized important prehistoric or historic event or person (PRC § 21083.2(g)).

Preservation in place is the preferred approach under CEQA to mitigating adverse impacts to significant or unique cultural resources.

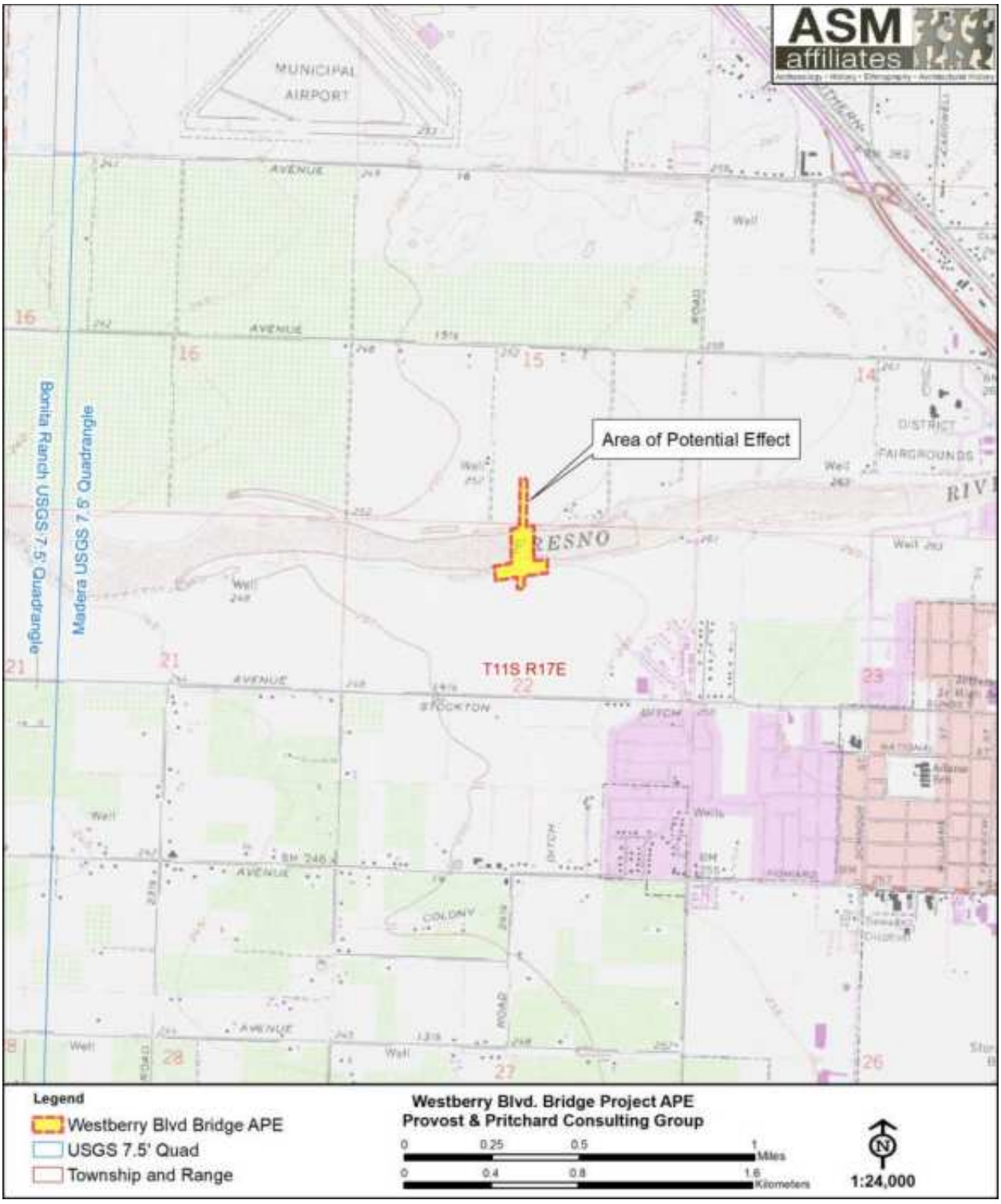


Figure 1. Location of the Westberry Boulevard Bridge Project APE, Madera County, California.



Figure 2. APE detail map of the Westberry Boulevard Bridge Project, Madera County, California.

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2. ENVIRONMENTAL AND CULTURAL BACKGROUND

2.1 ENVIRONMENTAL BACKGROUND

The Project APE is located adjacent to residential development on the north and south side of the Fresno River and including the Fresno River itself. Elevations within the Project APE, which is relatively flat, range from approximately 242-ft to 250-ft above mean sea level (amsl). Although this location currently may be characterized as open valley bottom, historically oak groves and valley grasslands likely would have dominated (Preston 1981:70). Historical and recent land-use has thus changed the vegetation that was once present within and near the Project APE. However, it is also likely that Riparian Woodlands of greater density were once found along local drainages, including along the Fresno River (see Schoenherr 1992).

2.2 GEOARCHAEOLOGICAL CONTEXT

A Caltrans geoarchaeological study that included the Project APE classified this location as having Moderately High sensitivity for subsurface sites (Meyer et al. 2010). This study involved first determining the location and ages of late Pleistocene (>25,000 years old) landforms in the southern San Joaquin Valley. These were identified by combining a synthesis of 2,400 published paleontological, soils and archaeological chronometric dates with geoarchaeological field testing. The ages of surface landforms were then mapped to provide an assessment for the potential for buried archaeological deposits. These ages were derived primarily from the Soil Survey Geographic Database (SSURGO) and the State Soils Geographic (STATSGO) database. A series of maps were created from this information that ranked locations in 7 ordinal classes for sensitivity for buried soils, from Very Low to Very High.

There is very low potential for buried sites within the Fresno River due to the active fluvial environmental. Outside of the banks of the Fresno River, the Meyer et al. (2010) model shows Moderately High sensitivity for buried sites. The areas on the north and south of the Fresno River that are indicated as having Moderately High sensitivity are entirely disturbed due to existing roadways and modified open land for infrastructure and will experience only roadway and sidewalk improvements. Given the Project area's distance from known centers of prehistoric occupation, the previously disturbed nature of the location due to the existing infrastructure, and the limited nature of the disturbance of the current project, it is unlikely that the Project APE would contain subsurface archaeological deposits.

Based on these factors and conditions, the Project APE is considered to have low archaeological sensitivity, with limited potential for subsurface archaeological remains.

2.3 ETHNOGRAPHIC CONTEXT

Penutian-speaking Yokuts tribal groups occupied the southern San Joaquin Valley region and much of the nearby Sierra Nevada. Ethnographic information about the Yokuts was collected

primarily by Powers (1971, 1976 [originally 1877]), Kroeber (1925), Gayton (1930, 1948), Driver (1937), Latta (1977) and Harrington (n.d.). For a variety of historical reasons, existing research information emphasizes the central Yokuts tribes who occupied both the valley and particularly the foothills of the Sierra. The northernmost tribes suffered from the influx of Euro-Americans during the Gold Rush and their populations were in substantial decline by the time ethnographic studies began in the early twentieth century. In contrast, the southernmost tribes were partially removed by the Spanish to missions and eventually absorbed into multi-tribal communities on the Sebastian Indian Reservation (on Tejon Ranch), and later the Tule River Reservation and Santa Rosa Rancheria to the north. The result is an unfortunate scarcity of ethnographic detail on southern Valley tribes, especially in relation to the rich information collected from the central foothills tribes where native speakers of the Yokuts dialects are still found. Regardless, the general details of indigenous lifeways were similar across the broad expanse of Yokuts territory, particularly in terms of environmentally influenced subsistence and adaptation and with regard to religion and belief, which were similar everywhere.

This scarcity of specific detail is particularly apparent in terms of southern valley tribal group distribution. Kroeber (1925) places the general area of Madera, including the APE, in Heuchi Yokuts territory. Kroeber (1925) lists the nearest village to the APE as *Ch'ekayu*, approximately 4-mi downriver to the west.

Regardless of tribal affiliation, historical village distribution was similar across the region. Winter villages were typically located along lakeshores and major stream courses (as these existed circa AD 1800), with dispersal phase family camps located at elevated spots on the valley floor and near gathering areas in the foothills.

Most Yokuts groups, regardless of specific tribal affiliation, were organized as a recognized and distinct tribelet; a circumstance that almost certainly pertained to the tribal groups noted above. Tribelets were land-owning groups organized around a central village and linked by shared territory and descent from a common ancestor. The population of most tribelets ranged from about 150 to 500 peoples (Kroeber 1925).

Each tribelet was headed by a chief who was assisted by a variety of assistants, the most important of whom was the *winatum*, a herald or messenger and assistant chief. A shaman also served as religious officer. While shamans did not have any direct political authority, as Gayton (1930) has illustrated, they maintained substantial influence within their tribelet.

Shamanism is a religious system common to most Native American tribes. It involves a direct and personal relationship between the individual and the supernatural world enacted by entering a trance or hallucinatory state (usually based on the ingestion of psychotropic plants, such as jimsonweed or more typically native tobacco). Shamans were considered individuals with an unusual degree of supernatural power, serving as healers or curers, diviners, and controllers of natural phenomena (such as rain or thunder). Shamans also produced the rock art of this region, depicting the visions they experienced in vision quests believed to represent their spirit helpers and events in the supernatural realm (Whitley 1992, 2000).

The centrality of shamanism to the religious and spiritual life of the Yokuts was demonstrated by the role of shamans in the yearly ceremonial round. The ritual round, performed the same each year, started in the spring with the jimsonweed ceremony, followed by rattlesnake dance and (where appropriate) first salmon ceremony. After returning from seed camps, fall rituals began in the late summer with the mourning ceremony, followed by first seed and acorn rites and then bear dance (Gayton 1930:379). In each case, shamans served as ceremonial officials responsible for specific dances involving a display of their supernatural powers (Kroeber 1925).

Subsistence practices varied from tribelet to tribelet based on the environment of residence. Throughout Native California, and Yokuts territory in general, the acorn was a primary dietary component, along with a variety of gathered seeds. Valley tribes augmented this resource with lacustrine and riverine foods, especially fish and wildfowl. As with many Native California tribes, the settlement and subsistence rounds included the winter aggregation into a few large villages, where stored resources (like acorns) served as staples, followed by dispersal into smaller camps, often occupied by extended families, where seasonally available resources would be gathered and consumed.

Although population estimates vary and population size was greatly affected by the introduction of Euro-American diseases and social disruption, the Yokuts were one of the largest, most successful groups in Native California. Cook (1978) estimates that the Yokuts region contained 27 percent of the aboriginal population in the state at the time of contact; other estimates are even higher. Many Yokuts continue to live in Tulare, Fresno and Kings counties to this day.

2.4 PRE-CONTACT ARCHAEOLOGICAL BACKGROUND

The San Joaquin Valley region has received minimal archaeological attention compared to other areas of the state. In part, this is because the majority of California archaeological work has concentrated in the Sacramento Delta, Santa Barbara Channel and central Mojave Desert areas (see Moratto 1984). Although knowledge of the region's prehistory is limited, enough is known to determine that the archaeological record is broadly similar to south-central California as a whole (see Gifford and Schenk 1926; Hewes 1941; Wedel 1941; Fenenga 1952; Elsasser 1962; Fredrickson and Grossman 1977; Schiffman and Garfinkel 1981). Based on these sources, the general prehistory of the region can be outlined as follows.

Initial occupation of the region occurred at least as early as the *Paleoindian Period*, or prior to about 10,000 YBP (years before present). Evidence of early use of the region is indicated by characteristic fluted and stemmed points found around the margin of Tulare Lake, in the foothills of the Sierra, and in the Mojave Desert proper. (In each case, these are locations many miles distant from the study area.)

Both fluted and stemmed points are particularly common around the Tulare Lake margins, suggesting a terminal Pleistocene/early Holocene lakeshore adaptation similar to that found throughout the far west at the same time; little else is known about these earliest peoples. Over 250 fluted points have been recovered from the Witt Site (CA-KIN-32), located along the western shoreline of ancient Tulare Lake west of the Project APE, demonstrating the importance of this early occupation in the San Joaquin Valley specifically (see Fenenga 1993). Additional finds

consist of a Clovis-like projectile point discovered in a flash-flood cut-bank near White Oak Lodge in 1953 on Tejon Ranch (Glennan 1987a, 1987b). More recently, a similar fluted point was found near Bakersfield (Zimmerman et al. 1989), and a number are known from the Edwards Air Force Base and Boron area of the western Mojave Desert. Although human occupation of the state is well-established during the Late Pleistocene, relatively little can be inferred about the nature and distribution of this occupation with a few exceptions. First, little evidence exists to support the idea that people at that time were big-game hunters, similar to those found on the Great Plains. Second, the western Mojave Desert evidence suggests small, very mobile populations that left a minimal archaeological signature. The evidence from the ancient Tulare Lake shore, in contrast, suggests a much more substantial population and settlements which, instead of relying on big game hunting, were tied to the lacustrine lake edge. Variability in subsistence and settlement patterns is thus apparent in California, in contrast to the Great Plains.

Substantial evidence for human occupation of California first occurs during the middle Holocene, roughly 7,500 to 4,000 YBP. This period is known as the *Early Horizon*, or alternatively as the Early Millingstone along the Santa Barbara Channel. In the south, populations concentrated along the coast with minimal visible use of inland areas. Adaptation emphasized hard seeds and nuts with tool-kits dominated by mullers and grindstones (manos and metates). Additionally, little evidence for Early Horizon occupation exists in most inland portions of the state, partly due to a severe cold and dry paleoclimatic period occurring at this time. Regardless of specifics, Early Horizon population density was low with a subsistence adaptation more likely tied to plant food gathering than hunting.

Environmental conditions improved dramatically after about 4,000 YBP during the *Middle Horizon* (or Intermediate Period). This period is known climatically as the Holocene Maximum (circa 3,800 YBP) and was characterized by significantly warmer and wetter conditions than previously experienced. Archaeologically, it was marked by large population increase and radiation into new environments along coastal and interior south-central California and the Mojave Desert (Whitley 2000). In the Delta region to the north, this same period of favorable environmental conditions was characterized by the appearance of the Windmiller culture which exhibited a high degree of ritual elaboration (especially in burial practices) and perhaps even rudimentary mound-building tradition (Meighan, personal communication, 1985). Along with ritual elaboration, Middle Horizon times experienced increasing subsistence specialization, perhaps correlating with the appearance of acorn processing technology. Penutian speaking peoples (including the Yokuts) are also posited to have entered the state roughly at the beginning of this period and, perhaps to have brought this technology with them (cf. Moratto 1984). Likewise it appears the so-called "Shoshonean Wedge" in southern California or the Takic speaking groups that include the Gabrielino/Fernandeño, Tataviam and Kitanemuk, may have moved into the region at this time, rather than at about 1,500 BP as first suggested by Kroeber (1925).

Evidence for Middle Horizon occupation of interior south-central California is substantial. For example, in northern Los Angeles County along the upper Santa Clara River, to the south of the San Joaquin Valley, the Agua Dulce village complex indicates occupation extending back to the Intermediate Period, when the population of the village may have been 50 or more people (King et al n.d.). Similarly, inhabitation of the Hathaway Ranch region near Lake Piru, and the Newhall Ranch near Valencia, appears to date to the Intermediate Period (W & S Consultants 1994). To the

west, little or no evidence exists for pre-Middle Horizon occupation in the upper Sisquoc and Cuyama River drainages; populations first appear there at roughly 3,500 YBP (Horne 1981). The Carrizo Plain, the valley immediately west of the San Joaquin, experienced a major population expansion during the Middle Horizon (W & S Consultants 2004; Whitley et al. 2007), and recently collected data indicates the Tehachapi Mountains region was first significantly occupied during the Middle Horizon (W & S Consultants 2006). A parallel can be drawn to the inland Ventura County region where a similar pattern has been identified (Whitley and Beaudry 1991), as well as the western Mojave Desert (Sutton 1988a, 1988b), the southern Sierra Nevada (W & S Consultants 1999), and the Coso Range region (Whitley et al. 1988). In all of these areas a major expansion in settlement, the establishment of large site complexes and an increase in the range of environments exploited appear to have occurred sometime roughly around 4,000 years ago. Although most efforts to explain this expansion have focused on local circumstances and events, it is increasingly apparent this was a major southern California-wide occurrence and any explanation must be sought at a larger level of analysis (Whitley 2000). Additionally, evidence from the Carrizo Plain suggests the origins of the tribelet level of political organization developed during this period (W & S Consultants 2004; Whitley et al. 2007). Whether this same demographic process holds for the southern San Joaquin Valley, including the study area, is yet to be determined.

The beginning of the *Late Horizon* is set variously at 1,500 and 800 YBP, with a consensus for the shorter chronology. Increasing evidence suggests the importance of the Middle-Late Horizons transition (AD 800 to 1200) in the understanding of south-central California. This corresponds to the so-called Medieval Climatic Anomaly, a period of climatic instability that included major droughts and resulted in demographic disturbances across much of the west (Jones et al. 1999). It is also believed to have resulted in major population decline and abandonments across south-central California, involving as much as 90 percent of the interior populations in some regions including the Carrizo Plain (Whitley et al. 2007). It is not clear whether site abandonment was accompanied by a true reduction in population or an agglomeration of the same numbers of peoples into fewer but larger villages. What is clear is that Middle Period villages and settlements were widely dispersed across the landscape; many at locations that lack contemporary evidence of fresh water sources. Late Horizon sites, in contrast, are typically located where fresh water was available during the historical period, if not currently.

One extensively studied site that shows evidence of intensive occupation during the Middle-Late Horizons transition (~1,500 – 500 YBP) is the Redtfeldt Mound (CA-KIN-66/H), located near the Santa Rosa Rancheria, northwest of the study area. There, Siefkin (1999) reported on human burials and a host of artifacts and ecofacts excavated from a modest-sized mound. He found that both Middle Horizon and Middle-Late Horizons transition occupations were more intensive than Late Horizon occupations, which were sporadic and less intensive (Siefkin 1999:110-111).

The subsequent Late Horizon can be best understood as a period of recovery from a major demographic collapse. One result is the development of regional archaeological cultures as the precursors to ethnographic Native California, suggesting that ethnographic life-ways recorded by anthropologists extend roughly 800 years into the past.

The position of San Joaquin Valley prehistory relative to patterns seen in surrounding areas is still somewhat unknown. The presence of large lake systems in the valley bottoms can be expected to

have mediated some of the desiccation seen elsewhere. But, as the reconstruction of Soda Lake in the nearby Carrizo Plain demonstrates (see Whitley et al. 2007) environmental perturbations had serious impacts on lake systems too. Identifying certain of the prehistoric demographic trends for the southern San Joaquin Valley and determining how these trends (if present) correlate with those seen elsewhere, is a current important research objective.

2.5 HISTORIC CONTEXT

Spanish explorers first visited the southern end of the San Joaquin Valley in 1772, but its lengthy distance from the missions and presidios along the Pacific Coast delayed permanent settlement for many years, including during the Mexican period of control over the Californian region. In the 1840s, Mexican rancho owners along the Pacific Coast allowed their cattle to wander and graze in the San Joaquin Valley (JRP Historical Consulting 2009). The Mexican government granted the first ranchos in the southern part of the San Joaquin Valley in the early 1840s, but these did not result in permanent settlement. It was not until the annexation of California in 1848 that the exploitation of the southern San Joaquin Valley began (Pacific Legacy 2006).

The discovery of gold in northern California in 1848 resulted in a dramatic increase of population, consisting in good part of fortune seekers and gold miners, who began to scour other parts of the state. After 1851, when gold was discovered in the Sierra Nevada Mountains in eastern Kern County, the population of the area grew rapidly. Some new immigrants began ranching in the San Joaquin Valley to supply the miners and mining towns. Ranchers grazed cattle and sheep, and farmers dry-farmed or used limited irrigation to grow grain crops, leading to the creation of small agricultural communities throughout the valley (JRP Historical Consulting 2009).

After the American annexation of California, the southern San Joaquin Valley became significant as a center of food production for this new influx of people in California. The expansive unfenced and principally public foothill spaces were well suited for grazing both sheep and cattle (Boyd 1997). As the Sierra Nevada gold rush presented extensive financial opportunities, ranchers introduced new breeds of livestock, consisting of cattle, sheep and pig (Boyd 1997).

With the increase of ranching in the southern San Joaquin came the dramatic change in the landscape, as non-native grasses more beneficial for grazing and pasture replaced native flora (Preston 1981). After the passing of the Arkansas Act in 1850, efforts were made to reclaim small tracts of land in order to create more usable spaces for ranching. Eventually, as farming supplanted ranching as a more profitable enterprise, large tracts of land began to be reclaimed for agricultural use, aided in part by the extension of the railroad in the 1870s (Pacific Legacy 2006).

Following the passage of state-wide ‘No-Fence’ laws in 1874, ranching practices began to decline, while farming expanded in the San Joaquin Valley in both large land holdings and smaller, subdivided properties. As the farming population grew, so did the demand for irrigation. Settlers began reclamation of swampland in 1866 and built small dams across the Kern River to divert water into the fields. By 1880, 86 different groups were taking water from the Kern River. Ten years later, 15 major canals provided water to thousands of acres in Kern County.

During the period when unproductive lands were being reclaimed in the southern San Joaquin Valley, grants were given to individuals who had both the resources and the finances to undertake the operation alone. One small agricultural settlement, founded by Colonel Thomas Baker in 1861 after procuring one such grant, took advantage of reclaimed swampland along the Kern River. This settlement became the City of Bakersfield in 1869, and quickly became the center of activity in the southern San Joaquin Valley, and in the newly formed Kern County. Located on the main stage road through the San Joaquin Valley, the town became a primary market and transportation hub for stock and crops, as well as a popular stopping point for travelers on the Los Angeles and Stockton Road. The Southern Pacific Railroad reached the Bakersfield area in 1873, connecting it with important market towns elsewhere in the state, dramatically impacting both agriculture and oil production (Pacific Legacy 2006).

Three competing partnerships developed during this period which had a great impact on control of water, land reclamation and ultimately agricultural development in the San Joaquin Valley: Livermore and Chester, Haggin and Carr, and Miller and Lux, perhaps the most famous of the enterprises. Livermore and Chester were responsible, among other things, for developing the large Hollister plow (three feet wide by two feet deep), pulled by a 40-mule team, which was used for ditch digging. Haggin and Carr were largely responsible for reclaiming the beds of the Buena Vista and Kern lakes, and for creating the Calloway Canal, which drained through the Rosedale area in Bakersfield to Goose Lake (Morgan 1914). Miller and Lux ultimately became one of the biggest private property holders in the country, controlling the rights to over 22,000 square miles, and their impacts were widespread. They recognized early-on that control of water would have important economic implications, and they played a major role in the water development of the state. They controlled, for example, over 100 miles of the San Joaquin River with the San Joaquin and Kings River Canal and Irrigation System. They were also embroiled for many years in litigation against Haggin and Carr over control of the water rights to the Kern River.

Fresno County was formed in 1856. It included what is now Madera County at that time. The first focus of Euro-American settlement in the region occurred at Millerton, close to Fort Miller, which was the initial Fresno County seat. A flood in 1867 inundated Millerton, causing many settlers to move to Centerville. The Fresno area at the time was primarily used for sheep herding due to insufficient water for dryland farming. The Central Pacific Railroad reached the Fresno area in 1872, connecting it with important market towns elsewhere in the state, dramatically impacting agriculture production (Pacific Legacy 2006). “Fresno Station” soon became “Fresno,” named after the ash trees that are common along the San Joaquin River. Fresno was made the county seat in 1874 and was incorporated in 1885. By 1890, the population had grown to more than 10,000 (Brady and Roper 2011; City of Fresno n.d.)

Madera County was created in 1893 through a special referendum. The county seat was established at the then-existing town of Madera in 1896. Madera had been initially established in 1876 at the location where the California Lumber Company’s flume intersected the railroad line. “Madera,” appropriately, is Spanish for “wood” (City of Madera n.d.).

The Wright Act of 1887 allowed the creation of public irrigation districts, greatly facilitating the funding and construction of water conveyance systems. The current MID was established in 1920 but has pre-1914 rights to divert water from Big Creek and the North Fork of the Willow Creek.

An earlier Madera Irrigation District had been formed in 1888 but it had been litigated into effective insolvency by Miller and Lux, to avoid paying taxes to the district. Miller and Lux likewise sued the new MID but an accommodation, involving the creation of a new district (the San Joaquin River Water Storage District) partly owned by the ranching company, was reached in 1922. The MID currently encompasses an area of approximately 139,757-ac, which includes the City of Madera. MID operates a primarily gravity irrigation distribution system with approximately 300 miles of open flow canal systems as well as 150-mi of large diameter pipelines. (Crider 2020).

With increasing demand for water, the Central Valley Project (CVP) was developed to supply water to Fresno, Tulare and Kern counties. Friant Dam, which created Millerton Lake, was completed in 1942 and supplies water for the Friant Kern Canal (FKC) and Madera Canals. The FKC was constructed between 1945 and 1951 and is approximately 152 miles in length. The MID receives CVP water from Millerton Lake and Hensley Lake (ibid). Hensley Lake was created by the construction of Hidden Dam on the Fresno River, approximately ten miles northeast of Madera. This project was authorized by the 1962 Flood Control Act as part of the Comprehensive Flood Control Survey Report and Plan of Development for the San Joaquin River Basin. Completed in 1974, Hidden Dam provides flood control and water storage for irrigation, as well as recreation opportunities (Army Corps of Engineers, Sacrament District, 2017). Fresno River water is available from both controlled release and uncontrolled flows from Hidden Dam, and water from the Madera Canal may also be released into the Fresno River, from which its is diverted at MID's Franchi Diversion Weir on the east side of the District. A major natural drainage channel for the City of Madera, the Fresno River is dry for much of the year since the flow is dependent on water releases from upstream water impoundments. (Provost and Pritchard Consulting Group 2017:10, 134).

The paved Fresno River Trail, built circa 2000, is located between the natural river channel and Lateral 24.2-14.2, and runs from Rotary Park on the east side of U.S. 99 westward for approximately 1.5-mi (historicaerials.com 1998, 2005). A chain link fence separates the trail from the lateral.

2.6 RESEARCH DESIGN

2.6.1 Pre-Contact Archaeology

Previous research and the nature of the pre-contact archaeological record suggest two significant NRHP themes, both of which fall under the general Pre-Contact Archaeology area of significance. These are the Expansion of Pre-Contact Populations and Their Adaptation to New Environments; and Adaptation to Changing Environmental Conditions.

The Expansion of Pre-Contact Populations and Their Adaptation to New Environments theme primarily concerns the Middle Horizon/Holocene Maximum. Its period of significance runs from about 4,000 to 1,500 YBP. It involves a period during which the prehistoric population appears to have expanded into a variety of new regions, developing new adaptive strategies in the process.

The Adaptation to Changing Environmental Conditions theme is partly related to the Holocene Maximum, but especially to the Medieval Climatic Anomaly. The period of significance for this theme, accordingly, extends from about 4,000 to 800 YBP. This theme involves the apparent collapse of many inland populations, presumably with population movements to better environments such as the coast. It is not yet known whether the southern San Joaquin Valley, with its system of lakes, sloughs and swamps, experienced population decline or, more likely, population increase due to the relatively favorable conditions of this region during this period of environmental stress.

The range of site types that are present in this region include:

- Villages, primarily located on or near permanent water sources, occupied by large groups during the winter aggregation season;
- Seasonal camps, again typically located at water sources, occupied during other parts of the year tied to locally and seasonally available food sources;
- Special activity areas, especially plant processing locations containing bedrock mortars (BRMs), commonly (though not exclusively) near existing oak woodlands, and invariably at bedrock outcrops or exposed boulders;
- Stone quarries and tool workshops, occurring in two general contexts: at or below naturally occurring chert exposures on the eastern front of the Temblor Range; and at quartzite cobble exposures, often on hills or ridges;
- Ritual sites, most commonly pictographs (rock art) found at rockshelters or large exposed boulders, and cemeteries, both commonly associated with villages; and
- A variety of small lithic scatters (low density surface scatters of stone tools).

The first requisites in any research design are the definition of site age/chronology and site function. The ability to determine either of these basic kinds of information may vary between survey and test excavation projects, and due to the nature of the sites themselves. BRM sites without associated artifacts, for example, may not be datable beyond the assumption that they post-date the Early Horizon and are thus less than roughly 4,000 years old.

A second fundamental issue involves the place of site in the settlement system, especially with respect to water sources. Because the locations of the water sources have sometimes changed over time, villages and camps are not exclusively associated with existing (or known historical) water sources (W & S Consultants 2006). The size and locations of the region's lakes, sloughs and delta channels, to cite the most obvious example, changed significantly during the last 12,000 years due to major paleoclimatic shifts. This altered the area's hydrology and thus prehistoric settlement patterns. The western shoreline of Tulare Lake was relatively stable because it abutted the Kettleman Hills. But the northern, southern and eastern shorelines comprised the near-flat valley floor. Relatively minor fluctuations up or down in the lake level resulted in very significant changes in the areal expression of the lake on these three sides, and therefore the locations of villages and camps. Although perhaps not as systematic, similar changes occurred with respect to stream channels and sloughs, and potential site locations associated with them. This circumstance has implications for predicting site locations and archaeological sensitivity. Site sensitivity is then hardest to predict in the open valley floor, where changes in stream courses and lake levels occurred on numerous occasions.

Nonetheless, the position of San Joaquin Valley prehistory relative to the changing settlement and demographic patterns seen in surrounding areas is still somewhat unknown (cf. Siefkin 1999), including to the two NRHP themes identified above. The presence of large lake systems in the valley bottoms can be expected to have mediated some of the effects of desiccation seen elsewhere. But, as the reconstruction of Soda Lake in the nearby Carrizo Plain demonstrates (see Whitley et al. 2007), environmental perturbations had serious impacts on lake systems too. Identifying certain of the prehistoric demographic trends for the San Joaquin Valley and determining how these trends (if present) correlate with those seen elsewhere, is another primary regional research objective.

Archaeological sites would primarily be evaluated for NRHP eligibility under Criterion D, research potential.

2.6.2 Historical Archaeology: Native American

Less research has been conducted on the regional historical archaeological record, both Native American and Euro-American. For Native American historical sites, the ethnographic and ethnohistoric periods in the southern San Joaquin Valley extended from first Euro-American contact, in AD 1772, to circa 1900, when tribal populations were first consolidated on reservations. The major significant historic NRHP themes during this period of significance involve the related topics of Historic-Aboriginal Archaeology, and Native American Ethnic Heritage. More specifically, these concern the Adaptation of the Indigenous Population to Euro-American Encroachment and Settlement, and their Acculturation to Western Society. These processes included the impact of missionization on the San Joaquin Valley (circa 1800 to about 1845); the introduction of the horse and the development of a San Joaquin Valley "horse culture," including raiding onto the coast and Los Angeles Basin (after about 1810); the use of the region as a refuge for mission neophyte escapees (after 1820); responses to epidemics from introduced diseases (especially in the 1830s); armed resistance to Euro-American encroachment (in the 1840s and early 1850s); the origins of the reservation system and the development of new tribal organizations and ethnic identities; and, ultimately, the adoption of the Euro-American society's economic system and subsistence practices, and acculturation into that society.

Site types that have been identified in the region dating to the ethnographic/ethnohistoric period of significance primarily include villages and habitations, some of which contain cemeteries and rock art (including pictographs and cupules). Dispersed farmsteads, dating specifically from the reservation period or post-1853, would also be expected. The different social processes associated with this historical theme may be manifest in the material cultural record in terms of changing settlement patterns and village organization (from traditional nucleated villages to single family dispersed farmsteads); the breakdown of traditional trading networks with their replacement by new economic relationships; changing subsistence practices, especially the introduction of agriculture initially via escaped mission neophytes; the use of Euro-American artifacts and materials rather than traditional tools and materials; and, possibly, changing mortuary practices.

Inasmuch as culture change is a primary intellectual interest in archaeology, ethnographic villages and habitations may be NRHP eligible under Criterion D, research potential. Rock art sites, especially pictographs, may be eligible under Criterion C as examples of artistic mastery. They

may also be eligible under Criterion A, association with events contributing to broad patterns of history. Ethnographic sites, further, may be NRHP eligible as Traditional Cultural Properties due to potential continued connections to tribal descendants, and their resulting importance in traditional practices and beliefs, including their significance for historical memory, tribal- and self-identity formation, and tribal education.

For Criteria A, C and D, eligibility requires site integrity (including the ability to convey historical association for Criterion A). These may include intact archaeological deposits for Criterion D, as well as setting and feel for Criteria C and A. Historical properties may lack physical integrity, as normally understood in heritage management, but still retain their significance to Native American tribes as Traditional Cultural Properties if they retain their tribal associations and uses.

2.6.3 Historical Archaeology: Euro-American

Approaches to historical Euro-American archaeological research relevant to the region have been summarized by Caltrans (1999, 2000, 2007, 2008). These concern the general topics of historical landscapes, agriculture and farming, irrigation (water conveyance systems), and mining. Caltrans has also identified an evaluation matrix to aid in determinations of eligibility. The identified research issues include site structure and land-use (lay-out, land use, feature function); economics (self-sufficiency, consumer behavior, wealth indicators); technology and science (innovations, methods); ethnicity and cultural diversity (religion, race); household composition and lifeways (gender, children); and labor relations. Principles useful for determining the research potential of an individual site or feature are conceptualized in terms of the mnemonic AIMS-R, as follows:

1. *Association* refers to the ability to link an assemblage of artifacts, ecofacts, and other cultural remains with an individual household, an ethnic or socioeconomic group, or a specific activity or property use.

2. *Integrit*y addresses the physical condition of the deposit, referring to the intact nature of the archaeological remains. In order for a feature to be most useful, it should be in much the same state as when it was deposited. However, even disturbed deposits can yield important information (e.g., a tightly dated deposit with an unequivocal association).

3. *Materials* refers to the number and variety of artifacts present. Large assemblages provide more secure interpretations as there are more datable items to determine when the deposit was made, and the collection will be more representative of the household, or activity. Likewise, the interpretive potential of a deposit is generally increased with the diversity of its contents, although the lack of diversity in certain assemblages also may signal important behavioral or consumer patterns.

4. *Stratigraphy* refers to the vertically or horizontally discrete depositional units that are distinguishable. Remains from an archaeological feature with a complex stratigraphic sequence representative of several events over time can have the added advantage of providing an independent chronological check on artifact diagnosis and the interpretation of the sequence of environmental or sociocultural events.

> 5. *Rarity* refers to remains linked to household types or activities that are uncommon. Because they are scarce, they may have importance even in cases where they otherwise fail to meet other thresholds of importance (Caltrans 2007:209).

For agricultural sites, most likely to be pertinent to the Project APE, Caltrans (2007) has identified six themes to guide research: Site Structure and Land Use Pattern; Economic Strategies; Ethnicity and Cultural Adaptation; Agricultural Technology and Science; Household Composition and Lifeways; and Labor History. Expected site types would include farm and ranch homesteads and facilities, line camps, and refuse dumps. In general terms, historical Euro-American archaeological sites would be evaluated for NRHP eligibility under Criterion D, research potential. However, they also potentially could be eligible under Criteria A and B for their associate values with major historical trends or individuals. Historical landscapes might also be considered.

Historical structures are typically evaluated for NRHP eligibility under Criteria A and/or B, for their associative values with major historical trends or individuals, and C for potential design or engineering importance.

With respect to irrigation canals and features, Caltrans (2000) has identified the *Development of Irrigated Agriculture* as a significant theme or event in California history, including in the San Joaquin Valley. In the years following California's statehood and the gold rush, increasing population created an increasing market for agricultural products. The total irrigated acreage in the state grew from 60,000 acres in 1860 to nearly 400,000 acres by 1880, an increase of more than 650 percent, and the San Joaquin Valley contained the highest percentage of that land (approximately 47 percent) (Caltrans 2000). Private water companies, land colonies, mutual water companies, and irrigation districts were established in the mid- to late nineteenth century to build irrigation systems to further develop the state's agriculture industry. Irrigation districts became the most influential of these organizations, especially after state legislation—the Wright Act of 1887—causing irrigation districts to grow in number, power, as well as the actual amount of irrigated land throughout the state. Forty-nine irrigation districts were organized between 1887 and 1896, most of them located between Stockton and Bakersfield. However, by the late 1920s, only seven of the original districts were still in existence, among them the Modesto, Turlock, and Tulare irrigation districts (Caltrans 2000). Under the impetus of increased demand during World War I, agricultural production reached a new peak in 1920. Companies like Pacific Gas & Electric and San Joaquin Valley Light and Power helped finance large irrigation reservoirs to feed district canals in return for the power generated. By 1930, there were 94 active districts in California, and the land watered by these agencies mushroomed to 1.6 million acres (Caltrans 2000). Irrigation districts provided more than 90 percent of the surface water used for irrigation in the San Joaquin Valley before the Central Valley Project came on-line in the 1940s (Caltrans 2000). Most were located in the San Joaquin Valley, with the most successful in Modesto, Turlock, Merced, and Fresno.

The period of significance for this theme begins with the earliest development of irrigated agriculture in the San Joaquin Valley, with the construction of the earthen ditches in Visalia in 1852. Irrigated agriculture continues to be an important industry and influence in the Valley. The period of significance ends in 1964 following recommended guidance for closing a period of significance when activities continued to have importance, but no more specific date can be

defined to end the historic period, and there is no justification for exceptional significance to extend the period of significance to an end date within the last 50 years (National Register of Historic Places 1997).

An associated property type for this theme would be a water conveyance system. Components and features of water conveyance systems include diversion structures, conduits, flow control devices, cleansing devices, and associated resources and settings. They would be eligible under NRHP Criterion A/CRHR Criterion 1 for their association with this significant theme if:

- The association with the theme is important--simply because a water conveyance existed during the period of significance is not enough for that system to be eligible;
- The resource retains high overall integrity because of the high number of comparable examples. The property should retain most of the seven aspects of integrity: location, design, setting, materials, workmanship, feeling, and association.
- Due to the nature of this type of resource, repairs and modifications are acceptable but not if they substantially changed the resource.

Water conveyance systems potentially would be eligible under NRHP Criterion B/CRHR Criterion 2 for their association with this significant theme if they:

- Are associated with an important person's productive life ***and*** represent the property that is most closely associated with that person;
- The resource retains high overall integrity. The property should retain most of the seven aspects of integrity: location, design, setting, materials, workmanship, feeling, and association.
- Due to the nature of this type of resource, repairs and modifications are acceptable but not if those modifications substantially changed the resource.

Water conveyance systems will rarely be found eligible under Criterion B. In California notable names for which there might be associations with water planning, construction, or engineering include Anthony Chabot, George Chaffey, Frederick Eaton, William Mulholland, George Maxwell, Robert Marshall, Elwood Mead and C. E. Grunsky (Caltrans 2000).

A second potential NRHP/CRHR theme identified by Caltrans (2000) that could be applicable to water conveyance systems is *Technological Innovation in Irrigated Agriculture in California, 1852-1964*. Water conveyance systems would be eligible under the technological innovation theme under Criterion C/3 if they have:

- Unique values.
- Are the best or are an excellent example of the property type that possess distinctive characteristics of the type and through those characteristics clearly illustrates at least one of the following;
    - the pattern of features common to a particular class of resources;
    - the individuality or variation of features that occurs within the class;
    - the evolution of that class; or
    - the transition between classes of resources.

- The earliest, best preserved, largest, or sole surviving example of particular types of water conveyance systems.
- A design innovation of evolutionary trends in engineering.
- Were designed by a figure of acknowledged greatness in the field or by someone unknown whose workmanship is distinguishable from others by its style and quality ***and*** represent a good example of that designer's work.
- The resource retains high overall integrity and most of the seven aspects of integrity: location, design, setting, materials, workmanship, feeling, and association.

A large water conveyance system with multiple components will often be evaluated as a district rather than as a single property. An eligible historic district must possess a significant concentration or linkage of resources that are united historically or aesthetically by plan or physical development. It should be a significant and distinguishable entity, although its components need not possess individual distinction (Caltrans 2000).

A third potential NRHP/CRHR theme identified by Caltrans (2000) is *Construction of the CVP Engineering and Associated Features, 1937 to 1956*. Property types associated with the CVP consist of structures built for storage, regulation, delivery of water, and hydro-electric power development. In addition, there are property types associated with the ongoing operation and maintenance of the CVP and with the protection of fish affected by construction of the CVP facilities. These properties include dams, power-plants, water conveyance structures, canals and appurtenant features, laterals, sub-laterals, drains, pumping plants, buildings, dikes, and fish facilities. A core feature of the CVP are the conveyance systems used to carry water from the storage and diversion facilities to the farmlands, or to pumping plants for further geographical redistribution. The backbone of the conveyance system is comprised of the 500-mi of main canals. These include the Contra Costa Canal, Delta Cross Channel, Delta-Mendota Canal, Friant-Kern Canal, and Madera Canal. All main canals but the Delta Cross Channel and the first section of the Contra Costa Canal (near Rock Slough) are concrete lined. All of the main canals are typically defined to include operating roads on one or both sides of the canal prism. For the CVP, the water conveyance scope is huge: in addition to the over 500-mi of main canals, it contains thousands of miles of laterals (and sub- and sub-sub-laterals) that deliver water from the main canals to irrigation ditches on farms. Also falling within this property type are about 84-mi of drains that carry excess water away from farm fields (Bailey 2010). The period of significance for laterals, sub-laterals, and drains begins in 1937 with the initial construction of the first CVP canal, the Contra Costa Canal, and ends in 1956 with the end of construction for the facilities associated with this historic context.

Laterals, sub-laterals, and drains could be eligible under the following NRHP/CRHR criteria for their association with this significant theme as follows:

- Criterion A/1: They have had a significant impact on the settlement, agricultural economy, or development patterns of the project area; they have been defining elements in the evolution of the cultural landscape; they are directly associated with important events.
- Criterion B/2: not applicable.
- Criterion C/3: They are among the best or a rare surviving example of a distinctive type of latera, sub-lateral, or drain; they represent the evolving technology in the design of laterals,

sub-laterals, and drains; they represent a unique design solution developed in response to a difficult engineering challenge; they were identified during the construction period as an individually significant feature; or

- Criterion D/4: They have the ability to yield information important to understanding the history of the CVP.

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3. ARCHIVAL RECORDS SEARCH

An archival records search was obtained from the SSJVIC on October 4th, 2022 to determine: (i) if prehistoric or historical cultural resources had previously been recorded within the APE; (ii) if the APE had been systematically surveyed by archaeologists prior to the initiation of this field study; and/or (iii) whether the region of the Project was known to contain archaeological sites and to thereby be archaeologically sensitive. Additionally, a search of the NAHC *Sacred Lands File* was conducted in order to ascertain whether traditional cultural places or cultural landscapes had been identified within the APE. The results of this archival records search are summarized here and are available in Confidential Appendix A.

According to the records search results, no previous archaeological surveys had been completed within the APE or within a 0.5-mi radius of it. One linear resource, however, had been recorded that extends into the APE: P-20-002308/CA-MAD-2649H, the Madera Irrigation District and multiple laterals. Segments of this resource were first recorded in 1992 by JRP Historical Consulting Services and, subsequently, by 12 other consultants at various times. In 2018 consultation correspondence related to a City of Madera sewer crossing project, State Historic Preservation Officer Julianne Polanco commented to the Reclamation that Madera Canal Lateral 24.2 is one of three primary laterals built in the 1950s by Reclamation to divert water from the Madera Canal, and that it is eligible for listing in the NRHP as a contributor to the Madera Canal, which itself is a contributor to the CVP; however the three laterals are not individually eligible (Julianne Polanco to Anastasia T. Leigh, January 17, 2018 regarding Project #17-SCAO-232.001).

3.1 TRIBAL COORDINATION

A search of the Native American Heritage Commission (NAHC) *Sacred Lands File* was completed on November 28th, 2022. Based on the NAHC records, no sacred sites or traditional cultural places had been identified within or adjacent to the APE (Appendix A). Outreach letters and follow-up emails were sent to tribal organizations on the NAHC contact list. No responses were received.

Based on the records search, tribal knowledge, and other sources, the APE appeared to have low cultural resources sensitivity.

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4. METHODS AND RESULTS

An intensive Class III inventory/Phase I survey of the Project APE was conducted on February 6, 2023, by ASM Assistant Archaeologist Margarita Medina Lemus, B.A. The APE was examined by walking parallel transects space at approximately 15-m intervals, in order to identify surface artifacts, archaeological indicators (e.g., shellfish or animal bone), and/or archaeological deposits (e.g., organically enriched midden soil); tabulation and recording of surface diagnostic artifacts; site sketch mapping; preliminary evaluation of site integrity; and site recording, following the California Office of Historic Preservation Instructions for Recording Historic Resources, using DPR 523 forms. Special attention was paid to rodent burrow back dirt piles, in the hope of identifying sub-surface soil conditions that might be indicative of archaeological features or remains.

4.1 SURVEY RESULTS

The Project APE consists of developed and undeveloped portions of land along the Fresno River and within the city limits of Madera (Figure 2). The Project APE bordered by residential tract development, paved streets, bike trails, and existing rights-of-way (Figure 3). Ground-surface visibility of the Project APE was excellent. Modern refuse (i.e., clothing, paper products) and concrete fragments was noted within the Project APE. As a result of the survey, one resource was identified within the Westberry Bridge Project APE: P-20-002308/CA-MAD-2649H, the Madera Irrigation District. MID Laterals 24.2 and 24.2-14-2 are located within the APE.

The recorded segments of the MID Laterals 24.2 and 24.2-14-2 measure approximately 40-ft (north-south) by 805-ft (east-west) by 12-ft deep; and 40-ft (north-south) by 350-ft (east-west) by 12-ft deep, respectively. The laterals are situated at an elevation of approximately 260-ft amsl. The recorded sections of the canal are earthen in construction with moderately steep sloping sidewalls and an approximately 15-ft wide bed. The recorded segments retain their original alignments; however, contemporary irrigation features (i.e., water pumps, cinderblock housing, sluice gates, slide gates, concrete and steel weirs, culverts) are present within them. Dirt roads run along both sides of the canal. No diagnostic artifacts of any kind were noted within or around the canal.

A DPR site record update and original site records for the resource are available in Confidential Appendix B. The history of this canal is discussed below.

Madera Irrigation District and Madera Canal

In 1992, JRP Historical Consulting Services prepared a brief historic context of the Madera Canal. Given the constraints of this project, ASM did not recreate a historic context for the Madera Canal. Instead, the 1992 historic context has been excepted below:

> The Madera Canal, or Friant-Madera Canal, is an operational part of the U.S. Bureau of Reclamation's Central Valley Project, a huge system of dams and canals which irrigates much of the Sacramento and San Joaquin valleys. The Madera Canal is a lesser component of the USBR Friant Division, which also includes Friant Dam and the Friant-Kern Canal.

> The Friant Division impounds the water of the San Joaquin River at Friant Dam, east of Fresno on the Fresno-Madera County line and delivers water to the two canals through outlets at either side of the dam. The much larger Friant-Kern Canal carries San Joaquin River water more than 160 miles south to the Bakersfield area. The Madera Canal carries water north into Madera County, a total distance of about 36 miles.
>
> Like most other components of the Central Valley Project, the Madera Canal had its origin in local and state plans before being implemented by the federal government. The Madera Irrigation District, organized in 1914, began planning to build a dam on the San Joaquin River during the late 1920s. Various financial and water rights issues, however, delayed implementation of these plans, even though the district had acquired the dam site at Friant (Taylor 1967:51, 59). During the late 1920s and early 1930s, the State of California Division of Engineering and Irrigation conducted extensive studies which led to the State Water Plan, a massive, coordinated water development plan which became the basis for the Central Valley Project. Financial difficulties associated with the Great Depression halted bond sales by the state, leading to state-federal agreements to authorize the major components of the State Water Plan as the federal Central Valley Project. The initial federal authorizations for the CVP were passed by Congress in 1935. Construction began in 1937 on Shasta Dam, the linchpin of the system. The bulk of the CVP, however, was not completed until after World War 11 (California State Chamber of Commerce 1943).
>
> The Friant Division was authorized by Congress in 1936 and construction of Friant Dam began in November 1939. Construction was initiated on the two conveyance canals in 1940. The entire project was delayed, however, by American entry into World War 11, although construction did proceed at a diminished rate during the late years of the war. The dam was completed in 1944. Construction on the two canals proceeded more slowly. Some test diversions were made into the Madera Canal in 1944 but the full canal was not completed for several more years. The canal was marginally operational during the late 1940s, in part because laterals has not been constructed and in part because local and federal officials could not agree on how to implement the acreage limitations imposed by federal reclamation law. The canal reached Its capacity around 1950. The Madera Canal is strictly a bulk delivery canal; all distribution through laterals is handled by irrigation district canals [Mikesell 1992:32-33].

Of the major canals of the CVP system, the largest is the Friant-Kern Canal and the Delta-Mendota Canal. In comparison to those two canals, the Madera is shorter and smaller than the other two canals (Mikesell 1992:35). However, Mikesell noted it uniqueness in its departure from earlier irrigation works, which were much smaller endeavors (Mikesell 1992). The Madera Canal also provided a consistent supply of water that laid the foundation for population and agricultural growth. Laterals 24.2 and 24.2-14.2 convey water from the Madera Canal.

Construction of Lateral 24.2

MID constructed Lateral 24.2 from the Madera Canal based on Reclamation design and drawings in 1953 (United States Bureau of Reclamation 1953, Figure 5). Riverview Drive, adjacent to the south side of Lateral 24.2 in this location, was constructed about 1990 concurrent with the

residential development to the south, which terminated at Westberry Boulevard in 1998; the street was extended to its current terminus west of Caitlan Drive by the mid-2000s, as the land west of Westberry Boulevard was developed (historicaerials.com, 1981, 1998, 2005). No alteration to Lateral 24.2 is evident as a result of Riverview Drive's construction, and the current alignment segment of Lateral 24.2 within the APE appears to be original. It is not clear when the chain link fencing on either side of the lateral channel was installed.

At the southwest corner of the APE, a paved path provides access to the Fresno River Trail from Riverview Drive just west of Westberry Boulevard. Built about 2000, this path crosses Lateral 24.2 at a siphon turnout, and its construction resulted in no alteration to Lateral 24.2.

Construction of Lateral 24.2-14.2

MID built Lateral 24.2-14.2 in 1960, also from Reclamation designs and drawings (United States Bureau of Reclamation 1960; Figure 6). Hampton Drive, adjacent to the north side of Lateral 24.2-14.2 in this location, was constructed about 2005, concurrent with the residential development on its north side. No alteration to Lateral 24.2-14.2 is evident as a result of the road's construction, and the current alignment segment of Lateral 24.2-14.2 within the APE appears to be original.



Figure 3. Overview of the Westberry Boulevard Bridge Project, looking north.



Figure 4. Overview of the Westberry Boulevard Bridge Project, showing surrounding development, looking north-northeast.

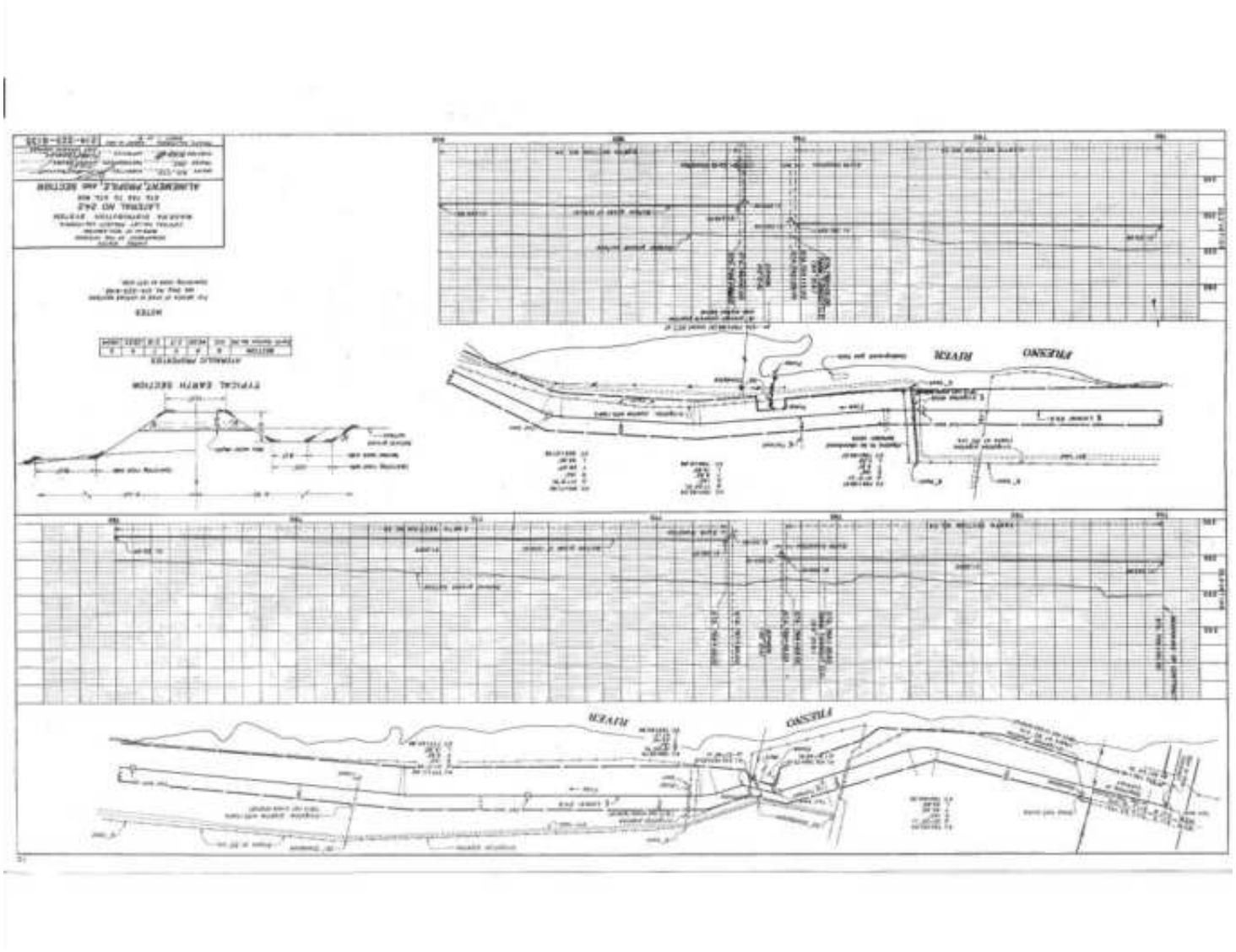


Figure 5. Drawing of Lateral 24.2 between Stations 790 and 795, on the south side of the Fresno River channel, United States Bureau of Reclamation 1953.

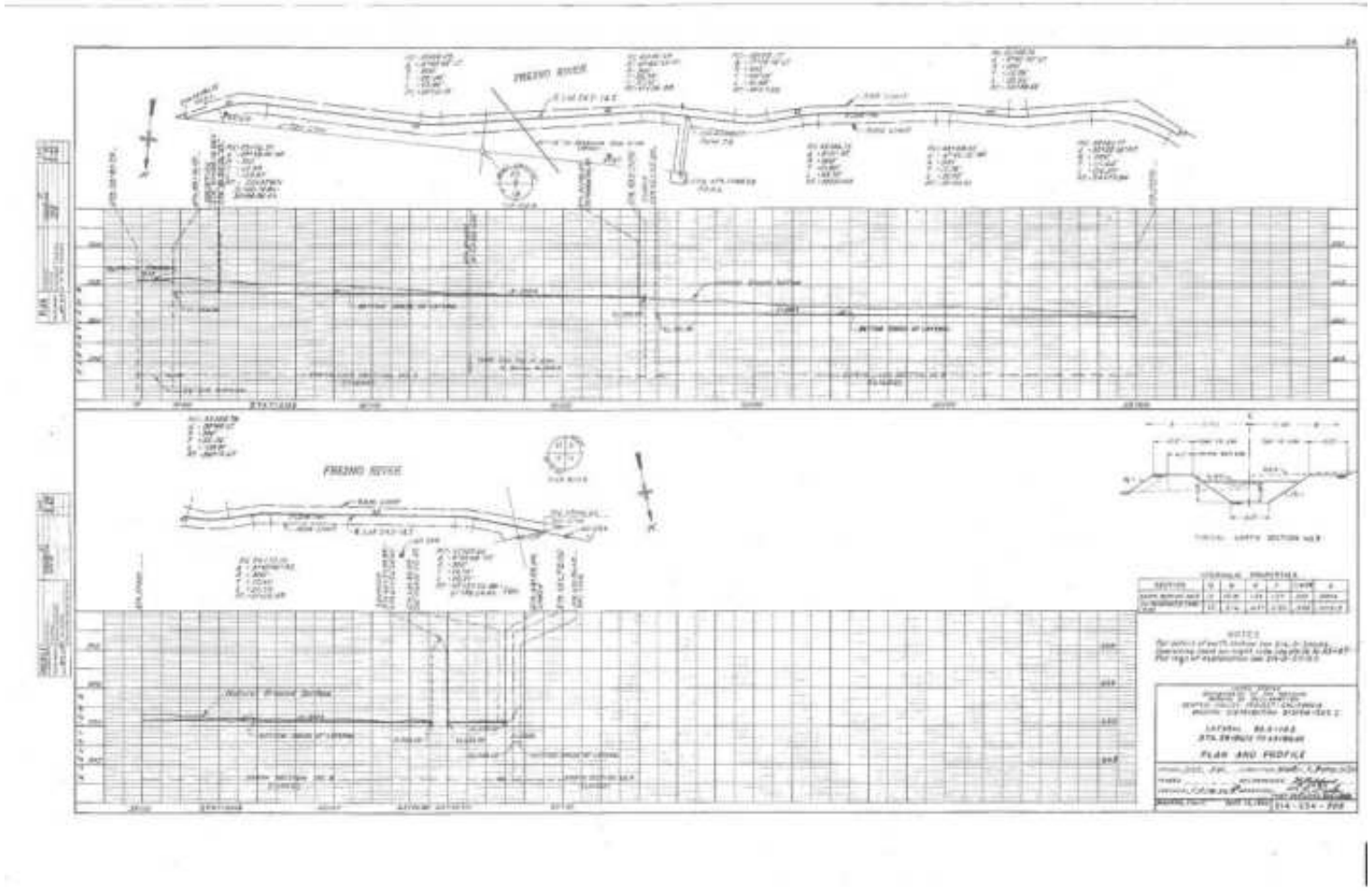


Figure 6. Drawing of Lateral 24.2-14.2 between Stations 3500 and 4000, United States Bureau of Reclamation, 1960.

5. SUMMARY AND RECOMMENDATIONS

An intensive Class III inventory/Phase I cultural resources survey was conducted for the Westberry Boulevard Bridge Project, Madera County, California. A records search of site files and maps was conducted at the SSJVIC and a search of the NAHC *Sacred Lands File* was completed. No Native American sacred sites or cultural landscapes had been identified within or immediately adjacent to the study APE. One linear resource (P-20-002308) consisting of segments of MID Laterals 24.2 and 24.2-14.2 had been recorded within the APE. Other segments of this resource were first recorded in 1992 by JRP Historical Consulting Services and, subsequently, an additional 12 times by a variety of consultants.

The survey fieldwork of the APE was conducted in February 2023 with parallel transects spaced at approximately 15-m intervals walked across the APE. Two segments (Lateral 24.2 and Lateral 24.2-14.2) of built environment resource P-20-002308 were identified within the APE. No other cultural resources were identified within the APE.

5.1 RECOMMENDATIONS

Evaluation of Eligibility for Lateral 24.2

In 2018 consultation correspondence related to a City of Madera sewer crossing project, State Historic Preservation Officer Julianne Polanco commented to the Reclamation that Madera Canal Lateral 24.2 is one of three primary laterals built in the 1950s by Reclamation to divert water from the Madera Canal, and that it is eligible for listing in the NRHP as a contributor to the Madera Canal, which itself is a contributor to the CVP; however the three laterals are not individually eligible (Julianne Polanco to Anastasia T. Leigh, January 17, 2018 regarding Project #17-SCAO-232.001).

Routine maintenance of Lateral 24.2 in the APE has resulted in alterations to the materials and workmanship of the earth-lined channel, however it retains a trapezoidal shape, and design and dimensions similar to those shown in the 1953 construction drawings. The lateral's location within the APE does not appear to have changed, but Lateral 24.2's setting and feeling has been diminished by changes in the surrounding area from primarily agricultural use with a low density of housing to suburban development, including the construction of the paved walking/bike Fresno River Trail that crosses it. However, the lateral retains high integrity of association with water conveyance systems and irrigation districts, and their importance to patterns of development in this region. Overall, it retains sufficient integrity for NRHP/CRHR eligibility at the local level under Criteria A/1 and C/3 as a contributor to the Madera Canal, which is itself eligible as a contributor to the CVP.

Evaluation of Eligibility for Lateral 24.2-14.2

As noted above, Lateral 24.2 has been determined NRHP/CRHR eligible at the local level as a contributor to the eligible Madera Canal, as a contributor to the CVP. Routine maintenance of Lateral 24.2-14.2 in the APE has resulted in alterations to the materials and workmanship of the

earth-lined channel, however its trapezoidal shape, design and dimensions are similar to those shown in the 1960 construction drawings. Similar to Lateral 24.2, it appears to be in its original location, but mid-2000s development has resulted in its former agricultural setting becoming residential. Despite these changes to its setting, Lateral 24.2-14.2 retains its function as part of a water conveyance system. As noted in a 2000 Caltrans evaluation of Lateral 32.2, the Madera Canal is a "bulk conveyance system," from which laterals along its route are used by irrigation districts to supply water for farming (Karana Hattersley-Drayton, Caltrans, DPR 523B BSO Supplement for P-20-002308, December 12, 2000). As such, Lateral 24.2-14.2 retains sufficient integrity for NRHP/CRHR eligibility at the local level under Criteria A/1 and C/3 as a contributor to the Madera Canal, which is itself eligible as a contributor to the CVP.

Findings

Lateral 24.2 and 24.2-14.2 will be diverted to a new culvert to pass under the proposed Westberry Bridge; the culvert for Lateral 24.2 will be approximately 140-ft in length, and the culvert for Lateral 24.2-14.2 will be approximately 200-ft in length. The proposed Project will result in some physical effects to the Madera Canal, limited to the two small sections where the laterals will be diverted underground. Specific physical effects consist of the loss of original form and location by diverting these segments underground.

The physical effects (described above) of the proposed Project will not result in adverse effects to the character-defining features (CDFs) of the Madera Canal. The proposed Project will not adversely affect the CDFs of the Madera Canal. The Project will result in some loss of the form and location of 340-ft of the canal's laterals. However, these alterations will only directly affect small portions of the large linear resource, and small portions of the Madera Canal's overall CDFs. Upon completion of the Project, the laterals will continue to irrigate Madera and the Central Valley agriculture lands and continue their historic function. As such, the Project would not result in loss of eligibility for the resource as a whole. Therefore, the modification to these segments of Lateral 24.2 and Lateral 24.2-14.2 will not result in a significant adverse effect to historic resources.

In the unlikely event that previously unknown cultural resources are identified during the development or use of the APE, it is recommended that a qualified archaeologist must be notified to evaluate the discovery and implement appropriate evaluation and/or protection measures.

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CONFIDENTIAL APPENDICES

Appendix D: Aquatic Resources Delineation

AQUATIC RESOURCES DELINEATION REPORT

CITY OF MADERA

WESTBERRY BOULEVARD BRIDGE PROJECT

MAY 2023

Prepared by: Kira McCall, Environmental Specialist
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Executive Summary

Provost & Pritchard Consulting Group (P&P) conducted a delineation of aquatic resources on August 26, 2022 for the Westberry Boulevard Bridge Project (Project) over the Fresno River in the northwest part of the City of Madera within Madera County, California. The Project proposes to build a new cast-in-place (CIP) 8 span bridge over Fresno River (River) which would connect the segments of Westberry Boulevard that are located north and south of the River. Project activities would have the potential to alter jurisdictional areas including the Fresno River. The entire Project Area is approximately 14.7 acres, comprised of the Fresno River, two Madera Irrigation District operated canals, and the Westberry Boulevard alignment around the Fresno River.

P&P environmental specialist, Kira McCall, examined the entire survey area for features exhibiting an ordinary high water mark (OHWM) and/or wetland characteristics. Pertinent information about such features was recorded on Arid West Ephemeral and Intermittent Streams OHWM Datasheets and/or Arid West Wetland Determination Data Forms.

The survey was conducted in accordance with guidelines of the *Corps of Engineers Wetland Delineation Manual* (Environmental Laboratory 1987), the *Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Arid West Region* (United States Army Corps of Engineers 2008), *A Field Guide to the Identification of the Ordinary High Water Mark in the Arid West Region of the Western United States* (Lichvar and McColley 2008), State Wetland Definition and Procedures for Discharges of Dredged or Fill Material to Waters of the State (State Water Resources Control Board 2019), and the *Minimum Standards for Acceptance of Aquatic Resources Delineation Reports* (United States Army Corps of Engineers: Sacramento District 2016).

Aquatic resources delineated on the site fell into a single category: Riverine. Aquatic resource boundaries mapped during P&P's field investigation total approximately 1.06 acres. Areas outside the boundaries of the delineated aquatic features consist of riparian sandbar habitat, narrow irrigation canals, residential neighborhoods, and public walking paths.

Table of Contents

Executive Summary 2
I. Introduction 5
Contact Information 6
II. Location 6
Driving Directions 6
III. Regulatory Definitions 10
Waters of the United States 10
Court Decisions Affecting the Definitions of Waters of the United States 11
Pasqua Yaqui Tribe v. United States Environmental Protection Agency and United States Army Corps of Engineers 11
Executive Order 13990 Protecting Public Health and the Environment and Restoring Science to Tackle the Climate Crisis 11
United States v. Riverside Bayview Homes, Inc. (Riverside) 11
SWANCC Decision 11
Consolidated Carabell/Rapanos Decision 12
State of California Jurisdiction over Aquatic Features 12
IV. Methods 14
V. Existing Conditions 15
Landscape Settings 15
Topography 15
Climate 15
Watershed 15
Soils 16
Project Site 16
Riverine 16
Riparian 17
Upland Areas 18
Discussion 18
Fresno River 18
Lateral 24.2-14.2 18
Lateral 24.2 19
Summary 19
VI. References 20

List of Figures

Figure 1. Regional Location Map 7
Figure 2. Topographic Quadrangle Map 8
Figure 3. Project Area Map 9

List of Tables

Table 1. Wetland Indicator Plant Species Status Ratings 14
Table 2. List of Soils Located Onsite and Their Basic Properties 16
Table 3. Aquatic Resources Within the Project Area 18

List of Appendices

Appendix A. Aquatic Resources Delineation Maps
Appendix B. Photographs
Appendix C. OHWM Data Sheets
Appendix D. NRCS Soils Report
Appendix E. Vascular Plant List

I. Introduction

Provost & Pritchard environmental specialist, Kira McCall, conducted a delineation of potential waters of the Unites States within the proposed Westberry Boulevard Bridge Project (Project) area. The entire Project Area, which is approximately 14.7 acres, was evaluated for aquatic features (See **Figure 3** for the Project Area map).

The Project includes construction of a new vehicular and pedestrian bridge along the Westberry Boulevard Alignment. This bridge would cross the Fresno River (River) in the central portion of the City of Madera in order to improve traffic circulation and to avoid future congestion on existing upstream bridges at Granada Drive and Schnoor Avenue. The bridge would also cross the two canals bordering each side of the River, which are owned and operated by Madera Irrigation District (MID). The north canal is identified as Lateral 24.2-14.2 and the south canal as Lateral 24.2.

The bridge crossing structure would consist of an 8-span cast-in-place prestressed concrete flat slab bridge supported on seat type abutments with 42-inch diameter cast-in-drilled-hole (CIDH) piles at the abutments and 36-inch diameter CIDH piles at the piers. The bridge would measure approximately 408 feet long by approximately 92 feet wide and would accommodate two 11-foot traveled ways in each direction, one 14-foot-wide center median, two 6-foot shoulder/bike lanes, two 9-foot sidewalks, and two 1-foot concrete barriers with tubular hand railing along each side of the bridge deck. The structure would consist of a 10-span cast-in-place reinforced concrete flat slab bridge supported on seat type abutments and 36-inch diameter cast-in-steel-shell or cast-in-drilled-hole piles at the abutments and piers.

In addition, an existing trail that runs east-west along the top of the southern bank of the Fresno River would be rerouted to cross under the proposed bridge. The trail would be 12-foot wide and require retaining walls along the riverbank slopes. It would consist of a 6-inch thick reinforced concrete pavement on top of a 6-inch thick layer of Class II aggregate base. The new segment of this undercrossing would connect to the original walkway on both sides of the southern bank of the Fresno River.

On August 26, 2022, the dry channel of the Fresno River and Lateral 24.2-14.2 canal to the north of the River were delineated, as illustrated in **Figure 3**. The delineation of the fenced in Lateral 24.2 canal to the south was conducted on February 10, 2023, when P&P obtained access to this area. The purpose of the delineation was to evaluate the site for potential waters of the United States and delineate potential jurisdictional boundaries of these features. This report facilitates efforts to: 1) avoid or minimize impacts to aquatic resources during the design process, 2) document aquatic resource boundary determinations for review by regulatory authorities, and 3) provide background information. Ultimately, this aquatic resources delineation would be used in determining the extent of waters of the United States within the Project Area.

Waters of the United States include drainage channels, or tributary waters, their impoundments, and wetlands (Wetland Training Institute, Inc. 1990). Tributary waters include incised channels that connect to other jurisdictional waters. Such channels may carry a permanent, intermittent, or ephemeral flow of water. Jurisdictional wetlands are those wetlands adjacent to other jurisdictional waters. Such wetlands are characterized by the presence of wetland hydrology (i.e., surface inundation or saturated soils), hydric soils (i.e., soils which have developed under the anaerobic conditions imposed by soil saturation), and hydrophytic vegetation (i.e., an association of plants adapted to saturated soils).

The Department of the Army, acting through the United States Army Corps of Engineers (USACE), is authorized to issue permits for the filling, grading, or excavation of waters of the United States under Section 404 of the Clean Water Act (CWA), including isolated wetlands and tributaries. This determination was established by the recently interpreted decision in the Solid Waste Agency of Northern Cook County v. Corps of Engineers (SWANCC) and Rapanos v. United States and Carabell v. U.S. Army Corps of Engineers (referred together as the Rapanos decision).

Contact Information

Project Applicant: City of Madera
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Property Owner: Madera Irrigation District
Contact: Darren Garcia
Phone: (559) 673-3514
Email: DGarcia@madera-id.org

II. Location

The Project is located within the northwest portion in the City of Madera in Madera County, California, northwest of the City of Fresno (see **Figure 1** and **Figure 2**). This area lies within the San Joaquin Valley, which has a relatively flat topography. Elevation at the Project site ranges from approximately 245 feet National Geodetic Vertical Datum (NGVD) in the bed of the river to approximately 260 feet NGVD at the top of its banks. The surrounding area contains residential neighborhoods. As illustrated in **Figure 2**, the Project is located within the *Madera* USGS Topographic Quadrangle, Township 11S, Range 17E, Sections 15 and 22.

Driving Directions

The Project is accessible starting from California State Route 99. To access the southernmost point of the site, take California State Route 99 North towards Sacramento and take exit 154 towards 4th Street. Turn left onto 4th street and then turn right onto Sunset Avenue. Stay on Sunset Avenue for 1.9 miles and then turn right onto north Westberry Boulevard. Stay on north Westberry Boulevard for 0.6 miles where you would then reach the southernmost point of the Project Area. To reach the Fresno River from north Westberry Boulevard turn left onto Riverview Drive for 0.14 miles and there is a break in the fence to access the Fresno River.

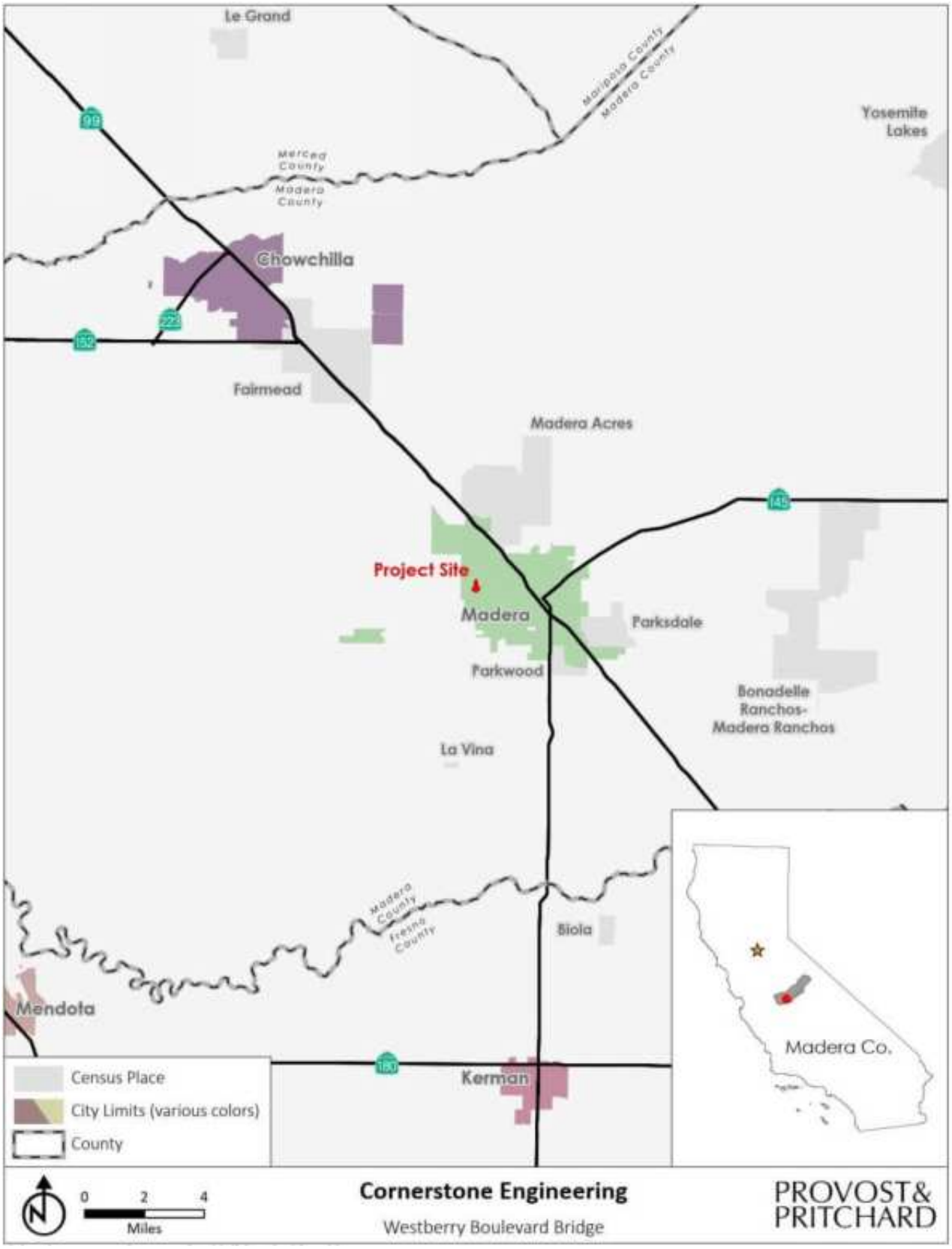


Figure 1. Regional Location Map

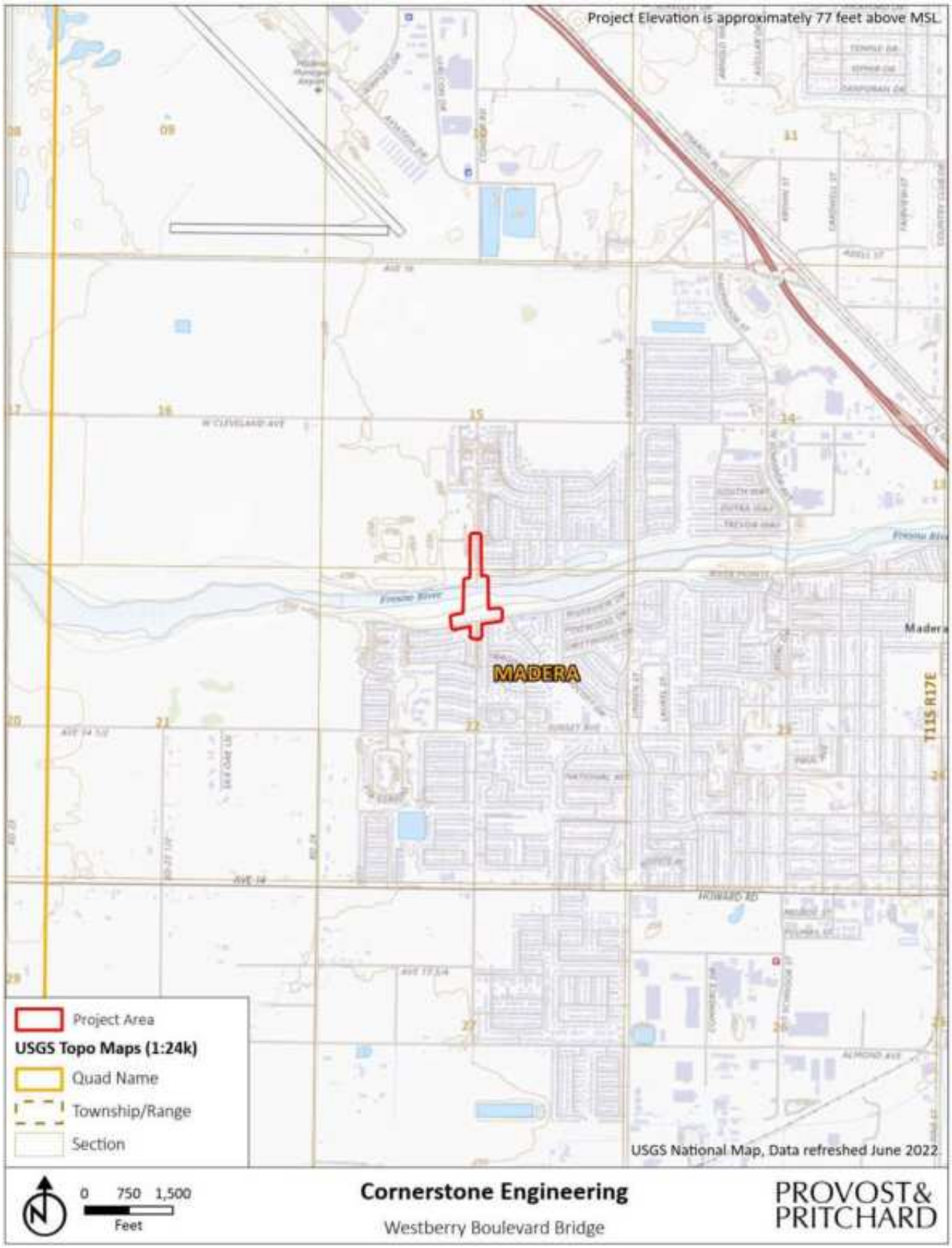


Figure 2. Topographic Quadrangle Map



Figure 3. Project Area Map

III. Regulatory Definitions

Waters of the United States

The definition of waters of the United States often changes from one presidential administration to the next and jurisdictional limits of these waters have been disputed in federal court cases, altering the definition further. All activities that involve the discharge of dredge or fill material into waters of the United States are subject to the regulatory requirements of the USACE under the authority of Section 404 of the CWA. The extent of jurisdiction is deteremined by the "ordinary high-water mark" on opposing channel bank and has been defined in the Code of Federal Regulations.

The Pre-2015 Regulatory Definition and Practice of waters of the United States 40 CFR 120.2:

- (a)(1) Traditional Navigable Waters - all waters which are currently used, or were used in the past, or may be susceptible to use in interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide;
- (a)(1) Territorial Seas
- (a)(1) Interstate Waters - waters including lakes, streams, or wetlands that cross or form part of state boundaries;
- (a)(2) Impoundments - impounded waters created in or from "waters of the United States;"
- (a)(3) Tributaries - waters that ultimately flow into traditional navigable waters, territorial seas, interstate waters or (a)(2) impoundments. Tributaries are jurisdictional if they meet either the relatively permanent standard or significant nexus standard;
- (a)(4) Adjacent Wetlands - wetlands adjacent to (a)(1) waters; wetlands adjacent to and with a continuous surface connection to relatively permanent (a)(2) impoundments or relatively permanent jurisdictional tributaries; or wetlands adjacent to (a)(2) impoundments or jurisdictional tributaries when the wetlands meet the significant nexus standard;
- (a)(5) All other waters such as intrastate lakes and ponds, streams or wetlands not defined in (a)(1) - (a)(4) above that meet either the relatively permanent standard or the significant nexus standard.

Familiar and longstanding exclusions have been consolidated under the new rule, which excludes from jurisdiction any feature that satisfies the following terms:

- Waste treatment systems, including treatment ponds or lagoons;
- Prior converted cropland;
- Ditches excavated wholly in and draining only dry land and do not carry a relatively permanent flow of water;
- Artificially irrigated areas that would revert to dry land if irrigation ceased;
- Artificial lakes or ponds created by excavating or diking dry land for the use of stock watering, irrigation, settling basins or rice growing;
- Artificial reflecting or swimming pools;
- Waterfilled depressions created in dry land;
- Swales and erosional features (ex. gullies and small washes) characterized by low volume, infrequent, or short duration flow;

For the purposes of the CWA, the final authority regarding jurisdiction remains with the USEPA and USACE.

Court Decisions Affecting the Definitions of Waters of the United States

The reach and extent of CWA jurisdiction over aquatic features has been the subject of several United States Supreme Court decisions in: United States v. Riverside Bayview Homes (Riverside), Solid Waste Agency of Northern Cook County v. United States Army Corps of Engineers (SWANCC), and Rapanos v. United States and Carabell v. United States Army Corps of Engineers (referred together as the Rapanos decision). In general, these decisions address the jurisdictional status of aquatic features that are not hydrologically connected to navigable waters or their tributaries or have such an insubstantial hydrologic connection that destruction or modification of the aquatic feature would have little effect on downstream waters of the United States.

Pasqua Yaqui Tribe v. United States Environmental Protection Agency and United States Army Corps of Engineers

On August 30, 2021 the United States District Court of the District of Arizona found "fundamental, substantive flaws that cannot be cured without revising or replacing the NWPR's definition" and accordingly remanded and vacated the 2020 Navigable Waters Protection Rule.

Executive Order 13990 Protecting Public Health and the Environment and Restoring Science to Tackle the Climate Crisis

President Biden's Executive Order 13990 on Protecting Public Health and the Environment and Restoring Science to Tackle the Climate Crisis (Jan. 20, 2021) directed federal agencies to review regulations issued by the Trump administration, including the NWPR. On June 9, 2021, USEPA and the USACE announced their intention to revise the NWPR's definition of WOTUS and restore the pre-2015 regulations, amended to be consistent with United States Supreme Court decisions. On November 18, 2021, the USEPA and USACE announced the signing of a proposed rule revising the definition of "waters of the United States" implementing the regulatory process announced in June 2021. The agencies propose to put back into place the pre-2015 definition of "waters of the United States," updated to reflect consideration of Supreme Court decisions while the agencies continue to consult with states, Tribes, local governments, and a broad array of stakeholders in both the implementation of waters of the United States and future regulatory actions.

United States v. Riverside Bayview Homes, Inc. (Riverside)

In Riverside (1985), the Supreme Court unanimously ruled that adjacent wetlands are "inseparably bound up" with the waters that they are adjacent to. Therefore, wetlands, including intrastate wetlands, adjacent to waters of the United States were, themselves, waters of the United States (80 Fed. Reg. 37076, 2015).

SWANCC Decision

In January of 2001, the United States Supreme Court ruled in Solid Waste Agency of Northern Cook County v. United States Army Corps of Engineers (the SWANCC decision) that "non-navigable, isolated, intrastate" waters could not be claimed as jurisdictional by the USACE on the basis of their use by migratory birds. Although the Court did not specifically address the meaning of the word "isolated," it upheld the jurisdictional status of "adjacent" wetlands (and other waters), which are by definition wetlands that are "bordering, contiguous, or neighboring" other jurisdictional waters. Therefore, the term "isolated wetland" has implicitly been defined as "wetlands that are not bordering, contiguous, or neighboring" other jurisdictional waters. This definition does not, however, address the degree of proximity necessary to establish that one wetland (or other water) is "adjacent" to a known jurisdictional water. As established by the Supreme Court in their Riverside (1985) decision, "wetlands separated from other waters by man-made dikes or barriers, natural river berms, beach dunes, and the like are 'adjacent wetlands.'"

Consolidated Carabell/Rapanos Decision

In June of 2006, the United States Supreme Court ruled in the consolidated cases of June Carabell v. United States Army Corps of Engineers and John Rapanos v. United States that wetlands are waters of the United States "if the wetlands, either alone or in combination with similarly situated lands in the region, significantly affect the chemical, physical, and biological integrity of other covered waters more readily understood as 'navigable.'" When, in contrast, a wetland's effects on water quality are speculative or insubstantial, they fall outside the zone fairly encompassed by the statutory term "navigable waters."

On June 5, 2007, the USEPA and the USACE jointly issued guidance in interpreting the Carabell/Rapanos cases as they apply to the extent of federal jurisdiction covered by Section 404 of the CWA. The agencies revised this guidance memorandum on December 2, 2008. The key points of this guidance are that the USEPA and the USACE: 1) will assert jurisdiction over traditional navigable waters, wetlands adjacent to traditional navigable waters, relatively permanent non-navigable tributaries of traditional navigable waters where the tributaries typically flow year-round or have continuous flow at least seasonally (e.g., typically 3 months), and wetlands that directly abut such tributaries; 2) will decide jurisdiction over relatively impermanent non-navigable tributaries of navigable waters, wetlands adjacent to such tributaries, and wetlands adjacent to but not directly abutting a relatively permanent non-navigable tributary, based on a fact-specific analysis to determine whether they have a "significant nexus" with a traditional navigable water; and 3) generally will not assert jurisdiction over swales or erosional features (e.g., gullies, small washes characterized by low volume, infrequent, or short duration flow) or ditches excavated wholly in and draining only uplands and that do not carry a relatively permanent flow of water. In applying the "significant nexus" standard, the USEPA and USACE will "assess the flow characteristics and functions of the tributary itself and the functions performed by all wetlands adjacent to the tributary to determine if they significantly affect the chemical, physical and biological integrity of downstream traditional navigable waters." "Significant nexus" includes consideration of hydrologic and ecologic factors.

The court rulings and subsequent guidance provided by the USEPA and USACE discussed above are germane to the delineation of jurisdictional waters summarized in this report. They are presently the basis for determining the jurisdictional status of drainage features and wetlands of the study area.

All activities that involve the discharge of dredge or fill material into waters of the United States are subject to the permit requirements of the USACE. Such permits are typically issued on the condition that the applicant agrees to provide mitigation that result in no net loss of wetland functions or values. No permit can be issued until the Regional Water Quality Control Board (RWQCB) issues a Section 401 Water Quality Certification (or waiver of such certification) verifying that the proposed activity will meet state water quality standards.

State of California Jurisdiction over Aquatic Features

The State of California also asserts jurisdiction over drainages, wetlands, and other aquatic features. The limits of State jurisdiction differ from those of the USACE. The California Department of Fish and Wildlife (CDFW) and the RWQCB are the two state regulatory agencies responsible for implementing state regulations that identify and protect waters of the state.

According to Section 1602 of the CDFW Code, public and private entities may not substantially divert or obstruct the natural flow of any river, stream, or lake within the state. This section of the CDFW Code establishes the State's interest in regulating construction activities in the "bed, channel, or bank" of a natural drainage or stream. A "stream" subject to the jurisdiction of the CDFW has been defined as "a body of water that flows at least periodically or intermittently through a bed or channel having banks and supports fish or other aquatic life" (California Code of Regulations, Title 14).

Under the Porter-Cologne Water Quality Control Act of 1969, the State Water Resources Control Board (SWRCB) and nine local RWQCBs have regulatory authority over activities affecting water quality in all surface waters of the State, consisting of rivers, streams, lakes, and wetlands of the State.

Shortly after the United States Supreme Court rendered its SWANCC Decision, the SWRCB notified the Regional Boards that isolated waters, including wetlands, were subject to the jurisdiction of the State of California per provisions of the Porter-Cologne Water Quality Control Act. The Regional Boards, therefore, now assert jurisdiction over isolated wetlands disclaimed as jurisdictional by the USACE.

The RWQCB for a given region regulates discharges of fill or pollutants into waters of the State through the issuance of various permits and orders. Discharges into waters of the State that are also waters of the United States require a Section 401 Water Quality Certification from the RWQCB as a prerequisite to obtaining certain federal permits, such as a Section 404 CWA permit. Discharges into all waters of the State, even those that are not also waters of the United States, require Waste Discharge Requirements (WDRs), or waivers of WDRs, from the RWQCB.

The RWQCB also administers the Construction Storm Water Program and the federal National Pollution Discharge Elimination System (NPDES) program. Projects that disturb one or more acres of soil must obtain a Construction General Permit under the Construction Storm Water Program. A prerequisite for this permit is the development of a Storm Water Pollution Prevention Plan (SWPPP) by a certified Qualified SWPPP Developer. Projects that discharge wastewater, storm water, or other pollutants into a water of the United States may require a NPDES permit.

IV. Methods

The majority of the Project Area was surveyed on foot for aquatic resources on August 26, 2022. Fencing prohibited access to the south Lateral 24.2 canal at this time, but access was obtained for delineation of the south canal on February 10, 2023. The Project Area is approximately 14.7-acres. Prior to the field study, several online resources were consulted to assist in guiding the delineation, including the National Wetlands Inventory (NWI) Wetland Mapper (USFWS 2022), the United States Environmental Protection Agency (USEPA) Waters GeoViewer (USEPA 2022), and district maps for the Madera Irrigation District (Madera Irrigation District 2022). Aerial imagery and USGS topographic maps were also used to support the survey effort. The boundaries of potential jurisdictional waters were mapped with an EOS Arrow 100 sub-meter Global Positioning System (GPS) unit and an iPad with ArcGIS Collector application in the field.

The survey was conducted in accordance with guidelines of the *Corps of Engineers Wetland Delineation Manual* (Environmental Laboratory 1987), the *Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Arid West Region* (United States Army Corps of Engineers 2008), *A Field Guide to the Identification of the Ordinary High Water Mark in the Arid West Region of the Western United States* (Lichvar and McColley 2008), State Wetland Definition and Procedures for Discharges of Dredged or Fill Material to Waters of the State (State Water Resources Control Board 2019), and the *Minimum Standards for Acceptance of Aquatic Resources Delineation Reports* (United States Army Corps of Engineers: Sacramento District 2016).

Plants observed during the survey were identified using Jepson eFlora (Jepson Flora Project (eds.) 2023), CalFlora (CalFlora: Information on California plants for education, research and conservation 2023), the United States Department of Agriculture (USDA) National Resources Conservation Service (NRCS) Plants Database (United States Department of Agriculture 2023), and various field guides. Jepson nomenclature was used except where it conflicted with nomenclature in the National Wetland Plant List (NWPL) (United States Army Corps of Engineers 2020), which was given priority on the data sheets. The wetland indicator status of each species was obtained online from the NRCS Plants Database (United States Department of Agriculture 2023). A list of vascular plant species observed on the site was documented is provided in **Appendix E**.

Table 1 below describes the wetland indicator plant species designated according to their frequency of occurrence in wetlands.

Table 1. Wetland Indicator Plant Species Status Ratings

Abbreviation	*Indicator Status*	*% Occurrence in wetlands*
OBL	Obligate. Occur almost always under natural conditions in wetlands.	>99
FACW	Facultative Wetland. Usually occur in wetlands but occasionally found in non-wetlands.	67-99
FAC	Facultative. Equally likely to occur in wetlands and non-wetlands.	33-67
FACU	Facultative Upland. Usually occur in non-wetlands but occasionally found in wetlands.	1-33
UPL	Upland. Occur in wetlands in another region, but occur almost always under natural conditions in non-wetlands in the region specified.	<1

The River, Lateral 24.2-14.2, and Lateral 24.2 within the Project Area were surveyed on foot and the channel and banks were visually inspected in order to document physical characteristics of OHWM. Because the entire Project Area is highly disturbed, a clear and defined OHWM was difficult to discern in most areas. Knickpoints on the banks, break in slope, visual change in vegetation on the banks, soil cracks, changes in sediment size and texture, and other hydrologic indicators were used to delineate the potential boundaries of USACE jurisdiction within the OHWM.

The site was inspected for evidence of wetland hydrology, which can consist of primary indicators including, but not limited to, the presence of surface water, saturation, water marks, water-stained leaves, and the presence of a biotic crust. Secondary indicators of wetland hydrology include, but are not limited to, drainage patterns, saturation observed on aerial imagery, and a dry season water table.

Three sampling locations were selected within the Project Area to document site conditions and assess vegetation, hydrology, and soils. Soil samples were taken with an auger at all three locations, and excavated soil was examined for low chromas, gleying, mottling, concretions, and sulfidic odors. Information involving soils, hydrology, OHWM, and vegetation was entered onto USACE's standard *Ordinary High Water Mark Delineation Datasheet* (**Appendix C**).

Two aquatic features were identified and delineated during the survey: the Fresno River and Lateral 24.2-14.2 north of the River. A third aquatic feature, Lateral 24.2 running parallel to the south side of the River, was identified as a potential aquatic resource, but fencing prohibited access.

V. Existing Conditions

Landscape Settings

Topography

The Project Area is located in Madera County within the San Joaquin Valley, northwest of the City of Fresno, California. This area lies within the San Joaquin Valley and is bordered by the Sierra Nevada Mountain Range to the east. The Project Area is found within the channel of the Fresno River and the topography is relatively flat with elevations averaging approximately 75 feet above mean sea level.

Climate

Like most of California, the Project Area experiences a Mediterranean climate. Warm, dry summers are followed by cool, moist winters. Summer maximum temperatures range between 90 and 100 degrees Fahrenheit (˚F), and minimum temperatures fall to 60 ˚F on average. Winter maximum temperatures are between 55 ˚F and 70 ˚F, and minimum temperatures fall to an average of 40˚F. The normal annual precipitation is approximately 10.5 inches, falling mainly from November to April (National Weather Service 2022).

Watershed

The Project Area lies within two watersheds, Middle Fresno River; Hydrologic Unit Code (HUC): 1804000703, and Root Creek-San Joaquin River; HUC: 1804000108. The Project Area lies within two subwatersheds, Schmidt Creek-Fresno River; HUC: 180400070304, and Columbia well; HUC: 180400010805. The Middle Fresno River watershed and Root Creek-San Joaquin River watershed are both comprised of stormwater or snowmelt collected in upland areas which flows down into Rancheria Creek, China Creek, Miami Creek, Carter Creek, Peterson Creek, Crooks Creek, Spangle Gold Creek, Coarse Gold Creek, and Ashbrook Creek, which all flow into the Fresno River. The Fresno River then flows through Hensley Lake. Once the Fresno River flows out of Hensley Lake, it flows through the City of Madera and terminates into the San Joaquin River. The San Joaquin River terminates at the Sacramento-San Joaquin River Delta (United States Environmental Protection Agency (USEPA 2022).

Photographs of the Project Area are available in **Appendix B.**

Soils

Three soil mapping units representing two soil types were identified within the Project Area using the online Natural Resources Conservation Service (NRCS) Web Soil Survey mapping service, and they are listed in **Table 2.** The soils are displayed with their core properties in the table below, according to the Major Land Resource Area of California (MLRA) 19 map area. While riverwash, found within the channel of the Fresno River, is listed in the table as a soil type, NRCS considers it a "miscellaneous area" with essentially no identifiable soil, which results from active erosion or human activities (Soil Sciences Division Staff 2017). The Grangeville and Pachappa soils are found within the Project Area outside of the River, are primarily used for row crops and irrigated pasture.

Table 2. List of Soils Located Onsite and Their Basic Properties

Soil	Soil Map Unit	Percent of Project Area	Hydric Unit	Hydric Minor Units	Drainage	Permeability	Runoff
Grangeville	Fine sandy loam, 0 to 1 percent slopes	38.2%	Yes	Yes	Somewhat poorly drained	Rapid permeability	Very low runoff
	Fine sandy loam, slightly saline alkali, 0 to 1 percent slopes	25.1%	Yes	Yes	Somewhat poorly drained	Moderate permeability	Very low runoff
Pachappa	Fine sandy loam, slightly saline-alkali, 0 to 1 percent slopes	1.1%	No	No	Well drained	Moderate permeability	Low runoff
Riverwash	-	35.6%	Yes	-	Excessively drained	-	Very low runoff

Hydric soils are defined as soils that are saturated, flooded, or ponded long enough during the growing season to develop anaerobic conditions such that under sufficiently wet conditions, hydrophytic vegetation can be supported. Three of the four major soil components of the Project Area were identified as hydric. Three of the ten minor components were identified as hydric (United States Department of Agriculture 2023).

The complete NRCS Web Soil Survey report is available in **Appendix D**.

Project Site

The approximate 14.7-acre Project Area is comprised of a section of the Fresno River and two man-made, natural bottom irrigation channels. The Lateral 24.2-14.2 north canal is separated from the riparian area by a vegetated sandbar, and the Lateral 24.2 south canal is separated from the riparian area by a paved walking path (See **Figure 3.** for details). The River and north canal were dry during the first survey. During the second survey and delineation of the south canal, water was present and flowing. Details for each of the components of the Project Area are described below.

Riverine

Fresno River

The riverine habitat includes an approximate 1.06-acre section of the Fresno River. The River was dry at the time of the delineation and showed signs of heavy disturbance from vehicles, human disturbance, and excavation. The River can be characterized as having a bed and a bank, with the bed primarily composed of

coarse sand. The majority of the channel was devoid of vegetation, except for two islands within the channel which were densely vegetated with herbs, short shrubs/saplings, and reeds. Narrowleaf willow (*Salix exigua*, FACW) and giant reed (*Arundo donax*, FACW) were identified along the fringes of the sandy riverbed, but vegetation within the delineated boundaries of the River was essentially absent. Knickpoints, scouring, soil cracks, and a moderate break in slope indicated the location of the OHWM of the River. Below the OHWM were exposed root hairs, and drift and silt deposits along a distinct line were used to determine the location of the OHWM.

The islands within the River channel had almost complete vegetation coverage dominated by narrowleaf willow, giant reed, mule fat (*Baccharis salicifolia*, FAC), common goldenthistle (*Scolymus hispanicus*, No Indicator), Common cocklebur (*Xanthium orientale,* FAC), American licorice (*Glycyrrhiza lepidota*, FAC), brownplume wirelettuce (*Stephanomeria pauciflora*, No Indicator), Russian thistle (*Salsola tragus*, FACU), and telegraph weed (*Heterotheca grandiflora*, No Indicator). Despite the heavy disturbance within the channel, the stark change in vegetation coverage, soil sloughing, and geomorphic position of the upland islands guided the delineation of the OHWM within the channel.

Lateral 24.2-14.2

The Lateral 24.2-14.2 canal to the north of the River is classified as riverine in the National Wetlands Inventory (USFWS 2022). The canal contains steep 50- to 60-degree slopes, and the bottom third of the canal is almost entirely vegetated. The canal is dominated by rat's-tail fescue (*Vulpia myuros*, FACU), common ragweed (*Ambrosia artemisifolia*, FACU), and great brome (*Bromus diandrus*, UPL). Other species identified were dove weed (*Croton setigerus*, No Indicator), telegraph weed, foxtail (*Hordeum murinum*, FACU), and black mustard (*Brassica nigra*, UPL). The OHWM is discerned by visible line in the dirt slopes and a slight break in slope. Soil texture became finer towards the top of the canal banks. The National Wetlands Inventory and the MID district maps (Madera Irrigation District 2023) show this waterbody terminating in an agricultural field west of the Project Area and having no connection to the Fresno River. However, the EPA online database shows a connection with the Fresno River via a stream through an orchard. This is likely a mistake, as aerial imagery shows no inlet or outlet which would connect the canal to the River.

Lateral 24.2

Lateral 24.2 canal to the south of the River is also classified as riverine in the National Wetlands Inventory (USFWS 2022). The canal contains steep slopes and was nearly bare, having only sparse herbaceous vegetation. Plant species above the OHWM included dwarf nettle (*Urtica urens*, No Indicator), seep monkeyflower (*Mimulus guttatus*, OBL), and California mugwort (*Artemisia douglasiana*, FAC). Species identified below the OHWM but above the water line were seep monkeyflower and great brome (*Bromus diandrus*, UPL). The OHWM is discerned by visible line in the dirt slopes and a slight break in slope. Soil texture became finer towards the top of the canal slopes. The National Wetlands Inventory and the MID district maps show this waterbody flowing east to west, parallel to the Fresno River, and then connects to Lateral 24.2-17.0 before spilling into the River.

Riparian

Riparian habitat directly adjacent to the River is sparsely vegetated sandbar riparian habitat. Vegetation coverage averaged at approximately 30 percent, compared to 2 to 3 percent within the streambed. While some facultative-wetland plant species were established in this area (giant reed and narrowleaf willow), the banks of the river were dominated by non-indicator, facultative, facultative-upland, and upland species, including Fremont cottonwood (*Populus fremontii*, FACW), western sycamore (*Platanus racemosa,* FAC), telegraph weed, prairie sunflower (*Helianthus petiolaris,* No Indicator), sacred datura (*Datura wrightii,* UPL), and prickly lettuce (*Lactuca serriola,* FAC). Indicators of wetland hydrology and wetland soils were also absent within the riparian habitat.

Upland Areas

The upper banks and areas immediately beyond the top of the bank of the Fresno River consist of ruderal upland habitat that is mainly bare and has been highly disturbed by human activities and grading. The dominant plant species occurring in this habitat include great brome and coyote melon. There were no indicators of hydrology in this area.

Discussion

The potential USACE jurisdictional waters present within the Project Area included the Fresno River and Lateral 24.2-14.2. The linear and aerial extent of USACE's potential jurisdiction is illustrated in the aquatic resource delineation map (**Appendix A**).

Table 3. Aquatic Resources Within the Project Area

Aquatic Resource	Cowardin Code	HGM Code	Area (acres)	Water Type	Coordinates	Local Waterway
Fresno River	R4SBJ*	Riverine	1.06	Intermittent	36.966252, -120.101309	Fresno River
Lateral 24.2	R4SBCx**	Riverine	0.26	Seasonally Flooded	36.965460, -120.101243	Fresno River
Lateral 24.2-14.2	R5UBFx***	Riverine	0.07	Seasonally Flooded	36.967136, -120.101102	Fresno River

*R4SBJ – Riverine, Intermittent, Streambed, Intermittently Flooded
** R4SBCx – Riverine, Intermittent, Streambed, Seasonally Flooded, Excavated
*** R5UBFx – Riverine, Unknown Perennial, Streambed, Semi-permanently Flooded, Excavated

Fresno River

Approximately 1.06 acres of the Fresno River were mapped within the Project Area (**Appendix A**). Two points within the streambed were chosen at opposite ends of the Project Area and evaluated for hydric soils, wetland hydrology, and indicators of an OHWM (See **Appendix A** for location of sampling points). A third sampling point was chosen along the north riparian bank of the River. The OHWM was nearly nonexistent within some sections of the Project Area, so secondary hydrologic indicators were used to delineate the boundaries of this aquatic resource. A moderate break in slope, changes in sediment size and texture, drift deposits, and changes in vegetation coverage were primarily used to identify the OHWM. Plant composition also delineated the OHWM throughout the channel. At the east wetland sampling, the channel was bare except for a some facultative-wetland species along the delineated OHWM. Shrubs and herbs were established prevalently directly above the OHWM. Other indicators identified at the east wetland sampling point include knickpoints and exposed root hairs at the OHWM. Conditions at the west wetland sampling were nearly identical to east, characterized by coarse sand within the streambed and loamy sand above the OHWM. Herbs and shrubs were once again growing directly above the OHWM and trees were established slightly set back on the banks.

Despite the lack of hydric soils, hydrologic indicators and hydrophytic vegetation are present within the River, as well as evidence of an OHWM. The River is also hydrologically connected to a known waters of the United States, flowing into the San Joaquin River before emptying into Suisun Bay. Therefore, it will likely be considered a water of the United States subject to regulation by the USACE, as well as the RWQCB. This section of the River within the Project Area is also characterized as having a defined bed and bank. Therefore, it would also likely be subject to the jurisdiction of the CDFW up to the top of bank or the edge of associated riparian vegetation, whichever is greater.

Lateral 24.2-14.2

A water line, soil cracks, changes in sediment size and texture, and changes in vegetation coverage and composition guided the delineation of the OHWM within the canal. However, the National Wetlands Inventory Mapper (USFWS 2022) and the MID District maps (Madera Irrigation District 2022) both indicate that the

canal does not connect to the Fresno River downstream. Therefore, it is not a tributary to a waters of the United States. The canal itself is not a relocated tributary or excavated in a tributary. It is completely man-made. Although the EPA database shows that the canal is connected to the River by a stream that crosses cropland, the connection is highly questionable and is likely a mistake. If there is no nexus, then the canal would not fall under state or federal jurisdiction and would not be subject to regulation.

Lateral 24.2

Although signs of an OHWM area apparent, the National Wetlands Inventory Mapper (USFWS 2022) shows this man-made canal flowing parallel to the Fresno River, but veers south and services farms and agricultural fields. A water line was visible and there was water present at the time of the survey, but a lack of a surface connection to a jurisdictional waterway would place this canal outside of the jurisdiction of USACE.

Summary

The Fresno River has a significant nexus to a known waters of the United States, the San Joaquin River. The River only flows seasonally when water is released from Hensley Lake. The OHWM was surveyed and identified from multiple field indicators including drift deposits, scouring, and exposed root hairs. Therefore, the Fresno River meets the regulatory definition of a waters of the United States under the jurisdiction of the USACE.

Indicators of an OHWM within Lateral 24.2-14.2 were observed, but hydrophytic vegetation was absent. In addition, the significant nexus to a known waters of the United States is absent, as the canal terminates into an agricultural field. The canal is man-made, excavated from and flows into uplands, and is not a rerouted tributary to a known waters of the United States. Flow data is not available to prove or disprove that water flows from the canal into the River, but the MID and EPA online maps show that this canal would not connect to a jurisdictional water. Without the significant nexus, the canal would not meet the regulatory definition of a waters of the Unities States.

The Madera Irrigation District online database shows that the south canal, Lateral 24.2, does flow into the Lateral 24.2-17.0 canal, which connects to the Fresno River downstream of the Project Area, placing it under the jurisdiction of state and federal agencies. Although it is an irrigation ditch, its connection to a jurisdictional water may indicate its inclusion as a waters of the United States. Indicators of an OHWM within Lateral 24.2 were observed such as parallel water marks and slight break of slope, but hydrophytic vegetation was absent. Because of the potential to flow into the Fresno River, this canal may be considered jurisdictional.

The USACE has the sole authority to determine the jurisdictional status of waters on any given project site. If the USACE disclaims jurisdiction over the Fresno River or the two parallel irrigation canals, RWQCB under the Porter-Cologne Water Quality Control Act and the CDFW under Section 1602 of the California Fish and Game Code may still take jurisdiction and regulate activities within the water bodies.

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Appendix A. Aquatic Resources Delineation Maps

CITY OF MADERA
WESTBERRY BOULEVARD BRIDGE PROJECT

Delineation of Wetlands and Other Waters of the U.S. for Cornerstone Structural Engineering- Westberry Blvd Bridge



Legend

- Map Reference Point
- Sampling Point Locations
- Canals
- Fresno River (1.80 ac surveyed)
- Survey Area Boundary (14.66 ac)

N

0 75 150 300

Feet

Coordinate System: NAD83 State Plane, Zone 3
Projection: Lambert Conformal
Datum: NAD 1983
1 inch = 150 feet

Created on 8/31/2022
Updated on 2/27/2023

Made in accordance with the Updated Map and Drawing Standards for the South Pacific Division Regulatory Program, as amended on February 10, 2016, by:

Philip Slater, GIS Specialist
455 W Fir Ave
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Appendix B. Photographs

CITY OF MADERA
WESTBERRY BOULEVARD BRIDGE PROJECT



Photograph 1

View of the Fresno River within the Project area from the south bank facing northwest. In the foreground, evidence of tire tracks from frequent vehicular activity within the channel.

Photo taken August 2022



Photograph 2

View of the Fresno River within the Project area from the north bank facing west. Change in color and vegetation coverage distinguishes the riparian areas from the channel.

Photo taken August 2022



Photograph 3

View of the Fresno River within the Project area from the north bank facing south-east. The two upland islands are visible within the riv-erbed.

Photo taken August 2022



Photograph 4

View of the Fresno River within the Project area and within the OHWM. The bed is almost completely void of vegetation and the sediment texture is course sand.

Photo taken August 2022



Photograph 5

View of the upland islands within the River channel. Visible in the photo running from the bottom right towards the top left is a thin braid of the River with evidence of a biotic crust.

Photo taken August 2022



Photograph 6

View of the north boundary of the Fresno River. The OHWM was essentially nonexistent for much of the jurisdictional boundary. However, secondary indicators of hydrology, distinctions in sediment size and texture, and percent of vegetation coverage assisted in guiding the delineation of the OHWM.

Photo taken August 2022



Photograph 7

View of a portion of the northern delineated boundary of the Fresno River. While the OHWM was not always discernible, some areas showed clear knick-points and exposed root hairs.

Photo taken August 2022



Photograph 8

View of the location of Sampling Point 1, shown in Attachment A of this document.

Photo taken August 2022



Photograph 9

View of the location of Sampling Point 2, shown in Attachment A of this document.

Photo taken August 2022



Photograph 10

View of the location of Sampling Point 3, shown in Attachment A of this document.

Photo taken August 2022



Photograph 11

View of the north canal (Lateral 24.2-14.2) within the Project area, facing east.

Photo taken August 2022



Photograph 12

Closer view of Lateral 24.2-14.2 within the Project area. Knickpoints are evident on the steep slopes of the canal. The right side of the pictures seems to show that the canal has been partly dug out.

Photo taken August 2022



Photograph 12

View of the south canal (Lateral 24.2) within the Project area, facing east.

Photo taken February 2023



Photograph 13

Closer view of Lateral 24.2 within the Project area. A slight break in slope is observed at the OHWM.

Photo taken February 2023

Appendix C. OHWM Data Sheets

CITY OF MADERA
WESTBERRY BOULEVARD BRIDGE PROJECT

WETLAND DETERMINATION DATA FORM – Arid West Region

Project/Site: Westberry Blvd Bridge Project City/County: Madera, Madera County Sampling Date: 8/26/22

Applicant/Owner: Madera Irrigation District State: CA Sampling Point: West Wetland

Investigator(s): Kira McCall Section, Township, Range: 22, 11S, 17E

Landform (hillslope, terrace, etc.): Channel Local relief (concave, convex, none): Flat Slope (%): 0

Subregion (LRR): C Lat: 36.966783 Long: -120.100892 Datum: WGS84

Soil Map Unit Name: Riverwash NWI classification: Riverine

Are climatic / hydrologic conditions on the site typical for this time of year? Yes ✔ No _____ (If no, explain in Remarks.)

Are Vegetation ✔, Soil ✔, or Hydrology ✔ significantly disturbed? Are "Normal Circumstances" present? Yes _____ No ✔

Are Vegetation _____, Soil _____, or Hydrology _____ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes ✔ No _____	**Is the Sampled Area within a Wetland?** Yes ✔ No _____
Hydric Soil Present?	Yes _____ No ✔	
Wetland Hydrology Present?	Yes ✔ No _____	

Remarks:

Sample point was taken within the streambed. The area is experiencing a drought and the hydrology is controlled by a dam upstream.

VEGETATION – Use scientific names of plants.

Tree Stratum (Plot size: 30 ft)	Absolute % Cover	Dominant Species?	Indicator Status
1.			
2.			
3.			
4.			
	_____ = Total Cover		
Sapling/Shrub Stratum (Plot size: 15)			
1. Salix exigua	3	Yes	FACW
2. Arundo donax	3	Yes	FACW
3. Baccharis salicifolia	2	No	FAC
4.			
5.			
	_____ = Total Cover		
Herb Stratum (Plot size: 5)			
1.			
2.			
3.			
4.			
5.			
6.			
7.			
8.			
	_____ = Total Cover		
Woody Vine Stratum (Plot size: 5)			
1.			
2.			
	_____ = Total Cover		

% Bare Ground in Herb Stratum 92 % Cover of Biotic Crust _____

Dominance Test worksheet:

Number of Dominant Species That Are OBL, FACW, or FAC: 2 (A)

Total Number of Dominant Species Across All Strata: 2 (B)

Percent of Dominant Species That Are OBL, FACW, or FAC: 100 (A/B)

Prevalence Index worksheet:

Total % Cover of:	Multiply by:
OBL species 0	x 1 = 0
FACW species 6	x 2 = 12
FAC species 2	x 3 = 6
FACU species 0	x 4 = 0
UPL species 0	x 5 = 0
Column Totals: 8 (A)	18 (B)

Prevalence Index = B/A = 2.25

Hydrophytic Vegetation Indicators:

✔ Dominance Test is >50%

✔ Prevalence Index is ≤3.0[1]

___ Morphological Adaptations[1] (Provide supporting data in Remarks or on a separate sheet)

___ Problematic Hydrophytic Vegetation[1] (Explain)

[1]Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

Hydrophytic Vegetation Present? Yes ✔ No _____

Remarks:

Hydrophytic vegetation dominant.

SOIL

Sampling Point: West Wetla

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth (inches)	Matrix Color (moist)	Matrix %	Redox Features Color (moist)	Redox Features %	Type[1]	Loc[2]	Texture	Remarks
0-12+	2.5Y5/4	100					Sand	

[1]Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains. [2]Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)

- ___ Histosol (A1)
- ___ Histic Epipedon (A2)
- ___ Black Histic (A3)
- ___ Hydrogen Sulfide (A4)
- ___ Stratified Layers (A5) (**LRR C**)
- ___ 1 cm Muck (A9) (**LRR D**)
- ___ Depleted Below Dark Surface (A11)
- ___ Thick Dark Surface (A12)
- ___ Sandy Mucky Mineral (S1)
- ___ Sandy Gleyed Matrix (S4)
- ___ Sandy Redox (S5)
- ___ Stripped Matrix (S6)
- ___ Loamy Mucky Mineral (F1)
- ___ Loamy Gleyed Matrix (F2)
- ___ Depleted Matrix (F3)
- ___ Redox Dark Surface (F6)
- ___ Depleted Dark Surface (F7)
- ___ Redox Depressions (F8)
- ___ Vernal Pools (F9)

Indicators for Problematic Hydric Soils[3]:

- ___ 1 cm Muck (A9) (**LRR C**)
- ___ 2 cm Muck (A10) (**LRR B**)
- ___ Reduced Vertic (F18)
- ___ Red Parent Material (TF2)
- ___ Other (Explain in Remarks)

[3]Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if present):

Type: _____

Depth (inches): _____

Hydric Soil Present? Yes _____ No ✔

Remarks:

Hydric soil indicators are absent.

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one required; check all that apply)

- ___ Surface Water (A1)
- ___ High Water Table (A2)
- ___ Saturation (A3)
- ___ Water Marks (B1) (**Nonriverine**)
- ___ Sediment Deposits (B2) (**Nonriverine**)
- ___ Drift Deposits (B3) (**Nonriverine**)
- ___ Surface Soil Cracks (B6)
- ___ Inundation Visible on Aerial Imagery (B7)
- ___ Water-Stained Leaves (B9)
- ___ Salt Crust (B11)
- ___ Biotic Crust (B12)
- ___ Aquatic Invertebrates (B13)
- ___ Hydrogen Sulfide Odor (C1)
- ___ Oxidized Rhizospheres along Living Roots (C3)
- ___ Presence of Reduced Iron (C4)
- ___ Recent Iron Reduction in Tilled Soils (C6)
- ___ Thin Muck Surface (C7)
- ___ Other (Explain in Remarks)

Secondary Indicators (2 or more required)

- ✔ Water Marks (B1) (**Riverine**)
- ___ Sediment Deposits (B2) (**Riverine**)
- ✔ Drift Deposits (B3) (**Riverine**)
- ✔ Drainage Patterns (B10)
- ___ Dry-Season Water Table (C2)
- ___ Crayfish Burrows (C8)
- ___ Saturation Visible on Aerial Imagery (C9)
- ___ Shallow Aquitard (D3)
- ___ FAC-Neutral Test (D5)

Field Observations:

Surface Water Present? Yes _____ No ✔ Depth (inches): _____

Water Table Present? Yes _____ No ✔ Depth (inches): _____

Saturation Present? (includes capillary fringe) Yes _____ No ✔ Depth (inches): _____

Wetland Hydrology Present? Yes ✔ No _____

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

WETLAND DETERMINATION DATA FORM – Arid West Region

Project/Site: Westberry Blvd Bridge Project City/County: Madera, Madera County Sampling Date: 8/26/22

Applicant/Owner: Madera Irrigation District State: CA Sampling Point: Upland

Investigator(s): Kira McCall Section, Township, Range: 22, 11S, 17E

Landform (hillslope, terrace, etc.): Channel Local relief (concave, convex, none): Flat Slope (%): 0

Subregion (LRR): C Lat: 36.966973 Long: -120.100912 Datum: WGS84

Soil Map Unit Name: Riverwash NWI classification: Riverine

Are climatic / hydrologic conditions on the site typical for this time of year? Yes ✔ No _____ (If no, explain in Remarks.)

Are Vegetation ✔, Soil ✔, or Hydrology ✔ significantly disturbed? Are "Normal Circumstances" present? Yes _____ No ✔

Are Vegetation _____, Soil _____, or Hydrology _____ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes _____	No ✔	**Is the Sampled Area within a Wetland?** Yes _____ No ✔
Hydric Soil Present?	Yes _____	No ✔	
Wetland Hydrology Present?	Yes ✔	No _____	

Remarks:

Sample point was taken within the streambed. The area is experiencing a drought and the hydrology is controlled by a dam upstream.

VEGETATION – Use scientific names of plants.

Tree Stratum (Plot size: 30 ft)	Absolute % Cover	Dominant Species?	Indicator Status
1. Populus fremontii	6	Yes	FACW
2.			
3.			
4.			
	6	= Total Cover	
Sapling/Shrub Stratum (Plot size: 15)			
1. Salix exigua	2	No	FACW
2. Arundo donax	7	Yes	FACW
3. Baccharis salicifolia	2	No	FAC
4.			
5.			
	11	= Total Cover	
Herb Stratum (Plot size: 5)			
1. Hordeum murinum	5	Yes	FACU
2. Xanthium strumarium	2	No	FAC
3. Helianthus petiolaris	1	No	NI
4. Lactuca serriola	1	No	FAC
5. Bromus diandrus	12	Yes	UPL
6.			
7.			
8.			
	20	= Total Cover	
Woody Vine Stratum (Plot size: 5)			
1.			
2.			
		= Total Cover	

% Bare Ground in Herb Stratum 85 % Cover of Biotic Crust _____

Dominance Test worksheet:

Number of Dominant Species That Are OBL, FACW, or FAC: 2 (A)

Total Number of Dominant Species Across All Strata: 4 (B)

Percent of Dominant Species That Are OBL, FACW, or FAC: 50 (A/B)

Prevalence Index worksheet:

Total % Cover of:		Multiply by:	
OBL species	0	x 1 =	0
FACW species	15	x 2 =	30
FAC species	5	x 3 =	15
FACU species	5	x 4 =	20
UPL species	12	x 5 =	60
Column Totals:	37 (A)		125 (B)

Prevalence Index = B/A = 5.35

Hydrophytic Vegetation Indicators:

___ Dominance Test is >50%

___ Prevalence Index is ≤3.0[1]

___ Morphological Adaptations[1] (Provide supporting data in Remarks or on a separate sheet)

___ Problematic Hydrophytic Vegetation[1] (Explain)

[1]Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

Hydrophytic Vegetation Present? Yes _____ No ✔

Remarks:

Hydrophytic vegetation is not dominant.

SOIL

Sampling Point: Upland

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth (inches)	Matrix Color (moist)	Matrix %	Redox Features Color (moist)	Redox Features %	Redox Features Type[1]	Redox Features Loc[2]	Texture	Remarks
0-3	2.5Y4/2	100					Loamy Sar	Loamy sand
3-12	2.5Y4/3	100					Loamy Sar	Loamy sand

[1]Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains. [2]Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)

- ___ Histosol (A1)
- ___ Histic Epipedon (A2)
- ___ Black Histic (A3)
- ___ Hydrogen Sulfide (A4)
- ___ Stratified Layers (A5) (**LRR C**)
- ___ 1 cm Muck (A9) (**LRR D**)
- ___ Depleted Below Dark Surface (A11)
- ___ Thick Dark Surface (A12)
- ___ Sandy Mucky Mineral (S1)
- ___ Sandy Gleyed Matrix (S4)
- ___ Sandy Redox (S5)
- ___ Stripped Matrix (S6)
- ___ Loamy Mucky Mineral (F1)
- ___ Loamy Gleyed Matrix (F2)
- ___ Depleted Matrix (F3)
- ___ Redox Dark Surface (F6)
- ___ Depleted Dark Surface (F7)
- ___ Redox Depressions (F8)
- ___ Vernal Pools (F9)

Indicators for Problematic Hydric Soils[3]:

- ___ 1 cm Muck (A9) (**LRR C**)
- ___ 2 cm Muck (A10) (**LRR B**)
- ___ Reduced Vertic (F18)
- ___ Red Parent Material (TF2)
- ___ Other (Explain in Remarks)

[3]Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if present):

Type: _____

Depth (inches): _____

Hydric Soil Present? Yes _____ No ✔

Remarks:

Hydric soil indicators are absent.

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one required; check all that apply)

- ___ Surface Water (A1)
- ___ High Water Table (A2)
- ___ Saturation (A3)
- ___ Water Marks (B1) (**Nonriverine**)
- ___ Sediment Deposits (B2) (**Nonriverine**)
- ___ Drift Deposits (B3) (**Nonriverine**)
- ___ Surface Soil Cracks (B6)
- ___ Inundation Visible on Aerial Imagery (B7)
- ___ Water-Stained Leaves (B9)
- ___ Salt Crust (B11)
- ___ Biotic Crust (B12)
- ___ Aquatic Invertebrates (B13)
- ___ Hydrogen Sulfide Odor (C1)
- ___ Oxidized Rhizospheres along Living Roots (C3)
- ___ Presence of Reduced Iron (C4)
- ___ Recent Iron Reduction in Tilled Soils (C6)
- ___ Thin Muck Surface (C7)
- ___ Other (Explain in Remarks)

Secondary Indicators (2 or more required)

- ___ Water Marks (B1) (**Riverine**)
- ___ Sediment Deposits (B2) (**Riverine**)
- ___ Drift Deposits (B3) (**Riverine**)
- ___ Drainage Patterns (B10)
- ___ Dry-Season Water Table (C2)
- ___ Crayfish Burrows (C8)
- ___ Saturation Visible on Aerial Imagery (C9)
- ___ Shallow Aquitard (D3)
- ___ FAC-Neutral Test (D5)

Field Observations:

Surface Water Present? Yes _____ No ✔ Depth (inches): _____

Water Table Present? Yes _____ No ✔ Depth (inches): _____

Saturation Present? (includes capillary fringe) Yes _____ No ✔ Depth (inches): _____

Wetland Hydrology Present? Yes _____ No ✔

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

No wetland hydrology indicators present

WETLAND DETERMINATION DATA FORM – Arid West Region

Project/Site: Westberry Blvd Bridge Project City/County: Madera, Madera County Sampling Date: 8/26/22

Applicant/Owner: Madera Irrigation District State: CA Sampling Point: East Wetland I

Investigator(s): Kira McCall Section, Township, Range: 22, 11S, 17E

Landform (hillslope, terrace, etc.): Channel Local relief (concave, convex, none): Flat Slope (%): 0

Subregion (LRR): C Lat: 36.966381 Long: -120.102402 Datum: WGS84

Soil Map Unit Name: Riverwash NWI classification: Riverine

Are climatic / hydrologic conditions on the site typical for this time of year? Yes ✔ No _____ (If no, explain in Remarks.)

Are Vegetation ✔, Soil ✔, or Hydrology ✔ significantly disturbed? Are "Normal Circumstances" present? Yes _____ No ✔

Are Vegetation _____, Soil _____, or Hydrology _____ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes ✔	No _____	**Is the Sampled Area within a Wetland?** Yes _____ No ✔
Hydric Soil Present?	Yes _____	No ✔	
Wetland Hydrology Present?	Yes ✔	No _____	

Remarks:

Sample point was taken within the streambed. The area is experiencing a drought and the hydrology is controlled by a dam upstream.

VEGETATION – Use scientific names of plants.

Tree Stratum (Plot size: 30 ft)	Absolute % Cover	Dominant Species?	Indicator Status
1.			
2.			
3.			
4.			
	_____ = Total Cover		
Sapling/Shrub Stratum (Plot size: 15)			
1. Salix exigua	3	Yes	FACW
2. Arundo donax	3	Yes	FACW
3.			
4.			
5.			
	6 = Total Cover		
Herb Stratum (Plot size: 5)			
1.			
2.			
3.			
4.			
5.			
6.			
7.			
8.			
	_____ = Total Cover		
Woody Vine Stratum (Plot size: 15)			
1.			
2.			
	_____ = Total Cover		

% Bare Ground in Herb Stratum 97 % Cover of Biotic Crust _____

Dominance Test worksheet:

Number of Dominant Species That Are OBL, FACW, or FAC: 2 (A)

Total Number of Dominant Species Across All Strata: 2 (B)

Percent of Dominant Species That Are OBL, FACW, or FAC: 100 (A/B)

Prevalence Index worksheet:

Total % Cover of:		Multiply by:	
OBL species	0	x 1 =	0
FACW species	6	x 2 =	12
FAC species	0	x 3 =	0
FACU species	0	x 4 =	0
UPL species	0	x 5 =	0
Column Totals:	6 (A)		12 (B)

Prevalence Index = B/A = 2

Hydrophytic Vegetation Indicators:

✔ Dominance Test is >50%

✔ Prevalence Index is ≤3.0[1]

___ Morphological Adaptations[1] (Provide supporting data in Remarks or on a separate sheet)

___ Problematic Hydrophytic Vegetation[1] (Explain)

[1]Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

Hydrophytic Vegetation Present? Yes ✔ No _____

Remarks:

SOIL

Sampling Point: East Wetlar

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth (inches)	Matrix Color (moist)	Matrix %	Redox Features Color (moist)	Redox Features %	Type[1]	Loc[2]	Texture	Remarks
0-12+	2.5Y5/4	100					Sand	

[1]Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains. [2]Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)

- ___ Histosol (A1)
- ___ Histic Epipedon (A2)
- ___ Black Histic (A3)
- ___ Hydrogen Sulfide (A4)
- ___ Stratified Layers (A5) (**LRR C**)
- ___ 1 cm Muck (A9) (**LRR D**)
- ___ Depleted Below Dark Surface (A11)
- ___ Thick Dark Surface (A12)
- ___ Sandy Mucky Mineral (S1)
- ___ Sandy Gleyed Matrix (S4)
- ___ Sandy Redox (S5)
- ___ Stripped Matrix (S6)
- ___ Loamy Mucky Mineral (F1)
- ___ Loamy Gleyed Matrix (F2)
- ___ Depleted Matrix (F3)
- ___ Redox Dark Surface (F6)
- ___ Depleted Dark Surface (F7)
- ___ Redox Depressions (F8)
- ___ Vernal Pools (F9)

Indicators for Problematic Hydric Soils[3]:

- ___ 1 cm Muck (A9) (**LRR C**)
- ___ 2 cm Muck (A10) (**LRR B**)
- ___ Reduced Vertic (F18)
- ___ Red Parent Material (TF2)
- ___ Other (Explain in Remarks)

[3]Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if present):

Type: _____

Depth (inches): _____

Hydric Soil Present? Yes _____ No ✔

Remarks:

Hydric soil not present

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one required; check all that apply)

- ___ Surface Water (A1)
- ___ High Water Table (A2)
- ___ Saturation (A3)
- ___ Water Marks (B1) (**Nonriverine**)
- ___ Sediment Deposits (B2) (**Nonriverine**)
- ___ Drift Deposits (B3) (**Nonriverine**)
- ___ Surface Soil Cracks (B6)
- ___ Inundation Visible on Aerial Imagery (B7)
- ___ Water-Stained Leaves (B9)
- ___ Salt Crust (B11)
- ___ Biotic Crust (B12)
- ___ Aquatic Invertebrates (B13)
- ___ Hydrogen Sulfide Odor (C1)
- ___ Oxidized Rhizospheres along Living Roots (C3)
- ___ Presence of Reduced Iron (C4)
- ___ Recent Iron Reduction in Tilled Soils (C6)
- ___ Thin Muck Surface (C7)
- ___ Other (Explain in Remarks)

Secondary Indicators (2 or more required)

- ✔ Water Marks (B1) (**Riverine**)
- ___ Sediment Deposits (B2) (**Riverine**)
- ✔ Drift Deposits (B3) (**Riverine**)
- ___ Drainage Patterns (B10)
- ___ Dry-Season Water Table (C2)
- ___ Crayfish Burrows (C8)
- ___ Saturation Visible on Aerial Imagery (C9)
- ___ Shallow Aquitard (D3)
- ___ FAC-Neutral Test (D5)

Field Observations:

Surface Water Present? Yes _____ No ✔ Depth (inches): _____

Water Table Present? Yes _____ No ✔ Depth (inches): _____

Saturation Present? (includes capillary fringe) Yes _____ No ✔ Depth (inches): _____

Wetland Hydrology Present? Yes ✔ No _____

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

Water was absent from the channel, but there were water marks and drift deposits indicating the location of the high water level.

OHWM Delineation Cover Sheet

Project: Westberry Blvd Bridge Project **Date:** 02/10/2023

Location: Madera, Madera County **Investigator(s):** Kira McCall

Project Description:

Installation of a new bridge over Fresno River to connect the northern and southern segments of Westberry Blvd.

Describe the river or stream's condition (disturbances, in-stream structures, etc.):

Manmade, natural bottom canal owned by Madera Irrigation District, evidence of being excavated, steep slopes, densely vegetated bed, slopes sparsely vegetated.
Canal full at the time of delineation.

Off-site Information

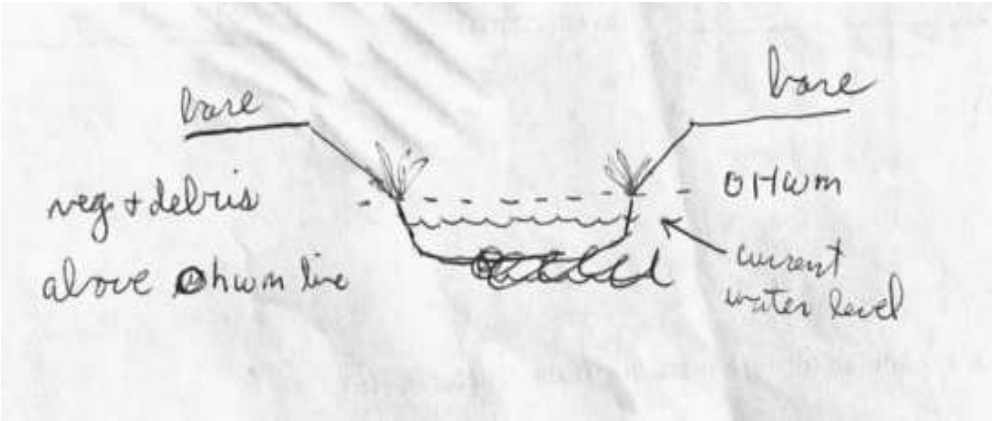
Remotely sensed image(s) acquired? ☐ **Yes** ☒ **No** [If yes, attach image(s) to datasheet(s) and indicate approx. locations of transects, OHWM, and any other features of interest on the image(s); describe below] Description:

Hydrologic/hydraulic information acquired? ☐ **Yes** ☒ **No** [If yes, attach information to datasheet(s) and describe below.] Description:

List and describe any other supporting information received/acquired:

Instructions: Complete one cover sheet and one or more datasheets for each project site. Each datasheet should capture the dominant characteristics of the OHWM along some length of a given stream. Complete enough datasheets to adequately document up- and/or downstream variability in OHWM indicators, stream conditions, etc. Transect locations can be marked on a recent aerial image or their GPS coordinates noted on the datasheet.

Transect (cross-section) drawing: (choose a location that is representative of the dominant stream characteristics over some distance; label the OHWM and other features of interest along the transect; include an estimate of transect length)



Break in Slope at OHWM: ☐ Sharp (> 60°) | ☐ Moderate (30–60°) | ☒ Gentle (< 30°) | ☐ None

Notes/Description:

OHWM was difficult to discern in some sections. Most areas had moderate break in slope, with some gentle breaks observed.

Sediment Texture: Estimate percentages to describe the general sediment texture above and below the OHWM

	Clay/Silt <0.05mm	Sand 0.05 – 2mm	Gravel 2mm – 1cm	Cobbles 1 – 10cm	Boulders >10cm	Developed Soil Horizons (Y/N)
Above OHWM	60	30	10	0	0	N
Below OHWM	45	35	20	0	0	N

Notes/Description:

Finer particles were observed near the tops of the canal banks, while there was a larger ratio of sand and gravel sized particles observed below the OHWM just above the water level.

Vegetation: Estimate absolute percent cover to describe general vegetation characteristics above and below the OHWM

	Tree (%)	Shrub (%)	Herb (%)	Bare (%)
Above OHWM	0	0	30	70
Below OHWM	0	-	-	-

Notes/Description:

Other Evidence: List/describe any additional field evidence and/or lines of reasoning used to support your delineation

Although subtle, there was a water line indicating the location of the OHWM. The water level at the time was just below this mark. Very few indicators of the OHWM were present, but sediment size decreased and particles became finer above the OHWM. Vegetation was sparse above the OHWM

During the survey of this canal, there was water in the channel and any herbaceous vegetation on the bed could not be detected. There were no trees on the banks of the canal and areas above the OHWM had sparse vegetation within the fenced in area.

Project: Westberry Blvd Bridge Project **Date:** 8/26/2022

Location: Madera, Madera County **Investigator(s):** Kira McCall

Project Description:

Installation of a new bridge over Fresno River to connect the northern and southern segments of Westberry Blvd.

Describe the river or stream's condition (disturbances, in-stream structures, etc.):

Manmade, natural bottom canal owned by Madera Irrigation District, evidence of being excavated, steep slopes, densely vegetated bed, slopes sparsely vegetated.

Off-site Information

Remotely sensed image(s) acquired? ☒ **Yes** ☐ **No** [If yes, attach image(s) to datasheet(s) and indicate approx. locations of transects, OHWM, and any other features of interest on the image(s); describe below] Description:

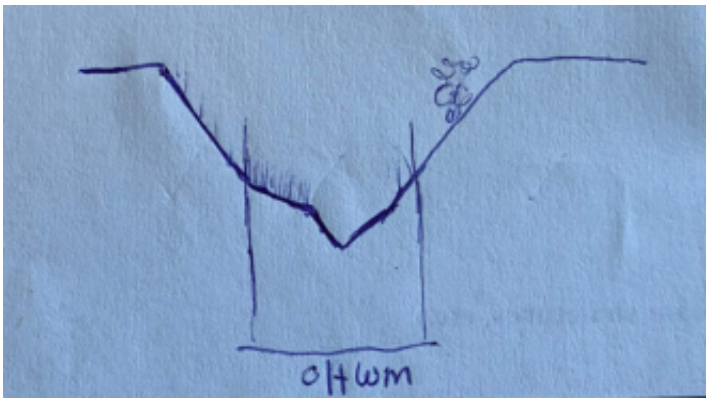
See photo page attachment and OHWM delineation maps

Hydrologic/hydraulic information acquired? ☐ **Yes** ☒ **No** [If yes, attach information to datasheet(s) and describe below.] Description:

List and describe any other supporting information received/acquired:

Instructions: Complete one cover sheet and one or more datasheets for each project site. Each datasheet should capture the dominant characteristics of the OHWM along some length of a given stream. Complete enough datasheets to adequately document up- and/or downstream variability in OHWM indicators, stream conditions, etc. Transect locations can be marked on a recent aerial image or their GPS coordinates noted on the datasheet.

Transect (cross-section) drawing: (choose a location that is representative of the dominant stream characteristics over some distance; label the OHWM and other features of interest along the transect; include an estimate of transect length)



Break in Slope at OHWM: ☐ Sharp (> 60°) | ☐ Moderate (30–60°) | ☒ Gentle (< 30°) | ☐ None

Notes/Description:

OHWM was difficult to discern in some sections. Most areas had moderate break in slope, with some gentle breaks observed.

Sediment Texture: Estimate percentages to describe the general sediment texture above and below the OHWM

	Clay/Silt <0.05mm	Sand 0.05 – 2mm	Gravel 2mm – 1cm	Cobbles 1 – 10cm	Boulders >10cm	Developed Soil Horizons (Y/N)
Above OHWM	75%	25%				N
Below OHWM	40%	50%	10%			N

Notes/Description:

Average sediment size decreased above OHWM. Sandy below, and loamy sand above.

Vegetation: Estimate absolute percent cover to describe general vegetation characteristics above and below the OHWM

	Tree (%)	Shrub (%)	Herb (%)	Bare (%)
Above OHWM			15%	85%
Below OHWM			75%	25%

Notes/Description:

Other Evidence: List/describe any additional field evidence and/or lines of reasoning used to support your delineation

Stark difference in vegetation coverage above and below OHWM. Steep slopes, minimal break in slope, just water line visible. Below OHWM - soil cracks, almost complete coverage of grass. Above OHWM - little vegetation coverage, mainly grass.

Project: Westberry Blvd Bridge Project **Date:** 8/26/2022

Location: Madera, Madera County **Investigator(s):** Kira McCall

Project Description:

Installation of a new bridge over Fresno River to connect the northern and southern segments of Westberry Blvd.

Describe the river or stream's condition (disturbances, in-stream structures, etc.):

Fresno River, highly disturbed, water is released from dam upstream, tire tracks and evidence of excavation.

Off-site Information

Remotely sensed image(s) acquired? ☒ **Yes** ☐ **No** [If yes, attach image(s) to datasheet(s) and indicate approx. locations of transects, OHWM, and any other features of interest on the image(s); describe below] Description:

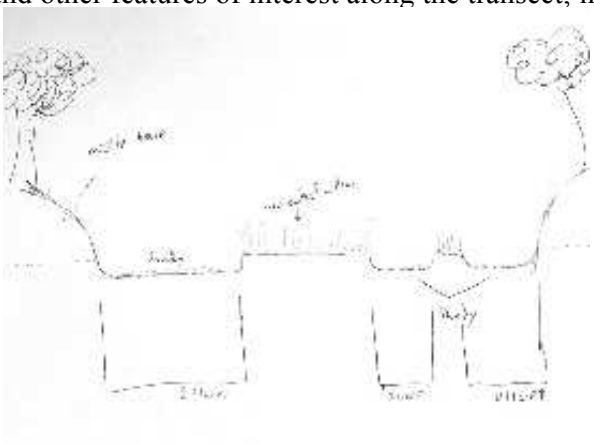
See photo page attachment and OHWM delineation maps

Hydrologic/hydraulic information acquired? ☐ **Yes** ☒ **No** [If yes, attach information to datasheet(s) and describe below.] Description:

List and describe any other supporting information received/acquired:

Instructions: Complete one cover sheet and one or more datasheets for each project site. Each datasheet should capture the dominant characteristics of the OHWM along some length of a given stream. Complete enough datasheets to adequately document up- and/or downstream variability in OHWM indicators, stream conditions, etc. Transect locations can be marked on a recent aerial image or their GPS coordinates noted on the datasheet.

Transect (cross-section) drawing: (choose a location that is representative of the dominant stream characteristics over some distance; label the OHWM and other features of interest along the transect; include an estimate of transect length)



Break in Slope at OHWM: ☐ Sharp (> 60°) | ☒ Moderate (30–60°) | ☐ Gentle (< 30°) | ☐ None

Notes/Description:

OHWM was difficult to discern in some sections. Most areas had moderate break in slope, with some gentle breaks observed.

Sediment Texture: Estimate percentages to describe the general sediment texture above and below the OHWM

	Clay/Silt <0.05mm	Sand 0.05 – 2mm	Gravel 2mm – 1cm	Cobbles 1 – 10cm	Boulders >10cm	Developed Soil Horizons (Y/N)
Above OHWM	60%	30%	10%			N
Below OHWM		100%				N

Notes/Description:

Average sediment size decreased above OHWM. Sandy below, and loamy sand above.

Vegetation: Estimate absolute percent cover to describe general vegetation characteristics above and below the OHWM

	Tree (%)	Shrub (%)	Herb (%)	Bare (%)
Above OHWM	10%	5%	20%	65%
Below OHWM	0%	0%	5%	95%

Notes/Description:

Other Evidence: List/describe any additional field evidence and/or lines of reasoning used to support your delineation

Channel was heavily disturbed, great amounts of refuse, cement chunks from old culverts. Bed was completely comprised of sand, some narrowleaf willow and giant reed along the edges of the bed. Two vegetated islands within the delineated channel, soil color much darker and vegetation coverage and composition changed significantly. OHWM - very few indicators, water marks and soil sloughing in some areas, moderate break in slope, soil texture difference above OHWM. Vegetation change noticeable.

Appendix D. NRCS Soils Report

CITY OF MADERA
WESTBERRY BOULEVARD BRIDGE PROJECT

United States Department of Agriculture

NRCS

Natural Resources Conservation Service

A product of the National Cooperative Soil Survey, a joint effort of the United States Department of Agriculture and other Federal agencies, State agencies including the Agricultural Experiment Stations, and local participants

Custom Soil Resource Report for Madera Area, California



August 29, 2022

Preface

Soil surveys contain information that affects land use planning in survey areas. They highlight soil limitations that affect various land uses and provide information about the properties of the soils in the survey areas. Soil surveys are designed for many different users, including farmers, ranchers, foresters, agronomists, urban planners, community officials, engineers, developers, builders, and home buyers. Also, conservationists, teachers, students, and specialists in recreation, waste disposal, and pollution control can use the surveys to help them understand, protect, or enhance the environment.

Various land use regulations of Federal, State, and local governments may impose special restrictions on land use or land treatment. Soil surveys identify soil properties that are used in making various land use or land treatment decisions. The information is intended to help the land users identify and reduce the effects of soil limitations on various land uses. The landowner or user is responsible for identifying and complying with existing laws and regulations.

Although soil survey information can be used for general farm, local, and wider area planning, onsite investigation is needed to supplement this information in some cases. Examples include soil quality assessments (http://www.nrcs.usda.gov/wps/portal/nrcs/main/soils/health/) and certain conservation and engineering applications. For more detailed information, contact your local USDA Service Center (https://offices.sc.egov.usda.gov/locator/app?agency=nrcs) or your NRCS State Soil Scientist (http://www.nrcs.usda.gov/wps/portal/nrcs/detail/soils/contactus/?cid=nrcs142p2_053951).

Great differences in soil properties can occur within short distances. Some soils are seasonally wet or subject to flooding. Some are too unstable to be used as a foundation for buildings or roads. Clayey or wet soils are poorly suited to use as septic tank absorption fields. A high water table makes a soil poorly suited to basements or underground installations.

The National Cooperative Soil Survey is a joint effort of the United States Department of Agriculture and other Federal agencies, State agencies including the Agricultural Experiment Stations, and local agencies. The Natural Resources Conservation Service (NRCS) has leadership for the Federal part of the National Cooperative Soil Survey.

Information about soils is updated periodically. Updated information is available through the NRCS Web Soil Survey, the site for official soil survey information.

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Contents

Preface.....2
How Soil Surveys Are Made.....5
Soil Map.....8
Soil Map.....9
Legend.....10
Map Unit Legend.....11
Map Unit Descriptions.....11
Madera Area, California.....13
GaA—Grangeville fine sandy loam, 0 to 1 percent slopes, MLRA 17.....13
GbA—Grangeville fine sandy loam, slightly saline-alkali, 0 to 1 percent slopes.....14
PbA—Pachappa fine sandy loam, slightly saline-alkali, 0 to 1 percen slopes.....16
Rh—Riverwash.....17
References.....18

How Soil Surveys Are Made

Soil surveys are made to provide information about the soils and miscellaneous areas in a specific area. They include a description of the soils and miscellaneous areas and their location on the landscape and tables that show soil properties and limitations affecting various uses. Soil scientists observed the steepness, length, and shape of the slopes; the general pattern of drainage; the kinds of crops and native plants; and the kinds of bedrock. They observed and described many soil profiles. A soil profile is the sequence of natural layers, or horizons, in a soil. The profile extends from the surface down into the unconsolidated material in which the soil formed or from the surface down to bedrock. The unconsolidated material is devoid of roots and other living organisms and has not been changed by other biological activity.

Currently, soils are mapped according to the boundaries of major land resource areas (MLRAs). MLRAs are geographically associated land resource units that share common characteristics related to physiography, geology, climate, water resources, soils, biological resources, and land uses (USDA, 2006). Soil survey areas typically consist of parts of one or more MLRA.

The soils and miscellaneous areas in a survey area occur in an orderly pattern that is related to the geology, landforms, relief, climate, and natural vegetation of the area. Each kind of soil and miscellaneous area is associated with a particular kind of landform or with a segment of the landform. By observing the soils and miscellaneous areas in the survey area and relating their position to specific segments of the landform, a soil scientist develops a concept, or model, of how they were formed. Thus, during mapping, this model enables the soil scientist to predict with a considerable degree of accuracy the kind of soil or miscellaneous area at a specific location on the landscape.

Commonly, individual soils on the landscape merge into one another as their characteristics gradually change. To construct an accurate soil map, however, soil scientists must determine the boundaries between the soils. They can observe only a limited number of soil profiles. Nevertheless, these observations, supplemented by an understanding of the soil-vegetation-landscape relationship, are sufficient to verify predictions of the kinds of soil in an area and to determine the boundaries.

Soil scientists recorded the characteristics of the soil profiles that they studied. They noted soil color, texture, size and shape of soil aggregates, kind and amount of rock fragments, distribution of plant roots, reaction, and other features that enable them to identify soils. After describing the soils in the survey area and determining their properties, the soil scientists assigned the soils to taxonomic classes (units). Taxonomic classes are concepts. Each taxonomic class has a set of soil characteristics with precisely defined limits. The classes are used as a basis for comparison to classify soils systematically. Soil taxonomy, the system of taxonomic classification used in the United States, is based mainly on the kind and character of soil properties and the arrangement of horizons within the profile. After the soil

scientists classified and named the soils in the survey area, they compared the individual soils with similar soils in the same taxonomic class in other areas so that they could confirm data and assemble additional data based on experience and research.

The objective of soil mapping is not to delineate pure map unit components; the objective is to separate the landscape into landforms or landform segments that have similar use and management requirements. Each map unit is defined by a unique combination of soil components and/or miscellaneous areas in predictable proportions. Some components may be highly contrasting to the other components of the map unit. The presence of minor components in a map unit in no way diminishes the usefulness or accuracy of the data. The delineation of such landforms and landform segments on the map provides sufficient information for the development of resource plans. If intensive use of small areas is planned, onsite investigation is needed to define and locate the soils and miscellaneous areas.

Soil scientists make many field observations in the process of producing a soil map. The frequency of observation is dependent upon several factors, including scale of mapping, intensity of mapping, design of map units, complexity of the landscape, and experience of the soil scientist. Observations are made to test and refine the soil-landscape model and predictions and to verify the classification of the soils at specific locations. Once the soil-landscape model is refined, a significantly smaller number of measurements of individual soil properties are made and recorded. These measurements may include field measurements, such as those for color, depth to bedrock, and texture, and laboratory measurements, such as those for content of sand, silt, clay, salt, and other components. Properties of each soil typically vary from one point to another across the landscape.

Observations for map unit components are aggregated to develop ranges of characteristics for the components. The aggregated values are presented. Direct measurements do not exist for every property presented for every map unit component. Values for some properties are estimated from combinations of other properties.

While a soil survey is in progress, samples of some of the soils in the area generally are collected for laboratory analyses and for engineering tests. Soil scientists interpret the data from these analyses and tests as well as the field-observed characteristics and the soil properties to determine the expected behavior of the soils under different uses. Interpretations for all of the soils are field tested through observation of the soils in different uses and under different levels of management. Some interpretations are modified to fit local conditions, and some new interpretations are developed to meet local needs. Data are assembled from other sources, such as research information, production records, and field experience of specialists. For example, data on crop yields under defined levels of management are assembled from farm records and from field or plot experiments on the same kinds of soil.

Predictions about soil behavior are based not only on soil properties but also on such variables as climate and biological activity. Soil conditions are predictable over long periods of time, but they are not predictable from year to year. For example, soil scientists can predict with a fairly high degree of accuracy that a given soil will have a high water table within certain depths in most years, but they cannot predict that a high water table will always be at a specific level in the soil on a specific date.

After soil scientists located and identified the significant natural bodies of soil in the survey area, they drew the boundaries of these bodies on aerial photographs and

identified each as a specific map unit. Aerial photographs show trees, buildings, fields, roads, and rivers, all of which help in locating boundaries accurately.

Soil Map

The soil map section includes the soil map for the defined area of interest, a list of soil map units on the map and extent of each map unit, and cartographic symbols displayed on the map. Also presented are various metadata about data used to produce the map, and a description of each soil map unit.

Custom Soil Resource Report
Soil Map



Map Scale: 1:3,020 if printed on A portrait (8.5" x 11") sheet.

N

Meters: 0 40 80 160 240

Feet: 0 100 200 400 600

Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 10N WGS84

MAP LEGEND

Area of Interest (AOI)
- Area of Interest (AOI)

Soils
- Soil Map Unit Polygons
- Soil Map Unit Lines
- Soil Map Unit Points

Special Point Features
- Blowout
- Borrow Pit
- Clay Spot
- Closed Depression
- Gravel Pit
- Gravelly Spot
- Landfill
- Lava Flow
- Marsh or swamp
- Mine or Quarry
- Miscellaneous Water
- Perennial Water
- Rock Outcrop
- Saline Spot
- Sandy Spot
- Severely Eroded Spot
- Sinkhole
- Slide or Slip
- Sodic Spot
- Spoil Area
- Stony Spot
- Very Stony Spot
- Wet Spot
- Other
- Special Line Features

Water Features
- Streams and Canals

Transportation
- Rails
- Interstate Highways
- US Routes
- Major Roads
- Local Roads

Background
- Aerial Photography

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:20,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
Web Soil Survey URL:
Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Madera Area, California
Survey Area Data: Version 15, Sep 7, 2021

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Mar 16, 2022—Mar 21, 2022

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
GaA	Grangeville fine sandy loam, 0 to 1 percent slopes, MLRA 17	3.3	37.1%
GbA	Grangeville fine sandy loam, slightly saline-alkali, 0 to 1 percent slopes	1.7	18.6%
PbA	Pachappa fine sandy loam, slightly saline-alkali, 0 to 1 percen slopes	0.0	0.1%
Rh	Riverwash	3.9	44.2%
Totals for Area of Interest		**8.9**	**100.0%**

Map Unit Descriptions

The map units delineated on the detailed soil maps in a soil survey represent the soils or miscellaneous areas in the survey area. The map unit descriptions, along with the maps, can be used to determine the composition and properties of a unit.

A map unit delineation on a soil map represents an area dominated by one or more major kinds of soil or miscellaneous areas. A map unit is identified and named according to the taxonomic classification of the dominant soils. Within a taxonomic class there are precisely defined limits for the properties of the soils. On the landscape, however, the soils are natural phenomena, and they have the characteristic variability of all natural phenomena. Thus, the range of some observed properties may extend beyond the limits defined for a taxonomic class. Areas of soils of a single taxonomic class rarely, if ever, can be mapped without including areas of other taxonomic classes. Consequently, every map unit is made up of the soils or miscellaneous areas for which it is named and some minor components that belong to taxonomic classes other than those of the major soils.

Most minor soils have properties similar to those of the dominant soil or soils in the map unit, and thus they do not affect use and management. These are called noncontrasting, or similar, components. They may or may not be mentioned in a particular map unit description. Other minor components, however, have properties and behavioral characteristics divergent enough to affect use or to require different management. These are called contrasting, or dissimilar, components. They generally are in small areas and could not be mapped separately because of the scale used. Some small areas of strongly contrasting soils or miscellaneous areas are identified by a special symbol on the maps. If included in the database for a given area, the contrasting minor components are identified in the map unit descriptions along with some characteristics of each. A few areas of minor components may not have been observed, and consequently they are not mentioned in the descriptions, especially where the pattern was so complex that it was impractical to make enough observations to identify all the soils and miscellaneous areas on the landscape.

The presence of minor components in a map unit in no way diminishes the usefulness or accuracy of the data. The objective of mapping is not to delineate pure taxonomic classes but rather to separate the landscape into landforms or landform segments that have similar use and management requirements. The delineation of such segments on the map provides sufficient information for the development of resource plans. If intensive use of small areas is planned, however, onsite investigation is needed to define and locate the soils and miscellaneous areas.

An identifying symbol precedes the map unit name in the map unit descriptions. Each description includes general facts about the unit and gives important soil properties and qualities.

Soils that have profiles that are almost alike make up a *soil series*. Except for differences in texture of the surface layer, all the soils of a series have major horizons that are similar in composition, thickness, and arrangement.

Soils of one series can differ in texture of the surface layer, slope, stoniness, salinity, degree of erosion, and other characteristics that affect their use. On the basis of such differences, a soil series is divided into *soil phases*. Most of the areas shown on the detailed soil maps are phases of soil series. The name of a soil phase commonly indicates a feature that affects use or management. For example, Alpha silt loam, 0 to 2 percent slopes, is a phase of the Alpha series.

Some map units are made up of two or more major soils or miscellaneous areas. These map units are complexes, associations, or undifferentiated groups.

A *complex* consists of two or more soils or miscellaneous areas in such an intricate pattern or in such small areas that they cannot be shown separately on the maps. The pattern and proportion of the soils or miscellaneous areas are somewhat similar in all areas. Alpha-Beta complex, 0 to 6 percent slopes, is an example.

An *association* is made up of two or more geographically associated soils or miscellaneous areas that are shown as one unit on the maps. Because of present or anticipated uses of the map units in the survey area, it was not considered practical or necessary to map the soils or miscellaneous areas separately. The pattern and relative proportion of the soils or miscellaneous areas are somewhat similar. Alpha-Beta association, 0 to 2 percent slopes, is an example.

An *undifferentiated group* is made up of two or more soils or miscellaneous areas that could be mapped individually but are mapped as one unit because similar interpretations can be made for use and management. The pattern and proportion of the soils or miscellaneous areas in a mapped area are not uniform. An area can be made up of only one of the major soils or miscellaneous areas, or it can be made up of all of them. Alpha and Beta soils, 0 to 2 percent slopes, is an example.

Some surveys include *miscellaneous areas*. Such areas have little or no soil material and support little or no vegetation. Rock outcrop is an example.

Madera Area, California

GaA—Grangeville fine sandy loam, 0 to 1 percent slopes, MLRA 17

Map Unit Setting

National map unit symbol: 2vncx
Elevation: 30 to 1,760 feet
Mean annual precipitation: 8 to 25 inches
Mean annual air temperature: 61 to 64 degrees F
Frost-free period: 240 to 300 days
Farmland classification: Prime farmland if irrigated

Map Unit Composition

Grangeville and similar soils: 85 percent
Minor components: 15 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Grangeville

Setting

Landform: Flood plains, alluvial fans
Landform position (two-dimensional): Toeslope
Down-slope shape: Linear
Across-slope shape: Linear
Parent material: Alluvium derived from granite

Typical profile

A - 0 to 12 inches: fine sandy loam
C - 12 to 79 inches: fine sandy loam

Properties and qualities

Slope: 0 to 1 percent
Depth to restrictive feature: More than 80 inches
Drainage class: Somewhat poorly drained
Runoff class: Very low
Capacity of the most limiting layer to transmit water (Ksat): High (1.98 to 5.95 in/hr)
Depth to water table: About 0 inches
Frequency of flooding: OccasionalNone
Frequency of ponding: None
Calcium carbonate, maximum content: 2 percent
Maximum salinity: Nonsaline to very slightly saline (0.0 to 2.0 mmhos/cm)
Sodium adsorption ratio, maximum: 3.0
Available water supply, 0 to 60 inches: High (about 9.2 inches)

Interpretive groups

Land capability classification (irrigated): 2w
Land capability classification (nonirrigated): 4w
Hydrologic Soil Group: A/D
Ecological site: R017XY903CA - Stream Channels and Floodplains
Hydric soil rating: Yes

Minor Components

Hanford

Percent of map unit: 5 percent

Landform: Alluvial fans, flood plains
Landform position (two-dimensional): Toeslope
Down-slope shape: Linear
Across-slope shape: Linear
Ecological site: R017XY903CA - Stream Channels and Floodplains
Hydric soil rating: No

Traver

Percent of map unit: 5 percent
Landform: Flood plains, alluvial fans
Landform position (two-dimensional): Toeslope
Down-slope shape: Linear
Across-slope shape: Linear
Ecological site: R017XY903CA - Stream Channels and Floodplains
Hydric soil rating: Yes

Unnamed, hydric

Percent of map unit: 3 percent
Landform: Flood plains, alluvial fans
Landform position (two-dimensional): Toeslope
Down-slope shape: Linear
Across-slope shape: Linear
Hydric soil rating: Yes

Unnamed, channeled

Percent of map unit: 2 percent
Landform: Alluvial fans on alluvial fans, channels on flood plains on alluvial fans, channels on flood plains on flood plains
Landform position (two-dimensional): Toeslope
Down-slope shape: Linear
Across-slope shape: Linear
Hydric soil rating: No

GbA—Grangeville fine sandy loam, slightly saline-alkali, 0 to 1 percent slopes

Map Unit Setting

National map unit symbol: hk72
Elevation: 10 to 1,800 feet
Mean annual precipitation: 8 to 16 inches
Mean annual air temperature: 61 to 64 degrees F
Frost-free period: 200 to 300 days
Farmland classification: Prime farmland if irrigated

Map Unit Composition

Grangeville and similar soils: 85 percent
Minor components: 15 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Grangeville

Setting

Landform: Alluvial fans
Landform position (two-dimensional): Toeslope
Landform position (three-dimensional): Talf
Down-slope shape: Linear
Across-slope shape: Linear
Parent material: Alluvium derived from granite

Typical profile

H1 - 0 to 11 inches: fine sandy loam
H2 - 11 to 20 inches: sandy loam
H3 - 20 to 60 inches: stratified loamy sand to silt loam

Properties and qualities

Slope: 0 to 1 percent
Depth to restrictive feature: More than 80 inches
Drainage class: Somewhat poorly drained
Runoff class: Very low
Capacity of the most limiting layer to transmit water (Ksat): High (1.98 to 5.95 in/hr)
Depth to water table: More than 80 inches
Frequency of flooding: Rare
Frequency of ponding: None
Calcium carbonate, maximum content: 1 percent
Maximum salinity: Slightly saline to moderately saline (4.0 to 8.0 mmhos/cm)
Sodium adsorption ratio, maximum: 5.0
Available water supply, 0 to 60 inches: Moderate (about 6.3 inches)

Interpretive groups

Land capability classification (irrigated): 2s
Land capability classification (nonirrigated): 4s
Hydrologic Soil Group: A
Ecological site: R017XY904CA - Subirrigated Deep Alluvial Fans
Hydric soil rating: Yes

Minor Components

Hanford

Percent of map unit: 5 percent
Hydric soil rating: No

Traver

Percent of map unit: 5 percent
Hydric soil rating: No

Foster

Percent of map unit: 5 percent
Landform: Flood plains
Hydric soil rating: Yes

PbA—Pachappa fine sandy loam, slightly saline-alkali, 0 to 1 percen slopes

Map Unit Setting

National map unit symbol: hk8t
Elevation: 1,000 feet
Mean annual precipitation: 14 inches
Mean annual air temperature: 63 degrees F
Frost-free period: 270 days
Farmland classification: Prime farmland if irrigated

Map Unit Composition

Pachappa and similar soils: 85 percent
Minor components: 15 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Pachappa

Setting

Landform: Fan remnants
Landform position (two-dimensional): Toeslope
Landform position (three-dimensional): Tread
Down-slope shape: Linear
Across-slope shape: Linear
Parent material: Alluvium derived from granite

Typical profile

H1 - 0 to 14 inches: fine sandy loam
H2 - 14 to 28 inches: loam
H3 - 28 to 45 inches: fine sandy loam
H4 - 45 to 60 inches: stratified loamy sand to fine sandy loam

Properties and qualities

Slope: 0 to 1 percent
Depth to restrictive feature: More than 80 inches
Drainage class: Well drained
Runoff class: Low
Capacity of the most limiting layer to transmit water (Ksat): Moderately high to high (0.57 to 1.98 in/hr)
Depth to water table: More than 80 inches
Frequency of flooding: None
Frequency of ponding: None
Calcium carbonate, maximum content: 5 percent
Maximum salinity: Slightly saline to moderately saline (4.0 to 8.0 mmhos/cm)
Sodium adsorption ratio, maximum: 5.0
Available water supply, 0 to 60 inches: Moderate (about 7.6 inches)

Interpretive groups

Land capability classification (irrigated): 2s
Land capability classification (nonirrigated): 4s

Hydrologic Soil Group: B
Hydric soil rating: No

Minor Components

Traver
Percent of map unit: 5 percent
Hydric soil rating: No

Fresno
Percent of map unit: 5 percent
Hydric soil rating: No

Hanford
Percent of map unit: 5 percent
Hydric soil rating: No

Rh—Riverwash

Map Unit Composition
Riverwash: 100 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Riverwash

Setting
Landform: Flood plains
Parent material: Sandy and gravelly alluvium

Typical profile
H1 - 0 to 6 inches: sand
H2 - 6 to 60 inches: stratified coarse sand to sandy loam

Properties and qualities
Slope: 0 to 1 percent
Drainage class: Excessively drained
Runoff class: Very low
Capacity of the most limiting layer to transmit water (Ksat): High to very high (5.95 to 19.98 in/hr)
Depth to water table: About 0 inches
Available water supply, 0 to 60 inches: Very low (about 3.0 inches)

Interpretive groups
Land capability classification (irrigated): None specified
Land capability classification (nonirrigated): 8
Ecological site: R017XY903CA - Stream Channels and Floodplains
Hydric soil rating: Yes

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Appendix E. Vascular Plant List

CITY OF MADERA
WESTBERRY BOULEVARD BRIDGE PROJECT

Scientific Name	Common Name	Wetland Indicator Status
Artemisia douglasiana	California mugwort	FAC
Acmispon americanus	Spanish clover	UPL
Ambrosia artemisifolia	Common ragweed	FACU
Arundo donax	Giant reed	FACW
Baccharis salicifolia	Mule fat	FAC
Brassica nigra	Mustard	UPL
Bromus diandrus	Great brome	UPL
Croton setigerus	Doveweed	No Indicator
Cucurbita foetidissima	Buffalo gourd	No Indicator
Datura wrightii	Sacred datura	UPL
Erigeron bonariensis	Flax leaved horseweed	FACU
Erigeron canadensis	Horseweed	FACU
Glycyrrhiza lepidota	American licorice	FAC
Helianthus petiolaris	Prairie sunflower	No Indicator
Heterotheca grandiflora	Telegraph weed	No Indicator
Hordeum murinum	Foxtail	FACU
Pinus sp.	Pine	-
Pistacia chinensis	Chinese pistache tree	UPL
Platanus racemose	Western sycamore	FAC
Populus fremontii	Freemont cottonwood	FACW
Pseudognaphalium luteoalbum	Jersey cudweed	FAC
Quercus lobata	Valley oak tree	FACU
Salix exigua	Narrowleaf willow	FACW
Salix gooddingii	Goodding's willow	FACW
Salsola tragus	Russian thistle	FACU
Scolymus hispanicus	Common goldenthistle	No Indicator
Stephanomeria pauciflora	Brownplume wirelettuce	No Indicator
Tribulus terrestris	puncture vine	UPL
Viscum album	Mistletoe	No Indicator
Vulpia myuros	Rat's-tail fescue	FACU
Xanthium strumarium	Common cocklebur	FAC+
Lactuca serriola	Prickly lettuce	FAC
Hirschfeldia incana	Summer mustard	UPL

EXHIBIT B

San Joaquin Valley AIR POLLUTION CONTROL DISTRICT

HEALTHY AIR LIVING

October 31, 2023

Briza Sholars
City of Madera
Engineering Department
428 E. Yosemite Ave.
Madera, CA 93638

Project: Westberry Bridge Project Initial Study and Mitigated Negative Declaration

District CEQA Reference No: 20230884

Dear Ms. Sholars:

The San Joaquin Valley Air Pollution Control District (District) has reviewed the Mitigated Negative Declaration (MND) from the City of Madera (City) for the Westberry Bridge Project. Per the MND, the project consists of the construction of a vehicular bridge approximately 408 feet long by approximately 92 feet wide (Project). The Project is located in the City of Madera along the proposed Westberry Boulevard Alignment crossing the Fresno River.

The District offers the following comments at this time regarding the Project:

1) Project Related Emissions

Based on the analysis performed in the MND and provided to the District, Project specific annual criteria pollutant emissions from construction and operation are not expected to exceed any of the significance thresholds as identified in the District's Guidance for Assessing and Mitigating Air Quality Impacts (GAMAQI): https://www.valleyair.org/transportation/GAMAQI.pdf.

1a) Construction Emissions

The MND includes mitigation measure AIR-1 which requires the use of USEPA Tier 4 Final engines in construction equipment during construction activities. To ensure implementation of the measure, the District recommends that the measure be amended to include a monitoring and reporting schedule or some other means of accountability.

Samir Sheikh
Executive Director/Air Pollution Control Officer

Northern Region
4800 Enterprise Way
Modesto, CA 95356-8718
Tel: (209) 557-6400 FAX: (209) 557-6475

Central Region (Main Office)
1990 E. Gettysburg Avenue
Fresno, CA 93726-0244
Tel: (559) 230-6000 FAX: (559) 230-6061

Southern Region
34946 Flyover Court
Bakersfield, CA 93308-9725
Tel: (661) 392-5500 FAX: (661) 392-5585

www.valleyair.org www.healthyairliving.com

Printed on recycled paper.

2] Health Risk Screening/Assessment

The District reviewed the Health Risk Assessment (HRA) for the Project and has the following comments:

- The project's construction emissions calculations do not include diesel engine emissions from any boring or cast-in-drill hole equipment for the bridge's support. The District recommends identifying any emissions associated with this phase of construction of the bridge. Including this source of construction emissions could result in a different risk significance determination.

- Variable emissions were used to limit the construction by season/hour/day and a scaler of 18 was used. The District has determined that the scaler should have been 8.4 [(4/2 seasons worked)*(24/8 hours of day worked)*(7/5 days per week worked)]. Additionally incorrect hours of day were input into the model for the proposed 8 a.m. to 5 p.m. workday, with no construction between 12 p.m. and 1 p.m. The hour field in AERMOD represents the end of the hour period, not the beginning.

- Receptor gridding for the air dispersion model included only a single tier of receptors at the boundary of the project. The District recommends including the additional receptors near the project site to ensure the maximally exposed individual residential risk is captured.

If the Project's construction emissions are updated to include emissions from the drilling equipment, then the District recommends that the HRA be revised to address the deficiencies listed above as they have the potential to cause the Project to exceed District health risk thresholds.

3] District Rules and Regulations

The District issues permits for many types of air pollution sources, and regulates some activities that do not require permits. A project subject to District rules and regulations would reduce its impacts on air quality through compliance with the District's regulatory framework. In general, a regulation is a collection of individual rules, each of which deals with a specific topic. As an example, Regulation II (Permits) includes District Rule 2010 (Permits Required), Rule 2201 (New and Modified Stationary Source Review), Rule 2520 (Federally Mandated Operating Permits), and several other rules pertaining to District permitting requirements and processes.

The list of rules below is neither exhaustive nor exclusive. Current District rules can be found online at: www.valleyair.org/rules/1ruleslist.htm. To identify other District rules or regulations that apply to future projects, or to obtain information about District permit requirements, the project proponents are strongly encouraged to contact the District's Small Business Assistance (SBA) Office at (559) 230-5888.

3a) District Rule 9510 - Indirect Source Review (ISR)

Per section 2.2 of District Rule 9510, the Rule applies to any transportation or transit project where construction exhaust emissions equal or exceed 2.0 tons of NOx or 2.0 tons of PM10. Per the MND, the District determined construction exhaust emissions will be less than those thresholds; therefore, District Rule 9510 requirements and related fees do not apply to the Project.

3b) District Regulation VIII (Fugitive PM10 Prohibitions)

The project proponent may be required to submit a Construction Notification Form or submit and receive approval of a Dust Control Plan prior to commencing any earthmoving activities as described in Regulation VIII, specifically Rule 8021 – *Construction, Demolition, Excavation, Extraction, and Other Earthmoving Activities.*

Should the project result in at least 1-acre in size, the project proponent shall provide written notification to the District at least 48 hours prior to the project proponents intent to commence any earthmoving activities pursuant to District Rule 8021 (Construction, Demolition, Excavation, Extraction, and Other Earthmoving Activities). Also, should the project result in the disturbance of 5-acres or more, or will include moving, depositing, or relocating more than 2,500 cubic yards per day of bulk materials, the project proponent shall submit to the District a Dust Control Plan pursuant to District Rule 8021 (Construction, Demolition, Excavation, Extraction, and Other Earthmoving Activities). For additional information regarding the written notification or Dust Control Plan requirements, please contact District Compliance staff at (559) 230-5950.

The application for both the Construction Notification and Dust Control Plan can be found online at:
https://www.valleyair.org/busind/comply/PM10/forms/DCP-Form.docx

Information about District Regulation VIII can be found online at:
http://www.valleyair.org/busind/comply/pm10/compliance_pm10.htm

3c) Other District Rules and Regulations

The Project may also be subject to the following District rules: Rule 4102 (Nuisance) and Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt, Paving and Maintenance Operations).

If you have any questions or require further information, please contact Jacob Torrez by e-mail at jacob.torrez@valleyair.org or by phone at (559) 230-6558.

Sincerely,

Brian Clements
Director of Permit Services



For: Mark Montelongo
Program Manager

EXHIBIT C

PROVOST&PRITCHARD
CONSULTING GROUP

400 E Main St, Ste 300 • Visalia, CA 93291 • (559) 636-1166
www.provostandpritchard.com

MEMORANDUM

To:	Steve Bettencourt City of Madera
From:	Jarred Olsen
Subject:	Westberry Bridge CEQA, SCH 2023090606 Response to SJVAPCD Comment Letter
Date:	November 1, 2023

This memorandum is in response to the San Joaquin Valley Air Pollution Control District's (SJVAPCD or District) comment letter dated October 31, 2023 for the Westberry Bridge Project. The comment period ended on October 27, 2023, and was extended at the request of the SJVAPCD to October 30, 2023.

In summary, the SJVAPCD's comments do not identify a new, avoidable significant effect nor are revisions to the Mitigated Negative Declaration warranted. Recirculation of the Mitigated Negative Declaration is not warranted.

SJVAPCD Comment	Response
1) Project Related Emissions *Based on the analysis performed in the MND and provided to the District, Project specific annual criteria pollutant emissions from construction and operation are not expected to exceed any of the significance thresholds as identified in the District's Guidance for Assessing and Mitigating Air Quality Impacts (GAMAQI): https://www.valleyair.org/transportation/GAMAQI.pdf.*	This comment states that the air quality analysis prepared indicates that the Project will not exceed the District's significance thresholds for criteria air pollutants. We concur with the District's findings.
1a) Construction Emissions *The MND includes mitigation measure AIR-1 which requires the use of USEPA Tier 4 Final engines in construction equipment during construction activities. To ensure implementation of the measure, the District recommends that the measure be amended to include a monitoring and reporting schedule or some other means of accountability.*	The City has prepared a Mitigation and Monitoring Reporting Program that sufficiently addresses the District's concern. The City is capable of ensuring that this mitigation measure is implemented during construction.
2) Health Risk Screening/Assessment *The District reviewed the Health Risk Assessment (HRA) for the Project and has the following comments:* • *The project's construction emissions calculations do not include diesel engine emissions from any boring or cast-in-drill hole equipment for the*	The most commonly-used air quality modeling software, CalEEMod, was used in preparation of the air quality analysis. Despite this software having a multitude of land uses that it can adequately analyze, there is no bridge land use. Therefore, the decision to analyze the structure as an unenclosed parking structure was appropriate as it reflected a similarly

SJVAPCD Comment	Response
bridge's support. The District recommends identifying any emissions associated with this phase of construction of the bridge. Including this source of construction emissions could result in a different risk significance determination. • *Variable emissions were used to limit the construction by season/hour/day and a scaler of 18 was used. The District has determined that the scaler should have been 8.4 [(4/2 seasons worked)*(24/8 hours of day worked)*(7/5 days per week worked)]. Additionally incorrect hours of day were input into the model for the proposed 8 a.m. to 5 p.m. workday, with no construction between 12 p.m. and 1 p.m. The hour field in AERMOD represents the end of the hour period, not the beginning.* • *Receptor gridding for the air dispersion model included only a single tier of receptors at the boundary of the project. The District recommends including the additional receptors near the project site to ensure the maximally exposed individual residential risk is captured.* • *If the Project's construction emissions are updated to include emissions from the drilling equipment, then the District recommends that the HRA be revised to address the deficiencies listed above as they have the potential to cause the Project to exceed District health risk thresholds.*	assumed intensity of construction as a bridge. Parking structures, like bridges, require a significant amount of steel and concrete. While a parking structure is likely to not have boring or hole equipment, a bridge is likely not to utilize grading equipment, and therefore it is assumed that the emissions analyzed are equivalent or conservative. For this reason, the construction emissions are not reanalyzed. Variable emissions were analyzed using the SHRDOW (Season by Hour-of-Day by Day-of-Week (M-F,Sa,Su) parameter (n=288), not the SHRDOW7 (Season by Hour-of-Day by Day-of-Week (M,Tu,W,Th,F,Sa,Su) parameter (n=672). The decision to use SHRDOW was based on the fact that the air quality model analysis did not assume a variation in daily emissions. As such, a scalar of 18 is appropriate. The HRA was re-ran using the corrected hours, and the results did not change. Sensitive receptors were gridded not simply at the Project boundary site but rather the fence line of the residential subdivisions nearest to the Project site. The decision to analyze the nearest receptors was based on the lack of elevation change beyond the Project site. Due to this situation, it is assumed that the nearest receptors would be the most likely to be significantly affected by construction emissions. Therefore, analysis of receptors *further* from the Project site would report lower risk than those nearest the site and would not change the mitigation necessary.
3) District Rules and Regulations *The District issues permits for many types of air pollution sources and regulates some activities that do not require permits. A project subject to District rules and regulations would reduce its impacts on air quality through compliance with the District's regulatory framework. In general, a regulation is a collection of individual rules, each of which deals with a specific topic. As an example, Regulation II (Permits) includes District Rule 2010 (Permits Required), Rule 2201 (New and Modified Stationary Source Review), Rule 2520 (Federally Mandated Operating Permits), and several other rules pertaining to District permitting requirements and processes.*	This comment is intended to inform the City of the permits, rules, and regulations that may be applicable to the Project. This comment does not address the adequacy of the Initial Study/Mitigated Negative Declaration and no further response is necessary.

SJVAPCD Comment	Response
The list of rules below is neither exhaustive nor exclusive. Current District rules can be found online at: www.valleyair.org/rules/1ruleslist.htm. To identify other District rules or regulations that apply to future projects, or to obtain information about District permit requirements, the project proponents are strongly encouraged to contact the District's Small Business Assistance (SBA) Office at (559) 230-5888. *3a) District Rule 9510 - Indirect Source Review (ISR)* *Per section 2.2 of District Rule 9510, the Rule applies to any transportation or transit project where construction exhaust emissions equal or exceed 2.0 tons of NOx or 2.0 tons of PM10. Per the MND, the District determined construction exhaust emissions will be less than those thresholds; therefore, District Rule 9510 requirements and related fees do not apply to the Project.* *3b) District Regulation VIII (Fugitive PM10 Prohibitions)* *The project proponent may be required to submit a Construction Notification Form or submit and receive approval of a Dust Control Plan prior to commencing any earthmoving activities as described in Regulation VIII, specifically Rule 8021 – Construction, Demolition, Excavation, Extraction, and Other Earthmoving Activities.* *Should the project result in at least 1-acre in size, the project proponent shall provide written notification to the District at least 48 hours prior to the project proponents intent to commence any earthmoving activities pursuant to District Rule 8021 (Construction, Demolition, Excavation, Extraction, and Other Earthmoving Activities). Also, should the project result in the disturbance of 5-acres or more, or will include moving, depositing, or relocating more than 2,500 cubic yards per day of bulk materials, the project proponent shall submit to the District a Dust Control Plan pursuant to District Rule 8021 (Construction, Demolition, Excavation, Extraction, and Other Earthmoving Activities). For additional information regarding the written notification or Dust Control Plan requirements, please contact District Compliance staff at (559) 230-5950.* *The application for both the Construction Notification and Dust Control Plan can be found online at: https://www.valleyair.org/busind/comply/PM10/forms/DCP-Form.docx* *Information about District Regulation VIII can be found online at:*	

SJVAPCD Comment	Response
http://www.valleyair.org/busind/comply/pm10/compliance_pm10.htm *3c) Other District Rules and Regulations* *The Project may also be subject to the following District rules: Rule 4102 (Nuisance) and Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt, Paving and Maintenance Operations).*	

REPORT TO CITY COUNCIL

Approved by:

Alicia Gonzales, City Clerk

Arnoldo Rodriguez, City Manager

Council Meeting of: November 15, 2023

Agenda Number: C-2

SUBJECT:

Public Hearing No. 1 for Updating of City Councilmember District Boundaries for Annexed Property

RECOMMENDATION:

1. Receive a report from staff on the redistricting process and permissible criteria to be considered to redraw district boundaries; and
2. Conduct a Public Hearing to receive public input on district boundaries to account for property annexed to the City.

SUMMARY:

The subject matter has been scheduled to provide the City Council with a report on the districting process for properties annexed into the City and the permissible criteria to be considered to modify district boundaries, as well as to conduct a Public Hearing to receive public input on district boundaries.

BACKGROUND:

Every 10 years, pursuant to Election Code section 21601, cities with by-district election systems are required to redraw their district boundary maps to ensure compliance with the California and federal Voting Rights Acts. This process, called redistricting, ensures that all districts have a nearly equal population. The City adopted its current district boundaries in 2022 based on 2020 census data as required by law.

Between October 20, 2021 and March 16, 2022, the Council held five public hearings to complete the redistricting requirements and dedicated public outreach to ensure minority populations and communities of interest were aware of the redistricting effort and were provided with options to participate. On April 6, 2022, Council adopted an Ordinance Amending

Section 2-1.21 of Chapter 1 of Title II of the Madera Municipal Code Regarding By-District Elections, Adjusting the Boundaries of City Council Election Districts and Confirming Such Revised Council Boundaries.

Since the adoption of the current boundary maps, there has been significant annexation (Villages at Almond Grove) in the northwest portion of the City, adjacent to Council District 1. The annexed area is currently predominately agricultural land with several homes. While the area is in the City, it is not within a Council district, thus the Council District Boundary Maps must be modified to incorporate the annexed area. Per the Elections Code, the redistricting of this area must occur by April 2024, 205 days prior to the next regular election on November 5, 2024.

DISCUSSION:

Process:

The City Council typically chooses where the district lines will be drawn every 10 years based on the latest U.S. Census. Between these regular 10-year updates, changes to district boundaries are typically not allowed under the Elections Code. However, there is an exception for the circumstances here, as new territory has been annexed into the City and the total annexed territory contains less than 25 percent of the City's population. In such cases, the City Council may update the district boundaries to allow for the new members of the community to vote in City elections, etc.

State laws set strict criteria for the updates of the district boundaries in such circumstances. Specifically, the City Council is required to add the new territory "to the nearest existing Council district" without changing the boundaries of other Council district boundaries. As a result, the City's discretion is limited regarding the present annexation.

Even though the criteria for setting the boundaries for annexed property is constrained by State law, the default procedures for redistricting boundaries still apply. Under these procedures the public will have the opportunity to draw and submit district maps for the Council's consideration, and the City may develop its own maps for consideration. By law, the City must hold at least four public hearings that enable community members to provide input on the drawing of district maps per the following:

- One Public Hearing will be held to invite public input regarding the composition of the City's voting districts before any draft maps are drawn. The hearing this evening meets this criteria and is considered one of the required public hearings.
- Three Public Hearings will be held to invite public input regarding the composition of the City's proposed modifications to the voting districts after the draft maps are drawn. These hearings will be scheduled for dates to be determined.
- After the Public Hearings, the City Council will introduce an ordinance establishing a map with the modified voting division boundaries at a scheduled meeting date of the City

Council to be determined, and the ordinance will then be presented for final adoption at the subsequent regularly scheduled meeting.

Mandatory Criteria for Creating Districts:

While public input concerning the composition of the City's voting divisions will be considered, as noted above there are several mandatory criteria that the City must comply with when the actual divisions are created:

1. Any annexed property must be added to the nearest existing Council district; and
2. No other changes to existing Council districts can occur.

FINANCIAL IMPACT:

There is no fiscal impact to modifying the boundaries other than staff time to prepare the necessary staff reports and modify the district boundary maps.

ALTERNATIVES:

Decline to hold a Public Hearing at this time.

ATTACHMENTS:

1. Council Districts Map with Annexations

ATTACHMENT 1

Council Districts Map with Annexations

City of Madera
City Council
Election Districts

THE VILLAGES AT ALMOND GROVE
ANNEXED (2022)
AREA (ACRES)
1,851 AC.

1

2

3

4

5

6

Fresno River

Legend

Madera City Limits
Assessors Parcels
State Routes
Railroads
Villages at Almond Grove Annexation (2022)

DISTRICT	MEMBER	AREA (ACRES)	ELECTION YEAR
MAYOR	SANTOS GARCIA	AT LARGE	2020
1	CECE GALLEGOS	3,342.7 AC.	2022
2	JOSE RODRIGUEZ	2,328.0 AC.	2020
3	STEVE MONTES	1,394.4 AC.	2022
4	ANITA EVANS	587.2 AC.	2020
5	ELSA MEJIA	1,246.0 AC.	2022
6	ARTEMIO VILLEGAS	1,719.9 AC.	2020

0 0.5 1 2 Miles

N

REPORT TO CITY COUNCIL

Approved by:

Keith Helmuth, City Engineer

for

Arnoldo Rodriguez, City Manager

Council Meeting of: November 15, 2023

Agenda Number: D-1

SUBJECT:

New Police Department Parking Lot, City Project PD-01

RECOMMENDATION:

Adopt a Resolution approving the contract award for the New Police Department Parking Lot, City Project PD-01 for $ 518,700to Terra West Construction Inc. and a contingency of 10 percent of the contract amount, and a CEQA Class 1 Categorical Exemption (Existing Facilities)

SUMMARY:

On June 20, 2018 the City Council (Council) approved an agreement for the purchase and sale of real property for the Police Department from the Fred and Diane Family Trust of 2008. The property is approximately 0.33 acre and is located at the southerly intersection of E. 7th Street and S. C Street. The prior use of the property was a used car lot. The Police Department is currently using the property for unsecured employee parking.

The City prepared engineered construction plans and specifications for the purposes of upgrading the parking lot with new pavement, sidewalk, landscaping, slatted chain link fence, automatic gates, new LED light standards, and security monitoring.

On September 26, 2023 the construction plans and specifications were released for public bidding through the City's Website portal, PlanetBids. An Advertisement for Bid was placed in the Madera Tribune on September 27 and October 4, 2023. The City received six bids on November 2, 2023.

Terra West Construction Inc (Terra) submitted the lowest, responsive bid for $518,700.00. The Fiscal Year (FY) 2023/24 Capital Projects Budget includes funding for the project.

BACKGROUND:

With growth of the City, the need for additional police facilities and equipment has also increased correspondingly. As a result, the City acquired additional property immediately adjacent to the Police Department for operational needs and parking. This property is dedicated for secured employee parking only.

There are currently 50 standard employee parking stalls and 4 ADA compliant parking stalls on the existing police property. The new parking lot will add 26 standard parking stalls, 11 compact parking stalls, 2 ADA compliant parking stalls, and 2 EV (electric vehicle capable) ADA compliant parking stalls. There are 3 parking stalls that will have infrastructure constructed for EV capability.

The new parking lot will also have new landscaping installed on S. C Street and E. 7th Street.

There is a 65-foot-wide Madera Irrigation District (MID) Easement with dual 54-inch pipelines running diagonally through the property. The MID has approved the new parking lot use within the easement. The new parking lot will not affect the operations and maintenance of the pipelines.

Access will be through two 20-foot-wide, 8-foot tall, slatted chain link sliding access gates on the alley side and are only accessible with a wireless key fob. There will be no public access.

The Planning Commission approved the Site Plan (SPR 2023-19) and a Variance (VAR 2023-03, 8' tall, slatted chain link fence) for the New Police Department Parking Lot, City Project PD-01 on September 12, 2023.

Terra submitted the lowest, responsive, and responsible bid that meets the contract requirements. It is therefore recommended for award.

Measure K Sales Tax (Police Department) 10252500 funds are programed in the FY 2023/24 CIP as PD-01.

DISCUSSION:

The general scope of work consists of the following:

- New AC Pavement within the property and adjacent alley. New concrete valley gutter and a channel through walk will drain rainwater to S. C Street and an adjacent drain inlet.
- New 8 foot high slatted chain link fence will be installed along the street perimeter of the property. There will be no barbed or razor wire installed.
- Two 20-foot wide, 8-foot tall, slatted chain link sliding access gates will be installed on the alley side. They are only accessible with a wireless key fob. They will match the existing gates already on the property. There will be no public access.
- A new 5-foot-wide sidewalk will be constructed on E. 7th Street with 7 feet width of

landscaping. The existing sidewalk on S. C Street will be modified to include a 6 foot wide landscaping and 8 feet wide sidewalk.

- Landscaping trees and shrubs will be installed along the frontage streets. Minor landscape improvements will be installed onsite, but outside of the MID easement. All new landscaping will match existing species along S. C Street.
- LED lighting and security cameras will be installed onsite on two poles.

On September 26, 2023 the City released the project for public bidding on the PlanetBids web portal. Also, a "Notice Inviting Bids" was duly published in the Madera Tribune Newspaper on September 27 and October 4, 2023.

On November 2, 2023 six bids were received. The bids were checked for accuracy against bidding requirements, validity of licenses, and bid security. Table 1 presents a summary of the bids received.

Table 1: *Bid Overview*

	Bidder	*Total Base Bid*
1.	Terra West Construction Inc.	$518,700.00
2.	JJT@ Inc dba Todd Companies	$571,195.72
3.	The Design Build Inc.	$571,590.00
4.	Heavy Road & Rail, Inc.	$605,000.00
5.	JPB Designs, Inc.	$648,980.00
6.	B & M Builders, Inc	$703,390.00
	Engineer's Opinion of Cost	*$549,565.00*

Terra submitted the lowest, responsive, and responsible bid that meets the contract requirements and is therefore recommended for award.

Staff performed a preliminary environmental assessment of this project and determined that it falls within the Class 1 Categorical Exemption (Existing Facilities) set forth in California Environmental Quality Act (CEQA) Guidelines section 15301, as this contract is for the replacement of existing pavement, fencing, and landscaping. There will be no expansion of existing facilities or change in use. None of the exceptions to the Categorical Exemptions set forth in CEQA Guidelines section 15300.2 apply to this project. As such, staff recommends that Council adopt a Class 1 Categorical Exemption for this project.

FINANCIAL IMPACT:

There is no fiscal impact on the City's General Fund.

Measure K Sales Tax (Police Department) 10252500 are programed in the FY 2023/24 CIP as PD-

01.

Funding is also being provided by grants from the California Office of Emergency Services

ALTERNATIVES:

Reject all bids. Rebidding the project adds financial and operational risk by potentially increasing the construction cost and delay in construction.

ATTACHMENTS:

1. Resolution approving Contract
    a. Exhibit A – Contract

Attachment 1

Contract Award Resolution

RESOLUTION NO. 23-_____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA APPROVING THE CONTRACT AWARD FOR THE NEW POLICE DEPARTMENT PARKING LOT, CITY PROJECT PD-01 IN THE AMOUNT OF $518,700.00 TO TERRA WEST CONSTRUCTION INC AND AUTHORIZING CONSTRUCTION CONTINGENCIES RELATING TO THE CONTRACT AND A CEQA CLASS 1 CATEGORICAL EXEMPTION (EXISTING FACILITIES)

WHEREAS, on September 26, 2023, the City of Madera (City) Engineering Department advertised a solicitation for construction bids for the New Police Department Parking Lot, City Project PD-01 hereinafter referred to as "the Project";and

WHEREAS, six sealed bids were received on November 2, 2023, and opened by the City Engineer; and

WHEREAS, Terra West Construction Inc was selected as the lowest responsive and responsible bidder; and

WHEREAS, the Project is programmed in the Capital Improvement Projects Budget for Fiscal Year 2023/24 under CIP Projects PD-01 using Measure K Sales Tax funds; and

WHEREAS, a CEQA Class 1 Categorical Exemption (Existing Facilities) was prepared.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MADERA HEREBY finds, orders and resolves as follows:

1. The above recitals are true and correct.

2. The City Council (Council) has reviewed and considered all of the information presented including the report to Council from the Engineering Department.

3. The City finds that Terra West Construction Inc is the lowest responsible and responsive bidder.

4. The contract for the Project in the Amount of $518,700.00 to Terra West Construction Inc, a copy of which is attached hereto as Exhibit A and referred to for particulars, is approved.

5. Council authorizes Construction Contingencies of up to 10 percent as approved by the City Engineer

6. A CEQA Class 1 Categorical Exemption (Existing Facilities) was prepared.

7. This Resolution is effective immediately upon adoption.

****

Exhibit A

Contract Agreement

AGREEMENT

THIS AGREEMENT, made this 15th day of November, 2023, between the City of Madera, hereinafter called "**OWNER",** and Terra West Construction Inc, doing business as a corporation, hereinafter called **"CONTRACTOR"**.

WITNESSETH: That for and in consideration of the payments and agreements hereinafter mentioned:

1. The **CONTRACTOR** shall commence and complete all **WORK** required for the **"New Police Department Parking Lot, City Project PD-01"**

2. The **CONTRACTOR** shall furnish all of the material, supplies, tools, equipment, labor and other services necessary for the construction and completion of the **WORK** described herein.

3. The **CONTRACTOR** shall commence the **WORK** required by the **CONTRACT DOCUMENTS** within 10 calendar days after the date of the **NOTICE TO PROCEED** and will complete the same within the time period set forth in the **CONTRACT DOCUMENTS**. The **CONTRACTOR** shall submit a Payment Bond and Performance Bond in the amount of $ 518,700.00, each and Insurance Certificates as specified in the **CONTRACT DOCUMENTS** prior to commencing any WORK.

4. The **CONTRACTOR** agrees to perform all of the **WORK** described in the **DOCUMENTS** for the unit and lump sum prices set forth in the Bid Schedule.

5. The term **"CONTRACT DOCUMENTS"** means and includes the following:

(A) Advertisement for Bids
(B) Information for Bidders
(C) Bid Proposal
(D) Bid Bond
(E) Agreement
(F) Payment Bond
(G) Performance Bond
(H) Insurance Requirements for Contractors
(I) General Conditions
(J) Special Conditions
(K) City of Madera Standard Specifications and Drawings
(N) State Standard Plans and Specifications
(O) Plans and Specifications prepared or issued by City of Madera entitled "New Police Department Parking Lot", City Project PD-01

Addenda Nos. 1, dated October 19, 2023

6. In the event the **CONTRACTOR** does not complete the **WORK** within the time limit specified herein or within such further time as authorized, the **CONTRACTOR** shall pay to the **OWNER** liquidated damages in the amount **of Three Thousand six Hundred Dollars ($3,600.00)** per day for each and every calendar day delay in finishing the **WORK** beyond the completion date so specified.

7. The **OWNER** will pay to the **CONTRACTOR** in the manner and at such times as set forth in the General Conditions such amounts as required by the **CONTRACT DOCUMENTS**. For any moneys earned by the **CONTRACTOR** and withheld by the **OWNER** to ensure the performance of the Contract, the **CONTRACTOR** may, at his request and expense, substitute securities equivalent to the amount withheld in the form and manner and subject to the conditions provided in Division 2, Part 5, Section 22300 of the Public Contract Code of the State of California.

8. In the event of a dispute between the **OWNER** and the **CONTRACTOR** as to an interpretation of any of the specifications or as to the quality or sufficiency of material or workmanship, the decision of the **OWNER** shall for the time being prevail and the **CONTRACTOR**, without delaying the job, shall proceed as directed by the **OWNER** without prejudice to a final determination by negotiation, arbitration by mutual consent or litigation, and should the **CONTRACTOR** be finally determined to be either wholly or partially correct, the **OWNER** shall reimburse him for any added costs he may have incurred by reason of work done or material supplied beyond the terms of the contract as a result of complying with the **OWNER'S** directions as aforesaid. In the event the **CONTRACTOR** shall neglect to prosecute the work properly or fail to perform any provisions of the **CONTRACT**, the **OWNER**, after three days written notice to the **CONTRACTOR**, may, without prejudice to any other remedy it may have, make good such deficiencies and may deduct the cost thereof from the payment then or thereafter due to the **CONTRACTOR**, subject to final settlement between the parties as in this paragraph herein above provided.

8A. CLAIMS RESOLUTION PROCESS FOR DISPUTES.

It is the intent of this Contract that disputes regarding the Contract be resolved promptly and fairly between the Contractor and the Owner. However, it is recognized that some disputes will require detailed investigation and review by one or both parties before a determination and resolution can be reached. For the protection of the rights of both the Contractor and the Owner, the following provisions are provided for the resolution of disputes which cannot be resolved by the Owner and the Contractor within three business days after either party gives verbal notice of dispute or potential dispute to the other's attention and prior to the commencement of such work.

The following provisions are intended by Contractor and Owner to comply with Public Contract Code Sections 9204 and 20104 et. seq.

A. Claims:

The term "claim" refers to a separate demand by Contractor sent by registered mail or certified mail with return receipt requested, for one or more of the following:

1. A time extension, including, without limitation, for relief from damages or penalties for delay assessed by Owner under this Contract.

2. Payment by the Owner of money or damages arising from work done by, or on behalf of, the Contractor pursuant to the Contract and payment for which is not otherwise expressly provided or to which the Contractor is not otherwise entitled.

3. Payment of an amount that is disputed by the Owner.

B. The Claim Must Be Timely and in Writing:

For all claims the claim must be in writing and include the documents necessary to substantiate the claim. A notice of potential claim must be filed within five (5) business days of

Contractor's completion of work that is a potential claim. Notice of an actual claim must be filed on or before the date of final payment.

C. Receipt of Claim by Owner:

Upon receipt of a claim pursuant to this section, the Owner will conduct a reasonable review of the claim and, within a period not to exceed 45 days from the date of receipt, will provide the Contractor with a written statement identifying what portion of the claim is disputed and what portion is undisputed. Upon receipt of a claim, Owner and Contractor may, by mutual agreement, extend the time period provided in this section.

The Contractor shall furnish reasonable documentation to support the claim. If additional information is thereafter required, it shall be requested and provided upon mutual agreement by the Owner and the Contractor. The District's written response to the claim, as further documented, shall be submitted to the claimant within 30 days after receipt of the further documentation, or within a period of time no greater than that taken by the Contractor in producing the additional information or requested documentation.

D. City Council Approval:

If the Owner needs approval from the City Council to provide the Contractor a written statement identifying the disputed portion and the undisputed portion of the claim, and the City Council does not meet within the 45 days or within the mutually agreed to extension of time following receipt of a claim sent by registered mail or certified mail, return receipt requested, the Owner shall have up to three days following the next duly publicly noticed regular meeting of the City Council after the 45-day period or extension expires to provide the Contractor a written statement identifying the disputed portion and the undisputed portion.

E. Payment of Claim:

Any payment due on an undisputed portion of the claim shall be processed and made within 60 days after the Owner issues its written statement. If the Owner fails to issue a written statement, paragraph F below shall apply.

F. Meet and Confer:

If the Contractor disputes the Owner's written response, or if the Owner fails to respond to a claim issued pursuant to this section within the time prescribed, the Contractor may demand in writing an informal conference to meet and confer for settlement of the issues in dispute. Upon receipt of a demand in writing sent by registered mail or certified mail, return receipt requested, the Owner shall schedule a meet and confer conference within 30 days for settlement of the dispute.

Within 10 business days following the conclusion of the meet and confer conference, if the claim or any portion of the claim remains in dispute, the Owner shall provide the Contractor a written statement identifying the portion of the claim that remains in dispute and the portion that is undisputed. Any payment due on an undisputed portion of the claim shall be processed and made within 60 days after the Owner issues its written statement. Any disputed portion of the claim, as identified by the contractor in writing, shall be submitted to nonbinding mediation, with the Owner and the Contractor sharing the associated costs equally. The Owner and Contractor shall mutually agree to a mediator within 10 business days after the disputed portion of the claim has been identified

in writing. If the parties cannot agree upon a mediator, each party shall select a mediator and those mediators shall select a qualified neutral third party to mediate with regard to the disputed portion of the claim. Each party shall bear the fees and costs charged by its respective mediator in connection with the selection of the neutral mediator. If mediation is unsuccessful, the parts of the claim remaining in dispute shall be subject to applicable procedures outside this section.

Under this Contract, mediation includes any nonbinding process, including, but not limited to, neutral evaluation or a dispute review board, in which an independent third party or board assists the parties in dispute resolution through negotiation or by issuance of an evaluation. Any mediation utilized shall conform to the timeframes in this section.

Unless otherwise agreed to by the Owner and the Contractor in writing, the mediation conducted pursuant to this section shall excuse any further obligation under Public Contract Code Section 20104.4 to mediate after litigation has been commenced.

If mediation as set forth above does not resolve the parties' dispute, the parties will proceed to arbitration of disputes under private arbitration or the Public Works Contract Arbitration Program.

G. Filing a Government Code Written Claim Notice:

Following the meet and confer conference, if the claim or any portion remains in dispute, the Contractor may file a claim under the Torts Claims Act as provided in Chapter 1 (commencing with Section 900) and Chapter 2 commencing with Section 910) of Part 3 of Division 3.6 of Title 1 of the Government Code Section 900.

H. Owner's Failure to Respond to Claim:

Failure by the Owner to respond to a claim from Contractor within the time periods described above or to otherwise meet the time requirements set forth above shall result in the claim being deemed rejected in its entirety. A claim that is denied by reason of the Owner's failure to have responded to a claim, or its failure to otherwise meet the time requirements of this section, shall not constitute an adverse finding with regard to the merits of the claim or the responsibility or qualifications of the Contractor.

I. Interest:

Amounts not paid in a timely manner as required by this section shall bear interest at 7 percent per annum.

J. Subcontractor Claims:

If a subcontractor or a lower tier subcontractor lacks legal standing to assert a claim against Owner because privity of contract does not exist, the Contractor may present to the Owner a claim on behalf of a subcontractor or lower tier subcontractor. For purposes of this paragraph, the term "subcontractor' means any type of subcontractor within the meaning of Chapter 9 (commencing with Section 7000) of Division 3 of the Business and Professions Code who either is in direct contract with the Contractor or is a lower tier subcontractor. A subcontractor may request in writing, either on his or her own behalf or on behalf of a lower tier subcontractor, that the Contractor present a claim for work which was performed by the subcontractor or by a lower tier subcontractor on behalf of the subcontractor. The subcontractor requesting that the claim be presented to the Owner shall furnish reasonable documentation to support the claim. Within 45 days of receipt of this

written request, the Contractor shall notify the subcontractor in writing as to whether the contractor presented the claim to the Owner and, if the original contractor did not present the claim, provide the subcontractor with a statement of the reasons for not having done so.

K. Filing of Action on Unresolved Claims:

The parties shall follow the procedures set forth in Public Contracts Code Section 20104.4 if an action is filed to resolve claims under the foregoing provisions. Any action shall be filed in Madera County.

9. Attention is directed to Section 1735 of the Labor Code, which reads as follows:

"No discrimination shall be made in the employment of persons upon public works because of the race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical conditions, marital status, or sex of such persons except as provided in Section 12940 of the Government Code, and every contractor for public works violating this section is subject to all the penalties imposed for by violation of this chapter".

10. In accordance with the provisions of Article 5, Chapter l, Part 7, Division 2 (commencing with Section 1860) and Chapter 4, Part l, Division 4 (commencing with Section 3700) of the Labor Code of the State of California, the **CONTRACTOR** is required to secure the payment of compensation to his employees and shall for that purpose obtain and keep in effect adequate Worker's Compensation Insurance.

The undersigned **CONTRACTOR** is aware of the provisions of Section 3700 of the Labor Code which requires every employer to be insured against Liability for Worker's Compensation or to undertake self-insurance in accordance with the provisions before commencing the performance of the **WORK** of this Agreement.

11. The **CONTRACTOR** shall comply with Part 7, Chapter l, Article 2, Section 1775 of the Labor Code of the State of California. The **CONTRACTOR** shall, as a penalty to the **OWNER**, forfeit fifty dollars ($50.00) for each calendar day, or portion thereof, for each workman paid less than the prevailing rates for such work or craft in which such workman is employed for any public work done under the Contract by him or by any **SUBCONTRACTOR** under him. The difference between such prevailing wage rates and the amount paid to each workman for each calendar day or portion thereof for which each workman was paid less than a prevailing wage rate, shall be paid to each workman by the **CONTRACTOR**.

12. The **CONTRACTOR** shall comply with Part 7, Chapter l, Article 2, Section 1776 of the Labor Code of the State of California. The **CONTRACTOR** shall keep and require that all **SUBCONTRACTORS** keep accurate payroll records showing the name, address, social security number, work classification, straight time and overtime hours worked each day and week, and the actual per diem wages paid to each journeyman, apprentice worker or other employee employed by him in connection with public work. Such payroll records shall be certified and shall be available for inspection at all reasonable hours at the principal office of the **CONTRACTOR** by the **OWNER**, its officers and agents and to the representatives of the Division of Labor Law Enforcement of the State Department of Industrial Relations. In the event of non-compliance with the requirements of Section 1776, the **CONTRACTOR** shall have 10 days in which to comply subsequent to receipt of written notice specifying in what respects the **CONTRACTOR** must comply. Should non-compliance still be evident after the ten (10) day period, the **CONTRACTOR** shall, as a penalty to the **OWNER** forfeit twenty-five dollars ($25.00) for each calendar day, or portion thereof, for each worker until strict compliance is effectuated. Upon the request of the Division of Apprenticeship Standards or the Division of Labor Standards Enforcement, these penalties shall be withheld from progress

payments then due.

13. Attention is directed to the provisions in Sections 1777.5 and 1777.6 of the Labor Code concerning the employment of apprentices by the **CONTRACTOR** or any **SUBCONTRACTOR** under him. It is the **CONTRACTOR'S** responsibility to ensure compliance by both itself and all **SUBCONTRACTORS**.

Section 1777.5 provides, in part, as follows:

The **CONTRACTOR** or **SUBCONTRACTOR**, if he is covered by this section, upon the issuance of the approval certificate, or if he has been previously approved in the craft or trade, shall employ the number of apprentices or the ratio of apprentices to journeyman stipulated in the apprenticeship standards. Upon proper showing by the **CONTRACTOR** that he employs apprentices in the craft or trade in the State on all of his/her contracts on an annual average of not less than one hour of apprentice work for every five hours of labor performed by a journeyman, or in the land surveyor classification, one apprentice for each five journeyman, the Division of Apprenticeship Standards may grant a certification exempting the **CONTRACTOR** from the one (1) to five (5) hourly ratio as set forth in this section. This section shall not apply to contracts of general **CONTRACTORS** or to contracts of specialty contractors not bidding for work through a general or prime **CONTRACTOR**, when the contracts of general **CONTRACTORS**, or those specialty **CONTRACTORS** involve less than thirty thousand dollars ($30,000). Any work performed by a journeyman in excess of eight hours per day or forty (40) hours per week shall not be used to calculate the hourly ratio required by this section.

Apprenticeable craft or trade, as used in this section, shall mean a craft or trade determined as an apprenticeable occupation in accordance with rules and regulations prescribed by the Apprenticeship Council. The joint apprenticeship committee shall have the discretion to grant a certificate, which shall be subject to the approval of the Administrator of Apprenticeship, exempting a **CONTRACTOR** from the 1 to 5 ratio set forth in this section when it finds that any one of the following conditions is met:

(a) In the event unemployment for the previous three-month period in such area exceeds an average of 15 percent, or

(b) In the event the number of apprentices in training in such area exceeds a ratio of 1 to 5, or

(c) If there is a showing that the apprenticeable craft or trade is replacing at least one-thirtieth of its journeymen annually through apprenticeship training, either (1) on a statewide basis, or (2) on a local basis, or

(d) If assignment of an apprentice to any work performed under a public works contract would create a condition which should jeopardize his life or the life, safety, or property of fellow employees, or the public at large or if the specific task to which the apprentice is to be assigned is of a nature that training cannot be provided by a journeyman.

When such exemptions are granted to an organization which represents **CONTRACTORS** in a specific trade from the 1 to 5 ratio on a local or statewide basis the member **CONTRACTORS** will not be required to submit individual applications for approval to local joint apprenticeship committees, provided they are already covered by the local apprenticeship standards.

The **CONTRACTOR** is required to make contributions to funds established for the

administration of apprenticeship programs if he employs registered apprentices or journeymen in apprenticeable trade on such contracts and if other **CONTRACTORS** on the public work site are making such contributions. The **CONTRACTOR**, and any **SUBCONTRACTOR** under him, shall comply with the requirements of Sections 1777.5 and 1777.6 of the Labor Code in the employment of apprentices. Information relative to number of apprentices, identifications, wages, hours of employment and standards of working conditions shall be obtained from the Division of Apprenticeship Standards. Consult the white pages of your telephone directory under California, State of, Industrial Relations, Apprenticeship Standards, for the telephone number and address of the nearest office. Willful failure by the **CONTRACTOR** to comply with the provisions of Sections 1777.5 will subject the **CONTRACTOR** to the penalties set forth in Section 1777.7 of the Labor Code.

14. Pursuant to California Labor Code Section 1813, eight hours in any one calendar day and forty (40) hours in any calendar week shall be the maximum hours any workman is required or permitted to work, except in cases of extraordinary emergency caused by fires, flood, or danger to life and property. The **CONTRACTOR** doing the work, or his duly authorized agent, shall file with **OWNER** a report, verified by his oath, setting forth the nature of the said emergency, which report shall contain the name of said worker and the hours worked by him on the said day, and the **CONTRACTOR** and each **SUBCONTRACTOR** shall also keep an accurate record showing the names and actual hours worked of all workers employed by him in connection with the work contemplated by this Agreement, which record shall be open at all reasonable hours to the inspection of the **OWNER**, or its officer or agents and to the Chief of all Division of Labor Statistics and Law Enforcement of the Department of Industrial Relations, his deputies or agents; and it is hereby further agreed that said **CONTRACTOR** shall forfeit as a penalty to the **OWNER** the sum of Twenty-Five Dollars ($25.00) for each laborer, workman or any **SUBCONTRACTOR** under him for each calendar day during which such laborer, workman or mechanic is required or permitted to labor more than eight (8) hours in violation of this stipulation.

Overtime and shift work may be established as a regular procedure by the **CONTRACTOR** with reasonable notice and written permission of the **OWNER.** No work other than overtime and shift work established as a regular procedure shall be performed between the hours of 6:00 P.M. and 7:00 A.M. nor on Saturdays, Sundays or holidays except such work as is necessary for the proper care and protection of the work already performed or in case of an emergency.

CONTRACTOR agrees to pay the costs of overtime inspection except those occurring as a result of overtime and shift work established as a regular procedure. Overtime inspection shall include inspection required during holidays, Saturdays, Sundays and weekdays. Costs of overtime inspection will cover engineering, inspection, general supervision and overhead expenses which are directly chargeable to the overtime work. **CONTRACTOR** agrees that **OWNER** shall deduct such charges from payments due the **CONTRACTOR.**

15. The **CONTRACTOR** shall comply with Division 2, Chapter 4, Part 1 of the Public Contract Code relating to subletting and subcontracting, specifically included but not limited to Sections 4104, 4106, and 4110, which by this reference are incorporated into this Agreement as though fully set forth herein.

16. The **CONTRACTOR** and the **OWNER** agree that changes in this Agreement or in the work to be done under this Agreement shall become effective only when written in the form of a supplemental agreement or change order and approved and signed by the **OWNER** and the **CONTRACTOR**. It is specifically agreed that the **OWNER** shall have the right to request any alterations, deviations, reductions

or additions to the contract or the plans and specifications or any of them, and the amount of the cost thereof shall be added to or deducted from the amount of the contract price aforesaid by fair and reasonable valuations thereof.

This contract shall be held to be completed when the work is finished in accordance with the original plans and specifications as amended by such changes. No such change or modification shall release or exonerate any surety upon any guaranty or bond given in connection with this contract.

17. **Contractor** shall indemnify, defend with legal counsel approved by City, and hold harmless City, its officers, officials, employees, and volunteers from and against all liability, loss, damage, expense, and cost (including without limitation reasonable legal counsel fees, expert fees and all other costs and fees of litigation) of every nature arising out of or in connection with **Contractor's** negligence, recklessness, or willful misconduct in the performance of work hereunder, or its failure to comply with any of its obligations contained in this AGREEMENT, except such loss or damage caused by the sole active negligence or willful misconduct of the City. Should conflict of interest principles preclude a single legal counsel from representing both City and **Contractor,** or should City otherwise find **Contractor's** legal counsel unacceptable, then **Contractor** shall reimburse the City its costs of defense, including without limitation, reasonable legal counsel fees, expert fees, and all other costs and fees of litigation. The **Contractor** shall promptly pay any final judgment rendered against the City (and its officers, officials, employees and volunteers) with respect to claims determined by a trier of fact to have been the result of the **Contractor'**s negligent, reckless, or wrongful performance. It is expressly understood and agreed that the foregoing provisions are intended to be as broad and inclusive as is permitted by the law of the State of California and will survive termination of this Agreement.

Contractor obligations under this section apply regardless of whether or not such claim, charge, damage, demand, action, proceeding, loss, stop notice, cost, expense, judgment, civil fine or penalty, or liability was caused in part or contributed to by an Indemnitee. However, without affecting the rights of City under any provision of this agreement, **Contractor** shall not be required to indemnify and hold harmless City for liability attributable to the active negligence of City, provided such active negligence is determined by agreement between the parties or by the findings of a court of competent jurisdiction. In instances where City is shown to have been actively negligent and where City's active negligence accounts for only a percentage of the liability involved, the obligation of **Contractor** will be for that entire portion or percentage of liability not attributable to the active negligence of City.

Contractor agrees to obtain or cause to be obtained executed defense and indemnity agreements with provisions identical to those set forth in this Section from each and every Subcontractor and Subconsultant, of every Tier. In the event the **Contractor** fails to do so, **Contractor** agrees to be fully responsible to provide such defense and indemnification according to the terms of this Section.

18. Contractor must comply with the insurance requirements as described in the section "INSURANCE REQUIREMENTS FOR CONTRACTOR", pages 37-38 of the Contract Documents.

19. Amendments- Any changes to this Agreement requested by either City or **Terra West Construction Inc**. may only be effected if mutually agreed upon in writing by duly authorized representatives of the parties hereto. This Agreement shall not be modified or amended or any rights of a party to it waived except by such writing.

20. Termination.

A. This Agreement may be terminated at any time by either party upon fifteen (15) calendar days written notice. In the event the Agreement is terminated by either party, **Terra West Construction Inc** shall be compensated for services performed to the date of termination based upon the compensation rates and subject to the maximum amounts payable agreed to together with such additional services performed after termination which are authorized in writing by the City representative to wind up the work performed to date of termination.

B. City may immediately suspend or terminate this Agreement in whole or in part by written notice where, if in the determination of City, there is:

1. An illegal use of funds by **Terra West Construction Inc**;
2. A failure by **Terra West Construction Inc** to comply with any material term of this Agreement;
3. A substantially incorrect or incomplete report submitted by **Terra West Construction Inc** to City.

In no event shall any payment by City or acceptance by **Terra West Construction Inc** constitute a waiver by such party of any breach of this Agreement or any default which may then exist on the part of either party. Neither shall such payment impair or prejudice any remedy available to either party with respect to such breach or default. City shall have the right to demand of **Terra West Construction Inc** the repayment to City of any funds disbursed to **Terra West Construction Inc** under this Agreement which, as determined by the appropriate court or arbitrator, were not expended in accordance with the terms of this Agreement.

Notice of termination shall be mailed to the City:

City of Madera
Engineering Department
428 E. Yosemite Avenue
Madera, Ca 93638

To the Contractor **Terra West Construction Inc.**

21. Notices. All notices and communications from the **Terra West Construction Inc** shall be to City's designated Project Manager or Principal-In-Charge. Verbal communications shall be confirmed in writing. All written notices shall be provided and addressed as soon as possible, but not later than thirty (30) days after termination.

22. Compliance With Laws- City shall comply with all Federal, State and local laws, ordinances, regulations and provisions applicable in the performance of City's services.

Wherever reference is made in this Agreement to standards or codes in accordance with which work is to be performed or tested, the edition or revision of the standards or codes current on the effective date of this Agreement shall apply, unless otherwise expressly stated.

23. Attorneys' Fees/Venue- In the event that any action is brought to enforce the terms of this Agreement, the party found by the court to be in default agrees to pay reasonable attorneys' fees to the successful party in an amount to be fixed by the Court. The venue for any claim being brought for breach of this Agreement shall be in Madera County or as appropriate in the U.S. District Court for the Eastern District of California, located in the City of Madera.

24. Governing Law- The laws of the State of California shall govern the rights and obligations of the parties under the Agreement, including the interpretation of the Agreement. If any part of the Agreement is adjudged to be invalid or unenforceable, such invalidity shall not affect the full force and effect of the remainder of the Agreement.

25. City's Authority- Each individual executing or attesting to this Agreement on behalf of the City

hereby covenants and represents: (i) that he or she is duly authorized to execute or attest and deliver this Agreement on behalf of such corporation in accordance with a duly adopted resolution of the corporation's articles of incorporation or charter and bylaws; (ii) that this Agreement is binding upon such corporation; and (iii) that Contractor is a duly organized and legally existing municipal corporation in good standing in the State of California.

26. Contractor's Legal Authority - Each individual executing or attesting this Agreement on behalf of **Terra West Construction Inc** hereby covenants and represents: (i) that he or she is duly authorized to execute or attest and deliver this Agreement on behalf of such corporation in accordance with such corporation's articles of incorporation or charter and by-laws; (ii) that this Agreement is binding upon such corporation; and (iii) that **Terra West Construction Inc** is a duly organized and legally existing corporation in good standing in the State of California.

27. Remedies for Default. Failure by a party to perform any term, condition or covenant required of the party under this Agreement shall constitute a "default" of the offending party under this Agreement. In the event that a default remains uncured for more than ten (10) days following receipt of written notice of default from the other party, a "breach" shall be deemed to have occurred. Any failure or delay by a party in asserting any of its rights and remedies as to any default shall not operate as a waiver of any default or of any rights or remedies associated with a default.

28. Independent Contractor. In performance of the work, duties, and obligations assumed by the Contractor under this Agreement, it is mutually understood and agreed that the City, including any and all of City's officers, agents and employees will, at all times, be acting and performing as an independent contractor, and shall act in an independent capacity and not as an officer, agent, servant, employee, joint venture, partner, or associate of **City.** Furthermore, **City** shall have no right to control or supervise or direct the manner or method by which City shall perform its work and functions. The City shall comply with all applicable provisions of law and the rules and regulations, if any, of governmental authorities having jurisdiction over the subject matter hereof.

Because of its status as an independent contractor, City shall have absolutely no right to employment rights and benefits available to **City** employees. City shall be solely liable and responsible for providing to, or on behalf of, its employees all legally required employee benefits. In addition, City shall be solely responsible and hold **City** harmless from all matters relating to payment of City's employees, including compliance with Social Security, withholding and all other regulations governing such matters. It is acknowledged that during the term of this Agreement, City may be providing services to others unrelated to **City** or to this Agreement.

29.Sole Agreement- This instrument constitutes the sole and only Agreement between City and **Terra West Construction Inc** in connection to the Project and correctly sets forth the obligations of the City and **Terra West Construction Inc** to each other as of its date. Any Agreements or representations in connection with the Project, not expressly set forth in this instrument are null and void.

30. Assignment-Neither the **Terra West Construction Inc** nor City will assign its interest in this Agreement without the written consent of the other.

31 This Agreement shall be binding upon all parties hereto and their respective heirs, executors, administrators, successors, and assigns.

IN WITNESS WHEREOF the parties hereto have executed, or caused to be executed by their duly authorized officials, this Agreement in THREE copies, each of which shall be deemed an original on the date first above written.

City of Madera
Herein Called OWNER

By: _____
Santos Garcia, Mayor

APPROVE AS TO FORM:

_____
Shannon L. Chaffin, City Attorney

ATTEST:

_____
Alicia Gonzales, City Clerk

BY: Terra West Construction Inc
Herein Called CONTRACTOR

BY: _____
Ramon Medina, Secretary

Federal Tax I.D. No. 45-0933619

Contractor License Number = 924631

DIR Registration Number = 1000712658

NOTE: This Notary Acknowledgment on the following page is required for verification of Contractor's signature.

Acknowledgment

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

California Notary acknowledgement required to be attached.

REPORT TO CITY COUNCIL

Approved by: Joseph Hebert
_____
Joseph Hebert, Parks & Community Services Director

Arnoldo Rodriguez
_____
Arnoldo Rodriguez, City Manager

Council Meeting of: November 15, 2023

Agenda Number: D-2

SUBJECT:

Agreement for Vernon McCullough River Trail Restoration Project

RECOMMENDATION:

Adopt a Resolution awarding a contract under Invitation for Bids (IFB) No. 202324-07 to Witbro Inc. dba Seal Rite Paving and Grading for trail seal coating and repairs at the Vernon McCullough River Trail in the amount of $190,116

SUMMARY:

On October 16, 2023, the City received three bids in response to the IFB requesting complete seal coating and repairs at the Vernon McCullough River Trail.

Funding for the seal coating and repairs of the Vernon McCullough River Trail comes from the Clean California Local Grant Program. The City was awarded $832,350 for litter abatement and capital improvements along the Fresno River and Vernon McCullough River Trail. The initial grant application requested funding for the enhancement of the trail's pavement and enhanced walking and recreational opportunities for the public.

DISCUSSION:

The Vernon McCullough River Trail spans runs parallel to the Fresno River beginning at Tulare Street and terminating just west of Caitlan Drive. It measures approximately 17,000 linear feet and covers a total approximate surface area of roughly 204,211 square feet. The project will include crack fill, pothole repair, and a seal coat on the existing asphalt trail surface. The trail is a City gem, providing access to a cross-city trail system, allowing residents access to a desirable, no-cost wellness amenity. The trail encourages active recreation through walking, running, and bicycling.

Staff prepared IFB No. 202324-07 for the complete trail seal coating and repairs at the Vernon McCullough River Trail. The IFB was released on September 16, 2023, with bids due on Monday, October 16, 2023. The IFB notice was duly published in the Madera Tribune on September 16, 2023 and again on September 23, 2023. In addition, IFB was published on the following platforms:

- City of Madera PlanetBids Vendor Portal
- Construction Bidboard (Ebidboard)
- Dodge Data & Analytics
- Placer Country Contractors Association & Builders Exchange
- Builders' Exchange of San Joaquin
- Central California Builders Exchange

City staff would like to note, 96 vendors were notified through PlanetBids. A total of 10 vendors downloaded the project bid items. Bids were ultimately received from three firms: 1) Witbro, Inc. dba Seal Rite Paving & Grading, (2) Anderson Striping & Construction, Inc, and (3) MBS Engineering, Inc. The three bids received were evaluated by City staff for responsiveness and cost.

Table 1 shows vendors ranked by cost, with staff recommendation for awarding the contract to Seal Rite, being the lowest responsive, responsible bid per the requirements set forth in the project's contract documents.

Table 1*: Bids Received Ranked by Cost*

Rank	*Firm*	*Bid Amount*
1	Witbro, Inc. dba Seal Rite Paving & Grading	$190,116.00
2	Anderson Striping & Construction, Inc.	$232,434.16
3	MBS Engineering, Inc.	$288,318.74

Seal Rite is an experienced seal coating contractor with over 25 years of experience.

The City has worked with Seal Rite under previous agreements, including sidewalk improvement and larger street repair projects at various locations.

It is noted that the engineer's estimate placed the project cost at $208,529. With a bid of approximately $190k, the project is under budget and the remaining funds will be allocated to other improvements along the Fresno River.

FINANCIAL IMPACT:

A portion of the Clean California Local Grant Program award of $832,350 will fund the Vernon McCullough River Trail seal coating and repairs, as intended by the grant application. Sufficient funds have been budgeted in the City's Fiscal Year 2023/24 Parks Grant Fund #41096357 for expenses associated with the grant scope of work.

ALTERNATIVES:

The alternative to awarding this project is to reject all bids. Rebidding the project could result in higher bids or a lack of additional bids received. In addition, failure to proceed with the project promptly could jeopardize the City's ability to complete the project within the grant performance period ending June 30, 2024.

ATTACHMENTS:

1. Resolution Awarding RFQ No. 202324-07 to Witbro, Inc. dba Seal Rite Paving & Grading for Seal Coating and Repairs of the Vernon McCullough River Trail
    a. Exhibit A: Construction Agreement

ATTACHMENT 1

Resolution Awarding RFQ No. 202324-07 to Witbro Inc., dba Seal Rite Paving & Grading

RESOLUTION NO. 23-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA APPROVING AWARDING IFB NO. 202324-07 TO WITBRO INC., DBA SEAL RITE PAVING & GRADING FOR SEAL COATING & REPAIR OF THE VERNON MCCULLOUGH RIVER TRAIL FOR $190,116.00

WHEREAS, the City of Madera released an Invitation for Bids (IFB) No. 202324-07 calling for complete seal coating and repairs of the Vernon McCullough River Trail;and

WHEREAS, the IFB No. 202324-07 was released on September 16, 2023; and

WHEREAS, the IFB No. 202324-07 was duly noticed and published accordingly; and

WHEREAS, a total of three bids were received as of October 16, 2023; and

WHEREAS, one bid was received from Witbro, Inc. dba Seal Rite Paving & Grading (Seal Rite); and

WHEREAS, Seal Rite submitted the lowest responsible bid at $190,116.00; and

WHEREAS, the City wishes to enter into a Construction Agreement with Seal Rite for the completion of the work; and

WHEREAS, the Construction Agreement is to be for $190,116.00; and

WHEREAS, the work to be completed is part of the Clean California Local Grant Program award of $832,350 the City received for litter abatement capital improvements along the Fresno River and Vernon McCullough River Trail.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MADERA HEREBY finds, orders, and resolves as follows:

1. The above recitals are true and correct.
2. The City Council of the City of Madera does hereby accept the three bids received for this project, finds that Witbro, Inc. (dba Seal Rite Paving & Grading), is the lowest responsive and responsible bidder, and awards a construction contract for the IFB 202324-07 Vern McCullough River Trail Surface Restoration Project in the amount of $190,116.00 to Witbro, Inc. Said contract is attached hereto as Exhibit A and approved as to its material terms, and the Mayor is authorized to execute the same on behalf of the City subject as to legal form by the City Attorney.
3. This Resolution is effective immediately upon adoption.

****

CONSTRUCTION AGREEMENT
IFB 202324-07 Vern McCullough River Trail Seal Coating and Repair

This Construction Agreement ("Agreement") is made between the City of Madera, hereinafter called "**OWNER,"** and Witbro Inc., dba Seal Rite Paving & Grading, doing business as a corporation, hereinafter **"CONTRACTOR"** and collectively called **"Parties."** The Agreement is effective on the last date signed by the Parties at the end of this Agreement.

WITNESSETH: The Parties agree as follows:

1. Project. The **CONTRACTOR** shall commence and complete all **WORK** required for the **"IFB 202324-07 Vern McCullough River Trail Surface Restoration**."

2. Materials, Supplies, Equipment. The **CONTRACTOR** shall furnish all of the material, supplies, tools, equipment, labor, and other services necessary for the construction and completion of the **WORK** described in this Agreement.

3. Commencement of Work; Term of Agreement. The **CONTRACTOR** shall commence the **WORK** required by the **CONTRACT DOCUMENTS** within ten (10) calendar days after the date of the **NOTICE TO PROCEED** and will complete the same within 30 calendar days per assigned location. The **CONTRACTOR** shall submit a Payment Bond and Performance Bond in the amount of $190,116.00, each and Insurance Certificates as specified in the **CONTRACT DOCUMENTS** prior to commencing any WORK within fifteen (15) working days after being notified of the award of the contract, and before OWNER executes this AGREEMENT.

This Agreement shall be effective on Nov. 15, 2023, after approval by the City Council at a duly scheduled meeting thereof and shall continue in full force and effect through April 15, 2024, unless otherwise terminated earlier by one of the parties pursuant to Section 21 of this Agreement. The term may be extended by the City Manager in writing, if extension limited to term only, and if mutually agreed to at least 90 days in advance of expiration, for a period not to exceed one (1) additional one-year extension. An extension which includes compensation modifications will be submitted to the Council for approval.

4. The Contract Amount. **OWNER** agrees to pay, and **CONTRACTOR** agrees to accept, the sum not to exceed One Hundred Ninety Thousand, One Hundred Sixteen Dollars and Zero Cents ($190,116.00) ("Contract Price") subject to adjustments for changes in work as may be directed in writing by **OWNER** as payment in full for the **WORK** described in the **CONTRACT DOCUMENTS. WORK** performed **at** unit prices proposed in the **CONTRACT DOCUMENTS** will be paid based on actual quantities of work performed and accepted.

5. Contract Documents. The **CONTRACTOR** shall commence and complete all **WORK** required in accordance with the following **CONTRACT DOCUMENTS**, attached hereto as **Exhibit A**:

(A) CONTRACTOR Bid Schedule, Unit Prices

(B) Signed Non-Collusion Affidavit
(C) Signed Conflict of Interest Disclosure
(D) Addenda No. 1, dated 09/21/2023
(E) Addenda No. 2, dated 09/21/2023
(F) CONTRACTOR Evidence of Insurance
(G) Payment Bond
(H) Performance Bond
(I) IFB 202324-07 Vern McCullough River Trail Seal Coating and Repair

6. Liquidated Damages. In the event the **CONTRACTOR** does not complete the **WORK** within the time limit specified in Section 3 or within such further time as authorized, the **CONTRACTOR** shall pay to the **OWNER** liquidated damages in the amount **of two hundred dollars ($200.00)** per day for each and every calendar day delay in finishing the **WORK** beyond the completion date so specified.

7. Payment to Contractor. The **OWNER** will pay to the **CONTRACTOR** in the manner and at such times as set forth in the General Conditions such amounts as required by the **CONTRACT DOCUMENTS**. For any moneys earned by the **CONTRACTOR** and withheld by the **OWNER** to ensure the performance of the Contract, the **CONTRACTOR** may, at his request and expense, substitute securities equivalent to the amount withheld in the form and manner and subject to the conditions provided in Division 2, Part 5, Section 22300 of the Public Contract Code of the State of California.

8. Disputes. In the event of a dispute between the **OWNER** and the **CONTRACTOR** as to an interpretation of any of the specifications or as to the quality or sufficiency of material or workmanship, the decision of the **OWNER** shall for the time being prevail and the **CONTRACTOR**, without delaying the job, shall proceed as directed by the **OWNER** without prejudice to a final determination by negotiation, arbitration by mutual consent or litigation, and should the **CONTRACTOR** be finally determined to be either wholly or partially correct, the **OWNER** shall reimburse him for any added costs he may have incurred by reason of work done or material supplied beyond the terms of the contract as a result of complying with the **OWNER'S** directions as aforesaid. In the event the **CONTRACTOR** shall neglect to prosecute the work properly or fail to perform any provisions of the **CONTRACT**, the **OWNER**, after three days written notice to the **CONTRACTOR**, may, without prejudice to any other remedy it may have, make good such deficiencies and may deduct the cost thereof from the payment then or thereafter due to the **CONTRACTOR**, subject to final settlement between the parties as in this paragraph herein above provided.

8A. Claims Resolution Process For Disputes.

It is the intent of this Contract that disputes regarding the Contract be resolved promptly and fairly between the Contractor and the Owner. However, it is recognized that some disputes will require detailed investigation and review by one or both parties before a determination and resolution can be reached. For the protection of the rights of both the Contractor and the Owner,

the following provisions are provided for the resolution of disputes which cannot be resolved by the Owner and the Contractor within three business days after either party gives verbal notice of dispute or potential dispute to the other's attention and prior to the commencement of such work.

The following provisions are intended by Contractor and Owner to comply with Public Contract Code Sections 9204 and 20104 *et. seq*.

1) Claims:

The term "claim" refers to a separate demand by Contractor sent by registered mail or certified mail with return receipt requested, for one or more of the following:

a) A time extension, including, without limitation, for relief from damages or penalties for delay assessed by Owner under this Contract.
b) Payment by the Owner of money or damages arising from work done by, or on behalf of, the Contractor pursuant to the Contract and payment for which is not otherwise expressly provided or to which the Contractor is not otherwise entitled.
c) Payment of an amount that is disputed by the Owner.

2) The Claim Must Be Timely and in Writing:

For all claims the claim must be in writing and include the documents necessary to substantiate the claim. A notice of potential claim must be filed within five (5) business days of Contractor's completion of work that is a potential claim. Notice of an actual claim must be filed on or before the date of final payment.

3) Receipt of Claim by Owner:

Upon receipt of a claim pursuant to this section, the Owner will conduct a reasonable review of the claim and, within a period not to exceed 45 days from the date of receipt, will provide the Contractor with a written statement identifying what portion of the claim is disputed and what portion is undisputed. Upon receipt of a claim, Owner and Contractor may, by mutual agreement, extend the time period provided in this section.

The Contractor shall furnish reasonable documentation to support the claim. If additional information is thereafter required, it shall be requested and provided upon mutual agreement by the Owner and the Contractor. The District's written response to the claim, as further documented, shall be submitted to the claimant within 30 days after receipt of the further documentation, or within a period of time no greater than that taken by the Contractor in producing the additional

information or requested documentation.

4) City Council Approval:

If the Owner needs approval from the City Council to provide the Contractor a written statement identifying the disputed portion and the undisputed portion of the claim, and the City Council does not meet within the 45 days or within the mutually agreed to extension of time following receipt of a claim sent by registered mail or certified mail, return receipt requested, the Owner shall have up to three days following the next duly publicly noticed regular meeting of the City Council after the 45-day period or extension expires to provide the Contractor a written statement identifying the disputed portion and the undisputed portion.

5) Payment of Claim:

Any payment due on an undisputed portion of the claim shall be processed and made within 60 days after the Owner issues its written statement. If the Owner fails to issue a written statement, paragraph F below shall apply.

6) Meet and Confer:

If the Contractor disputes the Owner's written response, or if the Owner fails to respond to a claim issued pursuant to this section within the time prescribed, the Contractor may demand in writing an informal conference to meet and confer for settlement of the issues in dispute. Upon receipt of a demand in writing sent by registered mail or certified mail, return receipt requested, the Owner shall schedule a meet and confer conference within 30 days for settlement of the dispute.

Within 10 business days following the conclusion of the meet and confer conference, if the claim or any portion of the claim remains in dispute, the Owner shall provide the Contractor a written statement identifying the portion of the claim that remains in dispute and the portion that is undisputed. Any payment due on an undisputed portion of the claim shall be processed and made within 60 days after the Owner issues its written statement. Any disputed portion of the claim, as identified by the contractor in writing, shall be submitted to nonbinding mediation, with the Owner and the Contractor sharing the associated costs equally. The Owner and Contractor shall mutually agree to a mediator within 10 business days after the disputed portion of the claim has been identified in writing. If the parties cannot agree upon a mediator, each party shall select a mediator and those mediators shall select a qualified neutral third party to mediate with regard to the disputed portion of the claim. Each party shall bear the fees and costs charged by its respective mediator in connection with the selection of the neutral mediator. If mediation is unsuccessful, the parts of the claim remaining in dispute

shall be subject to applicable procedures outside this section.

Under this Contract, mediation includes any nonbinding process, including, but not limited to, neutral evaluation or a dispute review board, in which an independent third party or board assists the parties in dispute resolution through negotiation or by issuance of an evaluation. Any mediation utilized shall conform to the timeframes in this section.

Unless otherwise agreed to by the Owner and the Contractor in writing, the mediation conducted pursuant to this section shall excuse any further obligation under Public Contract Code Section 20104.4 to mediate after litigation has been commenced.

If mediation as set forth above does not resolve the parties' dispute, the parties will proceed to arbitration of disputes under private arbitration or the Public Works Contract Arbitration Program.

7) Filing a Government Code Written Claim Notice:

Following the meet and confer conference, if the claim or any portion remains in dispute, the Contractor may file a claim under the Torts Claims Act as provided in Chapter 1 (commencing with Section 900) and Chapter 2 commencing with Section 910) of Part 3 of Division 3.6 of Title 1 of the Government Code Section 900.

8) Owner's Failure to Respond to Claim:

Failure by the Owner to respond to a claim from Contractor within the time periods described above or to otherwise meet the time requirements set forth above shall result in the claim being deemed rejected in its entirety. A claim that is denied by reason of the Owner's failure to have responded to a claim, or its failure to otherwise meet the time requirements of this section, shall not constitute an adverse finding with regard to the merits of the claim or the responsibility or qualifications of the Contractor.

9) Interest:

Amounts not paid in a timely manner as required by this section shall bear interest at 7 percent per annum.

10) Subcontractor Claims:

If a subcontractor or a lower tier subcontractor lacks legal standing to assert a claim against Owner because privity of contract does not exist, the Contractor may

present to the Owner a claim on behalf of a subcontractor or lower tier subcontractor. For purposes of this paragraph, the term "subcontractor' means any type of subcontractor within the meaning of Chapter 9 (commencing with Section 7000) of Division 3 of the Business and Professions Code who either is in direct contract with the Contractor or is a lower tier subcontractor. A subcontractor may request in writing, either on his or her own behalf or on behalf of a lower tier subcontractor, that the Contractor present a claim for work which was performed by the subcontractor or by a lower tier subcontractor on behalf of the subcontractor. The subcontractor requesting that the claim be presented to the Owner shall furnish reasonable documentation to support the claim. Within 45 days of receipt of this written request, the Contractor shall notify the subcontractor in writing as to whether the contractor presented the claim to the Owner and, if the original contractor did not present the claim, provide the subcontractor with a statement of the reasons for not having done so.

11) Filing of Action on Unresolved Claims:

The parties shall follow the procedures set forth in Public Contracts Code Section 20104.4 if an action is filed to resolve claims under the foregoing provisions. Any action shall be filed in Madera County.

9. No Discrimination in Employment. Attention is directed to Section 1735 of the Labor Code, which reads as follows:

"No discrimination shall be made in the employment of persons upon public works because of the race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical conditions, marital status, or sex of such persons except as provided in Section 12940 of the Government Code, and every contractor for public works violating this section is subject to all the penalties imposed for by violation of this chapter".

10. Workers Compensation. In accordance with the provisions of Article 5, Chapter l, Part 7, Division 2 (commencing with Section 1860) and Chapter 4, Part l, Division 4 (commencing with Section 3700) of the Labor Code of the State of California, the **CONTRACTOR** is required to secure the payment of compensation to his employees and shall for that purpose obtain and keep in effect adequate Worker's Compensation Insurance.

The undersigned **CONTRACTOR** is aware of the provisions of Section 3700 of the Labor Code which requires every employer to be insured against Liability for Worker's Compensation or to undertake self-insurance in accordance with the provisions before commencing the performance of the **WORK** of this Agreement.

11. Prevailing Wages. This Agreement is subject to California Labor Code Sections 1720, et seq., and Contractor and subcontractor shall pay not less than the specified prevailing

rates of wage to all workers employed in performance of the Work. Pursuant to the provisions of Section 1770 of the California Labor Code, OWNER has obtained the general prevailing rate of wages and employer payments for health and welfare, vacation, pension, and similar purposes, as determined by the Director of the Department of Industrial Relations, a copy of which is on file in the office of OWNER, and shall be made available for viewing to any interested party upon request. The Contractor and each subcontractor shall forfeit as a penalty to OWNER not more than Two Hundred Dollars ($200) for each calendar day, or portion thereof, for each worker paid less than the stipulated prevailing wage rate in violation of the Labor Code. In addition, the difference between the prevailing wage rate and the amount paid to each worker for each calendar day or portion thereof for which each worker was paid less than the stipulated prevailing wage rate shall be paid to each worker by the Contractor.

12. Public Works Contractor Registration. Pursuant to Labor Code sections 1725.5 and 1771.1, all contractors and subcontractors that wish to bid on, be listed in a bid proposal, or enter into a contract to perform public work must be registered with the Department of Industrial Relation. No bid will be accepted, nor any contract entered into without proof of the Contractor's and subcontractors' current registration with the Department of Industrial Relations to perform public work. Contractor and its subcontractors, of any tier, shall maintain active registration with the Department of Industrial Relations for the duration of the Project. In addition, Contractor shall provide the registration number for each listed subcontractor in the space provided in the Designation of Subcontractors Form.

This Project is subject to compliance monitoring and enforcement by the Department of Relations. In executing this contract, Contractor acknowledges that it has reviewed all applicable labor compliance requirements and included the cost of complying with such requirements in its bid.

13. Payroll Records. The **CONTRACTOR** shall comply Section 1776 of the California Labor Code. The **CONTRACTOR** shall keep and require that all **SUBCONTRACTORS** keep accurate payroll records showing the name, address, social security number, work classification, straight time and overtime hours worked each day and week, and the actual per diem wages paid to each journeyman, apprentice worker or other employee employed by him in connection with public work. Such payroll records shall be certified and shall be available for inspection at all reasonable hours at the principal office of the **CONTRACTOR** by the **OWNER**, its officers, and agents and to the representatives of the Division of Labor Law Enforcement of the State Department of Industrial Relations. In the event of non-compliance with the requirements of Section 1776, the **CONTRACTOR** shall have 10 days in which to comply subsequent to receipt of written notice specifying in what respects the **CONTRACTOR** must comply. If **CONTRACTOR** or subcontractor does not comply after such ten (10) day period, the **CONTRACTOR** shall, as a penalty, forfeit one hundred dollars ($100) for each day or portion thereof for each worker until strict compliance is effectuated. Upon the request of the Division of Apprenticeship Standards or the Division of Labor Standards Enforcement, these penalties shall be withheld from progress payments then due.

In accordance with California Labor Code Section 1771.4 Section 1771.4, **CONTRACTOR** and each subcontractor shall furnish the certified payroll records directly to the Department of Industrial Relations (DIR) on a weekly basis and in the format prescribed by the DIR which may include electronic submission. **CONTRACTOR** shall comply with all applicable requirements and regulations from the DIR relating to labor compliance monitoring and enforcement.

14. Apprentices. Attention is directed to the provisions in Sections 1777.5 and 1777.6 of the California Labor Code concerning the employment of apprentices by the **CONTRACTOR** or any **SUBCONTRACTOR**. It is the **CONTRACTOR'S** responsibility to ensure compliance by both it and all **SUBCONTRACTORS**.

Section 1777.5 provides, in part, as follows:

The **CONTRACTOR** or **SUBCONTRACTOR**, if he is covered by this section, upon the issuance of the approval certificate, or if he has been previously approved in the craft or trade, shall employ the number of apprentices or the ratio of apprentices to journeyman stipulated in the apprenticeship standards. Upon proper showing by the **CONTRACTOR** that he employs apprentices in the craft or trade in the State on all of his/her contracts on an annual average of not less than one hour of apprentice work for every five hours of labor performed by a journeyman, or in the land surveyor classification, one apprentice for each five journeyman, the Division of Apprenticeship Standards may grant a certification exempting the **CONTRACTOR** from the one (1) to five (5) hourly ratio as set forth in this section. This section shall not apply to contracts of general **CONTRACTORS** or to contracts of specialty contractors not bidding for work through a general or prime **CONTRACTOR**, when the contracts of general **CONTRACTORS**, or those specialty **CONTRACTORS** involve less than thirty thousand dollars ($30,000). Any work performed by a journeyman in excess of eight hours per day or forty (40) hours per week shall not be used to calculate the hourly ratio required by this section.

Apprenticeable craft or trade, as used in this section, shall mean a craft or trade determined as an apprenticeable occupation in accordance with rules and regulations prescribed by the Apprenticeship Council. The joint apprenticeship committee shall have the discretion to grant a certificate, which shall be subject to the approval of the Administrator of Apprenticeship, exempting a **CONTRACTOR** from the 1 to 5 ratio set forth in this section when it finds that any one of the following conditions is met:

(a) In the event unemployment for the previous three-month period in such area exceeds an average of 15 percent, or

(b) In the event the number of apprentices in training in such area exceeds a ratio of 1 to 5, or

(c) If there is a showing that the apprenticeable craft or trade is replacing at least one-thirtieth of its journeymen annually through apprenticeship training, either (1) on a statewide basis, or (2) on a local basis, or

(d) If assignment of an apprentice to any work performed under a public works contract would create a condition which should jeopardize his life or the life, safety, or property of fellow employees, or the public at large or if the specific task to which the apprentice is to be assigned is of a nature that training cannot be provided by a journeyman.

When such exemptions are granted to an organization which represents contractors in a specific trade from the 1 to 5 ratio on a local or statewide basis the member contractors will not be required to submit individual applications for approval to local joint apprenticeship committees, provided they are already covered by the local apprenticeship standards.

The **CONTRACTOR** is required to make contributions to funds established for the administration of apprenticeship programs if he employs registered apprentices or journeymen in apprenticeable trade on such contracts and if other contractors on the public work site are making such contributions. The **CONTRACTOR**, and any **SUBCONTRACTOR** under him, shall comply with the requirements of Sections 1777.5 and 1777.6 of the Labor Code in the employment of apprentices. Information relative to number of apprentices, identifications, wages, hours of employment and standards of working conditions shall be obtained from the Division of Apprenticeship Standards. Consult the white pages of your telephone directory under California, State of, Industrial Relations, Apprenticeship Standards, for the telephone number and address of the nearest office. Willful failure by the **CONTRACTOR** to comply with the provisions of Sections 1777.5 will subject the **CONTRACTOR** to the penalties set forth in Section 1777.7 of the Labor Code.

15. Hours of Work. Pursuant to California Labor Code Section 1813, eight hours in any one calendar day and forty (40) hours in any calendar week shall be the maximum hours any worker is required or permitted to work, except in cases of extraordinary emergency caused by fires, flood, or danger to life and property or except as authorized under the overtime provisions in California Labor Code 1815.

Overtime and shift work may be established as a regular procedure by the **CONTRACTOR** with reasonable notice and written permission of the **OWNER.** No work other than overtime and shift work established as a regular procedure shall be performed between the hours of 6:00 P.M. and 7:00 A.M. nor on Saturdays, Sundays or holidays except such work as is necessary for the proper care and protection of the work already performed or in case of an emergency.

CONTRACTOR agrees to pay the costs of overtime inspection except those occurring as a result of overtime and shift work established as a regular procedure. Overtime inspection shall include inspection required during holidays, Saturdays, Sundays, and weekdays. Costs of overtime inspection will cover engineering, inspection, general supervision, and overhead expenses which are directly chargeable to the overtime work. **CONTRACTOR** agrees that **OWNER** shall deduct such charges from payments due the **CONTRACTOR.**

16. Subcontracting. The **CONTRACTOR** shall comply with Division 2, Chapter 4, Part 1 of the Public Contract Code relating to subletting and subcontracting, specifically included but not limited to Sections 4104, 4106, and 4110, which by this reference are incorporated into this Agreement as though fully set forth herein.

17. Change Orders. The **CONTRACTOR** and the **OWNER** agree that changes in this Agreement or in the work to be done under this Agreement shall become effective only when written in the form of a change order and approved and signed by the **OWNER** and the **CONTRACTOR**. It is specifically agreed that the **OWNER** shall have the right to request any alterations, deviations, reductions or additions to the contract or the plans and specifications or any of them, and the amount of the cost thereof shall be added to or deducted from the amount of the contract price aforesaid by fair and reasonable valuations thereof.

This Agreement shall be held to be completed when the work is finished in accordance with the original plans and specifications as amended by such changes. No such change or modification shall release or exonerate any surety upon any guaranty or bond given in connection with this contract.

18. Indemnification. **Contractor** shall indemnify, defend with legal counsel approved by City, and hold harmless City, its officers, officials, employees, and volunteers from and against all liability, loss, damage, expense, and cost (including without limitation reasonable legal counsel fees, expert fees and all other costs and fees of litigation) of every nature arising out of or in connection with **Contractor's** negligence, recklessness, or willful misconduct in the performance of work hereunder, or its failure to comply with any of its obligations contained in this Agreement, except such loss or damage caused by the sole active negligence or willful misconduct of the City. Should conflict of interest principles preclude a single legal counsel from representing both City and **Contractor,** or should City otherwise find **Contractor's** legal counsel unacceptable, then **Contractor** shall reimburse the City its costs of defense, including without limitation, reasonable legal counsel fees, expert fees, and all other costs and fees of litigation. The **Contractor** shall promptly pay any final judgment rendered against the City (and its officers, officials, employees, and volunteers) with respect to claims determined by a trier of fact to have been the result of the **Contractor'**s negligent, reckless, or wrongful performance. It is expressly understood and agreed that the foregoing provisions are intended to be as broad and inclusive as is permitted by the law of the State of California and will survive termination of this Agreement.

Contractor obligations under this section apply regardless of whether or not such claim, charge, damage, demand, action, proceeding, loss, stop notice, cost, expense, judgment, civil fine or penalty, or liability was caused in part or contributed to by an Indemnitee. However, without affecting the rights of City under any provision of this Agreement, **Contractor** shall not be required to indemnify and hold harmless City for liability attributable to the active negligence of City, provided such active negligence is determined by agreement between the parties or by the findings of a court of competent jurisdiction. In instances where City is shown to have been actively negligent and where City's active negligence accounts for only a percentage of the

liability involved, the obligation of **Contractor** will be for that entire portion or percentage of liability not attributable to the active negligence of City.

Contractor agrees to obtain or cause to be obtained executed defense and indemnity agreements with provisions identical to those set forth in this Section from each and every Subcontractor and Subconsultant, of every Tier. In the event the **Contractor** fails to do so, **Contractor** agrees to be fully responsible to provide such defense and indemnification according to the terms of this Section.

19. Contractor must comply with the insurance requirements as described in the section "INSURANCE REQUIREMENTS" of the Contract Documents.

20. Amendments. Any changes to this Agreement requested by either City or **CONTRACTOR** may only be effected if mutually agreed upon in writing by duly authorized representatives of the parties hereto. This Agreement shall not be modified or amended or any rights of a party to it waived except by such writing.

21. Termination.

A. Termination of the Contract for Default.

1. General: If, prior to the acceptance of the Work, the **CONTRACTOR**:

(a) Becomes insolvent, assigns its assets for the benefit of its creditors, or is otherwise financially unable to complete the Work;

(b) Abandons the Work by failing to report to the Work site and diligently prosecute the Work to completion;

(c) Disregards written instructions from the City Engineer or materially violates provisions of the Contract Documents;

(d) Fails to prosecute the Work according to the schedule approved by the City;

(e) Disregards laws or regulations of any public body having jurisdiction; or

(f) Commits continuous or repeated violations of regulatory or statutory safety requirements, then the OWNER will consider the Contractor in default of the Contract.

2. Notices: Notices and other written communications regarding default between the CONTRACTOR, the OWNER, and the SURETY shall be

transmitted as follows:

(a) Personal delivery with proof of delivery which may be made by declaration under penalty of perjury by any person over the age of 18 years. The proof of delivery shall show that delivery was performed in accordance with these provisions. Service shall be effective on the date of delivery. Notices given to the Contractor by personal delivery may be made to the Contractor's authorized representative at the Work site; or

(b) Certified mail addressed to the mailing address of the recipient postage prepaid; return receipt requested. Service shall be effective on the date of the receipt of the mailing.

Simultaneously, the OWNER may send the same notice by regular mail. If a notice that is sent by certified mail is returned unsigned, then delivery shall be effective pursuant to regular mail, provided that the notice that was sent by regular mail is not returned.

3. Notice to Cure: The OWNER will issue a written notice to cure the default to the Contractor and its Surety. The Contractor shall commence satisfactory corrective actions within 5 Working Days after receipt.

4. Notice of Termination for Default: If the Contractor fails to commence satisfactory corrective action within 5 Working Days after receipt of the notice to cure, or to diligently continue satisfactory and timely correction of the default thereafter, then the Owner will recommend to the City Council that the Contractor be found in default of the Contract and upon such finding by the City Council will terminate the Contractor's right to perform under the Contract by issuing a written notice of termination for default to the Contractor and its Surety;

The provisions of this subsection shall be in addition to all other legal rights and remedies available to the Owner.

5. Responsibilities of the Surety: Upon receipt of the written notice of termination for default, the Surety shall immediately assume all rights, obligations, and liabilities of the Contractor under the Contract. If the Surety fails to protect and maintain the Work site, the Owner may do so, and may recover all costs incurred. The Surety shall notify the Owner that it is assuming all rights, obligations, and liabilities of the Contractor under the Contract and all money that is due, or would become due, to the Contractor shall be payable to the Surety as the Work progresses, subject to the terms of the Contract.

Within 15 Working Days of receipt of the written notice of termination for default, the Surety shall submit to the Owner a written plan detailing the course of action it intends to take to remedy the default. The Owner will review the plan detailing and notify the Surety if the plan is satisfactory. If the Surety fails to submit a satisfactory plan, or if the Surety fails to maintain progress according to the plan accepted by the Owner, the Owner may, upon 48 hours written notice, exclude the Surety from the premises, take possession of all material and equipment, and complete the Work in any way the Owner deems to be expedient. The cost of completing the Work by the Owner shall be charged against the Surety and may be deducted from any monies due, or which would become due, the Surety. If the amounts due under the Contract are insufficient for completion, the Surety shall pay the Owner, within 30 Days after the Owner submits an invoice, all costs in excess of the remaining Contract Price.

6. Payment: The Surety will be paid for completion of the Work in accordance less the value of damages caused to the Owner by the acts of the Contractor.

B. Termination of the Contract for Convenience.

The OWNER may terminate the Contract if it becomes impossible or impracticable to proceed, or because of conditions or events beyond the control of the OWNER.

1. Notice: The Owner will issue a written notice of termination for convenience as follows:
Personal delivery, with proof of delivery which may be made by declaration under penalty of perjury by any person over the age of 18 years. The proof of delivery shall show that delivery was performed in accordance with these provisions. Service shall be effective on the date of delivery. Notices given to the Contractor by personal delivery may be made to the Contractor's authorized representative at the Work site; or
Certified mail addressed to the mailing address of the recipient postage prepaid; return receipt requested. Service shall be effective on the date of the receipt of the mailing.

Simultaneously, the Owner may send the same notice by regular mail. If a notice that is sent by certified mail is returned unsigned, then delivery shall be effective pursuant to regular mail, provided that the notice that was sent by regular mail is not returned.

2. Cessation of Work: Upon receipt, the Contractor shall immediately cease work, except work the Contractor is directed to complete by the Engineer or required to complete for public safety and convenience. The Contractor shall immediately notify Subcontractors and suppliers to immediately cease their work.

3. Payment: The Contractor will be paid without duplication for:

(a) Work completed in accordance with Contract Documents prior to the effective date of termination for convenience;

(b) Reasonable costs incurred in settlement of terminated contracts with Subcontractors, suppliers, and others; and

(c) Reasonable expenses directly attributable to termination.

Notice of termination shall be mailed to the City:

Arnoldo Rodriguez
City of Madera
205 West 4th Street
Madera, CA 93637

Notice of Termination shall be mailed to the Contractor:

Seal Rite Paving & Grading
4237 W Swift Avenue
Fresno, CA 93722

All notices and communications from shall be to City's designated Project Manager or Principal-In-Charge. Verbal communications shall be confirmed in writing. All written notices shall be provided and addressed as soon as possible, but not later than thirty (30) days after termination.

22. Warranty. Contractor warrants to OWNER that all materials and equipment furnished shall be new, free from faults and defects and of good quality and conform to the requirements of the Contract Documents. Contractor hereby warrants its work against all deficiencies and defects for the period required by the Contract Documents or the longest period permitted by California Law, whichever is greater. Unless otherwise stated in the Contract Documents, warranty periods shall begin upon the filing of the Notice of Completion and shall be for one year.

This section shall not limit OWNER's rights under this Agreement or with respect to latent defects, gross mistakes, or fraud. OWNER specifically reserves all rights related to defective work,

including but not limited to defect claims pursuant to California Code of Civil Procedure section 337.15.

23. Compliance with Laws. City shall at all times observe and comply, and shall cause all of its agents, subcontractors, and employees to observe and comply with all with all Federal, State, and local laws, ordinances, regulations, and provisions applicable in the performance of City's services. Wherever reference is made in this Agreement to standards or codes in accordance with which work is to be performed or tested, the edition or revision of the standards or codes current on the effective date of this Agreement shall apply unless otherwise expressly stated.

24. Attorneys' Fees/Venue. In the event that any action is brought to enforce the terms of this Agreement, the party found by the court to be in default agrees to pay reasonable attorneys' fees to the successful party in an amount to be fixed by the Court. The venue for any claim being brought for breach of this Agreement shall be in Madera County or as appropriate in the U.S. District Court for the Eastern District of California, located in the City of Madera.

25. Governing Law. The laws of the State of California shall govern the rights and obligations of the parties under the Agreement, including the interpretation of the Agreement. If any part of the Agreement is adjudged to be invalid or unenforceable, such invalidity shall not affect the full force and effect of the remainder of the Agreement.

26. City's Authority. Each individual executing or attesting to this Agreement on behalf of the City hereby covenants and represents: (i) that he or she is duly authorized to execute or attest and deliver this Agreement on behalf of such corporation in accordance with a duly adopted resolution of the corporation's articles of incorporation or charter and bylaws; (ii) that this Agreement is binding upon such corporation; and (iii) that Contractor is a duly organized and legally existing municipal corporation in good standing in the State of California.

27. Contractor's Legal Authority. Each individual executing or attesting this Agreement on behalf of **CONTRACTOR** hereby covenants and represents: (i) that he or she is duly authorized to execute or attest and deliver this Agreement on behalf of such corporation in accordance with such corporation's articles of incorporation or charter and by-laws; (ii) that this Agreement is binding upon such corporation; and (iii) that **CONTRACTOR** is a duly organized and legally existing corporation in good standing in the State of California.

28. Remedies for Default. Failure by a party to perform any term, condition or covenant required of the party under this Agreement shall constitute a "default" of the offending party under this Agreement. In the event that a default remains uncured for more than ten (10) days following receipt of written notice of default from the other party, a "breach" shall be deemed to have occurred. Any failure or delay by a party in asserting any of its rights and remedies as to any default shall not operate as a waiver of any default or of any rights or remedies associated with a default.

29. Independent Contractor. In performance of the work, duties, and obligations assumed by the Contractor under this Agreement, it is mutually understood and agreed that the City, including any and all of City's officers, agents and employees will, at all times, be acting and performing as an independent contractor, and shall act in an independent capacity and not as an officer, agent, servant, employee, joint venturer, partner, or associate of **City.** Furthermore, **City** shall have no right to control or supervise or direct the manner or method by which City shall perform its work and functions. The City shall comply with all applicable provisions of law and the rules and regulations, if any, of governmental authorities having jurisdiction over the subject matter hereof.

Because of its status as an independent contractor, **CONTRACTOR** shall have absolutely no right to employment rights and benefits available to **City** employees. City shall be solely liable and responsible for providing to, or on behalf of, its employees, all legally required employee benefits. In addition, City shall be solely responsible and hold **City** harmless from all matters relating to payment of City's employees, including compliance with Social Security, withholding and all other regulations governing such matters. It is acknowledged that during the term of this Agreement, City may be providing services to others unrelated to **City** or to this Agreement.

30. Sole Agreement. This instrument constitutes the sole and only Agreement between City and **CONTRACTOR** in connection to the Project and correctly sets forth the obligations of the City and **CONTRACTOR** to each other as of its date. Any Agreements or representations in connection with the Project, not expressly set forth in this instrument are null and void.

31. Assignment. Neither the **CONTRACTOR** nor City will assign its interest in this Agreement without the written consent of the other.

32. Caltrans Authority. Caltrans is required by 23 Code of Federal Regulations (CFR), part 200, Section 200.9 (b)(7) to conduct reviews of sub-recipients (Local Agencies) of federal-aid to ensure compliance with Title VI of the Civil Rights Act of 1964 and the relates statues (Title VI) through the requirements under the Federal Highway Administration (FHWA), the U.S. Department of Transportation (USDOT), and the U.S. Department of Justice (USDOJ) regulations and guidance materials related to the implementation of Title VI.

The scope of the process reviews conducted by Caltrans focuses on the Local Agency's adherence to the FHWA's Title VI Program (Race, Color and National Origin) and the related statues protecting additional classes as required under

- Federal-Aid Highway Act of 1973 (Sex)
- The Age Discrimination Act of 1975 (Age), and
- The Americans with Disabilities Act of 1990 (ADA)(Disability) and Section 504 of the Rehabilitation Act of 1973 (Disability).

33. Binding Agreement. This Agreement shall be binding upon all parties hereto and

their respective heirs, executors, administrators, successors, and assigns.

IN WITNESS WHEREOF the parties hereto have executed, or caused to be executed by their duly authorized officials, this Agreement in TWO copies, each of which shall be deemed an original on the date first above written.

CITY OF MADERA (OWNER)	**WITBRO, INC. DBA SEAL RITE PAVING & GRADING**
By: _____	By: _____
Santos Garcia, Mayor	Contractor (signature)
	_____
APPROVE AS TO FORM:	Printed Name and Title
_____	_____
Shannon Chaffin, City Attorney	Federal Tax I.D. No.
	_____
ATTEST:	Contractor License Number
_____	_____
Alicia Gonzales, City Clerk	DIR Registration Number

Exhibit A:

(A) CONTRACTOR Bid Schedule, Unit Prices
(B) Signed Non-Collusion Affidavit
(C) Signed Conflict of Interest Disclosure
(D) Addenda No. 1, dated 09/21/2023
(E) Addenda No. 2, dated 09/21/2023
(F) CONTRACTOR Evidence of Insurance
(G) Payment Bond
(H) Performance Bond
(I) IFB 202324-07 Vern McCullough River Trail Seal Coating and Repair

NOTE: This Notary Acknowledgment on the following page is required for verification of Contractor's signature.

Acknowledgment

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

State of California)

County of _____)

On _____, 2023 before me, _____
(insert name and title of officer)

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

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

WITNESS my hand and official seal.

Signature _____ (Seal)

REPORT TO CITY COUNCIL

Approved by:

_____
Will Tackett, Community Development Director

_____
Arnoldo Rodriguez, City Manager

Council Meeting of: November 15, 2023

Agenda Number: E-1

SUBJECT:

Consideration of Special Meeting dates and Phase IV City Council Interviews and Final Decision Procedures for Commercial Cannabis Business Permits in the City of Madera.

RECOMMENDATION:

Receive a summary report and provide direction on the scheduling of Special Meeting(s) of the City Council, as well as the final procedures and steps to conduct the Phase IV City Council interviews to make final determinations pertaining to the award of Commercial Cannabis Business Permits in the City of Madera.

SUMMARY:

In accordance with the provisions of Section 6-5.13(A) of the City Municipal Code (CMC), the Madera City Council (Council) on December 1, 2021, adopted Resolution No. 21-169 establishing Procedure Guidelines and Review Criteria (Guidelines) to govern the application and selection process for various types of Commercial Cannabis Business (CCB) permits. Pursuant to Section 6-5.14(A) of the CMC, applications (for CCB Permits) will be reviewed per the procedure guidelines and review criteria and will be either denied or approved.

The City of Madera has received applications and completed Phases I through III of the adopted Guidelines for Standard Retail or Microbusiness Commercial Cannabis Business Permit Applications. These phases included: (I) Determination of Eligibility; (II) Application Evaluation and Review; and, (III) Public Meetings. Phase IV comprises City Council Interviews and Final Decisions.

Phase IV of Madera's adopted Guidelines provides, upon the completion of Phase III the City Manager will present to the City Council the top Applicants from the Phase II process together with a summary report of the Public Meeting(s) to the City Council. The City Council will interview

those top Applicants and make a final determination as to which Applicant(s) will be awarded a CCB permit.

In addition, Section 6-5.11 et seq. of the CMC requires the application procedure process to include a component on community benefits. Accordingly, and in accordance with the provisions of the CMC, the Guidelines provide that any community benefits that a commercial cannabis agrees to provide will be made a condition of issuance of the regulatory (CCB) permit; and, upon successful negotiations in the Phase IV process, the Applicant will then be authorized to proceed to apply for any required land use permits and a business license and related approvals.

Finally, the Guidelines further provide that each Applicant should be prepared to conduct a brief presentation in order to be interviewed by the City Council as part of the Phase IV process. Further details as to date, time, place, and length of presentation will be provided prior to the City Council interviews.

It is for these reasons that staff is seeking additional direction from the City Council relative to desired or preferred proceedings for the Phase IV process.

DISCUSSION:

The City of Madera received a total of 26 Standard Retail or Microbusiness applications; all applications were deemed complete (Phase I). The Applications were then scored by the City's selected cannabis consultant (HdL) with all applications excepting one scoring over 90 percent. The Phase II Guidelines provide, at minimum, the top ten (10) Applicants who score a minimum of 90% or higher (2,700 points) in Phase II may be eligible to advance to Phase III. However, the City may at its sole discretion select more than ten (10) Applicants based on the quantity and overall quality of applications the City receives.

Of the 25 Applicants scoring above 90% in Phase II:

- Eight Applicants were awarded a score of 3,000 points/100%.
- The top 10 Applicants were awarded a score above 99%, a less than 0.07% deviation (with only a 0.04% deviation between the 10^{th} and 11^{th} place scores).
- The top 20 Applicants were awarded a score of 2,850 points/95% or higher.
- The total deviation in Applicant scores was less than eight percent.

These statistics represent a very competitive pool of quality Applicants with minimal distinction able to be distinguished from scores. In consultation with HdL, and with principal interest focused on providing an equitable process with benefit of community input to assist in the consideration of Applicants, the City therefore selected, in its sole discretion, the top 20 scoring Applicants to proceed to the Phase III Public Meeting portion of the process.

Phase III Public Meeting Summary:

Phase III Public Meetings were held in the Madera City Hall Council Chambers during the month of August 2023. Given the large number of Applicants selected for the Phase III portion of the process, a total of four public meetings were originally scheduled and noticed (five Applicants per public meeting). A fifth meeting was ultimately scheduled and noticed to accommodate a communication error with one Applicant and rescheduling for another Applicant due to the occurrence of a force majeure type event (resultant from summer storms and flooding at existing facilities elsewhere), which prevented the respective Applicant from attending the originally scheduled meeting.

At the public meetings, each Applicant was given five minutes to provide a presentation. Each Applicant's presentation was followed by an invitation to receive public comment or testimony from the public (three minutes per person), and then the Applicants were given an additional three minutes to respond/rebut any public commentary.

Earlier meetings were well attended by the public with attendance waning slightly toward the latter scheduled meetings. Each meeting (excepting the fifth scheduled meeting with only two Applicants) required approximately 90-120 minutes in duration.

Public testimony was at times provided and repeated at separate meetings by the same individuals with similar comments or concerns pertaining to the retail sale of cannabis, in general. For this reason, staff conducting the meetings later provided reminders to the public in attendance that the decision to allow for the retail sale of cannabis had already been enacted through ordinance and requested that public comments be limited to Applicants' specific presentations, applications or proposed operations or locations in order to best assist the City in vetting the Applications. Public commentary received in protest of retail cannabis sales in general should not be considered relevant to the selection and award of CCB permits to applicants in the manner previously set forth and enacted pursuant to City ordinance and Council adopted Guidelines. However, this is not to discount or discredit personal or negative experiences that were shared. Suggested issues which may be perceived to stem from the social environment, concentrations, exposure, perceived lack of safety and/or quality of life or neighborhood health may wish to be considered at the discretion of the Council respective to individual applications, operations and/or locations.

Public commentary received respective to individual/specific applications were primarily limited to considerations such as the availability of parking (a requirement identified by codified Zoning Regulations) and proximity of locations to sensitive uses or specific neighborhoods. Specific public comment was also provided requesting that attention be given to leased Federal facilities located in the downtown area due to the affect proximity to new cannabis business operations may have on the ability to extend existing, or secure future, lease agreements (based upon existing Federal regulations).

Specific public commentary in support of individual Applicants was also received; typically, in support of operators with a history of living, operating businesses, or participating/volunteering in or contributing to community benefit and/or charitable or non-profit work in Madera.

Testimony and personal experiences were also presented in support of increased access to cannabis goods for medicinal or therapeutic use.

Further Considerations and Discussion:

Appendix A to the adopted Guidelines sets forth the Evaluation Criteria and maximum number of points allocated to each criterion on which Phase II evaluation and scoring was predicated. Presentations from Applicants during the Phase III Public Meetings were appropriately focused on elements of the Evaluation Criteria. Respective Phase II criteria scores for each Applicant/Application are included in Attachment 2 to this report and will not be summarized in the body of this report.[1] However, in addition to the adopted Guidelines Evaluation Criteria the Council may wish to consider the following in its final decisions:

Concentration vs. Distribution.

As depicted in Attachment 1 to this report, a substantial number of Applications received proposed locations within or near the Downtown Area. During the Phase III Public Meeting process, staff heard testimony regarding the potential for new investment to contribute to revitalization of the downtown area. The benefits of potential synergy as a catalyst for further investment or activity which may be created from a concentration of awards in any given area should be weighed and considered vis-à-vis the benefits of accessibility which may be created through a more dispersed geographic distribution of awards.

New Development vs. Redevelopment.

There are arguments in favor of the benefits of both new development as well as the sustainable practice of adaptive reuse, rehabilitation, or redevelopment of existing buildings and properties. Specific buildings and/or properties may be assigned or deemed to hold greater value to the community due to visibility, aesthetic, history or heritage. Staff opines the best planned and often most successful cities include a mixture of investment in both. Beyond the location considerations of the Phase II scoring Evaluation Criteria, which are primarily focused on neighborhood compatibility and site adequacy, staff suggests the Council may wish to also consider other locational factors in its final determination such as locational improvement value.

Size and Organizational Structure.

The Phase II scoring Evaluation Criteria includes provisions relative to Labor, Equity, Diversity and Inclusion. These criteria include considerations relative to the provision of living wages, available benefits and compensation, the number of employment opportunities created, the creation of a diverse work force, and local ownership. Staff suggest the Council may wish to consider the extent to which prospective employees will be hired from local sources. In addition, the Council may wish to consider both the potential viability (or example) a larger Applicant/ownership group

[1] Note that these are the original evaluation reports; subsequent corrections have not been made but are instead reflected in the ranking report in Attachment 1. Additionally, the evaluation reports have been partially redacted to address non-public items related to public safety, deliberative process, trade secret, and similar items.

with a greater number of existing locations or years of experience may bring as well as the potential to create equal opportunities for smaller or more recent startups or business owners in its final decision of awards.

Unionization.

Section 6-5.13(G) of the CMC provides, for applicants with ten or more employees, the applicant shall attest that the applicant has entered into a labor peace agreement and will abide by the terms of the agreement.

While all public participation and testimony received to date is greatly valued and appreciated, it is not staff's opinion that the nature of public commentary received during the Phase III Public Meeting process afforded any further substantial distinction between Applicants; and, is therefore not considered to be influential to an extent necessary to justify a further reduction of the number of Applicants to be considered and interviewed by Council as part of the Phase IV process.

In addition, while Community Benefits were included in the original application submittal and represented to varying degree within the Applicants' presentations during the Phase III Public Meeting process, final proposed commitments have not yet been "negotiated" as intended through the Phase IV Guidelines.

Staff has therefore provided an outline of considerations and potential alternatives respective to proceedings for the Phase IV process for Council consideration. All alternatives are considered compliant and consistent with the provisions of the adopted Guidelines.

ALTERNATIVES:

It should be noted that neither the City Municipal Code nor adopted Guidelines require the Phase IV process to be conducted as a public hearing. At minimum, a presentation of top applicants from the Phase II process, a summary report of the Phase III Public Meeting, and interview of the top applicants for consideration of applications by the City Council is required.

All presentations should be received, and interviews of selected top applicants conducted prior to making any final determinations pertaining to an award of a Commercial Cannabis Business Permit(s).

Staff is requesting the Council receive this summary report and provide direction/determinations regarding the following procedural considerations and alternatives for conducting the Phase IV City Council interviews and for purposes of making final determinations pertaining to the award of Commercial Cannabis Business Permits in the City of Madera. The City Council may, at its discretion, select or modify any of these alternatives in its direction to staff:

- Determine the length of Applicant presentations.

Staff Recommendation: Applicants should be given, at-minimum, the same five-minute length of time afforded during the Phase III Public Meetings to present to the Council during the Phase IV process. HdL staff have opined that five minutes is not sufficient time for final presentations however and has recommended that Applicants be given 10 minutes to provide final presentations. Staff agrees with this opinion and recommendation. It is also recommended that all Applicants be required to provide final presentations in PowerPoint format and provide final PowerPoint slides to City staff either 48 or 72 hours in advance of the scheduled meeting.

- Determine whether the City Council wishes to interview all top Applicants at the same Special Meetings of the City Council at which presentations will be given; or, following receipt of all top Applicant presentations, invite all or a reduced number of top Applicants to return to Council at a later Special or Regular meeting date to participate in the interview process (please note, if a reduced number of top Applicants is selected to be interviewed, subsequent interviews of additional Applicants could be requested on an as-needed basis).

  Staff Recommendation: "Interviewing" all 20 top applicants at the same Special Meetings at which presentations are given ensures all Applicants are afforded an opportunity to be interviewed. Nothing would prevent the Council from asking Applicants questions or from deliberating following Applicant presentations. The Council may wish to consider these type of question & answer sessions to constitute the entirety of the "interview" process. However, this approach may limit the focus or depth of "interviews" unless a greater number or longer Special Meetings are scheduled.

  Alternatively, inviting a reduced number of top Applicants to interview at a later date following presentations: ensures certain time assumptions (or constraints) for the conduct of Special Meetings; may afford greater potential to minimize the number of Special Meetings required to expedite scheduling and the decision-making process; afford the Council with greater opportunity to digest information received, formulate more focused interview questions for selected Applicants and/or consider and negotiate terms relative to community benefit agreements. This approach may also allow all interviews to be conducted in one Special Meeting (or interviews to be conducted in isolation, thereby removing or minimizing any potential advantages resulting from the scheduling order of Applicants). This option would however require the Council to "make a cut" and announce invitations to interview a reduced number of top Applicants following receipt of all Applicant presentations (reserving the right to ask questions and/or deliberate following the presentations).

  In order to retain and reward Phase II score advantages, HdL staff have recommended that the order of the final Applicant presentations be scheduled beginning with the lowest Phase II scoring Applicant and ending with the highest. Staff supports this recommendation and suggests the order for Applicants who achieved the same/tied Phase II scores be selected at random.

- Determine whether public participation, comment and/or testimony will be allowed to be received either after each group of presentations for each meeting, or after all presentations have been provided.

  Staff Recommendation: Public participation is a valuable resource in any public decision-making process and can provide additional perspective and insight to decision-makers. The Phase III Public Meeting process has already afforded opportunity to the public to provide public comment and testimony pertaining to individual Applications. However, the public also has a right to comment during the Phase IV process.

  The manner win which public testimony is received may have potential to dictate the number and/or length of Special meetings necessary. Based upon the nature of public comment and testimony received to date, Staff opines that it is unlikely that new substantive issues or concerns will be brought to the attention of the Council through additional public participation; unless, in response or reaction to comments, questions or concerns raised from Council representatives.

  As such, one option to streamline the process may be to provide an opportunity for public comment after all applicants have made their presentations (which could be at a continued Special Meeting), but before the City Council makes any decision to either select a reduced number of top Applicants for additional interviews and/or prior to approving a permit for any Applicant. Alternatively, public comment could be allowed after each individual presentation. However, this alternative approach may result in repetitive or redundant commentary and extend the length of public testimony unnecessarily and without potential to yield additional information pertinent to the decision-making process.

  Regardless of approach, the public has a right to comment on the individual application and interviews once they take place. If a reduced number of top Applicants are selected for final interviews at a separate scheduled meeting, the same considerations will need to be made respective to accommodating public participation at the separately scheduled meeting.

- Determine the number of Special Meetings desired by the City Council in order to receive presentations from and interview the top Applicants:

  Assuming the top 20 Applicants are each afforded a five-minute presentation, the Council will need to assume, at-minimum, an approximately 2-hour meeting to accommodate all presentations (not including Council questions, interviews or public participation which may be allowed). If final presentations are allowed to be 10 minutes, then approximately 4-hours would be need to accommodate all presentations (not including Council questions, interviews or public participation which may be allowed).

  Staff Recommendation: The Commercial Cannabis Business permit application process has been a long one. Staff supports efforts to minimize the number of Special Meetings

of the City Council and to expedite completion of the Phase IV interview and decision-making process. Whether interviews will be conducted concurrent with presentations or be limited to a reduced number of applicants at a later date, efforts should be made to limit the number of Special Meetings to the extent possible. If the Council desires to complete the Phase IV process and provide CCB Permit award decisions in the 2023 calendar year, it is likely that no more than two Special Meetings may be able to be accommodated prior to the last Regular Meeting of the City Council in the calendar year (e.g., one Special Meeting for presentations and another subsequent Special Meeting for interviews; or, two Special Meetings with presentations and interviews conducted concurrently at the same meetings; and, with awards announced at the conclusion of the Special Meetings or with the option to announce awards at the Regular Meeting of the City Council scheduled for December 20, 2023). While time should not be the principal factor in considerations, minimizing the number of Special Meetings (and/or combining the Phase IV Special Meetings process with the Council's Regular Meeting schedule) will help ensure CCB Permit award decisions may be able to be made by the end of the calendar year.

- Determine terms for negotiation of Community Benefits Agreements.

  Staff Recommendation: Community Benefits, as originally proposed with initial complete Applications are included as Attachment 3 to this report for Council consideration. The Council may elect to allow Applicants to amend and/or submit final or best proposals at or prior to the Special Meeting in which presentations will be provided; or, the Council may choose to receive and base subsequent decisions only on the Community Benefit proposals submitted with initial Applications and defer final agreements to the negotiation process.

  Regardless of preferred alternative, staff suggests "negotiations" are typically best facilitated directly and solely between the individual parties involved. Staff recommends caution that negotiations occurring within an open forum and respective to a competitive process, as instead of a "best and final" approach from all Applicants, it could instead result in a lop-sided "bidding war" that provides an unfair advantage to Applicants based upon the order in which they are given opportunity to present or interview with the Council. Furthermore, consideration should be given to all the applicable Evaluation Criteria holistically in order to identify the best candidates. The consideration of awards should not substantially value any individual Evaluation Criterion to an extent disproportionate with the scoring methodology identified in the adopted Guidelines.

City Council Resolution No. 21-167 sets forth the number and type of CCB Permits that may be issued in the City of Madera. A total of six (6) Standard Retail or Microbusiness CCB Permits (in any combination thereof) may be granted in the City of Madera.

Pursuant to the provisions of Section 6-5.14(H) & (I) of the CMC, the City Council may either deny or approve the final candidates relating to Standard Retail Microbusiness Applications and shall select the top candidates of the cannabis businesses pursuant to review criteria established by

City Council Resolution No. 21-169 establishing Procedure Guidelines and Review Criteria (Guidelines) to govern the application and selection process for various types of Commercial Cannabis Business (CCB) permits. The City Council's decision as to the selection (denial or approval) of the prevailing candidates shall be final and shall not be subject to further administrative or City Council review or appeal.

The City will issue a notice to the prevailing applicants that the City will issue an official Cannabis Business Permit(s) upon the prevailing Applicant(s) obtaining all required land use approvals. Once all required land use approvals are secured, the City will issue an official Cannabis Business Permit.

FINANCIAL IMPACT:

At the time of application filing, each Applicant paid the application fee established by resolution of the City Council (to cover all costs incurred by the City in the application process). While additional Special Meetings of the City Council will result in additional staff resource costs, the application fee was anticipated to cover the Phase IV process and any additional resource costs resultant from any of the presented Alternatives are considered nominal and recoverable through benefit of the respective awards.

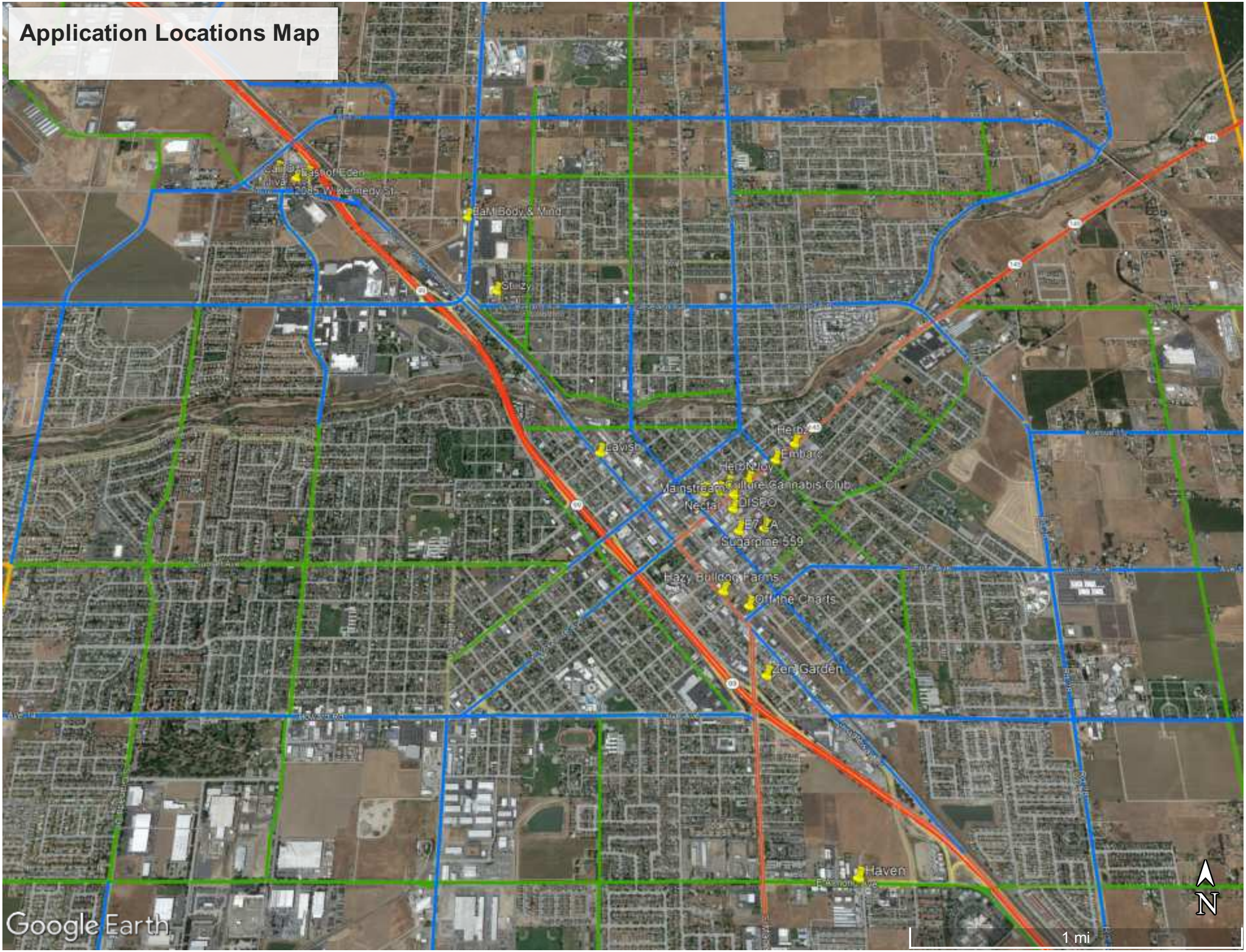
There is no significant fiscal impact associated with the recommended action.

ATTACHMENTS:

1. Application Locations Maps
2. Phase II Application Scores & Summary
3. Application Community Benefit Proposals

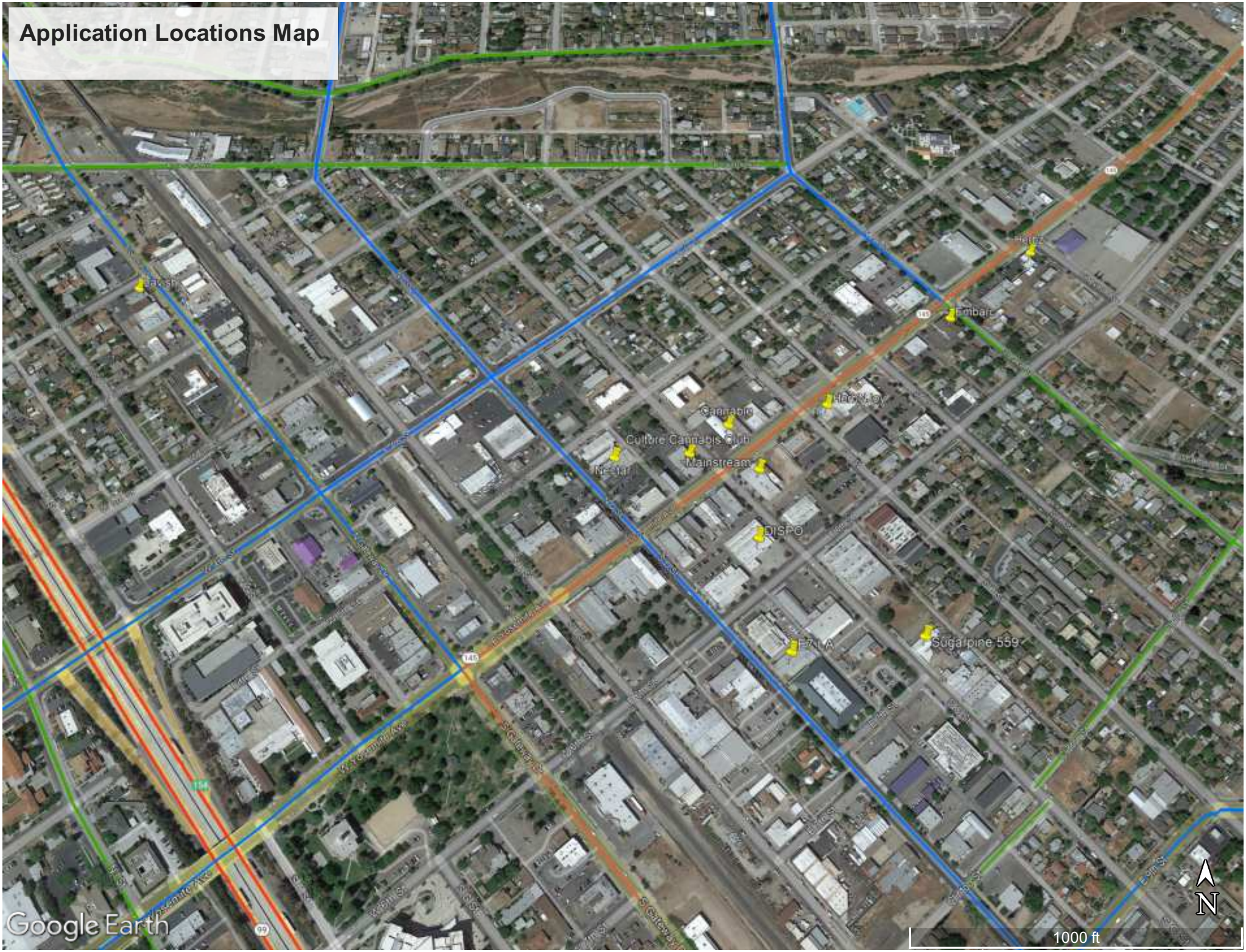
ATTACHMENT 1
Application Locations Maps

Application Locations Map

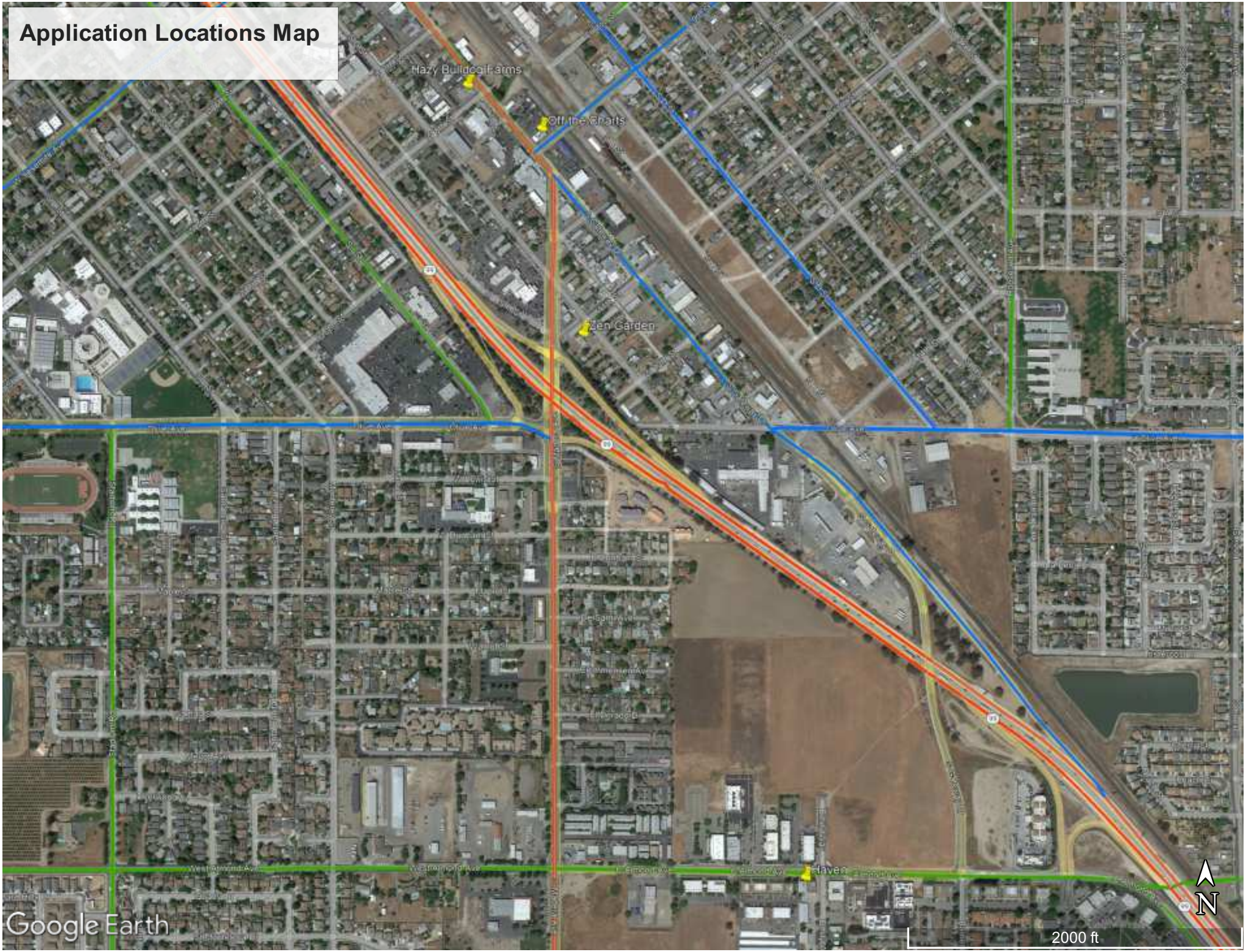



Application Locations Map
Jiva
East of Eden
2985 W Kennedy St
Stinzy
Google Earth
N
1000 ft

Application Locations Map



Application Locations Map



ATTACHMENT 2
Phase II Application Scores & Summary

CITY OF MADERA

(STANDARD) Application Evaluation and Review

Phase II

#	Tracking No.	Applicant Name	License Type	Points Possible	Points Awarded	Score
1. *	CAN 2022-09	Cali Oz Madera LLC	Retail	3,000	3,000	100.00%
1. *	CAN 2022-27	GBH Retail LLC	Retail	3,000	3,000	100.00%
1. *	CAN 2022-17	Lavish West Coast Madera	Retail	3,000	3,000	100.00%
1. *	CAN 2022-11	Madera Erudite Ventures	Retail	3,000	3,000	100.00%
1. *	CAN 2022-20	Madera Has Culture Inc	Retail	3,000	3,000	100.00%
1. *	CAN 2022-10	Mainstream Madera LLC	Retail	3,000	3,000	100.00%
1. *	CAN 2022-04	Responsible and Compliant Retail Madera LLC	Retail	3,000	3,000	100.00%
1. *	CAN 2022-03	Shryne Madera LLC	Retail	3,000	3,000	100.00%
2.	CAN 2022-13	Haven Madera LLC	Retail	3,000	2,993	99.77%
3.	CAN 2022-25	Sugarpine 559 Inc	Retail	3,000	2,992	99.73%
4.	CAN 2022-18	DSPO-Madera LLC	Retail	3,000	2,975	99.17%
5.	CAN 2022-19	Zen Garden of Madera Inc	Retail	3,000	2,932	97.73%
6. *	CAN 2022-28	E7 LA LLC	Retail	3,000	2,900	96.67%
6. *	CAN 2022-05	GFC Central LLC	Retail	3,000	2,900	96.67%
6. *	CAN 2022-24	Jiva MAE LLC	Retail	3,000	2,900	96.67%
6. *	CAN 2022-07	OTC Madera LLC	Retail	3,000	2,900	96.67%
6. *	CAN 2022-06	Retail NM LLC	Retail	3,000	2,900	96.67%
7.	CAN 2022-01	NMG CA 1 LLC	Retail	3,000	2,895	96.50%
8.	CAN 2022-21	Herbz LLC	Retail	3,000	2,892	96.40%
9.	CAN 2022-23	HBF2 Inc	Retail	3,000	2,889	96.30%
10.	CAN 2022-02	Perfect Union - Madera LLC	Retail	3,000	2,874	95.80%
11.	CAN 2022-12	Gateway Canna Groups	Retail	3,000	2,840	94.67%
12.	CAN 2022-22	Dime Bagz LLC	Retail	3,000	2,836	94.53%
13. *	CAN 2022-14	Bluefire of Madera Inc	Retail	3,000	2,765	92.17%
13. *	CAN 2022-15	Phenos of Madera	Retail	3,000	2,765	92.17%
14.	CAN 2022-26	Maderijuana LLC	Retail	3,000	2,504	83.47%

***** Businesses that tied in score are listed in alphabetical order

(SOCIAL EQUITY) Application Evaluation and Review

Phase II

#	Tracking No.	Applicant Name	License Type	Points Possible	Points Awarded	Score
1.	CAN 2022-08	Nebrina Madera LLC	Retail	2,700	2,700	100.00%
2.	CAN 2022-16	California Cannoisseur LLC	Retail	2,700	2,698	99.93%

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

Bluefire of Madera, Inc. dba Bluefire of Madera
Applicant Name / DBA:

212 East Yosemite Ave., Madera, CA 93638
Proposed Location / Physical Address:

Retail Storefront
License Type:

Original Report
Report Type:

7/21/2022
Report Date:

Complete Upon Initial Review.
Report Status:

Points Available: 3,000 **Points Awarded:** 2,765

Score: 92.17%

PHASE II: APPLICATION EVALUATION AND REVIEW (3,000 Points)

During this application period the City will allow up to six (6) cannabis business permits. The Procedure Guidelines and Review Criteria constitute the application process and are adopted pursuant to the City of Madera Municipal Code (MMC) Section 6-5.13 and Title X, Chapter 3 (Zoning Regulations). Applications will be reviewed and scored using a merit-based system. At a minimum the top ten (10) applicants who score a minimum of 90% or higher (2,700 points) in Phase II may be eligible to advance to Phase III. However, the City may at its sole discretion select more than ten (10) applicants based on the quantity and the overall quality of applications the City receives. Notice of the results of Phase II will be provided in writing via email to the primary contact listed on the application.

Section A: Business Plan (400 pts)			Scoring Basis	Page Number	Points Available	Points Received	Evaluation
Business Plan:							
A.1.	Budget for construction, operations, maintenance, compensation of employees, equipment, property lease, security equipment and staff, City fees, state fees, utility costs, product purchases, and other anticipated costs. Budget demonstrates sufficient capital to pay startup costs at least 3 months of operating costs and a describes sources and use of funds.		**Percentage**	pg. 4, 23, 26	**75**	**75**	Addressed Criteria
	A.1. A.	Proof of capitalization, in the form of documentation of cash or other liquid assets on hand, Letters of Credit, or other equivalent assets which can be verified by the City.	**All or None**	pg. 26, File #4	**50**	**50**	Addressed Criteria
	A.1.B.	Pro forma for at least three years of operation.	**Percentage**	pg. 27	**75**	**75**	Addressed Criteria
	A.1.C.	A schedule for beginning operation, including a narrative outlining any proposed construction and improvements and a timeline for completion.	**All or None**	pg. 4-5	**20**	**20**	Addressed Criteria
Daily Operations (Retail):							
A.2.1.	**Describes the day-to-day operations which meet best practice if you are applying for a RETAIL permit, including at a minimum the following criteria:**						
	A.2.1.A.	Describe customer check-in procedures.	**Percentage**	pg. 5-9	**75**	**75**	Addressed Criteria
	A.2.1.B.	Identify the location and procedures for receiving deliveries during business hours.	**All or None**	pg. 9-10	**25**	**25**	Addressed Criteria

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

A.2.1. Cont'd	**A.2.1.C.**	Describe the Point-of-Sale system to be used (including name), how it will interact with the states track-and-trace system, and the number of Point-of-Sale locations at full capacity.	**All or None**	pg. 10-16	**20**	**20**	Addressed Criteria
	A.2.1.D.	Estimate the number of customers to be served per hour/day.	**All or None**	pg. 16	**10**	**10**	Addressed Criteria
	A.2.1.E.	Describe the proposed product line to be sold (including brand names), and estimate of the percentage of sales of flower and manufactured products.	**Percentage**	pg. 16	**20**	**20**	Addressed Criteria
	A.2.1.F.	If proposed, describe delivery service procedures, number of vehicles and product security during transportation.	**N/A**				No delivery service.
	A.2.1.G.	Describes how the Cannabis Business will conform to local and state laws. See MMC Sections 6-5.40 and Title X.	**Percentage**	pg. 17-20	**20**	**20**	Addressed Criteria
	A.2.1.H.	Describes how cannabis will be tracked and monitored to prevent diversion.	**All or None**	pg. 20-21	**10**	**10**	Addressed Criteria
Summary	[redacted]						

Section B: Labor, Equity, Diversity, and Inclusion Plan (400 pts)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
B.1.	Describe the extent business will include recognition of the collective bargaining rights of employees in accordance with Section 6-5.13 (G).	**All or None**	pg. 32	**25**	**25**	Addressed Criteria
B.2.	Identify the number of employees at initial opening and maximum number of employees at full capacity.	**All or None**	pg. 32	**25**	**25**	Addressed Criteria
B.3.	Describe the diversity and inclusion programs that will be developed to embrace a diverse work force with a diverse set of perspectives, work and life experiences, religious, and cultural differences that provide equal opportunities for employee development.	**All or None**	pg. 32-33	**25**	**25**	Addressed Criteria
B.4.	Identify all positions and their responsibilities.	**Percentage**	pg. 33-34	**50**	**50**	Addressed Criteria
B.5.	Describe compensation to and opportunities for continuing education and training for employees.	**Percentage**	pg. 35	**50**	**50**	Addressed Criteria
B.6.	Describe whether the cannabis business is committed to offering employees a Living Wage.	**All or None**	pg. 35-36	**100**	**100**	Addressed Criteria
B.7.	Describe the benefits provided to employees such as health care, vacation, and medical leave, to the degree they are offered as part of employment.	**All or None**	pg. 36	**25**	**25**	Addressed Criteria

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

B.8.	Describe the extent to which the cannabis business will be locally owned and how the owner(s) have resided within the County of Madera for at least one year prior to June 1, 2021.	**All or None**	pg. 36	**100**	**0**	Applicant indicated that this section was "N/A". No further information was provided within the application.

Summary [redacted]

Section C: Safety Plan (300 points)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
C.1.	The detailed Safety Plan shall be prepared by a California professional fire prevention and suppression consultant.	**All or None**	pg. 37, 39	**100**	**0**	In lieu of providing a detailed safety plan prepared by a California Professional Fire Prevention and Suppression Consultant, the applicant provided an email from the City of Madera Fire Marshall, Matthew Tarr which stated that, "Fire Prevention does not need a detailed analysis for a dispensary only site. Such a site is no more hazardous than any cigarette shop in town." Section C(1) of Resolution 21-169 Cannabis Procedure Guidelines - 12.01.21, states that, "The detailed Safety Plan shall be prepared by a California professional fire prevention and suppression consultant."
C.2.	Describes all fire prevention and suppression measures, fire extinguisher locations, evacuation routes and alarm systems in place.	**Percentage**	pg. 37	**100**	**70**	Applicant's Safety Plan did not describe all fire prevention and suppression measures or evacuation routes.
C.3.	Describes all accident and incident reporting procedures.	**All or None**	pg. 37-38	**50**	**50**	Addressed Criteria
C.4.	Identify all known chemicals, gases, solvents and nutrients to be used and stored on the licensed premises. Identify storage location and how each will be secured.	**Percentage**	pg. 38	**50**	**50**	Addressed Criteria

Summary [redacted]

Section D: Security Plan (300 points)			**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
D.1.	The Security Plan shall be prepared and/or assessed by a professional security consultant.		**All or None**	pg. 40,44	**100**	**100**	Addressed Criteria
	D.1.A.	Plan shall demonstrate how the cannabis business wishes to develop the floor plan and address other security issues on the property.					

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

D.2.	Premises Diagram. In addition to the site plans submitted for the Proposed Location (in Section H of Appendix A), a separate Premises Diagram must be included in this Security Plan section (Section D) of the application. Diagram must meet the requirements of the Department of Cannabis Control DCR Title 4, Division 19, §15006 Premises Diagram.	**Percentage**	pg. 58	**75**	**75**	Addressed Criteria
	D.2.A. Diagram shall show boundaries of property and proposed location to be licensed and show all boundaries, dimensions, entrances and exits, interior partitions, walls, rooms, windows, and doorways, and shall include a brief statement or description of the principal activity to be conducted therein.	**N/A**				
	D.2.B. Diagram shall show and identifies commercial cannabis activities to take place in each area of the premises and identify all limited-access areas.	**N/A**				
	D.2.C. Diagram shall show all camera locations and include assigned an number to each camera for identification purposes.	**N/A**				
	D.2.D. The diagram shall be accurate, dimensioned and to-scale (minimum scale of 1/4").	**N/A**				
	D.2.E. If the proposed location consists of only a portion of a property, the diagram is labeled indicating which part of the property will be used for the licensed premises and what activities will be used for the remaining property.	**N/A**				
D.3.	Describe operational security, including general security for access/visitor control, inventory control and cash handling procedures.	**Percentage**	pg. 40-62	**75**	**75**	Addressed Criteria
D.4.	Describe perimeter security, on-site security guards, proposed guard hours and their responsibilities, and lighting.	**Percentage**	pg. 42-62	**35**	**35**	Addressed Criteria
D.5.	Describe employee training and general security policies.	**Percentage**	pg. 42-62	**15**	**15**	Addressed Criteria
Summary	[redacted]					

Section E: Qualification of Owners (400 points)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
E.1.	Demonstrate the business owner's experience in owning, managing, and operating a cannabis business. Evidence that prior experience was from legally permitted activities.	**Percentage**	pg. 63-85	**150**	**150**	Addressed Criteria

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

E.2.	Demonstrate knowledge of the cannabis industry, including identification of how industry best practices and state regulations have been incorporated in existing/prior legal businesses outside the City of Madera.	**Percentage**	pg. 67-85	**100**	**100**	Addressed Criteria
E.3.	Describe the involvement of the ownership team in the day-to-day operation of the business.	**Percentage**	pg. 68-85	**150**	**150**	Addressed Criteria
Summary	[redacted]					
Section F: Neighborhood Compatibility (400 points)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
F.1.	Describe how the business will proactively address and respond to complaints related to noise, light, odor, and vehicle and pedestrian traffic and avoid becoming a nuisance or negative impact.	**Percentage**	pg. 86-89	**25**	**25**	Addressed Criteria
F.2.	Describe the waste management plan including: waste disposal locations, security measures, methods of rendering all waste unusable and unrecognizable, and the vendor in charge of disposal.	**Percentage**	pg. 89-91	**100**	**100**	Addressed Criteria
F.3.	**The application includes the following information about the proposed location:**					
F.3.A.	Physical address and a detailed description of the proposed location, including overall property, building, and interior floor plan.	**Percentage**	pg. 91-92	**50**	**50**	Addressed Criteria
F.3.B.	Describes all known nearby State and local sensitive use areas. (Business must have the appropriate zoning locational requirements described in MMC sections 6-5.33 and Title X)	**All or None**	pg. 92, 94	**25**	**25**	Addressed Criteria
F.3.C.	Lists nearby, well-traveled paths to schools and describes how the business will proactively protect youth on these paths from exposure to the cannabis business.	**All or None**	pg. 92, 94	**25**	**25**	Addressed Criteria
F.3.D.	Describes how the business will proactively take steps about community concerns to protect the youth generally from the impacts of the cannabis business.	**Percentage**	pg. 93	**50**	**50**	Addressed Criteria
F.3.E.	Proof of ownership, lease agreement, or a Letter of Intent to Lease.	**All or None**	pg. 105-106	**50**	**50**	Addressed Criteria
F.3.F.	Vicinity map.	**All or None**	pg. 94	**25**	**25**	Addressed Criteria
F.3.G.	Photographs of existing site and buildings.	**All or None**	pg. 107	**25**	**25**	Addressed Criteria
F.3.H.	Evidence that the location has access to public transportation for employees or customers.	**All or None**	pg. 95	**25**	**25**	Addressed Criteria

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

Summary	[redacted]

Section G: Community Benefits and Investment Plan (500 points)		Scoring Basis	Page Number	Points Available	Points Received	Evaluation
G.1.	Describes benefits the business will provide to the local community. May include: directly aiding, participating in, volunteer services, monetary donations, financial support, funding, and or any other economic incentives to the City or other charitable organizations in which will help achieve the strategic policy goals of the City Council in permitting cannabis businesses in the City of Madera.	**Percentage**	pg. 108-157	**500**	**500**	Addressed Criteria
Summary	[redacted]					

Section H: Proposed Location (300 points)			Scoring Basis	Page Number	Points Available	Points Received	Evaluation
H.	In addition to the location details required in the Security Plan, the application shall include a thorough narrative description of the proposed location, including overall site, existing and/or proposed building(s), parking spaces, driveways, pedestrian sidewalks/rights-of-way, and neighboring businesses on the parcel.		**Percentage**	pg. 158-162	**100**	**95**	Review of section H showed that the applicant's proposed location did not include a narrative description of the neighboring businesses on the parcel.
	H.1.	Applicant must have the appropriate zoning and meet all the locational requirements as described in MMC Section 6-5.33 and Title X.	**All or None**	pg. 161	**150**	**150**	Addressed Criteria
	H.2.	In addition to the Site Diagram submitted with the Security Plan above, application must include a (Site) diagram depicting all details described in the narrative description of the proposed location.	**Percentage**	pg. 162	**50**	**50**	Addressed Criteria
Summary	[redacted]						

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

Cali Oz Madera LLC
Applicant Name / DBA:

2073 Kennedy Street, Suite 101 & 103, Madera, CA 93638
Proposed Location / Physical Address:

Retail Storefront
License Type:

Original Report
Report Type:

Friday, August 5, 2022
Report Date:

Complete Upon Initial Review.
Report Status:

Points Available: 3,000 **Points Awarded:** 3,000

Score: 100.00%

PHASE II: APPLICATION EVALUATION AND REVIEW (3,000 Points)

During this application period the City will allow up to six (6) cannabis business permits. The Procedure Guidelines and Review Criteria constitute the application process and are adopted pursuant to the City of Madera Municipal Code (MMC) Section 6-5.13 and Title X, Chapter 3 (Zoning Regulations). Applications will be reviewed and scored using a merit-based system. At a minimum the top ten (10) applicants who score a minimum of 90% or higher (2,700 points) in Phase II may be eligible to advance to Phase III. However, the City may at its sole discretion select more than ten (10) applicants based on the quantity and the overall quality of applications the City receives. Notice of the results of Phase II will be provided in writing via email to the primary contact listed on the application.

Section A: Business Plan (400 pts)			Scoring Basis	Page Number	Points Available	Points Received	Evaluation
Business Plan:							
A.1.	Budget for construction, operations, maintenance, compensation of employees, equipment, property lease, security equipment and staff, City fees, state fees, utility costs, product purchases, and other anticipated costs. Budget demonstrates sufficient capital to pay startup costs at least 3 months of operating costs and a describes sources and use of funds.		**Percentage**	pg. 2-4	**75**	**75**	Addressed Criteria
	A.1. A.	Proof of capitalization, in the form of documentation of cash or other liquid assets on hand, Letters of Credit, or other equivalent assets which can be verified by the City.	**All or None**	pg. 7 PDF File #4	**50**	**50**	Addressed Criteria
	A.1.B.	Pro forma for at least three years of operation.	**Percentage**	pg. 4-6, 8	**75**	**75**	Addressed Criteria
	A.1.C.	A schedule for beginning operation, including a narrative outlining any proposed construction and improvements and a timeline for completion.	**All or None**	pg. 9-10	**20**	**20**	Addressed Criteria
Daily Operations (Retail):							
A.2.1.	**Describes the day-to-day operations which meet best practice if you are applying for a RETAIL permit, including at a minimum the following criteria:**						
	A.2.1.A.	Describe customer check-in procedures.	**Percentage**	pg. 10-12	**75**	**75**	Addressed Criteria
	A.2.1.B.	Identify the location and procedures for receiving deliveries during business hours.	**All or None**	pg. 12-15	**25**	**25**	Addressed Criteria

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

A.2.1. Cont'd	**A.2.1.C.**	Describe the Point-of-Sale system to be used (including name), how it will interact with the states track-and-trace system, and the number of Point-of-Sale locations at full capacity.	**All or None**	pg. 15-16	**20**	**20**	Addressed Criteria
	A.2.1.D.	Estimate the number of customers to be served per hour/day.	**All or None**	pg. 16	**10**	**10**	Addressed Criteria
	A.2.1.E.	Describe the proposed product line to be sold (including brand names), and estimate of the percentage of sales of flower and manufactured products.	**Percentage**	pg. 16-17	**20**	**20**	Addressed Criteria
	A.2.1.F.	If proposed, describe delivery service procedures, number of vehicles and product security during transportation.	**N/A**				2 Electric Delivery vehicles
	A.2.1.G.	Describes how the Cannabis Business will conform to local and state laws. See MMC Sections 6-5.40 and Title X.	**Percentage**	pg. 23-24	**20**	**20**	Addressed Criteria
	A.2.1.H.	Describes how cannabis will be tracked and monitored to prevent diversion.	**All or None**	pg. 24-32	**10**	**10**	Addressed Criteria
Summary	[redacted]						

Section B: Labor, Equity, Diversity, and Inclusion Plan (400 pts)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
B.1.	Describe the extent business will include recognition of the collective bargaining rights of employees in accordance with Section 6-5.13 (G).	**All or None**	pg. 35-39	**25**	**25**	Addressed Criteria
B.2.	Identify the number of employees at initial opening and maximum number of employees at full capacity.	**All or None**	pg. 39	**25**	**25**	Addressed Criteria
B.3.	Describe the diversity and inclusion programs that will be developed to embrace a diverse work force with a diverse set of perspectives, work and life experiences, religious, and cultural differences that provide equal opportunities for employee development.	**All or None**	pg. 39-43	**25**	**25**	Addressed Criteria
B.4.	Identify all positions and their responsibilities.	**Percentage**	pg. 43-52	**50**	**50**	Addressed Criteria
B.5.	Describe compensation to and opportunities for continuing education and training for employees.	**Percentage**	pg. 52-58	**50**	**50**	Addressed Criteria
B.6.	Describe whether the cannabis business is committed to offering employees a Living Wage.	**All or None**	pg. 58	**100**	**100**	Addressed Criteria
B.7.	Describe the benefits provided to employees such as health care, vacation, and medical leave, to the degree they are offered as part of employment.	**All or None**	pg. 59-60	**25**	**25**	Addressed Criteria

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

B.8.	Describe the extent to which the cannabis business will be locally owned and how the owner(s) have resided within the County of Madera for at least one year prior to June 1, 2021.	**All or None**	pg. 60-63	**100**	**100**	Addressed Criteria
Summary	[redacted]					

Section C: Safety Plan (300 points)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
C.1.	The detailed Safety Plan shall be prepared by a California professional fire prevention and suppression consultant.	**All or None**	pg. 67	**100**	**100**	Addressed Criteria
C.2.	Describes all fire prevention and suppression measures, fire extinguisher locations, evacuation routes and alarm systems in place.	**Percentage**	pg. 68-74	**100**	**100**	Addressed Criteria
C.3.	Describes all accident and incident reporting procedures.	**All or None**	pg. 75-79	**50**	**50**	Addressed Criteria
C.4.	Identify all known chemicals, gases, solvents and nutrients to be used and stored on the licensed premises. Identify storage location and how each will be secured.	**Percentage**	pg. 80	**50**	**50**	Addressed Criteria
Summary	[redacted]					

Section D: Security Plan (300 points)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
D.1.	The Security Plan shall be prepared and/or assessed by a professional security consultant.	**All or None**	pg. 83	**100**	**100**	Addressed Criteria
	D.1.A. Plan shall demonstrate how the cannabis business wishes to develop the floor plan and address other security issues on the property.					
D.2.	Premises Diagram. In addition to the site plans submitted for the Proposed Location (in Section H of Appendix A), a separate Premises Diagram must be included in this Security Plan section (Section D) of the application. Diagram must meet the requirements of the Department of Cannabis Control DCR Title 4, Division 19, §15006 Premises Diagram.	**Percentage**	pg. 106	**75**	**75**	Addressed Criteria

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

D.2. Cont'd	**D.2.A.**	Diagram shall show boundaries of property and proposed location to be licensed and show all boundaries, dimensions, entrances and exits, interior partitions, walls, rooms, windows, and doorways, and shall include a brief statement or description of the principal activity to be conducted therein.	**N/A**				
	D.2.B.	Diagram shall show and identifies commercial cannabis activities to take place in each area of the premises and identify all limited-access areas.	**N/A**				
	D.2.C.	Diagram shall show all camera locations and include assigned an number to each camera for identification	**N/A**				
	D.2.D.	The diagram shall be accurate, dimensioned and to-scale (minimum scale of 1/4").	**N/A**				
	D.2.E.	If the proposed location consists of only a portion of a property, the diagram is labeled indicating which part of the property will be used for the licensed premises and what activities will be used for the remaining property.	**N/A**				
D.3.	Describe operational security, including general security for access/visitor control, inventory control and cash handling procedures.		**Percentage**	pg. 84-92	**75**	**75**	Addressed Criteria
D.4.	Describe perimeter security, on-site security guards, proposed guard hours and their responsibilities, and lighting.		**Percentage**	pg. 92-96	**35**	**35**	Addressed Criteria
D.5.	Describe employee training and general security policies.		**Percentage**	pg. 97-105	**15**	**15**	Addressed Criteria
Summary	[redacted]						

Section E: Qualification of Owners (400 points)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
E.1.	Demonstrate the business owner's experience in owning, managing, and operating a cannabis business. Evidence that prior experience was from legally permitted activities.	**Percentage**	pg. 108-117	**150**	**150**	Addressed Criteria
E.2.	Demonstrate knowledge of the cannabis industry, including identification of how industry best practices and state regulations have been incorporated in existing/prior legal businesses outside the City of Madera.	**Percentage**	pg. 118	**100**	**100**	Addressed Criteria
E.3.	Describe the involvement of the ownership team in the day-to-day operation of the business.	**Percentage**	pg. 119-120	**150**	**150**	Addressed Criteria

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

Summary	[redacted]

Section F: Neighborhood Compatibility (400 points)			Scoring Basis	Page Number	Points Available	Points Received	Evaluation
F.1.	Describe how the business will proactively address and respond to complaints related to noise, light, odor, and vehicle and pedestrian traffic and avoid becoming a nuisance or negative impact.		**Percentage**	pg.122-138	**25**	**25**	Addressed Criteria
F.2.	Describe the waste management plan including: waste disposal locations, security measures, methods of rendering all waste unusable and unrecognizable, and the vendor in charge of disposal.		**Percentage**	pg. 139-141	**100**	**100**	Addressed Criteria
F.3.	**The application includes the following information about the proposed location:**						
	F.3.A.	Physical address and a detailed description of the proposed location, including overall property, building, and interior floor plan.	**Percentage**	pg. 141-145	**50**	**50**	Addressed Criteria
	F.3.B.	Describes all known nearby State and local sensitive use areas. (Business must have the appropriate zoning locational requirements described in MMC sections 6-5.33 and Title X)	**All or None**	pg. 146	**25**	**25**	Addressed Criteria
	F.3.C.	Lists nearby, well-traveled paths to schools and describes how the business will proactively protect youth on these paths from exposure to the cannabis business.	**All or None**	pg. 146	**25**	**25**	Addressed Criteria
	F.3.D.	Describes how the business will proactively take steps about community concerns to protect the youth generally from the impacts of the cannabis business.	**Percentage**	pg. 147	**50**	**50**	Addressed Criteria
	F.3.E.	Proof of ownership, lease agreement, or a Letter of Intent to Lease.	**All or None**	PDF #1 pg. 20-58	**50**	**50**	Addressed Criteria
	F.3.F.	Vicinity map.	**All or None**	pg. 149	**25**	**25**	Addressed Criteria
	F.3.G.	Photographs of existing site and buildings.	**All or None**	pg. 150-151	**25**	**25**	Addressed Criteria
	F.3.H.	Evidence that the location has access to public transportation for employees or customers.	**All or None**	pg. 152-154	**25**	**25**	Addressed Criteria

Summary	[redacted]

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

Section G: Community Benefits and Investment Plan (500 points)		Scoring Basis	Page Number	Points Available	Points Received	Evaluation
G.1.	Describes benefits the business will provide to the local community. May include: directly aiding, participating in, volunteer services, monetary donations, financial support, funding, and or any other economic incentives to the City or other charitable organizations in which will help achieve the strategic policy goals of the City Council in permitting cannabis businesses in the City of Madera.	**Percentage**	pg. 156-164	**500**	**500**	Addressed Criteria
Summary						

Section H: Proposed Location (300 points)			Scoring Basis	Page Number	Points Available	Points Received	Evaluation
H.	In addition to the location details required in the Security Plan, the application shall include a thorough narrative description of the proposed location, including overall site, existing and/or proposed building(s), parking spaces, driveways, pedestrian sidewalks/rights-of-way, and neighboring businesses on the parcel.		**Percentage**	pg. 166-168	**100**	**100**	Addressed Criteria
	H.1.	Applicant must have the appropriate zoning and meet all the locational requirements as described in MMC Section 6-5.33 and Title X.	**All or None**	PDF# 5	**150**	**150**	Addressed Criteria
	H.2.	In addition to the Site Diagram submitted with the Security Plan above, application must include a (Site) diagram depicting all details described in the narrative description of the proposed location.	**Percentage**	pg. 168	**50**	**50**	Addressed Criteria
Summary							

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

Dime Bagz, LLC dba Dime Bagz	**Original Report**
Applicant Name / DBA:	**Report Type:**
301 North Gateway Dr., Madera, CA 93637	**Monday, July 25, 2022**
Proposed Location / Physical Address:	**Report Date:**
Retail Storefront	**Complete Upon Initial Review.**
License Type:	**Report Status:**

Points Available: 3,000 **Points Awarded:** 2,836

Score: 94.53%

PHASE II: APPLICATION EVALUATION AND REVIEW (3,000 Points)

During this application period the City will allow up to six (6) cannabis business permits. The Procedure Guidelines and Review Criteria constitute the application process and are adopted pursuant to the City of Madera Municipal Code (MMC) Section 6-5.13 and Title X, Chapter 3 (Zoning Regulations). Applications will be reviewed and scored using a merit-based system. At a minimum the top ten (10) applicants who score a minimum of 90% or higher (2,700 points) in Phase II may be eligible to advance to Phase III. However, the City may at its sole discretion select more than ten (10) applicants based on the quantity and the overall quality of applications the City receives. Notice of the results of Phase II will be provided in writing via email to the primary contact listed on the application.

Section A: Business Plan (400 pts)			Scoring Basis	Page Number	Points Available	Points Received	Evaluation
Business Plan:							
A.1.	Budget for construction, operations, maintenance, compensation of employees, equipment, property lease, security equipment and staff, City fees, state fees, utility costs, product purchases, and other anticipated costs. Budget demonstrates sufficient capital to pay startup costs at least 3 months of operating costs and a describes sources and use of funds.		**Percentage**	pg. 2-3 pg. 78-81	**75**	**75**	Addressed Criteria
	A.1. A.	Proof of capitalization, in the form of documentation of cash or other liquid assets on hand, Letters of Credit, or other equivalent assets which can be verified by the City.	**All or None**	pg. 74-77	**50**	**0**	Review of the applicant's proof of capitalization in PDF File #4 and on pages 74-77 of PDF File #2, showed that [redacted], and [redacted] were joint account holders on the bank accounts utilized to substantiate capital. The applicant failed to identify [redacted], or [redacted] as owners of the proposed business or include authorization from the aforementioned individuals to utilize the funds. As such, the source of capital could not be verified.

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

A.1. Cont'd	**A.1.B.**	Pro forma for at least three years of operation.	**Percentage**	pg. 2-3 pg. 78-81	**75**	**64**	Review of PDF File #2 showed that the applicant did not clearly identify the 3-year Pro Forma. Pages 80-81 showed table illustrating three years of anticipated annual revenue and costs. Although this table was not clearly identified, HdL utilized this table as no other table representing a "Pro Forma" was provided. Applicant's table failed to include costs for equipment, or maintenance.
	A.1.C.	A schedule for beginning operation, including a narrative outlining any proposed construction and improvements and a timeline for completion.	**All or None**	pg. 3	**20**	**20**	Addressed Criteria
Daily Operations (Retail):							
A.2.1.	**Describes the day-to-day operations which meet best practice if you are applying for a RETAIL permit, including at a minimum the following criteria:**						
	A.2.1.A.	Describe customer check-in procedures.	**Percentage**	pg. 5-6	**75**	**75**	Addressed Criteria
	A.2.1.B.	Identify the location and procedures for receiving deliveries during business hours.	**All or None**	pg. 6	**25**	**25**	Addressed Criteria
	A.2.1.C.	Describe the Point-of-Sale system to be used (including name), how it will interact with the states track-and-trace system, and the number of Point-of-Sale locations at full capacity.	**All or None**	pg. 4 pg. 6-7	**20**	**20**	Addressed Criteria
	A.2.1.D.	Estimate the number of customers to be served per hour/day.	**All or None**	pg. 7-8	**10**	**10**	Addressed Criteria
	A.2.1.E.	Describe the proposed product line to be sold (including brand names), and estimate of the percentage of sales of flower and manufactured products.	**Percentage**	pg. 8	**20**	**20**	Addressed Criteria
	A.2.1.F.	If proposed, describe delivery service procedures, number of vehicles and product security during transportation.	**N/A**	pg. 9			One Delivery Vehicle
	A.2.1.G.	Describes how the Cannabis Business will conform to local and state laws. See MMC Sections 6-5.40 and Title X.	**Percentage**	pg. 4-9	**20**	**20**	Addressed Criteria
	A.2.1.H.	Describes how cannabis will be tracked and monitored to prevent diversion.	**All or None**	pg. 7-9	**10**	**10**	Addressed Criteria

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

Summary	[redacted]

Section B: Labor, Equity, Diversity, and Inclusion Plan (400 pts)		Scoring Basis	Page Number	Points Available	Points Received	Evaluation
B.1.	Describe the extent business will include recognition of the collective bargaining rights of employees in accordance with Section 6-5.13 (G).	**All or None**	pg. 10	**25**	**25**	Addressed Criteria
B.2.	Identify the number of employees at initial opening and maximum number of employees at full capacity.	**All or None**	pg. 11	**25**	**25**	Addressed Criteria
B.3.	Describe the diversity and inclusion programs that will be developed to embrace a diverse work force with a diverse set of perspectives, work and life experiences, religious, and cultural differences that provide equal opportunities for employee development.	**All or None**	pg. 11	**25**	**25**	Addressed Criteria
B.4.	Identify all positions and their responsibilities.	**Percentage**	pg. 11-13	**50**	**50**	Addressed Criteria
B.5.	Describe compensation to and opportunities for continuing education and training for employees.	**Percentage**	pg. 13	**50**	**50**	Addressed Criteria
B.6.	Describe whether the cannabis business is committed to offering employees a Living Wage.	**All or None**	pg. 14	**100**	**100**	Addressed Criteria
B.7.	Describe the benefits provided to employees such as health care, vacation, and medical leave, to the degree they are offered as part of employment.	**All or None**	pg. 14	**25**	**25**	Addressed Criteria
B.8.	Describe the extent to which the cannabis business will be locally owned and how the owner(s) have resided within the County of Madera for at least one year prior to June 1, 2021.	**All or None**	pg. 14	**100**	**0**	Applicant stated that the proposed business was not locally owned.

Summary	[redacted]

Section C: Safety Plan (300 points)		Scoring Basis	Page Number	Points Available	Points Received	Evaluation
C.1.	The detailed Safety Plan shall be prepared by a California professional fire prevention and suppression consultant.	**All or None**	pg. 16	**100**	**100**	Addressed Criteria
C.2.	Describes all fire prevention and suppression measures, fire extinguisher locations, evacuation routes and alarm systems in place.	**Percentage**	pg. 25-27	**100**	**100**	Addressed Criteria
C.3.	Describes all accident and incident reporting procedures.	**All or None**	pg. 19-23	**50**	**50**	Addressed Criteria

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

C.4.	Identify all known chemicals, gases, solvents and nutrients to be used and stored on the licensed premises. Identify storage location and how each will be secured.	**Percentage**	pg. 18	**50**	**50**	Addressed Criteria
Summary	[redacted]					

Section D: Security Plan (300 points)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
D.1.	The Security Plan shall be prepared and/or assessed by a professional security consultant.	**All or None**	pg. 35	**100**	**100**	Addressed Criteria
D.1.A.	Plan shall demonstrate how the cannabis business wishes to develop the floor plan and address other security issues on the property.					
D.2.	Premises Diagram. In addition to the site plans submitted for the Proposed Location (in Section H of Appendix A), a separate Premises Diagram must be included in this Security Plan section (Section D) of the application. Diagram must meet the requirements of the Department of Cannabis Control DCR Title 4, Division 19, §15006 Premises Diagram.	**Percentage**	pg. 64	**75**	**72**	Review of the applicant's Premises Diagram on page 64 of File #2 showed that the applicant identified the state defined "Retail Area" as the "Showroom". As such, the premises diagram did not meet the requirements of the Department of Cannabis Control DCR Title 4, Division 19, §15006.
D.2.A.	Diagram shall show boundaries of property and proposed location to be licensed and show all boundaries, dimensions, entrances and exits, interior partitions, walls, rooms, windows, and doorways, and shall include a brief statement or description of the principal activity to be conducted therein.	**N/A**				
D.2.B.	Diagram shall show and identifies commercial cannabis activities to take place in each area of the premises and identify all limited-access areas.	**N/A**				
D.2.C.	Diagram shall show all camera locations and include assigned an number to each camera for identification purposes.	**N/A**				
D.2.D.	The diagram shall be accurate, dimensioned and to-scale (minimum scale of 1/4”).	**N/A**				
D.2.E.	If the proposed location consists of only a portion of a property, the diagram is labeled indicating which part of the property will be used for the licensed premises and what activities will be used for the remaining property.	**N/A**				

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

D.3.	Describe operational security, including general security for access/visitor control, inventory control and cash handling procedures.	**Percentage**	pg. 35-47	**75**	**75**	Addressed Criteria
D.4.	Describe perimeter security, on-site security guards, proposed guard hours and their responsibilities, and lighting.	**Percentage**	pg. 47-52	**35**	**35**	Addressed Criteria
D.5.	Describe employee training and general security policies.	**Percentage**	pg. 52-54	**15**	**15**	Addressed Criteria
Summary	[redacted]					

Section E: Qualification of Owners (400 points)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
E.1.	Demonstrate the business owner's experience in owning, managing, and operating a cannabis business. Evidence that prior experience was from legally permitted activities.	**Percentage**	pg. 65	**150**	**150**	Addressed Criteria
E.2.	Demonstrate knowledge of the cannabis industry, including identification of how industry best practices and state regulations have been incorporated in existing/prior legal businesses outside the City of Madera.	**Percentage**	pg. 65-66	**100**	**100**	Addressed Criteria
E.3.	Describe the involvement of the ownership team in the day-to-day operation of the business.	**Percentage**	pg. 66	**150**	**150**	Addressed Criteria
Summary	[redacted]					

Section F: Neighborhood Compatibility (400 points)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
F.1.	Describe how the business will proactively address and respond to complaints related to noise, light, odor, and vehicle and pedestrian traffic and avoid becoming a nuisance or negative impact.	**Percentage**	pg. 67-68	**25**	**25**	Addressed Criteria
F.2.	Describe the waste management plan including: waste disposal locations, security measures, methods of rendering all waste unusable and unrecognizable, and the vendor in charge of disposal.	**Percentage**	pg. 68-69	**100**	**100**	Addressed Criteria

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

F.3.	**The application includes the following information about the proposed location:**						
	F.3.A.	Physical address and a detailed description of the proposed location, including overall property, building, and interior floor plan.	**Percentage**	pg. 69	**50**	**50**	Addressed Criteria
	F.3.B.	Describes all known nearby State and local sensitive use areas. (Business must have the appropriate zoning locational requirements described in MMC sections 6-5.33 and Title X)	**All or None**	pg. 69	**25**	**25**	Addressed Criteria
	F.3.C.	Lists nearby, well-traveled paths to schools and describes how the business will proactively protect youth on these paths from exposure to the cannabis business.	**All or None**	pg. 69, 90	**25**	**25**	Addressed Criteria
	F.3.D.	Describes how the business will proactively take steps about community concerns to protect the youth generally from the impacts of the cannabis business.	**Percentage**	pg. 70	**50**	**50**	Addressed Criteria
	F.3.E.	Proof of ownership, lease agreement, or a Letter of Intent to Lease.	**All or None**	PDF #1 pg. 11-15	**50**	**50**	Addressed Criteria
	F.3.F.	Vicinity map.	**All or None**	pg. 88-90	**25**	**25**	Addressed Criteria
	F.3.G.	Photographs of existing site and buildings.	**All or None**	pg. 92-94	**25**	**25**	Addressed Criteria
	F.3.H.	Evidence that the location has access to public transportation for employees or customers.	**All or None**	pg. 91	**25**	**25**	Addressed Criteria
Summary							

Section G: Community Benefits and Investment Plan (500 points)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
G.1.	Describes benefits the business will provide to the local community. May include: directly aiding, participating in, volunteer services, monetary donations, financial support, funding, and or any other economic incentives to the City or other charitable organizations in which will help achieve the strategic policy goals of the City Council in permitting cannabis businesses in the City of Madera.	**Percentage**	pg. 70-71	**500**	**500**	Addressed Criteria
Summary						

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

Section H: Proposed Location (300 points)			Scoring Basis	Page Number	Points Available	Points Received	Evaluation
H.	In addition to the location details required in the Security Plan, the application shall include a thorough narrative description of the proposed location, including overall site, existing and/or proposed building(s), parking spaces, driveways, pedestrian sidewalks/rights-of-way, and neighboring businesses on the parcel.		**Percentage**	pg. 71-72	**100**	**100**	Addressed Criteria
	H.1.	Applicant must have the appropriate zoning and meet all the locational requirements as described in MMC Section 6-5.33 and Title X.	**All or None**	PDF #5 pg. 1	**150**	**150**	Addressed Criteria
	H.2.	In addition to the Site Diagram submitted with the Security Plan above, application must include a (Site) diagram depicting all details described in the narrative description of the proposed location.	**Percentage**	pg. 82	**50**	**50**	Addressed Criteria
Summary							

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

DSPO-Madera, LLC dba DISPO
Applicant Name / DBA:

124 S C Street, Madera, CA 93638
Proposed Location / Physical Address:

Retail Storefront
License Type:

Original Report
Report Type:

Monday, August 15, 2022
Report Date:

Complete Upon Initial Review.
Report Status:

Points Available: 3,000 **Points Awarded:** 2,875

Score: 95.83%

PHASE II: APPLICATION EVALUATION AND REVIEW (3,000 Points)

During this application period the City will allow up to six (6) cannabis business permits. The Procedure Guidelines and Review Criteria constitute the application process and are adopted pursuant to the City of Madera Municipal Code (MMC) Section 6-5.13 and Title X, Chapter 3 (Zoning Regulations). Applications will be reviewed and scored using a merit-based system. At a minimum the top ten (10) applicants who score a minimum of 90% or higher (2,700 points) in Phase II may be eligible to advance to Phase III. However, the City may at its sole discretion select more than ten (10) applicants based on the quantity and the overall quality of applications the City receives. Notice of the results of Phase II will be provided in writing via email to the primary contact listed on the application.

Section A: Business Plan (400 pts)			Scoring Basis	Page Number	Points Available	Points Received	Evaluation
Business Plan:							
A.1.	Budget for construction, operations, maintenance, compensation of employees, equipment, property lease, security equipment and staff, City fees, state fees, utility costs, product purchases, and other anticipated costs. Budget demonstrates sufficient capital to pay startup costs at least 3 months of operating costs and a describes sources and use of funds.		**Percentage**	pg. 3-12	**75**	**75**	Addressed Criteria
	A.1. A.	Proof of capitalization, in the form of documentation of cash or other liquid assets on hand, Letters of Credit, or other equivalent assets which can be verified by the City.	**All or None**	PDF File #4	**50**	**50**	Addressed Criteria
	A.1.B.	Pro forma for at least three years of operation.	**Percentage**	pg. 12-16	**75**	**75**	Addressed Criteria
	A.1.C.	A schedule for beginning operation, including a narrative outlining any proposed construction and improvements and a timeline for completion.	**All or None**	pg. 16-18	**20**	**20**	Addressed Criteria
Daily Operations (Retail):							
A.2.1.	**Describes the day-to-day operations which meet best practice if you are applying for a RETAIL permit, including at a minimum the following criteria:**						
	A.2.1.A.	Describe customer check-in procedures.	**Percentage**	pg. 20-21	**75**	**75**	Addressed Criteria
	A.2.1.B.	Identify the location and procedures for receiving deliveries during business hours.	**All or None**	pg.21-22	**25**	**25**	Addressed Criteria
	A.2.1.C.	Describe the Point-of-Sale system to be used (including name), how it will interact with the states track-and-trace system, and the number of Point-of-Sale locations at full capacity.	**All or None**	pg. 22	**20**	**20**	Addressed Criteria
	A.2.1.D.	Estimate the number of customers to be served per hour/day.	**All or None**	pg. 23	**10**	**10**	Addressed Criteria

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

A.2.1. Cont'd	**A.2.1.E.**	Describe the proposed product line to be sold (including brand names), and estimate of the percentage of sales of flower and manufactured products.	**Percentage**	pg. 23-25	**20**	**20**	Addressed Criteria
	A.2.1.F.	If proposed, describe delivery service procedures, number of vehicles and product security during	**N/A**	pg. 25-27			Delivery proposed.
	A.2.1.G.	Describes how the Cannabis Business will conform to local and state laws. See MMC Sections 6-5.40 and Title X.	**Percentage**	pg. 27-29	**20**	**20**	Addressed Criteria
	A.2.1.H.	Describes how cannabis will be tracked and monitored to prevent	**All or None**	pg.29-32	**10**	**10**	Addressed Criteria
Summary	[redacted]						

Section B: Labor, Equity, Diversity, and Inclusion Plan (400 pts)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
B.1.	Describe the extent business will include recognition of the collective bargaining rights of employees in accordance with Section 6-5.13 (G).	**All or None**	pg. 34-35	**25**	**25**	Addressed Criteria
B.2.	Identify the number of employees at initial opening and maximum number of employees at full capacity.	**All or None**	pg. 33-49	**25**	**0**	Review pages 33 through 49 of the application showed that the applicant did not identify the number of employees at full capacity.
B.3.	Describe the diversity and inclusion programs that will be developed to embrace a diverse work force with a diverse set of perspectives, work and life experiences, religious, and cultural differences that provide equal opportunities for employee development.	**All or None**	pg. 36-41	**25**	**25**	Addressed Criteria
B.4.	Identify all positions and their responsibilities.	**Percentage**	pg. 42-44	**50**	**50**	Addressed Criteria
B.5.	Describe compensation to and opportunities for continuing education and training for employees.	**Percentage**	pg. 44-46	**50**	**50**	Addressed Criteria
B.6.	Describe whether the cannabis business is committed to offering employees a Living Wage.	**All or None**	pg. 41-42	**100**	**100**	Addressed Criteria
B.7.	Describe the benefits provided to employees such as health care, vacation, and medical leave, to the degree they are offered as part of	**All or None**	pg. 46-49	**25**	**25**	Addressed Criteria
B.8.	Describe the extent to which the cannabis business will be locally owned and how the owner(s) have resided within the County of Madera for at least one year prior to June 1, 2021.	**All or None**	PDF File #1 - PDF File #5	**100**	**0**	Applicant did not provide proof of residency in the form of mortgage statements, lease agreements, tax bills, utility bill or any other documentation capable of showing residency established prior to June 1, 2021.
Summary	[redacted]					

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

Section C: Safety Plan (300 points)		Scoring Basis	Page Number	Points Available	Points Received	Evaluation
C.1.	The detailed Safety Plan shall be prepared by a California professional fire prevention and suppression consultant.	**All or None**	pg. 50	**100**	**100**	Addressed Criteria
C.2.	Describes all fire prevention and suppression measures, fire extinguisher locations, evacuation routes and alarm systems in place.	**Percentage**	pg. 50-77	**100**	**100**	Addressed Criteria
C.3.	Describes all accident and incident reporting procedures.	**All or None**	pg. 63	**50**	**50**	Addressed Criteria
C.4.	Identify all known chemicals, gases, solvents and nutrients to be used and stored on the licensed premises. Identify storage location and how each will be secured.	**Percentage**	pg. 58-59	**50**	**50**	Addressed Criteria
Summary	[redacted]					

Section D: Security Plan (300 points)			Scoring Basis	Page Number	Points Available	Points Received	Evaluation
D.1.	The Security Plan shall be prepared and/or assessed by a professional security consultant.		**All or None**	pg.78	**100**	**100**	Addressed Criteria
	D.1.A.	Plan shall demonstrate how the cannabis business wishes to develop the floor plan and address other security issues on the property.					
D.2.	Premises Diagram. In addition to the site plans submitted for the Proposed Location (in Section H of Appendix A), a separate Premises Diagram must be included in this Security Plan section (Section D) of the application. Diagram must meet the requirements of the Department of Cannabis Control DCR Title 4, Division 19, §15006 Premises Diagram.		**Percentage**	pg. 88	**75**	**75**	Addressed Criteria
	D.2.A.	Diagram shall show boundaries of property and proposed location to be licensed and show all boundaries, dimensions, entrances and exits, interior partitions, walls, rooms, windows, and doorways, and shall include a brief statement or description of the principal activity to be conducted therein.	**N/A**				
	D.2.B.	Diagram shall show and identifies commercial cannabis activities to take place in each area of the premises and identify all limited-access areas.	**N/A**				
	D.2.C.	Diagram shall show all camera locations and include assigned an number to each camera for identification purposes.	**N/A**				
	D.2.D.	The diagram shall be accurate, dimensioned and to-scale (minimum scale of 1/4”).	**N/A**				

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

D.2. Cont'd	**D.2.E.**	If the proposed location consists of only a portion of a property, the diagram is labeled indicating which part of the property will be used for the licensed premises and what activities will be used for the remaining property.	**N/A**				
D.3.		Describe operational security, including general security for access/visitor control, inventory control and cash handling procedures.	**Percentage**	pg. 90-97	**75**	**75**	Addressed Criteria
D.4.		Describe perimeter security, on-site security guards, proposed guard hours and their responsibilities, and lighting.	**Percentage**	pg. 97-108	**35**	**35**	Addressed Criteria
D.5.		Describe employee training and general security policies.	**Percentage**	pg. 103	**15**	**15**	Addressed Criteria
Summary		[redacted]					

Section E: Qualification of Owners (400 points)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
E.1.	Demonstrate the business owner's experience in owning, managing, and operating a cannabis business. Evidence that prior experience was from legally permitted activities.	**Percentage**	pg. 122-133	**150**	**150**	Addressed Criteria
E.2.	Demonstrate knowledge of the cannabis industry, including identification of how industry best practices and state regulations have been incorporated in existing/prior legal businesses outside the City of Madera.	**Percentage**	pg. 122-133	**100**	**100**	Addressed Criteria
E.3.	Describe the involvement of the ownership team in the day-to-day operation of the business.	**Percentage**	pg. 122-133	**150**	**150**	Addressed Criteria
Summary	[redacted]					

Section F: Neighborhood Compatibility (400 points)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
F.1.	Describe how the business will proactively address and respond to complaints related to noise, light, odor, and vehicle and pedestrian traffic and avoid becoming a nuisance or negative impact.	**Percentage**	pg. 135-141	**25**	**25**	Addressed Criteria
F.2.	Describe the waste management plan including: waste disposal locations, security measures, methods of rendering all waste unusable and unrecognizable, and the vendor in charge of disposal.	**Percentage**	pg. 142 154-175	**100**	**100**	Addressed Criteria

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

F.3.	**The application includes the following information about the proposed location:**						
	F.3.A.	Physical address and a detailed description of the proposed location, including overall property, building, and interior floor plan.	**Percentage**	pg. 142-147	**50**	**50**	Addressed Criteria
	F.3.B.	Describes all known nearby State and local sensitive use areas. (Business must have the appropriate zoning locational requirements described in MMC sections 6-5.33 and Title X)	**All or None**	pg. 149-150	**25**	**25**	Addressed Criteria
	F.3.C.	Lists nearby, well-traveled paths to schools and describes how the business will proactively protect youth on these paths from exposure to the cannabis business.	**All or None**	pg. 150	**25**	**25**	Addressed Criteria
	F.3.D.	Describes how the business will proactively take steps about community concerns to protect the youth generally from the impacts of the cannabis business.	**Percentage**	pg. 151	**50**	**50**	Addressed Criteria
	F.3.E.	Proof of ownership, lease agreement, or a Letter of Intent to Lease.	**All or None**	pg. 152-153	**50**	**50**	Addressed Criteria
	F.3.F.	Vicinity map.	**All or None**	pg. 148-150	**25**	**25**	Addressed Criteria
	F.3.G.	Photographs of existing site and buildings.	**All or None**	pg. 146-148	**25**	**25**	Addressed Criteria
F.3. Cont'd	**F.3.H.**	Evidence that the location has access to public transportation for employees or customers.	**All or None**	pg. 150	**25**	**25**	Addressed Criteria
Summary		[redacted]					

Section G: Community Benefits and Investment Plan (500 points)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
G.1.	Describes benefits the business will provide to the local community. May include: directly aiding, participating in, volunteer services, monetary donations, financial support, funding, and or any other economic incentives to the City or other charitable organizations in which will help achieve the strategic policy goals of the City Council in permitting cannabis businesses in the City of Madera.	**Percentage**	pg. 179-188	**500**	**500**	Addressed Criteria
Summary	[redacted]					

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

Section H: Proposed Location (300 points)			Scoring Basis	Page Number	Points Available	Points Received	Evaluation
H.	In addition to the location details required in the Security Plan, the application shall include a thorough narrative description of the proposed location, including overall site, existing and/or proposed building(s), parking spaces, driveways, pedestrian sidewalks/rights-of-way, and neighboring businesses on the parcel.		**Percentage**	pg. 189-200	**100**	**100**	Addressed Criteria
	H.1.	Applicant must have the appropriate zoning and meet all the locational requirements as described in MMC Section 6-5.33 and Title X.	**All or None**	PDF File #5	**150**	**150**	Addressed Criteria
	H.2.	In addition to the Site Diagram submitted with the Security Plan above, application must include a (Site) diagram depicting all details described in the narrative description of the proposed location.	**Percentage**	pg. 191	**50**	**50**	Addressed Criteria
Summary							

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

E7 LA LLC
Applicant Name / DBA:

215 South D Street, Madera, CA 93638
Proposed Location / Physical Address:

Retail Storefront
License Type:

Original Report
Report Type:

Friday, August 12, 2022
Report Date:

Complete Upon Initial Review.
Report Status:

Points Available: 3,000 **Points Awarded:** 2,900

Score: 96.67%

PHASE II: APPLICATION EVALUATION AND REVIEW (3,000 Points)

During this application period the City will allow up to six (6) cannabis business permits. The Procedure Guidelines and Review Criteria constitute the application process and are adopted pursuant to the City of Madera Municipal Code (MMC) Section 6-5.13 and Title X, Chapter 3 (Zoning Regulations). Applications will be reviewed and scored using a merit-based system. At a minimum the top ten (10) applicants who score a minimum of 90% or higher (2,700 points) in Phase II may be eligible to advance to Phase III. However, the City may at its sole discretion select more than ten (10) applicants based on the quantity and the overall quality of applications the City receives. Notice of the results of Phase II will be provided in writing via email to the primary contact listed on the application.

Section A: Business Plan (400 pts)			Scoring Basis	Page Number	Points Available	Points Received	Evaluation
Business Plan:							
A.1.	Budget for construction, operations, maintenance, compensation of employees, equipment, property lease, security equipment and staff, City fees, state fees, utility costs, product purchases, and other anticipated costs. Budget demonstrates sufficient capital to pay startup costs at least 3 months of operating costs and a describes sources and use of funds.		**Percentage**	PDF #2, Pgs.7-9	**75**	**75**	Addressed criteria
	A.1. A.	Proof of capitalization, in the form of documentation of cash or other liquid assets on hand, Letters of Credit, or other equivalent assets which can be verified by the City.	**All or None**	PDF #2, Pg 10	**50**	**50**	Addressed criteria
	A.1.B.	Pro forma for at least three years of operation.	**Percentage**	PDF #2, Pgs.12, 37-44	**75**	**75**	Addressed criteria
	A.1.C.	A schedule for beginning operation, including a narrative outlining any proposed construction and improvements and a timeline for completion.	**All or None**	PDF #2, Pgs.13-16, 45-47	**20**	**20**	Addressed criteria
Daily Operations (Retail):							
A.2.1.	**Describes the day-to-day operations which meet best practice if you are applying for a RETAIL permit, including at a minimum the following criteria:**						
	A.2.1.A.	Describe customer check-in procedures.	**Percentage**	PDF #2, Pgs. 17-18	**75**	**75**	Addressed criteria
	A.2.1.B.	Identify the location and procedures for receiving deliveries during business hours.	**All or None**	PDF #2, Pgs.18-19	**25**	**25**	Addressed criteria

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

A.2.1. Cont'd	**A.2.1.C.**	Describe the Point-of-Sale system to be used (including name), how it will interact with the states track-and-trace system, and the number of Point-of-Sale locations at full capacity.	**All or None**	PDF #2, Pg. 20	**20**	**20**	Addressed criteria
	A.2.1.D.	Estimate the number of customers to be served per hour/day.	**All or None**	PDF #2, Pg.21	**10**	**10**	Addressed criteria
	A.2.1.E.	Describe the proposed product line to be sold (including brand names), and estimate of the percentage of sales of flower and manufactured products.	**Percentage**	PDF #2, Pgs. 21-22	**20**	**20**	Addressed criteria
	A.2.1.F.	If proposed, describe delivery service procedures, number of vehicles and product security during transportation.	**N/A**	PDF #2, Pgs. 23-26			Addressed criteria
	A.2.1.G.	Describes how the Cannabis Business will conform to local and state laws. See MMC Sections 6-5.40 and Title X.	**Percentage**	PDF #2, Pgs. 26-34	**20**	**20**	Addressed criteria
	A.2.1.H.	Describes how cannabis will be tracked and monitored to prevent diversion.	**All or None**	PDF #2, Pgs. 34-35	**10**	**10**	Addressed criteria
Summary		[redacted]					

Section B: Labor, Equity, Diversity, and Inclusion Plan (400 pts)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
B.1.	Describe the extent business will include recognition of the collective bargaining rights of employees in accordance with Section 6-5.13 (G).	**All or None**	PDF #2, Pg. 50	**25**	**25**	Addressed criteria
B.2.	Identify the number of employees at initial opening and maximum number of employees at full capacity.	**All or None**	PDF #2, Pgs. 50-51	**25**	**25**	Addressed criteria
B.3.	Describe the diversity and inclusion programs that will be developed to embrace a diverse work force with a diverse set of perspectives, work and life experiences, religious, and cultural differences that provide equal opportunities for employee development.	**All or None**	PDF #2, Pgs. 51-53	**25**	**25**	Addressed criteria
B.4.	Identify all positions and their responsibilities.	**Percentage**	PDF #2, Pgs. 53-56	**50**	**50**	Addressed criteria
B.5.	Describe compensation to and opportunities for continuing education and training for employees.	**Percentage**	PDF #2, Pgs. 56-58	**50**	**50**	Addressed criteria
B.6.	Describe whether the cannabis business is committed to offering employees a Living Wage.	**All or None**	PDF #2, Pgs. 58-59	**100**	**100**	Addressed criteria
B.7.	Describe the benefits provided to employees such as health care, vacation, and medical leave, to the degree they are offered as part of employment.	**All or None**	PDF #2, Pgs. 59-60	**25**	**25**	Addressed criteria

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

B.8.	Describe the extent to which the cannabis business will be locally owned and how the owner(s) have resided within the County of Madera for at least one year prior to June 1, 2021.	**All or None**	PDF #2, Pgs. 60-62	**100**	**0**	Proof of Residency not provided. Kevin Massetti, [redacted] owner, was the only owner identified as residing within Madera County.
Summary	[redacted]					

Section C: Safety Plan (300 points)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
C.1.	The detailed Safety Plan shall be prepared by a California professional fire prevention and suppression consultant.	**All or None**	PDF #2, Pgs. 67-87	**100**	**100**	Addressed criteria
C.2.	Describes all fire prevention and suppression measures, fire extinguisher locations, evacuation routes and alarm systems in place.	**Percentage**	PDF #2, Pgs. 71-79	**100**	**100**	Addressed criteria
C.3.	Describes all accident and incident reporting procedures.	**All or None**	PDF #2, Pgs. 79-85	**50**	**50**	Addressed criteria
C.4.	Identify all known chemicals, gases, solvents and nutrients to be used and stored on the licensed premises. Identify storage location and how each will be secured.	**Percentage**	PDF #2, Pg. 86	**50**	**50**	Addressed criteria
Summary	[redacted]					

Section D: Security Plan (300 points)			**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
D.1.	The Security Plan shall be prepared and/or assessed by a professional security consultant.		**All or None**	PDF #2, Pgs. 89-118	**100**	**100**	Addressed criteria
	D.1.A.	Plan shall demonstrate how the cannabis business wishes to develop the floor plan and address other security issues on the property.					
D.2.	Premises Diagram. In addition to the site plans submitted for the Proposed Location (in Section H of Appendix A), a separate Premises Diagram must be included in this Security Plan section (Section D) of the application. Diagram must meet the requirements of the Department of Cannabis Control DCR Title 4, Division 19, §15006 Premises Diagram.		**Percentage**	PDF #2, Pgs. 92, 94 & 176-181	**75**	**75**	Addressed criteria
	D.2.A.	Diagram shall show boundaries of property and proposed location to be licensed and show all boundaries, dimensions, entrances and exits, interior partitions, walls, rooms, windows, and doorways, and shall include a brief statement or description of the principal activity to be conducted therein.	**N/A**	PDF #2, Pg 92 & 94			Addressed criteria

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

D.2. Cont'd	**D.2.B.**	Diagram shall show and identifies commercial cannabis activities to take place in each area of the premises and identify all limited-access areas.	**N/A**	PDF #2, Pg 92 & 94			Addressed criteria
	D.2.C.	Diagram shall show all camera locations and include assigned an number to each camera for identification purposes.	**N/A**	PDF #2, Pg 92 & 94			Addressed criteria
	D.2.D.	The diagram shall be accurate, dimensioned and to-scale (minimum scale of 1/4").	**N/A**	PDF #2, Pg. 92 & 94			Addressed criteria
	D.2.E.	If the proposed location consists of only a portion of a property, the diagram is labeled indicating which part of the property will be used for the licensed premises and what activities will be used for the remaining property.	**N/A**	PDF #2, Pgs. 92 & 94			Addressed criteria
D.3.	Describe operational security, including general security for access/visitor control, inventory control and cash handling procedures.		**Percentage**	PDF #2, Pgs. 94-108	**75**	**75**	Addressed criteria
D.4.	Describe perimeter security, on-site security guards, proposed guard hours and their responsibilities, and lighting.		**Percentage**	PDF #2, Pgs. 108-112	**35**	**35**	Addressed criteria
D.5.	Describe employee training and general security policies.		**Percentage**	PDF #2, Pgs. 112-117	**15**	**15**	Addressed criteria
Summary							

Section E: Qualification of Owners (400 points)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
E.1.	Demonstrate the business owner's experience in owning, managing, and operating a cannabis business. Evidence that prior experience was from legally permitted activities.	**Percentage**	PDF #2, Pgs. 120-129	**150**	**150**	Addressed criteria
E.2.	Demonstrate knowledge of the cannabis industry, including identification of how industry best practices and state regulations have been incorporated in existing/prior legal businesses outside the City of Madera.	**Percentage**	PDF #2, Pgs. 131-134	**100**	**100**	Addressed criteria
E.3.	Describe the involvement of the ownership team in the day-to-day operation of the business.	**Percentage**	PDF #2, Pg. 134	**150**	**150**	Addressed criteria
Summary						

Section F: Neighborhood Compatibility (400 points)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
F.1.	Describe how the business will proactively address and respond to complaints related to noise, light, odor, and vehicle and pedestrian traffic and avoid becoming a nuisance or negative impact.	**Percentage**	PDF #2, Pgs. 136-144	**25**	**25**	Addressed criteria

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

F.2.	Describe the waste management plan including: waste disposal locations, security measures, methods of rendering all waste unusable and unrecognizable, and the vendor in charge of disposal.	**Percentage**	PDF #2, Pgs. 144-145	**100**	**100**	Addressed criteria
F.3.	**The application includes the following information about the proposed location:**					
F.3.A.	Physical address and a detailed description of the proposed location, including overall property, building, and interior floor plan.	**Percentage**	PDF #2, Pgs. 145-146	**50**	**50**	Addressed criteria
F.3.B.	Describes all known nearby State and local sensitive use areas. (Business must have the appropriate zoning locational requirements described in MMC sections 6-5.33 and Title X)	**All or None**	PDF #2, Pgs. 146-147	**25**	**25**	Addressed criteria
F.3.C.	Lists nearby, well-traveled paths to schools and describes how the business will proactively protect youth on these paths from exposure to the cannabis business.	**All or None**	PDF #2, Pgs. 146-148	**25**	**25**	Addressed criteria
F.3.D.	Describes how the business will proactively take steps about community concerns to protect the youth generally from the impacts of the cannabis business.	**Percentage**	PDF #2, Pgs. 148-149	**50**	**50**	Addressed criteria
F.3.E.	Proof of ownership, lease agreement, or a Letter of Intent to Lease.	**All or None**	PDF #1, Pgs. 8-10	**50**	**50**	Addressed criteria
F.3.F.	Vicinity map.	**All or None**	PDF #2, Pg 150	**25**	**25**	Addressed criteria
F.3.G.	Photographs of existing site and buildings.	**All or None**	PDF #2, Pgs. 151	**25**	**25**	Addressed criteria
F.3.H.	Evidence that the location has access to public transportation for employees or customers.	**All or None**	PDF #2, Pgs. 152-158	**25**	**25**	Addressed criteria
Summary	[redacted]					

Section G: Community Benefits and Investment Plan (500 points)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
G.1.	Describes benefits the business will provide to the local community. May include: directly aiding, participating in, volunteer services, monetary donations, financial support, funding, and or any other economic incentives to the City or other charitable organizations in which will help achieve the strategic policy goals of the City Council in permitting cannabis businesses in the City of Madera.	**Percentage**	PDF #2, Pgs. 159-166	**500**	**500**	Addressed criteria
Summary	[redacted]					

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

Section H: Proposed Location (300 points)			Scoring Basis	Page Number	Points Available	Points Received	Evaluation
H.	In addition to the location details required in the Security Plan, the application shall include a thorough narrative description of the proposed location, including overall site, existing and/or proposed building(s), parking spaces, driveways, pedestrian sidewalks/rights-of-way, and neighboring businesses on the parcel.		**Percentage**	PDF #2, Pgs. 171-175	**100**	**100**	Addressed criteria
	H.1.	Applicant must have the appropriate zoning and meet all the locational requirements as described in MMC Section 6-5.33 and Title X.	**All or None**	PDF #2, Pgs. 171-175	**150**	**150**	Addressed criteria
	H.2.	In addition to the Site Diagram submitted with the Security Plan above, application must include a (Site) diagram depicting all details described in the narrative description of the proposed location.	**Percentage**	PDF #2, Pgs. 176-180	**50**	**50**	Addressed criteria
Summary							

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

Gateway Canna Groups dba Garden Ablaze
Applicant Name / DBA:

222 S Gateway Drive Madera CA. 93637
Proposed Location / Physical Address:

Retail Storefront
License Type:

Original Report
Report Type:

Tuesday, August 16, 2022
Report Date:

Complete Upon Initial Review.
Report Status:

Points Available: 3,000 **Points Awarded:** 2,840

Score: 94.67%

PHASE II: APPLICATION EVALUATION AND REVIEW (3,000 Points)

During this application period the City will allow up to six (6) cannabis business permits. The Procedure Guidelines and Review Criteria constitute the application process and are adopted pursuant to the City of Madera Municipal Code (MMC) Section 6-5.13 and Title X, Chapter 3 (Zoning Regulations). Applications will be reviewed and scored using a merit-based system. At a minimum the top ten (10) applicants who score a minimum of 90% or higher (2,700 points) in Phase II may be eligible to advance to Phase III. However, the City may at its sole discretion select more than ten (10) applicants based on the quantity and the overall quality of applications the City receives. Notice of the results of Phase II will be provided in writing via email to the primary contact listed on the application.

Section A: Business Plan (400 pts)			Scoring Basis	Page Number	Points Available	Points Received	Evaluation
Business Plan:							
A.1.	Budget for construction, operations, maintenance, compensation of employees, equipment, property lease, security equipment and staff, City fees, state fees, utility costs, product purchases, and other anticipated costs. Budget demonstrates sufficient capital to pay startup costs at least 3 months of operating costs and a describes sources and use of funds.		**Percentage**	pg. 8	**75**	**75**	Addressed Criteria
	A.1. A.	Proof of capitalization, in the form of documentation of cash or other liquid assets on hand, Letters of Credit, or other equivalent assets which can be verified by the City.	**All or None**	PDF File #4	**50**	**50**	Addressed Criteria
	A.1.B.	Pro forma for at least three years of operation.	**Percentage**	PDF File #1 - PDF File #5	**75**	**38**	Applicant did not provide a 3 Year Pro forma.
	A.1.C.	A schedule for beginning operation, including a narrative outlining any proposed construction and improvements and a timeline for completion.	**All or None**	pg. 4-25	**20**	**0**	Review of pages 4 through 25 of the application showed that the applicant's business plan did not include a schedule for beginning operation, including a narrative outlining any proposed construction (aka buildout) and improvements and a timeline for completion.
Daily Operations (Retail):							
A.2.1.	**Describes the day-to-day operations which meet best practice if you are applying for a RETAIL permit, including at a minimum the following criteria:**						
	A.2.1.A.	Describe customer check-in procedures.	**Percentage**	pg. 12-13	**75**	**75**	Addressed Criteria
	A.2.1.B.	Identify the location and procedures for receiving deliveries during business hours.	**All or None**	pg. 13-14	**25**	**25**	Addressed Criteria
	A.2.1.C.	Describe the Point-of-Sale system to be used (including name), how it will interact with the states track-and-trace system, and the number of Point-of-Sale locations at full capacity.	**All or None**	pg. 15	**20**	**20**	Addressed Criteria
	A.2.1.D.	Estimate the number of customers to be served per hour/day.	**All or None**	pg. 15	**10**	**10**	Addressed Criteria

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

A.2.1. Cont'd	**A.2.1.E.**	Describe the proposed product line to be sold (including brand names), and estimate of the percentage of sales of flower and manufactured products.	**Percentage**	pg. 15-19	**20**	**20**	Addressed Criteria
	A.2.1.F.	If proposed, describe delivery service procedures, number of vehicles and product security during	**N/A**				
	A.2.1.G.	Describes how the Cannabis Business will conform to local and state laws. See MMC Sections 6-5.40 and Title X.	**Percentage**	pg. 23-24	**20**	**20**	Addressed Criteria
	A.2.1.H.	Describes how cannabis will be tracked and monitored to prevent	**All or None**	pg. 24-25	**10**	**10**	Addressed Criteria
Summary	[redacted]						

Section B: Labor, Equity, Diversity, and Inclusion Plan (400 pts)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
B.1.	Describe the extent business will include recognition of the collective bargaining rights of employees in accordance with Section 6-5.13 (G).	**All or None**	pg. 25	**25**	**25**	Addressed Criteria
B.2.	Identify the number of employees at initial opening and maximum number of employees at full capacity.	**All or None**	pg. 26	**25**	**25**	Addressed Criteria
B.3.	Describe the diversity and inclusion programs that will be developed to embrace a diverse work force with a diverse set of perspectives, work and life experiences, religious, and cultural differences that provide equal opportunities for employee development.	**All or None**	pg. 27	**25**	**25**	Addressed Criteria
B.4.	Identify all positions and their responsibilities.	**Percentage**	pg. 28-31	**50**	**50**	Addressed Criteria
B.5.	Describe compensation to and opportunities for continuing education and training for employees.	**Percentage**	pg. 31	**50**	**50**	Addressed Criteria
B.6.	Describe whether the cannabis business is committed to offering employees a Living Wage.	**All or None**	pg. 32	**100**	**100**	Addressed Criteria
B.7.	Describe the benefits provided to employees such as health care, vacation, and medical leave, to the degree they are offered as part of employment.	**All or None**	pg. 32	**25**	**25**	Addressed Criteria
B.8.	Describe the extent to which the cannabis business will be locally owned and how the owner(s) have resided within the County of Madera for at least one year prior to June 1, 2021.	**All or None**	pg. 33	**100**	**0**	Applicant did not provide proof of residency in the form of mortgage statements, lease agreements, tax bills, utility bill or any other documentation capable of showing residency established prior to June 1, 2021.
Summary	[redacted]					

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

Section C: Safety Plan (300 points)		Scoring Basis	Page Number	Points Available	Points Received	Evaluation
C.1.	The detailed Safety Plan shall be prepared by a California professional fire prevention and suppression consultant.	**All or None**	pg. 34-35	**100**	**100**	Addressed Criteria
C.2.	Describes all fire prevention and suppression measures, fire extinguisher locations, evacuation routes and alarm systems in place.	**Percentage**	pg. 37-47	**100**	**100**	Addressed Criteria
C.3.	Describes all accident and incident reporting procedures.	**All or None**	pg. 47-49	**50**	**50**	Addressed Criteria
C.4.	Identify all known chemicals, gases, solvents and nutrients to be used and stored on the licensed premises. Identify storage location and how each will be secured.	**Percentage**	pg. 35	**50**	**50**	Addressed Criteria
Summary	[redacted]					

Section D: Security Plan (300 points)			Scoring Basis	Page Number	Points Available	Points Received	Evaluation
D.1.	The Security Plan shall be prepared and/or assessed by a professional security consultant.		**All or None**	pg. 51	**100**	**100**	Addressed Criteria
	D.1.A.	Plan shall demonstrate how the cannabis business wishes to develop the floor plan and address other security issues on the property.					
D.2.	Premises Diagram. In addition to the site plans submitted for the Proposed Location (in Section H of Appendix A), a separate Premises Diagram must be included in this Security Plan section (Section D) of the application. Diagram must meet the requirements of the Department of Cannabis Control DCR Title 4, Division 19, §15006 Premises Diagram.		**Percentage**	PDF File #2	**75**	**72**	Review of PDF File #2 showed that the application contained multiple premises diagrams. However, no single premise diagram met all requirements of the Department of Cannabis Control DCR Title 4, Division 19, §15006 Premises Diagram.
	D.2.A.	Diagram shall show boundaries of property and proposed location to be licensed and show all boundaries, dimensions, entrances and exits, interior partitions, walls, rooms, windows, and doorways, and shall include a brief statement or description of the principal activity to be conducted therein.	**N/A**				
	D.2.B.	Diagram shall show and identifies commercial cannabis activities to take place in each area of the premises and identify all limited-access areas.	**N/A**				
	D.2.C.	Diagram shall show all camera locations and include assigned an number to each camera for identification purposes.	**N/A**				
	D.2.D.	The diagram shall be accurate, dimensioned and to-scale (minimum scale of 1/4”).	**N/A**				
	D.2.E.	If the proposed location consists of only a portion of a property, the diagram is labeled indicating which part of the property will be used for the licensed premises and what activities will be used for the remaining property.	**N/A**				

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

D.3.	Describe operational security, including general security for access/visitor control, inventory control and cash handling procedures.	**Percentage**	pg. 54-59	**75**	**75**	Addressed Criteria
D.4.	Describe perimeter security, on-site security guards, proposed guard hours and their responsibilities, and lighting.	**Percentage**	pg. 59-67	**35**	**35**	Addressed Criteria
D.5.	Describe employee training and general security policies.	**Percentage**	pg. 67-70	**15**	**15**	Addressed Criteria
Summary	[redacted]					

Section E: Qualification of Owners (400 points)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
E.1.	Demonstrate the business owner's experience in owning, managing, and operating a cannabis business. Evidence that prior experience was from legally permitted activities.	**Percentage**	pg. 74-76	**150**	**150**	Addressed Criteria
E.2.	Demonstrate knowledge of the cannabis industry, including identification of how industry best practices and state regulations have been incorporated in existing/prior legal businesses outside the City of Madera.	**Percentage**	pg. 74-76	**100**	**100**	Addressed Criteria
E.3.	Describe the involvement of the ownership team in the day-to-day operation of the business.	**Percentage**	pg. 76	**150**	**150**	Addressed Criteria
Summary	[redacted]					

Section F: Neighborhood Compatibility (400 points)			**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
F.1.	Describe how the business will proactively address and respond to complaints related to noise, light, odor, and vehicle and pedestrian traffic and avoid becoming a nuisance or negative impact.		**Percentage**	pg. 77-81	**25**	**25**	Addressed Criteria
F.2.	Describe the waste management plan including: waste disposal locations, security measures, methods of rendering all waste unusable and unrecognizable, and the vendor in charge of disposal.		**Percentage**	pg. 82-83	**100**	**100**	Addressed Criteria
F.3.	**The application includes the following information about the proposed location:**						
	F.3.A.	Physical address and a detailed description of the proposed location, including overall property, building, and interior floor plan.	**Percentage**	pg. 83-87	**50**	**50**	Addressed Criteria
	F.3.B.	Describes all known nearby State and local sensitive use areas. (Business must have the appropriate zoning locational requirements described in MMC sections 6-5.33 and Title X)	**All or None**	pg. 88	**25**	**25**	Addressed Criteria
	F.3.C.	Lists nearby, well-traveled paths to schools and describes how the business will proactively protect youth on these paths from exposure to the cannabis business.	**All or None**	pg. 89	**25**	**25**	Addressed Criteria

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

F.3. Cont'd	**F.3.D.**	Describes how the business will proactively take steps about community concerns to protect the youth generally from the impacts of the cannabis business.	**Percentage**	pg. 89	**50**	**50**	Addressed Criteria
	F.3.E.	Proof of ownership, lease agreement, or a Letter of Intent to Lease.	**All or None**	pg. 90-96	**50**	**50**	Addressed Criteria
	F.3.F.	Vicinity map.	**All or None**	pg.97	**25**	**25**	Addressed Criteria
	F.3.G.	Photographs of existing site and buildings.	**All or None**	pg. 98-99	**25**	**25**	Addressed Criteria
	F.3.H.	Evidence that the location has access to public transportation for employees or customers.	**All or None**	pg. 99	**25**	**25**	Addressed Criteria
Summary							

Section G: Community Benefits and Investment Plan (500 points)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
G.1.	Describes benefits the business will provide to the local community. May include: directly aiding, participating in, volunteer services, monetary donations, financial support, funding, and or any other economic incentives to the City or other charitable organizations in which will help achieve the strategic policy goals of the City Council in permitting cannabis businesses in the City of Madera.	**Percentage**	pg. 102-104	**500**	**500**	Addressed Criteria
Summary						

Section H: Proposed Location (300 points)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
H.	In addition to the location details required in the Security Plan, the application shall include a thorough narrative description of the proposed location, including overall site, existing and/or proposed building(s), parking spaces, driveways, pedestrian sidewalks/rights-of-way, and neighboring businesses on the parcel.	**Percentage**	pg. 105-109	**100**	**100**	Addressed Criteria
	H.1. Applicant must have the appropriate zoning and meet all the locational requirements as described in MMC Section 6-5.33 and Title X.	**All or None**	pg. 105-109	**150**	**150**	Addressed Criteria
	H.2. In addition to the Site Diagram submitted with the Security Plan above, application must include a (Site) diagram depicting all details described in the narrative description of the proposed location.	**Percentage**	pg. 105-109	**50**	**50**	Addressed Criteria
Summary						

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

GBH Retail LLC dba Cannable	**Original Report**
Applicant Name / DBA:	**Report Type:**
313 E Yosemite Avenue Madera, CA 93638	**Wednesday, August 17, 2022**
Proposed Location / Physical Address:	**Report Date:**
Retail Storefront	**Complete Upon Initial Review.**
License Type:	**Report Status:**

Points Available: 3,000 **Points Awarded:** 3,000

Score: 100.00%

PHASE II: APPLICATION EVALUATION AND REVIEW (3,000 Points)

During this application period the City will allow up to six (6) cannabis business permits. The Procedure Guidelines and Review Criteria constitute the application process and are adopted pursuant to the City of Madera Municipal Code (MMC) Section 6-5.13 and Title X, Chapter 3 (Zoning Regulations). Applications will be reviewed and scored using a merit-based system. At a minimum the top ten (10) applicants who score a minimum of 90% or higher (2,700 points) in Phase II may be eligible to advance to Phase III. However, the City may at its sole discretion select more than ten (10) applicants based on the quantity and the overall quality of applications the City receives. Notice of the results of Phase II will be provided in writing via email to the primary contact listed on the application.

Section A: Business Plan (400 pts)			Scoring Basis	Page Number	Points Available	Points Received	Evaluation
Business Plan:							
A.1.	Budget for construction, operations, maintenance, compensation of employees, equipment, property lease, security equipment and staff, City fees, state fees, utility costs, product purchases, and other anticipated costs. Budget demonstrates sufficient capital to pay startup costs at least 3 months of operating costs and a describes sources and use of funds.		**Percentage**	pg. 6-8	**75**	**75**	Addressed Criteria
	A.1. A.	Proof of capitalization, in the form of documentation of cash or other liquid assets on hand, Letters of Credit, or other equivalent assets which can be verified by the City.	**All or None**	pg. 9-12	**50**	**50**	Addressed Criteria
	A.1.B.	Pro forma for at least three years of operation.	**Percentage**	pg. 13-17	**75**	**75**	Addressed Criteria
	A.1.C.	A schedule for beginning operation, including a narrative outlining any proposed construction and improvements and a timeline for completion.	**All or None**	pg. 18	**20**	**20**	Addressed Criteria
Daily Operations (Retail):							
A.2.1.	**Describes the day-to-day operations which meet best practice if you are applying for a RETAIL permit, including at a minimum the following criteria:**						
	A.2.1.A.	Describe customer check-in procedures.	**Percentage**	pg. 22-23	**75**	**75**	Addressed Criteria
	A.2.1.B.	Identify the location and procedures for receiving deliveries during business hours.	**All or None**	pg. 23-24	**25**	**25**	Addressed Criteria
	A.2.1.C.	Describe the Point-of-Sale system to be used (including name), how it will interact with the states track-and-trace system, and the number of Point-of-Sale locations at full capacity.	**All or None**	pg. 24-25	**20**	**20**	Addressed Criteria

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

A.2.1. Cont'd	**A.2.1.D.**	Estimate the number of customers to be served per hour/day.	**All or None**	pg. 25	**10**	**10**	Addressed Criteria
	A.2.1.E.	Describe the proposed product line to be sold (including brand names), and estimate of the percentage of sales of flower and manufactured products.	**Percentage**	pg.25-30	**20**	**20**	Addressed Criteria
	A.2.1.F.	If proposed, describe delivery service procedures, number of vehicles and product security during transportation.	**N/A**	pg. 34-36			1 delivery vehicle
	A.2.1.G.	Describes how the Cannabis Business will conform to local and state laws. See MMC Sections 6-5.40 and Title X.	**Percentage**	pg. 36-37	**20**	**20**	Addressed Criteria
	A.2.1.H.	Describes how cannabis will be tracked and monitored to prevent diversion.	**All or None**	pg. 37-54	**10**	**10**	Addressed Criteria
Summary	[redacted]						

Section B: Labor, Equity, Diversity, and Inclusion Plan (400 pts)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
B.1.	Describe the extent business will include recognition of the collective bargaining rights of employees in accordance with Section 6-5.13 (G).	**All or None**	pg. 55-57	**25**	**25**	Addressed Criteria
B.2.	Identify the number of employees at initial opening and maximum number of employees at full capacity.	**All or None**	pg. 58-59	**25**	**25**	Addressed Criteria
B.3.	Describe the diversity and inclusion programs that will be developed to embrace a diverse work force with a diverse set of perspectives, work and life experiences, religious, and cultural differences that provide equal opportunities for employee development.	**All or None**	pg. 61-63	**25**	**25**	Addressed Criteria
B.4.	Identify all positions and their responsibilities.	**Percentage**	pg. 59-61, 63-64	**50**	**50**	Addressed Criteria
B.5.	Describe compensation to and opportunities for continuing education and training for employees.	**Percentage**	pg. 65-68	**50**	**50**	Addressed Criteria
B.6.	Describe whether the cannabis business is committed to offering employees a Living Wage.	**All or None**	pg. 58, 68-69	**100**	**100**	Addressed Criteria
B.7.	Describe the benefits provided to employees such as health care, vacation, and medical leave, to the degree they are offered as part of employment.	**All or None**	pg. 69-70	**25**	**25**	Addressed Criteria

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

B.8.	Describe the extent to which the cannabis business will be locally owned and how the owner(s) have resided within the County of Madera for at least one year prior to June 1, 2021.	**All or None**	pg. 70-73	**100**	**100**	Addressed Criteria
Summary	[redacted]					

Section C: Safety Plan (300 points)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
C.1.	The detailed Safety Plan shall be prepared by a California professional fire prevention and suppression consultant.	**All or None**	pg.74-77, 87-90	**100**	**100**	Addressed Criteria
C.2.	Describes all fire prevention and suppression measures, fire extinguisher locations, evacuation routes and alarm systems in place.	**Percentage**	79-87, 91	**100**	**100**	Addressed Criteria
C.3.	Describes all accident and incident reporting procedures.	**All or None**	pg. 80-81	**50**	**50**	Addressed Criteria
C.4.	Identify all known chemicals, gases, solvents and nutrients to be used and stored on the licensed premises. Identify storage location and how each will be secured.	**Percentage**	pg. 79	**50**	**50**	Addressed Criteria
Summary	[redacted]					

Section D: Security Plan (300 points)			**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
D.1.	The Security Plan shall be prepared and/or assessed by a professional security consultant.		**All or None**	pg. 92-93	**100**	**100**	Addressed Criteria
	D.1.A.	Plan shall demonstrate how the cannabis business wishes to develop the floor plan and address other security issues on the property.					
D.2.	Premises Diagram. In addition to the site plans submitted for the Proposed Location (in Section H of Appendix A), a separate Premises Diagram must be included in this Security Plan section (Section D) of the application. Diagram must meet the requirements of the Department of Cannabis Control DCR Title 4, Division 19, §15006 Premises Diagram.		**Percentage**	pg. 116	**75**	**75**	Addressed Criteria
	D.2.A.	Diagram shall show boundaries of property and proposed location to be licensed and show all boundaries, dimensions, entrances and exits, interior partitions, walls, rooms, windows, and doorways, and shall include a brief statement or description of the principal activity to be conducted therein.	**N/A**				

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

D.2. Cont'd	**D.2.B.**	Diagram shall show and identifies commercial cannabis activities to take place in each area of the premises and identify all limited-access areas.	**N/A**				
	D.2.C.	Diagram shall show all camera locations and include assigned an number to each camera for identification purposes.	**N/A**				
	D.2.D.	The diagram shall be accurate, dimensioned and to-scale (minimum scale of 1/4").	**N/A**				
	D.2.E.	If the proposed location consists of only a portion of a property, the diagram is labeled indicating which part of the property will be used for the licensed premises and what activities will be used for the remaining property.	**N/A**				
D.3.	Describe operational security, including general security for access/visitor control, inventory control and cash handling procedures.		**Percentage**	pg. 92-102	**75**	**75**	Addressed Criteria
D.4.	Describe perimeter security, on-site security guards, proposed guard hours and their responsibilities, and lighting.		**Percentage**	pg. 102-106	**35**	**35**	Addressed Criteria
D.5.	Describe employee training and general security policies.		**Percentage**	pg. 107-108	**15**	**15**	Addressed Criteria
Summary	[redacted]						

Section E: Qualification of Owners (400 points)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
E.1.	Demonstrate the business owner's experience in owning, managing, and operating a cannabis business. Evidence that prior experience was from legally permitted activities.	**Percentage**	pg.117-121	**150**	**150**	Addressed Criteria
E.2.	Demonstrate knowledge of the cannabis industry, including identification of how industry best practices and state regulations have been incorporated in existing/prior legal businesses outside the City of Madera.	**Percentage**	pg. 121-122	**100**	**100**	Addressed Criteria
E.3.	Describe the involvement of the ownership team in the day-to-day operation of the business.	**Percentage**	pg. 122-125	**150**	**150**	Addressed Criteria
Summary	[redacted]					

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

Section F: Neighborhood Compatibility (400 points)			Scoring Basis	Page Number	Points Available	Points Received	Evaluation
F.1.	Describe how the business will proactively address and respond to complaints related to noise, light, odor, and vehicle and pedestrian traffic and avoid becoming a nuisance or negative impact.		**Percentage**	pg. 126-138	**25**	**25**	Addressed Criteria
F.2.	Describe the waste management plan including: waste disposal locations, security measures, methods of rendering all waste unusable and unrecognizable, and the vendor in charge of disposal.		**Percentage**	pg. 138-144	**100**	**100**	Addressed Criteria
F.3.	**The application includes the following information about the proposed location:**						
	F.3.A.	Physical address and a detailed description of the proposed location, including overall property, building, and interior floor plan.	**Percentage**	pg. 145-154	**50**	**50**	Addressed Criteria
	F.3.B.	Describes all known nearby State and local sensitive use areas. (Business must have the appropriate zoning locational requirements described in MMC sections 6-5.33 and Title X)	**All or None**	pg. 155-156	**25**	**25**	Addressed Criteria
	F.3.C.	Lists nearby, well-traveled paths to schools and describes how the business will proactively protect youth on these paths from exposure to the cannabis business.	**All or None**	pg. 157-158	**25**	**25**	Addressed Criteria
	F.3.D.	Describes how the business will proactively take steps about community concerns to protect the youth generally from the impacts of the cannabis business.	**Percentage**	pg. 158-159	**50**	**50**	Addressed Criteria
	F.3.E.	Proof of ownership, lease agreement, or a Letter of Intent to Lease.	**All or None**	pg. 160 PDF File #1 pg. 11-23	**50**	**50**	Addressed Criteria
	F.3.F.	Vicinity map.	**All or None**	pg. 161	**25**	**25**	Addressed Criteria
	F.3.G.	Photographs of existing site and buildings.	**All or None**	pg. 162-163	**25**	**25**	Addressed Criteria
	F.3.H.	Evidence that the location has access to public transportation for employees or customers.	**All or None**	pg. 164	**25**	**25**	Addressed Criteria
Summary							

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

Section G: Community Benefits and Investment Plan (500 points)		Scoring Basis	Page Number	Points Available	Points Received	Evaluation
G.1.	Describes benefits the business will provide to the local community. May include: directly aiding, participating in, volunteer services, monetary donations, financial support, funding, and or any other economic incentives to the City or other charitable organizations in which will help achieve the strategic policy goals of the City Council in permitting cannabis businesses in the City of Madera.	Percentage	pg.165-173	500	500	Addressed Criteria
Summary	[redacted]					

Section H: Proposed Location (300 points)		Scoring Basis	Page Number	Points Available	Points Received	Evaluation
H.	In addition to the location details required in the Security Plan, the application shall include a thorough narrative description of the proposed location, including overall site, existing and/or proposed building(s), parking spaces, driveways, pedestrian sidewalks/rights-of-way, and neighboring businesses on the parcel.	Percentage	pg. 174-176	100	100	Addressed Criteria
H.1.	Applicant must have the appropriate zoning and meet all the locational requirements as described in MMC Section 6-5.33 and Title X.	All or None	PDF File #5	150	150	Addressed Criteria
H.2.	In addition to the Site Diagram submitted with the Security Plan above, application must include a (Site) diagram depicting all details described in the narrative description of the proposed location.	Percentage	pg. 176	50	50	Addressed Criteria
Summary	[redacted]					

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

GFC Central, LLC dba East of Eden
Applicant Name / DBA:

2085 W. Kennedy Street, Madera, CA 93637
Proposed Location / Physical Address:

Retail Storefront
License Type:

Original Report
Report Type:

Wednesday, August 17, 2022
Report Date:

Complete Upon Initial Review.
Report Status:

Points Available: 3,000 **Points Awarded:** 2,864

Score: 95.47%

PHASE II: APPLICATION EVALUATION AND REVIEW (3,000 Points)

During this application period the City will allow up to six (6) cannabis business permits. The Procedure Guidelines and Review Criteria constitute the application process and are adopted pursuant to the City of Madera Municipal Code (MMC) Section 6-5.13 and Title X, Chapter 3 (Zoning Regulations). Applications will be reviewed and scored using a merit-based system. At a minimum the top ten (10) applicants who score a minimum of 90% or higher (2,700 points) in Phase II may be eligible to advance to Phase III. However, the City may at its sole discretion select more than ten (10) applicants based on the quantity and the overall quality of applications the City receives. Notice of the results of Phase II will be provided in writing via email to the primary contact listed on the application.

Section A: Business Plan (400 pts)			Scoring Basis	Page Number	Points Available	Points Received	Evaluation
Business Plan:							
A.1.	Budget for construction, operations, maintenance, compensation of employees, equipment, property lease, security equipment and staff, City fees, state fees, utility costs, product purchases, and other anticipated costs. Budget demonstrates sufficient capital to pay startup costs at least 3 months of operating costs and a describes sources and use of funds.		**Percentage**	pg. 10-11	**75**	**75**	Addressed Criteria
	A.1. A.	Proof of capitalization, in the form of documentation of cash or other liquid assets on hand, Letters of Credit, or other equivalent assets which can be verified by the City.	**All or None**	PDF File #4	**50**	**50**	Addressed Criteria
	A.1.B.	Pro forma for at least three years of operation.	**Percentage**	pg. 12-16	**75**	**64**	Applicant's 4-year pro forma did not include expense categories for maintenance, equipment, or security equipment and staff.
	A.1.C.	A schedule for beginning operation, including a narrative outlining any proposed construction and improvements and a timeline for completion.	**All or None**	pg. 16-17	**20**	**20**	Addressed Criteria
Daily Operations (Retail):							
A.2.1.	**Describes the day-to-day operations which meet best practice if you are applying for a RETAIL permit, including at a minimum the following criteria:**						
	A.2.1.A.	Describe customer check-in procedures.	**Percentage**	pg. 17-18	**75**	**75**	Addressed Criteria
	A.2.1.B.	Identify the location and procedures for receiving deliveries during business hours.	**All or None**	pg. 19-20	**25**	**25**	Addressed Criteria

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

A.2.1. Cont'd	**A.2.1.C.**	Describe the Point-of-Sale system to be used (including name), how it will interact with the states track-and-trace system, and the number of Point-of-Sale locations at full capacity.	**All or None**	pg. 20	**20**	**20**	Addressed Criteria
	A.2.1.D.	Estimate the number of customers to be served per hour/day.	**All or None**	pg. 20	**10**	**10**	Addressed Criteria
	A.2.1.E.	Describe the proposed product line to be sold (including brand names), and estimate of the percentage of sales of flower and manufactured products.	**Percentage**	pg. 21-26	**20**	**20**	Addressed Criteria
	A.2.1.F.	If proposed, describe delivery service procedures, number of vehicles and product security during transportation.	**N/A**	pg. 26-31			3 delivery vehicles
	A.2.1.G.	Describes how the Cannabis Business will conform to local and state laws. See MMC Sections 6-5.40 and Title X.	**Percentage**	pg. 31-44	**20**	**20**	Addressed Criteria
	A.2.1.H.	Describes how cannabis will be tracked and monitored to prevent diversion.	**All or None**	pg.44-61	**10**	**10**	Addressed Criteria
Summary	[redacted]						

Section B: Labor, Equity, Diversity, and Inclusion Plan (400 pts)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
B.1.	Describe the extent business will include recognition of the collective bargaining rights of employees in accordance with Section 6-5.13 (G).	**All or None**	pg. 61-62	**25**	**25**	Addressed Criteria
B.2.	Identify the number of employees at initial opening and maximum number of employees at full capacity.	**All or None**	pg. 62	**25**	**25**	Addressed Criteria
B.3.	Describe the diversity and inclusion programs that will be developed to embrace a diverse work force with a diverse set of perspectives, work and life experiences, religious, and cultural differences that provide equal opportunities for employee development.	**All or None**	pg. 62-63	**25**	**0**	Applicant did not describe the diversity and inclusion programs that would be developed.
B.4.	Identify all positions and their responsibilities.	**Percentage**	pg. 63-66	**50**	**50**	Addressed Criteria
B.5.	Describe compensation to and opportunities for continuing education and training for employees.	**Percentage**	pg. 66-67	**50**	**50**	Addressed Criteria
B.6.	Describe whether the cannabis business is committed to offering employees a Living Wage.	**All or None**	pg. 66, 69	**100**	**100**	Addressed Criteria
B.7.	Describe the benefits provided to employees such as health care, vacation, and medical leave, to the degree they are offered as part of employment.	**All or None**	pg. 66-72	**25**	**25**	Addressed Criteria
B.8.	Describe the extent to which the cannabis business will be locally owned and how the owner(s) have resided within the County of Madera for at least one year prior to June 1, 2021.	**All or None**	pg. 73-76	**100**	**0**	Proposed business was not locally owned.

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

Summary	[redacted]

Section C: Safety Plan (300 points)		Scoring Basis	Page Number	Points Available	Points Received	Evaluation
C.1.	The detailed Safety Plan shall be prepared by a California professional fire prevention and suppression consultant.	All or None	pg. 76	100	100	Addressed Criteria
C.2.	Describes all fire prevention and suppression measures, fire extinguisher locations, evacuation routes and alarm systems in place.	Percentage	pg. 78-88 98-99	100	100	Addressed Criteria
C.3.	Describes all accident and incident reporting procedures.	All or None	pg. 88-91	50	50	Addressed Criteria
C.4.	Identify all known chemicals, gases, solvents and nutrients to be used and stored on the licensed premises. Identify storage location and how each will be secured.	Percentage	pg. 92-96	50	50	Addressed Criteria

Summary	[redacted]

Section D: Security Plan (300 points)			Scoring Basis	Page Number	Points Available	Points Received	Evaluation
D.1.	The Security Plan shall be prepared and/or assessed by a professional security consultant.		All or None	pg. 100	100	100	Addressed Criteria
	D.1.A.	Plan shall demonstrate how the cannabis business wishes to develop the floor plan and address other security issues on the property.					
D.2.	Premises Diagram. In addition to the site plans submitted for the Proposed Location (in Section H of Appendix A), a separate Premises Diagram must be included in this Security Plan section (Section D) of the application. Diagram must meet the requirements of the Department of Cannabis Control DCR Title 4, Division 19, §15006 Premises Diagram.		Percentage	pg. 109-110	75	75	Addressed Criteria
	D.2.A.	Diagram shall show boundaries of property and proposed location to be licensed and show all boundaries, dimensions, entrances and exits, interior partitions, walls, rooms, windows, and doorways, and shall include a brief statement or description of the principal activity to be conducted therein.	N/A				
	D.2.B.	Diagram shall show and identifies commercial cannabis activities to take place in each area of the premises and identify all limited-access areas.	N/A				

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

D.2. Cont'd	**D.2.C.**	Diagram shall show all camera locations and include assigned an number to each camera for identification purposes.	**N/A**				
	D.2.D.	The diagram shall be accurate, dimensioned and to-scale (minimum scale of 1/4").	**N/A**				
	D.2.E.	If the proposed location consists of only a portion of a property, the diagram is labeled indicating which part of the property will be used for the licensed premises and what activities will be used for the remaining property.	**N/A**				
D.3.	Describe operational security, including general security for access/visitor control, inventory control and cash handling procedures.		**Percentage**	pg. 115-121	**75**	**75**	Addressed Criteria
D.4.	Describe perimeter security, on-site security guards, proposed guard hours and their responsibilities, and lighting.		**Percentage**	pg. 121-133	**35**	**35**	Addressed Criteria
D.5.	Describe employee training and general security policies.		**Percentage**	pg. 127-159	**15**	**15**	Addressed Criteria
Summary	[redacted]						

Section E: Qualification of Owners (400 points)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
E.1.	Demonstrate the business owner's experience in owning, managing, and operating a cannabis business. Evidence that prior experience was from legally permitted activities.	**Percentage**	pg. 160-170	**150**	**150**	Addressed Criteria
E.2.	Demonstrate knowledge of the cannabis industry, including identification of how industry best practices and state regulations have been incorporated in existing/prior legal businesses outside the City of Madera.	**Percentage**	pg. 160-170	**100**	**100**	Addressed Criteria
E.3.	Describe the involvement of the ownership team in the day-to-day operation of the business.	**Percentage**	pg. 160-170	**150**	**150**	Addressed Criteria
Summary	[redacted]					

Section F: Neighborhood Compatibility (400 points)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
F.1.	Describe how the business will proactively address and respond to complaints related to noise, light, odor, and vehicle and pedestrian traffic and avoid becoming a nuisance or negative impact.	**Percentage**	pg. 171-178	**25**	**25**	Addressed Criteria
F.2.	Describe the waste management plan including: waste disposal locations, security measures, methods of rendering all waste unusable and unrecognizable, and the vendor in charge of disposal.	**Percentage**	pg. 178-182	**100**	**100**	Addressed Criteria

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

F.3.	**The application includes the following information about the proposed location:**						
	F.3.A.	Physical address and a detailed description of the proposed location, including overall property, building, and interior floor plan.	**Percentage**	pg. 182	**50**	**50**	Addressed Criteria
	F.3.B.	Describes all known nearby State and local sensitive use areas. (Business must have the appropriate zoning locational requirements described in MMC sections 6-5.33 and Title X)	**All or None**	pg. 182-183	**25**	**25**	Addressed Criteria
	F.3.C.	Lists nearby, well-traveled paths to schools and describes how the business will proactively protect youth on these paths from exposure to the cannabis business.	**All or None**	pg. 183	**25**	**25**	Addressed Criteria
	F.3.D.	Describes how the business will proactively take steps about community concerns to protect the youth generally from the impacts of the cannabis business.	**Percentage**	pg. 184	**50**	**50**	Addressed Criteria
	F.3.E.	Proof of ownership, lease agreement, or a Letter of Intent to Lease.	**All or None**	pg. 184-185	**50**	**50**	Addressed Criteria
	F.3.F.	Vicinity map.	**All or None**	pg. 186	**25**	**25**	Addressed Criteria
	F.3.G.	Photographs of existing site and buildings.	**All or None**	pg. 186	**25**	**25**	Addressed Criteria
	F.3.H.	Evidence that the location has access to public transportation for employees or customers.	**All or None**	pg. 187	**25**	**25**	Addressed Criteria
Summary							

Section G: Community Benefits and Investment Plan (500 points)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
G.1.	Describes benefits the business will provide to the local community. May include: directly aiding, participating in, volunteer services, monetary donations, financial support, funding, and or any other economic incentives to the City or other charitable organizations in which will help achieve the strategic policy goals of the City Council in permitting cannabis businesses in the City of Madera.	**Percentage**	pg. 189-196	**500**	**500**	Addressed Criteria
Summary						

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

Section H: Proposed Location (300 points)			Scoring Basis	Page Number	Points Available	Points Received	Evaluation
H.	In addition to the location details required in the Security Plan, the application shall include a thorough narrative description of the proposed location, including overall site, existing and/or proposed building(s), parking spaces, driveways, pedestrian sidewalks/rights-of-way, and neighboring businesses on the parcel.		**Percentage**	pg. 197-198	**100**	**100**	Addressed Criteria
	H.1.	Applicant must have the appropriate zoning and meet all the locational requirements as described in MMC Section 6-5.33 and Title X.	**All or None**	PDF File #5	**150**	**150**	Addressed Criteria
	H.2.	In addition to the Site Diagram submitted with the Security Plan above, application must include a (Site) diagram depicting all details described in the narrative description of the proposed location.	**Percentage**	pg. 200	**50**	**50**	Addressed Criteria
Summary							

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

Haven Madera, LLC	**Original Report**
Applicant Name / DBA:	**Report Type:**
508 E Almond Avenue, Madera, CA, 93637	**Thursday, August 18, 2022**
Proposed Location / Physical Address:	**Report Date:**
Retail Storefront	**Complete Upon Supplemental Application Review.**
License Type:	**Report Status:**

Points Available: 3,000 **Points Awarded:** 2,993

Score: 99.77%

PHASE II: APPLICATION EVALUATION AND REVIEW (3,000 Points)

During this application period the City will allow up to six (6) cannabis business permits. The Procedure Guidelines and Review Criteria constitute the application process and are adopted pursuant to the City of Madera Municipal Code (MMC) Section 6-5.13 and Title X, Chapter 3 (Zoning Regulations). Applications will be reviewed and scored using a merit-based system. At a minimum the top ten (10) applicants who score a minimum of 90% or higher (2,700 points) in Phase II may be eligible to advance to Phase III. However, the City may at its sole discretion select more than ten (10) applicants based on the quantity and the overall quality of applications the City receives. Notice of the results of Phase II will be provided in writing via email to the primary contact listed on the application.

Section A: Business Plan (400 pts)			Scoring Basis	Page Number	Points Available	Points Received	Evaluation
Business Plan:							
A.1.	Budget for construction, operations, maintenance, compensation of employees, equipment, property lease, security equipment and staff, City fees, state fees, utility costs, product purchases, and other anticipated costs. Budget demonstrates sufficient capital to pay startup costs at least 3 months of operating costs and a describes sources and use of funds.		**Percentage**	pg.7-8	**75**	**75**	Addressed Criteria
	A.1. A.	Proof of capitalization, in the form of documentation of cash or other liquid assets on hand, Letters of Credit, or other equivalent assets which can be verified by the City.	**All or None**	PDF File #4	**50**	**50**	Addressed Criteria
	A.1.B.	Pro forma for at least three years of operation.	**Percentage**	pg. 9-10	**75**	**68**	Applicant's pro-forma did not account for costs associated to city fees and state fees.
	A.1.C.	A schedule for beginning operation, including a narrative outlining any proposed construction and improvements and a timeline for completion.	**All or None**	pg. 11	**20**	**20**	Addressed Criteria
Daily Operations (Retail):							
A.2.1.	**Describes the day-to-day operations which meet best practice if you are applying for a RETAIL permit, including at a minimum the following criteria:**						
	A.2.1.A.	Describe customer check-in procedures.	**Percentage**	pg. 17-19	**75**	**75**	Addressed Criteria
	A.2.1.B.	Identify the location and procedures for receiving deliveries during business hours.	**All or None**	pg. 19-21	**25**	**25**	Addressed Criteria

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

A.2.1. Cont'd	**A.2.1.C.**	Describe the Point-of-Sale system to be used (including name), how it will interact with the states track-and-trace system, and the number of Point-of-Sale locations at full capacity.	**All or None**	pg. 21	**20**	**20**	Addressed Criteria
	A.2.1.D.	Estimate the number of customers to be served per hour/day.	**All or None**	pg. 22	**10**	**10**	Addressed Criteria
	A.2.1.E.	Describe the proposed product line to be sold (including brand names), and estimate of the percentage of sales of flower and manufactured products.	**Percentage**	pg. 22-24	**20**	**20**	Addressed Criteria
	A.2.1.F.	If proposed, describe delivery service procedures, number of vehicles and product security during transportation.	**N/A**	pg. 24-31			2 delivery vehicles
	A.2.1.G.	Describes how the Cannabis Business will conform to local and state laws. See MMC Sections 6-5.40 and Title X.	**Percentage**	pg. 31-32	**20**	**20**	Addressed Criteria
	A.2.1.H.	Describes how cannabis will be tracked and monitored to prevent diversion.	**All or None**	pg. 33-50	**10**	**10**	Addressed Criteria
Summary		[redacted]					

Section B: Labor, Equity, Diversity, and Inclusion Plan (400 pts)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
B.1.	Describe the extent business will include recognition of the collective bargaining rights of employees in accordance with Section 6-5.13 (G).	**All or None**	pg. 52	**25**	**25**	Addressed Criteria
B.2.	Identify the number of employees at initial opening and maximum number of employees at full capacity.	**All or None**	pg. 53	**25**	**25**	Addressed Criteria
B.3.	Describe the diversity and inclusion programs that will be developed to embrace a diverse work force with a diverse set of perspectives, work and life experiences, religious, and cultural differences that provide equal opportunities for employee development.	**All or None**	pg. 53-65	**25**	**25**	Addressed Criteria
B.4.	Identify all positions and their responsibilities.	**Percentage**	pg. 66-75	**50**	**50**	Addressed Criteria
B.5.	Describe compensation to and opportunities for continuing education and training for employees.	**Percentage**	pg. 76-83	**50**	**50**	Addressed Criteria
B.6.	Describe whether the cannabis business is committed to offering employees a Living Wage.	**All or None**	pg.84	**100**	**100**	Addressed Criteria
B.7.	Describe the benefits provided to employees such as health care, vacation, and medical leave, to the degree they are offered as part of employment.	**All or None**	pg. 84-86	**25**	**25**	Addressed Criteria

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

B.8.	Describe the extent to which the cannabis business will be locally owned and how the owner(s) have resided within the County of Madera for at least one year prior to June 1, 2021.	**All or None**	pg. 86 PDF #1 47-50	**100**	**100**	Addressed Criteria
Summary	[redacted]					

Section C: Safety Plan (300 points)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
C.1.	The detailed Safety Plan shall be prepared by a California professional fire prevention and suppression consultant.	**All or None**	pg. 88	**100**	**100**	Addressed Criteria
C.2.	Describes all fire prevention and suppression measures, fire extinguisher locations, evacuation routes and alarm systems in place.	**Percentage**	pg. 90-97 106-107	**100**	**100**	Addressed Criteria
C.3.	Describes all accident and incident reporting procedures.	**All or None**	pg. 97-99	**50**	**50**	Addressed Criteria
C.4.	Identify all known chemicals, gases, solvents and nutrients to be used and stored on the licensed premises. Identify storage location and how each will be secured.	**Percentage**	pg. 100-105	**50**	**50**	Addressed Criteria
Summary	[redacted]					

Section D: Security Plan (300 points)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
D.1.	The Security Plan shall be prepared and/or assessed by a professional security consultant.	**All or None**	pg. 109-110	**100**	**100**	Addressed Criteria
	D.1.A. Plan shall demonstrate how the cannabis business wishes to develop the floor plan and address other security issues on the property.					
D.2.	Premises Diagram. In addition to the site plans submitted for the Proposed Location (in Section H of Appendix A), a separate Premises Diagram must be included in this Security Plan section (Section D) of the application. Diagram must meet the requirements of the Department of Cannabis Control DCR Title 4, Division 19, §15006 Premises Diagram.	**Percentage**	pg. 110-111 132	**75**	**75**	Addressed Criteria
	D.2.A. Diagram shall show boundaries of property and proposed location to be licensed and show all boundaries, dimensions, entrances and exits, interior partitions, walls, rooms, windows, and doorways, and shall include a brief statement or description of the principal activity to be conducted therein.	**N/A**				

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

D.2. Cont'd	**D.2.B.**	Diagram shall show and identifies commercial cannabis activities to take place in each area of the premises and identify all limited-access areas.	**N/A**				
	D.2.C.	Diagram shall show all camera locations and include assigned an number to each camera for identification purposes.	**N/A**				
	D.2.D.	The diagram shall be accurate, dimensioned and to-scale (minimum scale of 1/4").	**N/A**				
	D.2.E.	If the proposed location consists of only a portion of a property, the diagram is labeled indicating which part of the property will be used for the licensed premises and what activities will be used for the remaining property.	**N/A**				
D.3.	Describe operational security, including general security for access/visitor control, inventory control and cash handling procedures.		**Percentage**	pg. 111-119	**75**	**75**	Addressed Criteria
D.4.	Describe perimeter security, on-site security guards, proposed guard hours and their responsibilities, and lighting.		**Percentage**	pg. 119-122	**35**	**35**	Addressed Criteria
D.5.	Describe employee training and general security policies.		**Percentage**	pg. 123-125	**15**	**15**	Addressed Criteria
Summary	[redacted]						

Section E: Qualification of Owners (400 points)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
E.1.	Demonstrate the business owner's experience in owning, managing, and operating a cannabis business. Evidence that prior experience was from legally permitted activities.	**Percentage**	pg. 134-144	**150**	**150**	Addressed Criteria
E.2.	Demonstrate knowledge of the cannabis industry, including identification of how industry best practices and state regulations have been incorporated in existing/prior legal businesses outside the City of Madera.	**Percentage**	pg. 145-149	**100**	**100**	Addressed Criteria
E.3.	Describe the involvement of the ownership team in the day-to-day operation of the business.	**Percentage**	pg. 149-150	**150**	**150**	Addressed Criteria
Summary	[redacted]					

Section F: Neighborhood Compatibility (400 points)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
F.1.	Describe how the business will proactively address and respond to complaints related to noise, light, odor, and vehicle and pedestrian traffic and avoid becoming a nuisance or negative impact.	**Percentage**	pg. 152-165	**25**	**25**	Addressed Criteria

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

F.2.	Describe the waste management plan including: waste disposal locations, security measures, methods of rendering all waste unusable and unrecognizable, and the vendor in charge of disposal.		**Percentage**	pg. 166-168	**100**	**100**	Addressed Criteria
F.3.	**The application includes the following information about the proposed location:**						
	F.3.A.	Physical address and a detailed description of the proposed location, including overall property, building, and interior floor plan.	**Percentage**	pg. 168-173	**50**	**50**	Addressed Criteria
	F.3.B.	Describes all known nearby State and local sensitive use areas. (Business must have the appropriate zoning locational requirements described in MMC sections 6-5.33 and Title X)	**All or None**	pg. 174	**25**	**25**	Addressed Criteria
	F.3.C.	Lists nearby, well-traveled paths to schools and describes how the business will proactively protect youth on these paths from exposure to the cannabis business.	**All or None**	pg. 174	**25**	**25**	Addressed Criteria
	F.3.D.	Describes how the business will proactively take steps about community concerns to protect the youth generally from the impacts of the cannabis business.	**Percentage**	pg. 174-180	**50**	**50**	Addressed Criteria
	F.3.E.	Proof of ownership, lease agreement, or a Letter of Intent to Lease.	**All or None**	pg. 180 PDF File #1	**50**	**50**	Addressed Criteria
	F.3.F.	Vicinity map.	**All or None**	pg. 180	**25**	**25**	Addressed Criteria
	F.3.G.	Photographs of existing site and buildings.	**All or None**	pg. 181	**25**	**25**	Addressed Criteria
	F.3.H.	Evidence that the location has access to public transportation for employees or customers.	**All or None**	pg. 182	**25**	**25**	Addressed Criteria
Summary	[redacted]						

Section G: Community Benefits and Investment Plan (500 points)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
G.1.	Describes benefits the business will provide to the local community. May include: directly aiding, participating in, volunteer services, monetary donations, financial support, funding, and or any other economic incentives to the City or other charitable organizations in which will help achieve the strategic policy goals of the City Council in permitting cannabis businesses in the City of Madera.	**Percentage**	pg. 183-196	**500**	**500**	Addressed Criteria
Summary	[redacted]					

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

Section H: Proposed Location (300 points)			Scoring Basis	Page Number	Points Available	Points Received	Evaluation
H.	In addition to the location details required in the Security Plan, the application shall include a thorough narrative description of the proposed location, including overall site, existing and/or proposed building(s), parking spaces, driveways, pedestrian sidewalks/rights-of-way, and neighboring businesses on the parcel.		**Percentage**	pg. 197-199	**100**	**100**	Addressed Criteria
	H.1.	Applicant must have the appropriate zoning and meet all the locational requirements as described in MMC Section 6-5.33 and Title X.	**All or None**	PDF File #5	**150**	**150**	Addressed Criteria
	H.2.	In addition to the Site Diagram submitted with the Security Plan above, application must include a (Site) diagram depicting all details described in the narrative description of the proposed location.	**Percentage**	pg. 200	**50**	**50**	Addressed Criteria
Summary							

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

Hazy Bulldog Farms 2, Inc. dba Hazy Bulldog Farms
Applicant Name / DBA:

324 S. Gateway Drive, Madera, CA 93637
Proposed Location / Physical Address:

Retail Storefront
License Type:

Original Report
Report Type:

Monday, August 8, 2022
Report Date:

Complete Upon Initial Review.
Report Status:

Points Available: 3,000 **Points Awarded:** 2,889

Score: 96.30%

PHASE II: APPLICATION EVALUATION AND REVIEW (3,000 Points)

During this application period the City will allow up to six (6) cannabis business permits. The Procedure Guidelines and Review Criteria constitute the application process and are adopted pursuant to the City of Madera Municipal Code (MMC) Section 6-5.13 and Title X, Chapter 3 (Zoning Regulations). Applications will be reviewed and scored using a merit-based system. At a minimum the top ten (10) applicants who score a minimum of 90% or higher (2,700 points) in Phase II may be eligible to advance to Phase III. However, the City may at its sole discretion select more than ten (10) applicants based on the quantity and the overall quality of applications the City receives. Notice of the results of Phase II will be provided in writing via email to the primary contact listed on the application.

Section A: Business Plan (400 pts)			Scoring Basis	Page Number	Points Available	Points Received	Evaluation
Business Plan:							
A.1.	Budget for construction, operations, maintenance, compensation of employees, equipment, property lease, security equipment and staff, City fees, state fees, utility costs, product purchases, and other anticipated costs. Budget demonstrates sufficient capital to pay startup costs at least 3 months of operating costs and a describes sources and use of funds.		**Percentage**	pg. 17-18	**75**	**75**	Addressed Criteria
	A.1. A.	Proof of capitalization, in the form of documentation of cash or other liquid assets on hand, Letters of Credit, or other equivalent assets which can be verified by the City.	**All or None**	PDF File #4	**50**	**50**	Addressed Criteria
	A.1.B.	Pro forma for at least three years of operation.	**Percentage**	pg. 18-20	**75**	**64**	Review of pages 18 through 20 of the application showed that the 3-year Pro Forma did not account for costs associated to maintenance, or security staff.
	A.1.C.	A schedule for beginning operation, including a narrative outlining any proposed construction and improvements and a timeline for completion.	**All or None**	pg. 21-22	**20**	**20**	Addressed Criteria
Daily Operations (Retail):							
A.2.1.	**Describes the day-to-day operations which meet best practice if you are applying for a RETAIL permit, including at a minimum the following criteria:**						
	A.2.1.A.	Describe customer check-in procedures.	**Percentage**	pg. 31-34	**75**	**75**	Addressed Criteria
	A.2.1.B.	Identify the location and procedures for receiving deliveries during business hours.	**All or None**	pg. 34-37	**25**	**25**	Addressed Criteria

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

A.2.1. Cont'd	**A.2.1.C.**	Describe the Point-of-Sale system to be used (including name), how it will interact with the states track-and-trace system, and the number of Point-of-Sale locations at full capacity.	**All or None**	pg. 41	**20**	**20**	Addressed Criteria
	A.2.1.D.	Estimate the number of customers to be served per hour/day.	**All or None**	pg. 1-64	**10**	**10**	Addressed Criteria
	A.2.1.E.	Describe the proposed product line to be sold (including brand names), and estimate of the percentage of sales of flower and manufactured products.	**Percentage**	pg. 21, 38-40	**20**	**20**	Addressed Criteria
	A.2.1.F.	If proposed, describe delivery service procedures, number of vehicles and product security during transportation.	**N/A**				One delivery vehicle.
	A.2.1.G.	Describes how the Cannabis Business will conform to local and state laws. See MMC Sections 6-5.40 and Title X.	**Percentage**	pg. 41-64	**20**	**20**	Addressed Criteria
	A.2.1.H.	Describes how cannabis will be tracked and monitored to prevent diversion.	**All or None**	pg. 40-44	**10**	**10**	Addressed Criteria
Summary	[redacted]						

Section B: Labor, Equity, Diversity, and Inclusion Plan (400 pts)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
B.1.	Describe the extent business will include recognition of the collective bargaining rights of employees in accordance with Section 6-5.13 (G).	**All or None**	pg. 23	**25**	**25**	Addressed Criteria
B.2.	Identify the number of employees at initial opening and maximum number of employees at full capacity.	**All or None**	pg. 70	**25**	**25**	Addressed Criteria
B.3.	Describe the diversity and inclusion programs that will be developed to embrace a diverse work force with a diverse set of perspectives, work and life experiences, religious, and cultural differences that provide equal opportunities for employee development.	**All or None**	pg. 66-70	**25**	**25**	Addressed Criteria
B.4.	Identify all positions and their responsibilities.	**Percentage**	pg. 70-74	**50**	**50**	Addressed Criteria
B.5.	Describe compensation to and opportunities for continuing education and training for employees.	**Percentage**	pg. 76-78	**50**	**50**	Addressed Criteria

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

B.6.	Describe whether the cannabis business is committed to offering employees a Living Wage.	**All or None**	pg. 75-76	**100**	**100**	Addressed Criteria
B.7.	Describe the benefits provided to employees such as health care, vacation, and medical leave, to the degree they are offered as part of employment.	**All or None**	pg. 74-75	**25**	**25**	Addressed Criteria
B.8.	Describe the extent to which the cannabis business will be locally owned and how the owner(s) have resided within the County of Madera for at least one year prior to June 1, 2021.	**All or None**	pg. 78	**100**	**0**	Applicant showed that the owners of the proposed business were not local.
Summary	[redacted]					

Section C: Safety Plan (300 points)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
C.1.	The detailed Safety Plan shall be prepared by a California professional fire prevention and suppression consultant.	**All or None**	pg. 81	**100**	**100**	Addressed Criteria
C.2.	Describes all fire prevention and suppression measures, fire extinguisher locations, evacuation routes and alarm systems in place.	**Percentage**	pg. 83-84, 86, 92-93	**100**	**100**	Addressed Criteria
C.3.	Describes all accident and incident reporting procedures.	**All or None**	pg. 84-89	**50**	**50**	Addressed Criteria
C.4.	Identify all known chemicals, gases, solvents and nutrients to be used and stored on the licensed premises. Identify storage location and how each will be secured.	**Percentage**	pg. 81-82	**50**	**50**	Addressed Criteria
Summary	[redacted]					

Section D: Security Plan (300 points)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
D.1.	The Security Plan shall be prepared and/or assessed by a professional security consultant.	**All or None**	pg. 96	**100**	**100**	Addressed Criteria
	D.1.A. Plan shall demonstrate how the cannabis business wishes to develop the floor plan and address other security issues on the property.					

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

D.2.	Premises Diagram. In addition to the site plans submitted for the Proposed Location (in Section H of Appendix A), a separate Premises Diagram must be included in this Security Plan section (Section D) of the application. Diagram must meet the requirements of the Department of Cannabis Control DCR Title 4, Division 19, §15006 Premises Diagram.	**Percentage**	pg. 126	**75**	**75**	Addressed Criteria
	D.2.A. Diagram shall show boundaries of property and proposed location to be licensed and show all boundaries, dimensions, entrances and exits, interior partitions, walls, rooms, windows, and doorways, and shall include a brief statement or description of the principal activity to be conducted therein.	**N/A**				
	D.2.B. Diagram shall show and identifies commercial cannabis activities to take place in each area of the premises and identify all limited-access areas.	**N/A**				
	D.2.C. Diagram shall show all camera locations and include assigned an number to each camera for identification purposes.	**N/A**				
	D.2.D. The diagram shall be accurate, dimensioned and to-scale (minimum scale of 1/4").	**N/A**				
	D.2.E. If the proposed location consists of only a portion of a property, the diagram is labeled indicating which part of the property will be used for the licensed premises and what activities will be used for the remaining property.	**N/A**				
D.3.	Describe operational security, including general security for access/visitor control, inventory control and cash handling procedures.	**Percentage**	pg. 98-110	**75**	**75**	Addressed Criteria
D.4.	Describe perimeter security, on-site security guards, proposed guard hours and their responsibilities, and lighting.	**Percentage**	pg. 98-126	**35**	**35**	Addressed Criteria
D.5.	Describe employee training and general security policies.	**Percentage**	pg. 110-112	**15**	**15**	Addressed Criteria
Summary	[redacted]					

Section E: Qualification of Owners (400 points)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
E.1.	Demonstrate the business owner's experience in owning, managing, and operating a cannabis business. Evidence that prior experience was from legally permitted activities.	**Percentage**	pg. 128-129	**150**	**150**	Addressed Criteria

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

E.2.	Demonstrate knowledge of the cannabis industry, including identification of how industry best practices and state regulations have been incorporated in existing/prior legal businesses outside the City of Madera.	**Percentage**	pg. 130-145	**100**	**100**	Addressed Criteria
E.3.	Describe the involvement of the ownership team in the day-to-day operation of the business.	**Percentage**	pg. 128-129	**150**	**150**	Addressed Criteria
Summary	[redacted]					
Section F: Neighborhood Compatibility (400 points)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
F.1.	Describe how the business will proactively address and respond to complaints related to noise, light, odor, and vehicle and pedestrian traffic and avoid becoming a nuisance or negative impact.	**Percentage**	pg. 147-153	**25**	**25**	Addressed Criteria
F.2.	Describe the waste management plan including: waste disposal locations, security measures, methods of rendering all waste unusable and unrecognizable, and the vendor in charge of disposal.	**Percentage**	pg. 153-159	**100**	**100**	Addressed Criteria
F.3.	**The application includes the following information about the proposed location:**					
F.3.A.	Physical address and a detailed description of the proposed location, including overall property, building, and interior floor plan.	**Percentage**	pg. 159-162	**50**	**50**	Addressed Criteria
F.3.B.	Describes all known nearby State and local sensitive use areas. (Business must have the appropriate zoning locational requirements described in MMC sections 6-5.33 and Title X)	**All or None**	pg. 162	**25**	**25**	Addressed Criteria
F.3.C.	Lists nearby, well-traveled paths to schools and describes how the business will proactively protect youth on these paths from exposure to the cannabis business.	**All or None**	pg. 162-163	**25**	**25**	Addressed Criteria
F.3.D.	Describes how the business will proactively take steps about community concerns to protect the youth generally from the impacts of the cannabis business.	**Percentage**	pg. 166	**50**	**50**	Addressed Criteria
F.3.E.	Proof of ownership, lease agreement, or a Letter of Intent to Lease.	**All or None**	pg. 167-179	**50**	**50**	Addressed Criteria
F.3.F.	Vicinity map.	**All or None**	pg. 180	**25**	**25**	Addressed Criteria
F.3.G.	Photographs of existing site and buildings.	**All or None**	pg. 181-184	**25**	**25**	Addressed Criteria
F.3.H.	Evidence that the location has access to public transportation for employees or customers.	**All or None**	pg. 184	**25**	**25**	Addressed Criteria

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

Summary	[redacted]

Section G: Community Benefits and Investment Plan (500 points)		Scoring Basis	Page Number	Points Available	Points Received	Evaluation
G.1.	Describes benefits the business will provide to the local community. May include: directly aiding, participating in, volunteer services, monetary donations, financial support, funding, and or any other economic incentives to the City or other charitable organizations in which will help achieve the strategic policy goals of the City Council in permitting cannabis businesses in the City of Madera.	**Percentage**	pg. 185-189	**500**	**500**	Addressed Criteria

Summary	[redacted]

Section H: Proposed Location (300 points)			Scoring Basis	Page Number	Points Available	Points Received	Evaluation
H.	In addition to the location details required in the Security Plan, the application shall include a thorough narrative description of the proposed location, including overall site, existing and/or proposed building(s), parking spaces, driveways, pedestrian sidewalks/rights-of-way, and neighboring businesses on the parcel.		**Percentage**	pg. 190-197	**100**	**100**	Addressed Criteria
	H.1.	Applicant must have the appropriate zoning and meet all the locational requirements as described in MMC Section 6-5.33 and Title X.	**All or None**	PDF File #5	**150**	**150**	Addressed Criteria
	H.2.	In addition to the Site Diagram submitted with the Security Plan above, application must include a (Site) diagram depicting all details described in the narrative description of the proposed location.	**Percentage**	pg. 190-197	**50**	**50**	Addressed Criteria

Summary	[redacted]

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

Herbz, LLC dba Herbz	**Original Report**
Applicant Name / DBA:	**Report Type:**
632 E. Yosemite Ave., Suite 108, Madera CA 93638	**Monday, August 1, 2022**
Proposed Location / Physical Address:	**Report Date:**
Retail Storefront	**Complete Upon Initial Review.**
License Type:	**Report Status:**

Points Available: 3,000 **Points Awarded:** 2,892

Score: 96.40%

PHASE II: APPLICATION EVALUATION AND REVIEW (3,000 Points)

During this application period the City will allow up to six (6) cannabis business permits. The Procedure Guidelines and Review Criteria constitute the application process and are adopted pursuant to the City of Madera Municipal Code (MMC) Section 6-5.13 and Title X, Chapter 3 (Zoning Regulations). Applications will be reviewed and scored using a merit-based system. At a minimum the top ten (10) applicants who score a minimum of 90% or higher (2,700 points) in Phase II may be eligible to advance to Phase III. However, the City may at its sole discretion select more than ten (10) applicants based on the quantity and the overall quality of applications the City receives. Notice of the results of Phase II will be provided in writing via email to the primary contact listed on the application.

Section A: Business Plan (400 pts)			Scoring Basis	Page Number	Points Available	Points Received	Evaluation
Business Plan:							
A.1.	Budget for construction, operations, maintenance, compensation of employees, equipment, property lease, security equipment and staff, City fees, state fees, utility costs, product purchases, and other anticipated costs. Budget demonstrates sufficient capital to pay startup costs at least 3 months of operating costs and a describes sources and use of funds.		**Percentage**	pg. 2, 5-7, 75-76	**75**	**75**	Addressed Criteria
	A.1. A.	Proof of capitalization, in the form of documentation of cash or other liquid assets on hand, Letters of Credit, or other equivalent assets which can be verified by the City.	**All or None**	pg. 2, 68-73, PDF file #4	**50**	**50**	Addressed Criteria
	A.1.B.	Pro forma for at least three years of operation.	**Percentage**	pg. 2, 5-7, 75-76	**75**	**75**	Addressed Criteria
	A.1.C.	A schedule for beginning operation, including a narrative outlining any proposed construction and improvements and a timeline for completion.	**All or None**	pg. 3	**20**	**20**	Addressed Criteria
Daily Operations (Retail):							
A.2.1.	**Describes the day-to-day operations which meet best practice if you are applying for a RETAIL permit, including at a minimum the following criteria:**						
	A.2.1.A.	Describe customer check-in procedures.	**Percentage**	pg. 8	**75**	**75**	Addressed Criteria
	A.2.1.B.	Identify the location and procedures for receiving deliveries during business hours.	**All or None**	pg. 8-11	**25**	**25**	Addressed Criteria
	A.2.1.C.	Describe the Point-of-Sale system to be used (including name), how it will interact with the states track-and-trace system, and the number of Point-of-Sale locations at full capacity.	**All or None**	pg. 11, 84	**20**	**20**	Addressed Criteria

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

A.2.1. Cont'd	**A.2.1.D.**	Estimate the number of customers to be served per hour/day.	**All or None**	pg. 11	**10**	**10**	Addressed Criteria
	A.2.1.E.	Describe the proposed product line to be sold (including brand names), and estimate of the percentage of sales of flower and manufactured products.	**Percentage**	pg. 11-12	**20**	**20**	Addressed Criteria
	A.2.1.F.	If proposed, describe delivery service procedures, number of vehicles and product security during transportation.	**N/A**	pg. 12-13			
	A.2.1.G.	Describes how the Cannabis Business will conform to local and state laws. See MMC Sections 6-5.40 and Title X.	**Percentage**	pg. 13	**20**	**20**	Addressed Criteria
	A.2.1.H.	Describes how cannabis will be tracked and monitored to prevent diversion.	**All or None**	pg. 14	**10**	**10**	Addressed Criteria
Summary	[redacted]						

Section B: Labor, Equity, Diversity, and Inclusion Plan (400 pts)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
B.1.	Describe the extent business will include recognition of the collective bargaining rights of employees in accordance with Section 6-5.13 (G).	**All or None**	pg. 15,79-82	**25**	**25**	Addressed Criteria
B.2.	Identify the number of employees at initial opening and maximum number of employees at full capacity.	**All or None**	pg. 15-16	**25**	**25**	Addressed Criteria
B.3.	Describe the diversity and inclusion programs that will be developed to embrace a diverse work force with a diverse set of perspectives, work and life experiences, religious, and cultural differences that provide equal opportunities for employee development.	**All or None**	pg. 16	**25**	**25**	Addressed Criteria
B.4.	Identify all positions and their responsibilities.	**Percentage**	pg. 15-20	**50**	**45**	Applicants Labor, Equity, Diversity and Inclusion Plan on pages 15 through 20 of PDF File #2 showed that the applicant did not identify the Delivery Driver, Head of Marketing, and Inventory Assistant responsibilities within the Labor, Equity, Diversity, and Inclusion Plan.
B.5.	Describe compensation to and opportunities for continuing education and training for employees.	**Percentage**	pg. 18	**50**	**50**	Addressed Criteria
B.6.	Describe whether the cannabis business is committed to offering employees a Living Wage.	**All or None**	pg. 19	**100**	**100**	Addressed Criteria
B.7.	Describe the benefits provided to employees such as health care, vacation, and medical leave, to the degree they are offered as part of employment.	**All or None**	pg. 19	**25**	**25**	Addressed Criteria

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

B.8.	Describe the extent to which the cannabis business will be locally owned and how the owner(s) have resided within the County of Madera for at least one year prior to June 1, 2021.	**All or None**	pg. 19-20	**100**	**0**	Applicant did not provide proof of residency in the form of mortgage statements, lease agreements, tax bills, utility bill or any other documentation capable of showing residency established prior to June 1, 2021.
Summary	[redacted]					

Section C: Safety Plan (300 points)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
C.1.	The detailed Safety Plan shall be prepared by a California professional fire prevention and suppression consultant.	**All or None**	pg. 20	**100**	**100**	Addressed Criteria
C.2.	Describes all fire prevention and suppression measures, fire extinguisher locations, evacuation routes and alarm systems in place.	**Percentage**	pg. 24-31, pg. 34	**100**	**100**	Addressed Criteria
C.3.	Describes all accident and incident reporting procedures.	**All or None**	pg. 22-24	**50**	**50**	Addressed Criteria
C.4.	Identify all known chemicals, gases, solvents and nutrients to be used and stored on the licensed premises. Identify storage location and how each will be secured.	**Percentage**	pg. 22	**50**	**50**	Addressed Criteria
Summary	[redacted]					

Section D: Security Plan (300 points)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
D.1.	The Security Plan shall be prepared and/or assessed by a professional security consultant.	**All or None**	pg. 36	**100**	**100**	Addressed Criteria
	D.1.A. Plan shall demonstrate how the cannabis business wishes to develop the floor plan and address other security issues on the property.					
D.2.	Premises Diagram. In addition to the site plans submitted for the Proposed Location (in Section H of Appendix A), a separate Premises Diagram must be included in this Security Plan section (Section D) of the application. Diagram must meet the requirements of the Department of Cannabis Control DCR Title 4, Division 19, §15006 Premises Diagram.	**Percentage**	pg. 59	**75**	**72**	Review of the applicant's Premises Diagram on page 59 of File #2 showed that the applicant identified the state defined "Retail Area" as the "Unit 108 - Showroom". As such, the premises diagram did not meet the requirements of the Department of Cannabis Control DCR Title 4, Division 19, §15006.
	D.2.A. Diagram shall show boundaries of property and proposed location to be licensed and show all boundaries, dimensions, entrances and exits, interior partitions, walls, rooms, windows, and doorways, and shall include a brief statement or description of the principal activity to be conducted therein.	**N/A**				

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

D.2. Cont'd	**D.2.B.**	Diagram shall show and identifies commercial cannabis activities to take place in each area of the premises and identify all limited-access areas.	**N/A**				
	D.2.C.	Diagram shall show all camera locations and include assigned an number to each camera for identification purposes.	**N/A**				
	D.2.D.	The diagram shall be accurate, dimensioned and to-scale (minimum scale of 1/4").	**N/A**				
	D.2.E.	If the proposed location consists of only a portion of a property, the diagram is labeled indicating which part of the property will be used for the licensed premises and what activities will be used for the remaining property.	**N/A**				
D.3.	Describe operational security, including general security for access/visitor control, inventory control and cash handling procedures.		**Percentage**	pg. 38-43	**75**	**75**	Addressed Criteria
D.4.	Describe perimeter security, on-site security guards, proposed guard hours and their responsibilities, and lighting.		**Percentage**	pg. 43-49	**35**	**35**	Addressed Criteria
D.5.	Describe employee training and general security policies.		**Percentage**	pg. 49-57	**15**	**15**	Addressed Criteria
Summary	[redacted]						

Section E: Qualification of Owners (400 points)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
E.1.	Demonstrate the business owner's experience in owning, managing, and operating a cannabis business. Evidence that prior experience was from legally permitted activities.	**Percentage**	pg. 60-61	**150**	**150**	Addressed Criteria
E.2.	Demonstrate knowledge of the cannabis industry, including identification of how industry best practices and state regulations have been incorporated in existing/prior legal businesses outside the City of Madera.	**Percentage**	pg. 60-61	**100**	**100**	Addressed Criteria
E.3.	Describe the involvement of the ownership team in the day-to-day operation of the business.	**Percentage**	pg. 61	**150**	**150**	Addressed Criteria
Summary	[redacted]					

Section F: Neighborhood Compatibility (400 points)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
F.1.	Describe how the business will proactively address and respond to complaints related to noise, light, odor, and vehicle and pedestrian traffic and avoid becoming a nuisance or negative impact.	**Percentage**	pg. 62-63	**25**	**25**	Addressed Criteria
F.2.	Describe the waste management plan including: waste disposal locations, security measures, methods of rendering all waste unusable and unrecognizable, and the vendor in charge of disposal.	**Percentage**	pg. 63-64	**100**	**100**	Addressed Criteria

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

F.3.	**The application includes the following information about the proposed location:**						
	F.3.A.	Physical address and a detailed description of the proposed location, including overall property, building, and interior floor plan.	**Percentage**	pg. 64	**50**	**50**	Addressed Criteria
	F.3.B.	Describes all known nearby State and local sensitive use areas. (Business must have the appropriate zoning locational requirements described in MMC sections 6-5.33 and Title X)	**All or None**	pg. 64	**25**	**25**	Addressed Criteria
	F.3.C.	Lists nearby, well-traveled paths to schools and describes how the business will proactively protect youth on these paths from exposure to the cannabis business.	**All or None**	pg. 64	**25**	**25**	Addressed Criteria
	F.3.D.	Describes how the business will proactively take steps about community concerns to protect the youth generally from the impacts of the cannabis business.	**Percentage**	pg. 64	**50**	**50**	Addressed Criteria
	F.3.E.	Proof of ownership, lease agreement, or a Letter of Intent to Lease.	**All or None**	PDF #1 pg. 10-11	**50**	**50**	Addressed Criteria
	F.3.F.	Vicinity map.	**All or None**	pg. 85-87	**25**	**25**	Addressed Criteria
	F.3.G.	Photographs of existing site and buildings.	**All or None**	pg. 89-97	**25**	**25**	Addressed Criteria
	F.3.H.	Evidence that the location has access to public transportation for employees or customers.	**All or None**	pg. 88	**25**	**25**	Addressed Criteria
Summary	[redacted]						

Section G: Community Benefits and Investment Plan (500 points)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
G.1.	Describes benefits the business will provide to the local community. May include: directly aiding, participating in, volunteer services, monetary donations, financial support, funding, and or any other economic incentives to the City or other charitable organizations in which will help achieve the strategic policy goals of the City Council in permitting cannabis businesses in the City of Madera.	**Percentage**	**pg. 65**	**500**	**500**	Addressed Criteria
Summary	[redacted]					

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

Section H: Proposed Location (300 points)			Scoring Basis	Page Number	Points Available	Points Received	Evaluation
H.	In addition to the location details required in the Security Plan, the application shall include a thorough narrative description of the proposed location, including overall site, existing and/or proposed building(s), parking spaces, driveways, pedestrian sidewalks/rights-of-way, and neighboring businesses on the parcel.		**Percentage**	pg. 66, 83	**100**	**100**	Addressed Criteria
	H.1.	Applicant must have the appropriate zoning and meet all the locational requirements as described in MMC Section 6-5.33 and Title X.	**All or None**	PDF File #5 pg. 1	**150**	**150**	Addressed Criteria
	H.2.	In addition to the Site Diagram submitted with the Security Plan above, application must include a (Site) diagram depicting all details described in the narrative description of the proposed location.	**Percentage**	pg. 83-84	**50**	**50**	Addressed Criteria
Summary							

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

Jiva MAE, LLC dba Jiva
Applicant Name / DBA:

2350 N Schnoor St., Madera, CA 93637
Proposed Location / Physical Address:

Retail Storefront
License Type:

Original Report
Report Type:

Wednesday, August 3, 2022
Report Date:

Complete Upon Initial Review.
Report Status:

Points Available: 3,000 **Points Awarded:** 2,900

Score: 96.67%

PHASE II: APPLICATION EVALUATION AND REVIEW (3,000 Points)

During this application period the City will allow up to six (6) cannabis business permits. The Procedure Guidelines and Review Criteria constitute the application process and are adopted pursuant to the City of Madera Municipal Code (MMC) Section 6-5.13 and Title X, Chapter 3 (Zoning Regulations). Applications will be reviewed and scored using a merit-based system. At a minimum the top ten (10) applicants who score a minimum of 90% or higher (2,700 points) in Phase II may be eligible to advance to Phase III. However, the City may at its sole discretion select more than ten (10) applicants based on the quantity and the overall quality of applications the City receives. Notice of the results of Phase II will be provided in writing via email to the primary contact listed on the application.

Section A: Business Plan (400 pts)			Scoring Basis	Page Number	Points Available	Points Received	Evaluation
Business Plan:							
A.1.	Budget for construction, operations, maintenance, compensation of employees, equipment, property lease, security equipment and staff, City fees, state fees, utility costs, product purchases, and other anticipated costs. Budget demonstrates sufficient capital to pay startup costs at least 3 months of operating costs and a describes sources and use of funds.		**Percentage**	pg. 7-11	**75**	**75**	Addressed Criteria
	A.1. A.	Proof of capitalization, in the form of documentation of cash or other liquid assets on hand, Letters of Credit, or other equivalent assets which can be verified by the City.	**All or None**	PDF #4 pg. 1-5	**50**	**50**	Addressed Criteria
	A.1.B.	Pro forma for at least three years of operation.	**Percentage**	pg. 8-9, 12	**75**	**75**	Addressed Criteria
	A.1.C.	A schedule for beginning operation, including a narrative outlining any proposed construction and improvements and a timeline for completion.	**All or None**	pg. 13-14	**20**	**20**	Addressed Criteria
Daily Operations (Retail):							
A.2.1.	**Describes the day-to-day operations which meet best practice if you are applying for a RETAIL permit, including at a minimum the following criteria:**						
	A.2.1.A.	Describe customer check-in procedures.	**Percentage**	pg. 14-16	**75**	**75**	Addressed Criteria
	A.2.1.B.	Identify the location and procedures for receiving deliveries during business hours.	**All or None**	pg. 16-18	**25**	**25**	Addressed Criteria

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

A.2.1. Cont'd	**A.2.1.C.**	Describe the Point-of-Sale system to be used (including name), how it will interact with the states track-and-trace system, and the number of Point-of-Sale locations at full capacity.	**All or None**	pg. 18-19	**20**	**20**	Addressed Criteria
	A.2.1.D.	Estimate the number of customers to be served per hour/day.	**All or None**	pg. 9, 19	**10**	**10**	Addressed Criteria
	A.2.1.E.	Describe the proposed product line to be sold (including brand names), and estimate of the percentage of sales of flower and manufactured products.	**Percentage**	pg. 19-21	**20**	**20**	Addressed Criteria
	A.2.1.F.	If proposed, describe delivery service procedures, number of vehicles and product security during transportation.	**N/A**	pg. 21-25			2 to 3 delivery vehicles.
	A.2.1.G.	Describes how the Cannabis Business will conform to local and state laws. See MMC Sections 6-5.40 and Title X.	**Percentage**	pg. 26-41	**20**	**20**	Addressed Criteria
	A.2.1.H.	Describes how cannabis will be tracked and monitored to prevent diversion.	**All or None**	pg. 41-45	**10**	**10**	Addressed Criteria
Summary	[redacted]						

Section B: Labor, Equity, Diversity, and Inclusion Plan (400 pts)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
B.1.	Describe the extent business will include recognition of the collective bargaining rights of employees in accordance with Section 6-5.13 (G).	**All or None**	pg. 46	**25**	**25**	Addressed Criteria
B.2.	Identify the number of employees at initial opening and maximum number of employees at full capacity.	**All or None**	pg. 46-47	**25**	**25**	Addressed Criteria
B.3.	Describe the diversity and inclusion programs that will be developed to embrace a diverse work force with a diverse set of perspectives, work and life experiences, religious, and cultural differences that provide equal opportunities for employee development.	**All or None**	pg. 47-54	**25**	**25**	Addressed Criteria
B.4.	Identify all positions and their responsibilities.	**Percentage**	pg. 47, 49-56	**50**	**50**	Addressed Criteria
B.5.	Describe compensation to and opportunities for continuing education and training for employees.	**Percentage**	pg. 56-58	**50**	**50**	Addressed Criteria
B.6.	Describe whether the cannabis business is committed to offering employees a Living Wage.	**All or None**	pg. 58-59	**100**	**100**	Addressed Criteria

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

B.7.	Describe the benefits provided to employees such as health care, vacation, and medical leave, to the degree they are offered as part of employment.	**All or None**	pg. 59-60	**25**	**25**	Addressed Criteria
B.8.	Describe the extent to which the cannabis business will be locally owned and how the owner(s) have resided within the County of Madera for at least one year prior to June 1, 2021.	**All or None**	pg. 61-63	**100**	**0**	Applicant did not provide proof of residency in the form of mortgage statements, lease agreements, tax bills, utility bill or any other documentation capable of showing residency established prior to June 1, 2021 for Sarah Martinez or Bonique Emerson.
Summary	[redacted]					

Section C: Safety Plan (300 points)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
C.1.	The detailed Safety Plan shall be prepared by a California professional fire prevention and suppression consultant.	**All or None**	pg. 65	**100**	**100**	Addressed Criteria
C.2.	Describes all fire prevention and suppression measures, fire extinguisher locations, evacuation routes and alarm systems in place.	**Percentage**	pg. 67-71, 74	**100**	**100**	Addressed Criteria
C.3.	Describes all accident and incident reporting procedures.	**All or None**	pg. 68	**50**	**50**	Addressed Criteria
C.4.	Identify all known chemicals, gases, solvents and nutrients to be used and stored on the licensed premises. Identify storage location and how each will be secured.	**Percentage**	pg. 72	**50**	**50**	Addressed Criteria
Summary	[redacted]					

Section D: Security Plan (300 points)			**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
D.1.	The Security Plan shall be prepared and/or assessed by a professional security consultant.		**All or None**	pg. 77	**100**	**100**	Addressed Criteria
	D.1.A.	Plan shall demonstrate how the cannabis business wishes to develop the floor plan and address other security issues on the property.					

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

D.2.	Premises Diagram. In addition to the site plans submitted for the Proposed Location (in Section H of Appendix A), a separate Premises Diagram must be included in this Security Plan section (Section D) of the application. Diagram must meet the requirements of the Department of Cannabis Control DCR Title 4, Division 19, §15006 Premises Diagram.		**Percentage**	pg. 80-81	**75**	**75**	Addressed Criteria
	D.2.A.	Diagram shall show boundaries of property and proposed location to be licensed and show all boundaries, dimensions, entrances and exits, interior partitions, walls, rooms, windows, and doorways, and shall include a brief statement or description of the principal activity to be conducted therein.	**N/A**				
	D.2.B.	Diagram shall show and identifies commercial cannabis activities to take place in each area of the premises and identify all limited-access areas.	**N/A**				
	D.2.C.	Diagram shall show all camera locations and include assigned an number to each camera for identification purposes.	**N/A**				
	D.2.D.	The diagram shall be accurate, dimensioned and to-scale (minimum scale of 1/4”).	**N/A**				
	D.2.E.	If the proposed location consists of only a portion of a property, the diagram is labeled indicating which part of the property will be used for the licensed premises and what activities will be used for the remaining property.	**N/A**				
D.3.	Describe operational security, including general security for access/visitor control, inventory control and cash handling procedures.		**Percentage**	pg. 84-90	**75**	**75**	Addressed Criteria
D.4.	Describe perimeter security, on-site security guards, proposed guard hours and their responsibilities, and lighting.		**Percentage**	pg. 91-106	**35**	**35**	Addressed Criteria
D.5.	Describe employee training and general security policies.		**Percentage**	pg. 98-102	**15**	**15**	Addressed Criteria
Summary	[redacted]						

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

Section E: Qualification of Owners (400 points)		Scoring Basis	Page Number	Points Available	Points Received	Evaluation
E.1.	Demonstrate the business owner's experience in owning, managing, and operating a cannabis business. Evidence that prior experience was from legally permitted activities.	**Percentage**	pg. 107-127	**150**	**150**	Addressed Criteria
E.2.	Demonstrate knowledge of the cannabis industry, including identification of how industry best practices and state regulations have been incorporated in existing/prior legal businesses outside the City of Madera.	**Percentage**	pg. 107-127	**100**	**100**	Addressed Criteria
E.3.	Describe the involvement of the ownership team in the day-to-day operation of the business.	**Percentage**	pg. 127-130	**150**	**150**	Addressed Criteria
Summary						

Section F: Neighborhood Compatibility (400 points)			Scoring Basis	Page Number	Points Available	Points Received	Evaluation
F.1.	Describe how the business will proactively address and respond to complaints related to noise, light, odor, and vehicle and pedestrian traffic and avoid becoming a nuisance or negative impact.		**Percentage**	pg. 132-159	**25**	**25**	Addressed Criteria
F.2.	Describe the waste management plan including: waste disposal locations, security measures, methods of rendering all waste unusable and unrecognizable, and the vendor in charge of disposal.		**Percentage**	pg. 139-140	**100**	**100**	Addressed Criteria
F.3.	**The application includes the following information about the proposed location:**						
	F.3.A.	Physical address and a detailed description of the proposed location, including overall property, building, and interior floor plan.	**Percentage**	pg. 140-143	**50**	**50**	Addressed Criteria
	F.3.B.	Describes all known nearby State and local sensitive use areas. (Business must have the appropriate zoning locational requirements described in MMC sections 6-5.33 and Title X)	**All or None**	pg. 144	**25**	**25**	Addressed Criteria
	F.3.C.	Lists nearby, well-traveled paths to schools and describes how the business will proactively protect youth on these paths from exposure to the cannabis business.	**All or None**	pg. 145-147	**25**	**25**	Addressed Criteria
	F.3.D.	Describes how the business will proactively take steps about community concerns to protect the youth generally from the impacts of the cannabis business.	**Percentage**	pg. 147-148	**50**	**50**	Addressed Criteria
	F.3.E.	Proof of ownership, lease agreement, or a Letter of Intent to Lease.	**All or None**	pg. 149-151	**50**	**50**	Addressed Criteria
	F.3.F.	Vicinity map.	**All or None**	pg. 152	**25**	**25**	Addressed Criteria

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

F.3. Cont'd	F.3.G.	Photographs of existing site and buildings.	All or None	pg. 153-154	25	25	Addressed Criteria
	F.3.H.	Evidence that the location has access to public transportation for employees or customers.	All or None	pg. 155	25	25	Addressed Criteria
Summary		[redacted]					
Section G: Community Benefits and Investment Plan (500 points)			**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
G.1.		Describes benefits the business will provide to the local community. May include: directly aiding, participating in, volunteer services, monetary donations, financial support, funding, and or any other economic incentives to the City or other charitable organizations in which will help achieve the strategic policy goals of the City Council in permitting cannabis businesses in the City of Madera.	Percentage	pg. 160-167	500	500	Addressed Criteria
Summary		[redacted]					
Section H: Proposed Location (300 points)			**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
H.		In addition to the location details required in the Security Plan, the application shall include a thorough narrative description of the proposed location, including overall site, existing and/or proposed building(s), parking spaces, driveways, pedestrian sidewalks/rights-of-way, and neighboring businesses on the parcel.	Percentage	pg. 168-186	100	100	Addressed Criteria
	H.1.	Applicant must have the appropriate zoning and meet all the locational requirements as described in MMC Section 6-5.33 and Title X.	All or None	pg. 168-186	150	150	Addressed Criteria
	H.2.	In addition to the Site Diagram submitted with the Security Plan above, application must include a (Site) diagram depicting all details described in the narrative description of the proposed location.	Percentage	pg. 168-186	50	50	Addressed Criteria
Summary		[redacted]					

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

Lavish West Coast Madera dba Lavish
Applicant Name / DBA:

520 North Gateway Dr., Madera, CA 93637
Proposed Location / Physical Address:

Retail Storefront
License Type:

Original Report
Report Type:

Friday, July 22, 2022
Report Date:

Complete Upon Initial Review.
Report Status:

Points Available: 3,000 **Points Awarded:** 3,000

Score: 100%

PHASE II: APPLICATION EVALUATION AND REVIEW (3,000 Points)

During this application period the City will allow up to six (6) cannabis business permits. The Procedure Guidelines and Review Criteria constitute the application process and are adopted pursuant to the City of Madera Municipal Code (MMC) Section 6-5.13 and Title X, Chapter 3 (Zoning Regulations). Applications will be reviewed and scored using a merit-based system. At a minimum the top ten (10) applicants who score a minimum of 90% or higher (2,700 points) in Phase II may be eligible to advance to Phase III. However, the City may at its sole discretion select more than ten (10) applicants based on the quantity and the overall quality of applications the City receives. Notice of the results of Phase II will be provided in writing via email to the primary contact listed on the application.

Section A: Business Plan (400 pts)			Scoring Basis	Page Number	Points Available	Points Received	Evaluation
Business Plan:							
A.1.	Budget for construction, operations, maintenance, compensation of employees, equipment, property lease, security equipment and staff, City fees, state fees, utility costs, product purchases, and other anticipated costs. Budget demonstrates sufficient capital to pay startup costs at least 3 months of operating costs and a describes sources and use of funds.		**Percentage**	pg. 1-7	**75**	**75**	Addressed Criteria
	A.1. A.	Proof of capitalization, in the form of documentation of cash or other liquid assets on hand, Letters of Credit, or other equivalent assets which can be verified by the City.	**All or None**	PDF #4	**50**	**50**	Addressed Criteria
	A.1.B.	Pro forma for at least three years of operation.	**Percentage**	pg. 14	**75**	**75**	Addressed Criteria
	A.1.C.	A schedule for beginning operation, including a narrative outlining any proposed construction and improvements and a timeline for completion.	**All or None**	pg. 15	**20**	**20**	Addressed Criteria
Daily Operations (Retail):							
A.2.1.	**Describes the day-to-day operations which meet best practice if you are applying for a RETAIL permit, including at a minimum the following criteria:**						
	A.2.1.A.	Describe customer check-in procedures.	**Percentage**	pg. 25-30	**75**	**75**	Addressed Criteria
	A.2.1.B.	Identify the location and procedures for receiving deliveries during business hours.	**All or None**	pg. 30-35	**25**	**25**	Addressed Criteria
	A.2.1.C.	Describe the Point-of-Sale system to be used (including name), how it will interact with the states track-and-trace system, and the number of Point-of-Sale locations at full capacity.	**All or None**	pg. 36-41	**20**	**20**	Addressed Criteria

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

A.2.1. Cont'd	**A.2.1.D.**	Estimate the number of customers to be served per hour/day.	**All or None**	pg. 42	**10**	**10**	Addressed Criteria
	A.2.1.E.	Describe the proposed product line to be sold (including brand names), and estimate of the percentage of sales of flower and manufactured products.	**Percentage**	pg. 43-46	**20**	**20**	Addressed Criteria
	A.2.1.F.	If proposed, describe delivery service procedures, number of vehicles and product security during transportation.	**N/A**	pg. 46-54			2 delivery vehicles
	A.2.1.G.	Describes how the Cannabis Business will conform to local and state laws. See MMC Sections 6-5.40 and Title X.	**Percentage**	pg. 55-56	**20**	**20**	Addressed Criteria
	A.2.1.H.	Describes how cannabis will be tracked and monitored to prevent diversion.	**All or None**	pg. 56-57	**10**	**10**	Addressed Criteria
Summary		[redacted]					

Section B: Labor, Equity, Diversity, and Inclusion Plan (400 pts)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
B.1.	Describe the extent business will include recognition of the collective bargaining rights of employees in accordance with Section 6-5.13 (G).	**All or None**	pg. 58-59	**25**	**25**	Addressed Criteria
B.2.	Identify the number of employees at initial opening and maximum number of employees at full capacity.	**All or None**	pg. 60	**25**	**25**	Addressed Criteria
B.3.	Describe the diversity and inclusion programs that will be developed to embrace a diverse work force with a diverse set of perspectives, work and life experiences, religious, and cultural differences that provide equal opportunities for employee development.	**All or None**	pg. 60-63	**25**	**25**	Addressed Criteria
B.4.	Identify all positions and their responsibilities.	**Percentage**	pg. 64-70	**50**	**50**	Addressed Criteria
B.5.	Describe compensation to and opportunities for continuing education and training for employees.	**Percentage**	pg. 70-72	**50**	**50**	Addressed Criteria
B.6.	Describe whether the cannabis business is committed to offering employees a Living Wage.	**All or None**	pg. 60, 73	**100**	**100**	Addressed Criteria
B.7.	Describe the benefits provided to employees such as health care, vacation, and medical leave, to the degree they are offered as part of employment.	**All or None**	pg. 74-76	**25**	**25**	Addressed Criteria
B.8.	Describe the extent to which the cannabis business will be locally owned and how the owner(s) have resided within the County of Madera for at least one year prior to June 1, 2021.	**All or None**	pg. 76-77	**100**	**100**	Addressed Criteria

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

Summary	[redacted]

Section C: Safety Plan (300 points)		Scoring Basis	Page Number	Points Available	Points Received	Evaluation
C.1.	The detailed Safety Plan shall be prepared by a California professional fire prevention and suppression consultant.	All or None	pg. 78	100	100	Addressed Criteria
C.2.	Describes all fire prevention and suppression measures, fire extinguisher locations, evacuation routes and alarm systems in place.	Percentage	pg. 79-90	100	100	Addressed Criteria
C.3.	Describes all accident and incident reporting procedures.	All or None	pg. 90-108	50	50	Addressed Criteria
C.4.	Identify all known chemicals, gases, solvents and nutrients to be used and stored on the licensed premises. Identify storage location and how each will be secured.	Percentage	pg. 93-96	50	50	Addressed Criteria

Summary	[redacted]

Section D: Security Plan (300 points)			Scoring Basis	Page Number	Points Available	Points Received	Evaluation
D.1.	The Security Plan shall be prepared and/or assessed by a professional security consultant.		All or None	pg. 109	100	100	Addressed Criteria
	D.1.A.	Plan shall demonstrate how the cannabis business wishes to develop the floor plan and address other security issues on the property.					
D.2.	Premises Diagram. In addition to the site plans submitted for the Proposed Location (in Section H of Appendix A), a separate Premises Diagram must be included in this Security Plan section (Section D) of the application. Diagram must meet the requirements of the Department of Cannabis Control DCR Title 4, Division 19, §15006 Premises Diagram.		Percentage	pg. 113	75	75	Addressed Criteria
	D.2.A.	Diagram shall show boundaries of property and proposed location to be licensed and show all boundaries, dimensions, entrances and exits, interior partitions, walls, rooms, windows, and doorways, and shall include a brief statement or description of the principal activity to be conducted therein.	N/A				

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

D.2. Cont'd	**D.2.B.**	Diagram shall show and identifies commercial cannabis activities to take place in each area of the premises and identify all limited-access areas.	**N/A**				
	D.2.C.	Diagram shall show all camera locations and include assigned an number to each camera for identification purposes.	**N/A**				
	D.2.D.	The diagram shall be accurate, dimensioned and to-scale (minimum scale of 1/4").	**N/A**				
	D.2.E.	If the proposed location consists of only a portion of a property, the diagram is labeled indicating which part of the property will be used for the licensed premises and what activities will be used for the remaining property.	**N/A**				
D.3.	Describe operational security, including general security for access/visitor control, inventory control and cash handling procedures.		**Percentage**	pg. 113-123	**75**	**75**	Addressed Criteria
D.4.	Describe perimeter security, on-site security guards, proposed guard hours and their responsibilities, and lighting.		**Percentage**	pg. 123-133	**35**	**35**	Addressed Criteria
D.5.	Describe employee training and general security policies.		**Percentage**	pg. 134-145	**15**	**15**	Addressed Criteria
Summary							

Section E: Qualification of Owners (400 points)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
E.1.	Demonstrate the business owner's experience in owning, managing, and operating a cannabis business. Evidence that prior experience was from legally permitted activities.	**Percentage**	pg. 146-154	**150**	**150**	Addressed Criteria
E.2.	Demonstrate knowledge of the cannabis industry, including identification of how industry best practices and state regulations have been incorporated in existing/prior legal businesses outside the City of Madera.	**Percentage**	pg. 154-159	**100**	**100**	Addressed Criteria
E.3.	Describe the involvement of the ownership team in the day-to-day operation of the business.	**Percentage**	pg. 160	**150**	**150**	Addressed Criteria
Summary						

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

Section F: Neighborhood Compatibility (400 points)			Scoring Basis	Page Number	Points Available	Points Received	Evaluation
F.1.	Describe how the business will proactively address and respond to complaints related to noise, light, odor, and vehicle and pedestrian traffic and avoid becoming a nuisance or negative impact.		**Percentage**	pg. 161-170	**25**	**25**	Addressed Criteria
F.2.	Describe the waste management plan including: waste disposal locations, security measures, methods of rendering all waste unusable and unrecognizable, and the vendor in charge of disposal.		**Percentage**	pg. 170-173	**100**	**100**	Addressed Criteria
F.3.	**The application includes the following information about the proposed location:**						
	F.3.A.	Physical address and a detailed description of the proposed location, including overall property, building, and interior floor plan.	**Percentage**	pg. 174	**50**	**50**	Addressed Criteria
	F.3.B.	Describes all known nearby State and local sensitive use areas. (Business must have the appropriate zoning locational requirements described in MMC sections 6-5.33 and Title X)	**All or None**	pg. 175	**25**	**25**	Addressed Criteria
	F.3.C.	Lists nearby, well-traveled paths to schools and describes how the business will proactively protect youth on these paths from exposure to the cannabis business.	**All or None**	pg. 175-176	**25**	**25**	Addressed Criteria
	F.3.D.	Describes how the business will proactively take steps about community concerns to protect the youth generally from the impacts of the cannabis business.	**Percentage**	pg. 176	**50**	**50**	Addressed Criteria
	F.3.E.	Proof of ownership, lease agreement, or a Letter of Intent to Lease.	**All or None**	pg. 177	**50**	**50**	Addressed Criteria
	F.3.F.	Vicinity map.	**All or None**	pg. 178-179	**25**	**25**	Addressed Criteria
	F.3.G.	Photographs of existing site and buildings.	**All or None**	pg. 180-181	**25**	**25**	Addressed Criteria
	F.3.H.	Evidence that the location has access to public transportation for employees or customers.	**All or None**	pg. 182	**25**	**25**	Addressed Criteria
Summary							

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

Section G: Community Benefits and Investment Plan (500 points)		Scoring Basis	Page Number	Points Available	Points Received	Evaluation
G.1.	Describes benefits the business will provide to the local community. May include: directly aiding, participating in, volunteer services, monetary donations, financial support, funding, and or any other economic incentives to the City or other charitable organizations in which will help achieve the strategic policy goals of the City Council in permitting cannabis businesses in the City of Madera.	**Percentage**	pg. 183-190	**500**	**500**	Addressed Criteria
Summary						

Section H: Proposed Location (300 points)			Scoring Basis	Page Number	Points Available	Points Received	Evaluation
H.	In addition to the location details required in the Security Plan, the application shall include a thorough narrative description of the proposed location, including overall site, existing and/or proposed building(s), parking spaces, driveways, pedestrian sidewalks/rights-of-way, and neighboring businesses on the parcel.		**Percentage**	pg. 191-197	**100**	**100**	Addressed Criteria
	H.1.	Applicant must have the appropriate zoning and meet all the locational requirements as described in MMC Section 6-5.33 and Title X.	**All or None**	pg. 191-197	**150**	**150**	Addressed Criteria
	H.2.	In addition to the Site Diagram submitted with the Security Plan above, application must include a (Site) diagram depicting all details described in the narrative description of the proposed location.	**Percentage**	pg. 191-197	**50**	**50**	Addressed Criteria
Summary							

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

Madera Erudite Ventures dba HerbNJoy
Applicant Name / DBA:

400 E Yosemite Avenue Street, Madera, CA 93638
Proposed Location / Physical Address:

Retail Storefront
License Type:

Original Report
Report Type:

Wednesday, August 17, 2022
Report Date:

Complete Upon Initial Review.
Report Status:

Points Available: 3,000 **Points Awarded:** 3,000

Score: 100.00%

PHASE II: APPLICATION EVALUATION AND REVIEW (3,000 Points)

During this application period the City will allow up to six (6) cannabis business permits. The Procedure Guidelines and Review Criteria constitute the application process and are adopted pursuant to the City of Madera Municipal Code (MMC) Section 6-5.13 and Title X, Chapter 3 (Zoning Regulations). Applications will be reviewed and scored using a merit-based system. At a minimum the top ten (10) applicants who score a minimum of 90% or higher (2,700 points) in Phase II may be eligible to advance to Phase III. However, the City may at its sole discretion select more than ten (10) applicants based on the quantity and the overall quality of applications the City receives. Notice of the results of Phase II will be provided in writing via email to the primary contact listed on the application.

Section A: Business Plan (400 pts)			Scoring Basis	Page Number	Points Available	Points Received	Evaluation
Business Plan:							
A.1.	Budget for construction, operations, maintenance, compensation of employees, equipment, property lease, security equipment and staff, City fees, state fees, utility costs, product purchases, and other anticipated costs. Budget demonstrates sufficient capital to pay startup costs at least 3 months of operating costs and a describes sources and use of funds.		**Percentage**	pg. 6-9	**75**	**75**	Addressed Criteria
	A.1. A.	Proof of capitalization, in the form of documentation of cash or other liquid assets on hand, Letters of Credit, or other equivalent assets which can be verified by the City.	**All or None**	pg. 10 File #4	**50**	**50**	Addressed Criteria
	A.1.B.	Pro forma for at least three years of operation.	**Percentage**	pg. 8-14	**75**	**75**	Addressed Criteria
	A.1.C.	A schedule for beginning operation, including a narrative outlining any proposed construction and improvements and a timeline for completion.	**All or None**	pg.15	**20**	**20**	Addressed Criteria
Daily Operations (Retail):							
A.2.1.	**Describes the day-to-day operations which meet best practice if you are applying for a RETAIL permit, including at a minimum the following criteria:**						
	A.2.1.A.	Describe customer check-in procedures.	**Percentage**	pg. 22-25	**75**	**75**	Addressed Criteria
	A.2.1.B.	Identify the location and procedures for receiving deliveries during business hours.	**All or None**	pg. 26-29	**25**	**25**	Addressed Criteria
	A.2.1.C.	Describe the Point-of-Sale system to be used (including name), how it will interact with the states track-and-trace system, and the number of Point-of-Sale locations at full capacity.	**All or None**	pg. 29-30	**20**	**20**	Addressed Criteria
	A.2.1.D.	Estimate the number of customers to be served per hour/day.	**All or None**	pg. 30-31	**10**	**10**	Addressed Criteria

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

A.2.1. Cont'd	**A.2.1.E.**	Describe the proposed product line to be sold (including brand names), and estimate of the percentage of sales of flower and manufactured products.	**Percentage**	pg. 10, 31	**20**	**20**	Addressed Criteria
	A.2.1.F.	If proposed, describe delivery service procedures, number of vehicles and product security during transportation.	**N/A**	pg. 31-37			3 delivery vehicles
	A.2.1.G.	Describes how the Cannabis Business will conform to local and state laws. See MMC Sections 6-5.40 and Title X.	**Percentage**	pg. 38-39	**20**	**20**	Addressed Criteria
	A.2.1.H.	Describes how cannabis will be tracked and monitored to prevent diversion.	**All or None**	pg. 39-51	**10**	**10**	Addressed Criteria
Summary							

Section B: Labor, Equity, Diversity, and Inclusion Plan (400 pts)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
B.1.	Describe the extent business will include recognition of the collective bargaining rights of employees in accordance with Section 6-5.13 (G).	**All or None**	pg. 53-55	**25**	**25**	Addressed Criteria
B.2.	Identify the number of employees at initial opening and maximum number of employees at full capacity.	**All or None**	pg. 56	**25**	**25**	Addressed Criteria
B.3.	Describe the diversity and inclusion programs that will be developed to embrace a diverse work force with a diverse set of perspectives, work and life experiences, religious, and cultural differences that provide equal opportunities for employee development.	**All or None**	pg. 56-60	**25**	**25**	Addressed Criteria
B.4.	Identify all positions and their responsibilities.	**Percentage**	pg. 60-64	**50**	**50**	Addressed Criteria
B.5.	Describe compensation to and opportunities for continuing education and training for employees.	**Percentage**	pg. 64-65	**50**	**50**	Addressed Criteria
B.6.	Describe whether the cannabis business is committed to offering employees a Living Wage.	**All or None**	pg. 66	**100**	**100**	Addressed Criteria
B.7.	Describe the benefits provided to employees such as health care, vacation, and medical leave, to the degree they are offered as part of employment.	**All or None**	pg.67-68	**25**	**25**	Addressed Criteria
B.8.	Describe the extent to which the cannabis business will be locally owned and how the owner(s) have resided within the County of Madera for at least one year prior to June 1, 2021.	**All or None**	pg.67-73	**100**	**100**	Addressed Criteria

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

Summary	[redacted]

Section C: Safety Plan (300 points)		Scoring Basis	Page Number	Points Available	Points Received	Evaluation
C.1.	The detailed Safety Plan shall be prepared by a California professional fire prevention and suppression consultant.	All or None	pg. 75-76	100	100	Addressed Criteria
C.2.	Describes all fire prevention and suppression measures, fire extinguisher locations, evacuation routes and alarm systems in place.	Percentage	pg. 77-85	100	100	Addressed Criteria
C.3.	Describes all accident and incident reporting procedures.	All or None	pg. 85-86, 91-92	50	50	Addressed Criteria
C.4.	Identify all known chemicals, gases, solvents and nutrients to be used and stored on the licensed premises. Identify storage location and how each will be secured.	Percentage	pg. 86-88	50	50	Addressed Criteria

Summary	[redacted]

Section D: Security Plan (300 points)			Scoring Basis	Page Number	Points Available	Points Received	Evaluation
D.1.	The Security Plan shall be prepared and/or assessed by a professional security consultant.		All or None	pg.94	100	100	Addressed Criteria
	D.1.A.	Plan shall demonstrate how the cannabis business wishes to develop the floor plan and address other security issues on the property.					
D.2.	Premises Diagram. In addition to the site plans submitted for the Proposed Location (in Section H of Appendix A), a separate Premises Diagram must be included in this Security Plan section (Section D) of the application. Diagram must meet the requirements of the Department of Cannabis Control DCR Title 4, Division 19, §15006 Premises Diagram.		Percentage	pg. 112	75	75	Addressed Criteria
	D.2.A.	Diagram shall show boundaries of property and proposed location to be licensed and show all boundaries, dimensions, entrances and exits, interior partitions, walls, rooms, windows, and doorways, and shall include a brief statement or description of the principal activity to be conducted therein.	N/A				

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

D.2. Cont'd	**D.2.B.**	Diagram shall show and identifies commercial cannabis activities to take place in each area of the premises and identify all limited-access areas.	**N/A**				
	D.2.C.	Diagram shall show all camera locations and include assigned an number to each camera for identification purposes.	**N/A**				
	D.2.D.	The diagram shall be accurate, dimensioned and to-scale (minimum scale of 1/4").	**N/A**				
	D.2.E.	If the proposed location consists of only a portion of a property, the diagram is labeled indicating which part of the property will be used for the licensed premises and what activities will be used for the remaining property.	**N/A**				
D.3.	Describe operational security, including general security for access/visitor control, inventory control and cash handling procedures.		**Percentage**	pg. 95-101	**75**	**75**	Addressed Criteria
D.4.	Describe perimeter security, on-site security guards, proposed guard hours and their responsibilities, and lighting.		**Percentage**	pg. 101-104	**35**	**35**	Addressed Criteria
D.5.	Describe employee training and general security policies.		**Percentage**	pg. 104-106	**15**	**15**	Addressed Criteria
Summary	[redacted]						

Section E: Qualification of Owners (400 points)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
E.1.	Demonstrate the business owner's experience in owning, managing, and operating a cannabis business. Evidence that prior experience was from legally permitted activities.	**Percentage**	pg. 113-121	**150**	**150**	Addressed Criteria
E.2.	Demonstrate knowledge of the cannabis industry, including identification of how industry best practices and state regulations have been incorporated in existing/prior legal businesses outside the City of Madera.	**Percentage**	pg. 122-125	**100**	**100**	Addressed Criteria
E.3.	Describe the involvement of the ownership team in the day-to-day operation of the business.	**Percentage**	pg. 125-126	**150**	**150**	Addressed Criteria
Summary	[redacted]					

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

Section F: Neighborhood Compatibility (400 points)			Scoring Basis	Page Number	Points Available	Points Received	Evaluation
F.1.	Describe how the business will proactively address and respond to complaints related to noise, light, odor, and vehicle and pedestrian traffic and avoid becoming a nuisance or negative impact.		**Percentage**	pg. 127-142	**25**	**25**	Addressed Criteria
F.2.	Describe the waste management plan including: waste disposal locations, security measures, methods of rendering all waste unusable and unrecognizable, and the vendor in charge of disposal.		**Percentage**	pg.142-144	**100**	**100**	Addressed Criteria
F.3.	**The application includes the following information about the proposed location:**						
	F.3.A.	Physical address and a detailed description of the proposed location, including overall property, building, and interior floor plan.	**Percentage**	pg. 145-150	**50**	**50**	Addressed Criteria
	F.3.B.	Describes all known nearby State and local sensitive use areas. (Business must have the appropriate zoning locational requirements described in MMC sections 6-5.33 and Title X)	**All or None**	pg. 151	**25**	**25**	Addressed Criteria
	F.3.C.	Lists nearby, well-traveled paths to schools and describes how the business will proactively protect youth on these paths from exposure to the cannabis business.	**All or None**	pg. 151-153	**25**	**25**	Addressed Criteria
	F.3.D.	Describes how the business will proactively take steps about community concerns to protect the youth generally from the impacts of the cannabis business.	**Percentage**	pg. 155	**50**	**50**	Addressed Criteria
	F.3.E.	Proof of ownership, lease agreement, or a Letter of Intent to Lease.	**All or None**	pg. 155 PDF File #1	**50**	**50**	Addressed Criteria
	F.3.F.	Vicinity map.	**All or None**	pg. 156	**25**	**25**	Addressed Criteria
	F.3.G.	Photographs of existing site and buildings.	**All or None**	pg. 157-159	**25**	**25**	Addressed Criteria
	F.3.H.	Evidence that the location has access to public transportation for employees or customers.	**All or None**	pg. 160	**25**	**25**	Addressed Criteria
Summary							

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

Section G: Community Benefits and Investment Plan (500 points)		Scoring Basis	Page Number	Points Available	Points Received	Evaluation
G.1.	Describes benefits the business will provide to the local community. May include: directly aiding, participating in, volunteer services, monetary donations, financial support, funding, and or any other economic incentives to the City or other charitable organizations in which will help achieve the strategic policy goals of the City Council in permitting cannabis businesses in the City of Madera.	Percentage	pg. 161-172	500	500	Addressed Criteria
Summary						

Section H: Proposed Location (300 points)		Scoring Basis	Page Number	Points Available	Points Received	Evaluation
H.	In addition to the location details required in the Security Plan, the application shall include a thorough narrative description of the proposed location, including overall site, existing and/or proposed building(s), parking spaces, driveways, pedestrian sidewalks/rights-of-way, and neighboring businesses on the parcel.	Percentage	pg. 174-176	100	100	Addressed Criteria
H.1.	Applicant must have the appropriate zoning and meet all the locational requirements as described in MMC Section 6-5.33 and Title X.	All or None	PDF File #5	150	150	Addressed Criteria
H.2.	In addition to the Site Diagram submitted with the Security Plan above, application must include a (Site) diagram depicting all details described in the narrative description of the proposed location.	Percentage	pg. 178	50	50	Addressed Criteria
Summary						

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

Madera Has Culture, Inc. dba Culture Cannabis Club	Original Report
Applicant Name / DBA:	**Report Type:**
233 E. Yosemite Avenue, Madera, CA 93638	Friday, August 12, 2022
Proposed Location / Physical Address:	**Report Date:**
Retail Storefront	Complete Upon Initial Review.
License Type:	**Report Status:**

Points Available: 3,000 **Points Awarded:** 3,000

Score: 100.00%

PHASE II: APPLICATION EVALUATION AND REVIEW (3,000 Points)

During this application period the City will allow up to six (6) cannabis business permits. The Procedure Guidelines and Review Criteria constitute the application process and are adopted pursuant to the City of Madera Municipal Code (MMC) Section 6-5.13 and Title X, Chapter 3 (Zoning Regulations). Applications will be reviewed and scored using a merit-based system. At a minimum the top ten (10) applicants who score a minimum of 90% or higher (2,700 points) in Phase II may be eligible to advance to Phase III. However, the City may at its sole discretion select more than ten (10) applicants based on the quantity and the overall quality of applications the City receives. Notice of the results of Phase II will be provided in writing via email to the primary contact listed on the application.

Section A: Business Plan (400 pts)		Scoring Basis	Page Number	Points Available	Points Received	Evaluation
Business Plan:						
A.1.	Budget for construction, operations, maintenance, compensation of employees, equipment, property lease, security equipment and staff, City fees, state fees, utility costs, product purchases, and other anticipated costs. Budget demonstrates sufficient capital to pay startup costs at least 3 months of operating costs and a describes sources and use of funds.	**Percentage**	pg. 17-21	**75**	**75**	Addressed Criteria
	A.1. A. Proof of capitalization, in the form of documentation of cash or other liquid assets on hand, Letters of Credit, or other equivalent assets which can be verified by the City.	**All or None**	pg. 21-22 PDF File #4	**50**	**50**	Addressed Criteria
	A.1.B. Pro forma for at least three years of operation.	**Percentage**	pg. 23-26	**75**	**75**	Addressed Criteria
	A.1.C. A schedule for beginning operation, including a narrative outlining any proposed construction and improvements and a timeline for completion.	**All or None**	pg. 27-28	**20**	**20**	Addressed Criteria
Daily Operations (Retail):						
A.2.1.	**Describes the day-to-day operations which meet best practice if you are applying for a RETAIL permit, including at a minimum the following criteria:**					
	A.2.1.A. Describe customer check-in procedures.	**Percentage**	pg. 38-40	**75**	**75**	Addressed Criteria
	A.2.1.B. Identify the location and procedures for receiving deliveries during business hours.	**All or None**	pg. 40-42	**25**	**25**	Addressed Criteria

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

A.2.1. Cont'd	**A.2.1.C.**	Describe the Point-of-Sale system to be used (including name), how it will interact with the states track-and-trace system, and the number of Point-of-Sale locations at full capacity.	**All or None**	pg.42-44	**20**	**20**	Addressed Criteria
	A.2.1.D.	Estimate the number of customers to be served per hour/day.	**All or None**	pg. 45-47	**10**	**10**	Addressed Criteria
	A.2.1.E.	Describe the proposed product line to be sold (including brand names), and estimate of the percentage of sales of flower and manufactured products.	**Percentage**	pg. 48-53	**20**	**20**	Addressed Criteria
	A.2.1.F.	If proposed, describe delivery service procedures, number of vehicles and product security during transportation.	**N/A**				2 vehicles.
	A.2.1.G.	Describes how the Cannabis Business will conform to local and state laws. See MMC Sections 6-5.40 and Title X.	**Percentage**	pg. 59-64	**20**	**20**	Addressed Criteria
	A.2.1.H.	Describes how cannabis will be tracked and monitored to prevent diversion.	**All or None**	pg.64-65	**10**	**10**	Addressed Criteria
Summary	[redacted]						

Section B: Labor, Equity, Diversity, and Inclusion Plan (400 pts)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
B.1.	Describe the extent business will include recognition of the collective bargaining rights of employees in accordance with Section 6-5.13 (G).	**All or None**	pg. 66-69	**25**	**25**	Addressed Criteria
B.2.	Identify the number of employees at initial opening and maximum number of employees at full capacity.	**All or None**	pg. 69-71	**25**	**25**	Addressed Criteria
B.3.	Describe the diversity and inclusion programs that will be developed to embrace a diverse work force with a diverse set of perspectives, work and life experiences, religious, and cultural differences that provide equal opportunities for employee development.	**All or None**	pg.71-74	**25**	**25**	Addressed Criteria
B.4.	Identify all positions and their responsibilities.	**Percentage**	pg. 74-75	**50**	**50**	Addressed Criteria
B.5.	Describe compensation to and opportunities for continuing education and training for employees.	**Percentage**	pg. 75-79	**50**	**50**	Addressed Criteria
B.6.	Describe whether the cannabis business is committed to offering employees a Living Wage.	**All or None**	pg. 80	**100**	**100**	Addressed Criteria

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

B.7.	Describe the benefits provided to employees such as health care, vacation, and medical leave, to the degree they are offered as part of employment.	**All or None**	pg. 81-82	**25**	**25**	Addressed Criteria
B.8.	Describe the extent to which the cannabis business will be locally owned and how the owner(s) have resided within the County of Madera for at least one year prior to June 1, 2021.	**All or None**	pg. 83-86	**100**	**100**	Addressed Criteria
Summary	[redacted]					

Section C: Safety Plan (300 points)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
C.1.	The detailed Safety Plan shall be prepared by a California professional fire prevention and suppression consultant.	**All or None**	pg. 87-89	**100**	**100**	Addressed Criteria
C.2.	Describes all fire prevention and suppression measures, fire extinguisher locations, evacuation routes and alarm systems in place.	**Percentage**	pg.89-94	**100**	**100**	Addressed Criteria
C.3.	Describes all accident and incident reporting procedures.	**All or None**	pg. 94-99	**50**	**50**	Addressed Criteria
C.4.	Identify all known chemicals, gases, solvents and nutrients to be used and stored on the licensed premises. Identify storage location and how each will be secured.	**Percentage**	pg. 100	**50**	**50**	Addressed Criteria
Summary	[redacted]					

Section D: Security Plan (300 points)			**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
D.1.		The Security Plan shall be prepared and/or assessed by a professional security consultant.	**All or None**	pg. 103-104	**100**	**100**	Addressed Criteria
	D.1.A.	Plan shall demonstrate how the cannabis business wishes to develop the floor plan and address other security issues on the property.					

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

D.2.	Premises Diagram. In addition to the site plans submitted for the Proposed Location (in Section H of Appendix A), a separate Premises Diagram must be included in this Security Plan section (Section D) of the application. Diagram must meet the requirements of the Department of Cannabis Control DCR Title 4, Division 19, §15006 Premises Diagram.		**Percentage**	pg. 128	**75**	**75**	Addressed Criteria
	D.2.A.	Diagram shall show boundaries of property and proposed location to be licensed and show all boundaries, dimensions, entrances and exits, interior partitions, walls, rooms, windows, and doorways, and shall include a brief statement or description of the principal activity to be conducted therein.	**N/A**				
	D.2.B.	Diagram shall show and identifies commercial cannabis activities to take place in each area of the premises and identify all limited-access areas.	**N/A**				
	D.2.C.	Diagram shall show all camera locations and include assigned an number to each camera for identification purposes.	**N/A**				
	D.2.D.	The diagram shall be accurate, dimensioned and to-scale (minimum scale of 1/4").	**N/A**				
	D.2.E.	If the proposed location consists of only a portion of a property, the diagram is labeled indicating which part of the property will be used for the licensed premises and what activities will be used for the remaining property.	**N/A**				
D.3.	Describe operational security, including general security for access/visitor control, inventory control and cash handling procedures.		**Percentage**	pg. 105-110	**75**	**75**	Addressed Criteria
D.4.	Describe perimeter security, on-site security guards, proposed guard hours and their responsibilities, and lighting.		**Percentage**	pg. 111-118	**35**	**35**	Addressed Criteria
D.5.	Describe employee training and general security policies.		**Percentage**	pg. 118-120	**15**	**15**	Addressed Criteria
Summary							

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

Section E: Qualification of Owners (400 points)		Scoring Basis	Page Number	Points Available	Points Received	Evaluation
E.1.	Demonstrate the business owner's experience in owning, managing, and operating a cannabis business. Evidence that prior experience was from legally permitted activities.	**Percentage**	pg. 129-144	**150**	**150**	Addressed Criteria
E.2.	Demonstrate knowledge of the cannabis industry, including identification of how industry best practices and state regulations have been incorporated in existing/prior legal businesses outside the City of Madera.	**Percentage**	pg.144-146	**100**	**100**	Addressed Criteria
E.3.	Describe the involvement of the ownership team in the day-to-day operation of the business.	**Percentage**	pg. 146-147	**150**	**150**	Addressed Criteria
Summary						

Section F: Neighborhood Compatibility (400 points)			Scoring Basis	Page Number	Points Available	Points Received	Evaluation
F.1.	Describe how the business will proactively address and respond to complaints related to noise, light, odor, and vehicle and pedestrian traffic and avoid becoming a nuisance or negative impact.		**Percentage**	pg. 148-156	**25**	**25**	Addressed Criteria
F.2.	Describe the waste management plan including: waste disposal locations, security measures, methods of rendering all waste unusable and unrecognizable, and the vendor in charge of disposal.		**Percentage**	pg. 156-161	**100**	**100**	Addressed Criteria
F.3.	**The application includes the following information about the proposed location:**						
	F.3.A.	Physical address and a detailed description of the proposed location, including overall property, building, and interior floor plan.	**Percentage**	pg. 161-166	**50**	**50**	Addressed Criteria
	F.3.B.	Describes all known nearby State and local sensitive use areas. (Business must have the appropriate zoning locational requirements described in MMC sections 6-5.33 and Title X)	**All or None**	pg. 166-167	**25**	**25**	Addressed Criteria
	F.3.C.	Lists nearby, well-traveled paths to schools and describes how the business will proactively protect youth on these paths from exposure to the cannabis business.	**All or None**	pg. 167-175	**25**	**25**	Addressed Criteria
	F.3.D.	Describes how the business will proactively take steps about community concerns to protect the youth generally from the impacts of the cannabis business.	**Percentage**	pg. 176	**50**	**50**	Addressed Criteria

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

F.3. Cont'd	**F.3.E.**	Proof of ownership, lease agreement, or a Letter of Intent to Lease.	**All or None**	pg. 176 PDF File #1 pg. 28-61	**50**	**50**	Addressed Criteria
	F.3.F.	Vicinity map.	**All or None**	pg. 179	**25**	**25**	Addressed Criteria
	F.3.G.	Photographs of existing site and buildings.	**All or None**	pg. 179-180	**25**	**25**	Addressed Criteria
	F.3.H.	Evidence that the location has access to public transportation for employees or customers.	**All or None**	pg. 181-182	**25**	**25**	Addressed Criteria
Summary							

Section G: Community Benefits and Investment Plan (500 points)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
G.1.	Describes benefits the business will provide to the local community. May include: directly aiding, participating in, volunteer services, monetary donations, financial support, funding, and or any other economic incentives to the City or other charitable organizations in which will help achieve the strategic policy goals of the City Council in permitting cannabis businesses in the City of Madera.	**Percentage**	pg. 183-192	**500**	**500**	Addressed Criteria
Summary						

Section H: Proposed Location (300 points)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
H.	In addition to the location details required in the Security Plan, the application shall include a thorough narrative description of the proposed location, including overall site, existing and/or proposed building(s), parking spaces, driveways, pedestrian sidewalks/rights-of-way, and neighboring businesses on the parcel.	**Percentage**	pg. 193-195	**100**	**100**	Addressed Criteria

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

H. Cont'd	**H.1.**	Applicant must have the appropriate zoning and meet all the locational requirements as described in MMC Section 6-5.33 and Title X.	**All or None**	pg.196 PDF File #5 pg. 3	**150**	**150**	Addressed Criteria
	H.2.	In addition to the Site Diagram submitted with the Security Plan above, application must include a (Site) diagram depicting all details described in the narrative description of the proposed location.	**Percentage**	pg. 197	**50**	**50**	Addressed Criteria
Summary							

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

Maderjiuana LLC dba Yerba
Applicant Name / DBA:

404 East Yosemite Avenue, Madera, CA 93638
Proposed Location / Physical Address:

Retail Storefront
License Type:

Original Report
Report Type:

Thursday, August 4, 2022
Report Date:

Complete Upon Initial Review.
Report Status:

Points Available: 3,000 **Points Awarded:** 2,504

Score: 83.47%

PHASE II: APPLICATION EVALUATION AND REVIEW (3,000 Points)

During this application period the City will allow up to six (6) cannabis business permits. The Procedure Guidelines and Review Criteria constitute the application process and are adopted pursuant to the City of Madera Municipal Code (MMC) Section 6-5.13 and Title X, Chapter 3 (Zoning Regulations). Applications will be reviewed and scored using a merit-based system. At a minimum the top ten (10) applicants who score a minimum of 90% or higher (2,700 points) in Phase II may be eligible to advance to Phase III. However, the City may at its sole discretion select more than ten (10) applicants based on the quantity and the overall quality of applications the City receives. Notice of the results of Phase II will be provided in writing via email to the primary contact listed on the application.

Section A: Business Plan (400 pts)			Scoring Basis	Page Number	Points Available	Points Received	Evaluation
Business Plan:							
A.1.	Budget for construction, operations, maintenance, compensation of employees, equipment, property lease, security equipment and staff, City fees, state fees, utility costs, product purchases, and other anticipated costs. Budget demonstrates sufficient capital to pay startup costs at least 3 months of operating costs and a describes sources and use of funds.		**Percentage**	All Application PDF files	**75**	**57**	Additionally, applicant did not demonstate sufficient capital to pay startup costs and at least 3 months of operating costs.
	A.1. A.	Proof of capitalization, in the form of documentation of cash or other liquid assets on hand, Letters of Credit, or other equivalent assets which can be verified by the City.	**All or None**	All Application PDF files	**50**	**0**	Applicant did not provide proof of capitalization.
	A.1.B.	Pro forma for at least three years of operation.	**Percentage**	pg. 5	**75**	**64**	Review of page 5 of the application showed that the applicant's 3-year Pro Forma did not include a budget for construction, operations, maintenance, equipment, city fees, and state fees.
	A.1.C.	A schedule for beginning operation, including a narrative outlining any proposed construction and improvements and a timeline for completion.	**All or None**	All Application PDF files	**20**	**0**	Applicant did not include a schedule for beginning operation, including a narrative outlining any proposed construction and improvements and a timeline for completion.
Daily Operations (Retail):							
A.2.1.	**Describes the day-to-day operations which meet best practice if you are applying for a RETAIL permit, including at a minimum the following criteria:**						
	A.2.1.A.	Describe customer check-in procedures.	**Percentage**	Pg. 6	**75**	**75**	Addressed Criteria
	A.2.1.B.	Identify the location and procedures for receiving deliveries during business hours.	**All or None**	pg. 6	**25**	**25**	Addressed Criteria

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

A.2.1. Cont'd	**A.2.1.C.**	Describe the Point-of-Sale system to be used (including name), how it will interact with the states track-and-trace system, and the number of Point-of-Sale locations at full capacity.	**All or None**	pg. 6	**20**	**20**	Addressed Criteria
	A.2.1.D.	Estimate the number of customers to be served per hour/day.	**All or None**	pg. 5	**10**	**10**	Addressed Criteria
	A.2.1.E.	Describe the proposed product line to be sold (including brand names), and estimate of the percentage of sales of flower and manufactured products.	**Percentage**	pg. 7	**20**	**20**	Addressed Criteria
	A.2.1.F.	If proposed, describe delivery service procedures, number of vehicles and product security during	**N/A**				
	A.2.1.G.	Describes how the Cannabis Business will conform to local and state laws. See MMC Sections 6-5.40 and Title X.	**Percentage**	pg. 7	**20**	**20**	Addressed Criteria
	A.2.1.H.	Describes how cannabis will be tracked and monitored to prevent	**All or None**	pg. 7	**10**	**10**	Addressed Criteria
Summary	[redacted]						

Section B: Labor, Equity, Diversity, and Inclusion Plan (400 pts)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
B.1.	Describe the extent business will include recognition of the collective bargaining rights of employees in accordance with Section 6-5.13 (G).	**All or None**	pg. 8	**25**	**25**	Addressed Criteria
B.2.	Identify the number of employees at initial opening and maximum number of employees at full capacity.	**All or None**	pg. 8	**25**	**25**	Addressed Criteria
B.3.	Describe the diversity and inclusion programs that will be developed to embrace a diverse work force with a diverse set of perspectives, work and life experiences, religious, and cultural differences that provide equal opportunities for employee development.	**All or None**	pg. 8	**25**	**25**	Addressed Criteria
B.4.	Identify all positions and their responsibilities.	**Percentage**	pg. 8	**50**	**50**	Addressed Criteria
B.5.	Describe compensation to and opportunities for continuing education and training for employees.	**Percentage**	pg. 8	**50**	**50**	Addressed Criteria
B.6.	Describe whether the cannabis business is committed to offering employees a Living Wage.	**All or None**	pg. 8	**100**	**100**	Addressed Criteria
B.7.	Describe the benefits provided to employees such as health care, vacation, and medical leave, to the degree they are offered as part of employment.	**All or None**	pg. 8	**25**	**25**	Addressed Criteria
B.8.	Describe the extent to which the cannabis business will be locally owned and how the owner(s) have resided within the County of Madera for at least one year prior to June 1, 2021.	**All or None**	All Application PDF files	**100**	**0**	Applicant did not provide proof of residency in the form of mortgage statements, lease agreements, tax bills, utility bill or any other documentation capable of showing residency established prior to June 1, 2021.
Summary	[redacted]					

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

Section C: Safety Plan (300 points)		Scoring Basis	Page Number	Points Available	Points Received	Evaluation
C.1.	The detailed Safety Plan shall be prepared by a California professional fire prevention and suppression consultant.	**All or None**	pg. 9-23	**100**	**0**	Applicant's Safety Plan was not prepared by a California professional fire prevention and suppression consultant. As such, the applicant was not awarded points for this section.
C.2.	Describes all fire prevention and suppression measures, fire extinguisher locations, evacuation routes and alarm systems in place.	**Percentage**	pg. 9-23	**100**	**85**	Review of pages 9 through 23 of the application showed that the applicants Safety Plan did not describe the fire extinguisher locations, evacuation routes, and alarm systems and place.
C.3.	Describes all accident and incident reporting procedures.	**All or None**	pg. 18-20	**50**	**50**	Addressed Criteria
C.4.	Identify all known chemicals, gases, solvents and nutrients to be used and stored on the licensed premises. Identify storage location and how each will be secured.	**Percentage**	pg. 9-23	**50**	**40**	Review of pages 9 through 23 of the application showed that the applicants Safety Plan did not identify any known chemicals, gases, solvents, and nutrients to be used and stored on the licensed premises.
Summary						

Section D: Security Plan (300 points)			Scoring Basis	Page Number	Points Available	Points Received	Evaluation
D.1.	The Security Plan shall be prepared and/or assessed by a professional security consultant.		**All or None**	pg. 24-25	**100**	**0**	Applicants Security Plan was not prepared by a professional security consultant.
	D.1.A.	Plan shall demonstrate how the cannabis business wishes to develop the floor plan and address other security issues on the property.					
D.2.	Premises Diagram. In addition to the site plans submitted for the Proposed Location (in Section H of Appendix A), a separate Premises Diagram must be included in this Security Plan section (Section D) of the application. Diagram must meet the requirements of the Department of Cannabis Control DCR Title 4, Division 19, §15006 Premises Diagram.		**Percentage**	pg. 25	**75**	**68**	Review of page 25 showed that the applicant's premises diagram did not meet the requirements of the Department of Cannabis Control DCR Title 4, Division 19, §15006 Premises Diagram as the applicant did not identify the location of the surveillance-system storage device, and identified the state defined "Retail Area" as a "Show Room".
	D.2.A.	Diagram shall show boundaries of property and proposed location to be licensed and show all boundaries, dimensions, entrances and exits, interior partitions, walls, rooms, windows, and doorways, and shall include a brief statement or description of the principal activity to be conducted therein.	**N/A**				
	D.2.B.	Diagram shall show and identifies commercial cannabis activities to take place in each area of the premises and identify all limited-access areas.	**N/A**				

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

D.2. Cont'd	**D.2.C.**	Diagram shall show all camera locations and include assigned an number to each camera for identification purposes.	**N/A**				
	D.2.D.	The diagram shall be accurate, dimensioned and to-scale (minimum scale of 1/4").	**N/A**				
	D.2.E.	If the proposed location consists of only a portion of a property, the diagram is labeled indicating which part of the property will be used for the licensed premises and what activities will be used for the remaining property.	**N/A**				
D.3.	Describe operational security, including general security for access/visitor control, inventory control and cash handling procedures.		**Percentage**	pg. 24-25	**75**	**68**	Review of pages 24 through 25 of the application showed that the applicant's Security Plan did not describe visitor identification and sign-in/sign-out procedures or describe cash handling procedures.
D.4.	Describe perimeter security, on-site security guards, proposed guard hours and their responsibilities, and lighting.		**Percentage**	pg. 24	**35**	**35**	Addressed Criteria
D.5.	Describe employee training and general security policies.		**Percentage**	pg. 24-25	**15**	**12**	Review of pages 24 through 25 of the application showed that the applicant's Security Plan did not describe employee training and general security policies.
Summary	[redacted]						

Section E: Qualification of Owners (400 points)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
E.1.	Demonstrate the business owner's experience in owning, managing, and operating a cannabis business. Evidence that prior experience was from legally permitted activities.	**Percentage**	pg. 26	**150**	**150**	Addressed Criteria
E.2.	Demonstrate knowledge of the cannabis industry, including identification of how industry best practices and state regulations have been incorporated in existing/prior legal businesses outside the City of Madera.	**Percentage**	pg. 26	**100**	**100**	Addressed Criteria
E.3.	Describe the involvement of the ownership team in the day-to-day operation of the business.	**Percentage**	pg. 26	**150**	**150**	Addressed Criteria
Summary	[redacted]					

Section F: Neighborhood Compatibility (400 points)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
F.1.	Describe how the business will proactively address and respond to complaints related to noise, light, odor, and vehicle and pedestrian traffic and avoid becoming a nuisance or negative impact.	**Percentage**	pg. 27	**25**	**25**	Addressed Criteria
F.2.	Describe the waste management plan including: waste disposal locations, security measures, methods of rendering all waste unusable and unrecognizable, and the vendor in charge of disposal.	**Percentage**	pg. 27	**100**	**100**	Addressed Criteria

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

F.3.	**The application includes the following information about the proposed location:**						
	F.3.A.	Physical address and a detailed description of the proposed location, including overall property, building, and interior floor plan.	**Percentage**	pg. 27	**50**	**50**	Addressed Criteria
	F.3.B.	Describes all known nearby State and local sensitive use areas. (Business must have the appropriate zoning locational requirements described in MMC sections 6-5.33 and Title X)	**All or None**	pg. 27-28	**25**	**25**	Addressed Criteria
	F.3.C.	Lists nearby, well-traveled paths to schools and describes how the business will proactively protect youth on these paths from exposure to the cannabis business.	**All or None**	pg. 28	**25**	**25**	Addressed Criteria
	F.3.D.	Describes how the business will proactively take steps about community concerns to protect the youth generally from the impacts of the cannabis business.	**Percentage**	pg. 27-28	**50**	**50**	Addressed Criteria
	F.3.E.	Proof of ownership, lease agreement, or a Letter of Intent to Lease.	**All or None**	pg. 30-31	**50**	**50**	Addressed Criteria
	F.3.F.	Vicinity map.	**All or None**	pg. 36	**25**	**25**	Addressed Criteria
	F.3.G.	Photographs of existing site and buildings.	**All or None**	pg. 27-32	**25**	**0**	Review of pages 27 through 32 of the application showed that the applicants Neighborhood Compatibility Plan did not include photographs of existing site and buildings.
	F.3.H.	Evidence that the location has access to public transportation for employees or customers.	**All or None**	pg. 27-32	**25**	**0**	Review of pages 27 through 32 of the application showed that the applicants Neighborhood Compatibility Plan did not provide evidence that the location had access to public transportation for employees or customers.
Summary	[redacted]						

Section G: Community Benefits and Investment Plan (500 points)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
G.1.	Describes benefits the business will provide to the local community. May include: directly aiding, participating in, volunteer services, monetary donations, financial support, funding, and or any other economic incentives to the City or other charitable organizations in which will help achieve the strategic policy goals of the City Council in permitting cannabis businesses in the City of Madera.	**Percentage**	pg.33	**500**	**500**	Addressed Criteria
Summary	[redacted]					

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

Section H: Proposed Location (300 points)			Scoring Basis	Page Number	Points Available	Points Received	Evaluation
H.	In addition to the location details required in the Security Plan, the application shall include a thorough narrative description of the proposed location, including overall site, existing and/or proposed building(s), parking spaces, driveways, pedestrian sidewalks/rights-of-way, and neighboring businesses on the parcel.		**Percentage**	pg. 34-38	**100**	**95**	Review of pages 34 through 38 of the application showed that the application did not include a narrative description of the proposed location's parking spaces or driveways.
	H.1.	Applicant must have the appropriate zoning and meet all the locational requirements as described in MMC Section 6-5.33 and Title X.	**All or None**	PDF File #4 pg. 2	**150**	**150**	Addressed Criteria
	H.2.	In addition to the Site Diagram submitted with the Security Plan above, application must include a (Site) diagram depicting all details described in the narrative description of the proposed location.	**Percentage**	pg. 36	**50**	**50**	Addressed Criteria
Summary							

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

Mainstream Madera, LLC
Applicant Name / DBA:

300 East Yosemite St., Madera CA 93638
Proposed Location / Physical Address:

Retail Storefront
License Type:

Original Report
Report Type:

Wednesday, July 20, 2022
Report Date:

Complete Upon Initial Review.
Report Status:

Points Available: 3,000 **Points Awarded:** 3,000

Score: 100.00%

PHASE II: APPLICATION EVALUATION AND REVIEW (3,000 Points)

During this application period the City will allow up to six (6) cannabis business permits. The Procedure Guidelines and Review Criteria constitute the application process and are adopted pursuant to the City of Madera Municipal Code (MMC) Section 6-5.13 and Title X, Chapter 3 (Zoning Regulations). Applications will be reviewed and scored using a merit-based system. At a minimum the top ten (10) applicants who score a minimum of 90% or higher (2,700 points) in Phase II may be eligible to advance to Phase III. However, the City may at its sole discretion select more than ten (10) applicants based on the quantity and the overall quality of applications the City receives. Notice of the results of Phase II will be provided in writing via email to the primary contact listed on the application.

Section A: Business Plan (400 pts)			Scoring Basis	Page Number	Points Available	Points Received	Evaluation
Business Plan:							
A.1.	Budget for construction, operations, maintenance, compensation of employees, equipment, property lease, security equipment and staff, City fees, state fees, utility costs, product purchases, and other anticipated costs. Budget demonstrates sufficient capital to pay startup costs at least 3 months of operating costs and a describes sources and use of funds.		**Percentage**	pg. 2-9	**75**	**75**	Addressed Criteria
	A.1. A.	Proof of capitalization, in the form of documentation of cash or other liquid assets on hand, Letters of Credit, or other equivalent assets which can be verified by the City.	**All or None**	pg. 7	**50**	**50**	Addressed Criteria
	A.1.B.	Pro forma for at least three years of operation.	**Percentage**	pg. 8-9	**75**	**75**	Addressed Criteria
	A.1.C.	A schedule for beginning operation, including a narrative outlining any proposed construction and improvements and a timeline for completion.	**All or None**	pg. 9-10	**20**	**20**	Addressed Criteria
Daily Operations (Retail):							
A.2.1.	**Describes the day-to-day operations which meet best practice if you are applying for a RETAIL permit, including at a minimum the following criteria:**						
	A.2.1.A.	Describe customer check-in procedures.	**Percentage**	pg. 11-12	**75**	**75**	Addressed Criteria
	A.2.1.B.	Identify the location and procedures for receiving deliveries during business hours.	**All or None**	pg. 12-14	**25**	**25**	Addressed Criteria

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

A.2.1. Cont'd	**A.2.1.C.**	Describe the Point-of-Sale system to be used (including name), how it will interact with the states track-and-trace system, and the number of Point-of-Sale locations at full capacity.	**All or None**	pg. 15	**20**	**20**	Addressed Criteria
	A.2.1.D.	Estimate the number of customers to be served per hour/day.	**All or None**	pg. 15	**10**	**10**	Addressed Criteria
	A.2.1.E.	Describe the proposed product line to be sold (including brand names), and estimate of the percentage of sales of flower and manufactured products.	**Percentage**	pg. 16-18	**20**	**20**	Addressed Criteria
	A.2.1.F.	If proposed, describe delivery service procedures, number of vehicles and product security during transportation.	**N/A**				
	A.2.1.G.	Describes how the Cannabis Business will conform to local and state laws. See MMC Sections 6-5.40 and Title X.	**Percentage**	pg. 24-25	**20**	**20**	Addressed Criteria
	A.2.1.H.	Describes how cannabis will be tracked and monitored to prevent diversion.	**All or None**	pg. 26-28	**10**	**10**	Addressed Criteria
Summary		[redacted]					

Section B: Labor, Equity, Diversity, and Inclusion Plan (400 pts)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
B.1.	Describe the extent business will include recognition of the collective bargaining rights of employees in accordance with Section 6-5.13 (G).	**All or None**	pg. 30	**25**	**25**	Addressed Criteria
B.2.	Identify the number of employees at initial opening and maximum number of employees at full capacity.	**All or None**	pg. 36	**25**	**25**	Addressed Criteria
B.3.	Describe the diversity and inclusion programs that will be developed to embrace a diverse work force with a diverse set of perspectives, work and life experiences, religious, and cultural differences that provide equal opportunities for employee development.	**All or None**	pg. 37-39	**25**	**25**	Addressed Criteria
B.4.	Identify all positions and their responsibilities.	**Percentage**	pg. 39-40	**50**	**50**	Addressed Criteria
B.5.	Describe compensation to and opportunities for continuing education and training for employees.	**Percentage**	pg. 40-44	**50**	**50**	Addressed Criteria
B.6.	Describe whether the cannabis business is committed to offering employees a Living Wage.	**All or None**	pg. 44	**100**	**100**	Addressed Criteria
B.7.	Describe the benefits provided to employees such as health care, vacation, and medical leave, to the degree they are offered as part of employment.	**All or None**	pg. 44-45	**25**	**25**	Addressed Criteria

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

B.8.	Describe the extent to which the cannabis business will be locally owned and how the owner(s) have resided within the County of Madera for at least one year prior to June 1, 2021.	**All or None**	pg. 45	**100**	**100**	Addressed Criteria
Summary	[redacted]					
Section C: Safety Plan (300 points)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
C.1.	The detailed Safety Plan shall be prepared by a California professional fire prevention and suppression consultant.	**All or None**	pg. 50	**100**	**100**	Addressed Criteria
C.2.	Describes all fire prevention and suppression measures, fire extinguisher locations, evacuation routes and alarm systems in place.	**Percentage**	pg. 53-59	**100**	**100**	Addressed Criteria
C.3.	Describes all accident and incident reporting procedures.	**All or None**	pg. 59-65	**50**	**50**	Addressed Criteria
C.4.	Identify all known chemicals, gases, solvents and nutrients to be used and stored on the licensed premises. Identify storage location and how each will be secured.	**Percentage**	pg. 65-66	**50**	**50**	Addressed Criteria
Summary	[redacted]					
Section D: Security Plan (300 points)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
D.1.	The Security Plan shall be prepared and/or assessed by a professional security consultant.	**All or None**	pg. 68	**100**	**100**	Addressed Criteria
D.1.A.	Plan shall demonstrate how the cannabis business wishes to develop the floor plan and address other security issues on the property.					
D.2.	Premises Diagram. In addition to the site plans submitted for the Proposed Location (in Section H of Appendix A), a separate Premises Diagram must be included in this Security Plan section (Section D) of the application. Diagram must meet the requirements of the Department of Cannabis Control DCR Title 4, Division 19, §15006 Premises Diagram.	**Percentage**	pg. 88	**75**	**75**	Addressed Criteria

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

D.2. Cont'd	**D.2.A.**	Diagram shall show boundaries of property and proposed location to be licensed and show all boundaries, dimensions, entrances and exits, interior partitions, walls, rooms, windows, and doorways, and shall include a brief statement or description of the principal activity to be conducted therein.	**N/A**				
	D.2.B.	Diagram shall show and identifies commercial cannabis activities to take place in each area of the premises and identify all limited-access areas.	**N/A**				
	D.2.C.	Diagram shall show all camera locations and include assigned an number to each camera for identification purposes.	**N/A**				
	D.2.D.	The diagram shall be accurate, dimensioned and to-scale (minimum scale of 1/4").	**N/A**				
	D.2.E.	If the proposed location consists of only a portion of a property, the diagram is labeled indicating which part of the property will be used for the licensed premises and what activities will be used for the remaining property.	**N/A**				
D.3.	Describe operational security, including general security for access/visitor control, inventory control and cash handling procedures.		**Percentage**	pg. 71-76	**75**	**75**	Addressed Criteria
D.4.	Describe perimeter security, on-site security guards, proposed guard hours and their responsibilities, and lighting.		**Percentage**	pg. 76-79	**35**	**35**	Addressed Criteria
D.5.	Describe employee training and general security policies.		**Percentage**	pg. 80	**15**	**15**	Addressed Criteria
Summary	[redacted]						

Section E: Qualification of Owners (400 points)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
E.1.	Demonstrate the business owner's experience in owning, managing, and operating a cannabis business. Evidence that prior experience was from legally permitted activities.	**Percentage**	pg. 90-91	**150**	**150**	Addressed Criteria
E.2.	Demonstrate knowledge of the cannabis industry, including identification of how industry best practices and state regulations have been incorporated in existing/prior legal businesses outside the City of Madera.	**Percentage**	pg. 92-93	**100**	**100**	Addressed Criteria

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

E.3.	Describe the involvement of the ownership team in the day-to-day operation of the business.	**Percentage**	pg. 94	**150**	**150**	Addressed Criteria
Summary	[redacted]					

Section F: Neighborhood Compatibility (400 points)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
F.1.	Describe how the business will proactively address and respond to complaints related to noise, light, odor, and vehicle and pedestrian traffic and avoid becoming a nuisance or negative impact.	**Percentage**	pg. 96-107	**25**	**25**	Addressed Criteria
F.2.	Describe the waste management plan including: waste disposal locations, security measures, methods of rendering all waste unusable and unrecognizable, and the vendor in charge of disposal.	**Percentage**	pg. 107-109	**100**	**100**	Addressed Criteria
F.3.	**The application includes the following information about the proposed location:**					
F.3.A.	Physical address and a detailed description of the proposed location, including overall property, building, and interior floor plan.	**Percentage**	pg. 109-110	**50**	**50**	Addressed Criteria
F.3.B.	Describes all known nearby State and local sensitive use areas. (Business must have the appropriate zoning locational requirements described in MMC sections 6-5.33 and Title X)	**All or None**	pg. 111-113	**25**	**25**	Addressed Criteria
F.3.C.	Lists nearby, well-traveled paths to schools and describes how the business will proactively protect youth on these paths from exposure to the cannabis business.	**All or None**	pg. 113	**25**	**25**	Addressed Criteria
F.3.D.	Describes how the business will proactively take steps about community concerns to protect the youth generally from the impacts of the cannabis business.	**Percentage**	pg. 113-114	**50**	**50**	Addressed Criteria
F.3.E.	Proof of ownership, lease agreement, or a Letter of Intent to Lease.	**All or None**	pg. 118	**50**	**50**	Addressed Criteria
F.3.F.	Vicinity map.	**All or None**	pg. 119	**25**	**25**	Addressed Criteria
F.3.G.	Photographs of existing site and buildings.	**All or None**	pg. 119-120	**25**	**25**	Addressed Criteria
F.3.H.	Evidence that the location has access to public transportation for employees or customers.	**All or None**	pg. 120	**25**	**25**	Addressed Criteria
Summary	[redacted]					

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

Section G: Community Benefits and Investment Plan (500 points)		Scoring Basis	Page Number	Points Available	Points Received	Evaluation
G.1.	Describes benefits the business will provide to the local community. May include: directly aiding, participating in, volunteer services, monetary donations, financial support, funding, and or any other economic incentives to the City or other charitable organizations in which will help achieve the strategic policy goals of the City Council in permitting cannabis businesses in the City of Madera.	**Percentage**	pg. 121-140	**500**	**500**	Addressed Criteria
Summary	[redacted]					

Section H: Proposed Location (300 points)		Scoring Basis	Page Number	Points Available	Points Received	Evaluation
H.	In addition to the location details required in the Security Plan, the application shall include a thorough narrative description of the proposed location, including overall site, existing and/or proposed building(s), parking spaces, driveways, pedestrian sidewalks/rights-of-way, and neighboring businesses on the parcel.	**Percentage**	pg. 142-145	**100**	**100**	Addressed Criteria
H.1.	Applicant must have the appropriate zoning and meet all the locational requirements as described in MMC Section 6-5.33 and Title X.	**All or None**	pg. 145	**150**	**150**	Addressed Criteria
H.2.	In addition to the Site Diagram submitted with the Security Plan above, application must include a (Site) diagram depicting all details described in the narrative description of the proposed location.	**Percentage**	pg. 147	**50**	**50**	Addressed Criteria
Summary	[redacted]					

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

NMG CA 1, LLC dba BaM Body and Mind
Applicant Name / DBA:

1410 Country Club Dr., Madera, CA 93638
Proposed Location / Physical Address:

Retail Storefront
License Type:

Original Report
Report Type:

Thursday, August 11, 2022
Report Date:

Complete Upon Initial Review.
Report Status:

Points Available: 3,000 **Points Awarded:** 2,895

Score: 96.50%

PHASE II: APPLICATION EVALUATION AND REVIEW (3,000 Points)

During this application period the City will allow up to six (6) cannabis business permits. The Procedure Guidelines and Review Criteria constitute the application process and are adopted pursuant to the City of Madera Municipal Code (MMC) Section 6-5.13 and Title X, Chapter 3 (Zoning Regulations). Applications will be reviewed and scored using a merit-based system. At a minimum the top ten (10) applicants who score a minimum of 90% or higher (2,700 points) in Phase II may be eligible to advance to Phase III. However, the City may at its sole discretion select more than ten (10) applicants based on the quantity and the overall quality of applications the City receives. Notice of the results of Phase II will be provided in writing via email to the primary contact listed on the application.

Section A: Business Plan (400 pts)			Scoring Basis	Page Number	Points Available	Points Received	Evaluation
Business Plan:							
A.1.	Budget for construction, operations, maintenance, compensation of employees, equipment, property lease, security equipment and staff, City fees, state fees, utility costs, product purchases, and other anticipated costs. Budget demonstrates sufficient capital to pay startup costs at least 3 months of operating costs and a describes sources and use of funds.		**Percentage**	pg. 7	**75**	**75**	Addressed Criteria
	A.1. A.	Proof of capitalization, in the form of documentation of cash or other liquid assets on hand, Letters of Credit, or other equivalent assets which can be verified by the City.	**All or None**	pg. 8, PDF #4	**50**	**50**	Addressed Criteria
	A.1.B.	Pro forma for at least three years of operation.	**Percentage**	pg. 8-12	**75**	**75**	Addressed Criteria
	A.1.C.	A schedule for beginning operation, including a narrative outlining any proposed construction and improvements and a timeline for completion.	**All or None**	pg. 7	**20**	**20**	Addressed Criteria
Daily Operations (Retail):							
A.2.1.	**Describes the day-to-day operations which meet best practice if you are applying for a RETAIL permit, including at a minimum the following criteria:**						
	A.2.1.A.	Describe customer check-in procedures.	**Percentage**	pg. 17-23	**75**	**75**	Addressed Criteria
	A.2.1.B.	Identify the location and procedures for receiving deliveries during business hours.	**All or None**	pg. 23-24	**25**	**25**	Addressed Criteria

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

A.2.1. Cont'd	**A.2.1.C.**	Describe the Point-of-Sale system to be used (including name), how it will interact with the states track-and-trace system, and the number of Point-of-Sale locations at full capacity.	**All or None**	pg. 19, 24	**20**	**20**	Addressed Criteria
	A.2.1.D.	Estimate the number of customers to be served per hour/day.	**All or None**	pg. 4	**10**	**10**	Addressed Criteria
	A.2.1.E.	Describe the proposed product line to be sold (including brand names), and estimate of the percentage of sales of flower and manufactured products.	**Percentage**	pg. 28-34	**20**	**20**	Addressed Criteria
	A.2.1.F.	If proposed, describe delivery service procedures, number of vehicles and product security during transportation.	**N/A**	pg. 35-39			1 delivery vehicle
	A.2.1.G.	Describes how the Cannabis Business will conform to local and state laws. See MMC Sections 6-5.40 and Title X.	**Percentage**	pg. 39-45	**20**	**20**	Addressed Criteria
	A.2.1.H.	Describes how cannabis will be tracked and monitored to prevent diversion.	**All or None**	pg. 45-52	**10**	**10**	Addressed Criteria
Summary	[redacted]						

Section B: Labor, Equity, Diversity, and Inclusion Plan (400 pts)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
B.1.	Describe the extent business will include recognition of the collective bargaining rights of employees in accordance with Section 6-5.13 (G).	**All or None**	pg. 54-55	**25**	**25**	Addressed Criteria
B.2.	Identify the number of employees at initial opening and maximum number of employees at full capacity.	**All or None**	pg. 56	**25**	**25**	Addressed Criteria
B.3.	Describe the diversity and inclusion programs that will be developed to embrace a diverse work force with a diverse set of perspectives, work and life experiences, religious, and cultural differences that provide equal opportunities for employee development.	**All or None**	pg. 61-64	**25**	**25**	Addressed Criteria
B.4.	Identify all positions and their responsibilities.	**Percentage**	pg. 35, 66-70	**50**	**45**	Pages 35 the application showed that the applicant would provide a delivery service with a delivery employee. However, review of page 66 through 70 showed that the applicant did not identify the delivery drivers responsibility within the Labor, Equity, Diversity and Inclusion Plan.

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

B.5.	Describe compensation to and opportunities for continuing education and training for employees.	**Percentage**	pg. 71-79	**50**	**50**	Addressed Criteria
B.6.	Describe whether the cannabis business is committed to offering employees a Living Wage.	**All or None**	pg. 79-80	**100**	**100**	Addressed Criteria
B.7.	Describe the benefits provided to employees such as health care, vacation, and medical leave, to the degree they are offered as part of employment.	**All or None**	pg. 79-80	**25**	**25**	Addressed Criteria
B.8.	Describe the extent to which the cannabis business will be locally owned and how the owner(s) have resided within the County of Madera for at least one year prior to June 1, 2021.	**All or None**	PDF File #1 pg. 3-4	**100**	**0**	Owner's of the proposed business did not qualify for local status.
Summary	[redacted]					

Section C: Safety Plan (300 points)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
C.1.	The detailed Safety Plan shall be prepared by a California professional fire prevention and suppression consultant.	**All or None**	pg. 83	**100**	**100**	Addressed Criteria
C.2.	Describes all fire prevention and suppression measures, fire extinguisher locations, evacuation routes and alarm systems in place.	**Percentage**	pg. 85-96, 107-109	**100**	**100**	Addressed Criteria
C.3.	Describes all accident and incident reporting procedures.	**All or None**	pg. 99-101	**50**	**50**	Addressed Criteria
C.4.	Identify all known chemicals, gases, solvents and nutrients to be used and stored on the licensed premises. Identify storage location and how each will be secured.	**Percentage**	pg. 98	**50**	**50**	Addressed Criteria
Summary	[redacted]					

Section D: Security Plan (300 points)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
D.1.	The Security Plan shall be prepared and/or assessed by a professional security consultant.	**All or None**	pg. 13	**100**	**100**	Addressed Criteria
	D.1.A. Plan shall demonstrate how the cannabis business wishes to develop the floor plan and address other security issues on the property.					

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

D.2.	Premises Diagram. In addition to the site plans submitted for the Proposed Location (in Section H of Appendix A), a separate Premises Diagram must be included in this Security Plan section (Section D) of the application. Diagram must meet the requirements of the Department of Cannabis Control DCR Title 4, Division 19, §15006 Premises Diagram.		**Percentage**	pg. 124	**75**	**75**	Addressed Criteria
	D.2.A.	Diagram shall show boundaries of property and proposed location to be licensed and show all boundaries, dimensions, entrances and exits, interior partitions, walls, rooms, windows, and doorways, and shall include a brief statement or description of the principal activity to be conducted therein.	**N/A**				
	D.2.B.	Diagram shall show and identifies commercial cannabis activities to take place in each area of the premises and identify all limited-access areas.	**N/A**				
	D.2.C.	Diagram shall show all camera locations and include assigned an number to each camera for identification purposes.	**N/A**				
	D.2.D.	The diagram shall be accurate, dimensioned and to-scale (minimum scale of 1/4").	**N/A**				
	D.2.E.	If the proposed location consists of only a portion of a property, the diagram is labeled indicating which part of the property will be used for the licensed premises and what activities will be used for the remaining property.	**N/A**				
D.3.	Describe operational security, including general security for access/visitor control, inventory control and cash handling procedures.		**Percentage**	pg. 111-115	**75**	**75**	Addressed Criteria
D.4.	Describe perimeter security, on-site security guards, proposed guard hours and their responsibilities, and lighting.		**Percentage**	pg. 116	**35**	**35**	Addressed Criteria
D.5.	Describe employee training and general security policies.		**Percentage**	pg. 122	**15**	**15**	Addressed Criteria
Summary	[redacted]						

Section E: Qualification of Owners (400 points)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
E.1.	Demonstrate the business owner's experience in owning, managing, and operating a cannabis business. Evidence that prior experience was from legally permitted activities.	**Percentage**	pg. 125-128	**150**	**150**	Addressed Criteria

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

E.2.	Demonstrate knowledge of the cannabis industry, including identification of how industry best practices and state regulations have been incorporated in existing/prior legal businesses outside the City of Madera.	**Percentage**	pg. 129-139	**100**	**100**	Addressed Criteria
E.3.	Describe the involvement of the ownership team in the day-to-day operation of the business.	**Percentage**	pg. 129-136	**150**	**150**	Addressed Criteria
Summary	[redacted]					

Section F: Neighborhood Compatibility (400 points)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
F.1.	Describe how the business will proactively address and respond to complaints related to noise, light, odor, and vehicle and pedestrian traffic and avoid becoming a nuisance or negative impact.	**Percentage**	pg. 141-146	**25**	**25**	Addressed Criteria
F.2.	Describe the waste management plan including: waste disposal locations, security measures, methods of rendering all waste unusable and unrecognizable, and the vendor in charge of disposal.	**Percentage**	pg. 146-149	**100**	**100**	Addressed Criteria
F.3.	**The application includes the following information about the proposed location:**					
F.3.A.	Physical address and a detailed description of the proposed location, including overall property, building, and interior floor plan.	**Percentage**	pg. 150-152	**50**	**50**	Addressed Criteria
F.3.B.	Describes all known nearby State and local sensitive use areas. (Business must have the appropriate zoning locational requirements described in MMC sections 6-5.33 and Title X)	**All or None**	pg. 152	**25**	**25**	Addressed Criteria
F.3.C.	Lists nearby, well-traveled paths to schools and describes how the business will proactively protect youth on these paths from exposure to the cannabis business.	**All or None**	pg. 150-151	**25**	**25**	Addressed Criteria
F.3.D.	Describes how the business will proactively take steps about community concerns to protect the youth generally from the impacts of the cannabis business.	**Percentage**	pg. 150-151	**50**	**50**	Addressed Criteria
F.3.E.	Proof of ownership, lease agreement, or a Letter of Intent to Lease.	**All or None**	pg. 154, PDF #1 pg. 26-40	**50**	**50**	Addressed Criteria
F.3.F.	Vicinity map.	**All or None**	pg. 152-153	**25**	**25**	Addressed Criteria
F.3.G.	Photographs of existing site and buildings.	**All or None**	pg. 155-163	**25**	**25**	Addressed Criteria
F.3.H.	Evidence that the location has access to public transportation for employees or customers.	**All or None**	pg. 164	**25**	**25**	Addressed Criteria

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

Summary	
	[redacted]

Section G: Community Benefits and Investment Plan (500 points)		Scoring Basis	Page Number	Points Available	Points Received	Evaluation
G.1.	Describes benefits the business will provide to the local community. May include: directly aiding, participating in, volunteer services, monetary donations, financial support, funding, and or any other economic incentives to the City or other charitable organizations in which will help achieve the strategic policy goals of the City Council in permitting cannabis businesses in the City of Madera.	**Percentage**	pg. 165-178	**500**	**500**	Addressed Criteria

Summary	
	[redacted]

Section H: Proposed Location (300 points)			Scoring Basis	Page Number	Points Available	Points Received	Evaluation
H.	In addition to the location details required in the Security Plan, the application shall include a thorough narrative description of the proposed location, including overall site, existing and/or proposed building(s), parking spaces, driveways, pedestrian sidewalks/rights-of-way, and neighboring businesses on the parcel.		**Percentage**	pg. 180-182	**100**	**100**	Addressed Criteria
	H.1.	Applicant must have the appropriate zoning and meet all the locational requirements as described in MMC Section 6-5.33 and Title X.	**All or None**	PDF File #5	**150**	**150**	Addressed Criteria
	H.2.	In addition to the Site Diagram submitted with the Security Plan above, application must include a (Site) diagram depicting all details described in the narrative description of the proposed location.	**Percentage**	pg. 183	**50**	**50**	Addressed Criteria

Summary	
	[redacted]

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

OTC Madera LLC dba Off the Charts
Applicant Name / DBA:

427 S. Gateway Dr., Madera CA 93637
Proposed Location / Physical Address:

Retail Storefront
License Type:

Original Report
Report Type:

Wednesday, August 3, 2022
Report Date:

Complete Upon Initial Review.
Report Status:

Points Available: 3,000 **Points Awarded:** 2,900

Score: 96.67%

PHASE II: APPLICATION EVALUATION AND REVIEW (3,000 Points)

During this application period the City will allow up to six (6) cannabis business permits. The Procedure Guidelines and Review Criteria constitute the application process and are adopted pursuant to the City of Madera Municipal Code (MMC) Section 6-5.13 and Title X, Chapter 3 (Zoning Regulations). Applications will be reviewed and scored using a merit-based system. At a minimum the top ten (10) applicants who score a minimum of 90% or higher (2,700 points) in Phase II may be eligible to advance to Phase III. However, the City may at its sole discretion select more than ten (10) applicants based on the quantity and the overall quality of applications the City receives. Notice of the results of Phase II will be provided in writing via email to the primary contact listed on the application.

Section A: Business Plan (400 pts)			Scoring Basis	Page Number	Points Available	Points Received	Evaluation
Business Plan:							
A.1.	Budget for construction, operations, maintenance, compensation of employees, equipment, property lease, security equipment and staff, City fees, state fees, utility costs, product purchases, and other anticipated costs. Budget demonstrates sufficient capital to pay startup costs at least 3 months of operating costs and a describes sources and use of funds.		**Percentage**	pg. 4-7	**75**	**75**	Addressed Criteria
	A.1. A.	Proof of capitalization, in the form of documentation of cash or other liquid assets on hand, Letters of Credit, or other equivalent assets which can be verified by the City.	**All or None**	PDF File #4	**50**	**50**	Addressed Criteria
	A.1.B.	Pro forma for at least three years of operation.	**Percentage**	pg. 7-9	**75**	**75**	Addressed Criteria
	A.1.C.	A schedule for beginning operation, including a narrative outlining any proposed construction and improvements and a timeline for completion.	**All or None**	pg. 10-11	**20**	**20**	Addressed Criteria
Daily Operations (Retail):							
A.2.1.	**Describes the day-to-day operations which meet best practice if you are applying for a RETAIL permit, including at a minimum the following criteria:**						
	A.2.1.A.	Describe customer check-in procedures.	**Percentage**	pg. 14-17	**75**	**75**	Addressed Criteria
	A.2.1.B.	Identify the location and procedures for receiving deliveries during business hours.	**All or None**	pg. 17-19	**25**	**25**	Addressed Criteria

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

A.2.1. Cont'd	**A.2.1.C.**	Describe the Point-of-Sale system to be used (including name), how it will interact with the states track-and-trace system, and the number of Point-of-Sale locations at full capacity.	**All or None**	pg. 19	**20**	**20**	Addressed Criteria
	A.2.1.D.	Estimate the number of customers to be served per hour/day.	**All or None**	pg. 3-50	**10**	**10**	Addressed Criteria
	A.2.1.E.	Describe the proposed product line to be sold (including brand names), and estimate of the percentage of sales of flower and manufactured products.	**Percentage**	pg. 20-25	**20**	**20**	Addressed Criteria
	A.2.1.F.	If proposed, describe delivery service procedures, number of vehicles and product security during transportation.	**N/A**	pg. 26-30			4 delivery vehicles
	A.2.1.G.	Describes how the Cannabis Business will conform to local and state laws. See MMC Sections 6-5.40 and Title X.	**Percentage**	pg. 30-35	**20**	**20**	Addressed Criteria
	A.2.1.H.	Describes how cannabis will be tracked and monitored to prevent diversion.	**All or None**	pg. 35-50	**10**	**10**	Addressed Criteria
Summary	[redacted]						

Section B: Labor, Equity, Diversity, and Inclusion Plan (400 pts)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
B.1.	Describe the extent business will include recognition of the collective bargaining rights of employees in accordance with Section 6-5.13 (G).	**All or None**	pg. 54	**25**	**25**	Addressed Criteria
B.2.	Identify the number of employees at initial opening and maximum number of employees at full capacity.	**All or None**	pg. 62	**25**	**25**	Addressed Criteria
B.3.	Describe the diversity and inclusion programs that will be developed to embrace a diverse work force with a diverse set of perspectives, work and life experiences, religious, and cultural differences that provide equal opportunities for employee development.	**All or None**	pg. 62-66	**25**	**25**	Addressed Criteria
B.4.	Identify all positions and their responsibilities.	**Percentage**	pg. 66-69	**50**	**50**	Addressed Criteria
B.5.	Describe compensation to and opportunities for continuing education and training for employees.	**Percentage**	pg. 69-75	**50**	**50**	Addressed Criteria
B.6.	Describe whether the cannabis business is committed to offering employees a Living Wage.	**All or None**	pg. 75-76	**100**	**100**	Addressed Criteria

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

B.7.	Describe the benefits provided to employees such as health care, vacation, and medical leave, to the degree they are offered as part of employment.	**All or None**	pg. 76-83	**25**	**25**	Addressed Criteria
B.8.	Describe the extent to which the cannabis business will be locally owned and how the owner(s) have resided within the County of Madera for at least one year prior to June 1, 2021.	**All or None**	pg. 83	**100**	**0**	Applicant did not qualify for local status.
Summary	[redacted]					

Section C: Safety Plan (300 points)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
C.1.	The detailed Safety Plan shall be prepared by a California professional fire prevention and suppression consultant.	**All or None**	pg. 86	**100**	**100**	Addressed Criteria
C.2.	Describes all fire prevention and suppression measures, fire extinguisher locations, evacuation routes and alarm systems in place.	**Percentage**	pg. 87-91	**100**	**100**	Addressed Criteria
C.3.	Describes all accident and incident reporting procedures.	**All or None**	pg. 92, 95-97	**50**	**50**	Addressed Criteria
C.4.	Identify all known chemicals, gases, solvents and nutrients to be used and stored on the licensed premises. Identify storage location and how each will be secured.	**Percentage**	pg. 97	**50**	**50**	Addressed Criteria
Summary	[redacted]					

Section D: Security Plan (300 points)			**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
D.1.	The Security Plan shall be prepared and/or assessed by a professional security consultant.		**All or None**	pg. 101	**100**	**100**	Addressed Criteria
	D.1.A.	Plan shall demonstrate how the cannabis business wishes to develop the floor plan and address other security issues on the property.					

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

D.2.	Premises Diagram. In addition to the site plans submitted for the Proposed Location (in Section H of Appendix A), a separate Premises Diagram must be included in this Security Plan section (Section D) of the application. Diagram must meet the requirements of the Department of Cannabis Control DCR Title 4, Division 19, §15006 Premises Diagram.		**Percentage**	pg. 104	**75**	**75**	Addressed Criteria
	D.2.A.	Diagram shall show boundaries of property and proposed location to be licensed and show all boundaries, dimensions, entrances and exits, interior partitions, walls, rooms, windows, and doorways, and shall include a brief statement or description of the principal activity to be conducted therein.	**N/A**				
	D.2.B.	Diagram shall show and identifies commercial cannabis activities to take place in each area of the premises and identify all limited-access areas.	**N/A**				
	D.2.C.	Diagram shall show all camera locations and include assigned an number to each camera for identification purposes.	**N/A**				
	D.2.D.	The diagram shall be accurate, dimensioned and to-scale (minimum scale of 1/4”).	**N/A**				
	D.2.E.	If the proposed location consists of only a portion of a property, the diagram is labeled indicating which part of the property will be used for the licensed premises and what activities will be used for the remaining property.	**N/A**				
D.3.	Describe operational security, including general security for access/visitor control, inventory control and cash handling procedures.		**Percentage**	pg. 110-116	**75**	**75**	Addressed Criteria
D.4.	Describe perimeter security, on-site security guards, proposed guard hours and their responsibilities, and lighting.		**Percentage**	pg. 116-129	**35**	**35**	Addressed Criteria
D.5.	Describe employee training and general security policies.		**Percentage**	pg. 130-133	**15**	**15**	Addressed Criteria
Summary	[redacted]						

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

Section E: Qualification of Owners (400 points)			Scoring Basis	Page Number	Points Available	Points Received	Evaluation
E.1.	Demonstrate the business owner's experience in owning, managing, and operating a cannabis business. Evidence that prior experience was from legally permitted activities.		**Percentage**	pg. 134-139	**150**	**150**	Addressed Criteria
E.2.	Demonstrate knowledge of the cannabis industry, including identification of how industry best practices and state regulations have been incorporated in existing/prior legal businesses outside the City of Madera.		**Percentage**	pg. 140-145	**100**	**100**	Addressed Criteria
E.3.	Describe the involvement of the ownership team in the day-to-day operation of the business.		**Percentage**	pg. 145-146	**150**	**150**	Addressed Criteria
Summary	[redacted]						
Section F: Neighborhood Compatibility (400 points)			**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
F.1.	Describe how the business will proactively address and respond to complaints related to noise, light, odor, and vehicle and pedestrian traffic and avoid becoming a nuisance or negative impact.		**Percentage**	pg. 148-152	**25**	**25**	Addressed Criteria
F.2.	Describe the waste management plan including: waste disposal locations, security measures, methods of rendering all waste unusable and unrecognizable, and the vendor in charge of disposal.		**Percentage**	pg. 156-159	**100**	**100**	Addressed Criteria
F.3.	**The application includes the following information about the proposed location:**						
	F.3.A.	Physical address and a detailed description of the proposed location, including overall property, building, and interior floor plan.	**Percentage**	pg. 159-160	**50**	**50**	Addressed Criteria
	F.3.B.	Describes all known nearby State and local sensitive use areas. (Business must have the appropriate zoning locational requirements described in MMC sections 6-5.33 and Title X)	**All or None**	pg. 160-161	**25**	**25**	Addressed Criteria
	F.3.C.	Lists nearby, well-traveled paths to schools and describes how the business will proactively protect youth on these paths from exposure to the cannabis business.	**All or None**	pg. 160-162	**25**	**25**	Addressed Criteria
	F.3.D.	Describes how the business will proactively take steps about community concerns to protect the youth generally from the impacts of the cannabis business.	**Percentage**	pg. 162-163	**50**	**50**	Addressed Criteria
	F.3.E.	Proof of ownership, lease agreement, or a Letter of Intent to Lease.	**All or None**	pg. 163-164	**50**	**50**	Addressed Criteria
	F.3.F.	Vicinity map.	**All or None**	pg. 165	**25**	**25**	Addressed Criteria

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

F.3. Cont'd	**F.3.G.**	Photographs of existing site and buildings.	**All or None**	pg. 166	**25**	**25**	Addressed Criteria
	F.3.H.	Evidence that the location has access to public transportation for employees or customers.	**All or None**	pg. 167	**25**	**25**	Addressed Criteria
Summary	[redacted]						

Section G: Community Benefits and Investment Plan (500 points)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
G.1.	Describes benefits the business will provide to the local community. May include: directly aiding, participating in, volunteer services, monetary donations, financial support, funding, and or any other economic incentives to the City or other charitable organizations in which will help achieve the strategic policy goals of the City Council in permitting cannabis businesses in the City of Madera.	**Percentage**	pg. 168-179	**500**	**500**	Addressed Criteria
Summary	[redacted]					

Section H: Proposed Location (300 points)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
H.	In addition to the location details required in the Security Plan, the application shall include a thorough narrative description of the proposed location, including overall site, existing and/or proposed building(s), parking spaces, driveways, pedestrian sidewalks/rights-of-way, and neighboring businesses on the parcel.	**Percentage**	pg. 180-184	**100**	**100**	Addressed Criteria
H.1.	Applicant must have the appropriate zoning and meet all the locational requirements as described in MMC Section 6-5.33 and Title X.	**All or None**	PDF File #5 pg. 2	**150**	**150**	Addressed Criteria
H.2.	In addition to the Site Diagram submitted with the Security Plan above, application must include a (Site) diagram depicting all details described in the narrative description of the proposed location.	**Percentage**	pg. 185-186	**50**	**50**	Addressed Criteria
Summary	[redacted]					

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

Perfect Union - Madera, LLC
Applicant Name / DBA:

5 E Yosemite Ave., Madera CA 93638
Proposed Location / Physical Address:

Retail Storefront
License Type:

Original Report
Report Type:

Monday, August 15, 2022
Report Date:

Complete Upon Initial Review.
Report Status:

Points Available: 3,000 **Points Awarded:** 2,874

Score: 95.80%

PHASE II: APPLICATION EVALUATION AND REVIEW (3,000 Points)

During this application period the City will allow up to six (6) cannabis business permits. The Procedure Guidelines and Review Criteria constitute the application process and are adopted pursuant to the City of Madera Municipal Code (MMC) Section 6-5.13 and Title X, Chapter 3 (Zoning Regulations). Applications will be reviewed and scored using a merit-based system. At a minimum the top ten (10) applicants who score a minimum of 90% or higher (2,700 points) in Phase II may be eligible to advance to Phase III. However, the City may at its sole discretion select more than ten (10) applicants based on the quantity and the overall quality of applications the City receives. Notice of the results of Phase II will be provided in writing via email to the primary contact listed on the application.

Section A: Business Plan (400 pts)			Scoring Basis	Page Number	Points Available	Points Received	Evaluation
Business Plan:							
A.1.	Budget for construction, operations, maintenance, compensation of employees, equipment, property lease, security equipment and staff, City fees, state fees, utility costs, product purchases, and other anticipated costs. Budget demonstrates sufficient capital to pay startup costs at least 3 months of operating costs and a describes sources and use of funds.		**Percentage**	pg. 26	**75**	**75**	Addressed Criteria
	A.1. A.	Proof of capitalization, in the form of documentation of cash or other liquid assets on hand, Letters of Credit, or other equivalent assets which can be verified by the City.	**All or None**	pg. 27, PDF File #4 PDF File #1	**50**	**50**	Addressed Criteria
	A.1.B.	Pro forma for at least three years of operation.	**Percentage**	pg. 28-29	**75**	**64**	Review of pages 28 through 29 of the application showed that the applicant's 5-year pro forma did not include an expense category for "Maintenance", "Equipment", "Utilities".
	A.1.C.	A schedule for beginning operation, including a narrative outlining any proposed construction and improvements and a timeline for completion.	**All or None**	pg. 30-32	**20**	**20**	Addressed Criteria
Daily Operations (Retail):							
A.2.1.	**Describes the day-to-day operations which meet best practice if you are applying for a RETAIL permit, including at a minimum the following criteria:**						
	A.2.1.A.	Describe customer check-in procedures.	**Percentage**	pg. 32-34	**75**	**75**	Addressed Criteria
	A.2.1.B.	Identify the location and procedures for receiving deliveries during business hours.	**All or None**	pg. 34-36	**25**	**25**	Addressed Criteria

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

A.2.1. Cont'd	**A.2.1.C.**	Describe the Point-of-Sale system to be used (including name), how it will interact with the states track-and-trace system, and the number of Point-of-Sale locations at full capacity.	**All or None**	pg. 36	**20**	**20**	Addressed Criteria
	A.2.1.D.	Estimate the number of customers to be served per hour/day.	**All or None**	pg. 37	**10**	**10**	Addressed Criteria
	A.2.1.E.	Describe the proposed product line to be sold (including brand names), and estimate of the percentage of sales of flower and manufactured products.	**Percentage**	pg. 37-40	**20**	**20**	Addressed Criteria
	A.2.1.F.	If proposed, describe delivery service procedures, number of vehicles and product security during transportation.	**N/A**				No delivery service.
	A.2.1.G.	Describes how the Cannabis Business will conform to local and state laws. See MMC Sections 6-5.40 and Title X.	**Percentage**	pg. 41-45	**20**	**20**	Addressed Criteria
	A.2.1.H.	Describes how cannabis will be tracked and monitored to prevent diversion.	**All or None**	pg. 45-53	**10**	**10**	Addressed Criteria
Summary		[redacted]					

Section B: Labor, Equity, Diversity, and Inclusion Plan (400 pts)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
B.1.	Describe the extent business will include recognition of the collective bargaining rights of employees in accordance with Section 6-5.13 (G).	**All or None**	pg.54	**25**	**25**	Addressed Criteria
B.2.	Identify the number of employees at initial opening and maximum number of employees at full capacity.	**All or None**	pg. 29,54-55	**25**	**25**	Addressed Criteria
B.3.	Describe the diversity and inclusion programs that will be developed to embrace a diverse work force with a diverse set of perspectives, work and life experiences, religious, and cultural differences that provide equal opportunities for employee development.	**All or None**	pg. 55-57	**25**	**25**	Addressed Criteria
B.4.	Identify all positions and their responsibilities.	**Percentage**	pg. 29, 57-59	**50**	**50**	Addressed Criteria
B.5.	Describe compensation to and opportunities for continuing education and training for employees.	**Percentage**	pg. 59-63	**50**	**50**	Addressed Criteria
B.6.	Describe whether the cannabis business is committed to offering employees a Living Wage.	**All or None**	pg.63	**100**	**100**	Addressed Criteria
B.7.	Describe the benefits provided to employees such as health care, vacation, and medical leave, to the degree they are offered as part of employment.	**All or None**	pg. 63-65	**25**	**25**	Addressed Criteria

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

B.8.	Describe the extent to which the cannabis business will be locally owned and how the owner(s) have resided within the County of Madera for at least one year prior to June 1, 2021.	**All or None**	pg. 54-65	**100**	**0**	Application showed that the owners of the proposed business were not local.
Summary	[redacted]					

Section C: Safety Plan (300 points)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
C.1.	The detailed Safety Plan shall be prepared by a California professional fire prevention and suppression consultant.	**All or None**	Pg. 66	**100**	**100**	Addressed Criteria
C.2.	Describes all fire prevention and suppression measures, fire extinguisher locations, evacuation routes and alarm systems in place.	**Percentage**	pg. 66-80	**100**	**100**	Addressed Criteria
C.3.	Describes all accident and incident reporting procedures.	**All or None**	pg. 80-82	**50**	**50**	Addressed Criteria
C.4.	Identify all known chemicals, gases, solvents and nutrients to be used and stored on the licensed premises. Identify storage location and how each will be secured.	**Percentage**	pg. 75	**50**	**50**	Addressed Criteria
Summary	[redacted]					

Section D: Security Plan (300 points)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
D.1.	The Security Plan shall be prepared and/or assessed by a professional security consultant.	**All or None**	pg. 85-86	**100**	**100**	Addressed Criteria
	D.1.A. Plan shall demonstrate how the cannabis business wishes to develop the floor plan and address other security issues on the property.					
D.2.	Premises Diagram. In addition to the site plans submitted for the Proposed Location (in Section H of Appendix A), a separate Premises Diagram must be included in this Security Plan section (Section D) of the application. Diagram must meet the requirements of the Department of Cannabis Control DCR Title 4, Division 19, §15006 Premises Diagram.	**Percentage**	pg. 90, 101	**75**	**75**	Addressed Criteria
	D.2.A. Diagram shall show boundaries of property and proposed location to be licensed and show all boundaries, dimensions, entrances and exits, interior partitions, walls, rooms, windows, and doorways, and shall include a brief statement or description of the principal activity to be conducted therein.	**N/A**				

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

D.2. Cont'd	**D.2.B.**	Diagram shall show and identifies commercial cannabis activities to take place in each area of the premises and identify all limited-access areas.	**N/A**				
	D.2.C.	Diagram shall show all camera locations and include assigned an number to each camera for identification purposes.	**N/A**				
	D.2.D.	The diagram shall be accurate, dimensioned and to-scale (minimum scale of 1/4").	**N/A**				
	D.2.E.	If the proposed location consists of only a portion of a property, the diagram is labeled indicating which part of the property will be used for the licensed premises and what activities will be used for the remaining property.	**N/A**				
D.3.	Describe operational security, including general security for access/visitor control, inventory control and cash handling procedures.		**Percentage**	pg. 87-96, 102-109	**75**	**75**	Addressed Criteria
D.4.	Describe perimeter security, on-site security guards, proposed guard hours and their responsibilities, and lighting.		**Percentage**	pg. 92-96, 99, 109-122	**35**	**35**	Addressed Criteria
D.5.	Describe employee training and general security policies.		**Percentage**	pg. 98-117	**15**	**15**	Addressed Criteria
Summary							

Section E: Qualification of Owners (400 points)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
E.1.	Demonstrate the business owner's experience in owning, managing, and operating a cannabis business. Evidence that prior experience was from legally permitted activities.	**Percentage**	pg. 123-129	**150**	**150**	Addressed Criteria
E.2.	Demonstrate knowledge of the cannabis industry, including identification of how industry best practices and state regulations have been incorporated in existing/prior legal businesses outside the City of Madera.	**Percentage**	pg. 123-129	**100**	**100**	Addressed Criteria
E.3.	Describe the involvement of the ownership team in the day-to-day operation of the business.	**Percentage**	pg.129-130	**150**	**150**	Addressed Criteria
Summary						

Section F: Neighborhood Compatibility (400 points)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
F.1.	Describe how the business will proactively address and respond to complaints related to noise, light, odor, and vehicle and pedestrian traffic and avoid becoming a nuisance or negative impact.	**Percentage**	pg. 131-140	**25**	**25**	Addressed Criteria

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

F.2.	Describe the waste management plan including: waste disposal locations, security measures, methods of rendering all waste unusable and unrecognizable, and the vendor in charge of disposal.		**Percentage**	pg. 140-141	**100**	**100**	Addressed Criteria
F.3.	**The application includes the following information about the proposed location:**						
	F.3.A.	Physical address and a detailed description of the proposed location, including overall property, building, and interior floor plan.	**Percentage**	pg. 142-148	**50**	**50**	Addressed Criteria
	F.3.B.	Describes all known nearby State and local sensitive use areas. (Business must have the appropriate zoning locational requirements described in MMC sections 6-5.33 and Title X)	**All or None**	pg. 149	**25**	**25**	Addressed Criteria
	F.3.C.	Lists nearby, well-traveled paths to schools and describes how the business will proactively protect youth on these paths from exposure to the cannabis business.	**All or None**	pg. 149-150	**25**	**25**	Addressed Criteria
	F.3.D.	Describes how the business will proactively take steps about community concerns to protect the youth generally from the impacts of the cannabis business.	**Percentage**	pg. 150	**50**	**50**	Addressed Criteria
	F.3.E.	Proof of ownership, lease agreement, or a Letter of Intent to Lease.	**All or None**	pg. 150-154	**50**	**50**	Addressed Criteria
	F.3.F.	Vicinity map.	**All or None**	pg. 155	**25**	**25**	Addressed Criteria
	F.3.G.	Photographs of existing site and buildings.	**All or None**	pg. 155-156	**25**	**25**	Addressed Criteria
	F.3.H.	Evidence that the location has access to public transportation for employees or customers.	**All or None**	pg. 157	**25**	**25**	Addressed Criteria
Summary							

Section G: Community Benefits and Investment Plan (500 points)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
G.1.	Describes benefits the business will provide to the local community. May include: directly aiding, participating in, volunteer services, monetary donations, financial support, funding, and or any other economic incentives to the City or other charitable organizations in which will help achieve the strategic policy goals of the City Council in permitting cannabis businesses in the City of Madera.	**Percentage**	pg. 158-162	**500**	**500**	Addressed Criteria

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

Summary	[redacted]

Section H: Proposed Location (300 points)			Scoring Basis	Page Number	Points Available	Points Received	Evaluation
H.	In addition to the location details required in the Security Plan, the application shall include a thorough narrative description of the proposed location, including overall site, existing and/or proposed building(s), parking spaces, driveways, pedestrian sidewalks/rights-of-way, and neighboring businesses on the parcel.		**Percentage**	pg. 163-166	**100**	**85**	Review of pages 163 through 166 showed that "Section H: Proposed Location" did not include a thorough narrative description of the proposed location, including overall site, existing and/or proposed building(s), parking spaces, driveways, pedestrian sidewalks/ rights-of-way, and neighboring businesses on the parcel.
	H.1.	Applicant must have the appropriate zoning and meet all the locational requirements as described in MMC Section 6-5.33 and Title X.	**All or None**	PDF File #5	**150**	**150**	Addressed Criteria
	H.2.	In addition to the Site Diagram submitted with the Security Plan above, application must include a (Site) diagram depicting all details described in the narrative description of the proposed location.	**Percentage**	pg. 164-166	**50**	**50**	Addressed Criteria

Summary	[redacted]

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

Phenos of Madera, Inc. dba Phenos of Madera
Applicant Name / DBA:

301 E Yosemite Avenue, Madera, CA 93638
Proposed Location / Physical Address:

Retail Storefront
License Type:

Original Report
Report Type:

Wednesday, August 10, 2022
Report Date:

Complete Upon Initial Review.
Report Status:

Points Available: 3,000 **Points Awarded:** 2,765

Score: 92.17%

PHASE II: APPLICATION EVALUATION AND REVIEW (3,000 Points)

During this application period the City will allow up to six (6) cannabis business permits. The Procedure Guidelines and Review Criteria constitute the application process and are adopted pursuant to the City of Madera Municipal Code (MMC) Section 6-5.13 and Title X, Chapter 3 (Zoning Regulations). Applications will be reviewed and scored using a merit-based system. At a minimum the top ten (10) applicants who score a minimum of 90% or higher (2,700 points) in Phase II may be eligible to advance to Phase III. However, the City may at its sole discretion select more than ten (10) applicants based on the quantity and the overall quality of applications the City receives. Notice of the results of Phase II will be provided in writing via email to the primary contact listed on the application.

Section A: Business Plan (400 pts)			Scoring Basis	Page Number	Points Available	Points Received	Evaluation
Business Plan:							
A.1.	Budget for construction, operations, maintenance, compensation of employees, equipment, property lease, security equipment and staff, City fees, state fees, utility costs, product purchases, and other anticipated costs. Budget demonstrates sufficient capital to pay startup costs at least 3 months of operating costs and a describes sources and use of funds.		**Percentage**	pg. 4, 23-25	**75**	**75**	Addressed Criteria
	A.1. A.	Proof of capitalization, in the form of documentation of cash or other liquid assets on hand, Letters of Credit, or other equivalent assets which can be verified by the City.	**All or None**	pg. 4,26 File #4	**50**	**50**	Addressed Criteria
	A.1.B.	Pro forma for at least three years of operation.	**Percentage**	pg. 4, 28	**75**	**75**	Addressed Criteria
	A.1.C.	A schedule for beginning operation, including a narrative outlining any proposed construction and improvements and a timeline for completion.	**All or None**	pg. 4-5	**20**	**20**	Addressed Criteria
Daily Operations (Retail):							
A.2.1.	**Describes the day-to-day operations which meet best practice if you are applying for a RETAIL permit, including at a minimum the following criteria:**						
	A.2.1.A.	Describe customer check-in procedures.	**Percentage**	pg. 5-8	**75**	**75**	Addressed Criteria
	A.2.1.B.	Identify the location and procedures for receiving deliveries during business hours.	**All or None**	pg. 8-9	**25**	**25**	Addressed Criteria

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

A.2.1. Cont'd	**A.2.1.C.**	Describe the Point-of-Sale system to be used (including name), how it will interact with the states track-and-trace system, and the number of Point-of-Sale locations at full capacity.	**All or None**	pg. 10-16	**20**	**20**	Addressed Criteria
	A.2.1.D.	Estimate the number of customers to be served per hour/day.	**All or None**	pg. 16	**10**	**10**	Addressed Criteria
	A.2.1.E.	Describe the proposed product line to be sold (including brand names), and estimate of the percentage of sales of flower and manufactured products.	**Percentage**	pg. 16, 29-32	**20**	**20**	Addressed Criteria
	A.2.1.F.	If proposed, describe delivery service procedures, number of vehicles and product security during transportation.	**N/A**				No delivery service
	A.2.1.G.	Describes how the Cannabis Business will conform to local and state laws. See MMC Sections 6-5.40 and Title X.	**Percentage**	pg. 17-20	**20**	**20**	Addressed Criteria
	A.2.1.H.	Describes how cannabis will be tracked and monitored to prevent diversion.	**All or None**	pg. 20-21	**10**	**10**	Addressed Criteria
Summary	[redacted]						

Section B: Labor, Equity, Diversity, and Inclusion Plan (400 pts)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
B.1.	Describe the extent business will include recognition of the collective bargaining rights of employees in accordance with Section 6-5.13 (G).	**All or None**	pg. 33	**25**	**25**	Addressed Criteria
B.2.	Identify the number of employees at initial opening and maximum number of employees at full capacity.	**All or None**	pg. 33	**25**	**25**	Addressed Criteria
B.3.	Describe the diversity and inclusion programs that will be developed to embrace a diverse work force with a diverse set of perspectives, work and life experiences, religious, and cultural differences that provide equal opportunities for employee development.	**All or None**	pg. 33-34	**25**	**25**	Addressed Criteria
B.4.	Identify all positions and their responsibilities.	**Percentage**	pg. 34-35	**50**	**50**	Addressed Criteria
B.5.	Describe compensation to and opportunities for continuing education and training for employees.	**Percentage**	pg. 36	**50**	**50**	Addressed Criteria
B.6.	Describe whether the cannabis business is committed to offering employees a Living Wage.	**All or None**	pg. 36-37	**100**	**100**	Addressed Criteria
B.7.	Describe the benefits provided to employees such as health care, vacation, and medical leave, to the degree they are offered as part of employment.	**All or None**	pg. 37	**25**	**25**	Addressed Criteria

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

B.8.	Describe the extent to which the cannabis business will be locally owned and how the owner(s) have resided within the County of Madera for at least one year prior to June 1, 2021.	**All or None**	pg. 37	**100**	**0**	Applicant stated this section was "N/A". No further information was provided in the application.
Summary	[redacted]					

Section C: Safety Plan (300 points)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
C.1.	The detailed Safety Plan shall be prepared by a California professional fire prevention and suppression consultant.	**All or None**	pg. 38, 40	**100**	**0**	In lieu of providing a detailed safety plan prepared by a California Professional Fire Prevention and Suppression Consultant, the applicant provided an email from the City of Madera Fire Marshall, Matthew Tarr which stated that, "Fire Prevention does not need a detailed analysis for a dispensary only site. Such a site is no more hazardous than any cigarette shop in town." Section C(1) of Resolution 21-169 Cannabis Procedure Guidelines - 12.01.21, states that, "The detailed Safety Plan shall be prepared by a California professional fire prevention and suppression consultant."
C.2.	Describes all fire prevention and suppression measures, fire extinguisher locations, evacuation routes and alarm systems in place.	**Percentage**	pg. 38	**100**	**70**	Applicant's Safety Plan did not describe all fire prevention and suppression measures or evacuation routes.
C.3.	Describes all accident and incident reporting procedures.	**All or None**	pg.38-39	**50**	**50**	Addressed Criteria
C.4.	Identify all known chemicals, gases, solvents and nutrients to be used and stored on the licensed premises. Identify storage location and how each will be secured.	**Percentage**	pg. 39	**50**	**50**	Addressed Criteria
Summary	[redacted]					

Section D: Security Plan (300 points)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
D.1.	The Security Plan shall be prepared and/or assessed by a professional security consultant.	**All or None**	pg. 41	**100**	**100**	Addressed Criteria
	D.1.A. Plan shall demonstrate how the cannabis business wishes to develop the floor plan and address other security issues on the property.					

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

D.2.	Premises Diagram. In addition to the site plans submitted for the Proposed Location (in Section H of Appendix A), a separate Premises Diagram must be included in this Security Plan section (Section D) of the application. Diagram must meet the requirements of the Department of Cannabis Control DCR Title 4, Division 19, §15006 Premises Diagram.	**Percentage**	pg. 45	**75**	**75**	Addressed Criteria
	D.2.A. Diagram shall show boundaries of property and proposed location to be licensed and show all boundaries, dimensions, entrances and exits, interior partitions, walls, rooms, windows, and doorways, and shall include a brief statement or description of the principal activity to be conducted therein.	**N/A**				
	D.2.B. Diagram shall show and identifies commercial cannabis activities to take place in each area of the premises and identify all limited-access areas.	**N/A**				
	D.2.C. Diagram shall show all camera locations and include assigned an number to each camera for identification purposes.	**N/A**				
	D.2.D. The diagram shall be accurate, dimensioned and to-scale (minimum scale of 1/4").	**N/A**				
	D.2.E. If the proposed location consists of only a portion of a property, the diagram is labeled indicating which part of the property will be used for the licensed premises and what activities will be used for the remaining property.	**N/A**				
D.3.	Describe operational security, including general security for access/visitor control, inventory control and cash handling procedures.	**Percentage**	pg. 41-49	**75**	**75**	Addressed Criteria
D.4.	Describe perimeter security, on-site security guards, proposed guard hours and their responsibilities, and lighting.	**Percentage**	pg. 42-63	**35**	**35**	Addressed Criteria
D.5.	Describe employee training and general security policies.	**Percentage**	pg. 43-44	**15**	**15**	Addressed Criteria
Summary	[redacted]					

Section E: Qualification of Owners (400 points)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
E.1.	Demonstrate the business owner's experience in owning, managing, and operating a cannabis business. Evidence that prior experience was from legally permitted activities.	**Percentage**	pg. 64-68	**150**	**150**	Addressed Criteria

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

E.2.	Demonstrate knowledge of the cannabis industry, including identification of how industry best practices and state regulations have been incorporated in existing/prior legal businesses outside the City of Madera.	**Percentage**	pg.68-82	**100**	**100**	Addressed Criteria
E.3.	Describe the involvement of the ownership team in the day-to-day operation of the business.	**Percentage**	pg. 68	**150**	**150**	Addressed Criteria
Summary	[redacted]					

Section F: Neighborhood Compatibility (400 points)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
F.1.	Describe how the business will proactively address and respond to complaints related to noise, light, odor, and vehicle and pedestrian traffic and avoid becoming a nuisance or negative impact.	**Percentage**	pg. 83-86	**25**	**25**	Addressed Criteria
F.2.	Describe the waste management plan including: waste disposal locations, security measures, methods of rendering all waste unusable and unrecognizable, and the vendor in charge of disposal.	**Percentage**	pg.86-88, 98	**100**	**100**	Addressed Criteria
F.3.	**The application includes the following information about the proposed location:**					
F.3.A.	Physical address and a detailed description of the proposed location, including overall property, building, and interior floor plan.	**Percentage**	pg. 88-89 93-97	**50**	**50**	Addressed Criteria
F.3.B.	Describes all known nearby State and local sensitive use areas. (Business must have the appropriate zoning locational requirements described in MMC sections 6-5.33 and Title X)	**All or None**	pg.89	**25**	**25**	Addressed Criteria
F.3.C.	Lists nearby, well-traveled paths to schools and describes how the business will proactively protect youth on these paths from exposure to the cannabis business.	**All or None**	pg. 89-90	**25**	**25**	Addressed Criteria
F.3.D.	Describes how the business will proactively take steps about community concerns to protect the youth generally from the impacts of the cannabis business.	**Percentage**	pg. 90	**50**	**50**	Addressed Criteria
F.3.E.	Proof of ownership, lease agreement, or a Letter of Intent to Lease.	**All or None**	pg. 102-103 File #1 pg. 10-11	**50**	**50**	Addressed Criteria
F.3.F.	Vicinity map.	**All or None**	pg. 91	**25**	**25**	Addressed Criteria
F.3.G.	Photographs of existing site and buildings.	**All or None**	pg. 104	**25**	**25**	Addressed Criteria
F.3.H.	Evidence that the location has access to public transportation for employees or customers.	**All or None**	pg. 92	**25**	**25**	Addressed Criteria

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

Summary	[redacted]

Section G: Community Benefits and Investment Plan (500 points)		Scoring Basis	Page Number	Points Available	Points Received	Evaluation
G.1.	Describes benefits the business will provide to the local community. May include: directly aiding, participating in, volunteer services, monetary donations, financial support, funding, and or any other economic incentives to the City or other charitable organizations in which will help achieve the strategic policy goals of the City Council in permitting cannabis businesses in the City of Madera.	Percentage	pg. 150	500	500	Addressed Criteria

Summary	[redacted]

Section H: Proposed Location (300 points)			Scoring Basis	Page Number	Points Available	Points Received	Evaluation
H.	In addition to the location details required in the Security Plan, the application shall include a thorough narrative description of the proposed location, including overall site, existing and/or proposed building(s), parking spaces, driveways, pedestrian sidewalks/rights-of-way, and neighboring businesses on the parcel.		Percentage	pg. 151-156	100	95	Review of section H showed that the applicant's proposed location did not include a narrative description of the neighboring businesses on the parcel.
	H.1.	Applicant must have the appropriate zoning and meet all the locational requirements as described in MMC Section 6-5.33 and Title X.	All or None	File #5	150	150	Addressed Criteria
	H.2.	In addition to the Site Diagram submitted with the Security Plan above, application must include a (Site) diagram depicting all details described in the narrative description of the proposed location.	Percentage	pg. 156	50	50	Addressed Criteria

Summary	[redacted]

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

Responsible and Compliant Retail Madera, LLC dba Embarc Madera
Applicant Name / DBA:

530 E. Yosemite Ave., Madera, CA 93638
Proposed Location / Physical Address:

Retail Storefront
License Type:

Original Report
Report Type:

7/18/2022
Report Date:

Complete Upon Initial Review.
Report Status:

Points Available: 3,000 **Points Awarded:** 3,000

Score: 100%

PHASE II: APPLICATION EVALUATION AND REVIEW (3,000 Points)

During this application period the City will allow up to six (6) cannabis business permits. The Procedure Guidelines and Review Criteria constitute the application process and are adopted pursuant to the City of Madera Municipal Code (MMC) Section 6-5.13 and Title X, Chapter 3 (Zoning Regulations). Applications will be reviewed and scored using a merit-based system. At a minimum the top ten (10) applicants who score a minimum of 90% or higher (2,700 points) in Phase II may be eligible to advance to Phase III. However, the City may at its sole discretion select more than ten (10) applicants based on the quantity and the overall quality of applications the City receives. Notice of the results of Phase II will be provided in writing via email to the primary contact listed on the application.

Section A: Business Plan (400 pts)			Scoring Basis	Page Number	Points Available	Points Received	Evaluation
Business Plan:							
A.1.	Budget for construction, operations, maintenance, compensation of employees, equipment, property lease, security equipment and staff, City fees, state fees, utility costs, product purchases, and other anticipated costs. Budget demonstrates sufficient capital to pay startup costs at least 3 months of operating costs and a describes sources and use of funds.		**Percentage**	pg. 8	**75**	**75**	Addressed Criteria
	A.1. A.	Proof of capitalization, in the form of documentation of cash or other liquid assets on hand, Letters of Credit, or other equivalent assets which can be verified by the City.	**All or None**	File #4	**50**	**50**	Addressed Criteria
	A.1.B.	Pro forma for at least three years of operation.	**Percentage**	PG. 12	**75**	**75**	Addressed Criteria
	A.1.C.	A schedule for beginning operation, including a narrative outlining any proposed construction and improvements and a timeline for completion.	**All or None**	pg. 14-18	**20**	**20**	Addressed Criteria
Daily Operations (Retail):							
A.2.1.	**Describes the day-to-day operations which meet best practice if you are applying for a RETAIL permit, including at a minimum the following criteria:**						
	A.2.1.A.	Describe customer check-in procedures.	**Percentage**	pg. 22-25	**75**	**75**	Addressed Criteria
	A.2.1.B.	Identify the location and procedures for receiving deliveries during business hours.	**All or None**	pg. 25-27	**25**	**25**	Addressed Criteria

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

A.2.1. Cont'd	**A.2.1.C.**	Describe the Point-of-Sale system to be used (including name), how it will interact with the states track-and-trace system, and the number of Point-of-Sale locations at full capacity.	**All or None**	pg. 27	**20**	**20**	Addressed Criteria
	A.2.1.D.	Estimate the number of customers to be served per hour/day.	**All or None**	pg. 27	**10**	**10**	Addressed Criteria
	A.2.1.E.	Describe the proposed product line to be sold (including brand names), and estimate of the percentage of sales of flower and manufactured products.	**Percentage**	pg. 29	**20**	**20**	Addressed Criteria
	A.2.1.F.	If proposed, describe delivery service procedures, number of vehicles and product security during transportation.	**N/A**	pg. 30-32			2 delivery vehicles
	A.2.1.G.	Describes how the Cannabis Business will conform to local and state laws. See MMC Sections 6-5.40 and Title X.	**Percentage**	pg. 35-47	**20**	**20**	Addressed Criteria
	A.2.1.H.	Describes how cannabis will be tracked and monitored to prevent diversion.	**All or None**	pg. 47-53	**10**	**10**	Addressed Criteria
Summary	[redacted]						

Section B: Labor, Equity, Diversity, and Inclusion Plan (400 pts)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
B.1.	Describe the extent business will include recognition of the collective bargaining rights of employees in accordance with Section 6-5.13 (G).	**All or None**	pg. 54-55	**25**	**25**	Addressed Criteria
B.2.	Identify the number of employees at initial opening and maximum number of employees at full capacity.	**All or None**	pg. 55	**25**	**25**	Addressed Criteria
B.3.	Describe the diversity and inclusion programs that will be developed to embrace a diverse work force with a diverse set of perspectives, work and life experiences, religious, and cultural differences that provide equal opportunities for employee development.	**All or None**	pg. 55-63	**25**	**25**	Addressed Criteria
B.4.	Identify all positions and their responsibilities.	**Percentage**	pg. 63-66	**50**	**50**	Addressed Criteria
B.5.	Describe compensation to and opportunities for continuing education and training for employees.	**Percentage**	pg. 66-69	**50**	**50**	Addressed Criteria
B.6.	Describe whether the cannabis business is committed to offering employees a Living Wage.	**All or None**	pg. 69-70	**100**	**100**	Addressed Criteria

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

B.7.	Describe the benefits provided to employees such as health care, vacation, and medical leave, to the degree they are offered as part of employment.	**All or None**	pg. 70-72	**25**	**25**	Addressed Criteria
B.8.	Describe the extent to which the cannabis business will be locally owned and how the owner(s) have resided within the County of Madera for at least one year prior to June 1, 2021.	**All or None**	pg. 72	**100**	**100**	Addressed Criteria
Summary	[redacted]					

Section C: Safety Plan (300 points)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
C.1.	The detailed Safety Plan shall be prepared by a California professional fire prevention and suppression consultant.	**All or None**	pg. 73-74	**100**	**100**	Addressed Criteria
C.2.	Describes all fire prevention and suppression measures, fire extinguisher locations, evacuation routes and alarm systems in place.	**Percentage**	pg. 74-75	**100**	**100**	Addressed Criteria
C.3.	Describes all accident and incident reporting procedures.	**All or None**	pg. 76-81	**50**	**50**	Addressed Criteria
C.4.	Identify all known chemicals, gases, solvents and nutrients to be used and stored on the licensed premises. Identify storage location and how each will be secured.	**Percentage**	pg. 82	**50**	**50**	Addressed Criteria
Summary	[redacted]					

Section D: Security Plan (300 points)			**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
D.1.	The Security Plan shall be prepared and/or assessed by a professional security consultant.		**All or None**	pg. 83-84	**100**	**100**	Addressed Criteria
	D.1.A.	Plan shall demonstrate how the cannabis business wishes to develop the floor plan and address other security issues on the property.					

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

D.2.	Premises Diagram. In addition to the site plans submitted for the Proposed Location (in Section H of Appendix A), a separate Premises Diagram must be included in this Security Plan section (Section D) of the application. Diagram must meet the requirements of the Department of Cannabis Control DCR Title 4, Division 19, §15006 Premises Diagram.		**Percentage**	pg. 89-90	**75**	**75**	Addressed Criteria
	D.2.A.	Diagram shall show boundaries of property and proposed location to be licensed and show all boundaries, dimensions, entrances and exits, interior partitions, walls, rooms, windows, and doorways, and shall include a brief statement or description of the principal activity to be conducted therein.	**N/A**				
	D.2.B.	Diagram shall show and identifies commercial cannabis activities to take place in each area of the premises and identify all limited-access areas.	**N/A**				
	D.2.C.	Diagram shall show all camera locations and include assigned an number to each camera for identification purposes.	**N/A**				
	D.2.D.	The diagram shall be accurate, dimensioned and to-scale (minimum scale of 1/4").	**N/A**				
	D.2.E.	If the proposed location consists of only a portion of a property, the diagram is labeled indicating which part of the property will be used for the licensed premises and what activities will be used for the remaining property.	**N/A**				
D.3.	Describe operational security, including general security for access/visitor control, inventory control and cash handling procedures.		**Percentage**	pg. 92-101	**75**	**75**	Addressed Criteria
D.4.	Describe perimeter security, on-site security guards, proposed guard hours and their responsibilities, and lighting.		**Percentage**	pg. 104-106	**35**	**35**	Addressed Criteria
D.5.	Describe employee training and general security policies.		**Percentage**	pg. 106-112	**15**	**15**	Addressed Criteria
Summary	[redacted]						

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

Section E: Qualification of Owners (400 points)			Scoring Basis	Page Number	Points Available	Points Received	Evaluation
E.1.	Demonstrate the business owner's experience in owning, managing, and operating a cannabis business. Evidence that prior experience was from legally permitted activities.		**Percentage**	pg. 113-124	**150**	**150**	Addressed Criteria
E.2.	Demonstrate knowledge of the cannabis industry, including identification of how industry best practices and state regulations have been incorporated in existing/prior legal businesses outside the City of Madera.		**Percentage**	pg. 124-128	**100**	**100**	Addressed Criteria
E.3.	Describe the involvement of the ownership team in the day-to-day operation of the business.		**Percentage**	pg. 128-130	**150**	**150**	Addressed Criteria
Summary	[redacted]						
Section F: Neighborhood Compatibility (400 points)			**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
F.1.	Describe how the business will proactively address and respond to complaints related to noise, light, odor, and vehicle and pedestrian traffic and avoid becoming a nuisance or negative impact.		**Percentage**	pg. 133-141	**25**	**25**	Addressed Criteria
F.2.	Describe the waste management plan including: waste disposal locations, security measures, methods of rendering all waste unusable and unrecognizable, and the vendor in charge of disposal.		**Percentage**	pg. 142-144	**100**	**100**	Addressed Criteria
F.3.	**The application includes the following information about the proposed location:**						
	F.3.A.	Physical address and a detailed description of the proposed location, including overall property, building, and interior floor plan.	**Percentage**	pg. 144-149	**50**	**50**	Addressed Criteria
	F.3.B.	Describes all known nearby State and local sensitive use areas. (Business must have the appropriate zoning locational requirements described in MMC sections 6-5.33 and Title X)	**All or None**	pg. 149	**25**	**25**	Addressed Criteria
	F.3.C.	Lists nearby, well-traveled paths to schools and describes how the business will proactively protect youth on these paths from exposure to the cannabis business.	**All or None**	pg. 149-154	**25**	**25**	Addressed Criteria
	F.3.D.	Describes how the business will proactively take steps about community concerns to protect the youth generally from the impacts of the cannabis business.	**Percentage**	pg. 149-154	**50**	**50**	Addressed Criteria
	F.3.E.	Proof of ownership, lease agreement, or a Letter of Intent to Lease.	**All or None**	PDF #1 pg. 12-28	**50**	**50**	Addressed Criteria
	F.3.F.	Vicinity map.	**All or None**	pg. 158	**25**	**25**	Addressed Criteria

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

F.3. Cont'd	**F.3.G.**	Photographs of existing site and buildings.	**All or None**	pg. 158	**25**	**25**	Addressed Criteria
	F.3.H.	Evidence that the location has access to public transportation for employees or customers.	**All or None**	pg. 158	**25**	**25**	Addressed Criteria
Summary							

Section G: Community Benefits and Investment Plan (500 points)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
G.1.	Describes benefits the business will provide to the local community. May include: directly aiding, participating in, volunteer services, monetary donations, financial support, funding, and or any other economic incentives to the City or other charitable organizations in which will help achieve the strategic policy goals of the City Council in permitting cannabis businesses in the City of Madera.	**Percentage**	pg. 159-180	**500**	**500**	Addressed Criteria
Summary						

Section H: Proposed Location (300 points)			**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
H.	In addition to the location details required in the Security Plan, the application shall include a thorough narrative description of the proposed location, including overall site, existing and/or proposed building(s), parking spaces, driveways, pedestrian sidewalks/rights-of-way, and neighboring businesses on the parcel.		**Percentage**	pg. 181-182	**100**	**100**	Addressed Criteria
	H.1.	Applicant must have the appropriate zoning and meet all the locational requirements as described in MMC Section 6-5.33 and Title X.	**All or None**	pdf #5 pg. 2	**150**	**150**	Addressed Criteria
	H.2.	In addition to the Site Diagram submitted with the Security Plan above, application must include a (Site) diagram depicting all details described in the narrative description of the proposed location.	**Percentage**	pg. 183-184	**50**	**50**	Addressed Criteria
Summary							

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

Retail NM, LLC dba Nectar
Applicant Name / DBA:

115 N D St. Madera, CA 93638
Proposed Location / Physical Address:

Retail Storefront
License Type:

Original Report
Report Type:

Wednesday, August 10, 2022
Report Date:

Complete Upon Initial Review.
Report Status:

Points Available: 3,000 **Points Awarded:** 2,900

Score: 96.67%

PHASE II: APPLICATION EVALUATION AND REVIEW (3,000 Points)

During this application period the City will allow up to six (6) cannabis business permits. The Procedure Guidelines and Review Criteria constitute the application process and are adopted pursuant to the City of Madera Municipal Code (MMC) Section 6-5.13 and Title X, Chapter 3 (Zoning Regulations). Applications will be reviewed and scored using a merit-based system. At a minimum the top ten (10) applicants who score a minimum of 90% or higher (2,700 points) in Phase II may be eligible to advance to Phase III. However, the City may at its sole discretion select more than ten (10) applicants based on the quantity and the overall quality of applications the City receives. Notice of the results of Phase II will be provided in writing via email to the primary contact listed on the application.

Section A: Business Plan (400 pts)			Scoring Basis	Page Number	Points Available	Points Received	Evaluation
Business Plan:							
A.1.	Budget for construction, operations, maintenance, compensation of employees, equipment, property lease, security equipment and staff, City fees, state fees, utility costs, product purchases, and other anticipated costs. Budget demonstrates sufficient capital to pay startup costs at least 3 months of operating costs and a describes sources and use of funds.		**Percentage**	pg. 4-6	**75**	**75**	Addressed Criteria
	A.1. A.	Proof of capitalization, in the form of documentation of cash or other liquid assets on hand, Letters of Credit, or other equivalent assets which can be verified by the City.	**All or None**	PDF File #4	**50**	**50**	Addressed Criteria
	A.1.B.	Pro forma for at least three years of operation.	**Percentage**	pg. 7-9	**75**	**75**	Addressed Criteria
	A.1.C.	A schedule for beginning operation, including a narrative outlining any proposed construction and improvements and a timeline for completion.	**All or None**	pg. 10-11	**20**	**20**	Addressed Criteria
Daily Operations (Retail):							
A.2.1.	**Describes the day-to-day operations which meet best practice if you are applying for a RETAIL permit, including at a minimum the following criteria:**						
	A.2.1.A.	Describe customer check-in procedures.	**Percentage**	pg. 14-17	**75**	**75**	Addressed Criteria
	A.2.1.B.	Identify the location and procedures for receiving deliveries during business hours.	**All or None**	pg. 17-18	**25**	**25**	Addressed Criteria

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

A.2.1. Cont'd	**A.2.1.C.**	Describe the Point-of-Sale system to be used (including name), how it will interact with the states track-and-trace system, and the number of Point-of-Sale locations at full capacity.	**All or None**	pg. 19	**20**	**20**	Addressed Criteria
	A.2.1.D.	Estimate the number of customers to be served per hour/day.	**All or None**	pg. 19-20	**10**	**10**	Addressed Criteria
	A.2.1.E.	Describe the proposed product line to be sold (including brand names), and estimate of the percentage of sales of flower and manufactured products.	**Percentage**	pg. 20-24	**20**	**20**	Addressed Criteria
	A.2.1.F.	If proposed, describe delivery service procedures, number of vehicles and product security during	**N/A**	pg. 25-29			4 delivery vehicles
	A.2.1.G.	Describes how the Cannabis Business will conform to local and state laws. See MMC Sections 6-5.40 and Title X.	**Percentage**	pg. 29-33	**20**	**20**	Addressed Criteria
	A.2.1.H.	Describes how cannabis will be tracked and monitored to prevent diversion.	**All or None**	pg. 33-40	**10**	**10**	Addressed Criteria
Summary	[redacted]						

Section B: Labor, Equity, Diversity, and Inclusion Plan (400 pts)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
B.1.	Describe the extent business will include recognition of the collective bargaining rights of employees in accordance with Section 6-5.13 (G).	**All or None**	pg. 57	**25**	**25**	Addressed Criteria
B.2.	Identify the number of employees at initial opening and maximum number of employees at full capacity.	**All or None**	pg. 63	**25**	**25**	Addressed Criteria
B.3.	Describe the diversity and inclusion programs that will be developed to embrace a diverse work force with a diverse set of perspectives, work and life experiences, religious, and cultural differences that provide equal opportunities for employee development.	**All or None**	pg. 63-67	**25**	**25**	Addressed Criteria
B.4.	Identify all positions and their responsibilities.	**Percentage**	pg. 67-73	**50**	**50**	Addressed Criteria
B.5.	Describe compensation to and opportunities for continuing education and training for employees.	**Percentage**	pg. 73-79	**50**	**50**	Addressed Criteria

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

B.6.	Describe whether the cannabis business is committed to offering employees a Living Wage.	**All or None**	pg. 4,79	**100**	**100**	Addressed Criteria
B.7.	Describe the benefits provided to employees such as health care, vacation, and medical leave, to the degree they are offered as part of employment.	**All or None**	pg. 80-87	**25**	**25**	Addressed Criteria
B.8.	Describe the extent to which the cannabis business will be locally owned and how the owner(s) have resided within the County of Madera for at least one year prior to June 1, 2021.	**All or None**	pg. 87	**100**	**0**	Application showed that the owners of the proposed business were not local.
Summary	[redacted]					

Section C: Safety Plan (300 points)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
C.1.	The detailed Safety Plan shall be prepared by a California professional fire prevention and suppression consultant.	**All or None**	pg. 90	**100**	**100**	Addressed Criteria
C.2.	Describes all fire prevention and suppression measures, fire extinguisher locations, evacuation routes and alarm systems in place.	**Percentage**	pg. 91-95	**100**	**100**	Addressed Criteria
C.3.	Describes all accident and incident reporting procedures.	**All or None**	pg. 96, 99-101	**50**	**50**	Addressed Criteria
C.4.	Identify all known chemicals, gases, solvents and nutrients to be used and stored on the licensed premises. Identify storage location and how each will be secured.	**Percentage**	pg. 101	**50**	**50**	Addressed Criteria
Summary	[redacted]					

Section D: Security Plan (300 points)			**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
D.1.	The Security Plan shall be prepared and/or assessed by a professional security consultant.		**All or None**	pg. 105	**100**	**100**	Addressed Criteria
	D.1.A.	Plan shall demonstrate how the cannabis business wishes to develop the floor plan and address other security issues on the property.					

D.2.	Premises Diagram. In addition to the site plans submitted for the Proposed Location (in Section H of Appendix A), a separate Premises Diagram must be included in this Security Plan section (Section D) of the application. Diagram must meet the requirements of the Department of Cannabis Control DCR Title 4, Division 19, §15006 Premises Diagram.	**Percentage**	pg. 108	**75**	**75**	Addressed Criteria
	D.2.A. Diagram shall show boundaries of property and proposed location to be licensed and show all boundaries, dimensions, entrances and exits, interior partitions, walls, rooms, windows, and doorways, and shall include a brief statement or description of the principal activity to be conducted therein.	**N/A**				
	D.2.B. Diagram shall show and identifies commercial cannabis activities to take place in each area of the premises and identify all limited-access areas.	**N/A**				
	D.2.C. Diagram shall show all camera locations and include assigned an number to each camera for identification purposes.	**N/A**				
	D.2.D. The diagram shall be accurate, dimensioned and to-scale (minimum scale of 1/4").	**N/A**				
	D.2.E. If the proposed location consists of only a portion of a property, the diagram is labeled indicating which part of the property will be used for the licensed premises and what activities will be used for the remaining property.	**N/A**				
D.3.	Describe operational security, including general security for access/visitor control, inventory control and cash handling procedures.	**Percentage**	pg. 110-118	**75**	**75**	Addressed Criteria
D.4.	Describe perimeter security, on-site security guards, proposed guard hours and their responsibilities, and lighting.	**Percentage**	pg. 124-131	**35**	**35**	Addressed Criteria
D.5.	Describe employee training and general security policies.	**Percentage**	pg. 133-136	**15**	**15**	Addressed Criteria
Summary	[redacted]					

Section E: Qualification of Owners (400 points)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
E.1.	Demonstrate the business owner's experience in owning, managing, and operating a cannabis business. Evidence that prior experience was from legally permitted activities.	**Percentage**	pg. 137-152	**150**	**150**	Addressed Criteria
E.2.	Demonstrate knowledge of the cannabis industry, including identification of how industry best practices and state regulations have been incorporated in existing/prior legal businesses outside the City of Madera.	**Percentage**	pg. 137-152	**100**	**100**	Addressed Criteria

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

E.3.	Describe the involvement of the ownership team in the day-to-day operation of the business.	Percentage	pg. 153-154	150	150	Addressed Criteria
Summary	[redacted]					
Section F: Neighborhood Compatibility (400 points)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
F.1.	Describe how the business will proactively address and respond to complaints related to noise, light, odor, and vehicle and pedestrian traffic and avoid becoming a nuisance or negative impact.	Percentage	pg. 156-160	25	25	Addressed Criteria
F.2.	Describe the waste management plan including: waste disposal locations, security measures, methods of rendering all waste unusable and unrecognizable, and the vendor in charge of disposal.	Percentage	pg. 164-166	100	100	Addressed Criteria
F.3.	**The application includes the following information about the proposed location:**					
F.3.A.	Physical address and a detailed description of the proposed location, including overall property, building, and interior floor plan.	Percentage	pg. 167-168	50	50	Addressed Criteria
F.3.B.	Describes all known nearby State and local sensitive use areas. (Business must have the appropriate zoning locational requirements described in MMC sections 6-5.33 and Title X)	All or None	pg. 168	25	25	Addressed Criteria
F.3.C.	Lists nearby, well-traveled paths to schools and describes how the business will proactively protect youth on these paths from exposure to the cannabis business.	All or None	pg. 168-170	25	25	Addressed Criteria
F.3.D.	Describes how the business will proactively take steps about community concerns to protect the youth generally from the impacts of the cannabis business.	Percentage	pg. 169-170	50	50	Addressed Criteria
F.3.E.	Proof of ownership, lease agreement, or a Letter of Intent to Lease.	All or None	PDF File #1 pg. 21-38	50	50	Addressed Criteria
F.3.F.	Vicinity map.	All or None	pg. 172	25	25	Addressed Criteria
F.3.G.	Photographs of existing site and buildings.	All or None	pg. 172-173	25	25	Addressed Criteria
F.3.H.	Evidence that the location has access to public transportation for employees or customers.	All or None	pg. 174	25	25	Addressed Criteria
Summary	[redacted]					

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

Section G: Community Benefits and Investment Plan (500 points)		Scoring Basis	Page Number	Points Available	Points Received	Evaluation
G.1.	Describes benefits the business will provide to the local community. May include: directly aiding, participating in, volunteer services, monetary donations, financial support, funding, and or any other economic incentives to the City or other charitable organizations in which will help achieve the strategic policy goals of the City Council in permitting cannabis businesses in the City of Madera.	Percentage	pg. 175-187	500	500	Addressed Criteria
Summary	[redacted]					

Section H: Proposed Location (300 points)			Scoring Basis	Page Number	Points Available	Points Received	Evaluation
H.		In addition to the location details required in the Security Plan, the application shall include a thorough narrative description of the proposed location, including overall site, existing and/or proposed building(s), parking spaces, driveways, pedestrian sidewalks/rights-of-way, and neighboring businesses on the parcel.	Percentage	pg. 189-190	100	100	Addressed Criteria
	H.1.	Applicant must have the appropriate zoning and meet all the locational requirements as described in MMC Section 6-5.33 and Title X.	All or None	PDF File #5	150	150	Addressed Criteria
	H.2.	In addition to the Site Diagram submitted with the Security Plan above, application must include a (Site) diagram depicting all details described in the narrative description of the proposed location.	Percentage	pg. 194-195	50	50	Addressed Criteria
Summary		[redacted]					

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

Shryne Madera, LLC dba Stiiizy Madera
Applicant Name / DBA:

1105 Country Club Dr., Madera, CA 93638
Proposed Location / Physical Address:

Retail Storefront
License Type:

Original Report
Report Type:

Tuesday, August 16, 2022
Report Date:

Complete Upon Initial Review.
Report Status:

Points Available: 3,000 **Points Awarded:** 3,000

Score: 100.00%

PHASE II: APPLICATION EVALUATION AND REVIEW (3,000 Points)

During this application period the City will allow up to six (6) cannabis business permits. The Procedure Guidelines and Review Criteria constitute the application process and are adopted pursuant to the City of Madera Municipal Code (MMC) Section 6-5.13 and Title X, Chapter 3 (Zoning Regulations). Applications will be reviewed and scored using a merit-based system. At a minimum the top ten (10) applicants who score a minimum of 90% or higher (2,700 points) in Phase II may be eligible to advance to Phase III. However, the City may at its sole discretion select more than ten (10) applicants based on the quantity and the overall quality of applications the City receives. Notice of the results of Phase II will be provided in writing via email to the primary contact listed on the application.

Section A: Business Plan (400 pts)			Scoring Basis	Page Number	Points Available	Points Received	Evaluation
Business Plan:							
A.1.	Budget for construction, operations, maintenance, compensation of employees, equipment, property lease, security equipment and staff, City fees, state fees, utility costs, product purchases, and other anticipated costs. Budget demonstrates sufficient capital to pay startup costs at least 3 months of operating costs and a describes sources and use of funds.		**Percentage**	pg. 2-3	**75**	**75**	Addressed Criteria
	A.1. A.	Proof of capitalization, in the form of documentation of cash or other liquid assets on hand, Letters of Credit, or other equivalent assets which can be verified by the City.	**All or None**	pg. 4 PDF File #4	**50**	**50**	Addressed Criteria
	A.1.B.	Pro forma for at least three years of operation.	**Percentage**	pg.5-6	**75**	**75**	Addressed Criteria
	A.1.C.	A schedule for beginning operation, including a narrative outlining any proposed construction and improvements and a timeline for completion.	**All or None**	pg. 7-9	**20**	**20**	Addressed Criteria
Daily Operations (Retail):							
A.2.1.	**Describes the day-to-day operations which meet best practice if you are applying for a RETAIL permit, including at a minimum the following criteria:**						
	A.2.1.A.	Describe customer check-in procedures.	**Percentage**	pg. 9-12	**75**	**75**	Addressed Criteria
	A.2.1.B.	Identify the location and procedures for receiving deliveries during business hours.	**All or None**	pg. 12-14	**25**	**25**	Addressed Criteria
	A.2.1.C.	Describe the Point-of-Sale system to be used (including name), how it will interact with the states track-and-trace system, and the number of Point-of-Sale locations at full capacity.	**All or None**	pg. 15-17	**20**	**20**	Addressed Criteria

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

A.2.1. Cont'd	**A.2.1.D.**	Estimate the number of customers to be served per hour/day.	**All or None**	pg. 18	**10**	**10**	Addressed Criteria
	A.2.1.E.	Describe the proposed product line to be sold (including brand names), and estimate of the percentage of sales of flower and manufactured products.	**Percentage**	pg. 19-22	**20**	**20**	Addressed Criteria
	A.2.1.F.	If proposed, describe delivery service procedures, number of vehicles and product security during transportation.	**N/A**	pg. 23-27			Addressed Criteria
	A.2.1.G.	Describes how the Cannabis Business will conform to local and state laws. See MMC Sections 6-5.40 and Title X.	**Percentage**	pg. 27-31	**20**	**20**	Addressed Criteria
	A.2.1.H.	Describes how cannabis will be tracked and monitored to prevent diversion.	**All or None**	pg. 31-32	**10**	**10**	Addressed Criteria
Summary							

Section B: Labor, Equity, Diversity, and Inclusion Plan (400 pts)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
B.1.	Describe the extent business will include recognition of the collective bargaining rights of employees in accordance with Section 6-5.13 (G).	**All or None**	pg. 34-37	**25**	**25**	Addressed Criteria
B.2.	Identify the number of employees at initial opening and maximum number of employees at full capacity.	**All or None**	pg. 38	**25**	**25**	Addressed Criteria
B.3.	Describe the diversity and inclusion programs that will be developed to embrace a diverse work force with a diverse set of perspectives, work and life experiences, religious, and cultural differences that provide equal opportunities for employee development.	**All or None**	pg. 38-40	**25**	**25**	Addressed Criteria
B.4.	Identify all positions and their responsibilities.	**Percentage**	pg. 41-42	**50**	**50**	Addressed Criteria
B.5.	Describe compensation to and opportunities for continuing education and training for employees.	**Percentage**	pg. 42-47	**50**	**50**	Addressed Criteria
B.6.	Describe whether the cannabis business is committed to offering employees a Living Wage.	**All or None**	pg. 47	**100**	**100**	Addressed Criteria
B.7.	Describe the benefits provided to employees such as health care, vacation, and medical leave, to the degree they are offered as part of employment.	**All or None**	pg. 47-48	**25**	**25**	Addressed Criteria
B.8.	Describe the extent to which the cannabis business will be locally owned and how the owner(s) have resided within the County of Madera for at least one year prior to June 1, 2021.	**All or None**	pg. 48-49	**100**	**100**	Addressed Criteria
Summary						

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

Section C: Safety Plan (300 points)		Scoring Basis	Page Number	Points Available	Points Received	Evaluation
C.1.	The detailed Safety Plan shall be prepared by a California professional fire prevention and suppression consultant.	All or None	pg. 50-54	100	100	Addressed Criteria
C.2.	Describes all fire prevention and suppression measures, fire extinguisher locations, evacuation routes and alarm systems in place.	Percentage	pg. 54-65	100	100	Addressed Criteria
C.3.	Describes all accident and incident reporting procedures.	All or None	pg. 65-68	50	50	Addressed Criteria
C.4.	Identify all known chemicals, gases, solvents and nutrients to be used and stored on the licensed premises. Identify storage location and how each will be secured.	Percentage	pg. 69	50	50	Addressed Criteria
Summary						

Section D: Security Plan (300 points)		Scoring Basis	Page Number	Points Available	Points Received	Evaluation
D.1.	The Security Plan shall be prepared and/or assessed by a professional security consultant.	All or None	pg. 70	100	100	Addressed Criteria
D.1.A.	Plan shall demonstrate how the cannabis business wishes to develop the floor plan and address other security issues on the property.					
D.2.	Premises Diagram. In addition to the site plans submitted for the Proposed Location (in Section H of Appendix A), a separate Premises Diagram must be included in this Security Plan section (Section D) of the application. Diagram must meet the requirements of the Department of Cannabis Control DCR Title 4, Division 19, §15006 Premises Diagram.	Percentage	pg. 71-79	75	75	Addressed Criteria
D.2.A.	Diagram shall show boundaries of property and proposed location to be licensed and show all boundaries, dimensions, entrances and exits, interior partitions, walls, rooms, windows, and doorways, and shall include a brief statement or description of the principal activity to be conducted therein.	N/A				
D.2.B.	Diagram shall show and identifies commercial cannabis activities to take place in each area of the premises and identify all limited-access areas.	N/A				
D.2.C.	Diagram shall show all camera locations and include assigned an number to each camera for identification purposes.	N/A				
D.2.D.	The diagram shall be accurate, dimensioned and to-scale (minimum scale of 1/4”).	N/A				

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

D.2. Cont'd	**D.2.E.**	If the proposed location consists of only a portion of a property, the diagram is labeled indicating which part of the property will be used for the licensed premises and what activities will be used for the remaining property.	**N/A**				
D.3.	Describe operational security, including general security for access/visitor control, inventory control and cash handling procedures.		**Percentage**	pg. 79-85	**75**	**75**	Addressed Criteria
D.4.	Describe perimeter security, on-site security guards, proposed guard hours and their responsibilities, and lighting.		**Percentage**	pg. 85-90	**35**	**35**	Addressed Criteria
D.5.	Describe employee training and general security policies.		**Percentage**	pg. 91-96	**15**	**15**	Addressed Criteria
Summary							

Section E: Qualification of Owners (400 points)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
E.1.	Demonstrate the business owner's experience in owning, managing, and operating a cannabis business. Evidence that prior experience was from legally permitted activities.	**Percentage**	pg. 97-102	**150**	**150**	Addressed Criteria
E.2.	Demonstrate knowledge of the cannabis industry, including identification of how industry best practices and state regulations have been incorporated in existing/prior legal businesses outside the City of Madera.	**Percentage**	pg.102-109	**100**	**100**	Addressed Criteria
E.3.	Describe the involvement of the ownership team in the day-to-day operation of the business.	**Percentage**	pg. 110-111	**150**	**150**	Addressed Criteria
Summary						

Section F: Neighborhood Compatibility (400 points)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
F.1.	Describe how the business will proactively address and respond to complaints related to noise, light, odor, and vehicle and pedestrian traffic and avoid becoming a nuisance or negative impact.	**Percentage**	pg. 112-119	**25**	**25**	Addressed Criteria
F.2.	Describe the waste management plan including: waste disposal locations, security measures, methods of rendering all waste unusable and unrecognizable, and the vendor in charge of disposal.	**Percentage**	pg. 119-121	**100**	**100**	Addressed Criteria

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

F.3.	**The application includes the following information about the proposed location:**						
	F.3.A.	Physical address and a detailed description of the proposed location, including overall property, building, and interior floor plan.	**Percentage**	pg. 122-125	**50**	**50**	Addressed Criteria
	F.3.B.	Describes all known nearby State and local sensitive use areas. (Business must have the appropriate zoning locational requirements described in MMC sections 6-5.33 and Title X)	**All or None**	pg. 126-128	**25**	**25**	Addressed Criteria
	F.3.C.	Lists nearby, well-traveled paths to schools and describes how the business will proactively protect youth on these paths from exposure to the cannabis business.	**All or None**	pg. 128	**25**	**25**	Addressed Criteria
	F.3.D.	Describes how the business will proactively take steps about community concerns to protect the youth generally from the impacts of the cannabis business.	**Percentage**	pg.129	**50**	**50**	Addressed Criteria
	F.3.E.	Proof of ownership, lease agreement, or a Letter of Intent to Lease.	**All or None**	pg. 130-131	**50**	**50**	Addressed Criteria
	F.3.F.	Vicinity map.	**All or None**	pg. 132	**25**	**25**	Addressed Criteria
	F.3.G.	Photographs of existing site and buildings.	**All or None**	pg. 133	**25**	**25**	Addressed Criteria
	F.3.H.	Evidence that the location has access to public transportation for employees or customers.	**All or None**	pg. 134	**25**	**25**	Addressed Criteria
Summary							

Section G: Community Benefits and Investment Plan (500 points)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
G.1.	Describes benefits the business will provide to the local community. May include: directly aiding, participating in, volunteer services, monetary donations, financial support, funding, and or any other economic incentives to the City or other charitable organizations in which will help achieve the strategic policy goals of the City Council in permitting cannabis businesses in the City of Madera.	**Percentage**	pg. 135-142	**500**	**500**	Addressed Criteria
Summary						

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

Section H: Proposed Location (300 points)			Scoring Basis	Page Number	Points Available	Points Received	Evaluation
H.	In addition to the location details required in the Security Plan, the application shall include a thorough narrative description of the proposed location, including overall site, existing and/or proposed building(s), parking spaces, driveways, pedestrian sidewalks/rights-of-way, and neighboring businesses on the parcel.		**Percentage**	143	**100**	**100**	Addressed Criteria
	H.1.	Applicant must have the appropriate zoning and meet all the locational requirements as described in MMC Section 6-5.33 and Title X.	**All or None**	File #5	**150**	**150**	Addressed Criteria
	H.2.	In addition to the Site Diagram submitted with the Security Plan above, application must include a (Site) diagram depicting all details described in the narrative description of the proposed location.	**Percentage**	pg. 143, 149-150	**50**	**50**	Addressed Criteria
Summary							

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

Sugarpine 559, Inc.
Applicant Name / DBA:

231 South C. Street, Madera, CA 93638
Proposed Location / Physical Address:

Retail Storefront
License Type:

Original Report
Report Type:

Wednesday, July 27, 2022
Report Date:

Complete Upon Initial Review.
Report Status:

Points Available: 3,000 **Points Awarded:** 2,992

Score: 99.73%

PHASE II: APPLICATION EVALUATION AND REVIEW (3,000 Points)

During this application period the City will allow up to six (6) cannabis business permits. The Procedure Guidelines and Review Criteria constitute the application process and are adopted pursuant to the City of Madera Municipal Code (MMC) Section 6-5.13 and Title X, Chapter 3 (Zoning Regulations). Applications will be reviewed and scored using a merit-based system. At a minimum the top ten (10) applicants who score a minimum of 90% or higher (2,700 points) in Phase II may be eligible to advance to Phase III. However, the City may at its sole discretion select more than ten (10) applicants based on the quantity and the overall quality of applications the City receives. Notice of the results of Phase II will be provided in writing via email to the primary contact listed on the application.

Section A: Business Plan (400 pts)			Scoring Basis	Page Number	Points Available	Points Received	Evaluation
Business Plan:							
A.1.	Budget for construction, operations, maintenance, compensation of employees, equipment, property lease, security equipment and staff, City fees, state fees, utility costs, product purchases, and other anticipated costs. Budget demonstrates sufficient capital to pay startup costs at least 3 months of operating costs and a describes sources and use of funds.		**Percentage**	pg. 1, 13-14	**75**	**75**	Addressed Criteria
	A.1. A.	Proof of capitalization, in the form of documentation of cash or other liquid assets on hand, Letters of Credit, or other equivalent assets which can be verified by the City.	**All or None**	pg. 1, 7-12	**50**	**50**	Addressed Criteria
	A.1.B.	Pro forma for at least three years of operation.	**Percentage**	pg. 1, 13-14	**75**	**75**	Addressed Criteria
	A.1.C.	A schedule for beginning operation, including a narrative outlining any proposed construction and improvements and a timeline for completion.	**All or None**	pg. 15-16	**20**	**20**	Addressed Criteria
Daily Operations (Retail):							
A.2.1.	**Describes the day-to-day operations which meet best practice if you are applying for a RETAIL permit, including at a minimum the following criteria:**						
	A.2.1.A.	Describe customer check-in procedures	**Percentage**	pg. 1-2	**75**	**75**	Addressed Criteria
	A.2.1.B.	Identify the location and procedures for receiving deliveries during business hours.	**All or None**	pg. 2-3	**25**	**25**	Addressed Criteria

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

A.2.1. Cont'd	**A.2.1.C.**	Describe the Point-of-Sale system to be used (including name), how it will interact with the states track-and-trace system, and the number of Point-of-Sale locations at full capacity.	**All or None**	pg. 3	**20**	**20**	Addressed Criteria
	A.2.1.D.	Estimate the number of customers to be served per hour/day.	**All or None**	pg. 3	**10**	**10**	Addressed Criteria
	A.2.1.E.	Describe the proposed product line to be sold (including brand names), and estimate of the percentage of sales of flower and manufactured products.	**Percentage**	pg. 3-4	**20**	**20**	Addressed Criteria
	A.2.1.F.	If proposed, describe delivery service procedures, number of vehicles and product security during transportation.	**N/A**	pg. 5-6			3 delivery vehicles
	A.2.1.G.	Describes how the Cannabis Business will conform to local and state laws. See MMC Sections 6-5.40 and Title X.	**Percentage**	pg. 6	**20**	**20**	Addressed Criteria
	A.2.1.H.	Describes how cannabis will be tracked and monitored to prevent diversion.	**All or None**	pg. 6	**10**	**10**	Addressed Criteria
Summary	[redacted]						

Section B: Labor, Equity, Diversity, and Inclusion Plan (400 pts)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
B.1.	Describe the extent business will include recognition of the collective bargaining rights of employees in accordance with Section 6-5.13 (G).	**All or None**	pg. 17, 19	**25**	**25**	Addressed Criteria
B.2.	Identify the number of employees at initial opening and maximum number of employees at full capacity.	**All or None**	pg. 17	**25**	**25**	Addressed Criteria
B.3.	Describe the diversity and inclusion programs that will be developed to embrace a diverse work force with a diverse set of perspectives, work and life experiences, religious, and cultural differences that provide equal opportunities for employee development.	**All or None**	pg. 17	**25**	**25**	Addressed Criteria
B.4.	Identify all positions and their responsibilities.	**Percentage**	pg. 17	**50**	**45**	Review of pages 5 and 6 of the application showed that the applicant would provide a delivery service with a delivery driver. However, review of page 17 through 20 showed that the applicant did not identify the delivery drivers responsibility within the Labor, Equity, Diversity and Inclusion Plan.

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

B.5.	Describe compensation to and opportunities for continuing education and training for employees.	**Percentage**	pg.17	**50**	**50**	Addressed Criteria
B.6.	Describe whether the cannabis business is committed to offering employees a Living Wage.	**All or None**	pg.18	**100**	**100**	Addressed Criteria
B.7.	Describe the benefits provided to employees such as health care, vacation, and medical leave, to the degree they are offered as part of employment.	**All or None**	pg. 18	**25**	**25**	Addressed Criteria
B.8.	Describe the extent to which the cannabis business will be locally owned and how the owner(s) have resided within the County of Madera for at least one year prior to June 1, 2021.	**All or None**	pg. 18, 21-39	**100**	**100**	Addressed Criteria
Summary	[redacted]					

Section C: Safety Plan (300 points)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
C.1.	The detailed Safety Plan shall be prepared by a California professional fire prevention and suppression consultant.	**All or None**	pg. 41	**100**	**100**	Addressed Criteria
C.2.	Describes all fire prevention and suppression measures, fire extinguisher locations, evacuation routes and alarm systems in place.	**Percentage**	pg. 41-48	**100**	**100**	Addressed Criteria
C.3.	Describes all accident and incident reporting procedures.	**All or None**	pg. 45-47	**50**	**50**	Addressed Criteria
C.4.	Identify all known chemicals, gases, solvents and nutrients to be used and stored on the licensed premises. Identify storage location and how each will be secured.	**Percentage**	pg. 47	**50**	**50**	Addressed Criteria
Summary	[redacted]					

Section D: Security Plan (300 points)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
D.1.	The Security Plan shall be prepared and/or assessed by a professional security consultant.	**All or None**	pg. 49	**100**	**100**	Addressed Criteria
	D.1.A. Plan shall demonstrate how the cannabis business wishes to develop the floor plan and address other security issues on the property.					

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

D.2.	Premises Diagram. In addition to the site plans submitted for the Proposed Location (in Section H of Appendix A), a separate Premises Diagram must be included in this Security Plan section (Section D) of the application. Diagram must meet the requirements of the Department of Cannabis Control DCR Title 4, Division 19, §15006 Premises Diagram.		**Percentage**		**75**	**72**	Review of page 72 of the application showed that the applicant's Premises Security Diagram did not meet the requirements of the Department of Cannabis Control DCR Title 4, Division 19, §15006 Premises Diagram as the premises diagram did not include assigned camera numbers to each camera for identification purposes.
	D.2.A.	Diagram shall show boundaries of property and proposed location to be licensed and show all boundaries, dimensions, entrances and exits, interior partitions, walls, rooms, windows, and doorways, and shall include a brief statement or description of the principal activity to be conducted therein.	**N/A**				
	D.2.B.	Diagram shall show and identifies commercial cannabis activities to take place in each area of the premises and identify all limited-access areas.	**N/A**				
	D.2.C.	Diagram shall show all camera locations and include assigned an number to each camera for identification purposes.	**N/A**				
	D.2.D.	The diagram shall be accurate, dimensioned and to-scale (minimum scale of 1/4”).	**N/A**				
	D.2.E.	If the proposed location consists of only a portion of a property, the diagram is labeled indicating which part of the property will be used for the licensed premises and what activities will be used for the remaining property.	**N/A**				
D.3.	Describe operational security, including general security for access/visitor control, inventory control and cash handling procedures.		**Percentage**	pg. 51-56	**75**	**75**	Addressed Criteria
D.4.	Describe perimeter security, on-site security guards, proposed guard hours and their responsibilities, and lighting.		**Percentage**	pg. 58-61	**35**	**35**	Addressed Criteria
D.5.	Describe employee training and general security policies.		**Percentage**	pg. 63-64	**15**	**15**	Addressed Criteria
Summary	[redacted]						

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

Section E: Qualification of Owners (400 points)		Scoring Basis	Page Number	Points Available	Points Received	Evaluation
E.1.	Demonstrate the business owner's experience in owning, managing, and operating a cannabis business. Evidence that prior experience was from legally permitted activities.	**Percentage**	pg. 73	**150**	**150**	Addressed Criteria
E.2.	Demonstrate knowledge of the cannabis industry, including identification of how industry best practices and state regulations have been incorporated in existing/prior legal businesses outside the City of Madera.	**Percentage**	pg. 73-74	**100**	**100**	Addressed Criteria
E.3.	Describe the involvement of the ownership team in the day-to-day operation of the business.	**Percentage**	pg. 73-74	**150**	**150**	Addressed Criteria
Summary	[redacted]					

Section F: Neighborhood Compatibility (400 points)			Scoring Basis	Page Number	Points Available	Points Received	Evaluation
F.1.	Describe how the business will proactively address and respond to complaints related to noise, light, odor, and vehicle and pedestrian traffic and avoid becoming a nuisance or negative impact.		**Percentage**	pg. 75	**25**	**25**	Addressed Criteria
F.2.	Describe the waste management plan including: waste disposal locations, security measures, methods of rendering all waste unusable and unrecognizable, and the vendor in charge of disposal.		**Percentage**	pg. 76	**100**	**100**	Addressed Criteria
F.3.	**The application includes the following information about the proposed location:**						
	F.3.A.	Physical address and a detailed description of the proposed location, including overall property, building, and interior floor plan.	**Percentage**	pg. 77-78	**50**	**50**	Addressed Criteria
	F.3.B.	Describes all known nearby State and local sensitive use areas. (Business must have the appropriate zoning locational requirements described in MMC sections 6-5.33 and Title X)	**All or None**	pg. 77	**25**	**25**	Addressed Criteria
	F.3.C.	Lists nearby, well-traveled paths to schools and describes how the business will proactively protect youth on these paths from exposure to the cannabis business.	**All or None**	pg. 77	**25**	**25**	Addressed Criteria
	F.3.D.	Describes how the business will proactively take steps about community concerns to protect the youth generally from the impacts of the cannabis business.	**Percentage**	pg. 77	**50**	**50**	Addressed Criteria
	F.3.E.	Proof of ownership, lease agreement, or a Letter of Intent to Lease.	**All or None**	pg. 88-93	**50**	**50**	Addressed Criteria
	F.3.F.	Vicinity map.	**All or None**	pg. 78	**25**	**25**	Addressed Criteria

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

F.3. Cont'd	**F.3.G.**	Photographs of existing site and buildings.	**All or None**	pg. 79-84	**25**	**25**	Addressed Criteria
	F.3.H.	Evidence that the location has access to public transportation for employees or customers.	**All or None**	pg. 85-87	**25**	**25**	Addressed Criteria
Summary		[redacted]					

Section G: Community Benefits and Investment Plan (500 points)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
G.1.	Describes benefits the business will provide to the local community. May include: directly aiding, participating in, volunteer services, monetary donations, financial support, funding, and or any other economic incentives to the City or other charitable organizations in which will help achieve the strategic policy goals of the City Council in permitting cannabis businesses in the City of Madera.	**Percentage**	pg. 94-95	**500**	**500**	Addressed Criteria
Summary	[redacted]					

Section H: Proposed Location (300 points)			**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
H.	In addition to the location details required in the Security Plan, the application shall include a thorough narrative description of the proposed location, including overall site, existing and/or proposed building(s), parking spaces, driveways, pedestrian sidewalks/rights-of-way, and neighboring businesses on the parcel.		**Percentage**	pg. 96	**100**	**100**	Addressed Criteria
	H.1.	Applicant must have the appropriate zoning and meet all the locational requirements as described in MMC Section 6-5.33 and Title X.	**All or None**	Section H pdf. pg. 1	**150**	**150**	Addressed Criteria
	H.2.	In addition to the Site Diagram submitted with the Security Plan above, application must include a (Site) diagram depicting all details described in the narrative description of the proposed location.	**Percentage**	pg. 97	**50**	**50**	Addressed Criteria
Summary	[redacted]						

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

Zen Garden of Madera, Inc. dba Zen Garden
Applicant Name / DBA:

700 South G Street, Madera, CA 93637
Proposed Location / Physical Address:

Retail Storefront
License Type:

Original Report
Report Type:

Monday, August 8, 2022
Report Date:

Complete Upon Initial Review.
Report Status:

Points Available: 3,000 **Points Awarded:** 2,932

Score: 97.73%

PHASE II: APPLICATION EVALUATION AND REVIEW (3,000 Points)

During this application period the City will allow up to six (6) cannabis business permits. The Procedure Guidelines and Review Criteria constitute the application process and are adopted pursuant to the City of Madera Municipal Code (MMC) Section 6-5.13 and Title X, Chapter 3 (Zoning Regulations). Applications will be reviewed and scored using a merit-based system. At a minimum the top ten (10) applicants who score a minimum of 90% or higher (2,700 points) in Phase II may be eligible to advance to Phase III. However, the City may at its sole discretion select more than ten (10) applicants based on the quantity and the overall quality of applications the City receives. Notice of the results of Phase II will be provided in writing via email to the primary contact listed on the application.

Section A: Business Plan (400 pts)			Scoring Basis	Page Number	Points Available	Points Received	Evaluation
Business Plan:							
A.1.	Budget for construction, operations, maintenance, compensation of employees, equipment, property lease, security equipment and staff, City fees, state fees, utility costs, product purchases, and other anticipated costs. Budget demonstrates sufficient capital to pay startup costs at least 3 months of operating costs and a describes sources and use of funds.		**Percentage**	pg. 13-22 PDF File #4	**75**	**57**	Review of applicant did not demonstrate sufficient capital to pay startup costs and at least 3 months of operating costs.
	A.1. A.	Proof of capitalization, in the form of documentation of cash or other liquid assets on hand, Letters of Credit, or other equivalent assets which can be verified by the City.	**All or None**	pg. 13-17 PDF File #4	**50**	**0**	Application contained a commitment letter in the amount of [redacted] from [redacted] (PDF #4, page 2). However, the accompanied bank statements in PDF File #4 failed to demonstrate sufficient capitalization to fund the [redacted] loan commitment (PDF #4, pages 3-15). Additionally, the supporting documents contained within PDF File #4 were inconsistent with the proof of capital narrative illustrated on page 13 of PDF File #2. As such, the applicant's source of capital could not be verified.
	A.1.B.	Pro forma for at least three years of operation.	**Percentage**	pg. 18-22	**75**	**75**	Addressed Criteria
	A.1.C.	A schedule for beginning operation, including a narrative outlining any proposed construction and improvements and a timeline for completion.	**All or None**	pg. 22-23	**20**	**20**	Addressed Criteria

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

Daily Operations (Retail):							
A.2.1.	**Describes the day-to-day operations which meet best practice if you are applying for a RETAIL permit, including at a minimum the following criteria:**						
	A.2.1.A.	Describe customer check-in procedures.	**Percentage**	pg. 24-25	**75**	**75**	Addressed Criteria
	A.2.1.B.	Identify the location and procedures for receiving deliveries during business hours.	**All or None**	pg. 25-27	**25**	**25**	Addressed Criteria
	A.2.1.C.	Describe the Point-of-Sale system to be used (including name), how it will interact with the states track-and-trace system, and the number of Point-of-Sale locations at full capacity.	**All or None**	pg. 28	**20**	**20**	Addressed Criteria
	A.2.1.D.	Estimate the number of customers to be served per hour/day.	**All or None**	pg. 28-29	**10**	**10**	Addressed Criteria
	A.2.1.E.	Describe the proposed product line to be sold (including brand names), and estimate of the percentage of sales of flower and manufactured products.	**Percentage**	pg. 29-30	**20**	**20**	Addressed Criteria
	A.2.1.F.	If proposed, describe delivery service procedures, number of vehicles and product security during transportation.	**N/A**	pg. 30			1 delivery vehicle
	A.2.1.G.	Describes how the Cannabis Business will conform to local and state laws. See MMC Sections 6-5.40 and Title X.	**Percentage**	pg. 35-39	**20**	**20**	Addressed Criteria
	A.2.1.H.	Describes how cannabis will be tracked and monitored to prevent diversion.	**All or None**	pg. 40-41	**10**	**10**	Addressed Criteria
Summary		[redacted]					

Section B: Labor, Equity, Diversity, and Inclusion Plan (400 pts)		Scoring Basis	Page Number	Points Available	Points Received	Evaluation
B.1.	Describe the extent business will include recognition of the collective bargaining rights of employees in accordance with Section 6-5.13 (G).	**All or None**	pg. 43-44	**25**	**25**	Addressed Criteria
B.2.	Identify the number of employees at initial opening and maximum number of employees at full capacity.	**All or None**	pg. 45	**25**	**25**	Addressed Criteria

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

B.3.	Describe the diversity and inclusion programs that will be developed to embrace a diverse work force with a diverse set of perspectives, work and life experiences, religious, and cultural differences that provide equal opportunities for employee development.	**All or None**	pg. 45-46	**25**	**25**	Addressed Criteria
B.4.	Identify all positions and their responsibilities.	**Percentage**	pg. 46-55	**50**	**50**	Addressed Criteria
B.5.	Describe compensation to and opportunities for continuing education and training for employees.	**Percentage**	pg. 55-56	**50**	**50**	Addressed Criteria
B.6.	Describe whether the cannabis business is committed to offering employees a Living Wage.	**All or None**	pg. 56	**100**	**100**	Addressed Criteria
B.7.	Describe the benefits provided to employees such as health care, vacation, and medical leave, to the degree they are offered as part of employment.	**All or None**	pg. 56	**25**	**25**	Addressed Criteria
B.8.	Describe the extent to which the cannabis business will be locally owned and how the owner(s) have resided within the County of Madera for at least one year prior to June 1, 2021.	**All or None**	pg. 57-59	**100**	**100**	Addressed Criteria
Summary	[redacted]					

Section C: Safety Plan (300 points)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
C.1.	The detailed Safety Plan shall be prepared by a California professional fire prevention and suppression consultant.	**All or None**	pg. 60	**100**	**100**	Addressed Criteria
C.2.	Describes all fire prevention and suppression measures, fire extinguisher locations, evacuation routes and alarm systems in place.	**Percentage**	pg.62-68	**100**	**100**	Addressed Criteria
C.3.	Describes all accident and incident reporting procedures.	**All or None**	pg. 68-76	**50**	**50**	Addressed Criteria
C.4.	Identify all known chemicals, gases, solvents and nutrients to be used and stored on the licensed premises. Identify storage location and how each will be secured.	**Percentage**	pg. 77-78	**50**	**50**	Addressed Criteria
Summary	[redacted]					

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

Section D: Security Plan (300 points)			Scoring Basis	Page Number	Points Available	Points Received	Evaluation
D.1.	The Security Plan shall be prepared and/or assessed by a professional security consultant.		**All or None**	pg. 78	**100**	**100**	Addressed Criteria
	D.1.A.	Plan shall demonstrate how the cannabis business wishes to develop the floor plan and address other security issues on the property.					
D.2.	Premises Diagram. In addition to the site plans submitted for the Proposed Location (in Section H of Appendix A), a separate Premises Diagram must be included in this Security Plan section (Section D) of the application. Diagram must meet the requirements of the Department of Cannabis Control DCR Title 4, Division 19, §15006 Premises Diagram.		**Percentage**	pg. 80	**75**	**75**	Addressed Criteria
	D.2.A.	Diagram shall show boundaries of property and proposed location to be licensed and show all boundaries, dimensions, entrances and exits, interior partitions, walls, rooms, windows, and doorways, and shall include a brief statement or description of the principal activity to be conducted therein.	**N/A**				
	D.2.B.	Diagram shall show and identifies commercial cannabis activities to take place in each area of the premises and identify all limited-access areas.	**N/A**				
	D.2.C.	Diagram shall show all camera locations and include assigned an number to each camera for identification purposes.	**N/A**				
	D.2.D.	The diagram shall be accurate, dimensioned and to-scale (minimum scale of 1/4”).	**N/A**				
	D.2.E.	If the proposed location consists of only a portion of a property, the diagram is labeled indicating which part of the property will be used for the licensed premises and what activities will be used for the remaining property.	**N/A**				
D.3.	Describe operational security, including general security for access/visitor control, inventory control and cash handling procedures.		**Percentage**	pg. 81-89	**75**	**75**	Addressed Criteria
D.4.	Describe perimeter security, on-site security guards, proposed guard hours and their responsibilities, and lighting.		**Percentage**	pg. 89-93	**35**	**35**	Addressed Criteria
D.5.	Describe employee training and general security policies.		**Percentage**	pg. 93-103	**15**	**15**	Addressed Criteria

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

Summary	[redacted]

Section E: Qualification of Owners (400 points)		Scoring Basis	Page Number	Points Available	Points Received	Evaluation
E.1.	Demonstrate the business owner's experience in owning, managing, and operating a cannabis business. Evidence that prior experience was from legally permitted activities.	**Percentage**	pg. 103-107	**150**	**150**	Addressed Criteria
E.2.	Demonstrate knowledge of the cannabis industry, including identification of how industry best practices and state regulations have been incorporated in existing/prior legal businesses outside the City of Madera.	**Percentage**	pg. 107	**100**	**100**	Addressed Criteria
E.3.	Describe the involvement of the ownership team in the day-to-day operation of the business.	**Percentage**	pg. 108	**150**	**150**	Addressed Criteria

Summary	[redacted]

Section F: Neighborhood Compatibility (400 points)			Scoring Basis	Page Number	Points Available	Points Received	Evaluation
F.1.	Describe how the business will proactively address and respond to complaints related to noise, light, odor, and vehicle and pedestrian traffic and avoid becoming a nuisance or negative impact.		**Percentage**	pg. 110-113	**25**	**25**	Addressed Criteria
F.2.	Describe the waste management plan including: waste disposal locations, security measures, methods of rendering all waste unusable and unrecognizable, and the vendor in charge of disposal.		**Percentage**	pg. 113-118	**100**	**100**	Addressed Criteria
F.3.	**The application includes the following information about the proposed location:**						
	F.3.A.	Physical address and a detailed description of the proposed location, including overall property, building, and interior floor plan.	**Percentage**	pg. 120-122	**50**	**50**	Addressed Criteria
	F.3.B.	Describes all known nearby State and local sensitive use areas. (Business must have the appropriate zoning locational requirements described in MMC sections 6-5.33 and Title X)	**All or None**	pg. 122	**25**	**25**	Addressed Criteria
	F.3.C.	Lists nearby, well-traveled paths to schools and describes how the business will proactively protect youth on these paths from exposure to the cannabis business.	**All or None**	pg. 122	**25**	**25**	Addressed Criteria

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

F.3. Cont'd	**F.3.D.**	Describes how the business will proactively take steps about community concerns to protect the youth generally from the impacts of the cannabis business.	**Percentage**	pg.122	**50**	**50**	Addressed Criteria
	F.3.E.	Proof of ownership, lease agreement, or a Letter of Intent to Lease.	**All or None**	PDF #1 pg. 23-25	**50**	**50**	Addressed Criteria
	F.3.F.	Vicinity map.	**All or None**	pg. 123	**25**	**25**	Addressed Criteria
	F.3.G.	Photographs of existing site and buildings.	**All or None**	pg. 124-126	**25**	**25**	Addressed Criteria
	F.3.H.	Evidence that the location has access to public transportation for employees or customers.	**All or None**	pg. 125	**25**	**25**	Addressed Criteria
Summary		[redacted]					

Section G: Community Benefits and Investment Plan (500 points)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
G.1.	Describes benefits the business will provide to the local community. May include: directly aiding, participating in, volunteer services, monetary donations, financial support, funding, and or any other economic incentives to the City or other charitable organizations in which will help achieve the strategic policy goals of the City Council in permitting cannabis businesses in the City of Madera.	**Percentage**	pg. 127-134	**500**	**500**	Addressed Criteria
Summary	[redacted]					

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

Section H: Proposed Location (300 points)			Scoring Basis	Page Number	Points Available	Points Received	Evaluation
H.	In addition to the location details required in the Security Plan, the application shall include a thorough narrative description of the proposed location, including overall site, existing and/or proposed building(s), parking spaces, driveways, pedestrian sidewalks/rights-of-way, and neighboring businesses on the parcel.		**Percentage**	pg. 135-138	**100**	**100**	Addressed Criteria
	H.1.	Applicant must have the appropriate zoning and meet all the locational requirements as described in MMC Section 6-5.33 and Title X.	**All or None**	PDF #2	**150**	**150**	Addressed Criteria
	H.2.	In addition to the Site Diagram submitted with the Security Plan above, application must include a (Site) diagram depicting all details described in the narrative description of the proposed location.	**Percentage**	pg. 142	**50**	**50**	Addressed Criteria
Summary							

ATTACHMENT 3
Application Community Benefit Proposals

CALI OZ MADERA, LLC

SECTION

G

Community Benefit

Section G: Community Benefits and Investments Plan

Oz is committed to positively impacting the community in which our proposed store is located, as well as the City of Madera community in general. We plan to implement a variety of community benefit initiatives, including our community outreach and education efforts as outlined in Section F, as well as philanthropic efforts, explained in further detail below.

Determining and Staying Attuned to Community Needs

In order to determine how our Community Benefits and Investments Plan could best serve the community, Oz reviewed the City of Madera 2021-2022 Action Plan (the "Action Plan"), which the City has designed to align with the goals and objectives set by its 2020-2024 Consolidation Plan, with a much more direct impact to its citizens. The following are some of the City's major needs identified by the Action Plan:

- **Housing and Homelessness;**
- **Access to Services;**
- **Infrastructure Improvements;**
- **Trafficking; and**
- **Parental Services.**

As explained in detail in Section F, in accordance with MMC §§6-5.50(A)-(B), Oz will designate a Community Relations Contact/Representative, who will establish and maintain community connections, and find philanthropic opportunities once the facility is in operation. In particular, the Community Relations Contact/Representative will be responsible for identifying and contacting our neighbors, as well as community organizations which serve the area. As explained in detail in Section B.3, our Community Relations Contact/Representative will be a local, Madera resident, who is therefore familiar with the community's specific and unique charitable needs.

Proposed Giving

In order to address the City's major needs as outlined above, Oz will give to the Madera community in the following ways:

- **Monetary Giving;**
- **In-kind Giving;**
- **Volunteer Hours; and**
- **Local Hiring.**

Monetary Giving

Oz will dedicate 1% of our gross revenues annually to charitable giving, meaning we will benefit the City utilizing these funds, through monetary donations to local organizations as well as sponsorships of community events. Oz has selected the following charitable and community organizations as potential partners and recipients of our financial support.

Madera Rescue Mission

The Action Plan states that the City's two most major needs are housing and homelessness, and therefore these issues are major focus points of future City projects. The Action Plan stated that the City had identified major gaps in homeless services/prevention, and that the City's homeless population was a concern with regards to social services, public safety, and quality of life. In particular, the City names provision of emergency shelter and transitional housing as a jurisdictional one-year goal for reducing and ending homelessness.

The 2019 Point-in-Time Count of the Fresno-Madera region identified 260 unsheltered, and 96 sheltered homeless individuals in the City of Madera. Out of the regional count, roughly 21% of sheltered and 13% of unsheltered homeless individuals were in the City of Madera during the 2019 Point-in-Time count.

Madera Rescue Mission ("MRM") is a faith-based organization which provides a variety of services to Madera's poor and homeless populations. MRM provides meals, showers, clothing, and a safe place to sleep at its Men's Shelter and Women's Emergency Shelter. Further, MRM provides extensive addiction and substance abuse recovery resources, including an inpatient, 12-month Discipleship Recovery program, with 6 months of aftercare. In addition to basic care and recovery, MRM provides employment assistance and aftercare resources to help provide a path out of homelessness.

Oz is excited to support MRM's important work, and will make a monetary contribution of 1% of sales. In addition, as discussed in further detail below in our schedule of Community Benefit Opportunities/ Sponsorships, Oz will sponsor the MRM Second Wind 5K event.

Madera Coalition for Community Justice

According to the 2020 Census, 16.1% of Madera residents are in poverty, much higher than the State average. As stated in the Action Plan, the City's anti-poverty strategy includes homelessness prevention, provision of employment opportunities, and offering supportive services.

Madera Coalition for Community Justice ("MCCJ") is one of the activities the City is funding as part of its anti-poverty strategy. While the City did not initially recommend funding MCCJ's work, an overwhelming amount of support was expressed by the community during the public comment period of the Action Plan development process, and MCCJ was ultimately granted funds. In 2022, MCCJ was selected by Senator Anna Caballero as the 2022 Nonprofit of the Year for Senate District 12.

MCCJ is a nonprofit organization serving Madera's low-income residents by providing food, clothing, health care, educational and employment opportunities, and assistance with other fundamental needs. MCCJ runs a variety of programs tailored to different community members and their needs, including but not limited to the following:

- The Rental and Utilities Assistance, Food Share, and Teams and Changes programs provide housing, nutritional, utility, and phone assistance to low-income Madera residents, and the Environmental Justice program helps combat the structural inequality faced by these individuals.
- MCCJ serves Madera's youth through the MCCJ Child Development Center, Youth Leaders program, and Youth Street Art project.
- The Parents as Leaders Program empowers parents to become engaged in their children's education and promote achievement in school.
- With the unprecedented challenges the community has faced throughout the COVID-19 pandemic, MCCJ implemented the Orale Program to increase testing and reduce infection in the community







O.L.I.V.E. Madera



Overcoming Limitations through Intervention, Value, and Empowerment.

OLIVE TEAM:

Operations Director:
April Molina

Board of Directors:

Lt. Dan Foss
Chairman

Lt. Robert Beres
President

Cynthia Ramos
Vice President

Sylvia Anguiano
Secretary

Jana Molina
Treasurer

D.A. Sally Moreno
Director

Sgt. Alisa Vidrgain
director

www.olivemadera.com
1525 Howard Rd.
Madera, CA 93637
559-355-6365

April 20th, 2022

Cali OZ Madera LLC
108 S Main Street Suite A
Royal Oak, MI 48067

Dear Cali OZ Madera,

Thank you so much for your very generous donation of $1,500.00 to Olive received this year. Your donation will go a long way toward the new safe house for our survivors of human sex trafficking. Our project was completed in February of 2021. This will ensure a safe location of victims of this heinous crime that plagues our world. Thank you for your contribution and we look forward to future donations.

No goods or services were provided for this donation.

For more information on trafficking, you can go to our website at: www.olivemadera.com

Respectfully,

April Molina
Operations Director

DONATION RECEIPT – Keep for your records

Organization: O.L.I.V.E. Charitable Organization
Tax ID #: 84-2806845
Cash Contribution: $1,500.00

The Action Plan states the City's desire to support services for combating trafficking, including its funding of O.L.I.V.E (Overcoming Limitations through Intervention, Value, and Empowerment). O.L.I.V.E. is a nonprofit organization that was founded in 2015 by a member of Madera's Police Department, Lieutenant Dan Foss, in order to fill the gap in resources needed to assist victims of human sex trafficking. O.L.I.V.E. partners with local law enforcement agencies to assist victims of sex trafficking. In addition, O.L.I.V.E. strives to help women who are victims of trafficking see the value within themselves and empower them to move forward, through education, awareness, and outreach.

According to O.L.I.V.E., there are 10,000-20,000 victims of sex trafficking in the Madera/Fresno area, and these shocking numbers are only increasing over time. O.L.I.V.E. found that the number one issue for the survivors it serves is safety and housing. In order to address these pressing needs, O.L.I.V.E. recently opened a "safe house" for survivors.

Oz will support O.L.I.V.E. and its important work in the community in several ways. We have contributed

CASA of Fresno and Madera Counties



CASA

Court Appointed Special Advocates
Fresno and Madera Counties

March 23, 2022

Cali Oz Madera LLC

The Action Plan identifies homelessness, services for youth, as well as parental services such as education, as areas of continued support by the City. In addition, the Action Plan names helping individuals uniquely at risk of becoming



and guidance to children who are under the care of the court due to neglect and/or abuse. We are able to provide these children with the support they need from their community.

You may use this letter as your official receipt. No goods or services were received for this contribution. The tax identification number for CASA of Fresno and Madera Counties is 77-0401361.

Warmest Regards,

Wilma Tom Hashimoto
Executive Director

Thank you so much!

CASA: The Voice that Matters for Foster Youth

As of 2020, Fresno and Madera Counties had more than 2,500 children in the foster care system. According to 2021 data from CalYOUTH, a comprehensive study gauging the effectiveness of State and federal foster care legislation conducted between 2012-2022, 1 in 4 California foster youth become homeless after leaving extended care. Court Appointed Special Advocates of Fresno and Madera Counties ("CASA") is a nonprofit organization which supports abused and neglected children in the foster care system by recruiting, training, and supporting volunteers to advocate and speak for these youth's best interests in court. CASA aims to change the trajectory of foster children's lives, in order to avoid the all-too-common pipeline of foster care to prison, homelessness, or mental health issues in adulthood

Oz will support the community in ways beyond merely donating funds. Although many community and charitable organizations are in need of monetary support, some organizations are in more dire need of supplies or volunteers, and are best assisted by in-kind donations and/or contributions of volunteer

hours. Oz understands that hosting supply drives at our store can accomplish multiple goals. Firstly, a drive can collect much needed supplies for donation to valuable community organizations. Secondly, by asking for customer and community participation in a drive, we spread awareness about the organization and its important work, and even potentially lead interested individuals to get involved with the cause in the future. Oz has selected the following organization as a potential beneficiary of in-kind and volunteer contributions:

H.O.P.E. House Madera

When discussing the City's one-year goals and actions to reduce and end homelessness, the Action Plan lists the importance of providing resources and education to help prevent certain vulnerable individuals from becoming homeless, including those who are low-income, those being discharged from institutions and systems of care, or those receiving assistance regarding housing, health, social services, education, or youth needs.

H.O.P.E. House Madera ("H.O.P.E. House") serves several of the vulnerable populations considered in the Action Plan, including current, former, and prospective clients of behavioral health services, adults facing homelessness, individuals recovering from addiction, and transitional age youth. H.O.P.E. House strives to improve the quality of life of the individuals it serves through placing focus on the Eight Dimension of Wellness – emotional, spiritual, intellectual, physical, environmental, financial, occupational, and social.

Among its other services throughout Madera County, H.O.P.E. House operates a drop-in wellness center in Madera, which provides employment and volunteer opportunities, education / school support, transportation, life skills building and support groups, a computer lab, bicycle repair services, and laundry and shower facilities. The Madera wellness center also offers an afterschool program for high school age transition age youth.

In order to best support H.O.P.E. House's important work in the Madera community, Oz will contribute in-kind donations, and will explore the possibility of contributing volunteer hours. We will launch an in-store drive to collect adult clothing, new socks, and undergarments, for donation to H.O.P.E. House.

Local Hiring

As explained in Section B, Oz will benefit the Madera community by hiring locally and paying all employees a living wage. Our local hiring and generous compensation will benefit the City economy.

As discussed in Section B.3, Oz plans to staff our store with 100% local Madera residents, which will benefit the City economically through our living wage and generous compensation packages to all staff, including our 27 local hires during our first 13 months of operations.

As part of our local recruitment efforts, Oz will partner with O.L.I.V.E., with which we have entered into a first rights for hire job training agreement, within the confines of the law.

United Way Fresno and Madera Counties

We will also host a local hiring event in partnership with United Way Fresno and Madera Counties' Prosperity Coaching Program.

United Way Fresno and Madera Counties is a nonprofit organization working to achieve education, financial stability, and well-being for communities in Fresno and Madera Counties. United Way Fresno and Madera Counties is particularly committed to improving the radical wealth, health, and education-

Oz proposes the following schedule of Community Benefit Opportunities and Sponsorships.

CALENDAR Key	COMMUNITY PARTNERS	COMMUNITY EVENTS
JANUARY 2022	**Sponsorship/ National Human Trafficking Prevention Month** O.L.I.V.E Madera The Pledge 2 Stop Trafficking Fund	
FEBRUARY 2022	**Sponsorship Opportunities** CASA of Fresno & Madera Counties	**The Ultimate Chef Cook-Off** (to support CASA of Fresno & Madera Counties)
MARCH 2022	**Sponsorship Opportunities** Madera Rescue Mission (MRM)	**Second Wind 5K** (benefiting Madera Rescue Mission and Madera Co. Food Bank)

APRIL 2022

Sponsorship Opportunities

Relay for Life Madera

MAY 2022

Sponsorship/National Foster Care Month

CASA Madera & Fresno Counties

CASA Awareness Day / CASA Awareness Month

JUNE 2022

Sponsorship Opportunities

Black Saints United and the City of Madera

Juneteenth (hosted by Black Saints United and the City of Madera)

JULY 2022

Sponsorship Opportunities

Madera County Food Bank

Madera County **10th Annual Dinner** (fundraiser for Madera County Food Bank)

AUGUST 2022

Sponsorship Opportunities

Madera Unified School District ("MUSD")

Madera Police Association

Back to School supply drive (Partner with MUSD in providing students with backpacks filled with the basic school supplies each student needs to begin school.)

National Night Out (NNO) is a national community-building event celebrated by over 33 million Americans across the United States. It promotes community-police partnerships and neighborhood camaraderie by bringing law enforcement officers, community leaders, and residents together for an evening against crime.

SEPTEMBER 2022

Sponsorship Opportunities

CASA Madera & Fresno Counties

Annual Crab Feed (to benefit CASA Madera & Fresno Counties)

Old Timers' Day Parade And Celebrate Booths In The Park

OCTOBER 2022

Sponsorship Opportunities

- Latinas Unidas De Madera, Californi
- **Annual Fiesta in the Park** (to promote Madera cultural arts)

NOVEMBER 2022

Sponsorship Opportunities

- The Madera Chamber of Commerce Tourism Alliance Committee
- **11th annual Pomegranate, Fruit & Nut Festival**

DECEMBER 2022

Sponsorship Opportunities

- Salvation Army of Madera County
- Madera Chamber of Commerce
- **Toys 4 Tots and Coats for Kids drives**

GBH RETAIL, LLC
(dba: Cannable)

G. COMMUNITY BENEFITS & INVESTMENTS PLAN

OVERVIEW

GBH recognizes both community engagement and local involvement as vital components of a successful and responsible business. By modeling a deep commitment to the community, GBH hopes to attract high quality resources, educated customers and partners, and City and community support. We will act as a responsible employer, service provider, and neighbor, working to establish a professional and compassionate reputation. GBH will, in all cases, build its business on the foundation of compliance, safe product use, and unparalleled customer care and community outreach. Our team of devoted professionals share one common mission: to offer the best service to our patients and customers while being an upstanding member of the Madera community. Our team consists of Central California and Madera residents who understand the city's objectives and the issues that matter most to our communities. As demonstrated herein, our team genuinely cares about the success of our community outreach programs and promises to exceed the minimum requirements of doing business in order to be a productive and collaborative member.

GBH understands that to truly integrate into Madera and bring value to the community, we need to establish meaningful connections and ongoing relationships within the community in order to understand the complex and changing socioeconomic issues. We want to ensure that our plans are created and executed under the guidance of knowledgeable individuals respected by City officials, businesses and neighbors. Therefore, GBH will commit to establishing a Community Advisory Board, led by GBH Owner and Madera Resident Lloyd Fagundes, who will build a team specifically identified for their knowledge and familiarity with the mission, core values, and community of Madera. GBH will rely upon this Advisory Board to direct civic, charitable and community engagement. Substantively, GBH's strategic approach to benefitting the community encompasses a range of locally tailored areas for intervention in Madera, including the combination of education with recruitment, providing salaries that reflect the relatively high poverty rates in Madera as discussed in Living Wage, monetarily supporting local community organizations directly and through a Community Benefits Fund administered with the approval of the City Council, providing incentives for employees to volunteer with community organizations, working with identified local businesses, and by utilizing the strategic business model and location of the proposed cannabis business on E Yosemite Ave, near Hwy 99 and the large population centers of Madera County, generating greater revenues for GBH and the City of Madera.

Further, in every community where we are operational, our business has contributed positively to the community in the form of local hiring, working with and funding community based organizations and city programs benefitting the community, collaboration with community leaders and officials to educate and assist in the transition to a local economy that includes cannabis, and incorporating environmentally sustainable practices including location for odor mitigation, solar, water conservation, energy and environmentally efficient buildings and vehicles to reduce our carbon footprint. Our Community Benefits program builds on GBH's tailored approach and business model supporting the City's General Plan and Vision Madera 2025 goals to achieve (1) A Well-Planned City, (2) Good Jobs and Economic Opportunities, (3) Strong Community and Great Schools, and (4) A Safe, Healthy Environment.

COMMUNITY FUNDING & INITIATIVES

COMMUNITY BENEFITS FUND

GBH will establish and make monetary contributions to a GBH Community Benefits Fund and, inclusive of the 2% municipal tax on Gross Receipts, commits to contributing 5% Gross Receipts with a minimum commitment of 0.5% Gross Receipts (GBH anticipates contributing $85,211 to the fund from June through December, 2023). Through numerous discussions with local youth organizations' leadership, GBH Management Team members have concluded that City-supported funding avenues are likely the most effective means for distributing GBH's monetary donations to community organizations. The current culture around the cannabis industry in Madera has deterred interest for direct donations from certain youth organizations, although they were in support of City-supported funding avenues and our proposed staff volunteer program. GBH would like to propose that monetary contributions from the Community Benefits Fund be directed through the City Council, that allocations from the Community Benefits Fund shall be agreed upon in a Community Benefits Agreement with the City of Madera for the benefit of public safety, youth education, empowerment and drug addiction, supporting recreational and educational programs, as grants for artists, or other uses benefiting the community as deemed appropriate by GBH and the Council, and may include, but is not limited to: in-kind donations, sponsorship of community events; support, financial or otherwise for community-based organizations and projects.

GBH has so far been in discussions about potential monetary contributions with Mattie Mendez of Community Action Partnership of Madera, the Olive Foundation Madera, Madera County Foodbank, and the Madera County Workforce Investment Corporation. A list of additional community benefit areas that GBH has identified for monetary funding, as well as for paid volunteer hours for employees, are further explored below. This list is provided to offer options for discussion and GBH is open to review and consider any other opportunities that the Community Advisory Board and/or City Representatives identify.

YOUTH ADDICTION & DRUG EDUCATION

Our CCO, Marc Garcia, was a former Merced County Superior Court Judge who handled drug addiction issues both at the juvenile and adult level and has years of experience confronting the challenges that both situations present. With his guidance and input in collaboration with our Community Advisory Board leader Michael Fagundes and Community Relations Director Norm Allinder, discussions have started on potential partnerships for the development and implementation of an education program outlining the risks of youth addiction to cannabis, with GBH making resources available through the Community Benefits Fund to support these endeavors, per MMC §6-5.11(C). Kings View Community Services, located near our proposed location in Madera, for example, works in Youth Addiction outside of Madera, and exploring possibilities to expand these programs to their Madera operations would be of interest to GBH. Through these and other similar efforts GBH shall develop and make available to youth organizations and educational institutions a public education plan that outlines the risks of youth addiction to cannabis and identifies resources available to youth related to drugs and drug addiction. Our Community Relations Director shall then work with youth organizations and schools to help deliver such packages and education programs to youth in City of Madera.

Separately, and under Marc's stewardship, we have also been developing programs to drive adult addicts away from reliance on pharmaceuticals and hardened street drugs to cannabis-based medicines whose medicinal value has been proven in clinical settings for a diverse range of individuals from mentally ill patients to homeless addicts, to veterans dealing with the issue of post-traumatic stress disorder (PTSD). Cannabis

programs would be developed for use as a therapeutic intervention to remove or break addition from these drugs in adults.

As a person with experience and credibility in this area, our COO Marc Garcia would be tasked with outreach and be available as a point of contact on behalf of the company to these specific stake holders to create and implement a sustainable plan to outline the risks and curb the use of cannabis and also create and implement a sustainable plan on the other side of the spectrum for adults challenged with addiction.

EMPLOYEE COMMUNITY VOLUNTEER PROGRAM

In addition to direct financial support, GBH is committed to donating time to participate in support of local community organizations, including participation in local and state fundraisers and community-oriented campaigns and events. We have developed an Employee Involvement Program as a way to encourage employees to volunteer their time to the groups and organizations most important to the community of Madera. GBH is proud to offer all employees four (4) paid volunteer hours per month, further encouraging employee participation and engagement within our community. We will develop a calendar each quarter, to be shared with all employees, showcasing volunteer opportunities and will work with the City to identify opportunities.

GBH has already been in discussions with local organizations seeking volunteers to create a list of established volunteer opportunities for employee consideration. GBH has been in touch with Mattie Mendez of Community Action Partnership of Madera (CAPM) about GBH making a CAPM volunteer program available to our staff. Further support being explored include providing volunteer hours for the Madera County Foodbank. Additional organizations and programs will be identified based upon their alignment with City priorities and GBH principles and goals for community engagement. Using their paid volunteer days, employees will be able to select from approved organizations and commit their time to their organizations of choice. The volunteer list will be continually expanded and refined as GBH identifies new opportunities to participate in beneficial community initiatives and events.

CANNABIS EDUCATION & THERAPEUTIC SOLUTIONS

GBH is keenly aware that the expansion of cannabis operations in Madera will continue to raise an array of questions within the community, and with the elderly in particular. Once the risks of Covid-19 have subsided, GBH plans to offer public education seminars at least four times a year at nearby senior care facilities and retirement communities such as Cedar Creek Senior Living to ease this transition and to ensure that members of the elderly community and general public have access to accurate information about cannabis. After GBH obtains City approval for each public meeting prior to holding the meeting, the public education seminars will be designed to inform Madera and Madera County residents of cannabis issues, cannabis products and the proper, safe and legal ways cannabis products should be used. There will be a particular focus on aligning the therapeutic properties of cannabis and products to symptoms and qualifying conditions that may be treated with a particular strain or product. In lieu of offering medical advice seminars will explain educational materials, should a patient have health inquiries. GBH will create a platform with knowledgeable stakeholders that ensures the longevity of the educational seminars.

When allowed by the hosting venue, these free seminars will be open to the public and will provide an opportunity for attendees to learn more about cannabis. Seminars may feature lectures by local and national healthcare experts and/or cannabis professionals, as well as local officials who want to provide unbiased education to the community about cannabis, educating attendees about the benefits and risks of cannabis products. Applicant's proposed format for these meetings is as follows:

- GBH will identify a venue off premises to host members of the elderly community and general public interested in learning more about cannabis.
- For meetings open to the public, GBH will publicize the meetings on their website, through social media, by posting the meeting schedule at the dispensary and by communicating the meeting time and date with neighbors, City Council and other community partners.
- Each meeting will include:
    - Scheduled Learning Topic may include but are not limited to: unbiased education about cannabis; exploring various delivery systems; explaining various product categories and the cannabis brands and products within each category; discussions surrounding the proper dosing of cannabis; alignment and therapeutic properties between cannabis products and medical symptoms and qualifying conditions; and benefits and risks of cannabis use.
    - Question and Answer Session

Attendees will always have the opportunity to ask questions at the conclusion of the meeting. GBH's Management Team will also remain in the seminar facility after the meeting to answer questions privately, should attendees wish to speak with a member of our team about personal concerns or questions.

UTILIZATION OF LOCAL SERVICES & PRODUCT PROVIDERS

GBH will work intimately with the Madera Chamber of Commerce to learn more about the City, while promoting its new retail location. GBH will offer exclusive events and promotions to community businesses and circulate notifications through Chamber-sponsored emails and bulletins. Further, as a member, GBH will develop directory listings and other advertising materials for the Chamber's business and online directories. To further engage with community businesses and local residents, GBH will be an active member of the Chamber of Commerce and will regularly attend the Chamber's sponsored functions. Additionally, GBH will sponsor several networking events with the Madera Chamber of Commerce, which will be promoted on the Chamber's monthly calendar along with weekly e-bulletins that are distributed to Chamber members.

Beyond the economic incentives of employing a diverse workforce from the local community, factoring in the estimated $779,500 in annual local resident salaries GBH will provide in 2023, the property development of currently unoccupied buildings, and the long-term economic impact of contributing to infrastructure and the community organizations as discussed above, GBH will also engage with local, diverse businesses and contractors, and will utilize union labor whenever possible. GBH will aim to purchase products such as packaging and office supplies and technology systems and equipment, from companies and suppliers in the City of Madera or Madera County with aligned ethics, cultures and values to further support and enrich the lives of local residents and patients while contributing to the development of Madera's economy. Additionally, GBH will engage local businesses to provide the wide range of services necessary. These partnerships may include engaging with small, diverse businesses such as a local advertising agency, general contractor, waste management company, security company, and other local businesses. GBH aims to be an admirable business partner, a role-model employer, and a pillar of exemplary company values and business ethics.

A list of possible local partners identified by GBH include:

- Madera Private Security Patrol (Security Guards)
- Madera Armed Patrol (Security Guards)
- Madera – S&J Lumber Inc (Lumber and Buildings Supplies)
- General Builders Supply (Lumber and Building Supplies)
- ADS (Advertising and Marketing)

- Workingarts Marketing Inc. (Marketing)
- MGM Construction (General Contractor)
- Span Construction & Engineering Inc. (General Contractor)
- Conquest Sanitation Solutions (Waste Management)
- Diamond Communications Inc (Security Equipment Installation)
- A&A Security Services (Security Equipment Installation)
- Peters Brothers Nursery & Custom Landscaping (Landscaping)
- Rosenbalm Rockery Inc (Landscaping)
- Doe Magnet (Graphic Design)
- MHDesigns LLC (Graphic Design)

COMMUNITY ENGAGEMENT

GBH is committed to proactively addressing all potential issues related to noise, light, odor, litter, and vehicle and pedestrian traffic, but has prepared to handle all complaints or concerns regarding these and other matters should they arise from the community. Pursuant to MMC §6-5.50, GBH appointed the Community Liaison, Madera resident Norm Allinder, to serve as GBH's primary point of contact for all matters related to community engagement, including preventative and proactive complaint response. The dispensary's phone number and email address – each of which forwards directly to Norm Allinder's phone and email – will be visible on GBH's website, in all neighborhood-related communications, on the exterior of the dispensary's front door, and in all other places required by the City Manager and/or by the law. Norm Allinder will check email and voicemail at least twice a day to ensure receipt of any comments or complaints from the community and will promptly respond to those comments within 24-48 business hours.

GBH understands the importance of maintaining a healthy, communicative relationship with its neighbors and the greater Madera business community, and will be available 24 hours per day, seven days per week, to address complaints, questions and concerns presented by the community. GBH also appointed an Alternate Community Relations Contact, General Manager Delia Macias, to ensure seamless communication and rapid response in the event Norm Allinder is unavailable. Employees will be trained to record and report all concerns, comments, or complaints received from any customer or concerned neighbor directly to the Community Relations Contact. If the Community Relations Contact is unavailable or unable to perform the responsibilities of the role, the alternate Community Relations Contact, Ms. Macias, will assume all responsibilities. Ms. Macias will also receive forwarded calls and emails from the listed store contact information.

CITY MEETINGS

During the first year of operation, the owners, manager, and community relations representative commit to attending meetings with the city manager or designee(s) and other interested parties as deemed appropriate by the city manager, to discuss costs, benefits, and other community issues arising as a result of cannabis operations, pursuant to MMC §6-5.50(B). After the first year of operation, the owner, manager, and community relations representative shall meet with the city manager or designee(s) when and as requested by the city manager or designee(s).

HISTORY OF CORPORATE SOCIAL RESPONSIBILITY

In every community where we are operational, our business has contributed positively to the community in the form of local hiring, funding community based organizations, collaboration with community leaders and

officials to educate and assist in the transition to a local economy that includes cannabis, and incorporating environmentally sustainable practices including location for odor mitigation, solar, water conservation, energy and environmentally efficient buildings and vehicles to reduce our carbon footprint. Specific examples of this include but are not limited to:

Our support to the local community has been diverse and innovative. In addition to organizing a fundraising banquet for a local community organization in Parlier, some of our less traditional projects have included $15,000 toward furnishing the City's Christmas Tree, funding a new design for the City's Seal and implemented a marketing program on behalf of the City, supported their annual holiday season parade and events, funded a fireworks display to boost morale on the 4th of July, and a project with the local high school whose graduation was cancelled where we facilitated placing banners made by every student on light poles on main streets throughout the City, amongst others. We also supported the following projects through the City of Parlier Police Department's non-profit organization called Cops Building Bridges: financing a K-9 dog (named Koba), t-shirts for all children during centennial celebration, an easter basket program for underprivileged children, coordinated a donations collection and distribution for *Pet Month – Donate to Your Local K-9 Unit* national drive, funded their *Halloween Trick or Treat Program* for underprivileged youth, and led a fundraiser to secure a venue for Parlier High School's 2022 prom.

We have conducted similar community benefits projects in Mendota and Carpinteria, leading fundraisers, providing scholarships for youth organizations including Girls Inc. and Carpinteria Children's Project, participating in food distributions, funding graduation ceremonies, a youth running club and local Arts Center, local celebrations for Earth Day, as well as a gun buyback program with a gun violence organization and programs dedicated to the expungement of criminal cannabis convictions, and providing our staff with paid volunteer hours to improve local trails together with Friends of Franklin Trail.

ENVIRONMENTAL BENEFITS

GBH is a committed environmentally conscious steward of our community and state's natural resources. With over 30 years of experience in botany and horticulture, our team designs state of the art facilities plan that will ensure the most efficient and effective use of those resources. GBH shall adopt the following key concepts as Best Management Practices and SOPs:

CONSERVATION AND EFFICIENCY

ENERGY

GBH views energy efficiency as essential for both its long-term financial sustainability and for its benefits to the environment. GBH will conduct a full assessment of the proposed facility's existing energy usage to determine priorities for improvement. In this process, leadership will work closely with the City of Madera to screen all proposed energy efficiency improvements and to identify the most pressing needs. GBH will also identify priorities using the Global Climate Action Plan and California Building Energy Efficiency Standards. Further, GBH shall implement the strategies of California's 75 Percent Initiative Defining the Future.

Employees will be trained on acceptable energy usage and ways in which they can reduce their use of electricity in the dispensary. For example, one of the most common, unnecessary uses of energy is chargers and adapters left plugged into a power source while they are not actively charging an item. Employees will be instructed to remove such items and to be conscious of electronics pulling energy without being used. Computer terminals will be placed on energy-saving stand-by modes, further eliminating excessive energy use.

WATER USAGE

Using Best Practices and LEED water efficiency standards as a guide, GBH shall conserve water usage for the proposed medical and adult use storefront retail store. For this type of retail business there will not be substantial water usage. However, for marginal water usage on site, GBH shall establish the conservation efforts such as:

- Regularly scheduling maintenance on HVAC systems;
- Monitoring water bills to detect excess water usage or leaks;
- Installing high-efficiency toilets;
- Landscaping using low-water usage techniques
- Installing faucet aerators.

Each employee shall play a role in water usage. Therefore, it is imperative that employees are involved in green water conservation efforts, and each employee shall receive training on how to conserve water. Managers shall be responsible for the training of employees to keep each individual accountable. To be cognizant of the water used in the dispensary, restrooms and handwashing sinks will contain low-flow fixtures and will be monitored to limit unnecessary loss of water due to leaks or ruptures.

SITE DESIGN AND BUILDING CONSTRUCTION

GBH shall strongly emphasis the following during construction and tenant improvements:

- Installing high-efficiency lighting;
- Reducing lighting use through motion-activated internal and external lighting;
- Installing high-efficiency toilets;
- Installing faucet aerators;
- Monitoring water bills to detect excess water usage or leaks;
- Installing rain barrels to collect excess rainwater, to supplement landscape irrigation;
- landscaping with native, drought resistant plants;
- Landscaping using low-water techniques, consistent with guidelines in the Hayward Lawn Conversation Rebate Program and Hayward Water Efficient Landscape Ordinance;
- Conducting a review of building insulation;
- Conducting routine maintenance on HVAC systems;
- Pursuing Hayward Green Business Certification;
- Encouraging employees to make responsible energy choices, including recycling and mitigation of water and energy usage;
- Encouraging employee carpooling and use of public transit;
- Installing bicycle parking in the vicinity of the facility, if not already available;
- Conducting a review of building insulation, including windows;
- Prioritizing local vendors, distributors, and testing laboratories to reduce transportation energy usage;
- Prioritizing vendors with certified environmentally responsible practices, particularly cultivation businesses who demonstrably mitigate energy and water consumption; and
- Assessing the feasibility of LEED certification.

TRANSPORT

GBH's sustainability plan shall aggressively avoid and minimize emissions, including vehicle emissions (especially diesel emissions) related to operation of the business as detailed below via the following Best Practices and Standard Operating Procedures (SOPs) for commercial operation:

Energy-Efficient Delivery Practices. GBH will utilize hybrid or electric vehicles such as the Prius, or comparable small-engine economy cars, for optimal fuel efficiency and environmental sustainability. The specific vehicles purchased will depend on availability at the time of purchase. In addition to using energy efficient vehicles, GBH will implement the following environmentally friendly vehicle maintenance policies:

- Maintaining correct tire pressure to reduce fuel consumption by checking and adjusting the tire pressure whenever a driver refuels;
- Not overfilling the fuel tank at the gas pump;
- Avoiding air conditioning when the ambient temperature is 70 degrees or cooler;
- Maintaining the radiator by checking the temperature gauge on every delivery drive;
- Changing the fuel filter and flush injectors every 30,000 miles;
- Complying with state environmental impact standards for vehicle emission systems;
- Completing regular tune-ups, including fuel efficient oil changes every 5,000 miles; and
- Driving efficiently, without rapid acceleration or idling for long periods of time, using cruise control to maintain a steady speed, and avoiding congested roads by following the vehicle's GPS identification of the most efficient routes.

Alternative Transportation Incentives. GBH will encourage customers and employees to use alternative means of transportation to and from the dispensary, including carpooling, public transit, and biking, by providing incentives to individuals who participate. In particular, GBH will look into pre-tax bus vouchers and pre-tax bike repair incentives for dispensary employees. In addition, GBH will install bicycle parking in the vicinity of the facility for employee and customer use if permitted by the property owner.

SUSTAINABILITY

REDUCE, REUSE, RECYCLE

GBH will strive to operate a dispensary that produces as little waste as possible. Any waste created at the dispensary will be disposed of in an environmentally conscious manner. Excess paper waste will be reduced by digitizing and automating as many reports and files as possible, by setting printer defaults to double-sided printing, and by providing employees with accessible recycling bins. Waste and recycling bins will be provided in every office, sales station, and break area with clear signage indicating the proper method for sorting recyclable materials including, paper, plastic, glass and food waste.

Waste and recycling will be sorted, and recyclable material will be separated and designated for removal by a City of Madera recycling division. GBH will use environmentally friendly cleaning agents however, any potentially hazardous materials will be disposed of in a fashion that does not pose a risk to the municipal wastewater system or employees who handle the materials.

EFFICIENT SUPPLIES & WASTE GENERATION

Whenever possible, environmentally friendly supplies including printer paper, paper towels, plastic trash bags, and cardboard boxes will be made from recycled materials and will be recycled after use. GBH will research and source office supplies and equipment with careful consideration for the environmental impact of these

products, including materials sourced from local manufacturers that are comprised of recycled content. GBH will evaluate the energy efficiency rating when purchasing appliances or electronics for the dispensary, such as television or computer monitors, and copy machines.

As further discussed in the Waste Disposal section, GBH will fully comply with Madera business recycling mandates for disposal of recyclable materials and organic non-cannabis waste. Employees will be trained in recycling procedures, and customers will be encouraged to recycle inside the facility. GBH will also pursue relationships with packaging vendors to ensure that exit packages will be recyclable. Each of these initiatives is designed with the intent of being a leader in the push for more sustainable business practices in the cannabis industry and GBH is dedicated to auditing sustainability practices quarterly in order to ensure this goal is being met.

LAVISH WEST COAST MADERA
(dba: Lavish)

Section G

Community Benefits and Investments Plan

COMMUNITY BENEFITS CONTRIBUTIONS

Lavish x West Coast is deeply committed to our community and we've established a "Lavish Cares" fund. We will donate **2%** of our gross receipts to our community partners through this fund. This would project to $200,000 in our first year of business that goes directly to the Madera Community and the people who truly need the help. This will be in addition to in-kind donations of goods and services to the City of Madera directly for special events and local improvements.

Lavish/West Coast is very committed to supporting and utilizing local businesses, and we will choose local contractors and companies for our non-cannabis business needs whenever possible. We believe that supporting local businesses is important for community relationship building and results in additional economic benefits for the city and its residents.

Lavish/West Coast wants to be active, honest, impactful, reliable, and most of all, positive members of our local community. We are dedicated to being an example of a best-in-class cannabis brand in all ways, consistently ensuring that West Coast is a brand that is synonymous with enhancing our client's and our community's overall quality of life and well-being.

Lavish/West Coast's efforts are focused on creating highly desirable job opportunities, educating our local workforce to deliver up to our high corporate values, and creating mutually beneficial partnerships with community leaders and organizations to address the needs of Madera effectively above and beyond the scope of others currently occupying the cannabis industry. Social responsibility is fundamental to Lavish/West Coast's overall mission, and a vital building block supporting company efforts to bring awareness and prosperity to this emerging industry.

Community Outreach

If chosen as a cannabis retailer in the Madera community, Lavish/West Coast will continue our relationships with impactful and active organizations. We are mindful of our partnerships and have supported and will continue to support these great nonprofits with our time, energy, and regular contributions:

- Madera County Food Bank - Partner: Ryan McWhorter - 225 S. Pine St., Madera, CA 93637
- Greater Madera Kiwanis Club - Partner: Rohi Zacharia - 1906 Howard Rd., Madera, CA 93637

FOOD DISTRIBUTED



From left, Rancho and Bonita Market owners Akram Kassim, Nayef Mohsen, and Mohamed Mohsen hand out food boxes during a drive thru distribution they hosted at the Pan Am Center on Thursday. For more photos, see Page 2.

- CASA Fresno Madera County - Partner: Lisa RochaDanks - 2300 Tulare St., Fresno, CA 93721
- Beloved Survivors - Partner: Tina Rodriguez (Address Protected)
- Madera Coalition for Community Justice - Partner: Zainab Qaiser P.O Box 817, 219 S. D St., Madera, CA 93638
- Project Run - Partner: Alisha Brown - 1470 South A Street, Madera CA 93638

We plan to be ongoing contributors of these organizations to continue to support the important work they do everyday here in the Madera Community through our "Lavish Cares" fund.

Project Run Madera
1470 S. A Street
Madera CA 93638

Phone: (559) 474-3772
Email: projectrunmadera@gmail.com
Tax EIN: 86-2768786

Instagram: @projectrunmadera
Facebook: Project Run Madera
Webpage: projectrunmadera.org

06/16/2022

Dear Honorable Mayor, Members of the City Council, Staff, and Consultants,
c/o City of Madera
205 W. 4th St.
Madera, CA 93637

RE: Letter of Support- Lavish

It is with great pleasure that I write this letter on behalf of the Nonprofit Organization, Project Run Madera, for the future projects of Lavish Madera and West Coast Cannabis Club. Project Run Madera is focused on keeping grade age athletes in the sport of running and ultimately off the streets and in school, by providing resources and opportunities.

Lavish Madera has shown support in our endeavors to provide these necessary resources to our youth, by giving a generous financial donation just a few months ago. Their donation assisted us in purchasing running shirts, shorts, sports bras and running shoes for middle school and high school track athletes in Madera.

We support Lavish Madera opening a dispensary here in Madera, CA, as we understand they are committed to funding charities and community projects that will benefit the people of Madera. In the past Lavish Madera has hosted food banks, backpack giveaways, and Christmas toy drives/giveaways, and other charity events for the advantage of the community and youth. The dedication of these individuals is exactly what the City of Madera needs. Our hope is that the dispensary is approved, for the benefits of charities being supported. We are excited to embark on a partnership with West Coast Cannabis, pending their approval.

If you have any further questions or concerns, please reach out via phone (559) 474-3772 or by email at projectrunmadera@gmail.com.

Best regards,

Alisha Brown,
Founder/CEO of Project Run Madera

4th of July

During our time in Madera we learned how important the return of the 4th of July event is to the community, and how excited everyone is to celebrate this event closer to home again. We are so honored to be the only cannabis company supporting the return of this event, and we look forward to further connecting with our community there. Additionally, we look forward to supporting this event in the following years if we are chosen as one of the cannabis companies to open a dispensary here in Madera.



Dear Honorable Mayor, Members of the City Council, Staff, and Consultants,

c/o City of Madera
205 W. 4th St.
Madera, CA 93637

RE: Letter of Support – Lavish West Coast Madera

I write to you in support of Lavish West Coast Madera's efforts in obtaining a retail cannabis permit, within the City of Madera. They have shown support for our community by giving to our group to help bring the Fireworks Spectacular to life. We have met with them a number of occasions and they always shown to be a very professional group looking to help make sure they are adding to our community in a positive way. Having roots in Madera is key to giving back. Their team mentioned a number of organizations that personally serve on, and it was very refreshing to hear their give-back plan versus being asked who I think they should be supporting. I understand your council has a very challenging task in selecting a limited number of permit recipients. I have a high level of confidence in the work that Lavish West Coast Madera has done and will continue to do. Lavish West Coast Madera is majority owned by local resisdents which is something I feel will guarantee their efforts in improving Madera through their works. I feel they truly have the best intentions for a better Madera.
Thank you

Rohi Zacharia
President
559-706-1100

Lavish/West Coast's Comprehensive Community Responsibility Plan includes the following:

- Partnerships with dynamic and impactful charities serving the community
- Educational opportunities like classes, senior outreach, and a commitment to positive social media campaigns.
- Participation and support of local and regional community events and fundraisers
- Job growth with a safe, entrepreneurial focused work environment.
- Tax revenue for local municipalities, benefiting the local community.
- Special product pricing for seniors, medical patients, and veterans.
- Modern and current Health and Wellness Programs.
- Supporting programs to help solve the unhoused crisis in our community.
- Dedicated staff volunteer hours to give back to the Madera Community.

Lavish/West Coast's Health and Wellness Program for Seniors

Residents aged 55+ are a growing group of individuals who are turning to cannabis and CBD products as a healthier alternative to opioids and other costly prescriptions to manage pain, certain illnesses, appetite encouragement, assistance with sleep and other issues. This is also the group of individuals who are asking for more education on the use of cannabis for medicinal purposes. We are dedicated to providing current, convenient, and ongoing education programs for our clients including programs specifically for our seniors. These education opportunities can take place one on one on site in our private consultation area where a customer can ask detailed questions and get answers from an experienced staff person as well as at our Lavish West Coast facility with technologically advanced, easy-to-use kiosks, where an individual can get detailed information on a product and its use. Additionally we will hold events at scheduled times with our senior organization partners where our team can educate small groups of residents about any and all questions they may have.

Lavish/West Coast's Commitment to Reducing Homelessness

The Madera community has several organizations dedicated to assisting the homeless. West Coast is committed to assisting the community with addressing the increase in homelessness throughout the City. There are several areas where we at Lavish West Coast would like to be helpful:

- Funding for local unhoused shelters, especially during the Summer and Winter months
- Assisting homeless individuals with community reentry, inclusive job fairs, and temporary housing by supporting Madera Rescue Mission
- Contributing support to youth and students affected by housing insecurity through our charitable partners.

Lavish/West Coast has partnered with The Madera County Food Bank to support their realtime efforts to feed the hungry and disenfranchised community through meeting one of our most basic needs, healthy food to eat. West Coast looks forward to a thriving relationship with The

Madera Food Bank and together bringing meals to those who need them.

West Coast will designate a set amount of its donation budget to pay for shelter essentials such as beds, food, clothes, or other necessities for homeless individuals and families annually as well. West Coast will work with the Madera Rescue Mission and Beloved Survivors shelters to identify the cost to sponsor two persons per month in local shelters and pay for their essential needs.

Additionally, Lavish/West Coast will reach out to our local partners regularly for new and innovative ideas for how we can impact and support the community directly.

Volunteer Hours

Where there is a need in the Madera community, Lavish/West Coast will be there to provide direct funding and/or in-kind donations to nonprofit organizations, important causes and programs that benefit local Madera residents. As important as donating is, a priority of West Coast is its commitment to hands-on, boots-on-the-ground volunteering by our owners, community board members, managers and employees. West Coast will develop a weekly and monthly volunteer plan and schedule – so that it is integrated into becoming a full-fledged participant in the Madera community. Below is a listing of volunteer projects where we could be helpful:

- Madera Coalition for Community Justice Art Projects
- Literacy mentorship programs for residents
- Winter coat, hats and glove donation drives benefitting local charities
- Food drives for the Madera Food Bank and Pantry
- Volunteering at the Madera Food Bank packing and distributing
- Holiday Donation Drive to collect presents like toys and bikes for children in need
- Other volunteer opportunities defined by our Community Board

Lavish/West Coast's Social Media Program Encourages Community

We take our Corporate Social Responsibility (CSR) seriously and apply the same consistent code of ethics to our Social Media campaigns that we strive for elsewhere within our company. That means a commitment to a positive and community focused presence on all social media and company communication with the community.

Environmentally Sustainable Business Model

Lavish/West Coast's founders believe that science is real and that collectively, as a community, action must be taken now to slow down Climate Change, and hopefully reverse the effects to provide for future generations. As responsible business owners, it is up to the company to act as a leader to implement green business practices at the onset of company operations. Implementing green business practices early creates a company culture that cares for the

environment and hopefully inspires company employees, peers, and community members to employ similar green practices. Lavish/West Coast will:

- Hire Locally reducing greenhouse gas emissions
- Centralized Distribution minimizing our companies overall carbon footprint
- Procure and use recycled materials for construction where possible.
- Join San Joaquin River Parkway and Conservation Trust
- Purchase Hybrid vehicles for all delivery operations
- Implement strategies from the County of Madera's Greenhouse Gas Reduction Plan
- Certification by the California Green Business Network.
- Give preference to vendors who are Clean Green Certified

LAVISH IN THE LOCAL NEWS

The Madera Tribune

'Brothers' combine efforts to help the community



Madera residents who attended last month's Juneteenth Day were subject to a number of inspirational speeches, but those who skipped breakfast for the morning ceremony were more than happy to receive a boxed roasted chicken lunch, provided by Rancho Market (12890 Road 24).

However, it's not the first time Rancho Market owner Akram Kassim has donated his wares to help the community or those in need. "We asked how we could help with the event," he said. "We wanted to give back to the community and do something. It's obviously a special time. We wanted to be a part of that and part of the community."

Weekend Edition, Saturday, November 27, 2021 | VOL 130 - ISSUE 70 | 75 Cents

The Madera Tribune

Visit us online: www.maderatribune.com

Thanksgiving drive held



Lavish Madera partnered with Mainstream for a major Thanksgiving food drive on Sunday at McNally Park. The team gave out gave out 800 packages of food. Included in the packages were milk, cheese, butter, mashed potatoes, along with many other items. Also included were chickens instead of turkey. According to Rancho Market owner, which is part of Lavish Madera, Akrim Kassim, he gave chickens instead of turkeys because he could benefit more people. "The prices of turkeys are high and for the price of one turkey, I can get four chickens and help more people out." For more photos, see Page 3.

Golden Valley SD makes major moves

By Tyler A. Takeda

The retirement of Golden Valley Unified School District Superintendent Rod Wallace at the end March signified a major change within the district.

Wallace's retirement started the merry-go-round of district administrators that caused a ripple effect down to Liberty High School's counselor.

Kevin Hatch, who has been with the district before GVUSD even began, is now the district's superintendent.

"I'm proud," Hatch said. "It's a little bit humbling. There's a lot of great leaders in this district and it's great to be a part of."



Kevin Hatch



Felipe Piedra

Lavish Madera has held several food drives in the community over the last couple of years, including a Thanksgiving food drive, a 4th of July food drive, and a Christmas Blanket, Beanie and Glove giveaway



Midweek Edition, Wednesday, December 29, 2021 | VOL 130 - ISSUE 79 | 75 Cents

The Madera Tribune

Visit us online: www.maderatribune.com

Notice

The Madera Tribune will be closed Friday, Dec. 31
Happy Holidays from The Madera Tribune



Dr. Mazhar Javaid, right, is joined by his family, from left, Roohi, Nadia and Omair at the 50 year anniversary celebration of Madera Community Hospital on October 16.

Doctor retiring after 38-plus years

By Tyler A. Toledo

For the past two years, Dr. Mazhar Javaid has been preparing for the moment that took place last week — retirement.

Javaid worked his final day in Madera and Madera Community Hospital on Dec. 21 and will head into semi-retirement. He has

Javaid moved from Virginia to start a practice in Madera in June, 1982, almost 39 years ago.

"After I finished my fellowship, I joined a group in Virginia," he said. "There were two other lung specialists. I didn't see this where I was."

Javaid came to California on the advice of a couple of

Donation held at Lavish



Families stand in line Thursday for a blanket, beanie and glove giveaway at Lavish Madera on the corner of Gateway and first. Two hundred families received blankets and each child received a glove and beanie. Lavish Madera's Akrim Kassim estimates they gave away about 350 pairs of gloves and beanies.



Families take their picture with Santa Claus at Lavish Madera's blanket, beanie and glove giveaway. Lavish gave away 200 blankets and 350 gloves and beanies, which was also sponsored by Sallie's Distributing.

For more photos, see Page 2.

Dear Lavish West Coast Madera,

Beloved Survivors is a nonprofit organization that serves families in the central valley. Our purpose is to establish a culture that normalizes healing through healthy relationships absent of violence. The services that we offer include the following:

- Counseling
- Healthcare advocacy
- Legal resources
- Career plans
- Funeral assistance
- Mentoring
- Safety planning
- Outreach
- Restorative justice.

With the support of the community, we are able to provide much needed resources to victims in crisis. In addition, to the services listed above, we are called upon to assist with clothing for loved ones of homicide victims to attend services and food. The demand for assistance exceeds what we are able to provide.

We are certain that your support will be greatly appreciated by the population that we serve. A donation is more than a gesture of a gift, it serves as a reminder that there are good people in this world that are thoughtful of others. We value your contribution and look forward to partnering with you to bring hope into our community.

All donations are tax deductible and receipts are provided upon request.

Please contact me with any questions that you may have at belovedsurvivors@email.com.

Sincerely,

Phyllis Flynn

Board President

MADERA COALITION *for* COMMUNITY JUSTICE

"If you want peace, work for justice"

Madera Coalition for Community Justice
*PH (559) 661-1879
maderaccj@yahoo.com

P.O Box 817
219 S D St.
Madera, CA 93638
*FAX: (559) 416-7401

Dear Honorable Mayor, Members of the City Council, Staff, and Consultants, c/o City of Madera

205 W. 4th St.

Madera, CA 93637

RE: Letter of Support- Lavish

It is with great pleasure that I write this letter on behalf of the Nonprofit Organization, Madera Coalition for Community Justice, for the future projects of Lavish Madera and West Coast Cannabis Club.Madera Coalition for Community Justice is a community based organization that was founded in 1992. Its mission is to build community capacity through the implementation of self-help projects that engage its constituents in leadership development and civic engagement. One of the projects is the Madera Youth Leaders(MYL) which comprises at-risk youth from the greater City of Madera including those from alternative school, juvenile hall, and boot camp.

Lavish Madera has shown support in our endeavors to provide these necessary resources to our youth, by giving a generous financial donation. Their donation will assist us in purchasing art supplies, team building activities and much more.

We support Lavish Madera opening a dispensary here in Madera, CA, as we understand they are committed to funding charities and community projects that will benefit the people of Madera. In the past Lavish Madera has hosted food banks, backpack giveaways, and Christmas toy drives/giveaways, and other charity events for the advantage of the community and youth. The dedication of these individuals is exactly what the City of Madera needs. Our hope is that the dispensary is approved, for the benefits of charities being supported. We are excited to embark on a partnership with West Coast Cannabis, pending their approval.

If you have any further questions or concerns, please reach out via phone (559) 871-7750 or by email at zainabq@maderaccj.org.

Best regards,

Zainab Qaiser



MADERA ERUDITE VENTURES
(dba: HerbNJoy)



SECTION G

COMMUNITY BENEFITS AND INVESTMENTS PLAN

VISION MADERA UPDATE

When crafting a Community Benefits Plan for each new City where we hope to locate, we prioritize the City's goals and values first. Our process includes an in-depth review of the City's planning documents.

Originally published in 2006, the City of Madera's Vision Madera 2025 Vision and Action Plan (the "Original Vision Madera") is a community-driven planning document which provides a roadmap to the City's future, with the overarching goal of ensuring that "Madera develops as an attractive, family-friendly city with great schools, good business opportunities, well-paying jobs and abundant natural resources." Updated in 2014, the Vision Madera 2025 2014 Update ("Vision Madera Update") follows the Original Vision Madera's four Vision Statements, while expanding upon the original strategy and action suggestions.

When reviewing the Original Vision Madera and Vision Madera Update, HerbNJoy identified the following strategies and actions for each Vision Statement which we believe we can best support through our Community Benefits Plan:

- **A Well Planned City.** The Original Vision Madera establishes the Vision Statement of "A Well Planned City," which concerns the physical aspects of the City's growth such as residential, commercial, and agricultural land uses, communication between the community and local governments, and intergovernmental communication.
  - **Downtown Revitalization.** The Vision Madera Update emphasizes the importance of the revitalization of downtown Madera, including through promotion and expansion of the Madera Downtown Association, as well as cooperation with business and property owners.
- **Good Jobs and Economic Opportunities.** The Original Vision Madera establishes the Vision Statement of "Good Jobs and Economic Opportunities," which focuses on opportunities for the community's workforce and businesses.
  - **Attract New Jobs to Madera.** As part of its list of ways to strengthen the City's economy, the Vision Madera Update includes attraction of new jobs to Madera.
  - **Strengthen the Workforce.** Directly aligning with HerbNJoy's philosophy toward continuing education and training, as discussed in greater detail both below and in Section B of this application, the Vision Madera Update suggests that educational opportunities are required for a strong workforce, and proposes business-education alliances to support necessary training.
- **A Strong Community and Great Schools.** The Original Vision Madera establishes the Vision Statement of "A Strong Community and Great Schools," which emphasizes the importance of the City's schools, as well as cultural and artistic opportunities for local youth.
  - **Leadership Development Opportunities.** As part of broader efforts to strengthen the community, the Vision Madera Update suggests encouragement of leadership development opportunities through the community, such as through youth involvement and strengthening neighborhood associations.
  - **Community Service Organizations.** The Vision Madera Update emphasizes the importance of Community Service Clubs, the need to promote their work, and connect them to the broader community.
  - **Public Arts.** The Vision Madera Update lists a variety of strategies and actions directed at promotion of a rich cultural life for the community, including promotion of public arts, and the expansion of potential venues for exhibits or performances.
- **A Safe, Healthy Environment.** The final Vision Statement from the Original Vision Madera, "A Safe, Healthy Environment," concerns both the protection of the City's natural resources, as well as community health, security, and recreational opportunities, including the maintenance of local parks and open spaces.
  - **Domestic Violence Reduction**. Among other efforts to make the City a safe and healthy environment, the Vision Madera Update lists reduction of domestic violence within the community, including child abuse, spousal abuse, crimes against youth and the elderly, and crimes committed by youth.
  - **Public Safety.** In order to achieve a safe public, the Vision Madera Update suggests supporting first responders and other public safety personnel.

METHODS OF GIVING

Having served as a community partner in multiple jurisdictions, HerbNJoy is keenly aware that nonprofits, community organizations, and City-sponsored events require not only financial contributions, but also volunteer time and in-kind donations. To ensure that HerbNJoy covers all of the needs required, we are committed to giving not only financial resources, but also volunteer hours. In addition, utilizing our storefront, we will engage our staff and customers to contribute to in-kind donation drives hosted on a regular basis.

In summary, our methods of giving include:

- Monetary donations
- Volunteer hours
- In-kind giving
- Local hiring

HERBNJOY COMMITMENT TO GIVING

As shown on our pro forma in Section A.1.B, HerbNJoy has accounted for a $150K donation Year 1, and 2% gross revenues to support our Community Benefits Plan in all following years. These funds will serve as donations to nonprofits, community organizations, and City-sponsored events in Madera. In addition to our $150K donation Year 1, our budgeted 2% gross revenue donation in all following years equates to $142.1K in year 2, $152.1K in year 3, and $159.7K in year 4.

In addition to our financial commitment, HerbNJoy commits to providing volunteer match time of 40 hours per month.

HERBNJOY'S COMMUNITY ADVISORY BOARD

HerbNJoy has tailored our operations plan to fit Madera's character and needs. Therefore, we will assemble a Community Advisory Board, composed of influential Madera community members, to help us adjust, fine tune, and implement our Community Benefits Plan. Our Community Advisory Board will select and oversee the distribution of financial support to community organizations and ensure HerbNJoy will be a reliable partner to the City. The Advisory Board will work directly with local resident Vera Coffeen, our Director of Neighborhood Compatibility and Community Relations.

SPECIFIC GIVING GOALS

DOWNTOWN REVITALIZATION

MADERA DOWNTOWN ASSOCIATION

The Madera Downtown Association ("MDA") was formed by the local leaders of business, government, and nonprofits with a mission to promote and foster improvement and modernization of the central downtown area of Madera. MDA sponsors a variety of projects aimed at improving downtown Madera, including public beautification projects, support for increased public parking facilities, and installation of displays for public holidays. MDA runs a variety of community events and programs, including the historic Old Timer's Parade, held since 1931, and the successful Downtown Crow Abatement Program.

The Vision Madera Update mentions the importance of the Madera Downtown Association in multiple contexts. Firstly, when discussing the importance of the revitalization of downtown Madera as a strategy for achieving a well-planned City, it mentions the action item of promotion and expansion of the Madera Downtown Association and cooperation with business and property owners. Secondly, when discussing the broad vision of a strong community, the Vision Madera Update mentions the action of strengthening neighborhood associations, such as the Madera Downtown Association, in order to encourage leadership development opportunities in the community.

Upon earning our license, HerbNJoy looks forward to joining and speaking with the Madera Downtown Association, and supporting its efforts to revitalize downtown Madera as well as promote area businesses. HerbNJoy also plans to provide $100,000 in monetary support for the Madera Downtown Association's plans to build an Arts & Cultural Center (as discussed in greater detail below). In addition, we commit $80,000 annually in monetary support to the Madera Downtown Association, sponsorship of all its events, as well as a monthly contribution of 40 volunteer hours. In addition, we plan to sponsor a paid internship for six months, which will rotate between the Madera Downtown Association and other worthy local community organizations.

Madera DOWNTOWN Association
P.O. Box 812 - Madera, CA 93639

June 17, 2022
Jeff Linden

Mona Davie, President
Madera Downtown Association

ECONOMIC OPPORTUNITY

MADERA CHAMBER OF COMMERCE

The Madera Chamber of Commerce supports a diverse regional economy by promoting the City's business community and positively contributing to the community's quality of life. The Madera Chamber of Commerce strives to endorse a strong local economy, represent and advocate on behalf of local businesses, provide opportunities to enhance business connections, and promote the community at large.

HerbNJoy joins the local Chamber of Commerce in every city in which we operate, and is a proud member of the Madera Chamber of Commerce. We look forward to partnering with the Madera Chamber of Commerce upon earning a license in the City. HerbNJoy is painfully aware that the COVID-19 pandemic has harshly impacted many small businesses and is committed to revitalizing the local economy.

HerbNJoy sponsored and participated in the Business Extravaganza and Home Show hosted by the Madera Chamber of Commerce & Madera Association of Realtors recently in June. We had a booth at the event and met many community members. HerbNJoy intends to provide a monetary donation each year to the Madera Chamber of Commerce to support its programming.



COMMUNITY ACTION PARTNERSHIP OF MADERA COUNTY

Community Action Partnership of Madera County ("CAPMC") is a non-profit organization with the mission of "improving the social well-being and economic capacity of low to moderate-income individuals and families, as well as providing opportunities to achieve economic independence." CAPMC is one of over 1,000 Community Action Agencies ("CAA") established by the Economic Opportunities Act of 1964. These CAAs were founded as an administrative umbrella for numerous anti-poverty programs, and continue to fulfill that mission to this day.

CAPMC continues to fulfill its mission to change the lives of County residents for the better by providing over a dozen programs, including but not limited to crisis intervention, child development, financial assistance, shelter, and transportation. In addition to these services CAPMC acts as a "voice and catalyst of empowerment and opportunity to the at-risk and invisible populations" of Madera County communities.

HerbNJoy believes that we can improve the economic opportunities of Madera County residents through support of CAPMC. HerbNJoy's Community Advisory Board will determine the amount of financial support that we will contribute to CAPMC.

MADERA CHAMBER OF COMMERCE

120 North E Street
Madera, CA 93638
Phone (559) 673-3563
www.maderachamber.com

May 10, 2022

Jeff Linden
HerbNJoy
1900 S. Norfolk
Suite 350
San Mateo, CA 94403

Dear Jeff,

Welcome to the Madera Chamber of Commerce, we thank you for choosing to include your business in our membership.

Please find enclosed your chamber membership decal, and chamber coupons. Remember to bookmark **www.maderachamber.com** and visit us on Facebook. We hope that you will participate in our many chamber activities, programs, and events…

The Madera Chamber of Commerce strives to represent the interests of business and the community with our support and involvement in several different community business events, providing networking opportunities for our chamber members.

Thank you again for choosing to become a member of the Madera Chamber of Commerce. Please feel free to contact me if you have any questions.

Sincerely,

Toni Jordan
Administrative Assistant
tjordan@maderachamber.com

OUR MISSION:
The mission of the Madera District Chamber of Commerce is to support a diverse regional economy by promoting a thriving business environment that contributes to our community's quality of life.

OUR COMMITMENT:
The Madera District Chamber of Commerce strives to:

- *Endorse a Strong Local Economy*
- *Represent and Advocate on Behalf of Business*
- *Provide Opportunities for Enhancing Business Connections*
- *Promote Our Community*

100% LOCAL HIRES

In order to achieve the Vision Statement of "Good Jobs and Economic Opportunities," the Vision Madera Update provides the strategy of attracting jobs to the City.

In addition to our support of the Madera Downtown Association and Madera Chamber of Commerce, as well as other small businesses in the community, as described in Section F, HerbNJoy will develop the Madera economy by staffing our store with 100% local residents. We will provide comprehensive training, listed as an essential action for strengthening the City's workforce in the Vision Madera Update.

Our job opportunities will help diversify the private sector employment options in the City. As explained in Section B, we will offer competitive pay and benefits packages, and therefore will support the local economy through provision of high paying jobs with plenty of opportunities for advancement.

STRONG COMMUNITY

As part of suggested strategies to strengthen the Madera community, the Vision Madera Update suggests connecting Madera's many community service clubs with all residents and local needs. Actions to achieve this strategy include publicization of local service clubs, connecting clubs with community needs, expanding and promotion of both youth and community organizations, and increased communication with service clubs.

MADERA EVENING LIONS CLUB

The Madera Evening Lions Club is the local Madera County chapter of Lions Club International, an international non-political service organization and 501(c)(4) non-profit striving to "improve health and well-being, strengthen communities, and support those in need through humanitarian services and grants that impact lives." The local Madera Evening Lions Club helps to raise funds to provide over a dozen different grants and programs for local nonprofits and organizations serving Madera County and beyond including Ronald McDonald House, Relay for Life, City of Hope, Heartland/ARC of Fresno/Madera Counties, Honor Flight, Hearing Foundation, and the Madera Community College. The Madera Evening Lions are particularly committed to supporting local youth through college scholarships, the Madera Leadership, Experience, Opportunity ("LEO") Club, and supporting local Madera youth sports leagues and activities.

HerbNJoy is excited to do our part to strengthen the Madera community through support of the Madera Evening Lions Club, through both a potential contribution of monetary support and/or volunteer hours. HerbNJoy's Community Advisory Board will determine the amount of financial support that we will contribute to the Madera Evening Lions Club.

MADERA COUNTY FOOD BANK

Since 1999, the Madera County Food Bank has fed hungry residents of Madera, Chowchilla, Fairmead, and the County's mountain areas. Currently, the Madera County Food Bank runs five programs and sixteen food distribution sites.

HerbNJoy has made an initial financial contribution to Madera County Food Bank, and is excited to contribute to building an additional food bank in Madera. In addition, as included in the letter below, we have committed to supporting Madera County Food Bank through a donation of 20 hours of volunteer hours per month, an annual monetary contribution of $25,000, and a paid internship at $20 per hour for up to 40 hours per week.



MADERA COUNTY
FOOD BANK
THE ♥ OF COMMUNITY MATTERS

225 S. Pine Street Madera, CA 93637
www.maderafoodbank.com
(559) 674-1482
EIN#77-0513468

Madera County Food Bank
225 S. Pine Street
Madera.CA 93637

Thank you for your recent contribution of one thousand dollars in support of the Madera County Food Bank. Every contribution helps us better serve the Madera community.

Our mission is to improve the quality of life of families and seniors that are food needy within our reach by offering basic sustenance. Food education and self-sufficient training.

We appreciate that HerbNJoy has decided to support the Madera County Food Bank in the following three ways as an engaged community partner:

20 hours of volunteer hours a month
$25,000 dollars annually
A paid internship @ $20 per hour up to 40 hours a week

Your interest in the Madera County Food Bank is appreciated and I hope that you are successful in receiving a license.

Looking forward to your continued support of the food bank specifically and in general HerbNJoy's community engagement in Madera.

The Madera County Food Bank acknowledges HerbNJoy for its commitment moving forward if selected for a retail license in Madera.

Regards,

Ryan McWherter
Executive Director

FRIENDS OF MADERA ANIMAL SHELTER

Friends of Madera Animal Shelter is a volunteer-run non profit organization providing rescue, rehabilitation, spay/neuter, veterinary care, and re-homing services to dogs and cats in need throughout Madera County. Friends of Madera Animal Shelter is funded entirely by donations, and is in dire need of funding. Our owner and local Madera resident, Vera Coffeen, works closely with the volunteers running this organization. HerbNJoy believes that Friends of Madera Animal Shelter is a perfect partner to support the homeless and needy animal population of Madera County. HerbNJoy plans to support Friends of Madera Animal Shelter through financial contributions, contribution of volunteer hours, and a potential drive to collect pet food and supplies as an in-kind donation. As demonstrated in the letter below, HerbNJoy has committed an annual donation of $50,000 to assist Friends of Madera Animal Shelter's spay and neuter efforts, as well as a donation of volunteer hours.

Friends of FMAS Madera Animal Shelter

P.O. Box 923
Madera, CA 93639
559.363.5106
www.fmas.info
fmasvolunteers1@gmail.com

June 15, 2022

Friends of Madera Animal Shelter would like to thank HerbNJoy for its commitment of financial support to assist our efforts with spay and neuter operations. HerbNJoy's $50,000 annual commitment will contribute to our mission of reducing the number of unwanted animals.

As a non-profit 501 (c)(3) organization, run by dedicated volunteers, we are thrilled that HerbNJoy will be an active community partner. They are including Friends of Madera Animal Shelter in their community volunteer program. This HerbNJoy program provides volunteer hours annually to three to four non-profits in each community where they operate.

We appreciate and acknowledge HerbNJoy for both its financial and volunteer commitment.

Sincerely,

Bob P. Labrucherie

Bob Labrucherie, President

Mission Statement
Friends of Madera Animal Shelter is a non-profit 501 (c)3 organization, run by dedicated volunteers working tirelessly to support the education of responsible pet ownership. Through donations, we spay and neuter pets in our community, reducing the number of animals being euthanized. We are sworn to saving animals in crisis, working with our rescue partners, finding qualified and loving forever homes through our adoption programs.
#77-0553194

ARTS & CULTURAL CENTER

The Vision Madera Update emphasizes that a rich cultural life is necessary to build a strong community, and that public arts are an important strategy to achieve this vision. As explained above, HerbNJoy plans to partner with the Madera Downtown Association in various capacities. Our local owner, Vera Coffeen, has spoken with Julia O'Kane, the director of the Madera Arts Council, regarding the Madera Downtown Association's plan to build an Arts & Cultural Center in the City. HerbNJoy believes that this project will greatly enrich residents' cultural life and support the City's public arts, and intends to provide financial support. HerbNJoy has committed $100,000 in monetary contributions to support the Madera Downtown Association's Arts & Cultural Center.

DOMESTIC VIOLENCE REDUCTION AND PUBLIC SAFETY

O.L.I.V.E.

In order to achieve a Safe, Healthy Environment, the Vision Madera Update includes many strategies related to reducing crime and violence throughout the community.

Overcoming Limitations through Intervention, Value and Empowerment ("O.L.I.V.E."), a charitable organization serving the Madera community, was founded in 2015 by Lt. Dan Foss of Madera Police Department in order to close the gap in resources provided to victims of human sex trafficking. O.L.I.V.E. is a unique organization due to the fact that it was founded by and has direct ties to law enforcement. O.L.I.V.E works with students of Fresno State University to provide education about and increase community awareness to the evils of sex trafficking. In addition, O.L.I.V.E works to empower victims of sex trafficking through intervention and connection with additional resources. As O.L.I.V.E.'s clients suffer from trauma-induced Post Traumatic Stress Disorder ("PTSD"), O.L.I.V.E. focuses on providing supportive services while allowing individual decision making, including through offering a safe house, assistance with rent and bills, counseling services, transportation, food, clothing, as well as assistance with educational applications, parole, probation, resume-writing, tutoring, and obtaining State and County resources. O.L.I.V.E. also provides assistance navigating the legal and healthcare systems, through courtroom advocacy, filing police reports, assistance with the CPS system, application for drug or alcohol rehabilitation, and more.

HerbNJoy is excited to support O.L.I.V.E. upon earning our license. Our owner, Vera Coffeen, knows Lt. Dan Foss well and is excited to work together to support O.L.I.V.E's mission. We have committed to contributing monetary donations to O.L.I.V.E., and as a sign of good faith have already donated $1300 towards their annual fundraiser, as well as attended the event. HerbNJoy will sponsor the cost of assisting a victim through O.L.I.V.E's program for the next five years.





Overcoming Limitations through Intervention, Value, and Empowerment.

OLIVE TEAM:

Operations Director:
April Molina

Board of Directors:

Lt. Dan Foss
Chairman

Lt. Robert Biehm
President

Cynthia Ramos
Vice President

Sylvia Anguiano
Secretary

John Molina
Treasurer

D.A. Sally Moreno
Director

Sgt. Alicia Videgain
Director

www.olivemadera.com
1625 Howard Rd.
Madera, CA 93637
559-365-6265

June 17, 2022

Dear HerbNJoy,

Thank you for your financial commitment to underwrite the cost to the organization of assisting a victim through the O.L.I.V.E. program and your continued support at this level of assistance for the next five years.

We appreciate your commitment and support that assists O.L.I.V.E. in fulfilling its mission.

Our goal is to help these women see the value within themselves and empower them to move forward. Through education, awareness and outreach, O.L.I.V.E. believes a difference can be made in the lives of women who have been victimized.

We appreciate HerbNJoy's recent attendance at our annual fundraising dinner and are grateful that they took the opportunity to engage with the organization and become a supporter.

Respectfully,

April Molina

April Molina

Operations Director

MADERA COUNTY CHILD ABUSE PREVENTION COUNCIL

The "A Safe, Healthy Environment" Vision Statement covers the need for a secure community. In the Vision Madera Update, reduction of domestic violence was listed as a strategy to achieve a safe and healthy environment. The Vision Madera Update explains that domestic violence includes child abuse.

Madera County Child Abuse Prevention Council ("MCCAPC") is a registered non profit organization with the mission to "support community efforts in the prevention, intervention and treatment of child abuse by promoting and facilitating education that strengthens, empowers, and preserves the dignity of individuals and families." Since 1986 the organization has provided dozens of programs and classes for children, teens, parents, and staff on numerous topics, including child abuse, bullying, nutrition, parenting, public safety, financial literacy, and many others. In addition to raising public awareness and providing education, MCCAPC plays a vital role by helping families and children find the support they need to prevent and treat cases of child abuse. As a member of the Central California Coalition of Child Abuse Prevention Councils, MCCAPC is able to collaborate with partner organizations to make a greater impact in the region.

HerbNJoy believes that MCCAPC is the perfect partner to reduce child abuse in the community, and thereby make the City more secure. Should MCCAPC accept donations from a cannabis company, HerbNJoy looks forward to providing support through financial contributions. HerbNJoy's Community Advisory Board will determine the amount of financial support that we will contribute to MCCAPC.



MADERA COUNTY SHERIFF'S FOUNDATION

In order to achieve a safe and healthy environment, the Vision Madera Update puts forth a strategy of ensuring the safety and protection of the community. Actions listed as part of this strategy include recruiting and retaining qualified first responders and public safety personnel, and coordinating with regional law enforcement to improve community safety.

The Madera County Sheriff's Foundation ("MCSF") was founded in 2016 by then Sheriff Jay Varney with a mission to "promote civic spirit in support of law enforcement and to enhance the ability of the Madera County Sheriff's Office to work even more safely and effectively." MCSF is a registered 501(C)(3) nonprofit that helps to raise funds for scholarships, law enforcement equipment, K-9 team support, and training and community engagement programs. The MCSF's scholarship program provides assistance to Madera County youth who are interested in pursuing a career in local law enforcement and includes assistance for both two and four year degree programs as well as certificate and training programs. MCSF provides support to the County Sheriff's department and builds stronger ties with the community.

Should MCSF choose to accept donations from a cannabis company, HerbNJoy looks forward to supporting MCSF's important work with community law enforcement. HerbNJoy's Community Advisory Board will determine the amount of financial support that we will contribute to MCSF.

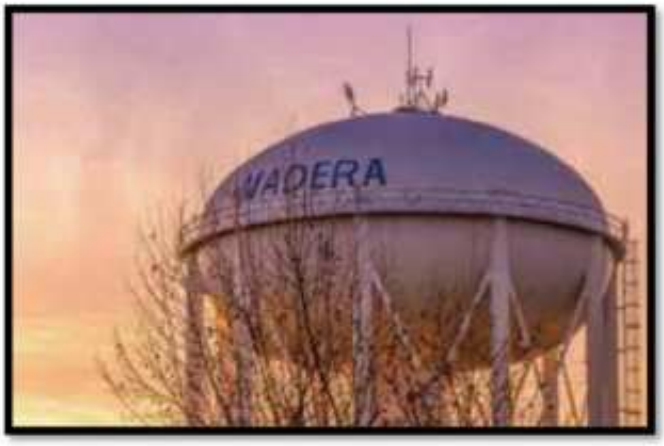
MADERA HAS CULTURE, INC.
(dba: Culture Cannabis Club)

SECTION G: COMMUNITY BENEFITS

COMMUNITY BENEFIT PLAN



CONTRIBUTION OF GROSS SALES



Culture will directly aid, participate in, and fund the work of local non-profits, community-based organizations, civic organizations, or social service organizations. Culture will achieve this goal through monetary donations to these organizations, financial support of city-sponsored activities and programs, encouraging and incentivizing volunteer drives, and in-kind donations to the City or other charitable organizations. To support our shared goals in the City, Culture will donate 2% of its gross sales to the Culture Community program. These 2% of gross sales will be available as donations to the community organizations deemed most in need. Together, we can bring impactful financial contributions and volunteer hours to the Madera Community.

Based on anticipated revenue as outlined in the Business Plan section of this application, Culture projects 2% of gross sales to equate to approximately $111,411 in Year 1, $125,895 in Year 2, and $144,779 in Year 3. Further, since Culture knows that there is always an immediate need for community involvement, **Culture will pledge $75,000 to its Community Benefits Fund at the time a license is awarded.**

VOLUNTEER HOURS

Culture creates a volunteer hour program for its employees, wherein owners and staff combined will contribute at least 30 hours per month of volunteer time to community service initiatives in the City. Culture pays for these employee volunteer hours as wages. This translates to almost $900 per month quantifying the enormous value volunteers will provide to the City of Madera.



https://independentsector.org/value-of-volunteer-time-2022/

SUMMARY OF GOALS

Culture operates compliant, safe, and secure operations in a beautiful, vibrant, and modern facility. Culture's business model focuses on customer service, education, and retention, while marketing campaigns are tasteful and respectful of the community at large. We believe that everyone within the communities we serve can benefit from education about the benefits of safe and moderate cannabis consumption, and Culture has the power to enact real, positive, and meaningful change in the City. Together with the people of Madera, Culture takes its responsibility further to ensure an inclusive ethos, social equity hiring, a robust employee benefit program, partnerships with local businesses, and upward company mobility. These commitments are core Culture standards that enhance the community from deep within.

Culture is determined to better the areas we serve by partnering with communities to create sustainable generational change. We favor and support programs with a proven model of holistic development that address the root causes of poverty, addiction, social displacement, and mental illness. **Partnering with Madera's community organizations is not a business transaction for Culture**, it is a deep and lasting connection with a community made of people of all cultures and races. The Culture Outreach team - led by our Director of Community Outreach, Julian Dominguez, with advice of the City Council - looks for foundations, charities, and organizations that can improve the quality of life for all citizens in Madera by providing social benefits and financial assistance. By carefully selecting our partner organizations, Culture is confident that granting us a license to operate a retail cannabis dispensary will lead to a lasting and positive social impact in Madera.

Culture has selected and secured partnerships with the following organizations in Madera:

1. O.L.I.V.E. Foundation
2. Madera Chamber of Commerce
3. Downtown Business Association
4. American Cancer Society

Our collaboration with these organizations will empower our Culture Outreach team to make meaningful contributions to the City and community of Madera. Once a partnership has been agreed upon with clear collaborative expectations, Culture will create the *Culture Community* program further outlined in the next paragraph.

THE CULTURE COMMUNITY PROGRAM

Culture pledges support for many corners of the Madera community through its comprehensive and strategic *Culture Community* program. The Culture Community team has diligently worked to understand the complex issues that are most prevalent in Madera and identified partnering organizations that could make the most effectual use of the support and philanthropy being offered by the Culture team. Building from owner **Julian Dominguez'** tenured experience and knowledge of the City and County, *Culture Community* is committed to making an impact in the following areas:

Public Outreach for Youth Education	Support for the Homeless
Senior Citizen Outreach and Education	Infrastructure Funding
Support for Community Public Safety	City Cleanup and Beautification Projects

Programs for the Underserved	Partnerships with Local Nonprofits
Drug Addiction Support and Rehabilitation	Community Problem-Solving
Programs that Celebrate Diversity	Health & Wellness Education

These are a few of the organizations that Culture has secured partnerships with as part of our ongoing commitment to establish meaningful programs aimed at the betterment of the community in Madera.

O.L.I.V.E. FOUNDATION - OVERCOMING LIMITATIONS THROUGH INTERVENTION, VALUE, AND EMPOWERMENT
330 South C Street
Madera, CA 93638
(559) 365-6265

Founded by Lieutenant Daniel Foss of the Madera Police Department, O.L.I.V.E. has been supporting victims of human sex trafficking since its initiation in 2015. Through his connection with the community Daniel reached out to students at Fresno State University to start the organization with the goal of empowering women who have been victimized by sex trafficking. **Culture is honored to partner with O.L.I.V.E.** to further their goal of providing women with the resources to empower their lives for the better. O.L.I.V.E. estimates that there are approximately 10,000 - 20,000 victims of sex trafficking in the Madera and Fresno County areas alone, demonstrating the immediate need for an organization that empowers women to overcome the hardships of sex trafficking. O.L.I.V.E. has participated in the creation of a safe-house meant to give women the space to rebound from these horrific experiences. These are substantive efforts that allow for women to escape the sexual exploitation, debt bondage, false claims, and violence associated with sex trafficking. We hope that by giving women resources such as housing and job support, we may begin to counteract the damage done by sex traffickers.

MADERA CHAMBER OF COMMERCE
120 N E Street
Madera, CA 93638
(559) 673-3563

Culture has partnered with the Madera Chamber of Commerce to promote the interests of Madera's local business community. This **strategic partnership** will increase our ability to collaborate with established community members and businesses to drive our robust community benefits program. By joining forces with these pillars of the Madera community, we are confident that our charitable giving and volunteer force will be utilized in the most effective way.

AMERICAN CANCER SOCIETY
425 N Gateway Drive
Madera, CA 93637
(800) 227-2345

Charlotte Brewer has been a leader in the fight against cancer in the City of Madera for many years. She has organized and participated in fundraising events for the American Cancer Society and we are honored to have her support as we continue to strengthen our relationship with the Madera community.

Events such as Madera's **Relay for Life** brings the community together while fundraising for an important cause. Much of the funds raised go towards the fight against cancer through educational programs, research, and services to patients.

As a company focused on wellness and alternative medicines, Culture supports the efforts of the American Cancer Society in this fight. We look forward to supporting the Relay for life and future events in the city.

MADERA DOWNTOWN ASSOCIATION
428 East Yosemite Avenue
Madera, CA 93638
(559) 673-3563

The Madera Downtown Association has been committed for many years to promoting and modernizing the Historic Downtown Business Area of Madera through various local events and public displays. The Association continues to support a rekindled liveliness to the downtown area by supporting local small businesses. These local revitalization efforts are what create a tight-knit community that allows for businesses and citizens to succeed. Culture understands that when surrounding businesses thrive, our community thrives, and we are honored to partner with the Downtown Association on the recent events listed below:

RECENT COMMUNITY SPONSORSHIPS

- Christmas Parade
- Pomegranate Festival
- 4th of July Fireworks Show
- Old Timers Day Parade
- Pomegranate Festival
- Madera Business Extravaganza and Home Expo (Platinum Sponsor)





CULTURE'S COMMITMENT TO SUPPORTING THE 55+ POPULATION & VETERANS



Residents aged 55+ and Military Veterans are increasingly turning to cannabis and CBD as a healthier alternative to opioids and other costly medications to manage pain, certain illnesses, sleep disorders, decreased appetite, and many other health issues. 55+ Americans are one of the fastest-growing demographics in the country, and we've found that along with Veterans, these groups of individuals often request and respond positively to targeted education on the use of cannabis for medical purposes. Culture provides creative and ongoing education programs for our 55+ and veteran customers. Our state-of-the-art and uncomplicated digital kiosks allow individuals to get detailed information about a product and its wellness characteristics. We also offer private consultation areas where a customer or patient can ask questions about their specific wellness goals and get personalized answers from an experienced Culture employee. Targeted outreach programs take place at scheduled times at senior living facilities or veteran centers where Culture Community's educated ambassadors can talk to small groups of residents about the benefits of moderate consumption of cannabis. If chosen as a cannabis retailer in the City, Culture will reach out to 55+ and veteran organizations to identify opportunities to educate these residents.

YOUTH PROGRAMS

Culture has in place a youth education program to protect the most vulnerable and susceptible to the negative impacts of drugs crime, gangs and violence. By creating strategic partnerships with organizations in the City, Culture will implement meaningful and impactful programs tailored to children ranging from elementary school age to teenagers. The goal is to ensure youth education on the negative impacts of all drug use, including cannabis. Our public education plan involves three pillars: **Embrace**, **Learn**, and **Grow**.

EMBRACE

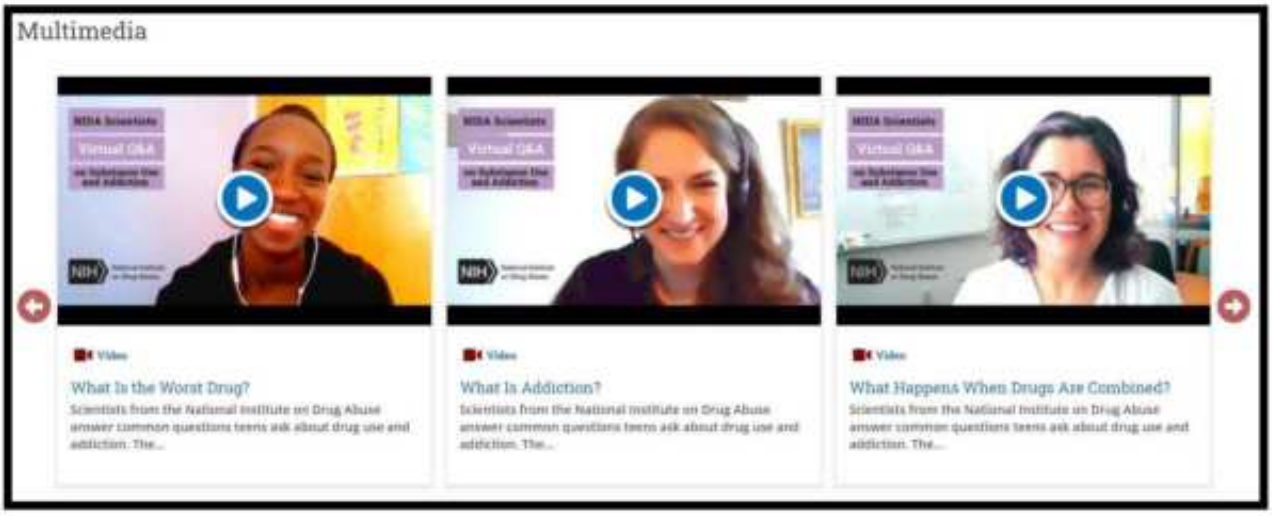
Culture knows that young adults with strong family and community ties are less likely to turn to a life of crime or substance abuse. Our program intends to embrace youth through arts, sports, and community action. It is our hope that keeping kids busy will keep them on the right path. Culture encourages youth to participate in some of the many programs and facilities available to them in the City of Madera.

LEARN

Culture is committed to providing accurate and age-appropriate educational materials to minimize the risk of youth exposure to cannabis and other drugs. Culture works with community leaders and subject matter experts to effectively communicate the effects, dangers, and other impacts of use or addiction to cannabis and other substances. Materials are age-appropriate and sourced by such reputable sources as the Department of Cannabis Control, National Institute for Drug Abuse, and the Centers for Disease Control and Prevention. Topics for in-person and online educational opportunities include:



- Health effects and risks of cannabis use, particularly in developmental stages of children and teens
- Addiction science and treatments
- Mental and emotional health through healthy coping skills

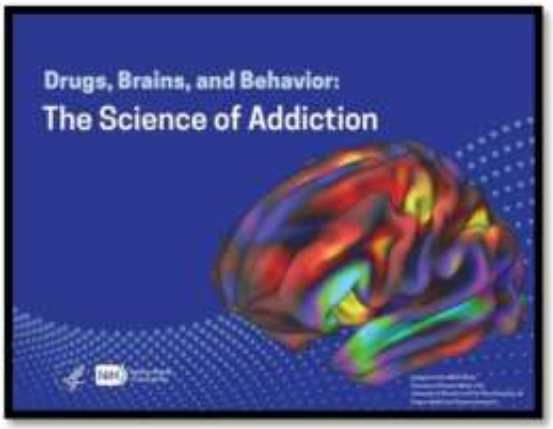


GROW

As a trusted community partner, Culture hopes to continue to embrace our youth with relevant information and positive healthy influences on every step of the way to adulthood. Education and outreach are tailored to different parts of a young adult's developmental journey. As our youth develop, so too do the tools and literature that best reach them. Topics shift from authoritative concepts to collaborative exchanges, with themes such as:

- Conversation starters for parents and leaders
- Effects of peer pressure in today's age of social media
- Mentorship programs for older teens to support drug awareness campaigns for younger children
- How to identify addictive behavior in yourself and others, and steps to address

Culture is proud of our commitment to our youth education and drug prevention programs. We carefully select Culture ambassadors and guests to deliver informational meetings and handouts. Along with personal experience and relevant narratives and anecdotes, we will draw on the following resources for age-appropriate materials:



- https://www.cdc.gov/marijuana/index.htm
- https://teen-safe.org/resources
- https://abovetheinfluence.com/resources/
- https://nida.nih.gov/research-topics/parents-educators

COMMUNITY BENEFITS EFFORTS IN HOST CITIES

It takes an entire community effort to beautify a city, and Culture is there to help!
Throughout 2021-2022, with the help of local citizen groups, Culture has organized and enacted the following efforts:

- Raised awareness and donated to local animal shelters and at-risk friends
- Donated to Corona teacher foundation to help purchase school supplies for kids
- Donated to a homeless family program to feed and provide care
- Donated and partnered with the Cal Cities to help them educate cannabis in new emerging cities
- Assisted with local park clean-ups in Long Beach
- Hosted a Vaccine Clinic in Fresno, CA

The following images document Culture's follow through on the promises it makes to its community. Culture was excited to spearhead a very successful beach clean-up that removed approximately 30 pounds of trash from the Long Beach beaches. Culture Corona has partnered with South Hills Church by organizing Angel Tree, an event designed to provide gifts to children with parents incarcerated during the holiday season. Culture Banning donates to A.R.E Animal Rescue making an impact on the care and difference the organization makes toward saving animals. In line with its efforts to help our four-legged friends, Culture hosted 10 Days of Giving, a fundraising event that provides nutritional care to animals in desperate need. Culture Long Beach continues to make a difference in its community with its beautifying efforts aimed at parks hosting monthly park cleanups in partnership with El Dorado Park. Lastly Culture is most proud of its partnership with HeroGrown Foundation hosting the 12 Days of Cheer event. HeroGrown is an organization designed to help veterans discover the healing potential of hemp and cannabis.











Association meetings to gain an understanding of what the needs are of our downtown and how he and Culture Cannabis can contribute to bettering our community. They have verbally committed to several projects that are currently being constructed.

- Ideal Location – The Madera Downtown Association requested of the Council to commit two locations within our Downtown Improvement District area. Their proposed location is a vacated building which sits on a key corner in downtown. Their conceptual drawings, elevations, and proposed art projects sit hand in hand with the goals and missions of various organizations that seek to improve downtown.
- Proven Commitment- As Chairman of the Old Timers' Day Parade, Culture Cannabis was our only top-level financial sponsor, and no other cannabis companies contributed to the parade. Additionally, Culture Cannabis has contributed to the Christmas Parade, Pomegranate Festival, the 4th of July Firework Show, and the Business Extravaganza. Culture Cannabis has also provided an exceptional community give back plan via the Madera Downtown Association, which he provided in writing.

Based on my personal involvement in our community, I have yet to see any financial contributions come from any other potential applicant. I have had dozens of verbal commitments, but I believe there is a clear delineation between verbal and actual commitments. Aside from Culture Cannabis's commitment to our community, I feel their proven track record solidifies their overall success in Madera.

Sincerely,

Nick Salinas

Chief of Staff – Madera County
Commissioner – City of Madera Civil Service Commission
Chairman – Madera Old Timers' Day Parade
President – Madera County Mosquito & Vector Control District
Acting Director – Madera County Art's Authority
Board Member – Madera Downtown Association
Board Member – Valley Public Broadcasting Service (PBS)
Board Member – Central Valley Opportunity Center
Member – 4th of July Fireworks Extravaganza Committee
Member – Madera County Courthouse Park Restoration Committee
Member – Madera Rotary Club
Student – CSU San Bernardino , CSAC County Cohort Master's Program

May 31, 2022

City of Madera
205 W 4th St,
Madera, CA 93637

RE: COMMERCIAL CANNABIS BUSINESS PERMIT APPLICATION

Dear Honorable Mayor, Members of the City Council, and City Staff,

I am writing this letter to express my support of Culture Cannabis Club for the Commercial Cannabis Business Permit Application in the City of Madera. As a civic leader, I understand the importance of bringing together partners to build a strong and healthy city for our residents to live, shop, play, and work. In the last decade, Madera County has seen an increase in population, yet we continue to face challenges in our economic growth, reducing revenue for community priority projects in the arts, housing, and revitalization of our Downtown.

Community engagement has the power to unite individuals in shared experience and vision, while also creating a bridge of trust with each other. There's no doubt that the City of Madera is a thriving opportunity of economic growth . I thank the City Council and City Staff for their hard work, their leadership in tackling such difficult conversations, and seeking opportunities of revenue for the City of Madera.

As you review applications submitted, I want to show my appreciation and support for Culture Cannabis Club. Throughout this process, they have shown their commitment to the Madera community. Not only have they assisted and engaged with community members at events such as the Old Timers' Parade, Downtown Tractor Parade, and Pomegranate Festival, but have also contributed financially through sponsorships. This goes to show they are more than just another business, but a dedicated community partner. In addition, Culture Cannabis Club has a strong history of working with community partners across California including Long Beach, Beverly Hills, Los Angeles, Concord, San Francisco, Sacramento and more.

I thank you for your time and in recognition of Culture Cannabis Club as a dispensary that will drive our Downtown economic vitality and contribute to the needs of the community, as well as be a partner of progress for our County.

In Community,

Leticia Gonzalez
Supervisor, District 4
Madera County

SUPERVISOR LETICIA GONZALEZ, DISTRICT 4
200 West Fourth Street • Madera, CA 93637 • 559.662.6040 • Leticia.Gonzalez@maderacounty.com • maderacounty.com

Overcoming Limitations through Intervention, Value, and Empowerment.

May 10, 2022

OLIVE TEAM:

Operations Director:
April Molina

Board of Directors:

Lt. Dan Foss
Chairman

Lt. Robert Blehm
President

Cynthia Ramos
Vice President

Sylvia Anguiano
Secretary

John Molina
Treasurer

D.A. Sally Moreno
Director

Sgt. Alicia Videgain
Director

www.olivemadera.com
1625 Howard Rd.
Madera, CA 93637
559-365-6265

To whom it may concern,

Olive Charitable Organization is pleased to have the support of Culture Cannabis. They have committed assist in our efforts to have a positive impact on the City of Madera. Culture Cannabis has agreed and committed in writing to donate to our organization what would amount to approximately 15% of our annual budget.

This commitment from Culture Cannabis would allow us to provide much needed services for the victims of human sex trafficking and exploitation. Of course, our agreement with Culture Cannabis is contingent upon their award of a retail cannabis license in the City of Madera.

We work hard to build community relationships and maintain the utmost transparency within our network.

If you have any questions regarding this affiliation, please don't hesitate to contact us at 559-365-6265 or olivemadera2015@gmail.com

Respectfully,

Dan Foss
Chairman

MAINSTREAM MADERA, LLC



MAINSTREAM MADERA

G - COMMUNITY BENEFITS & INVESTMENT PLAN

MAINSTREAM

Mainstream's mission is to successfully integrate legalized cannabis into mainstream culture. As a 100% minority-owned business, we recognize that this begins with the central tenets of social responsibility, community empowerment, and upward mobility. Mainstream has a demonstrated history of community involvement not only as a business but also on an individual level; each owner is a pillar of the local community.

Mainstream has spent the last year creating and hosting several giveaways in Madera to address the needs of the community, and what sets us apart is that we do not consider this charity, but rather a movement. As some may feel uncomfortable asking for or accepting assistance, Mainstream has taken on a commitment to transform what are typically considered "charity giveaways" into community celebrations for all families to come together and enjoy. If granted a retail license, we intend to continue each of these events until they become annual Madera traditions.

Mainstream's Community Events

- **Back 2 School Backpack Giveaway**
- **Coats 4 Kids**
- **Thanksgiving Turkey**

Back 2 School Backpack Giveaway

To ensure that Madera's youth were prepared for heading back to in-person studies, Mainstream created the first annual Back 2 School Backpack Giveaway in August 2021. We provided more than 300 backpacks to students. Each was filled with necessities, such as notebooks, paper, pencils, and highlighters, for the 2021–2022 school year. Our giveaway event featured a barbeque, drinks, and a bounce house, and we even provided haircuts to Madera's youth through owner Rico Saldivar's hair salon and barbershop, Salon Divar and Redwave Barbers.






City of Madera

MAYOR'S CERTIFICATE

Mainstream Madera

In recognition of your generous donation of 300 backpacks to our community at the Back to School backpack giveaway.

Coats for Kids Pumpkin Patch

To help families gear up for the winter season, we held our Coats 4 Kids event in October 2021. Being locals ourselves, we understand that Madera families often struggle to put their children in warm coats during cold Madera winters. So, we created a massive pumpkin patch, complete with a photo booth, and distributed beanies, gloves, and coats to the children of Madera. In addition to providing children with winter gear, we gave them fresh haircuts through Salon Divar and Redwave Barbers.







Thanksgiving Turkey Giveaway

In November 2021, we partnered with Lavish Madera for a major Thanksgiving Food Drive event at McNally Park. We gave over 800 packages of food, including turkey, chicken, milk, cheese, butter, mashed potatoes, mac and cheese, biscuits, and other traditional Thanksgiving sides to over 800 Madera families. We intend to continue partnering with local cannabis business applicants to organize events similar to this one to help provide for our Madera community.


LOOK

The Madera Tribune

Thanksgiving drive held

Golden Valley SD makes major moves







MAINSTREAM OWNER GEORGE DELEIJA, a lifelong resident of Madera, is a first-generation Mexican American business owner who strives to build a strong and engaging community through his entrepreneurship. Mr. Deleija began his volunteer efforts over 10 years ago by volunteering for Kings View Ready, Set, Go in Madera. Through this youth empowerment program, Mr. Deleija helped high school students and young adults in Madera County work to develop resources, life skills, and strategies to improve their self-esteem and assisted them with creating successful lives. Since then, Mr. Deleija has dedicated hundreds of hours to his community, including running food drives through his businesses and creating in-kind donation events to help support Madera's youth. Mr. Deleija and his wife, Marilyn Deleija—a DACA recipient who was born in Guatemala—actively support and participate in Madera Votes, a nonpartisan, local civic engagement group that aims to amplify the unheard and economically distressed voices of Madera. The couple, who met while both were attending Easton Arcola Middle School in Madera, helped over 5,000 people register to vote in Madera's last election. Mr. Deleija owns, operates, and manages five U-tec Technology Repair storefronts in Madera, Fresno, and Clovis, where he currently employs over 20 Central Valley residents. Mr. Deleija's goal in opening the Mainstream dispensary is to continue to hire, produce, and sell local, because he understands that when you keep your money where your heart lives—the Heart of California—it helps to preserve and perpetuate true community values. He hopes to continue to build deep, authentic relationships and partnerships so Mainstream will become a consistent voice to lift Latinos such as himself into positions of leadership and advocacy.



OWNER RICO SALDIVAR has become a pillar of the Madera community since founding the Mainstream brand and making it a beacon of community service. Mr. Saldivar is often credited with having a genuine heart, relentless drive, and a passion for helping others. Mr. Saldivar regularly serves his community by actively participating in and sponsoring events that have a positive impact on Madera and the Central Valley. Since 2008, Mr. Saldivar has actively sponsored the Muscular Dystrophy Association's event, The MDA Lock-up, helping to provide lifesaving research to individuals and families affected by neuromuscular diseases. Additionally, Mr. Saldivar and his wife, Ofeilia Saldivar, sponsored and participated in The Sweetheart Luncheon, a beauty pageant for children with Down syndrome. The couple also sponsored the Broadway Cabaret, a show presented by The Arc in Madera and Fresno County. For the last 16 years, Mr. Saldivar has sponsored and hosted the Fresno Tattoo Expo at his tattoo and art gallery, Redwave Tattoo, in Fresno. Sponsoring this event led Mr. Saldivar to create Toys-4-Tats, a program that has hand delivered gifts to children in Madera, Fresno, Clovis, and throughout the Central Valley since 2011. Through his barbershop and salon, Mr. Saldivar created Kidz Day, an event aimed at providing children with haircuts before they return to school to help instill confidence, self-esteem, and a great mindset for the beginning of the school year. Driven by his love for jiu-jitsu and his passion for helping to elevate others, Mr. Saldivar has sponsored over 22 up-and-coming Central Valley fighters by providing them with necessities and capital to help them dedicate themselves to MMA. Additionally, in partnership with local gym Madera Martial Arts, Mr. Saldivar sponsors children whose parents cannot afford to pay for their jiu-jitsu training. His efforts have helped several young athletes learn discipline, hard work, dedication, and how to help others. This serial entrepreneur intends to bring his operational business knowledge and experience, as well as his love for giving back to the community, to the Mainstream team.



OWNER MATTHEW GARZA, nominated for Major League Baseball's prestigious Roberto Clemente Award, which is given to recognize a player who demonstrates extraordinary character, community involvement, and philanthropy on and off the field, has been a consistent supporter of initiatives that affect women and children. A strong supporter of ending domestic violence, Mr. Garza has helped to raise over $75,000 for various organizations, including the Sojourner Family Peace Center, Meta House, and The Joy House. Additionally, Mr. Garza actively participates with the Make-a-Wish Foundation, helping to grant wishes and visiting hospitals to bring strength, hope, and transformation to children with critical illnesses. For the last six years, Mr. Garza and his wife, Serina Garza, and their six children have opened their home to host and support the entire CASA Fresno/Madera County community—over 800 people—as they come together for the annual Crab Boil. The event is aimed at raising awareness and capital and advocating for abused and neglected children who have been placed in foster care. The Garzas, who believe that strong families make for strong communities, intend to continue giving back to the Madera community as a family and in the Mainstream name.



ADAM HIJAZI founded the Long Beach Collective Association (LBCA) with one goal: to advocate for fair and consistent cannabis industry regulations, policies, and laws. Through the LBCA, Mr. Hijazi has worked to unite commercial cannabis businesses that operate illegally under California state law and to offer them guidance to help cannabis operators succeed in the legal cannabis market. Mr. Hijazi's passion to strengthen the cannabis industry and educate communities led him to teach the first ever Intro to Cannabis 101 course at Long Beach Community College. Mr. Hijazi opened the first licensed retail facility in Long Beach in 2010 and has gone on to open another retail dispensary and a cultivation facility that employs over 50 people. Recently, Mr. Hijazi partnered with AOC7, an association aimed at uniting residents and businesses to prevent community deterioration and enhance public safety, to periodically organize cleanup days called "It's Time to Clean up the Neighborhood." His goals for Mainstream include continuing to integrate it into the community, becoming a reliable actor with respect to Madera and California regulators, and maintaining planned metrics for safe, effective, and compliant growth. Mr. Hijazi is a true believer in the cause of bringing people into the regulated market; he has seen firsthand how dispensaries can serve as forces for connecting people with their community.

As demonstrated by the work Mainstream has already commenced, our roots in and loyalty to Madera far exceed the superficial connections promised by larger national and out-of-town cannabis retailers. We're locally grown, so we understand the importance of building and maintaining strong connections to the Madera community. Mainstream's owners already have our boots on the ground: we've had more than a dozen meetings with local organizations and leaders to share our vision, gather and integrate feedback, and build partnerships to proactively support the needs of the Madera community by providing financial support, supporting in-kind donation drives, and volunteering.

Mainstream will continue to proactively engage with and listen to the needs of local people to determine how best to allocate our community contributions. As part of this initiative, we will establish a Community Benefits Advisory Board to oversee distribution of the Community Fund and make recommendations for how our storefront can best help the community. We have already selected well-deserving Madera leaders as board members. The Community Benefits Advisory Board is made up of Madera residents appointed on the basis of their strong community ties and their personal and professional experience with community benefits work.

Community Benefits Plan

Community Benefits Advisory Board

Mainstream believes in giving back to the community and will be donating 2% of its annual gross revenue to various community organizations, described below, based on the recommendations of our Community Benefits Advisory Board. We have recruited leaders from the Madera community to serve on this board to help identify local needs and guide Mainstream regarding where donations can best be directed to serve the City of Madera. The board will meet quarterly to decide to whom and how the funds should be allocated. We will provide the City with reports, annually or more often upon request, documenting these contributions. The Community Benefits Advisory Board will initially consist of Daniel Riley, Jim Kocher, Chris Arias, Alex Salazar, and Dr. Neely.



Madera business owner Dan Riley's family tradition, which began with his grandfather home brewing five-gallon batches of beer on the kitchen stove, has grown to be a 16-acre complex with 76,000 square feet of buildings. Mr. Riley first found himself advocating for Madera businesses, farms, and residences in 2013, when the California High-Speed Rail Authority threatened to run its new high-speed rail through his property. Having emerged victorious from that effort, Mr. Riley believes that the community needs to consistently "engage soon and often." Mr. Riley is proud to represent Madera's small business owners, and we are pleased to welcome him onto our Advisory Board.



Through his position as the **Executive Director of the Madera County Arts Council, Jim Kocher** has made it his mission to support and promote all arts in Madera County. Before working for the Council, Mr. Kocher's entrepreneurial spirit and passion for customer service led him to cofound a successful consulting business focused on enhancing professional services by providing input and assessing organizations to determine how their processes can be improved. Mr. Kocher has over 30 years of professional experience, including time with Showbizjobs, Dignity Health, The Walt Disney Company, and the Playhouse Merced community theater. At Playhouse Merced, he helped lead the nonprofit arts organization toward improved community awareness and attendance and increased donors and sponsorships. We are grateful to have Mr. Kocher's voice on our Advisory Board.



Born and raised in Madera, local resident Chris Arias helped to launch the Madera COVID-19 Hunger Relief Fund, which raised over $7,000 in donations and helped provide for more than 50 Madera families. Mr. Arias owns and operates Madera Martial Arts, a fun and energetic training facility that teaches athletes a mixture of martial arts and discipline. Mr. Arias is most proud of his Little Champs program, which he says is the "heart and soul" of his facility. Mr. Arias is proud to be able to contribute to his student athletes' growing confidence, focus, and self-esteem. Mr. Arias also works as a real estate agent with Miracle Realty. We are excited to have Mr. Arias as part of our Community Benefits Advisory Board.



After 32 years as an Electrical Substation Supervisor with Pacific Gas and Electric, Dr. Neely currently serves as the President of the BTU Congress of Christian Education for the San Joaquin District Association, Dean of the Mt. Zion Theological Seminary, and remains active in the Ministerial Alliance of Madera. Dr. Neely has been married to First Lady Yvonne Neely for 45 years and together they have raised six children. No stranger to the Madera community, Dr. Neely's extraordinary gift of teaching, mentoring and administration will provide valuable insight Mainstream Advisory Board.



For over 20 years, Alex Salazar has helped over 1,000 families become homeowners in Madera. Currently serving Madera, Merced and Fresno counties, Alex and his team of real estate professionals were named one of the top real estate teams in Northern California two consecutive years in a row. Alex first became interested in local matters after he was appointed as the Government Affairs Director for the Madera Association of Realtors. His leadership helped forge the passage of two local school bonds. Alex has served as the Director of the California Association of Realtors, Region 12 Director representing realtors from Madera to Bakersfield, member of the ADA Advisory Committee and also served as a member of the City of Madera Planning Commission, where he served for three years.

Benefiting the Community by In-Kind Donation Drives and Events

Mainstream has found that in-kind donations are just as valuable and often more meaningful than monetary donations. In-kind donations will continue to be a key strategy in our community benefits program. We will commit to participating in the following in-kind donation drives:

- **Valley Children's Healthcare**
- **Christmas Extravaganza**
- **Madera Rescue Mission**
- **Redwave's Toys 4 Tats**

Valley Children's Healthcare

Valley Children's HEALTHCARE

For seven decades, Valley Children's Healthcare has provided high-quality, comprehensive healthcare services to 1.3 children living in the Central Valley, regardless of their families' ability to pay. Mainstream will donate toys, games, books, and personal items to patients and families to help support the hospital's vision to support kids right here in the Valley.

Christmas Extravaganza

A Madera tradition, the Christmas Extravaganza donation drive is spearheaded each year by Mayor Pro Tem Anita Evans. To celebrate the Christmas and holiday spirit, Ms. Evans collects, and hand delivers Christmas presents to the children of James Monroe Elementary school in Madera. The 2021 Extravaganza was able to give over 150 presents to some of Madera's most underserved children. Mainstream directly participated by contributing to and assisting with the Extravaganza, and it intends to continue the tradition in 2022.





Madera Rescue Mission

Since 1987, the Madera Rescue Mission has provided vital services to men, women, and children who find themselves without a home. The Mission provides food, hot showers, clean beds, and many other services. Mainstream will work with the Madera Rescue mission to help raise donations, including food and the necessities of living.

Redwave's Toys 4 Tats



Every year, Redwave Tattoo & Art Gallery donates personalized tattoos in exchange for children's toys valued over $30. The toys collected are then hand delivered to children in Madera, Clovis, Reedley, Kerman, and Fresno. Mainstream intends to participate in 2022's Toys 4 Tats drive after having already proudly sponsored and participated in the toy drive in December 2021. We were able to provide 435 presents, valued at over $15,225, to children throughout the Central Valley.

Benefiting the Community by Participation in Support of City-Sponsored Events

Relay for Life of Heart of California

The American Cancer Association, dedicated to helping people with cancer, holds a very special place in the hearts of Mainstream's owners. Ofeilia Saldivar, Rico Saldivar's wife, was diagnosed with ovarian cancer in 2019. George Deleija's father, Francisco Deleija, was diagnosed with stage 4 lung and kidney cancer in 2016. Mr. Deleija attributes his passion for fixing computers and gadgets to his father, who worked for the Madera Unified School District for 33 years until the day of his passing on February 11, 2021, when he lost his fight with cancer.





Each year, the American Cancer Foundation ensures that no one faces cancer alone by providing cancer information, answers, hope, and a sense of community. The Association accepts donations to help to fund groundbreaking cancer research and patient programs and make a difference in communities like ours. Mainstream intends to participate in the next Association's Relay for Life of Heart of California.

Madera Downtown Christmas Light Parade



The Madera Downtown Christmas Light Parade, held every year by the Madera Evening Lions and the Madera Downtown Association, takes the concept "parade" to another level. Madera residents string lights on their tractors, cars, fire trucks, and other vehicles to light up the town. Visitors enjoy the lights of over 40 entrants and the wineries along the route. Since Mainstream's proposed location, 300 East Yosemite Avenue, is on the route of the parade as it runs through downtown Yosemite, it is a given that we will attend the 2022 Madera Downtown Christmas Light Parade. We participated in the 2021 parade and intend to show our appreciation for the Madera community by continuing this fun tradition.

Local Madera Art Hop in Coalition with Madera Arts Council

If selected as a license recipient, Mainstream will partner with the Madera Arts Council to create the Madera Art Hop. This event will be an opportunity to meet and greet artists as well as a way for local artists, organizations, and businesses to showcase their work and bring the Madera community together in their shared love for the arts, culture, community, and cannabis. Mainstream plans to partner with the Madera Art Council and Downtown Association to create a Downtown Mural District that will feature local artists and Nationally renowned mural artists , Joshua Wigger and Eric Drane.

Madera County Artfest

The Madera County ArtFest is a fun festival that promotes art in the community. Every year, the ArtFest features face painting, hands-on art activities, live art demonstrations, performance art groups, and much more. Mainstream strives to emphasize the importance of art in the downtown community, and we intend to participate in and help promote this Madera tradition.

CASA Fresno Madera's Duck Race, Chef Cook-Off, and Crab Boil

CASA Fresno Madera is a voice for abused and neglected children in the community who have been placed in foster care. After a child has been removed from their home due to abuse and neglect and is placed in foster care, these volunteers—court-appointed special advocates—work with the courts to help judges make informed decisions in the child's best interests and to advocate for the child's needs and provide ongoing support during their journey through foster care. Mainstream commits to participating in the Great CASA Duck Race to help support CASA. Mainstream will also participate in the second annual Chef Cook-Off. The money raised during this event goes directly to the recruitment, training, and support of compassionate volunteer advocates who speak on behalf of the abused and neglected children in the Madera community. Mainstream's owner Matthew Garza actively patriciates in the annual Crab Boil by inviting over 800 guests into his family's home to help raise money for the children of CASA Fresno Madera. Mainstream intends to attend and participate in all three of these events to support and generate awareness of the community's most at-risk children.

Participation in Volunteer Services

- **Community Beautification Days with the Parks & Community Services Department**
- **Paid Time Off Program**
- **The Arc of Fresno Madera Counties: An Enchanting Evening**

Community Beautification Days with the Parks & Community Services Department

In conjunction with the Parks and Community Services Department, Mainstream will establish monthly Community Beautification Days. Employees will pick up trash and clean up graffiti in the area around the retail business. Mainstream believes that cleaning up downtown Madera is an important strategy for building a strong and vibrant community.

Additionally, we plan to conduct an annual tree planting event as part of our Community Beautification Days to offset carbon emissions. Information about these Community Beautification Days will be posted in our retail facility for employees and customers to see. Information will be featured on our website to provide inquiring customers with information on how to participate. Customers and community members wishing to participate will be rewarded with store discounts or branded merchandise.

Paid Volunteer Time Off Program

Mainstreams will implement a Paid Volunteer Time Off Program at our facility. The program will grant each employee up to 40 hours per year of paid time to volunteer during working hours as a way of building and fostering strong relationships with our surrounding and downtown community. Employees who take advantage of the program will be free to select a nonprofit to support with their time.

The Arc of Fresno and Madera Counties: An Enchanted Evening



In coalition with the Arc Club and Madera Counties, Mainstream lent their artistic talents in providing hair and make-up for the actor participants in the Arc Club's production of Beauty and the Beast. The Arc Club of Fresno and Madera Counties offers individuals with intellectual or developmental disabilities the opportunity to succeed in a supportive environment. Mainstream will continue to support the Arc Club of Fresno and Madera Counties for years to come.





Benefiting the Community by Funding

Mainstream understands that Madera has faced exceptional challenges stemming from the pandemic, societal unrest, and a particularly harsh drought season. With that in mind, Mainstream's community contributions plan is tailored to address those most in need and designed to alleviate some of the burden on organizations that do so much good for many members of our community.

The organizations that Mainstream has committed to make donations to were selected for their deep ties to the Madera community and alignment with our core values. Initially, Mainstream will be donating 2% of its annual gross revenue to the identified organizations. Based on our research, and in consultation with local community leaders and organizations, Mainstream has selected the following four organizations to receive its donations:

- **Madera VFW Hall Post #1981**
- **Madera County Food Bank**
- **Madera County Arts Council**
- **Martha Diaz Shelter**
- **Sponsorship of local athletes**

Madera VFW Hall Post #1981



The Veterans of Foreign Wars of the United States is a nonprofit veterans service organization comprising veterans and military service members from the active, guard, and reserve forces. Madera VFW Hall Post #1981 ensures that those who've protected American's freedom are protected in return. It helps facilitate the rehabilitation of the nation's disabled and needy veterans and assists the dependents of needy or disabled veterans by providing access to services in the Madera community. Mainstream seeks to be of service to VFW members by sponsoring them with monetary donations and providing those with chronic pain and other service-connected health conditions with secure access to cannabis. Further, if granted a license, Mainstream will give discounts to VFW members.

Madera County Food Bank



The Madera County Food Bank strives to improve the quality of life of families and seniors by offering food, basic sustenance, food education, and self-sufficient training. The Madera County Food Bank runs five thriving programs and distributes food at 16 locations. Mainstream has already financially contributed and intends to continue donating to help feed the people of Madera.

Madera County Arts Council



The Madera County Arts Council gives Madera County residents and visitors access to art and culture through its diverse programs and services. It encourages a wide variety of public art and initiates fundraising activities to sponsor art in public places. Like the Madera County Arts Council, Mainstream strives to play a role in the economic development of the area through promotion of the arts. We have already made a monetary contribution to the Arts Council, and we intend to create an Art Hop event alongside the Council, as discussed above.



Martha Diaz Shelter



The Victim Services Center at Community Action Partnership of Madera County (CAPMC), in conjunction with the Martha Diaz Shelter, helps to provide compassionate and comprehensive services to victims of crime, sexual assault/rape, and domestic violence. The Martha Diaz Shelter provides up to 30 days of shelter, food and clothing to men, women, and children who are in imminent danger of domestic violence. Mainstream intends to donate a portion of its Community Investment Fund to the Martha Diaz Shelter.



Local Sponsorships



Mainstream feels strongly about investing in the future of youth sports by providing resources to help low-income and marginalized families remove the financial obstacle of participation. With today's economy, Mainstream understands that many families cannot afford to place their children in extracurricular activities. For this reason, they have personally sponsored over 100 Madera County children in numerous sports and tournaments in the Mainstream name. Not only does Mainstream provide financial resources, but they also provide sport apparel and gear to help children feel confident when out on the mat or field. If selected for a license, Mainstream will continue on their mission to level the un-level playing field in youth athletics.



Economic Incentives That Help Achieve Policy Goals

Local Business Partners

In addition to providing direct aid to, participating in, and funding the work of local community organizations, Mainstream supports and will continue to patronize local businesses whenever possible. Its owners being local business owners themselves, Mainstream realizes the importance of engaging with and supporting local businesses, including women-owned and minority businesses, to promote economic development and prosperity in Madera. We have identified the following Madera businesses that we intend to purchase from should we be awarded a license to operate:

MADERA PRIVATE SECURITY 910 W. YOSEMITE AVE., MADERA, CA 93637

- Mainstream intends to contract with Madera Private Security to provide security services for our dispensary.

BRIAN'S HEATING AND COOLING 2910 FALCON DR., STE. D, MADERA, CA 93637

- Mainstream intends to partner with Brian's Heating and Cooling for our HVAC installation and maintenance.

U-TEC MADERA 106 N. GATEWAY DR., STE. 102, MADERA, CA 93637

- Mainstream intends to partner with U-tec Madera for computer repair services.



PITA HOUSE 114 N GATEWAY DR., MADERA, CA 93637

- Mainstream intends to partner with Pita House to provide meals at our staff-sponsored events.



LAS DELICIAS 901 N D ST., MADERA, CA 93638

- Mainstream intends to partner with Las Delicias to provide meals at our staff-sponsored events.

On April 22nd, 2022, Mr. Saldivar opened a new ScreenPrint, DTG printing and Embroidery business called "Redwave Print Studio" which will be utilized to sponsor Mainstream and Madera community events.

Madera Chamber of Commerce 120 N E St, Madera, CA 93638

Madera Downtown Association 428 E Yosemite Ave, Madera, CA 93638

Mainstream has joined the Madera Chamber of Commerce and Madera Downtown Association as a way of making inroads with local businesses. Mainstream realizes that as a small business, it must lean on the support of other small businesses to help its dispensary thrive. We believe that local businesses are the backbone of the economy. Therefore, our support goes beyond providing direct aid. Mainstream will partner with the Chamber and Downtown Association to hold networking events. This will allow us to obtain resumes and local vendor proposals. Mainstream appreciates both the Chamber's and the Downtown Association's roles as drivers of economic development and opportunity in the city of Madera.

Madera DOWNTOWN Association

P.O. Box 812 - Madera, CA 93639

June 17, 2022

Rico R. Saldivar, Mainstream

To Whom It May Concern:

We would like to thank you for attending our meetings and allowing us the opportunity to get to know your company. Learning of your goals, plans, and future commitments to serve our area provided us the opportunity to see what your presence could potentially do for our city with an emphasis on our downtown district.

The Madera Downtown Association would like to acknowledge our formal support of your application for a cannabis permit to conduct business in the downtown area.

Thank you for your commitment to Madera Downtown Association and the non-profits in our community. We look forward to partnering with you on future projects, pending approval of your permit.

Best wishes as you move forward in this process.

Respectfully,

Mona Davie, President
Madera Downtown Association

Local Product Support

Mainstream will make purchasing decisions using criteria that favor the local supply chain. When selecting products to stock our shelves, we will give preference to cultivators, manufacturers, and distributors in the Central Valley. Additionally, we will designate prime shelf space for local brands to help support the local supply chain. Mainstream will proactively seek out and pursue products with locally licensed operators.

Spanish Language & Disability Support

The 2021 Census Bureau reflects that 54% of Madera residents identify as Hispanic or Latino. To ensure that our Spanish-speaking customers are never overlooked, Mainstream will commit to having at least one staff member on site who is fluent in Spanish. Everyone on the Mainstream team will be trained on how to assist customers who speak a different language or have a disability. Mainstream is committed to inclusiveness in support of safe access to cannabis.

Local Employment Opportunities

Madera Local Hire Preference

Furthermore, Mainstream will commit to 85% of its location's employees being local hires. To reach our 85% local-hire goal, we will use various recruitment strategies, including posting on Indeed.com and engaging with local nonprofits, such as the Workforce Development Board of Madera County, to reach a broad swath of the community. As our economy rebuilds, opportunity in the cannabis industry only continues to grow as legalization progresses and passes into law across the country. Mainstream plans to break down barriers to entry by minorities to contribute to that growth through retail ownership and entrepreneurship. Mainstream is committed to building a Madera team that reflects the local market by hiring Madera residents who can relate to customers at all socioeconomic levels. It has been our experience that local employees know the local market better than anyone and help to serve as our connective tissue to the community.

See Following Labor Peace Agreement

Jacques Loveall
President
International Vice President

Labor Peace Agreement

Mainstream Madera ("the Company") and the United Food and Commercial Workers Union Local 8-Golden State ("the Union") hereby agree to the following terms:

1. Neutrality and Non-Disparagement. The Company agrees to take a neutral approach to unionization of workers, meaning that the Company, which also includes any managers, agents, and representatives, will neither help nor hinder the Union's organizing effort, including making any statement or taking any action that directly or indirectly indicates or implies any opposition to workers selecting the Union as their collective bargaining representative, or directly or indirectly supporting or assisting in any way any person or group who may oppose the Union. This includes the Company refraining from making negative comments or otherwise demean by word or action the Union, Union representatives, or unionization. The Union agrees to refrain from exercising its rights to picket, handbill, boycott, work stop- page nor engage in any other economic interference against the Company's facilities or operations; however, if the Company recognizes another union as the bargaining representative of any workers, the union's obligation will automatically cease to apply to those workers' facilities or operations.

2. Bargaining Unit. The Union will notify the company of the facilities and/or operations for which the union seeks to invoke this agreement's unionization process and, in this notice, the Union will designate the bargaining unit. The Union will invoke this agreement's unionization process for any of the Company's employees no more than 1 (once) per Quarter. If the unit of employees to be covered by this Agreement is one in the exclusive jurisdiction of the California Agricultural Labor Relations Act, the Parties will meet within ten days of such knowledge and modify the Agreement to comply with that law as mandated by its terms.

3. Access. The Company grants the Union and its Union representatives access onto the Company's premises during working hours to speak with bargaining unit employees for any duration during any non-working time, including meal periods and rest breaks. The Company will cooperate with the Union in making arrangements to permit these conversations to be held in areas where the employees will be able to speak to the Union representatives without monitoring by the Company. If the Company believes that the Union's access on the premises is disrupting operations, it may discuss the issue with the Union.

4. Meeting. At the Union's request, the Company will conduct a meeting on a mutually agreeable date(s) and time(s) with all of the bargaining unit employees on Company time. At the meeting, the Company will tell the employees that it is neutral, does not object to their talking to and supporting the Union, and will negotiate a collective bargaining agreement (CBA) with the Union if a majority of the bargaining unit employees designate the Union as their collective bargaining representative. Union representatives will attend the meeting and, after the Company has introduced them and left the meeting, the Union representatives will talk with the employees about the Union. The Union will request this meeting no more than once per Quarter.

5. Contact information. At the Union's request, the Company shall furnish to the Union the names, job classifications, home addresses, cell phone numbers, home phone numbers and email addresses, if known, of the bargaining unit employees (collectively, "contact information"). The Company further agrees thereafter to provide updated worker contact information, as reasonably requested by the Union.

6. Recognition. When a majority of bargaining unit employees designates the Union as their collective bargaining representative, the Company will recognize the Union as the exclusive representative of the bargaining unit, provided that the Union may assign jurisdiction and representation rights to any of its affiliates. At either party's request, a neutral third party may confirm majority authorization. The Company and the Union will comply with all requirements necessary to obtain certification of the Union as the exclusive bargaining representative of these employees.

7. Elections. The Company waives the right under the National Labor Relations Act to file any petition with the National Labor Relations Board for any election in any bargaining unit subject to this agreement by itself or as part of a larger unit, and agrees to refrain from directly or indirectly supporting any such petition. If any election petition is filed, the Company agrees that, at the Union's request, the Company will enter into a full consent election agreement under Section 102.62(c) of the NLRB's Rules and Regulations under the terms the union determines. The Company waives the right to file any unfair labor practice charge related to or based on this agreement, the Union's demand for recognition under this agreement, the Union's election, or any other matter related thereto, and further agrees to refrain from directly or indirectly assisting with or supporting any such unfair labor practice charge. As long as the Company and the Union have complied with Arbitrator's orders as described below.

8. Bargaining. No later than 90 days from the date of recognition (or 45 days from a request by the Un- ion to bargain a successor contract for a contract with an impending expiration date), the parties will begin good faith bargaining for a CBA covering the bargaining unit. This timeline can be extended through mutual agreement by both parties. If the Union and Company are unable to agree to a collective bargaining agreement within 120 days of commencement of negotiations, the parties agree that either the Company or the Union may require that all open provisions and issues be submitted to final and binding interest arbitration per the subsection titled herein "Arbitration." The arbitrator shall be guided by the:

(i) Company's size, type of business, and financial ability;

(ii) The employees' ability to sustain themselves, their families and dependents on the wages, hours, and benefits they earn from the Company, and the living wage for their family size and region, as indicated in the MIT Living Wage Calculator (http://livingwage.mit.edu/)

9. Arbitration. The parties agree that final and binding arbitration will be the exclusive remedy for any alleged violations of this Agreement and any dispute or claim arising from or relating to the interpretation or application of any provision of this Agreement. Unless they promptly agree on an arbitrator, the parties will proceed to expedited arbitration using the American Arbitration Association's rules and procedures. The arbitrator is authorized to compel the attendance of witnesses and the production of documents at the arbitration hearing, and to award appropriate monetary, injunctive and declaratory relief. The parties agree not to challenge the arbitrator's decision in court and consent to the entry of the arbitrator's award as the order of judgment of a United States District Court, without notice. Company waives the right to challenge any aspect of this agreement before the NLRB, any other state or federal government agency, or any court.

10. Successorship, affiliated companies and subcontractors. This agreement will be binding on the parties' successors and assigns, including all purchasers of the Company's assets or business, and in the event of a merger. This agreement is also binding on any and all corporations, partnerships, organizations and sole proprietorships affiliated with or related to the Company's business activities. If the Company intends to subcontract any work performed by bargaining unit employees, the Company agrees to require the subcontractor in writing, to comply with this agreement. Should the company be subject to a complete sale of the stock, the purchaser shall comply with this agreement and any labor peace agreement(s) which are applicable. Upon completion of the transfer of all of the stock, the company shall be relieved of its obligations under this agreement.

11. Severability. If any provision of this Agreement is held illegal, void or invalid under any applicable law, the parties will meet and confer to amend the provision to make it legal, valid and binding, and the remaining provisions of this Agreement will remain binding and enforceable according to their terms and the parties' intent.

12. Term of Agreement. The term of this agreement is one (1) year from the date of this agreement. The term will renew for additional 1-year terms unless and until either party gives the other written notice no sooner than 60 days and no later than 30 days prior to the expiration.

13. Confidentiality. The Company and Union agree that all terms and conditions of this agreement are confidential and proprietary between the parties and shall not be disclosed to anyone else, except as may be necessary to effectuate this agreement, as required by law or court order, or as mutually agreed upon in writing prior to disclosure.

14. Collaboration. The Union will attempt to assist with the Company's efforts to secure cannabis licenses in the jurisdiction of the local union's signatories by speaking to relevant decision-makers and community partners about the Company. The Union does not guarantee that the Company will receive a license. However, if the Company recognizes another union as the bargaining representative of any workers, the union's obligation will automatically cease to apply to those workers' facilities or operations.

Rico Saldivar CEO	Jacques Loveall, President
For the Company (print name)	For the Union (print name)
Signature	Signature
2/9/2022	
Date	Date
Mainstream Madera	United Food & Commercial Workers Union, 8-Golden State
Company/Company Name	Union
300 E. Yosemite Ave Madera, Ca 93638	2200 Professional Drive Roseville, CA 95661
Address	Address
559-892-6590	916-786-0588
Phone	Phone

Economic and Workforce Benefits

Mainstream is committed to doing its part to improve the community through equity, empowerment, and diversity and inclusion initiatives. We will require all our employees to undergo implicit bias and cultural competency training yearly. We will also make special efforts to ensure equity with regard to race, gender, sexual orientation, physical ability, and age. All of Mainstream's managers will be required to complete a minimum of 30 hours of training, as provided by Cal-OSHA.

Expungement and Outreach Services

Expungement Fairs

Mainstream recognizes the harm to numerous communities, especially communities of color, resulting from the War on Drugs and decades of exclusion from public decision-making. If afforded the opportunity to operate, Mainstream promises to do all in its power to rectify these wrongs, including partnering with Central California Legal Services (CCLS) to help facilitate the expungement process for qualifying harmed individuals. CCLS provides legal assistance to low-income persons in education, employment and labor, rural health, and expungement. Its mission is to fight for justice and individual rights alongside the most exploited communities, including Indigenous Mexican communities, LGBT communities, and farm communities. Mainstream will provide informational material and connect individuals with qualified professionals who will be able to help expunge their records on a pro bono or low-cost basis. This information will be advertised in our storefront and on our social media page.

Adult Outreach

Mainstream welcomes the opportunity and obligation to educate members of the public about safe cannabis use. Specifically, we will provide members of the public with informational pamphlets regarding pertinent cannabis regulations and information, and we will provide information anonymously for those who may have substance abuse disorders. Mainstream embraces the duty to safely provision cannabis so that users can responsibly reap its many benefits.

Mainstream will further provide opportunities for members of the public and first-time cannabis users to engage with staff through periodic educational seminars in which they can learn more about the science and benefits of cannabis. When possible, we will also be willing to host a wide range of discussions on social justice by community members.

To help people afflicted with alcohol, cannabis, or other recreational drug abuse or dependence, Mainstream will provide informational pamphlets that connect those seeking help with resources so they can regain control of their lives. Mainstream will also train receptionists to recognize and engage with people who appear to be suffering from abuse of or dependence on cannabis, as well as other substances, and offer to provide local resources and anonymous support hotlines where such people can engage with professionals to begin their journey toward recovery.

A Venue for Artists

With art flowing through the veins of Mainstream's very existence, Mainstream's owner and founder, Rico Saldivar, seeks to celebrate and promote local artists in Madera. A tattoo artist by trade, Mr. Saldivar aims to provide local artists with a venue for displaying their artwork and will encourage customers and members of the public to view and purchase their work. By providing a unique art gallery experience incorporated into the design of the facility, Mr. Saldivar hopes to encourage Madera artistic creativity through an infusion of art and cannabis. In addition to displaying local art, Mainstream will support artists by holding a quarterly art expo to help promote and facilitate sales; artists will receive 100% of the proceeds.

Environmentally Sustainable Business Plan

Mainstream is dedicated to running a clean and energy-efficient business. Mainstream intends to institute operating procedures that have the goal of achieving, as nearly as possible, a zero-waste footprint. We believe in using an integrated development approach that focuses on health, wellness, and sustainability. Mainstream understands the environmental impact that cannabis cultivation and distribution can have on the environment and accepts its responsibility to help lesson this impact. We will craft everything from operations and products to our building design with the environment in mind.

Mainstream has developed an environmentally sustainable business model following guidance provided by The City of Madera Climate Action Plan (CAP). Mainstream's sustainable business model incorporates high-level considerations, including energy efficiency, conservation, renewable energy, land use and transportation, recycling, water conservation, and government operations, into the practical understanding of the cannabis industry to envision a lasting and mutually beneficial relationship between Mainstream and our environment.

Mainstream's building specifications will conform with LEED design and Living Building Futures standards. Mainstream's building will use and source eco-friendly materials for both the exterior and interior of our dispensary, including reclaimed wood and recycled glass and plastic. We will also upgrade the building's existing plumbing to promote water efficiency. Mainstream's restroom will include ultra-low-flow plumbing fixtures and low-flush toilets.

Energy Efficient Lighting and Controls

Mainstream will work with our architects, engineers, and design consultants to ensure the most efficient and cost-effective means of providing electricity to our dispensary. Mainstream will use energy-efficient LED lighting and adjust daylight and nighttime lighting to reduce energy consumption. Lighting will be programmed to operate with a circadian lighting system to minimize energy usage. All appliances and equipment, such as computers, refrigerators, kitchen equipment, and POS stations, will incorporate energy-efficient technology to the greatest extent possible.

Climate Control and Energy Consumption



Mainstream anticipates that a large portion of our energy consumption will be from the HVAC system. Mainstream will integrate the most efficient climate control system possible, preserving indoor air quality while minimizing energy consumption. All staff will be trained on energy conservation practices to ensure that our dispensary is consuming only as much energy as needed to safely operate. Sales associates will turn off computers, appliances, and POS systems when not in use to conserve energy.

Management Systems and Energy Audits

To monitor and ensure compliance with our environmentally conscious standards, Mainstream will conduct semiannual energy audits to optimize our energy usage consistent with our business needs. We will partner with the Madera Energy Watch Program. The Madera Energy Watch Program helps small and medium-size businesses improve their energy efficiency. By increasing energy efficiency, Mainstream will benefit the environment by conserving Madera's natural resources and reducing greenhouse gases.

RESPONSIBLE AND COMPLIANT RETAIL MADERA, LLC
(dba: Embarc)

SECTION G. COMMUNITY BENEFITS AND INVESTMENTS PLAN

"Embarc first sat down with me last fall as part of their listening tour to inform their application, and in getting to know them … I am confident in their ability to deliver on their commitments to enhancing downtown Madera while serving as a true partner and resource to the City and Downtown Madera Association revitalization efforts."

Steve Copeland, Lifelong Madera Resident & Local Business Owner

"As a member of law enforcement and long-term member of this community, I am not supportive of cannabis. But with the City's decision to legalize adult use, I am committed to doing my part as a community leader to ensure that retail cannabis is done right. Throughout this process, several cannabis companies approached me offering to support my work but in none of those conversations did a cannabis operator discuss their work to support youth or their proven track record in delivering youth education and drug prevention in other communities, until I met Embarc. I believe our City leaders must select operators that will set the bar for what community-centric cannabis operations in Madera can achieve, and I believe I have found that partner in Embarc."

Dan Foss, Founder, O.L.I.V.E. Charitable Organization

"Embarc has a proven track record of developing real partnerships to facilitate the funding, education and empowerment of communities, with a focus on protecting youth, and it is this prioritization that excites me about serving on Embarc's Community Advisory Board and the positive impact this Board can have on our community."

Baldwin Moy, Co-founder and Director, Madera Coalition for Community Justice

"As an educator, I do not support cannabis. However, I am serving on Embarc's Board because I believe in their track record and approach to youth drug prevention and in the opportunity this Board provides in delivering thoughtful investment to address the evolving needs and challenges facing Madera's youth today. I look forward to working with the Board to lead by example in setting the standard for impactful community benefits, especially for our youth."

Joetta Fleak, Trustee, Madera Unified School District

"Embarc has put in the work to understand our community and empower a team of trusted local leaders to ensure the thoughtful distribution of Embarc's community funding. Embarc is the right partner for Madera, and I look forward to working together to achieve our shared vision of a vibrant, walkable family friendly downtown."

Dr. Julia O'Kane, Former Madera Educator, Board President, Madera County Arts Authority

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"I am not supportive of legal cannabis, but if cannabis is coming to Madera I want to ensure it is done right. As a member of the Community Advisory Board, Embarc has empowered me and my fellow Board colleagues to direct and allocate Embarc's Community Investment Fund - ensuring the benefits from the sale of legal cannabis are targeted to meeting tangible needs in our community. It is this philosophy that has solidified my confidence that Embarc Madera is the right fit for our community."

Ryan McWherter, Executive Director, Madera Food Bank

"As a neighbor to Embarc's proposed downtown location and an advocate for Madera's youth, I look forward to serving on Embarc's Board to provide my insights on how best to advance and ensure the protection and education of Madera's youth."

Monica Ramirez, First 5 Madera County

The cannabis business should describe the benefits the business will provide to the local community, for example by directly aiding, participating in, or funding the work of local nonprofits, community-based organizations, civic organizations, or social services organizations. Benefits may be in the form of volunteer services, monetary donations, financial support of City-sponsored activities or organizations, in-kind donations to the City or other charitable organizations and/or any other economic incentives to the City which will help achieve the strategic policy goals of the City Council in permitting cannabis businesses in the City of Madera.

We understand that while cannabis has existed within our communities for decades, legal, regulated cannabis is still an emerging market. Communities are now grappling with how to best integrate commercial cannabis activities into existing neighborhoods, balancing the economic opportunity this industry represents with a desire to protect public health, safety and neighborhood integrity.

Embarc believes operating a cannabis business is a privilege and not a right. Our successful business model is predicated on the ability to consistently engage the community and the City with integrity and through transparency and collaboration. Given this commitment to Madera, we will operate a business that provides meaningful ongoing benefits and serves as the type of partner the community can be proud of and will value.

Purpose

Embarc's Community Benefits and Investments Plan, summarized below, is intended to be a living, breathing document that encompasses the company's core values and priorities for ongoing community engagement. It was developed with and will continue to evolve over time through collaboration with our Community Advisory Board. This plan does not contain static organizational commitments or one-time checks at the front end of a license pursuit; rather, it is the embodiment of

PROMISES MADE, PROMISES KEPT: COMMUNITY IS IN OUR DNA

Embarc is proud to be the first cannabis operator in California to launch a Community Advisory Board in every community where it operates that is granted the sole authority for allocating community benefits funds, ensuring transparency and accountability in funding have been part of the company's DNA since the beginning. We are happy to see other operators similarly adopting a Community Board model, and believe our track record of community engagement, not as an afterthought or reaction to others but at the forefront of how we operate, is critical to living our values in action.

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Embarc's proven community engagement model – one that values and respects the importance of diverse local perspectives and experiences in being able to adapt to continuously address evolving community needs.

This approach is evident in how we compiled our Community Benefits and Investment Plan for Madera. What follows is not a template, but rather a plan that has been formulated with significant input from local leaders to ensure a plan developed by Madera residents for the Madera community. It centers around the following equation:



COMMUNITY ADVISORY BOARD

In every community where we operate, Embarc's Community Advisory Board ("the Board") is empowered with total control over where community investment funds and engagement are directed in perpetuity. It is this group that will work collaboratively with our ownership to drive our efforts to address Madera's needs. The primary goals of the Community Advisory Board are to work collaboratively with Embarc leadership to implement and continue to refine our community benefits plan and to ensure safe, transparent, and community-oriented operations. Duties of the Board include, but are not limited to:

1. Development and implementation of our community relations plan
   - Identifying and/or creating opportunities to help enhance and promote community input, engagement, education and awareness
   - Reviewing operational policies and procedures to identify opportunities for community and neighborhood engagement
2. Allocating all community funding
   - Assessing opportunities for financial contributions
   - Identifying local, immediate priority funding gaps in which our resources could provide flexible assistance
   - Determining the best allocation of community funding
3. Oversight and accountability for Embarc operations
   - Quarterly accountability on commitments made/commitments delivered
   - Reviewing marketing plans and advertisements
   - Monitoring Embarc's responses to any community feedback or concerns
4. Assistance in establishing and building community trust
   - Continuous identification of community priorities, values and needs
   - Identifying opportunities for collaboration with local businesses and other stakeholders
   - Serving as a voice within the community
5. Ensuring appropriate and thoughtful community education
   - Providing input on education and awareness programs
   - Recommending priority causes for employee and executive volunteer support
   - Providing consistent feedback to refine and best tailor our efforts

The Community Advisory Board is comprised of the following individuals:

Embarc Madera Community Advisory Board	
Will Oliver	Owner & Chair of Community Advisory Board – Embarc Madera Former Madera City Councilmember
Debi Bray	President & CEO, Madera Chamber of Commerce
Joetta Fleak	Madera Unified School District, Trustee
Dan Foss	Founder, O.L.I.V.E Charitable Organization
Ryan McWherter	Executive Director, Madera Food Bank

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Baldwin Moy	Co-Founder, Madera Coalition for Community Justice
Dr. Julia O'Kane	Former Madera Educator, Board President of the Madera County Arts Authority and Board Member of the Madera County Arts Council
Monica Ramirez	Executive Director, First 5 Madera
TBD	Representative, Madera Downtown Association
TBD	City of Madera and/or City of Madera Law Enforcement *

*To ensure operational transparency we would welcome the opportunity to include a participant from City government and/or a current public safety officer but thought it inappropriate to reach out to such representatives prior to the conclusion of this process. While neither would be voting members, this is an opportunity for City leadership to remain apprised of, and provide feedback on, Embarc's operations and philanthropic execution.

"As a former City Council member representing this community, I understand the concerns and opportunities that come with legal cannabis, and I am dedicated to ensuring we will deliver a community-sensitive cannabis retail dispensary that the City of Madera will be proud of … As an owner and member of the Community Advisory Board, I look forward to being an active participant in ensuring safe and responsible integration of retail cannabis in our community."

WILL OLIVER,
OWNER, EMBARC MADERA

Will Oliver, Local Owner and Chair of the Board

Will is a lifelong resident of Madera County with family roots in the community for over 100 years. As a former Madera City Mayor Pro Tem and Councilmember, Will understands the unique opportunities and challenges represented by the introduction of retail cannabis to the community. He currently serves as VP of Business Services at Fresno Economic Development Corporation, a dynamic, private, not-for-profit that provides business development services to recruit new industries to the area and to support the growth of today's workforce. Will leads strategic initiatives and special projects, serving as a trusted advisor to many local businesses, working to optimize meaningful opportunity creation for Central Valley residents. Will has built his career at the intersection of policy, business and community development, making him uniquely qualified to ensure the successful and respectful integration of a new industry in his hometown.

Debi Bray, President & CEO of the Madera Chamber of Commerce

Born and raised in Madera, Debi is a local leader who has dedicated her life's work to supporting and advancing a thriving local business community. She is the beating heart of the Madera Chamber, having joined in 1986. Given this tenure, Debi understands the evolving opportunities and challenges facing Madera and is a respected voice in standing up for what is best for the community. Serving as President and CEO of the Chamber, Debi is responsible for everything from operations to programming and events. Debi also serves as a Board Member for the Madera Downtown Association, bringing vital knowledge and understanding pertinent to the future development of downtown Madera. As a local parent and grandparent, Debi is committed to ensuring retail cannabis is sensitively and successfully integrated into both the business community and the community at large, which drives her commitment to having a seat at the table in Embarc's Community Advisory Board.

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Joetta Fleak, Madera Unified School District, Trustee

Born and raised in Madera, with multigenerational roots of the North Fork Mono Tribe, Joetta has dedicated her life's work to educating Madera's youth. A mother of two, she was first inspired to pursue teaching after volunteering in the classroom with her two daughters at Madera Unified. This experience propelled Joetta into a twenty-eight-year career with Madera Unified as a 4th grade teacher. Joetta brings her significant expertise as a practicing local educator to her role as Area 4 Trustee, and her passion and commitment to addressing the growing youth mental health crisis and the needs of English language learners. Joetta also serves on the Board of the Madera County Arts Authority, the Madera County Historical Society and as Treasurer of the North Fork Mono Tribe. She brings her deep understanding of the needs and opportunities for investing in Madera's youth to the forefront of Embarc's Community Advisory Board priorities and will be a vital voice in identifying meaningful opportunities to invest in and empower Madera's youth.

Dan Foss, Founder of the O.L.I.V.E. Charitable Organization

Dan has spent his career protecting this community. After an Honorable Discharge from the US Army, he became a law enforcement officer, a capacity he has served in for two decades. As a steadfast public servant to the Madera community, he also served as Acting Director for Public Works while remaining a Lieutenant in the Madera Police Department. He founded the non-profit organization O.L.I.V.E. (Overcoming Limitations through Intervention, Value and Empowerment) in 2015 to assist women involved in human trafficking by helping survivors see the value within themselves and empowering them through education, therapy and a stable and loving home environment. Dan has grown O.L.I.V.E. into a regional resource and model for other cities combatting sex trafficking. It is this passion combined with significant real-life experience that has propelled him as a leader in Madera and throughout the state, providing a greater perspective on where funds can be utilized to best address the community's most pressing needs.

Ryan McWherter, Executive Director of the Madera Food Bank

Ryan brings a diverse perspective to Embarc's Community Advisory Board given the various roles he plays within the Madera community. He has served as Executive Director of the Madera County Food Bank for over ten years, which serves a critical function for Madera's most in-need residents including families and seniors by providing basic nutrition, food education and self-sufficiency training. As Executive Director, Ryan oversees all critical services of the Food Bank. As a local parent, Ryan understands the importance of putting youth drug prevention and education at the forefront of our effort and will ensure the funds derived from legal cannabis are invested to advance the needs of the community's most vulnerable residents. As Board President of Men of Integrity – Madera, Ryan volunteers to bring faith and fellowship to men throughout the region. He also serves on the Board of the Madera Local FEMA Board as part of the Community Action Partnership of Madera County, where he brings his focus on addressing food insecurity to a County-wide platform.

Baldwin Moy, Co-Founder of the Madera Coalition for Community Justice

Baldwin co-founded the Madera Coalition for Community Justice in 1992 and spearheads the work of the coalition's Youth Leadership Program. Additionally, Baldwin serves as directing attorney at California Rural Legal Assistance (CRLA). Baldwin has been an advocate for underserved populations and specifically youth in Madera for decades. Having lived in Madera for over thirty-two years, Baldwin is a dedicated community leader that believes in the importance of mentorship and art in the lives of youth and the community at large. Baldwin has led the development of many community projects from large public murals throughout blighted areas of downtown to creating safe spaces through youth centered gardens. Baldwin's passion for and deep understanding of Madera will serve as a guiding light in ensuring Embarc contributes positively to the development of Madera's downtown core while providing meaningful benefits to the community in which we serve.

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Dr. Julia O'Kane, Former Madera Educator, Board President of the Madera County Arts Authority and Board Member of the Madera County Arts Council

Dr. O'Kane has been a pillar and esteemed leader in Madera for decades with a particular focus on the advancement of the community's youth. Julia served Madera as an administrator, teacher and as superintendent of the Madera Unified School District. She is a Board member of the San Joaquin River Parkway and Conservation Trust, ultimately serving as Board President, to ensure open space and outdoor education are accessible for Madera's youth. She now serves as President of the Board of the Madera County Arts Authority and on the Board of the Madera County Arts Council. Her passion for the protection and empowerment of youth combined with her years of lived experience as an educator uniquely positions her to understand the challenges and opportunities facing today's youth. Additionally, Julia has years of experience working with City leadership and Madera's business community to enhance and revitalize Madera's downtown core, bringing historical knowledge of the challenges and opportunities in developing innovative community led solutions. Dr. O'Kane brings this unique perspective and track record on diverse issues – from youth to environmental stewardship to the arts – to Embarc's Community Advisory Board.

Monica Ramirez, First 5 Madera, Executive Director

Monica is a longtime Central Valley resident who has built her career empowering and educating young people throughout communities. A graduate of Fresno State, Monica pursued a career in education and community empowerment. Monica has worked with crucial youth service providers throughout the Central Valley including Fresno Head Start and First 5 Fresno. Monica now serves as Executive Director of First 5 Madera County and is a trusted leader in child development, child health and the fundamentals of creating healthy families, providing vital services to Madera's youth and families. As a neighbor and member of Embarc's Community Advisory Board, Monica will bring her unique perspective on the needs and challenges facing Madera's youth as well as provide real-time feedback to ensure Embarc's operations are a net positive to the surrounding community.

TBD, Madera Downtown Association

Embarc initiated engagement with the Madera Downtown Association (MDA) over six months prior to submitting this application to ensure their perspective and our shared priorities were reflected in this proposal. Understanding the important role the MDA plays in advancing commerce and the vitality of downtown, we have reserved a seat on our Community Advisory Board for a representative, should we be selected to operate in this community. We understand the MDA has been inundated by cannabis applicants making large promises. Our approach is different and, in our experience, has been the most successful model for delivering benefits to address the communities' evolving needs. We are confident that by reserving a seat at the table for the MDA, we are ensuring that our shared priorities of uplifting downtown will be reflected in the Board's quarterly funding and volunteerism allocations. Our intention is not to issue one-off checks and press releases, but rather to foster real partnership through deliberate and thoughtful investment for the lifetime of the business.

Ultimately, the Board is comprised of leaders with diverse backgrounds and experiences that inform their ability to make thoughtful determinations regarding how Embarc Madera executes its community benefits. **It is this group of dedicated and trusted community leaders that will ensure the benefits of legal cannabis are directed to advance the community's most pressing needs.** Specifically, the Community Advisory Board will determine Embarc's:

- Funding allocations
- Volunteerism priorities
- Workforce development partnerships
- Financial support of City-sponsored activities
- Ongoing neighborhood engagement plan
- Execution of a youth drug education and prevention program

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In addition to directing Embarc's committed community funding, the Board will meet quarterly to provide feedback on Embarc's operational model, including community outreach, neighbor and business engagement, local partnerships, the sensitivity of advertising and marketing efforts and more.

Unlike most operators in the cannabis industry that attempt to apply their brand and values onto a community using a top-down approach, Embarc seeks to meet the needs of the community from the bottom up – as represented by the passion for the Madera community that these Board members embody and the role that they have been empowered to play within our local operations.

COMMUNITY INVESTMENT FUND

The Community Advisory Board is able to make a sizable local impact because of our commitment to the creation of an internal Community Investment Fund. **In addition to providing 4% of gross receipts to the City of Madera, Embarc will allocate an additional 1% of gross receipts to our internal Community Investment Fund in perpetuity,** generating significant, ongoing funding for community organizations through the efforts and allocations of our Community Advisory Board.

One hundred percent (100%) of the Community Investment Fund will be allocated by the Community Advisory Board to local organizations and partners, ensuring we prevent divestment by requiring all of the benefits generated from our local cannabis business remain local. This is the same commitment Embarc makes in every community it operates, ensuring that this commitment has proven sustainable and impactful in addressing community needs.

Identified Priorities

Our Community Advisory Board members have lived in Madera for decades, even generations, and are unified in their commitment to preserving the unique and intangible qualities that make Madera a community where they choose to live, work and raise their families. As such, the Board's overarching mission is to support and uplift organizations, programs and priorities that enrich the quality of life for Madera residents with a focus on educating and empowering its youth. Studies have indicated that quality of life is predicated on multiple factors: internal value, or the extent to which you feel personally fulfilled; external value, or the extent to which your network enhances fulfillment; and your environment, which can impact both mental and physical wellbeing.

Given the interconnectedness of these factors, the Board has identified the following three pillars as a central focus of our efforts in Madera:

- To **enrich and empower the lives of youth,** as thriving youth are the lifeblood of families
- To support **healthy and stable households**, as families are the pillars of community
- To **create and maintain a family friendly environment** such that residents thrive

To Enrich and Empower Youth

The Board's first pillar is to appropriately and discreetly support youth activities that meet vital needs, teach new skills and provide enriching experiences with a goal of teaching healthy habits, supporting the creation of youth-oriented spaces and activities that provide structure, and helping youth identify passions and develop opportunities for the future. We have identified the following as initial target programs and priorities but anticipate these will expand over time:

- **Madera Community College**
  Two years ago, Madera Community College became California's 116th community college campus. This is a significant advancement for the community and a necessity for Madera's growing population. The College is located off Avenue 12, six miles outside of town, and has over 4,500 students, yet higher education is still out of reach for many Madera residents given a lack of access to financial resources and transportation options. Throughout our listening tour, we learned safe, accessible, affordable transportation to and from the College is a hurdle for many in this community.

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Embarc's Advisory Board is committed to working with the Madera Community College to increase enrollment through community outreach and scholarships. The Board will collaborate with the College and appropriate non-profits to identify potential recipients for academic scholarships for low-income students in need. Additionally, we look forward to being an engaged business leader working with the City and broader community to identify creative solutions to increasing affordable, safe and convenient transportation options for Madera Community College students.

- **Re-launching Madera Police Activities League**
  Research shows that when kids have police as mentors, they are more likely to respect the rule of law as they mature. Now more than ever, young people need the opportunity to know and understand public safety and the role it plays (or can play) in communities. Board member Dan Foss highlighted the impactful work Madera PAL did to support underserved youth through sports and mentorship, but unfortunately the program was discontinued due to a lack of funding and staff turnover in 2016.

  Embarc works with other PAL organizations in communities we serve and welcomes the opportunity to support the relaunch of Madera's Police Activities League. In conversations with Foss, karate, martial arts and self-defense classes came up as a potential activity for Madera PAL. Embarc stands ready to partner in providing funding to relaunch this important program. Our goal is to provide the resources to help build on the great work various stakeholders have previously undertaken in establishing this program and, if selected, will seek to work with Madera Unified School District and Madera Police Department to provide necessary funding to reinstate PAL.

- **John Wells Youth Center**
  The average American child is said to spend approximately seven hours per day on a screen and only four to seven minutes in unstructured play outdoors (Child Mind Institute, 2021). Many studies have affirmed that youth who play outside are happier, healthier and more confident. Sports get kids active and provide great scholarship opportunities yet can often be prohibitively expensive. As our Community Advisory Board discussed several target programs to support, the John Wells Youth Center and the afterschool programs they provide to Madera's youth emerged as a significant priority.

  It was through the creation of the John Wells Youth Center that Local Owner Will Oliver first became involved in local government. At the age of 16, Will participated in a youth advisory committee working alongside then-Mayor Wells to develop plans for Madera's first community youth center. Eighteen years later, the John Wells Youth Center is now a crucial resource to Madera families providing a host of supervised sports and physical activities for youth to enjoy.

  The Center is near and dear to not only Will but to all or our Board members' hearts. Embarc's Board seeks to work with the John Wells Youth Center and the Parks and Community Services Department to increase funding and resources to support youth activities.

- **Madera Youth Leaders Program**
  Embarc funds youth drug education and prevention programs in every community where we operate, as enriching and empowering youth is a value we share with the communities we serve. We are proud to have the Boys and Girls Club serve on Community Advisory Boards in several communities and believe we can execute similar partnerships in Madera given this priority. As a result of our listening tour and through discussions with our Advisory Board, it is evident that that there is a lack of local youth service providers in the immediate community. In conjunction with our Board member, Baldwin Moy, co-founder of the Madera Coalition for Community Justice which oversees the Madera Youth Leadership Program, Embarc seeks to deploy a holistic youth drug prevention and education program

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appropriately and sensitively for Madera's youth. Given spatial constraints, our proposed youth drug prevention and education program is detailed extensively later in this section.

- **Madera County Arts Council**
  Access to the arts increases aptitude in development, academic achievement and the development of twenty-first century skills, especially when started from a young age. Community Advisory Board Member and MCAC Board member Dr. Julia O'Kane's commitment to the rehabilitative role the arts can play in the lives of youth and the vibrancy it provides within a community will serve as a guiding pillar in the Board's approach to both youth empowerment and community revitalization. The Madera County Arts Council has created accessible and affordable options for residents of all ages to get involved in the Arts. From annual art competitions to youth art summer camps to in-school visiting artists to offsite tailored art classes, MCAC's Art Education program is Madera's leading program to engage the community creatively. Embarc stands ready to partner in advancing the great work the MCAC does for youth across this community.

  Two MCAC initiatives our Board is specifically passionate about include:
  - The Madera Theater Project - In partnership with Madera Unified, the MCAC recently launched the Madera Theater Project to "bring community theatre back to Madera" and its students. Providing students with the opportunity to participate and learn firsthand the power of live performance is an important educational and community benefit that both Madera residents and students have not historically had access to. With the guidance of Dr. O'Kane, our Board will identify opportunities to support and advance the emergence of theater and the arts in downtown Madera.
  - Bringing Arts to Incarcerated Youth - We recognize that operating a business in the legal cannabis industry is a privilege and not a right and that many who have come before us do not have this freedom of opportunity, particularly those from low-income communities and communities of color. It is incumbent upon us to continue to identify ways to support those who have been forced to navigate the complex justice system and to provide resources for holistic re-integration into society. That is why we are so passionate about the work being undertaken by the MCAC to bring arts to Madera County's incarcerated youth through a partnership with the County Juvenile Probation program. We look forward to working with Dr. O'Kane to support this effort financially and bolstered through our executive and employee volunteerism, further detailed in this section.

To Support Healthy and Stable Households

Creating and sustaining healthy and stable home environments is critical for all Madera residents, as it supports our neighbors in need and ultimately enhances the family-friendly ethos that makes our Board members proud to call Madera home. Given that many of our Board members serve in leadership and/or volunteer capacities with organizations focused on meeting this critical need, we have identified the following program partners for our second pillar:

- **Madera County Food Bank**
  Ryan McWherter is a trusted leader working to assist those experiencing food insecurity throughout Madera community. The Food Bank supports Madera's most vulnerable populations by providing a host of services and programs including the Emergency Food Program, Senior Brown Bag Program, Senior Nutritional and Produce Program, Community Assistance Program and Emergency Food Assistance Program. It is these programs that provide necessary nutrition to seniors, low-income residents and students experiencing poverty. Additionally, the Food Bank educates community members on healthy foods and self-sufficiency training.

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In learning what the needs of the Food Bank are today and how Embarc can be a partner to addressing them in the future, Ryan identified the importance of food security among Madera's senior population as a growing need. Embarc will support the Senior Brown Bag Program, which provides anyone 55 years and older with a monthly brown bag filled with a variety of grocery items and necessities. In partnership with Ryan, Embarc will work with the Food Bank to increase awareness of the program among residents and provide both financial and volunteer support.

- **O.L.I.V.E. Charitable Organization**
  Dan Foss founded the O.L.I.V.E. Charitable Organization to address the gap in services and programs for survivors of human sex trafficking. Every year, human traffickers generate billions of dollars by victimizing millions of people around the world, including in the United States. Human trafficking is one of the fastest growing criminal industries worldwide, ensnarling minors and adults in modern-day slavery.

  The Central Valley is a main corridor for human trafficking and Foss has developed a model that has gained statewide recognition. Embarc will support these vital efforts through ongoing financial support targeted directly to generating awareness, training on combatting and preventing trafficking, technical assistance, advocacy, and direct services regarding trafficking and trafficking-related issues. In this way, Embarc can sensitively and appropriately support survivors of human trafficking in creating a stable environment where survivors can begin to rebuild their lives.

- **Community Action Partnership of Madera County**
  Community Action Partnership (CAPMC) offers a wide variety of programs to help individuals and families overcome the impacts of poverty through no cost or low-cost programs for Madera residents. Critical services provided to those in need include but are not limited to Child Care, Head Start, Domestic Violence Services and Rape and Sexual Assault Services. CAPMC funding supports local shelters, Shunammite Place and Martha Diaz Shelter. These services are imperative to helping residents break free from the grips of poverty, oppression and injustice -providing support and optionality for residents in need.

  Embarc's Board has identified the Shunammite Place and Martha Diaz Shelter as potential recipients for funding and volunteer support given the vital role they play in the community. Shunammite Place provides permanent supportive housing for those experiencing chronic homelessness and individuals with disabilities. Martha Diaz Shelter houses adults and children seeking shelter and safety from abuse. If selected to operate, Embarc seeks to serve as an engaged partner in supporting these efforts.

- **Expungement of Non-Violent Cannabis Offenses**
  Having a criminal record – even for a low-level, non-violent cannabis offense – serves as a scarlet letter that restricts economic opportunity and job mobility years or even decades after the offense. As a responsible operator that enjoys the privilege of working in the cannabis industry, Embarc is committed to supporting record expungement efforts that provide these individuals with a second chance to shape their narrative and economic future. Appreciating that Proposition 64 allowed for jurisdictions to automatically expunge records, Embarc will seek to work directly with the District Attorney and County of Madera to help facilitate this outcome and will also work with local community partners to include information on expungement as part of broader wraparound services.

- **Centro Binacional para el Desarrollo Indígena Oaxaqueño**
  The Oaxacan indigenous community is a vibrant and significant portion of Madera's population. The Binational Center for the Development of

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Oaxacan Indigenous Communities (CBDIO) provides vital services to indigenous migrant communities from Oaxaca, Mexico living in the Central Valley. Embarc supports CBDIO's efforts to advance workers' rights by providing access to education, training and counseling to address the needs of this community. Embarc believes in the importance and supports CBDIO local efforts to expand enrollment in Medi-Cal within this community. Our Board looks forward to supporting and identifying creative and meaningful ways to support CBDIO and the Madera residents they represent.

To Create and Maintain a Family Friendly Environment

A common refrain during our meetings with our Community Advisory Board is the group's deep appreciation for the fact that Madera is an idyllic community in which to raise a family. As such, the third pillar of the Board's efforts is focused on sustaining that "family-friendly" feeling, ensuring Madera is a safe, clean and well-cared for environment.

- **Revitalizing Downtown**
  In each community where we operate, Embarc is committed to providing funding and tangible contributions to the revitalization of our immediately surrounding neighborhoods. With Embarc's local ownership and Community Advisory Board members' extensive experience supporting Madera's business community, Embarc stands ready to be an active supporter of the Madera Downtown Association's (MDA) revitalization efforts. Throughout our conversations with MDA, we have learned that there is a need for both funding and organizational support for collaboration with City Hall. As part of our Executive Volunteerism (described below), our leadership team – with extensive experience in planning, development and municipal revitalization – stands ready to provide strategic and/or resource expertise support in addition to our funding commitments.

  This Board of trusted local advisors is committed to ensuring small business owners are represented in the city's current and future transportation plans and revitalization efforts. Members of our Board have been engaged with downtown business owners for years working as steadfast partners to the community's downtown revitalization efforts. We understand the immediate priorities in downtown including funding and volunteer support for additional trashcans, ongoing cleanups of bus stops, painting old buildings, requests for additional crosswalks, and enhancing and increasing the number of trees, planters and green landscaping. In addition to the items listed here, what excites us about downtown is the larger opportunity of what true revitalization can bring. If selected to operate in downtown, we look forward to being a dependable funding partner and strategic thinker in ongoing revitalization.

- **Madera County Arts Authority**
  The Madera County Arts Authority (MCAA) is a joint powers agreement among the City of Madera, the County of Madera, Madera Unified School District and the Madera County Arts Council. The MCAA was created to coalesce Madera's government stakeholders to advance the development of the County's first Cultural Arts Center to be located in the heart of downtown Madera. Through deploying significant investment into the creation of a Cultural Arts Center and citing it as the centerpiece of downtown, the MCAA seeks to catalyze downtown into a vibrant center of the arts, theater and local commerce for all residents to enjoy. Embarc's Board of Advisors are committed to being engaged partners to the MCAA and support their vision for a re-imagined downtown with arts and community culture at the epicenter.

  Understanding the Cultural Arts Center is in the planning stages, an immediate project aligned with our Board's priorities is what is currently known as "The Alley Project", located parallel to Yosemite Ave between E St and B St. The Alley Project is focused on bringing residents downtown by enhancing the walkability and visual aesthetics of downtown's alleyway

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through large scale murals and encouraging outdoor community events. We understand the importance of aesthetics in increasing safety and pedestrian usage. Our Board looks forward to being an engaged partner to The Alley Project sponsoring murals by local artists and working with our neighbors to advance downtown Madera as a regional epicenter for the arts.

- **Safe Spaces and Public Parks**
  Providing safe, family-friendly spaces for our young people to explore and enjoy is critical to supporting youth in our community. Unfortunately, youth are often not prioritized when developing or refurbishing public park infrastructure. Through discussions with our Community Advisory Board, we have identified and prioritized the funding and cleanup of community parks throughout the City. Baldwin Moy has spearheaded efforts to create a youth community garden and Embarc stands ready to support this endeavor.

  With the guidance of our Board, Embarc is committed to expanding safe spaces and healthy outdoor environments for Madera's youth. Understanding these efforts must be taken in conjunction with City leadership, we look forward to the opportunity to collaborate with the City of Madera's Parks and Community Services Department to ensure the construction and expansion of safe spaces, community gardens and playgrounds in Madera.

- **Supporting Community Events**
  In the wake of budget cutbacks, community events are falling short of the necessary funding to administer family-fun annual events. In a community where families have limited disposable income, free community events are critical functions for families to gather and enjoy. Throughout our listening tour, we learned that Madera's beloved Fourth of July fireworks display has been cancelled due to lack of funding. Embarc looks forward to being a resource for volunteer support in community events including the Pomegranate Festival, National Night Out, Old Timers Day Parade, Fiesta in the Park and Extravaganza. The Board is open to feedback and recommendations from the community on specific events to support both financially and through volunteerism.

  Our Board of lifelong residents understand how important free community events are for Madera residents, and particularly for its youth. Embarc is committed to working with the City and community to ensure Madera's special events are properly funded and adequately staffed.

Embarc recognizes that a community's needs and priorities shift over time – sometimes gradually and sometimes rapidly. That shift is why it is so critical for Embarc's focus areas to be driven by our Community Advisory Board, who live and work in this community and are vital resources in determining prioritization.

VOLUNTEERISM

In addition to the financial commitments made above, Embarc will deploy significant human resources to benefit community partners and local community needs.

Employee Volunteerism

There are few things that feel better than doing a good deed, except maybe doing it with your peers while getting paid. Embarc is committed to providing a positive workplace that encourages employees to give back to their community. Partnering our workforce with community organizations will foster a culture of volunteerism among our employees.

Embarc employees will be afforded up to 40 hours of paid time off to participate in local community activities and programs per year through our volunteerism program. These opportunities for engagement provide employees with tools for professional development by exposing them to a variety of local organizations. In addition, investment in employees reduces turnover and improves workplace performance. Research shows that the best way to achieve employee

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participation is to provide structured volunteer opportunities. Embarc will provide our employees with opportunities to work with our community partners and also allow team members to suggest and organize additional activities with their colleagues. These opportunities help employees:

- Learn new skills
- Gain project management experience
- Grow personal and professional networks
- Create a positive presence in our community
- Participate in off-site team building with purpose

Embarc commits to providing 40 hours of paid community service per employee per year. Given we anticipate employing approximately 15 employees initially, **this will result in 600 hours in paid volunteerism hours per year and will scale at maturity to more than 1,000 hours per year at maturity.**

Executive Volunteerism

Our team represents the coming together of combined centuries of relevant business experience, which can be tremendously beneficial to local organizations and efforts. As part of our volunteerism commitment, we will provide more than just store-level employee volunteerism, although that is a critical component of our company ethos as it is important for team building and community investment. Embarc will also donate significant, ongoing expertise and support from our owners and leadership team to drive ongoing efforts to bolster the community's priorities. This executive volunteerism demonstrates our willingness to act as a partner in achieving the City of Madera's community goals.

ADDITIONAL COMMUNITY BENEFITS COMPONENTS

In addition to the efforts outlined above, Embarc will implement the following customary corporate social responsibility components expected of all community-oriented cannabis businesses as part of its broader Community Benefits and Investments Plan in Madera.

- **Community Education**
  We will host educational panels, informational workshops and non-profit partnership events as part of an ongoing community education and engagement effort. Education is critical in demystifying cannabis and breaking down the barriers and stigma that prevent many from feeling comfortable asking questions about appropriate use. Topics for this education range from cannabis specific (understanding dosing and your body) to public safety (how to safely store cannabis at home). These will be led by Embarc team members and external subject matter experts as appropriate.

- **Senior Outreach**
  Seniors are one of the fastest growing consumer demographics for cannabis, but they are also the most likely to be susceptible to cannabis' long-lasting stigma. Therefore, it is important to create an atmosphere that makes seniors in the community feel as though they are a part of and welcome at Embarc. Employing seniors within the store is critical in breaking down that barrier.

  In recognition of the tremendous medical benefits cannabis can provide this demographic, Embarc is committed to ongoing education and engagement with Madera's senior community to dispel the myths, eliminate the stigma and provide education without a sales pitch to help seniors navigate this new normal. We will explore opportunities to partner with senior citizens' groups and organizations to provide monthly free education workshops on CBD, THC, medical cannabis, dosing, and more, led by our Seniors Outreach and Educational Advisor and members of our team who are over the age of 50. Topics will include cannabis basics, cannabis and pain, cannabis and sleep, and more. In recognition of fixed incomes, we will also provide a discount to senior citizens.

- **Creating a Subcommittee at the Chamber of Commerce or a Local Cannabis Industry Association**

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When implementing a new industry – and particularly when that industry is cannabis – we believe the community will benefit from having unified businesses that work together to achieve common, community-oriented goals. While we did not think it was prudent to do so prior to being awarded a permit and coordinating with other license recipients, Embarc will gladly undertake an effort to coalesce the local cannabis industry under a common umbrella, or proactively engage in any existing efforts, through a subcommittee at the Chamber of Commerce or via an independent local Cannabis Industry Association.

By bringing a representative from each legal cannabis business to the table, we can facilitate ongoing working relationships and positive collaboration among the legal and compliant cannabis operators. This could also provide a representative from the City the opportunity to engage with a singular, unified voice for the industry through participation as part of this effort.

- **Scholarship Program**
  As detailed in Section B, Embarc supports scholarship programs for underrepresented groups and will continue this track record in Madera. In South Lake Tahoe, for example, Embarc provides scholarships through the Lake Tahoe Community College for LGBTQIA+ students and for the equity food bank that feeds students meeting certain household income requirements, and in Fairfield, provides three scholarships annually to low-income community members seeking to further their education. This scholarship program is enhanced by our internal staff scholarship program, further detailed in Section B of this proposal.

- **Mentorship**
  Embarc has implemented a mentorship program that pairs entry-level employees with more seasoned team members to cultivate passions and provide meaningful feedback on how to continue professional development and growth. Please see Section B for a detailed explanation of Compass, Embarc's mentorship program.

- **Financial Literacy Community Workshops**
  We will offer financial literacy workshops for the general public, providing access to seasoned financial executives that can assist low-income community members with issues such as budgeting, money management and building and repairing credit. This workshop leverages the financial literacy curriculum developed by the National Financial Educators Council, a proven model. We will seek to sponsor these in partnership with local partners and offer them in English and Spanish for maximum efficacy.

- **Neighborhood Discount Program**
  One component of enhancing existing efforts to revitalize downtown is creating partnerships that uplift existing businesses by encouraging our customers to dine, shop and enjoy other businesses when in the area to visit Embarc. Through our Neighborhood Discount Program, Embarc offers a 10% discount to customers with same day receipts from local businesses within a one-mile radius of our shop and will engage in appropriate business-to-business partnerships, spearheaded by both our local owner and community affairs manager (once hired).

- **Local Business Partnerships**
  Embarc will do its part to support working families by keeping dollars local, thereby growing the Madera economy. This support drives local tax revenues which in turn supports our tax base and vital local services. It is our intention to obtain goods and retain services from locally licensed small businesses, including but not limited to construction services; landscaping services; maintenance and janitorial services; ongoing IT services; security services; miscellaneous professional services; local artisan goods/products; and most importantly—our employees. Our Chamber of Commerce membership will provide a great network of local business

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contacts for these and other vital components of keeping our dollars local.

In addition to hiring local employees, partnering with local vendors and relying on local goods and services, Embarc will also create meaningful partnerships with local businesses to cross promote and market their goods and services. Such opportunities span a variety of businesses, ranging from health and wellness (yoga instruction, outdoor gear, etc.) to restaurants, coffee shops, and entertainment. By solidifying promotional partnerships, our operations can help to drive additional customers to these businesses. Please see Section F for more details.

These partnerships are not just promises made but actual mandates we implement at the store level. In order for any Purchase Order or Service Contract to be approved, the General Manager must check a box that the contractor or vendor is based in Madera. If the store proposes to use a non-local service provider, leadership must explain the reasoning for selecting an entity from outside the City for review and approval and must then identify an alternative option in Madera County.

- **Compassionate Use**
  Cannabis is recognized as an important medical treatment option for many medical conditions ranging from seizures to PTSD to cancer and more. To help meet the medical needs of some patients who are otherwise unable to afford cannabis, Embarc will offer reduced and no-cost medicinal products to low income and seriously ill patients. This program will be operated in accordance with regulations set forth by the Department of Cannabis Control. Patients who want to receive benefits from this program must provide evidence of residency as well as medical and financial need. We believe patients should have access to affordable medicine that benefits their health and quality of life. We are proud to offer a compassionate use program providing low-cost and no-cost medicinal products.

- **Discount Programs**
  High quality, safe and tested cannabis should be accessible rather than exclusive. As such, Embarc maintains a range of discount programs intended to benefit a variety of communities, including seniors, veterans and residents. Additionally, to encourage customers to shop during non-peak hours and mitigate traffic and customer flow impacts, Embarc often offers incentives for online order pick-up or off-hours shopping.

- **Addiction Resources**
  We understand that admitting that you need help is the first and often hardest step to recovery, and as such we must be prepared to provide relevant resources to anyone who is willing to ask. Embarc will partner with local community health organizations to make resources available regarding addiction recovery and will maintain materials onsite for such requests.

YOUTH EDUCATION AND PREVENTION RESOURCES

We understand that with society's shift to legal, regulated cannabis comes confusion for communities and particularly for its youth and parents. As a responsible, community-centric cannabis operator, we believe it is incumbent upon us to sensitively and appropriately provide the tools and resources this community needs to navigate this new normal.

Embarc is committed to the execution of a thoughtful youth education and drug prevention program tailored to the unique needs and priorities of this community because experience has shown that the best youth prevention plan in the world is meaningless without community buy in. As such, if fortunate enough to be selected to operate a commercial cannabis business in the City of Madera, and upon receiving input and approval from our Community Advisory Board and City leadership, we welcome the opportunity to deploy a third-party, accredited youth education and drug prevention program through local partners in the Madera community.

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Embarc has already initiated a similar effort in other communities, partnering with a local organization to ensure responsible messengers (and not Embarc) are engaging with youth on this vital topic. This ensures we are bringing a proven and community-sensitive model to these efforts in Madera.

In our experience, providing resources and educational opportunities for youth as well as parents, teachers, coaches, pastors, and other adults that play formative roles in shaping their trajectory is an important component of integrating legal cannabis operations into a local community. As such, we would propose to bring our proven educational model to Madera, which due to spatial constraints has been briefly outlined below.

Program Overview

When founding members of our team led the development of Proposition 64, the initiative to legalize adult use cannabis in California, they knew youth prevention and education were paramount to maximizing public health and safety within communities. As such, and with intentionality, our team ensured that Proposition 64 would provide the resources and direction necessary to educate youth on the risks associated with cannabis use.

Proposition 64 included the development of a state-sponsored educational campaign, entitled "Let's Talk" with curriculum specifically targeted to communities, parents, and youth. We have utilized this program, developed with a science-based approach by some of the brightest minds in California, as a foundation for resource development for the adults that play formative roles in the lives of youth.

Additionally, understanding impactful education requires tailored age-appropriate content, Embarc adopted accredited and nationally recognized Botvin LifeSkills Training for middle school aged students. Embarc Madera seeks to deploy targeted youth drug prevention education utilizing Botvin's LST 1 for middle school aged youth in partnership with our Community Advisory Board and local community partners.

We will continue to refine our program and will work closely with the Department of Public Health, our Community Advisory Board, the City and potentially other operators to ensure this program is the best fit for the Madera community. Cornerstones of this approach will be:

- Utilization of the "Let's Talk" campaign to provide resources and toolkits for parents, teachers, coaches and others looking for guidance on how to navigate these discussions with youth
- Utilization of Botvin's accredited LifeSkills program (or other similar curriculum as appropriate) specific to middle school aged youth, deployed through partnerships with appropriate messengers in the community including youth-oriented non-profits

Program Background

The National Institute on Drug Abuse developed A Research Based Guide for Parents, Educators, and Community Leaders for Preventing Drug Use in Children and Adolescents, which serves as an internationally recognized analysis that cites Botvin's research as a guide on how to develop and implement effective youth drug prevention campaigns. This comprehensive guide contains significant science-based research that directed Embarc's efforts to develop and implement an effective youth education and drug prevention campaign.

The following served as foundations in this endeavor:

1. Prevention programs should be tailored to address risks specific to population or audience characteristics, such as age, gender, and ethnicity, to improve program effectiveness (Oetting et al, 1997).
2. Prevention programs aimed at general populations in key transition points, such as the transition to middle school, can produce beneficial effects even among high-risk families and children. Such interventions do not single out at-risk populations and, therefore, reduce labeling and promote bonding to school and community (Botvin et al, 1995; Dishion et al, 2002).

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3. Community prevention programs reaching populations in multiple settings — for example, schools, clubs, faith-based organizations, and the media — are most effective when they present consistent, community-wide messages in each setting (Chou et al, 1998).
4. Community prevention programs that combine two or more effective programs, such as family-based and school-based programs, can be more effective than a single program alone (Battistich et al, 1997).
5. Prevention programs are most effective when they employ interactive techniques, such as peer discussion groups and parent role-playing, that allow for active involvement in learning about drug abuse and reinforcing skills (Botvin et al, 1995).
6. Prevention programs should include teacher training on good classroom management
7. practices, such as rewarding appropriate student behavior. Such techniques help to foster students' positive behavior, achievement, academic motivation, and school bonding (Ialongo et al, 2001).
8. When communities adapt programs to match their needs, community norms, or differing cultural requirements, they should retain core elements of the original research-based intervention (Spoth et al, 2002b), which include:
   a. Structure (how the program is organized and constructed);
   b. Content (the information, skills, and strategies of the program); and
   c. Delivery (how the program is adapted, implemented, and evaluated).

Based on this significant body of research, it is clear that the most effective program:

1. Targets youth with age-appropriate content at various stages in of development;
2. Utilizes multiple learning formats including interactive content;
3. Involves multiple parties including teachers, parents, faith-based organizations and more to provide multiple access points for information; and
4. Benefits from hyper-localism, as long as the program remains rooted in structure, content and delivery.

As such, our campaign is designed with these best practices in mind.

Audience

To ensure we are both effective and inclusive in outreach, we have segmented our youth drug prevention education into three categories: Youth General, Youth Targeted Age and Adults in the Lives of Youth.

- **Youth General:** Research has proven that the most effective youth education and drug prevention programs utilize two or more effective programs rather than any single program alone. For example, an effective school-based curriculum is more successful when coupled with at-home and technological components. Thus, Embarc will implement a multicomponent program that takes a holistic approach to youth engagement through:

  1. Media campaigns with general anti-drug education messaging targeted to all youth
  2. Digital campaigns targeted to middle and high school students
  3. Educational programming for use as an in-school program, with a toolkit for teachers and/or a program coordinator

  Creating a multicomponent program will ensure that youth education and prevention efforts engage youth across multiple channels, in many forums, and on a consistent basis to maximize efficacy.

- **Youth Targeted Impact (Middle School):** Evidence demonstrates that the first year of middle school is when childhood drug use typically appears, so education before and during the teen years can delay or prevent experimentation and onset of use. At the middle-school level, children are eager to fit in, often overriding instincts to avoid unhealthy behavior especially in the face of peer pressure. As such, Embarc Madera will focus our youth drug prevention and education efforts on this critical age through the use of Botvin's accredited model.

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- **Adults in the Lives of Youth:** Ensuring that adults who play a critical role in a young person's life have the tools and education necessary to address questions from youth is a critical component of a community's transition to legal cannabis. In coordination with accredited resources from the state's Let's Talk Campaign and Botvin's individualized tutorials for adults in the lives of youth, Embarc will ensure Madera adults have the resources necessary to educate youth about the dangers of youth drug use through materials, toolkits and hosted educational events.

  Understanding these are difficult conversations that the arrival of legal cannabis may have pushed to happen sooner than parents would have hoped, we believe it is our responsibility as leaders in the legal cannabis industry to do our part to ensure parents have the tools needed to answer tough questions during these critical conversations.

Content

Our Community Advisory Board members have committed to working collaboratively to implement this effort for Madera youth through local partnerships. By utilizing the accredited and nationally recognized Botvin LifeSkills Training coursework as the starting point, we can leverage the best science available while tailoring our program specifically to Madera.

Embarc's Youth Drug Prevention and Educational coursework was developed through a series of workshops with youth drug prevention and education specialists. Embarc undertook a rigorous process to select Botvin's curriculum as the most effective, engaging, and suitable youth drug prevention education coursework for young people today.

Understanding that we alone should not decide what is the "best" education for young people, Embarc undertook an extensive process of ensuring Botvin's accredited and nationally recognized content was an impactful and engaging course for today's youth. We created our approach and coursework by:

- Identifying the target age group to focus our efforts
- Adopting certified coursework resources from Botvin's nationally recognized youth drug prevention work
- Pursuing a cogitative behavioral approach to education as our framework
- Conducting numerous workshops with drug prevention specialists, members of law enforcement, City Council members, parents and members of Unified School Districts in multiple California communities

Botvin's e-LST Middle School 1 is a substance abuse and violence prevention program based on more than 35 years of rigorous scientific research. LifeSkills Training is comprehensive and dynamic, designed to promote mental health, social-emotional learning (SEL) skills and positive youth development. In addition to helping young people resist drug, alcohol, and tobacco use, the LifeSkills Training Middle School program also effectively supports the reduction of violence and other high-risk behaviors. Through tailored courses, learning objectives include:

- **Personal Self-Management Skills:** Students develop skills that help them enhance self-esteem, develop problem-solving abilities, reduce stress and anxiety, and manage anger for better mental health.
- **General Social Skills:** Students gain skills to meet personal challenges such as overcoming shyness, communicating clearly, building relationships, and avoiding violence.
- **Drug Resistance Skills:** Students learn skills that help them build effective defenses against pressures to use tobacco, alcohol, and other drugs.

In this way, we are providing a holistic approach to drug resistance by also focusing on the vital personal and inter-personal factors necessary to effectively discourage youth drug use.

Understanding that those tasked with educating our young people must have the expertise, credentials and trust of the community, we have initiated and will continue to develop meaningful partnerships

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with youth-servicing non-profit organizations to provide a full spectrum of ways in which we can appropriately and respectfully contribute to the education and personal development of the community's youth. These efforts are tailored to the specific needs of the community through the guidance of our local partners and Community Advisory Board as youth drug prevention and education is not a one-time effort, but rather a continuous commitment to meeting the ever-changing needs of today's youth.

Given Madera's non-profits are experiencing an influx of activity as a result of this competitive process, we have opted not to be aggressive in the finalization of partnerships on this topic until the conclusion of this process. Instead, we will work collaboratively with our Community Advisory Board to identify and finalize the most appropriate partnerships for the lifetime of operations.

CASE STUDY: A TRACK RECORD OF DELIVERING ON COMMITMENTS IN TAHOE

In our myriad discussions with local stakeholders over many months in Madera, a common refrain was the community's desire that, if an existing operator is selected, it must be able to demonstrate a track record of follow through on commitments to the community – not as superficial check writing, but as a true partnership for the long haul. Thus, critical to understanding what our approach looks like in Madera is getting a better sense of what our partnership looks like in other communities. The following is a brief summary of Embarc's efforts in South Lake Tahoe:

- **Supporting Youth Development: Scholarships to Summer Camp for Low-Income Local Youth**
  The past two years have been tremendously challenging for all, but especially our youth. Look no further than the mental health crisis among school age children to see the ramifications of a year of isolation and fear. With COVID restrictions lessening, the local Community Advisory Board felt it was critical to support opportunities for low-income youth to participate in summer camps.

  Embarc provided financial support to two local organizations, the Tahoe Institute of Natural Sciences and the Tahoe Rim Trail Association, to provide scholarships for low-income children to attend summer camp this year, providing them with new and enriching experiences in the outdoors and some normalization as children prepare to go back to school next year.

> "We welcome Embarc's leadership and partnership in ensuring that our community's youth are supported and prioritized … Through Embarc's generous support, TINS will be able to continue to provide in-school and field trip programs to hundreds of school children, and free Boys and Girls Club camp programs for dozens of campers, annually … we are deeply grateful to Embarc for their support in helping us achieve our goals."
>
> **WILL RICHARDSON,** EXECUTIVE DIRECTOR, TAHOE INSTITUTE FOR NATURAL SCIENCES

- **Addressing Pressing Community Need: Tahoe Coalition for the Homeless**
  When we first met with the Tahoe Coalition for the Homeless, the group had no shelter space and winter was rapidly approaching. The Embarc team sprang into action, securing a space that the Coalition utilized as a warm room all winter to meet the timely needs of the local homeless population. Since that time, the Coalition has received state grant funding to develop a local shelter and our support has transitioned from providing the physical space to helping to prepare the new one, with volunteerism and financial support.

- **Supporting a City Initiative: Funding the Development of a Local Park in a High-Density Area**
  The City of South Lake Tahoe recently received a donated parcel from three local families that

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had been working for nearly half a decade to secure land to create a gathering place in the neighborhood. Given one of the City's Strategic Priorities is developing "a park or community garden in every neighborhood," this was an exciting opportunity to advance that goal. Embarc is providing $25,000 to support the creation of this local park in the heart of a high-density area that lacks this critical open space for families to enjoy.

- **Sensitively Supporting Youth: Boys and Girls Club of Lake Tahoe**
  Embarc conducted initial outreach to the Boys and Girls Club of Lake Tahoe more than four years ago, prior to the community's licensing process even initiating, to get a better sense of community concern regarding legalization. At that time, it was virtually unheard of for a cannabis company to be working with a Boys and Girls Club, let alone for the discussion to be focused on youth education and how to navigate legal cannabis coming to the community.

> "The Advisory Board comprised of local community organizations, including our Drug Free Coalition, holds Embarc accountable to our community, while also advising them on how to distribute their business donations …I feel strongly that businesses permitted to retail cannabis must conform to the highest standards of ethics and business practices and be willing to work with and support local nonprofits and youth organizations. In Embarc you will find a business that exemplifies those standards and provides meaningful support and engagement with the local community."
>
> **JUDE WOOD**, EXECUTIVE DIRECTOR, BOYS AND GIRLS CLUB OF LAKE TAHOE

Since that time, the Boys and Girls Club has continued to be a valued resource and community partner, both as a voice providing oversight of operations as a member of the Community Advisory Board and as a partner on vital local initiatives. Our partnership is multi-faceted, from providing volunteers for the organization's annual fundraisers, to food and clothing drives to support families during the pandemic, to providing significant ($50,000) economic support for the organization to build a new Clubhouse for youth. The Boys and Girls Club is also piloting a youth drug education and prevention curriculum in Tahoe, leveraging tools and resources provided by Embarc to initiate these discussions appropriately with local youth.

- **Environmental Stewardship: Keep Tahoe Blue**
  Given the Tahoe community's deep appreciation for the region's natural environment, our employees requested we focus some of our beautification efforts on the outdoor treasures that make Tahoe such a special place to live, work and play. Embarc hosts volunteer clean ups with our staff and incentivizes residents to participate through a special discount program.

- **Supporting Critical Youth Education Work: Tahoe Alliance for Safe Kids (TASK)**
  The Tahoe Drug-Free Coalition is a group of parents, community leaders and local law enforcement officers dedicated to providing educational resources to the community to prevent youth drug use. As noted in the volunteerism section, Embarc's team integrated into the organization, attending Board meetings over many months to rebrand the organization into Tahoe Alliance for Safe Kids, developing a new identity package and website, and creating communications channels to better target youth and parents during the pandemic. Our team participates in ongoing meetings to keep our finger on the pulse of the community discussion regarding youth drug use prevention and continuously monitor for adverse impacts associated with legal cannabis operations.

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"Embarc has been a steadfast partner in our shared commitment to youth drug prevention and education. From providing the expertise to modernize TASK's website and branding to funding the expansion of Friday Night Live programming, I appreciate the collaborative approach Embarc takes to community benefits and have full confidence in their operations and leadership."

PAULA PETERSON, BOARD MEMBER, TAHOE ALLIANCE FOR SAFE KIDS

- **Addressing Food Insecurity: Bread and Broth & Lake Tahoe Community College Equity Food Pantry**
  As noted earlier in this section, Embarc's team supports Bread and Broth's mission to address food insecurity in South Lake Tahoe through volunteerism and food drives. In this capacity, our team members are able to engage on the frontlines of a pressing community issue. Additionally, college students should be worried about finals, not their next meal. Embarc donates to the Lake Tahoe Community College Equity Food Bank which provides free access to nutritious food for those who meet certain income thresholds.

- **Creating Safe Spaces for Teens: Friday Night Live**
  The South Lake Tahoe Unified School District lost funding for Friday Night Live programming a number of years ago, but the community remained committed to the value of this type of programming and safe space for high schoolers in the region. Embarc is providing the investment necessary to re-launch Friday Night Live locally by providing funding for a staff member to oversee the program and creating space for high school aged youth to congregate with their peers in a healthy, nurturing environment. Friday Night Live programming is designed to encourage peer-oriented programming that is youth driven and youth led, encourage and empower young people as active leaders and community resources and encourage youth to care about each other and the environment.

- **Keeping Teens Safe: Sober Grad Night**
  Sober Grad Nights were developed by the California Highway Patrol in the 1980s to address the significant increase in alcohol related injuries and fatalities experienced in the month of June among graduating seniors. Since Sober Grad Night was established, these numbers have reduced dramatically, illustrating the importance of providing a fun alternative to the traditional celebration. Embarc provided funds to support sending the local high school graduating class on an overnight boat trip out on the lake, providing a safe way to celebrate graduation after a tough year for all.

- **Supporting Higher Education: Scholarships to Lake Tahoe Community College**

  A number of Embarc Tahoe's employees identify as LGBTQIA+, a community that can sometimes feel unsupported in the Tahoe region. In recognition of this, Embarc provides financial support to the Lake Tahoe Equity PRIDE Scholarship Fund to support local LGBTQIA+ students in receiving a higher education.

Much like Madera, Tahoe's Board is focused on preserving the unique quality of life in that community with a prioritization on supporting healthy kids and by extension healthy families as the lifeblood of the community. Our track record demonstrates our ability to meaningfully contribute to advancing those shared goals.

CONCLUSION

Embarc has a demonstrated track record of meeting the unique needs and priorities of each community it serves. As part of that ongoing effort, we have coalesced many of the leading community voices in Madera into a Community Advisory Board tasked with ensuring our local community benefits remain focused on addressing the pressing needs of Madera residents.

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Formation of a Board is not something we will undertake if selected to operate; instead, our Board members have been at the table in the development of this proposal. What results is a commitment of significant resources – both financial and human – to ongoing engagement with and betterment of the community we seek to serve, resulting in tangible impacts for Madera.

This plan also briefly highlights other key components of how Embarc will seek to integrate into and ultimately benefit this community. While not exhaustive, it is intended to illustrate many of the ways in which we believe we can serve as partners in community betterment. It builds on our existing track record from current operations, as well as our team's track record of local and regional philanthropy. Ultimately, it is the embodiment of our belief that true community benefits are not about static partnerships or one-time checks, they are the result of bringing the right voices to the table and providing them with significant ongoing resources to address pressing local needs.





"As a member of law enforcement and long-term member of this community, I am not supportive of cannabis. But with the City's decision to legalize adult use, I am committed to doing my part as a community leader to ensure that retail cannabis is done right. Throughout this process, several cannabis companies approached me offering to support my work but in none of those conversations did a cannabis operator discuss their work to support youth or their proven track record in delivering youth education and drug prevention in other communities, until I met Embarc. I believe our City leaders must select operators that will set the bar for what community-centric cannabis operations in Madera can achieve, and I believe I have found that partner in Embarc."

Dan Foss
Founder, O.L.I.V.E. Charitable Organization

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SHRYNE MADERA, LLC
(dba: Stiiizy)

Section G: Community Benefits and Investments Plan

Giving back and investing in our local communities is an essential part of who we are as a company. Shryne Group has a tremendous track record of providing community benefits in all of the cities that we operate in. More importantly, we have fulfilled every commitment we have made. In 2021 alone, we've donated over $1,000,000 to various non-profits such as the Boys and Girls Club, Food Share, Imperial Valley Food Bank, Community Action North Bay, Self-Care Lab, Corona Settlement House, Food Bank of Contra Costa County, Family Justice Center, Monument Crisis Center, San Gabriel Valley Conservation Corps, Shelter Inc., Southern California Service Corps, United Playaz, and veterans' organizations such as Battle Brothers and Vet Hunters. Shryne Group's community efforts were recently honored by the CLIO Awards for excellence in public service.

In Madera, we will continue our history of contributing to every city in which we have a presence through monetary contributions and volunteerism as described below.

Shryne Group Foundation - $75,000

Shryne Group reviewed the City of Madera's Consolidated Plan, interviewed local residents and businesses, and solicited feedback from key stakeholders about the needs of the community and how they envision Shryne Group contributing to the community as a neighbor. Based on feedback we received about community needs, we have determined that housing, domestic violence, workforce development and child development are some of the most pressing needs of Madera where we believe Shryne can contribute towards.

To address these needs and other needs that come up, Stiiizy Madera will create a Shryne Group Community Benefits Foundation and contribute $75,000 annually towards this fund which will be earmarked towards donations directly to the City of Madera and to non-profit organizations. This Foundation will be driven by an Advisory Board comprised of local community leaders. The Advisory Board will initially be focused on identifying projects and non-profit organizations which are in need of funds towards improving housing, domestic violence, workforce development and child development. The Advisory Board will meet once a quarter to identify such causes and organizations and will disburse the funds at least once a quarter. The $75,000 fund will be replenished annually.

Local Organizations Commitments

In addition to our $75,000 annual contribution to the Shryne Group Foundation, we have also identified 2 Madera non-profit organizations which we will contribute to directly every year which will help us make the biggest impact towards improving housing, domestic violence, workforce development and child development in Madera.

UNITED WAY OF FRESNO AND MADERA COUNTIES (UWFM)

United Way Fresno and Madera Counties

United Way of Fresno and Madera Counties (UWFM) is a local branch of an established non-profit that operates in Madera, working closely with government, non-profit agencies, and the community to improve the health, education, and financial stability of every person. United Way spearheads critical services in Madera such as Madera Rising, which is a comprehensive approach to financial stability that advances all aspects of prosperity - from career and employment counseling, home ownership, financial planning, and expanding social capital to broader networks. We have previously donated to United Way of Ventura County as well as United Way of Merced County and want to continue our relationship with the Fresno and Madera Counties branch. We have been in communication with Executive Director, Lindsay Fox, and VP of Impact, Coreen Campos, who advised us about the most important issues in Madera. We have donated $2,500 initially and have pledged to donate $7,500 annually to address these priority issues if we are selected to operate in the City of Madera.

COMMUNITY ACTION PARTNERSHIP OF MADERA COUNTY (CAPMC)

Community Action Partnership of Madera County (CAPMC) is a non-profit founded in 1965 to improve the social well-being and economic capacity of low to moderate-income individuals and families, as well as providing opportunities to achieve economic independence in Madera. CAPMC was created by the Madera County Board of Supervisors and has direct engagement with the community and its leaders on how to effectively service Madera's most important issues. As Madera County's anti-poverty agency, CAPMC serves low income residents annually through its broad spectrum of programs and resources such as crisis intervention, shelter, and child development services. We have been in communications with Executive Director, Mattie Mendez, who advised us about the most important issues in Madera as well as the challenges the agency faces. We have donated $2,500 initially and have pledged to donate $7,500 annually to address these priority issues if we are selected to operate in the City of Madera.

Volunteerism

Shryne Group has always been actively involved in supporting difference-makers and promoting social justice within our communities. In 2021, Shryne Group introduced our first-ever, employee volunteer group: Joint Efforts. Through Joint Efforts all employees are invited to volunteer together at various events identified and sponsored by Shryne Group at least twice a month.

Stiiizy Madera will continue the Joint Efforts program in Madera. Employees will be able to utilize their 16 hours of paid time-off for volunteerism to support initiatives from homeless shelters, street clean up efforts, and local food drives. Upon licensure, the Joint Efforts program in Madera will immediately begin to identify causes and organizations we can volunteer with.

Our employees will also volunteer monthly with our partner organizations the United Way of Fresno and Madera Counties and Community Action Partnership of Madera County and other organizations which the employees are passionate about. In addition to the bi-monthly planned events hosted by Stiiizy Madera, our employees will also have the opportunity to volunteer individually or in smaller groups on an ad-hoc basis with the prior approval of the managers. Our organization has strong relationships with veteran organizations and homeless organizations, and our Madera employees will continue this tradition of assisting these groups. See below photos of our Thanksgiving Food Drive and our food drop off to veterans during National Food Bank Day.





Our goal is to provide at least 200 hours of volunteer hours annually in the City of Madera.

Product Promotion Proceeds

In addition to direct contributions, contributions through the Shryne Group Community Benefits, and volunteerism, Stiiizy Madera will also collaborate with Madera's homelessness and veterans' organizations to allocate a percentage of our promotional proceeds to these organizations and raise public awareness of their issues. All profits from our BLESSED BY STIIIZY brand sold at Stiiizy Madera will be contributed towards homelessness and veteran's causes and organizations. We undertake this program at every one of our stores and contributed over $300,000 in proceeds from BLESSED BY STIIIZY proceeds in 2021.



BLESSED BY LIIIT: STIIIZY'S NEW CHARITABLE MODEL TO CONTINUE GIVING BACK DURING COVID-19 CRISIS

12/10/20

STIIIZY gives back to the community in a big way with BLESSED by LIIT.

Read More



STIIIZY x STIIIZYNATION COLLABORATION FOR BREAST CANCER AWARENESS MONTH

10/1/20

Read More



STIIIZY x WEED FOR WARRIORS x BLACKLIST: AN EXCLUSIVE BATTERY COLLABORATION

10/30/20

Read More

Compassionate Care

Stiiizy Madera will partner with the Weed for Warriors Project to donate medical cannabis to the Madera veteran community. We have a history of working with the Weed for Warriors Project and greatly respect the social justice work they do and look forward to partnering with them in Madera.

Medical cannabis is widely and positively regarded in the veteran community as a way to alleviate symptoms of pain and PTSD without the undesirable side effects that prescription opioids and anxiolytics can cause. These prescription medications have the potential to be not only addictive, but also life threatening in some cases, so it is understandable that many veterans opt for a more holistic and natural approach to addressing complications, disabilities, and other ailments that may have resulted from their time in service.

This treatment option, although natural, still presents a financial hurdle to some medical card holding military veterans. The system that was intended to help and support our soldiers find relief from physical and mental conditions is sorely lacking and allows vets to fall through the cracks. Under current laws and policies, veterans only have access to FDA-approved pharmaceuticals through the Department of Veterans Affairs, which does not include medical cannabis.

Stiiizy is a proud veteran-led company, and we salute all those who have served and are currently serving. We understand that these troops risked their lives to fight for our country, but they are not getting the support that they deserve back home which is why it is so vital to demonstrate our support and listen to their concerns.



Youth Drug Prevention Education

In addition to the informational sessions we will hold regarding the science and safe use of cannabis, we hope to educate the public and especially families on the dangers of drug abuse. The Shryne Group is actively in the process of developing a Youth Drug Prevention Education program that we will implement throughout our retail locations, including in Madera. Preventing access of drugs to youths and educating the public on drug abuse and youth prevention is one of our main priorities as a legal cannabis operator. We will continue to do our part to educate the public in Madera with these types of initiatives.

We recently partnered with the leading Spanish language magazine in California, Para Todos[18], for us to provide monthly educational articles on cannabis for their Spanish language readers. The topics covered in our monthly articles include preventing youth access, health and science of cannabis, dosing and other topics which can educate the Spanish speaking community in Madera and other cities in California on the risks of youth use of cannabis and drug addiction.



18 http://paratodos.com/pt/

We also regularly distribute educational materials at our stores on safe dosing, preventing abuse and addiction and youth drug use prevention such as the materials below.



Scholarships and Workforce Development

SCHOLARSHIPS

Stiiizy Madera will grant up to two scholarships for low income citizens of Madera every two years. The scholarships will pay for at least two years of coursework at Madera Community College. The scholarship recipients will also have the option of working part-time at Shryne Group's own retail, manufacturing, or cultivation operations as part of our apprenticeship program so that he or she can receive hands on experience and training in the cannabis industry to supplement their formal education. Stiiizy Madera and Shryne Group look forward to implementing this program in Madera.

WORKFORCE DEVELOPMENT

Shryne Group will provide workforce development courses led by college instructors for our Madera employees at no cost. We will compensate our employees for their participation in the program and they will also receive college credits for completing these courses. The classes will be held every two to three weeks at the Madera facility or via Zoom and will be free of charge to the employees. Employees who were initially scheduled to work during the classes will be paid to attend. One set of courses typically contain 8-10 classes, with subjects including, but not limited to:

- Microsoft Suite (Word, Excel, PowerPoint);
- Supply chain logistics and basic accounting;
- Team facilitation, effective followership, and conflict resolution strategies;
- Effective customer service and active listening; and
- Leadership strategies, task-oriented skills, and effective performance feedback.

Upon completion of a course, the employee will receive 1-3 college units which can be transferred to any 2 or 4-year college.

We believe that providing educational opportunities and opportunities to receive free college credit to our employees will help them attain the goal of thriving regardless of background or income level.



Stiiizy Los Angeles Taking a Class on Digital Literacy

Letters from Local Non-Profit Partners

See below Letters from our Madera partners, United Way of Fresno and Madera Counties and Community Action Partnership of Madera County.

United Way Fresno and Madera Counties

City of Madera
Attention: Mayor Garcia
205 West Fourth Street
Madera, California 93637

Dear Mayor and City Council,

On behalf of United Way of Fresno and Madera Counties, we would like to express our support for the Shryne Group to operate a retail business in the City of Madera.
We are very impressed with the business practices of Shryne Group as well as its robust community benefits program. Shryne Group has an extensive track record for operating safe and compliant retail stores and being an excellent neighbor. Shryne Group has made safety a top priority, positively impacting communities with security procedures such as on site 24-hour security personnel and high coverage security cameras. These measures make communities safer and cleaner.

Moreover, the Shryne Group values its employees. As a partner with the UFCW, Shryne Group intends to bring high-quality jobs to Madera; meaning paying their employees a livable wage; offering full benefits; and much more. Shryne Group also provides employees opportunities to advance their careers with workforce development classes available online and in-person through Los Angeles Trade Tech College. At United Way Fresno and Madera Counties, we envision a world where working families can prosper and thrive, where things like race or ethnicity have no bearing on an individual's access to education, wealth creation, or well-being. United Way is uniquely positioned to tackle complex social issues and we plan to achieve this by addressing the racial wealth gap that has been harming our communities of color for far too long. United Way spearheads critical services in Madera such as Madera Rising, which is a comprehensive approach to financial stability that advances all aspects of prosperity - from career and employment counseling, home ownership, financial planning, and expanding social capital to broader networks. Although it is hard to capture the full reach and breadth of the work, it is critical to note in Madera that investment by socially responsive businesses, like Shryne Group, supports community transformation.

Through both annual donations per store to the United Way for core work and through ongoing investment in community organizations through the United Way, multiple community-based organizations and programs in Madera will receive critical funding in core areas thanks to the help of Shryne Group. These Core areas include, but are not limited to housing, food, workforce development, and any other core focus allowing Shryne Group's corporate social responsibility to be leveraged for the highest impact in Madera. United Way will work to match and leverage this investment to advance prosperity in Madera. Partnerships with community focused businesses such as the Shryne Group are important to our success. With their support, United Way can continue to serve those in need within the community with the goal of improving their quality of life. United Way of Fresno and Madera Counties welcomes the Shryne Group to the community, and we look forward to growing our partnership through their continued support of our important work.

Thank you,

Lindsay S. Fap

4949 E. Kings Canyon Rd., Fresno, CA 93727 | 559.244.5710 | www.uwfm.org

Helping People, Changing Lives.
community Action
PARTNERSHIP
OF MADERA COUNTY

June 13, 2022

Shryne Group Inc.
728 E Commercial St. Fl 2
Los Angeles, CA 90012

Dear Shryne Group Inc.,

On behalf of the Community Action Partnership of Madera County's (CAPMC) Board of Directors and staff, thank you for the generous contribution of $2,500, dated May 26, 2022, towards CAPMC's services that support domestic violence and housing programs.

The current pandemic has caused a surge in domestic violence, both in frequency and severity. Your support will help us provide emergency food, shelter, and services to victims in this time of increased need.

We strive to improve our community by providing members the necessary resources to achieve independence to live free from violence. Again, a big thank you from all of us at CAPMC for the donation.

Sincerely,

Mattie Mendez
Executive Director

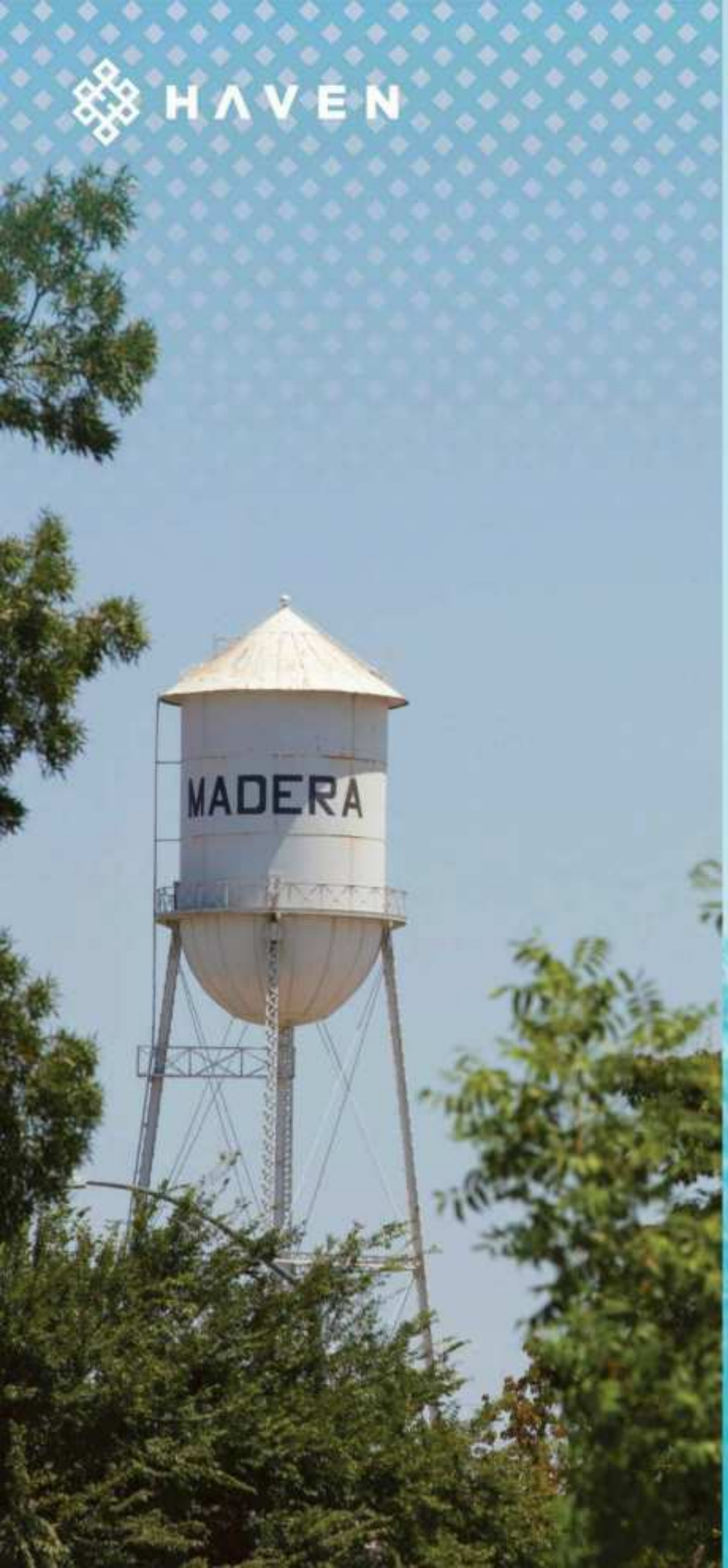
Tax ID #: 94-1612823 – No goods or services were provided in exchange for this contribution. The full amount stated above is tax deductible. Please retain this letter as verification of the above donation

1225 Gill Avenue • Madera, CA 93637 • www.maderacap.org

Administration / Community Services (559) 673-9173 • Fax (559) 673-3223
Child Care Alternative Payment and Resource & Referral Program (559) 661-0779 • Fax (559) 661-0764
Head Start Child Development Services (559) 673-0012 • Fax (559) 661-8469
Fresno Migrant Head Start • 4610 W. Jacquelyn Ave • Fresno, CA 93722 • (559) 277-8641 • Fax (559) 277-2640
Victim Services Center • 812 W. Yosemite Avenue, Suite 101 • Madera, CA 93637 • (559) 661-1000 / (800) 355-8989 • Fax (559) 661-8389

HAVEN MADERA, LLC

HAVEN



SECTION
G

COMMUNITY BENEFITS AND INVESTMENTS PLAN

SECTION G: COMMUNITY BENEFITS AND INVESTMENTS PLAN

INTRODUCTION

For many months, Haven has followed along with the City of Madera as the City has progressed in developing and launching a legal cannabis retail program. Each step of the way, the City has maintained its focus on inviting only those cannabis businesses that are committed to improving the City of Madera, with a focus on protecting the youth. With the City's interest in mind, Haven has shaped and molded our business plan to meet the City's goals. Through our Community Benefits and Investments Plan, and many other aspects of our Business Plan (See Section A), Haven focuses on funding the work of local non-profits, community-based organizations, civic organizations and social service organizations. But our efforts do not stop at simply writing a check. Haven also includes opportunities for volunteerism, charitable giving through in-kind donation drives and sparking the local economy through B2B Partnerships and local hiring.

In developing this plan for the City, we looked at past plans created and identified aspects of those plans that made the largest impact when implemented. To create a meaningful plan for Madera, we:

- Conducted in-depth research on the demographic makeup of Madera;
- Identified non-profit organizations most in need;
- Reviewed the profile of each City Council member in an effort to align charitable interests; and
- Spoke with local residents to gather their ideas and views associated with areas of need.

As a cannabis dispensary operator, entering any community has public perception challenges. There are often lingering fear and safety concerns stemming from a period of unregulated-market cannabis trade. Our goal is to be the best community partner possible and present our brand as safe, friendly and deeply engaged in the local community. Haven's deep commitment to the community is also apparent in our locally focused Labor, Equity, Diversity & Inclusion Plan as shown in Section B.

As Haven moves through the application process, we encourage community members to reach out to our interim Community Relations Contact/Representative, Johnnie Hernandez. Johnnie, Haven's owner and CEO, is available to answer any questions about Haven operations and commitment to the community. He can be reached at info@myhavenstores.com.

OUR COMMITMENT

Haven is committed to giving 2% of Gross Revenues to fund this Community Benefits and Investments Plan. Based on our projections outlined in the Pro Forma included in Section A, this equates to the following:

YEAR 1	YEAR 2	YEAR 3
$27,567	$194,760	$298,269

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It goes without saying, but a lot of good can be done with these funds! In addition, Haven will hire 100% of our employees (including all management positions) from within the local community.

COMMUNITY APPROACH

Haven's approach to the communities we serve has five facets:

1. **Respect –** We must politely introduce ourselves.
2. **Honesty –** Our word is our bond. Trust is a process. Honesty is key.
3. **Understanding –** Our approach must fit the community. Listening is golden.
4. **Values –** Our core values must overlap with the values of those we serve.
5. **Unity –** Through our financial and service gifts, we show we're part of the community.

This plan will evolve based on feedback from the City and the community. Haven looks forward to proving that we're good neighbors through a heart-felt collaboration.

CITY OF MADERA AS A PARTNER

Haven is ready to partner with the City of Madera. While Haven is capable of developing and implementing a Community Benefits and Investment Plan completely developed in-house, the most impactful plans are those that take into account actual needs communicated by local residents and the City. Haven intends to review this plan with the City, meeting with each individual City Council member to gain their perspective.

Additionally, Haven intends to develop a Citizens Panel as discussed in Section F and described in more detail here. Our Citizens Panel will include individuals representing a cross-section of the community, including members of non-profit organizations, civic groups, and City staff. Typically, we aim to include persons from the following cross-sections of the community:

- Employee of the Chamber of Commerce (1)
- Director of Non-Profit Agency (2)
- Member of the School Board (1)
- Planning Department Staff Member (1)
- Member of Local Law Enforcement (1)
- Member of the Local Medical Community (1)
- Senior Citizen or Advocate for Senior (1)
- Veteran or Representative of a Veteran Organization (1)
- Citizens at Large (3)

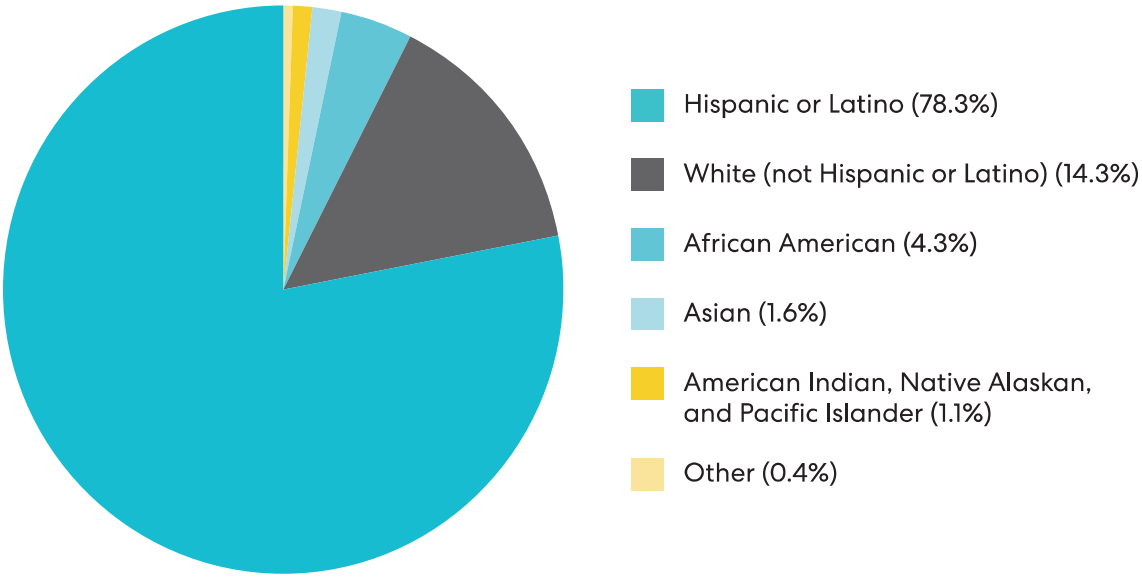
Haven welcomes community involvement in the drafting phase in order to finalize a plan built in the City's image.

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UNDERSTANDING THE COMMUNITY MAKEUP

Haven has conducted statistical research to understand the demographics of Madera and determine where to focus our funds to best meet the needs of the community.

Madera is a diverse community with a population of 66,224. Multiple ethnicities are represented within the population, with the majority of residents identifying as Hispanic or Latino (78.3%), and others identifying as White (not Hispanic or Latino) (14.3%), African American (4.3%), Asian (1.6%), and American Indian, Native Alaskan, and Pacific Islander (1.1%) and several others (0.4%).



Of the 17,598 households in Madera, 61.4% speak a language other than English at home. The median household income is $49,335 which is below the national and state averages. The median age of residents is 28.6. The university graduation rate is low at 10%, below the national average, and this aligns with a lower than average rate of high school graduation at 59.5%. Approximately 26.1% of the population lives under the poverty line. Madera's homeless population is approximately 345 individuals. There are 1,515 veterans living in Madera.

Based on the data compiled, and the Madera County Community Health Needs Assessment, Haven has identified the following areas as those deemed most important to the Madera community:

- Youth Education and Higher-Education
- Community Access to Health Care
- Substance Abuse Prevention
- English & Spanish Programming
- Housing and Homelessness
- Nutrition and Food Access
- Providing for Veterans
- Providing for Seniors
- Economic Development
- Environmental Protection
- City Improvements

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PLAN IMPLEMENTATION

Haven's plan implementation includes providing resources in the following areas:

- Provide Meaningful Employment Opportunities
- Contribute Volunteer Hours
- Conduct Community Outreach
- Operate Donation Drives
- Donate Funds to Local Nonprofits
- Support City Programs and City Improvements
- Environmental and Sustainability Practices



PROVIDE MEANINGFUL EMPLOYMENT OPPORTUNITIES

Haven is dedicated to hiring 100% local residents for the staffing of the Madera dispensary, including management positions. Haven understands that operating successfully and hiring locally stimulates the local economy and contributes positively to economic development. Haven has developed a robust Labor, Equity, Diversity and Inclusion Plan. The plan paves the way for Haven to partner with several local non-profits, whose focus is on providing employment opportunities to those most in need. Additionally, Haven provides a comprehensive Employee Training and Continuing Education Program to each employee, to ensure that customers are not misguided, and cannabis is not misused. Please see Section B for a full description of Haven's Labor, Equity, Diversity and Inclusion Plan, including local hiring techniques.

CONTRIBUTE VOLUNTEER HOURS

Haven encourages employees to give of themselves through volunteer work. Haven offers all employees paid time off, in order to volunteer with a local organization of their choosing. As you can see from the Community Calendar provided below, we have identified a number of volunteer opportunities for staff participation.

Community Calendar

Through careful consideration, we have drafted a sample community calendar filled with opportunities for Haven and our staff to give back to the community. Each month is focused on a different cause and includes "lecture series," "giving goals" and volunteer opportunities. This calendar is only a representation of what we hope to accomplish in the City, so we are open and willing to make adjustments as our Citizens' Panel sees fit.

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JANUARY

Madera Senior Services Division

Monthly Focus
Supporting Seniors

Lecture Series
Cannabis Uses for Seniors

Community Participation
Volunteer at Frank Bergon Senior Center

Giving Goal
Volunteer at Frank Bergon Senior Center

FEBRUARY

Friends of Madera Animal Shelter

Monthly Focus
Shelter and Rescue Pets

Lecture Series
Therapeutic Value of Pets

Community Participation
Pet Supply Drive

Giving Goal
Donate to and Host Pet Supply Drive for Friends of Madera Animal Shelter

MARCH

City of Madera Parks & Community Services

Monthly Focus
Youth Empowerment & Leadership

Lecture Series
Youth Education & Use Prevention

Community Participation
Eggstravaganza

Giving Goal
Sponsor and Attend Event

APRIL

American Cancer Society

Monthly Focus
Health and Wellness

Lecture Series
Developing an Exercise Routine

Community Participation
Relay for Life of Heart of California

Giving Goal
Donate to and Volunteer at Event

MAY

Greater Madera Kiwanis Club

Monthly Focus
Community Involvement

Lecture Series
Volunteerism and its Impact

Community Participation
Greater Madera Kiwanis Annual Mother's Day Run

Giving Goal
Sponsor and Participate in Run

JUNE

Ronald McDonald House of the Central Valley

Monthly Focus
Ending Homelessness

Lecture Series
Sustainable Housing Developments

Community Participation
Adopt a Room

Giving Goal
Adopt a Room

JULY

Madera Special Needs Sports & Recreation (MSNR)

Monthly Focus
Disability Awareness, Advocacy, and Inclusion

Lecture Series
Acceptance and Diversity

Community Participation
Madera Special Needs Sports & Recreation (MSNR) Annual Superhero Dance

Giving Goal
Sponsor and Attend Dance

AUGUST

Madera County Food Bank

Monthly Focus
Food Insecurity

Lecture Series
Healthy Eating on a Budget

Community Participation
Madera Food Bank Annual Sponsorship Dinner

Giving Goal
Sponsor and Attend Dinner

SEPTEMBER

Madera Downtown Association

Monthly Focus
Local Heritage

Lecture Series
History of Madera

Community Participation
Old Timer's Day Parade and Celebrate Booths in the Park

Giving Goal
Sponsor and Participate in the Parade

OCTOBER

Latinas Unidas

Monthly Focus
Empowering Women

Lecture Series
Women in Business

Community Participation
Fiesta in the Park

Giving Goal
Sponsor and Attend Fiesta in the Park

NOVEMBER

Madera Chamber of Commerce

Monthly Focus
Supporting Local Businesses

Lecture Series
Careers in Cannabis

Community Participation
Pomegranate, Fruit & Nut Festival

Giving Goal
Sponsor and Attend Festival

DECEMBER

Madera Evening Lions Club

Monthly Focus
Community Pride

Lecture Series
Diversity Community Panel

Community Participation
Madera Downtown Christmas Light Parade

Giving Goal
Sponsor and Donate to Toy Drive

Example Volunteer Opportunities

Senior Centers

Aside from employee-led volunteer hours, Haven organizes storewide service projects, to give back to the community while providing a team building activity. Haven is a proud supporter of Senior Centers statewide and commits to organizing volunteer hours with a local Senior Center. We have identified the Frank Bergon Senior Center as a potential location to volunteer. We know that not all seniors in Madera have access to health care, so we'll also provide seniors in the local community with a public lecture series focused on how cannabis can help seniors with health issues as alternative treatment for chronic illness, as well as a senior discount on our products.

Relay for Life of Heart of California

Cannabis has a long history of medicinal use helping cancer patients during treatment and on the road to recovery. Haven will honor this history and continue to raise money for cancer research through volunteer participation in Madera's Relay for Life. All proceeds from the event will benefit the American Cancer Society and its work to find a cure and better patient outcomes.

CONDUCT COMMUNITY OUTREACH

Haven believes that community outreach is accomplished in a variety of ways. Attending community events, sponsoring community events, and hosting community events are all forms of effective community outreach.

Lecture Series

Haven intends to offer outreach on-site at our retail store. Through carefully curated topics, Haven will utilize the assistance of local organizations to present important issues to interested members of the community. For example, as you can see from our Community Calendar, Haven will partner with Madera Food Bank to host a Healthy Eating on a Budget lecture series for the community. Other topics can include healthcare, volunteerism, etc. All series will include Spanish translation when requested.

Opening our facility to others to present valuable information (be that resume writing tips, treatment options or medical cannabis uses) furthers our mission of providing outreach to the community. Haven is extremely interested in the City's input on lecture series topics most needed in the community.

OPERATE DONATION DRIVES

With the large homeless population in the City of Madera, there is no doubt that local families struggle with nutrition and food insecurity. To combat this very serious problem, Haven will conduct two semi-annual canned food drives at our storefront location. Guests, staff members and community members at large may bring canned food items to Haven, and Haven will collect and deliver all of the non-perishable donations to Madera County Food Bank and The Salvation Army Family Service Center of Madera. Teaming up with these two well-known organizations will provide an opportunity for Haven to reach more community members in need.

While Haven is committed to providing employment opportunities within, Haven also would like to assist in providing opportunities to individuals who seek employment in other industries aside from cannabis. To achieve this goal, Haven will host an annual clothing drive geared at collecting professional work attire from within the community. Once collected, Haven will donate the items to the Salvation Army Family Service Center of Madera and Madera Rescue Mission. If these organizations are not in need of professional clothing for their clients, Haven will seek recommendations on other noteworthy organizations in need.

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COVID-19 Drive Efforts

As COVID-19 very quickly swept through the nation, Haven looked for opportunities to ease the stress felt by many families. In Long Beach, food pantries quickly became inundated. As a means to support those in need and reduce some of the pressure felt by local food pantries, Haven hosted a food drive of its own. COVID-19 Kits, including non-perishable foods, critical supplies, and antibacterial products were made available at no cost to local citizens in need. Haven's collection efforts exceeded those individuals originally identified as recipients, and Long Beach City Council member Stacy Mungo teamed with Haven to distribute the remaining kits to individuals and families the Council had previously identified as being in need.



Haven owner Michael Simonian organized and volunteered at Haven's COVID-19 essentials drive.

DONATE FUNDS TO LOCAL NONPROFITS, CIVIC ORGANIZATIONS & SOCIAL SERVICE ORGANIZATIONS

Community Action Partnership of Madera County (CAPMC)

Community Action Partnership of Madera County ("CAPMC") is a nonprofit organization striving to end poverty in the Madera County area through empowering and improving the social well-being and economic capacity of "at-risk" and invisible populations. CAPMC provides a wide variety of services to low-income Madera County residents, including crisis intervention, child development resources, financial assistance, shelter, transportation, and volunteer opportunities.

Victim Services Center and Martha Diaz Shelter

Domestic violence is a pattern of psychological, emotional, and/or sexual abuse that occurs between intimate partners. Domestic violence is a serious problem - according to the National Intimate Partner and Sexual Violence Survey ("NIPSVS") conducted by the CDC, 34.9 % of California women and 31.1% of California men experience intimate partner physical violence, intimate partner sexual violence and/or intimate partner stalking in their lifetimes. Unfortunately, many victims of domestic violence in California do not have access to necessary resources. According to the National Network to End Domestic Violence, in a single day in 2019, while 81% of California domestic violence shelters served 5,644 adults and children, 1,236 requests for services went unmet due to lack of resources.

CAPMC's Victim Services Center ("VSC"), located in the City of Madera, serves Madera County residents affected by domestic violence through several programs, including a 24-hour crisis hotline, counseling, victim and witness assistance, and services for victims of rape and sexual assault. As part of its services for victims of domestic violence, CAPMC runs the Martha Diaz Shelter, a free shelter for battered adults and children seeking shelter from an abusive relationship, located in an undisclosed location, protected by policy patrols. Martha Diaz Shelter provides a safe place for domestic violence victims to stay for up to 30 days, as well as emergency food and clothing.

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Among CAPMC's many programs, Haven is particularly interested in contributing financially to the VSC and Martha Diaz Shelter. The VSC Volunteer Program supports the VSC's work by staffing the 24-hour Crisis Hotline, answering crisis calls, accompanying victims to court, working on special projects, and providing community education. Haven believes we can support CAPMC's Victim Services Center through contribution of volunteer hours.

Ronald McDonald House Charities of the Central Valley

Families with hospitalized children may often need to commute long distances to be with their children as they receive treatment. This can create added unnecessary stress on the family due to the constant commute and the financial strain of hotel fees and other travel-related expenses. The Ronald McDonald House Charities of the Central Valley ("RMHCC") provides families of hospitalized children a comfortable, calm, and nurturing place to maintain a family bond during a difficult time. Families with children receiving treatment and care from the Valley Children's Hospital can stay at the Ronald McDonald House located adjacent to the hospital, in the City of Madera. Family members may either stay multiple nights or utilize the Day Room Service, which provides wait-listed families the ability to rest, shower, and enjoy a home-cooked meal. The Meals from the Heart program offers families the opportunity to eat a warm, home-cooked meal after a long day enduring the stressful hospital environment. In 2020, RMHCC served 70 children, but 219 families were turned away due to lack of space.

Haven believes that RMHCC is the perfect partner to support families and hospitalized children in the Madera area. We will support RMHCC through a financial contribution. Haven will "Adopt a Room," meaning exclusively sponsor a room at the Ronald McDonald House in Madera. The Adopt a Room sponsorship provides families with children hospitalized at Valley Children's Hospital with a private room and bathroom closeby to their child, food and beverages, kitchen and laundry access, internet, and entertainment for siblings.

Madera Special Needs Sports and Recreation (MSNR)

According to a 2015 report by the National Institute on Disability, Independent Living, and Rehabilitation Research, 13.1% of Madera County residents live with a disability. The Madera Special Needs Sports and Recreation ("MSNR"), in partnership with the City of Madera, provides indoor and outdoor sports and recreational experiences for individuals with disabilities. MSNR creates unique opportunities that allow children with special needs to engage in sports or recreational programs in a no-judgment, supportive environment. Programs offered by MSNR include MMA, CrossFit, soccer, baseball, basketball, and an annual fundraising event, the Superhero Dance.

Haven looks forward to supporting MSNR's work with Madera's disabled community. We will support MSNR through a monetary contribution, including sponsorship of the annual Superhero Dance.

SUPPORT CITY PROGRAMS AND CITY IMPROVEMENTS

Funding for Enforcement Against Illegal Cannabis Operations

Haven is a full supporter of decreasing the number of illegal cannabis operations operating in the Madera County area. The only way for legal cannabis business owners to be successful, and to ensure that only safe and tested cannabis is distributed to guests, is by only allowing regulated dispensaries to operate. Haven will contribute funds and provide support to these efforts spearheaded by the City.

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Identifying City Improvements

Haven also conducted research to identify improvements that would benefit the City as a whole. The Madera County Community Health Needs Assessment lists multiple areas of need. Haven is the perfect partner to assist the City of Madera in achieving these goals, and brings to the City experience of successfully negotiating Community Benefit Agreements and Development Agreements and implementing Community Benefits Plans.

Public Safety

The legalization of cannabis has raised many issues where public safety is concerned. Communities fear that cannabis products will end up in the hands of children. Haven heavily focuses on prevention. From advanced security measures, to utilizing proper and legal packaging, to developing business practices geared to appeal only to adults, Haven pushes the importance of public safety in each of our business decisions. Haven will rely on the City to provide information as to their specific needs in increasing public safety, and eagerly seeks to partner with the City in our efforts. As a means of doing our part to prevent cannabis from reaching the hands of children, we will implement a Youth Education and Use Prevention Plan, which is included in Section F.3.D. of this application.

ENVIRONMENTAL AND SUSTAINABILITY PRACTICES

Protecting Our Environment

Surrounded by agricultural land, in the heart of California's Central Valley, which is the most productive agricultural region in the nation and world, Madera's unique geographic landscape is a reminder of the importance of performing business in harmony with nature. Haven's primary objectives are conservation of natural resources and the reduction of our carbon footprint within the City of Madera, Madera County, and the State of California, preserving the local community.

The City is conscious of new businesses and the impact new businesses have on the environment, the surrounding communities, conservation, development and use of natural resources, and the open space areas that are important for residents' views and recreation. Haven will fully implement recycling practices company wide along with promoting the message to our guests to encourage sustainability. Haven is committed to looking for new and innovative ideas to reduce our carbon footprint and to operate in a way that protects our environment and addresses community concerns.

Environmental Impact on the City

Pursuant to the current California cannabis regulations, all cannabis businesses are required to conduct a California Environmental Quality and Safety report as part of The California Environmental Quality Act ("CEQA"). Alongside the State's stance on protecting the environment, Madera has outlined goals, strategies, and actions to reduce local community greenhouse gas ("GHG") emissions in its 2015 Climate Action Plan ("CAP"). While Haven implements sustainability measures at all our locations, we have tailored our business practices to adhere to the following objectives outlined in the CAP:

- Energy Efficiency and Conservation in Existing Buildings;
- On-Site Small Scale Renewable Energy;
- Bicycle and Pedestrian Environment;
- Low Carbon Fuel Vehicles;
- Water Conservation;
- Solid Waste Reduction and Recycling; and
- Trees and Vegetation.

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Haven will work with the City and follow the strategies outlined in the CAP. We will align our business model and best practices to implement a "green" approach to operating our company successfully.

GENERAL "GREEN" BUSINESS PROCEDURES

In designing our business and site plans for Madera, we followed the City's stated objectives and strategies in the CAP, the CoolCalifornia small business toolkit, and the CALGreen Building Code. Our building design, while artistic, is crafted to utilize natural resources to save energy and reduce waste, as detailed further below. Haven will renovate our building to include more energy efficient lighting, solar roofing, and plumbing for water reuse. We will work with the City to conduct a business energy assessment and devise a highly energy efficient building. Haven will explore the use of energy efficient upgrades to the existing building.

Haven will implement the following General Business Procedures to protect the environment, reduce our carbon footprint, and help meet Madera's CAP goals.

Energy Efficiency and Conservation in Existing Buildings

Use of Safe & Efficient Building Materials

We will enhance our building's exterior with Hanson eco-friendly concrete and natural stone. We will source eco-friendly materials for our interior to the fullest extent possible, using ceramic floor tiles and fixtures made of sustainable materials, such as recycled glass and plastic and reclaimed wood.

Use of Energy Efficient Lighting and Equipment

Haven will work with local utility providers to find the most efficient means of providing electricity to our facility. All light bulbs in our facility will be energy efficient LED lights and we will utilize daylighting to reduce energy use. Equipment (such as computers, refrigerators, kitchen related equipment, registers, POS equipment) will all include the most current energy efficient technology. Haven will install automatic bathroom lighting, faucets, and hand dryers. All office space will have automatic energy efficient lighting.

Climate Control System

Climate control systems account for a large percentage of the total energy consumed in a cannabis business. In designing our climate control system, we will consult with a mechanical engineer to devise the most energy efficient system possible taking into account 1) indoor air quality; 2) odor control; 3) energy consumption; 4) greenhouse gas emissions; 5) regulatory compliance; and 6) climate. Should carbon emissions be a concern, Haven will employ additional procedures to offset any carbon emission.

Efficient Heating and Cooling

Haven will use a closed room environment to minimize our electricity costs. A closed room environment does not exchange air with the outside of the building and limits the electricity associated with the cooling of external air. In addition to the cost and energy-savings, closed room environments present the added benefit of decreased odor presence surrounding the premises. We will regularly maintain Haven's climate control and HVAC systems to ensure continuously efficient operations and to reduce energy consumption and energy costs. Maintenance will include periodic efficiency checks, filter replacements, and evaluations of system upgrades. Haven's facility will be sufficiently insulated to reduce heating or cooling losses. We will also install an energy-efficient or tankless water heater and insulate the first three feet of heated water exiting the water heater.

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Management Systems and Energy Audits

Our facility managers will consider installing a Building Management System (BMS) or Energy Management System (EMS). The U.S. Department of Energy has developed a suite of Specification and Procurement Support Materials to help managers identify the right fit for their facility. Haven will utilize Xcel's Energy Analysis Program to identify financial incentive programs and to perform a comprehensive energy audit or engineering assistance study (EAS). For example, we can install sub-meters, such as e-mon and Power TakeOff, inside the building to collect power usage data.

Air Purification, Noise, and Odor Reduction

Haven's air purification system consists of a series of plenums, arranged side by side, covering the entire ceiling. The plenums will provide air changes at the rate of one room volume every 5 minutes. Not only will the registers take in the air at an astounding rate, but the noise of the equipment will be greatly reduced due to their large size.

On-Site Small Scale Renewable Energy

Use of Solar Power

Haven will work with local solar companies to install solar photovoltaic systems on the building to provide us with renewable, efficient, 100% green energy.

Transportation and Land Use Measures

Alternative Transportation Program

Haven will assist Madera's transportation centers and local ride-share businesses. We will partner with ride-share companies to drop off and pick up guests at our business. Our parking lot will have designated spaces where ride-share vehicles can park while waiting for guests to finish at the dispensary. This will assist in minimizing traffic flow inside and out of the business. We will work to install alternative fuel vehicle parking and charging stations at our facility. Additionally, we will offer bike parking and scooter parking for employees and guests that use those modes of transportation.

Team Member Reward Program

We will offer rewards to team members who engage in environmentally friendly behaviors. For example, if team members carpool, ride a bicycle, or take public transportation to work, they will accrue points to be redeemed for prizes. Team members can also acquire points for recycling, using energy efficient practices, and suggesting practices that are later implemented by the company.

Water Conservation

Protecting natural resources is integral to Madera, which has experienced worsening drought. We appreciate how water issues are closely tied to the quality of life and economic vitality of the Madera Community. We'll do our part to be good stewards of the environment including participating in recycling education efforts to increase sustainability in the community.

"Green" Growing Practices

Haven will source its products from growers and manufacturers who follow environmentally friendly business practices, as in our other retail locations. When selecting products, Haven will follow a careful vetting process, reviewing each supplier's processes to ensure they are pesticide free and eco-friendly. For example, Haven will seek out cultivators that utilize the collection of rainwater, living soil, and chemical free pest control.

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Water Conservation

Haven's water conservation and reuse efforts include installing and implementing water efficiency upgrades to our building. As part of Haven's building improvements, we will upgrade all landscaping to a water-wise design, utilizing drought resistant greenery and watering techniques. Haven will retrofit our retail location with automatic faucets, set with a timing mechanism to control the flow of water, in all restrooms and break rooms.

Solid Waste Reduction and Recycling

Waste Disposal Plan

Team members will fully comply with all waste disposal regulations outlined in 4 CCR §17223 and Division 30 of the Public Resource Code. Cannabis waste will be disposed of in a secured waste receptacle on our property, which is only accessible to our staff and team members. Cannabis waste will be kept inside the facility only in a secured area. Each type of cannabis waste will be stored in a separate bin: flower, concentrates, edibles, etc. As we do for our other licensed locations, we will contract with GAIACA Cannabis Waste Company to collect and properly dispose of our waste. All waste disposal will be tracked accordingly.

Zero Waste Plan

Haven will reduce waste throughout the facility by recycling and reusing whenever possible. Haven will strive to recycle or compost all waste generated by our business. We plan to achieve a 25% landfill rate upon commencing our business, with a goal of reaching a 0% landfill rate by 2023. We will work with the City to eliminate plastic bags and to utilize local recycling companies to develop economic growth and create jobs. Packaging from inbound materials, waste generated during operations and team member waste will be the main sources of recyclable materials. Haven will place recycling bins in the team member break areas, office areas, and where inventory is sorted to ensure that all recyclable waste is identified and disposed of properly.

Haven will also greatly reduce the amount of landfill generated within the facility by composting waste, helping to produce quality compost that can be used to inoculate soil with microbial life. Team members will make every effort possible to identify recyclable and compostable materials, separate them from other waste, and place them in appropriate containers to be picked up by our recycling service provider. In addition to recycling, Haven team members will reuse everything possible.

Use of Recyclable Materials/ Closed Loop Recycling

In compliance with MMC §6-5.40(G)(4) and Cal. Bus. & Prof. Code §26070.1, all purchased cannabis products will leave Haven in a child-proof opaque package, utilizing the highest percentages of recyclable materials possible. Specifically, Haven will work with Encore Recycling, a company that collects, washes, and recycles the hoop house plastic used in growing cannabis. Haven will coordinate between Encore and its suppliers of compliant child proof packaging to create a Closed Loop Recycling program wherein the very same plastic used in growing cannabis crop is given a second life in packaging the product for Haven's guests.

Packaging Return Incentive Program

Haven will also offer an incentive program to encourage guests to bring back their used packaging to be sent to Encore to be recycled again – truly closing the loop. Each time a guest returns with his/her exit packaging, he/she will receive one stamp on an incentive program card. A full incentive card earns the consumer a discount or credit on a future Haven purchase. To the extent that exit packaging can be sealed and reused for an additional purchase made by the same guest, it will be. Once the exit packaging becomes unusable from repeat use, the guest can return the packaging for a new one and the old packaging will be recycled accordingly.

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Trees and Vegetation

Planting of Drought-Tolerant, Low-Maintenance Native Trees and Vegetation

The CAP suggests planting trees and other vegetation in order to absorb and capture GHG from the atmosphere, as well as reduce urban heat island effect.

As stated above under Water Conservation, part of Haven's building improvements, we will upgrade all landscaping to a water-wise design, utilizing native, low maintenance, drought resistant greenery and watering techniques. We will select plants utilizing the City's Approved Tree List when designing our landscaping. In accordance with MMC §6-5.36(A)(16), exterior vegetation will be planted, altered, and maintained in a fashion that precludes its use as a hiding place for persons on the premises.



SUGARPINE 559, INC

Section G: Community Benefits and Investment Plan

Sugarpine 559 is committed to contributing $150,000.00 annually to the City of Madera General Fund upon receipt of a State Cannabis Permit to operate. Sugarpine 559 is confident that our city officials will know where to best spend the funds to help improve the community, including the revitalization of the downtown area and parks.

Ahmed “Mike” Alamari, owner of Sugarpine 559 Inc. (Sugarpine) has a long history of contributing back to the greater Madera community and youth and Sugarpine will continue this tradition. Sugar pine chose to brand itself with the name because its connection to the community. Mike was born and raised in Madera and understands the needs of the community. Sugar pine will create a police liaison position to continue the legacy of other businesses operated by Mr. Alamari. The community liaison will engage directly with the city and local leaders to further expand support for local law enforcement needs. More importantly, we will reach out directly to the community we serve.

As a Madera High School graduate, U.C. Merced graduate and lifelong Madera resident for 31 years, Mike has committed to continue donating to local charities and causes to benefit Madera’s youth and community-based organizations. For the past two years, Mr. Alamari has contributed $5,000 to the Ronald McDonald House at Valley Children’s Hospital for its Adopt-A-Room. This allows a family to have a local place to stay similar to a hotel when their child is enduring a stay at Valley Children’s. He has also committed to giving $25,000 for the new building expenses for the expansion of the new Ronald McDonald House.

Mr. Alamari believes in youth and providing them every opportunity to be successful and to go to college. He has sponsored the Madera Farm Bureau’s scholarship foundation for 5 years now. Three lucky students receive a $1,000 scholarship based on criteria set by the farm bureau. Mike has plans to continue this tradition well into the future. Mr. Alamari purchased over 750 coats for kids who live in three of the most under-resourced areas of Madera and Fresno. In 2019 he sponsored the Central Unified School Districts Coats for Kids give away. He then decided to bring the project home in 2021 by purchase five hundred coats for elementary school kids in Madera. Mike hopes to continue this tradition as well and team up with other Madera businesses to provide more coats for the program. Mike has also held backpack giveaways prior to the beginning of the school year both in August of 2020 and August of 2021. Over five hundred backpacks were provided to Madera students in 2020 and in 2021, he passed out 250 backpacks to students in Fresno in addition to the five hundred in Madera. Overall, the community is incredibly grateful to have a person like Mr. Alamari constantly giving back to the community. These events will not only continue but grow soon. Pacific Farm management currently operates a community outreach program and has events year-round. We will tap into our current network and expand on the efforts.

Aside from the student-based programs Mike has been a part of, he also has stepped up in the wake of the Coronavirus pandemic. In late March of 2020, the community was experiencing a short supply of bottled water and toilet paper. Mr. Alamari worked effortlessly the weekend on March 21st to secure water and toilet paper. He got a hold of 350 cases of water and 1500 rolls of toilet tissue. He was originally going to sell the products to the public at cost due to other retail markets price gouging. Instead, he published on Facebook that he would provide each family that drove to his shop the following Monday morning with a free case of bottled water and four free rolls of toilet paper. The post was extremely successful, and he was able to pass out the supplies in an hour on March 23rd, 2020.

In April of 2020 during the peak of the first COVID-19 outbreak; Mr. Alamari read that the Madera Community Hospital was severely short of protective supplies. Using his network from his supply business, he took it upon himself to donate to the hospital staff by providing medical gloves, N95 masks, and sanitation/disinfectant supplies. Total value was over $4,000 at a time when all the hospitals supply chain was exhausted. Mike's donation to the Madera Community Hospital was published on local news media. He then received a request from Community Regional Medical Center in Fresno to purchase supplies if available. Mike responded promptly but providing another pallet of similar goods at no cost to Community Regional Medical in downtown Fresno!

Overall, Mike is an exceptional person and businessperson in his community. He is very philanthropically driven. Mr. Alamari has plans to leverage profits from Sugarpine and inject them directly into the local community. He will do this by providing quarterly grants for recognized non-profits in the Madera area. Mike will also consult with community leaders in finding programs and ways to help the youth community since he is a firm believer in the critical age window of 10-14 dictates a person's future. In addition, we are committed to empowering and cultivating a new generation of student leaders.

Sugarpine not only believes in monetary contributions, but we will also be involved in local efforts. Our employees will share this value and we will count on them to do charity work as well. Thus, our team will help in providing mentorship of local youth and volunteering at local community events such as Memorial Day, Veteran's Day, and Martin Luther King Jr. Day. In addition, we are committed to assisting the City of Madera in beautification projects in Downtown and around our city. Pacific Farm management currently operates a community outreach program and has events year-round. We will tap into our current network and expand on the efforts.

https://www.maderatribune.com/single-post/pacific-farm-management-hands-out-backpacks

https://www.maderatribune.com/single-post/2020/04/02/cal-pacific-helps-out-more-than-300-families

DSPO–MADERA, LLC
(dba: DISPO)



SECTION G

COMMUNITY BENEFITS AND INVESTMENTS PLAN
DSPO-MADERA, LLC
Dba DISPO

Madera, CA



DSPO-Madera, LLC's Community Benefit and Investment Mission Statement

We strive to have an organization that successfully capitalizes on enhancing our communities. We believe that with a plan to assist and work with our community we can address systemic barriers embedded within policies, practices, programs, and services that will include all individuals in the cannabis community. Our organization strives to create an inclusive community where our local citizens are working together with us to make the lives of all significantly better. It is our goal to invest in our community to the highest extent possible because without them we would not survive.

SECTION G: COMMUNITY BENEFITS AND INVESTMENTS PLAN

Community Engagement – DSPO-Madera, LLC chose our company name to build a deep-rooted business for the local community. We seek to promote and recognize the Madera community's unique, inclusive, and caring spirit in everything we do, taking a handcrafted and personal approach to our business ventures. The ownership is driven to collaborate with various local organizations to align ourselves with the City Council's priorities in the Vision 2025 Plan, including Housing-Homeless, Transportation, a Vibrant Downtown, and Children/Youth programs. Our efforts will directly aid, participate in, or fund the work of local non-profits, community-based organizations, civic organizations, and social services organizations. We aim to increase health, happiness, and creativity for the hard-working and creative residents of the beautiful vineyard-lined home of Madera City.

THE DOWNTOWN ART PROJECT

We are committed to a vibrant downtown and believe promoting the arts and funding the revitalization and activation of the alleyways behind our location will be a perfect place to start. We are committed to working with Rochelle Noblett and the Donwtown Madera Arts (DOMA) to make the area a community gathering place with artworks, including a sculpture garden, lighting, overhead shade, seating, and activities to bring residents downtown and benefit the restaurants and businesses in the surrounding area. With Rochelle's lifelong experience and commitment to Downtown Madera and the arts, we have the benefit of her expertise to guide us in our commitment to making the entire downtown a showcase. With senior tours and block events, the DOMA project will liven the community in Madera and give us a chance to give back while connecting with our community. The renderings below are of an actual space that is in dire need of revitalization in the downtown area. We have already secured the commitment of all of the local businesses within this area to begin the project.









HOUSING-HOMELESS

Madera is known for its high-tech, great climate, and profound sense of community. Right here in our town are residents going through difficult, life-threatening situations and finding themselves without employment or a place to rest their head. We aim to step in and engage the community during this devastation and build a profound sense of togetherness and support. We will play a vital role in helping the community address this tragedy in Madera by partnering with those who know best: the local organizations that are already engaged.

Madera Hope House - Help Lift Someone out of homelessness (https://www.tpocc.org/hope-house)

The Madera Hope House is a local organization whose team members are committed to overcoming incredible odds in the face of hopelessness, human suffering, and countless roadblocks as they seek to better the community and lift themselves out of homelessness. They provide homeless and low-income men and women with the resources they need to rebuild their lives by volunteering and using programs to better themselves and join the workforce as it restores hope and opportunities. Volunteer work is correlated with beautifying the city and partnering with local businesses. We commit to partner with this organization and offer funds to help them continue in their efforts.

TRANSPORTATION

Community-based transportation systems have been and continue to be an essential way of offering solutions to communities for many years. The Madera Vision 2025 Plan includes many policies relating to improving bicycle and pedestrian transport to be more convenient, comfortable, and safe. We believe that pedestrian safety is as important as vehicle safety. We also want to educate the community in our outreach training on the many benefits of using walking and biking as a transportation source. Biking lowers the mortality rate by 40%, and walking reduces the mortality rate by 25%. It also promotes colossal health benefits. New research by health economists at the University of East Anglia and the Centre for Diet and Activity Research (CEDAR) show that walking or cycling to work is also better for the community's mental health. Educating the community and offering solutions will help build a safer and healthy community for all. Auto crashes are the number one cause of death in children, and motor vehicles are the number one cause of pollution. We believe investing in this safe mode of transportation would greatly benefit Madera. It would also limit traffic and congestion.

DISPO will work with the city to invest in barrier-protected transport lanes for the community's vital protection. Our team connected with the Senior Transport Coordinator of Madera and completed the process's initial stage of due diligence. Currently, no protective barriers or paths for biking or walking in Madera are deemed safe for non-vehicle transportation. There have been many fatalities and injustices that could have been avoided with the protective barriers in place. The city has prioritized this issue in the Madera Vision 2025 Plan. DISPO will invest in the protective lane barrier, starting with the city's most threatening areas. We seek to build a long-term relationship with many other non-profits and projects that involve transportation, building safety barriers and protective lanes, safe overpasses for pedestrians, building community bicycle racks, and more.

CROW ABATEMENT ASSISTANCE

The City of Madera, in tandem with the Madera Downtown Association and the County of Madera, have an annual crow abatement project. This abatement project utilizes falconry to remove crows that nest in the downtown and peripheral areas of the city. Each year these crows congregate in such large masses that their feces become such a nuisance that the abatement project became a necessity. The project pays for a professional falconry group to release their trained falcons throughout downtown which in turn causes the crows to



abandon their rooftop nesting places. Falcons are a crow's natural enemy so within 2-3 days after the release of the falcons the entire population of crows relocate to the rural outskirts of the city. After about 6 months the crows realize the falcons are gone, and due to the waste left by humans in dumpsters and on the streets the crows return for an easy meal. This return leads to another annual craw abatement through falconry.

The cost of the falconry is $31,000 and is split equally by the Madera Downtown Association, the City of Madera, and the County of Madera. Being that DISPO will be located in the heart of Downtown Madera, and we will be members of the Madera Downtown Association, we pledge to pay the portion of the crow abatement fee allocated to the Madera Downtown Association each year.

CHILDREN/YOUTH PROGRAMS

The city of Madera, California, has a population of 66,575 residents. A percentage of this population is an important group that will, in the future, work at the local business, own a home and raise a family within the town, and play a vital role in making Madera a vibrant place to live. This group is the children and youth of Madera. The youth are an imperative group of individuals worth investing in as they grow into mature adults and benefit the town. Youth programs help mold important qualities in these early years of life to help them grow toward success.

John Wells Youth Center **-** *Providing services with compassion, not judgment. (701 E 5th St, Madera)*

The City of Madera Youth Center offers youth a positive, safe, happy place to become or stay healthy, interact with others in the community, receive mentorship, and provide leadership. The youth center looks to provide the kids with mentorships and resources to empower them to use their voice, choices, education, and leadership to change the community positively. The youth's investment should not be ignored but looked at as an opportunity to influence the city's future entirely. We see this as a crucial aspect of any community's current and future well-being. Our commitment is to partner with the center to help fund and provide opportunities for the youth by giving directly to the center and covering the cost of weekend field trips and yearly basketball leagues.

D.A.R.E Education - Madera County Sherriff's Office

We are committed to educating our community's youth by donating to the Madera Police Department's local D.A.R.E program, where a trained police officer teaches us about the harmful effects that drugs can have within our respective neighborhoods. From a young age, we learned to "Just say no" to drugs in all of their forms. Beyond our adult community educational platform for cannabis as medicine, we will partner with the Madera Police Department to educate youth to "Just say no" to drugs in all forms. We, as a Company, pledged continued support for the education of our local youth. As community advocates, we consider all California children our responsibility to educate to raise them in a morally conscious environment.

Support of Treatment Centers for Addiction - As a Madera community concern, alcohol and substance abuse is a reality for many families who live in the community we will serve. Our Company will pledge donations to healing those local families which suffer from alcohol and substance abuse, notwithstanding the role the cannabis industry might play in either healing or promoting that overall effect. Unfortunately, the residents of Madera can still suffer from the impact of substance abuse. In 2017, 47 Madera County residents died of drug-related causes. The Central Valley Opioid Safety Coalition Health Grant #19-10779 states the statistics and plan for the central valley opioid epidemic and provides multi-pronged strategic approaches to comprehensively address opioid misuse, abuse, and overdose deaths for Fresno, Tulare, Kings, Merced, Mariposa, and Madera. In December of 2017, reported deaths were 67,850, compared to 70,980 in 2019. 70% of these drug overdose deaths involve an opioid. Nearly 450,000 people died from a drug overdose between 1999-2018.

Our Company will provide grateful support to treatment centers that focus on; behavioral health counseling, residential services, outpatient treatment, aftercare planning, and traditional 12-step treatment programs. We will also work with local community organizations to promote healthcare, public education, and awareness.

Social Equity - Equity Business Operational Support & Sales Consulting

At least five hours of total operations and sales consulting will be provided weekly on a first-come, first-served basis to any inquiring equity business owners. We will also prioritize equity product contracts, hire local minority residents, train and engage minority-owned businesses for services, and prioritize all social equity applications to create culture and diverse perspectives within the company and the community. We will diversify the hiring process and hold accountable any bias in our programs, business, and organization.

ADDITIONAL COMMUNITY SUPPORT MEASURES

Madera Core Values - Our Company is committed to clench the diversity of this community and embody the ideals of respect and inclusion in everything that we do, starting from non-discriminatory hiring practices, payment of truthful living wages to our employees, green power initiatives, in addition to participating directly with local residents, business owners, organizations, and governmental stakeholders. We are committed to up the standard of our community through artistic entrepreneurship. We are excited for the chance to develop a forward-thinking and exquisite new business that grows the Madera community.

(1)Education of the consumer & the community - The organization will engage the local community by creating opportunities for education to teach our local community about the positive benefits, adverse reactions, and proper limitations on cannabis to create a better-informed conversation as a therapeutic alternative.

(2) Customer Education - Our seasoned staff will take ongoing training through mandatory weekly company safety and compliance meetings and earn industry-established certification through Clover Leaf University. We will also enforce strict product labeling standards for our vendors, so customers are on immediate notice of the standard of product they are purchasing and using. We will also hold local classes for community residents to educate them on the effects, potency, quality, and safe use of cannabis products.

(3) Clover Leaf University Workforce Training -- Clover Leaf University is the first cannabis and hemp university approved by the Department of Higher Education's Private Occupational School Board. CLU has educated thousands of government agencies, business owners, and employees with regard to the highest standards of industry compliance, responsible marketing, seed-to-sale tracking, consumer safety, money security, and budtender product safety. We will provide our workforce with an occupational curriculum, supplying an additional layer to the post-secondary educational opportunities in Madera. Our company will fully fund the preparation of the best-trained employees and community patrons in the cannabis industry. We will support programs in local hiring, vocational mentoring, and continuing education through our local dispensary, benefitting both customers and the Madera community as a whole.

(4) Medical Cannabis Education - Our Company will support the local community with a focus on the medical benefits of cannabis. Our employees and seasoned budtenders will acquire licensed medical marijuana training certifications from Clover Leaf University before interacting with customers. Additionally, we will provide our community with dispensary tours to educate the community about cannabis and its positive or potentially harmful effects.

(5) Veteran Community Support - Our Chief Executive has pledged the Company's support of local Veteran organizations, including the local American Legion Post 11, and the VFW Post 1981, which promotes tremendous

veteran assistance within the local community. We will also pledge financial support to the local Trauma and PTSD Treatment Centers to promote and rehabilitate veterans who find it difficult to readjust to life upon returning home after selflessly serving their country on our community's behalf. We will also work with industry veteran associations such as Weed for Warriors to provide services and discount pricing for community veterans.

(6) Local Special Needs Community Support - Our Company Owners are immense proponents of the special needs community in California and abroad. Our governing board has identified Accessible Recreation, a California-based, national 501(c)(3) nonprofit offering to improve the lives of special needs community members by providing youth programs and activities that focus on positive experiences, learning opportunities, and life skill development in a fun, safe, caring environment. As we grow, we will identify the special needs community leaders in Madera and expand our support for many other nonprofits and groups tackling this issue within the community.

(7) Local Enforcement Initiatives - We stand strong in supporting the local law enforcement officers who are charged as the guardians of our community. Our Company will pledge consistent financial support to the Madera Police Department.

(8) Neighborhood Watch Participation and Crisis Hotline - Our Company will attend Neighborhood Watch meetings to understand our Madera community members' concerns better. Our support will promote our residents' safety and reduce any potential burden our business activities could place on the Madera police officers keeping us safe. We will also set up a crisis/complaint hotline to support our community with any adverse situations or feedback.

(9) Local First Responder Support - We are aware of the potential downside the presence of cannabis in a community might place on first responders. As an active community partner, our Company will support the local Madera Fire Department and Police Department by hosting annual events to appreciate their important role in our community. We will also provide annual financial contributions to both Madera organizations to enhance the quality of those departments to show appreciation for everything they do for our neighbors and us.

(10) Impaired Patrons - There may be instances where customers enter the dispensary in a mentally or physically impaired state. It will be the duty of every employee to protect the welfare of everyone at the establishment, including the impaired individual. Security and management will be immediately notified when an individual appears to be impaired. Once the manager on duty has assessed the situation, if required, the manager will either call for transportation for the impaired individual to make it to a safe place or alert the proper authorities in order to maintain a peaceful operation.

(11) Green Cannabis Community Action - The Organization will support the green businesses within California's cannabis culture to minimize the negative impact. Indoor grows equal one percent of electricity usage in the US each year, which comes to about $6 billion in energy usage annually, according to a 2011 report. Outdoor cultivation leads to deforestation, diverting of water, and destabilization of whole ecosystems. One pound of cannabis equates to about 1.95 metric tons of carbon dioxide or 2,095 pounds of coal burned. So, one pound of cannabis is approximately $3,000 in gross revenue sales. Our Company will pledge that trees will be planted through reforestation projects through local nonprofits and other California organizations dedicated to reforestation to counteract the environmental effects of the products we sell and preserve California's gorgeous landscape.

(12) Water Conservation - Water use for cannabis plants can be as much as 1 billion liters of water per square mile in a single growing season in a sizeable outdoor activity. A single plant can use up to 6 gallons of water per day during the summer season. Using ebb and flow trays, which recycle the water between adjacent plants, indoor facilities may allow more efficient water use. Our Owners feel that an emphasis on sustainable water conservation practices should become the new standard to minimize the cannabis industry's future impact. Our Company's solution focuses on reducing carbon footprint by minimizing the environmental impact, and carbon footprint cannabis operations

produce. We will establish a preference for vendors with energy efficiency standards, processes, and sustainable practices in place to guarantee less wasteful production of cannabis and its ancillary products.

(13) State Certified Organic - Our company will pursue business alliances with cannabis facilities committed to obtaining and gaining full organic certification once the certification specifications are released.

(14) Neighborhood Security & Improvements - The property is located on a main commercial corridor in Madera. The lot is located in a compliant zone for cannabis businesses, which does not restrict the property from operating a retail dispensary. There are no schools, libraries, or parks within the buffer zone limitation, so the property is compliant under the Act. Additionally, we will take upgraded security measures by employing onsite security guards, as well as off-site security of security surveillance of the surrounding building and the neighbors we share the city block with. We will engage heavily in our Neighborhood Watch programs and provide top-of-the-line security cameras in all areas to help protect any neighboring facilities, businesses, or residents.

(15) Building & Neighborhood Revitalization - The building itself will be redesigned, improved, and highly upgraded from the ground up. With our prime location in the heart of Madera, the Ownership is opting to maintain the building's outside aesthetic, which now includes improved interior and exterior design and functionality.

16) Nuisance Reduction - As a responsible and curious adult retailer, we will not produce any noise emissions to annoy our fellow companies or create a disturbance within the surrounding community. Any odor that may escape from our inventory storage or showroom floor would be eliminated by adding dual air scrubbers and an air filtration exhaust system.

(17) Community Nonprofits - Our Ownership has a long history of work in the local nonprofit community, specifically minority support groups, community outreach, nonprofit support, chamber and association support, government relations, and various others. Historically, the Owners have taken a community-oriented approach to businesses; they have provided paid volunteer opportunities to throw barbecues for the homeless, and our technology staffers have performed pro bono work on behalf of local schools and governmental institutions. We expect to continue this tradition; offering paid volunteering opportunities to our staff members who contribute time and work to those nonprofits we support and developing marketing partnerships with these organizations by which we can help to provide cash contributions and help them raise funding. We will also support the Multicultural Institute by hiring day laborers for any additional work. https://mionline.org/

18) Community Business Partnerships - As noted before, partnerships with the existing neighborhood and area businesses are fundamental to our Company's success. We will give priority to our local entrepreneurs and expect to utilize the services of local contractors for the construction of our business, to stock locally made cannabis products (or products from locally-owned companies) on our shelves, and to continuously seek out and develop prolific partnerships within the Madera business community.

(19.) Tax Contributions - We aim to raise revenues to generate significant tax revenue for Madera, helping to educate the community by our actions, best practices, and commitments.

(20) Community Events – Participation in and sponsorship of community holiday events and local engagements is a priority for our business and community engagement strategy. Other State and Local Participation - Our company members are active supporters and member participants in the following organizations, which educate and uphold local communities with regards to safe, legal, and responsible cannabis research and access:

Membership Associations and Affiliates

- Madera Chamber of Commerce - https://maderachamber.com/
- Clover Leaf University - http://www.cloverleafuniversity.com

- California Cannabis Industry Association - https://thecannabisindustry.org/
- NORML - https://norml.org/chapters/
- Minorities for Medical Marijuana Participation - https://www.M4mm.com
- Americans for Safe Access- http://www.safeaccessnow.org
- Weed for Warriors Veteran Support - https://www.wfwproject.org/

LETTERS OF RECOMMENDATION

DOWNTOWN BUSINESS AND PROPERTY OWNERS SUPPORTING DOMA ARTS DISTRICT

DOMA ARTS
Downtown Madera Arts District

June 17, 2022

Mayor Santos Garcia
Members of City Council
405 West Fourth Street
Madera, CA 93637

Dear Mayor Santos and City Council Members,

We hope that you will agree that a beautified downtown area will be beneficial to all residents and that you will help to make our dream possible by approving permits for two dedicated businesses to operate and contribute to the city's growth and prosperity.

We, the undersigned, are business and property owners in Downtown Madera who support the approval of permits for two special cannabis businesses. Although a number of potential dispensary businesses have either bought or taken limited leases on downtown buildings, only ***DSPO Madera and HerbNJoy*** are committed to invest in a transformational project that will make Downtown Madera a destination as our city's Art District. The venture that we have discussed with the two businesses and which they enthusiastically support is an Alleyway Revitalization Project. Together, we have developed a plan to convert the T-shaped alleys between South C Street and South D Street, as well as the partial alleyway that runs north from 6th Street for a half block, into public spaces for the arts, sport courts, and cultural events.

We are convinced that DOMA (DOwntown MAdera) will attract new businesses and create a robust mix of shopping, dining, and entertainment. In turn, this will provide the opportunity for jobs in a variety of skills and income levels. In addition to providing funding for the DOMA project, both companies have pledged financial support and volunteer services for the ongoing improvement of the business district.

Some of us are long-time owners and business operators, others are relative newcomers. However, collectively, we share a belief that DOMA can and will be a vibrant area that will attract and inspire our diverse population.

Please allow DSPO and HerbNJoy to make this dream come true by approving their request for permits to operate in Downtown Madera.

Business and Property Owner
Chris Miller, Leighton's Jewelry

Business and Property Owner Ramiro Sepulveda
Romeo's Furniture

Business Owner Garrett Tarin, Diamond Communications

Business and Property Owner
George Buenrostro, TJ's Bar and Grill

Property Owner James A. "Lex" Bufford

Business and Property Owner
Rochelle M. Noblett, Pete's Sport Shop

Madera DOWNTOWN Association
P.O. Box 812 - Madera, CA 93639

June 17, 2022

David Nola
DSPO

To Whom It May Concern:

We would like to thank you for attending our meetings and allowing us the opportunity to get to know your company. Learning of your commitments and activities in the communities you currently conduct business allowed us the opportunity to see what your presence could potentially do for our city with an emphasis on our downtown district.

The Madera Downtown Association would like to acknowledge our formal support of your application for a cannabis permit to conduct business in the downtown area.

Thank you for your commitment to Madera Downtown Association and the non-profits in our community. We look forward to partnering with you on future projects, pending approval of your permit.

Best wishes as you move forward in this process.

Respectfully,

Mona Davie, President
Madera Downtown Association

ZEN GARDEN OF MADERA, LLC

G. Community Benefits and Investment

We – and all our competitors – have now introduced our owners, demonstrated our fiscal soundness, committed to industry best practices, commissioned safety and security plans, and shared our plans for integrating into our local neighborhoods. When it comes to our community, our ZGW team has and will continue to invest. We are Local, Experienced, and Caring - caring for our neighborhood, our community, and our customers. ZGW brings a Good Neighbor philosophy to our enterprise.

What Makes a Good Neighbor?

ZGW is committed to being a good neighbor – but what makes a good neighbor? To us, it means generating a net positive impact on our community and neighborhoods. We aim to create authentic relationships grounded in the principles of friendship and cooperation for mutual benefit. To that end, here are the values that we of ZGW stand by:

- We keep the interests of the entire community at heart, not just our own.
- We stay connected and engage with the community based on current needs and emergencies.
- We are open and approachable to neighboring businesses and residents and will quickly and fairly resolve any issues.
- We operate in a peaceful, calm, and unobtrusive manner.
- We show respect to all, in the way we run our business, design our facilities, and maintain our property.
- We offer help whenever we can.
- We LOVE our neighbors and share these values with our employees and Customers.

We ARE Madera!

We live here, we raise our families here, we operate our businesses here. We share this City with over 100,000 other folks, and we see every day how we are all interconnected – in ways we know and ways we may not always see. It is our heartfelt commitment to make our City better, in part by being better ourselves. By operating businesses that care for our City – creating local, living wage jobs; bringing entertainment to enrich our quality of life; stimulating our economy through hiring local professionals and service providers; giving of ourselves and our profits to raise others up; and, through our dispensary, providing safe quality access to our citizens who choose to consume cannabis.

LOCAL. EXPERIENCED. CARING.

Why Local Matters.

We are already your neighbors. We live where we work, where we play, where we grow our families.

Giving to Madera is in our DNA. As individuals, as families, as businesses, we always have and always will contribute time and resources to our community, our neighborhood, and our home.

We keep our dollars here. We hire local people we know can not only get the job done but can learn and grow from their experience at ZGW. We infuse money into our local economy by hiring local laborers, professional service providers, and tradesfolk.

We're in it for the long haul. We take care of our staff with living wages, ongoing education, benefits, and a positive work environment.

Why Experience Matters.

Cannabis is a relatively "new" industry, where quality hands-on experience is at a premium and not often easy to come by. Our leadership team checks all those boxes. It has the right people, with the right experience, a demonstrated commitment to enhancing Madera through a positive community works in socially important areas. Owner Barbara Perkins has dedicated herself to advocating for children in Foster Care, and is a CASA Child Advocate, Owner Corey Travis is a strong supporter of Stanford Sierra Youth Solutions, an organization dedicated to assisted children who have been displaced from homes.

This real world experience of advocating for change, and taking action, is a key component of ZGW Madera's leadership, and will continue to drive the company's ongoing philanthropic activities.

Why Caring and Compassion Matters.

As longtime Madera residents and business operators, the owners of ZGW have seen incontrovertible evidence that the heart of a business translates to better, and even more profitable, business. Mirroring the interconnectedness of our families, friends, and colleagues, all businesses in a neighborhood are connected. Each has the opportunity to raise or lower the overall bar.

The owners of ZGW are proud of their demonstrated commitment to the betterment of our local community through charitable giving, volunteering, and collaborating. So while some might disagree, we know that caring is not just a nice word, a "soft" benefit. When we bring compassion to our work, to our customer interaction, to our neighborhood engagement, all are enhanced. When compassion guides our decisions, all benefit. When compassion is the measure by which we gauge our performance, we are guided to make the "right" decisions. Building a relationship with our community – and our shared customer base – through caring and generosity ensures that the whole is made more sound, stronger, more vibrant, and more sustainable.

ZGW Community Investment: Past and Present

We are proud of our Community Benefits Plan, laid out in Section F.4, below. We think it offers a broad array of options for our management and staff to engage for the mutual benefit of our community. But at the end of the day – or the application – it's just a plan, right? In our case, it's a continuation of our community service work.

To see what kind of neighbor we WILL be, take a look at what kind of neighbor we've ALREADY BEEN.

We're really, really good at events and promotions! Our owners have regularly used those skills to hold annual holiday and special need drives and fundraisers, generating sizeable contributions to local organizations like the Annual Gardenland Toy Drive.





Our team was a key sponsor and participant of "The Great Sac Give Back" a community centered program designed to give back to the immediately surrounding community on a District by District basis .

In the early days of the COVID-19 pandemic, PPE (Personal Protective Equipment) items were often in short supply in Madera. ZGW partnered with Nathaniel Awbrey of Shield and Seal, to produce hundreds of high-quality face coverings, which were then donated to local businesses and essential workers to assist in the control of the spread of COVID-19.



Sacramento, the City of Trees, identified that lower income neighborhoods suffer from lack of tree canopy coverage, increasing temperatures, and decreasing property values. The ZGW team came out in full force to plant donated trees in these communities, and teach residents about proper tree care.

ZGW has also organized, funded, and sponsored a number of park cleanups in the immediate district. Often there is no budget for this kind of cleanup with City resources spread thin, additionally, these lack of cleanup resources compound by discouraging residents in these areas from using parks and recreational facilities nearby. ZGW has organized their renowned rain or shine cleanup for 5 years. In the wake of a rainy year when many community cleanups were regularly cancelled, ZGW got news coverage for handing out ponchos and rain gear to stay on mission. It went viral and reminded folks there is no excuse to skip on improving your community.



ZGW Community Investment: Into the Future

ZGW's mission is to leverage our success for the betterment of all within our community. As we move forward, we will model these values, instill them into our team, and continue to support activities, entities, and programs in our chosen areas of shared interest and need: disenfranchised youth, environmental restoration, and food and housing security. ZGW has identified several means by which we, as an entity, as an ownership group, as employees, and as a "family" can offer our support: whether that be time, significant funding, or collaboration.

Funding for Immediate Needs

Through ZGW, our ownership team looks forward to extending their existing community contributions. In her role as Community Liaison, Barbara Perkins will be responsible for the day-to-day management of ZGW's community outreach program, including the operational budget, performance tracking, and

employee engagement. Barbara's current deep involvement in local affairs makes her uniquely qualified to have a dramatic positive impact on our community with additional resources from ZGW. *In addition,* **ZGW will pledge to donate one percent (1.0%) of our gross receipts** back into the community. Through an endowment fund managed by Mrs. Perkins, we will be able to direct disbursements to organizations, programs, and agencies immediately when critical needs arise. Additionally, ZGW shall utilize these funds to assist in fundraising drives to raise money for actions and entities ZGW supports or to respond to unexpected local emergency situations.

Donating our Time and Expertise

Aside from monetary giving, the ZGW business family intends to donate our time. Employees will be reimbursed for one (1) paid day per quarter to volunteer with preferred local organizations with a ***team goal of three hundred (300) community service hours per year***. We aim to be the BEST place to work for employees and will empower our staff to choose charities of their choice to support with time and donations and will offer opportunities for ZGW to match certain donations. We will vote as a team annually to determine what charities ZGW will officially sponsor and where we focus our support. ZGW aims not just to be a job for our employees but a community and family where no one wants to leave, as we all share in our desire to give back and improve our local community.

Adopting Areas, Projects, and Programs

The primary focus of our outreach efforts will be on public safety programs that support the health, safety, and welfare of neighboring residents. Our selected areas of concentration are: (1) Disenfranchised Youth, (2) Environmental Restoration, and (3) Housing and Food Security.

1. **Disenfranchised Youth.** ZGW understands the need to protect children, especially those that may be at most risk due to economic, social, or familial reasons. We plan to work with the Madera Unified School District and Madera County Public Health department to support programs and initiatives aimed at diversion and youth education. As one example, we will propose to their board that ZGW 'adopt' (provide financial support and volunteer assistance for) Parks and Recreational open spaces, located near our proposed Facility. The small neighborhood parks will provide children with superior alternatives for recreation; our efforts would include maintaining and improving playgrounds to support outdoor activities, providing funds for increasing opportunities for family gatherings, and providing financial support for parental education programs.

We are developing various educational programs to be offered at an alternative community site in the area. These programs will serve as prevention and youth diversion programs and we will contribute literature and educational support focusing on teaching parents how to properly use and store cannabis products and to ensure that such products are not accessible to minors. Equally important, we will work

to educate parents on how to speak to their children about drug use and to recognize signs of use to proactively help divert children from drug use. Program goals are to assist families in providing youth diversion programs and education to ensure that legal cannabis is only utilized by adults over the age of twenty-one (21) or those under direct medical supervision. With education playing such a large role in preventing addiction, we have devoted space within the retail floor for adult educational programs. Periodic seminars will be held on topics related to responsible consumption and "Cannabis 101" by manufacturers presenting their products and explaining the palliative benefits and uses.

2. **Environmental Restoration** – Madera prides itself on its parks events, and community involvement. Many such areas need to be protected and/or restored to ensure the community can continue to enjoy their use. We have two primary projects planned as of this writing:

ZGW will seek to adopt a park and/or major traffic corridors in the community to support the maintenance and restoration of family play areas, and walking or driving pathways and their surrounding areas, in pursuit of conserving and enhancing Madera's beautiful community and environment.

On a broader scale, we will explore ways to work with select local entities to adopt and fund portions of their operating budgets, such as an annual commitment to their organizations. All of these targeted efforts will contribute to an increase in safe and welcoming recreational spaces for the community to enjoy and will serve to increase public safety.

3. **Housing & Food Security** – ZGW understands the concept of a community and wants to work to help those that are most vulnerable and susceptible to drug abuse, in particular our homeless population. ZGW plans to support heating and cooling centers, including "pop-ups" in the community to help those at-risk members of our community during extreme weather conditions. Furthermore, we will seek to work to financially support the Community Action Partnership of Madera to provide alternative living situations to those that might otherwise be subject to harsh weather conditions which create illnesses and other dangers. We will work in community gardens programs to support food availability, with a specific focus on Olive Street, and Gateway Drive neighborhoods. We will also combat food insecurity through joint projects with existing entities like the Madera Rescue Mission, and Modera County Food Bank.

Seasonal Food and Clothing Drives

Fires happen. Jobs are lost. Illness or injury surprises. Budgets run tight and families go wanting. The reality is that needs arise, often unpredictably, sometimes around holidays, more times not. Our "Collection Campaigns" – whether of toys or clothing or food – are a staple of the ZGW team. They are a gift to each of us, every bit as much as they may generate gifts for others. The child with an unexpected toy on Christmas eve, the donor who shopped for the toy. The man enjoying the warmth of a "new" coat, and the donor who purged a closet. The householder putting food on their table, and the family who gathered or bought the "fixings." All benefit. At ZGW, our family will continue to use our Collection Campaigns for the benefit of the families of our community.

Support for Specific Populations.

ZGW plans to launch a variety of discount and incentive programs to meet the needs of various customer subsets.

Discounts. As a reflection of our belief in the palliative benefits of cannabis, we will offer a 10% discount to qualifying seniors, and to US veterans and active military to show our gratitude for their service. Low-cost compassionate care programs will be implemented to ensure low-income and/or indigent customers have safe and ready access to both products and information.

Incentives. In order to minimize wait lines and the use of offsite parking, we will encourage visits during non-peak hours and at varying times of the year, through pricing incentives such as "happy hour" prices or "early bird" offerings, driven by the data gathered by our POS software indicating our least busy hours. Additionally, discounts will be offered on different products on different days to potentially distribute the various types of Customers throughout the week.

Environmental Leadership

ZGW aims to be an environmentally mindful business. In addition to supporting ecologically sound practices outside our Facility– we will use our building, our purchases, and our operating practices to take a leadership role in environmental stewardship. From the design, selection of materials, planned addition of solar panels and EV charging stations, to limiting our carbon footprint by the use of hybrid delivery vehicles, minimal paper use, and pro-active recyclings procedures, we will preserve and conserve our precious natural resources while operating in an aesthetically pleasing sales environment. We will implement waste reduction in our purchasing practices, working with our vendors to reduce the often excessive packaging of cannabis products. We will utilize energy-efficient machinery and strive for zero added waste. Inside or outside, our environmental goals are to ensure that we leave a light footprint and protect proximate areas of urban parks and adjacent native habitat, and in so doing, encourage others to do the same.

Deliver the Benefits of Legal Cannabis Retail

ZGW will bring the benefits of legal cannabis retail to the Madera community.

Safety and Compliance: Our retail and delivery environments will be designed and equipped to meet or exceed the highest standards of security and regulatory compliance. We will only sell approved, lab-tested products that clearly convey ingredients, provenance, and dosage information.

Critical Information: All public-facing employees will attend an approved bud-tender training course to help our customers and patients make informed decisions about their cannabis consumption. Printed educational material will be available in-store and online.

Local jobs and taxes: We work with as many local partners as possible to identify, secure, build out, and advertise our premises. We will create a minimum of 22 local jobs that pay a living wage, and remit all relevant license fees and taxes.

Giving Back: We will devote 1% of gross revenue to local causes. We will be good neighbors who bring customers and vitality to surrounding businesses. We will help our customers grow in their knowledge, and we're ideally positioned to react appropriately to any concerning behavior.

Why ZGW?

We are long-term local residents, choosing to raise our families here, contribute to our local economy through our businesses, are deeply invested and engaged in our community, and are long-term participants in the local music and event scene. We will be:

- BEST for the Madera economy, with a target of 100% local hires and professional service providers.
- BEST for Madera consumers, with decades of cannabis-specific experience and a strong commitment to ongoing education, with respect for the critical need to inform and educate.
- BEST for the Madera community, with ongoing and planned financial, resource, event, and manpower support in the areas of disenfranchised youth, housing and food insecurity, and environmental restoration.
- BEST for the Madera environment, adopting best practices for sustainability, alternative energy, and a goal of zero-waste operations.

Every retail applicant is likely to bring either local focus, sound financials, cannabis-specific experience, or a compassionate motivation to their business. It is unlikely that anyone else will bring them all.

We can. We will. We already do.
We are ZGW.

E7 LA, LLC



SECTION 14
COMMUNITY BENEFITS AND INVESTMENTS PLAN

COMMUNITY BENEFITS AND INVESTMENTS PLAN



Cannabis Community Benefits Plan

Element 7 has a strong track record of community involvement – in the last 3 years our company and local owners have conducted the following in California:

1. Element 7 held the largest ever **Expungement Clinic in Fresno** – we partnered with NDICA and the Fresno County Public Defender's Office (Carmen Romero) to help over 200 people in a single day expunge their records. The event was a huge success and demonstrates Element 7's commitment to local equity programs that change lives in communities.



2. Element 7 has held **Job Fairs** with NDICA and the State Economic Development Department in Los Angeles to help minorities access employment in the cannabis industry.
3. Element 7 has contributed funding to the **Big Red Church for Food Bank Programs**.

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4. Element 7 has **donated funds** to the Firebaugh High School Athletics Team for new uniforms. Element 7 also recently donated to the Firebaugh Police Charity Fund for the July 4th Celebrations and City of Mendota for the same event in Mendota.
5. Element 7 has **partnered with social equity applicants** to submit cannabis permits in Oakland, Los Angeles, Tracy, and San Francisco.
6. Element 7 has **Sponsored** NDICA (National Diversity and Inclusion Cannabis Alliance) and **Latinos 4 Cannabis** Programs in their local communities.
7. Greg Moreno has helped do **voluntary coaching** with the YMCA Basketball Team in nearby Hanford for the last 5 years.
8. Greg is a **Member of the Marine Corps League and Wounded Warriors** since 2001. Greg recently joined the **VFW Program** helping to support fellow disabled veterans.
9. Element 7 has financially partnered, backed, and supported JePahl White and **Green Pastures Premium Cannabis Company** to help that company submit a cannabis application for a license in Fresno. In an industry that is rampant with competition, division, and dissociation, we are proud to be helping a social equity applicant secure cannabis licensing.
10. Element 7 recently sponsored '**Stop the Violence**' park clean-ups, and Thanksgiving Tukey's for homeless people (November 2020).
11. **Kevin Massetti** has actively sponsored little leagues, soccer teams, and other community-based sports and cultural programs in **Madera** for the last 20 years. He is an active member of St. Joachim Church and regularly assists with food bank, youth outreach, and other church-based initiatives in the Madera community.



Element 7 Commitment to Madera

We have been engaging the local community within Madera since 2020 when we learned that Madera was considering cannabis in the community. Outreach efforts included personal visits from Robert DiVito (Founder and CEO) and Greg Moreno (Community Outreach Manager), and a Booklet that each neighboring business received that explained our vision and local plans.

We are committed to Madera and committed to meeting the cities performance timelines. Element 7 intends to fully integrate with the community by actively participating as a community member, providing services for unmet needs, and improving the community where it can. To facilitate this integration, Element 7 brings several other key programs that can positively affect the local community beyond a **$50,000 annual commitment** that we have made below to a

range of local non-profits. These programs are managed under two (2) core initiatives through Element 7's business model:

1. **E7 Cares**: E7 Cares is our local outreach platform to build community involvement, health, and impact. Governed by a Board of 5 Members to be elected from the community, E7 Cares puts equity into the hands of the community and commits to a number of annual micro-plans annually designed to drive change in the community.

2. **E7 ONE**: The newly formed E7 ONE program is in direct response to a growing need within the cannabis industry to collaborate and work together to create change, justice reform and broader social equity. The spearhead of our social equity plan is the expungement clinics that Element 7 runs in conjunction with the Public Defender's Office and NDICA. We have ONE industry, ONE plant, ONE community, and we are all ONE people. E7 ONE is operated by a board of social justice pioneers appointed by Element 7 annually.

In addition to all other commitments in this application, Element 7 agrees to provide a one-time donation of $100,000 to the City of Madera on approval of the permit (for General Fund use within the City) and negotiate an additional Public Benefits Tax (1% of Gross Receipts) through a Development Agreement with the City.

Support for Local Non-Profits

The foundation of our community and local efforts is our **Element 7 Cares** program which seeks to do four critical things in each community we operate. Our Mission is to:

1. Integrate as seamlessly and authentically as possible into the local community;
2. Change opinions through education, consistency, and reliability;
3. Get involved with local small businesses, non-profits and other community groups and programs; and
4. Be active in improving the overall local community economically and socially.

Element 7 will be committing **$50,000 annually** to four (4) local non-profits for the purposes of actively building and creating facilities that contribute towards local community development (3 non-profits have been identified below).

Organization Focus	Name of Organization
Community	**Finegold Trust:** Non-Profit committed to building communities through change, trust, and hope. Based in Madera, Finegold is a place of learning and development for all ages. Element 7 received a letter of support (attached at rear) from Andrew Carillo.
Veterans	**American Legion Post 11:** Element 7 actively supports the American Legion across California, working with Weed for Warriors and Battle Brothers to reduce opioid use with veterans. Element 7 is eager to expand this partnership to Madera and help veterans through the SB34 Program.
Veterans	**VFW Post 1981:** Element 7 actively works with the VFW in California, a relationship that is managed by Greg Moreno (Community Services Manager at Element 7) who served for 23 years with the Marines.

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Sports	**Babe Ruth Baseball Madera:** Youth baseball development league based in Madera. Element 7 received a letter of support (attached at rear) from Steve Alvanado.

Community Advisory Board

Our Element 7 Cares program will be headed by a committee that includes 5 of Madera's most influential community leaders. The local community representatives are essential to the governance and accountability of the program and achieving its mission. The local **Community Advisory Board** will oversee all community integration efforts and support Element 7's outreach & service with the local community, the impact of our financial donations, and the community groups that most need our support. Accountability, transparency and integrity can, and should be, maintained and implemented across Element 7 operations, business model and ethos. With the help of the E7 Cares Board - Element 7 will consistently be geared towards earning and safeguarding Public Trust, the health and safety of our patrons and the environment.

Impacting Homelessness

With over 150 homeless people living on the streets of Madera, homelessness is a major social issue in the region, set to get worse as COVID-19 continues to rage through our community. The issue is a complex one and despite many attempts by the private and public sector to resolve the issue, the problems continue. As business owners and operators, despite our intent and goodwill, we cannot claim to truly understand the full extent of the issue or the solutions which is why we have partnered with groups like NDICA (National Diversity and Inclusion Cannabis alliance) and Latinos 4 Cannabis that have a far stronger grasp of the social issues at a grassroots level.

We have appointed Lorenze LaNier as an ambassador and advisor for this aspect of our community support. Lorenze grew up in the heart of Skid Row - as a teen, Lorenze was introduced to the drug business by his mother and received his first felony at 18. Lorenze spent years in and out of jail and lived on the streets. While his mother still lives on Skid Row, Lorenze calls South LA home and is an aspiring entrepreneur and has his own HVAC company.



Lorenze at Skid Row, Los Angeles (center image is Lorenze with his Mother)

Lorenze is part of Element 7's Community Advisory Board and focuses on our approach to homelessness programs and issues across California – interacting with the local non-profits that we partner with in each City to create real and meaningful solutions to problems only people like him truly understand. As Lorenze says, "Don't write us off. A lot of good people

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come from bad places…" Element 7 will commit an additional $5,000 in funds annually to programs in Madera focused on helping with homeless issues. Funds will be directed by Element 7's Community Advisory Board and Lorenze will be Element 7's ambassador for ensuring that those funds are being spent in the right places and on programs that create real solutions.

Local Product and Supplier Sourcing Program

Element 7 will source materials, services, equipment, and team members locally, where possible. Local sourcing seeks to promote and support the vibrant local small business economy and community. We are extremely interested in working with local businesses and would look to form a pool of local business engagements across several industries that supply at least 75% of our local building, construction, equipment, repairs and maintenance needs on an ongoing basis. Identified partners include:

Category	Name of Company
General Contractor	MGM Construction, Madera
HVAC Specialist	Purl's Sheet Metal and Air Conditioning, Madera
Plumbing	Leedway Plumbing, Madera
Electricals	Boyle Electric Shop, Madera
Handyman	The Handy Squad, Madera
Painters	JMV Painting, Madera
Landscaping	Rosenbalm Rockery, Madera
Janitorial Services	One Main Janitorial, Madera
Staffing Services	Spherion Employment, Madera
Vehicle Maintenance	Yosemite Auto Repair, Madera
Catering	Players Smoked BBQ, Madera
Printing	CAL Valley Printing, Madera
Marketing Services	Western Fresh Marketing, Madera

Local Community Engagement Manager

Element 7 will have a Local Community Engagement Manager (Roseann Jasso) to sit within the business, ensuring that a strong local voice is always present at key decision points within the business, and that programs that Element 7 commits to are funded and executed.

Staff Volunteer Program

Element 7 will ensure that it gives back to the community by requiring all full-time staff to commit at least 10-hours quarterly to a local cause or charity. Annually, each staff member will contribute over 40-hours or more of community service beyond the monetary commitments we deliver. These hours will either be used for hands-on volunteering or providing pro-bono support services in the specialist area of the volunteer - business management, design and creative, logistics, processes, and systems.

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Medical Cannabis Discount Programs

Element 7's discount program will give-away and allow for heavily discounted medical cannabis and cannabis goods for sick or low-income medical patients. To enroll in the Element 7 discount program patients will either apply on-line or at the Element 7 facility. The process for enrollment will request the following information from applicants:

1. Medical ID Card and proof of low-income for the last two (2) years (via tax return); or
2. Medical ID Card and proof that patients are receiving state benefits such as welfare, HUD or food stamps.

Participants in the discount program can receive 5 grams of mixed shake or a 20% discount on medical cannabis purchased at Element 7 up to 28g total of THC and 50mg of CBD per month. The discount program is specifically for seniors, retired veterans, HIV and AIDS patients, children diagnosed with autism, epileptics, terminally ill patients and low-income patients. Element 7 will partner with the **American Legion and VFW** to offer medical cannabis, education, and discounts to veterans living in and around Madera.

Element 7 recently supported an event in West Hollywood that served over 75 local Veterans with compliant and free cannabis under the SB34 program. We are committed to supporting similar events in Madera which help veterans access medicine.



Element 7 Partnered with AHHS & Weed for Warriors to get Medicine into Veterans Hands

Craft Cannabis Producers Program

Element 7 has a policy of supporting local and small craft and boutique cannabis farmers and manufacturers. Many of these come from disadvantaged local communities across the State of California. As corporate cannabis operations continue to expand in California, small cannabis growers have begun to develop cooperatives to stay competitive with their large-scale rivals. Co-ops present benefits for smaller marijuana producers:

- By joining forces, these more modest-sized farming operations can offer a steadier supply of cannabis to distributors and retailers.
- Growers can generally market their products more efficiently through a cooperative model.
- Cultivators at the co-op level can share resources, helping to lower operating costs.

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We have an active relationship in place with Red Crow Cannabis – a cannabis cultivation company focused on cultivating cannabis on Native American Tribal Land in California. After having conducted their first season in 2017, Red Crow Cannabis are looking to expand their business in 2018 and we call Richard *Tall Bear* Westerman, the founder and CEO for Red Crow Cannabis, a close friend. Through our Head of Security, we have also formed a relationship with a Veterans Cultivation project in Yolo County – White Wolf Farms. This group provides combat veterans with medical cannabis information, support services, and safe access to high quality medicinal cannabis. White Wolf Farms cultivates high-quality organic outdoor cannabis on a 1-acre plot in Yolo County. We are very interested in identifying other local licensed cultivators and manufacturers from the County that we can collaborate with and will actively identify and work with these groups.

Cannabis Criminalization Reform and NDICA Partnership

A founding principle of Element 7 is to see criminal justice reform for non-violent cannabis offenders as public opinion has shifted in its support of reforming federal and state cannabis laws. Element 7 has partnered at a national level with NDICA (National Diversity and Inclusion Cannabis Alliance) to sponsor and host Expungement Clinics, the first of which was held in Fresno, California. We will commit to holding one (1) annual expungement clinic in Madera annually.

In addition to NDICA, Element 7 is a partner of **Latinos 4 Cannabis** and works closely with this wonderful non-profit to create preferred job placements, job fairs, and training programs for cannabis entrepreneurs (refer to attached Letters of Support).

Environmentally Sustainable Business Practices

Element 7 takes its environmental impact seriously and has developed facility build out and designs in a manner that complies with green building practices. Each Element 7 cannabis business facility has been thoughtfully designed, crafted and built to maximize and maintain resource-efficient, high performing, healthy, cost-effective and compliant operations, that considers sustainability its highest priority. Facilities bring forward the best and most impactful emerging technology that provides for almost 100% renewable and sustainable operations. Element 7 believes that community and the environment go hand in hand. Securing a positive outlook and future for every Element 7 community means being a responsible cannabis business operator who takes each community member, local small business and competitor into consideration. Element 7 is at the helm of an emerging cannabis industry that is quickly making its mark on the country and the world.

- Green building certification/Zero-impact workplace facilities
- Purchasing/local sourcing from sustainable vendors
- Working with environmentally conscious distributors
- Low impact / eco-friendly cleaning products
- Sustainable product packaging
- Implementing emerging technology
- Hybrid 'green' e-vehicles used by all delivery drivers
- LEED Certified consultant employed within Element 7 team
- Drought resistant plants used in landscaping plans
- Automatic 'sensor' lights used in bathrooms, office, and hallways

Public Health Outreach and Education

Element 7 will be an active participant in ensuring that local youth receive accurate information on the dangers of substance abuse at an early age so that they are better informed and more capable of decision-making as they develop and mature. To create and implement this program, we will be approaching local education, youth, and law enforcement groups with a view to either providing monetary resources or educational materials to such groups.

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Community Engagement Events

The need for cannabis education is more important now than ever, and Element 7 plays an active role in delivering this message into the mainstream consciousness by making credible cannabis education accessible in the communities we serve. Element 7 will proactively engage with Madera and nearby County residents, business owners, and officials to cultivate lasting and mutually beneficial connections, sustained by a discreet but visible neighborhood presence. Element 7 seeks to provide tangible benefits to the local community through educational outreach and partnerships with non-profit organizations, municipal agencies, and neighborhood groups.

Summary

Giving back to the local community isn't something we at Element 7 want to be forced to do to gain a business license - rather, giving back is part of our *business with purpose* core belief and mission. We feel proud that we have the opportunity to use our business to create positive change in the local community, leveraging both our people and bottom-line to do good in a range of areas from supporting non-profits through helping disadvantaged patients, reformed cannabis criminals and local businesses.

The work we have done in California over the last 2 years, hosting the largest ever expungement clinic in the City of Fresno, is testament to our commitment to make an impact in Madera. We will continue this work regardless of our success or otherwise in securing a permit for retail operations in Madera. Our programs are designed to enlighten people on the many benefits of legal marijuana and help eradicate consumers from using the illegal and illicit market which supports criminal activity and gives the cannabis industry a bad name.

With a commitment over $50,000 annually to our Element 7 Cares programs and Madera Cannabis Community Benefit Program, along with the 40-hours per full-time employee to the local community, Element 7 will be a force for good in Madera. This is in addition to the one-time donation of $100,000 to the City of Madera on approval of the permit (for General Fund use within the City) and negotiate an additional Public Benefits Tax (1% of Gross Receipts) through a Development Agreement with the City. This is in addition to the 6% Gross Receipts Tax.

We are excited to partner with the city to compliantly bring cannabis to Madera and expand our local footprint in the Central Valley.

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June 20, 2022

Mr. Robert DiVito
Element 7 Madera
645 West 9th Street, Unit #110-631
Los Angeles, CA 90015

RE: LETTER OF SUPPORT – COMMUNITY OUTREACH AND SUPPORT

Dear Robert,

Thanks for your time recently to engage and advise us of your upcoming commercial cannabis application in the City of Madera.

We appreciate you taking the time to walk us through your approach to cannabis in the City and the upcoming cannabis application process. Your commitment to hiring local talent and community support initiatives are progressive and sound exactly what the industry and City requires from operators in your industry.

As a non-profit within the City, support from companies such as yours are exactly what organizations like ours need to support the community and achieve our mission and objectives.

We wish you all the very best in the upcoming process and have no hesitation in supporting your business as a good neighbor and friend of Element 7.

Kind regards,

Name: Andrew Carrillo
Title: Director of Development
Organization: Finegold Trust

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Element 7 Madera
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Los Angeles, CA 90015

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Kind regards,

Name: Steve Alvernado
Title: Member -
Organization: Babe ruth Baseball Madera

GFC CENTRAL, LLC
(dba: East of Eden)



SECTION G.
COMMUNITY BENEFITS AND INVESTMENTS PLAN

Community Outreach

We have worked closely with Nick Salinas and different highly respected local organizations, such as the **Friends of Madera Animal Shelter, Olive Charitable organization, Madera Food Bank,** and the **Downtown Association**, to develop very specific and actionable plans by which the business will support the work these organizations do to uplift the Madera community. The philanthropic initiatives we will undertake with these organizations are detailed in the application. These plans include robust commitments of financial support and volunteer hours each year.

We pledge to give a
minimum of $85,000/ year
to Madera to support community organizations

Friends of Madera Animal Shelter

The Friends of Madera Animal Shelter is a non-profit organization dedicated to the care, rehabilitation, and adoption of domestic animals. Staffed by volunteers, FMAS main goals are: (1) remove animals from homeless situations (2) provide medical care and rehabilitation as necessary (3) place animals in secure adoptive homes (4) provide affordable vaccine & spay/ neuter services and (5) provide resources for stray & feral cats. FMAS rescues 2,000 animals annually and is the best avenue to reduce overcrowding and euthanizing in the shelter.

We met with **Becky Koop**, Executive Director of the Friends of Madera Animal Shelter (FMAS), who gave a tour of their facility, which housed about 15 cats/kittens at the time. Giving us a brief history of the organization, she explained how it has been running for 15 years, primarily running on donations and volunteers. This organization suffered a lot during the pandemic and had to discontinue their program of free cat spaying. At the time, they were housing a section of about 8 felines with a contagious disease, which they were treating. Once they receive a pet in their facility. FMAS takes the appropriate steps to find qualified and loving forever homes through their adoption events.

Historically, Madera has had problems with a higher rate of shelter euthanization, and the Voucher Program helped immensely but ran out of funding, so, in effort to keep trying to support animal loving Madera residents, FMAS has aligned with the Madera Animal Shelter to sponsor a SNIP mobile clinic on July 25th and 26th. While the local alternative option, Hope Foundation, is a cheap option for residents, its located about 30 minutes in

the neighboring city Fresno which can make a huge difference to low income pet owners. The event is spay/neuter focused, hosting 2 mobile clinics for 2 days, which is access to 4 vets for medical appointments, spay/neuter services, training e-collars, and pain meds. SNIP has saved hundreds of thousands of unwanted animals from being born and have spayed & neutered over 20,000 dogs and cats since they began, snipping 26-32 animals per clinic. This would be a first time FMAS collaboration with SNIP for Madera residents.

Upon being awarded a Cannabis Business Permit, we will help sponsor fundraisers and will contribute **$15,000 annually** to The Friends of Madera Animal Shelter. Additionally, we will offer our retail employees paid time off to volunteer at the shelter.

The O.L.I.V.E. Foundation

We met with April Molina, Executive Director at the Safe House, who explained the history of the O.L.I.V.E Charitable Organization. (The acronym stands for Overcoming Limitations through Intervention, Value and Empowerment) Founded in 2015 by Lt. Dan Foss of Madera Police Department and students attending Fresno State University, the O.L.I.V.E. Foundation addresses the gap in resources and agencies for victims of human sex trafficking. Their organization is unique in two ways: (1) they are a sex trafficking non-profit organization that was founded and has direct ties to law enforcement and (2) they have a unique approach as they attempt to empower those whose lives have been stunted in such a devastating way.

It brings a new approach of empowerment to the victims, in that they offer more of a "supportive service" and allow the victims/survivors to succeed in their own decision making. Through education, awareness and outreach, O.L.I.V.E. believes a difference can be made in the lives of the women who have been victimized. They work differently than other organizations; they allow the women to choose their own programs and therapists. If they do not feel comfortable with one they take the time to find them the proper help and guidance. As well the recipients are introduced to different programs and services such as therapists, health providers, or educational classes, to stabilize their inner growth. And while the Olive Foundation started out with a team of law enforcement members and students in Madera, it has now expanded into other locations, such as Sacramento and Los Angeles.

Lt. Foss, Chairman/Founder of the O.L.I.V.E. Foundation, worked hard to open the only safe house in the County that focuses on victims of sex trafficking. Currently, their Madera location is a 4 bedroom dorm house with 1 bathroom, a living room space, and a small kitchen table. And while there is no stove, the women have a 2-burner electric cooktop and manage to bake cookies in a small oven. Currently, there are 3 ladies in the safe house, all which are on different stages of the program.

Upon being awarded a Cannabis Business Permit, we will donate **$20,000** annually to the O.L.I.V.E. Foundation to help these victims of sex trafficking.

Madera Food Bank

The Madera County Food Bank services the entire city of Madera, Chowchilla, Fairmead and all mountain areas including Raymond, Coarsegold, Oakhurst and North Fork. The Food Bank relies heavily on dedicated volunteers to help prepare boxes and bags for the families and senior citizens of Madera County.



When we met with **Ryan McWherter**, Executive of the Madera Food Bank, and **Michelle Ruiz** who is their Operations Manager, they explained their long time service to the Food Bank; Ryan has been there for 12 years and Michelle for 14. We toured their distribution center and Store, which consisted of a large inventory of items such as canned and boxed foods, vitamins, toiletries and even baby products such as diapers and wipes. This Store Program was designed for churches and individuals to shop and pass on recipes of how to cook with the Store products. As well, the Madera Food Bank has a monthly senior "Brown Bag" Program. and gives food to the Madera Rescue Mission, Sunamite Place, amongst many other organizations.

The Food Bank distributes about 40,000 - 45,000 pounds of food to Madera County every month and currently has 3 semi trucks and 2 vans to conduct all deliveries and pickups. As well as donated contributions, they also receive support and food from Whole Foods and Trader Joes, alongside with many other local big retailers.

COVID-19 greatly affected the organization and the needs of the community went up 25%, but they were only able to get $1.4 million in grant help. They are still conducting capital campaigns and searching for loans to fulfill their $800,000 annual budget.

And while things were very well organized, their warehouse was full of equipment, inventory, and a crew of 10 volunteers. Their biggest struggle currently is that they outgrew their current location about 5 years ago, and were able to find a great location to relocate to, which is 3.5 acres and about 20,000 square feet in storage space.

Upon being awarded a Cannabis Business Permit, we will donate **$20,000** annually to The Madera County Food Bank. We understand that this donation will be used to pay the Food Bank's rent. Additionally, we will offer our retail employees paid time off to volunteer at the shelter.

The Madera County Courthouse Park: 9/11 Memorial

Madera County took part in a highly competitive selection process and was chosen to receive one of less than a dozen beams available and is creating a space of honor and reverence and to engage and unite the community. The organization received a beam from the World Trade Center. The beam will be placed on a circular memorial in Courthouse Park, with a path leading to the beam and a viewing seat wall surrounding it. A donor plaque will be laid at the entry with a dedication area behind, adorned in glass pebbles with fire fighting insignias with memorial names. Upon being awarded a Cannabis Business Permit, we will donate **$10,000** annually to the 9/11 Memorial Mural fund for the maintenance and upkeep of the Memorial.



Downtown Association

When we met with **Nick Salinas**, Chief of Staff of the Madera County Board of Supervisors and on the Madera Downtown Association Board of Directors, he walked us through a few projects that we could currently help with.

The Madera Downtown Association was suggested with **Debbi Bray**, the President/CEO of the Madera Chamber of Commerce and the Madera Downtown Association Board of Directors, as our main contact. The Madera Downtown Association supports revitalization of the central downtown area of Madera, such as public displays for holidays, beautification/cleaning efforts, sponsoring increased City parking to increase the business potential serving the people of Madera.

The Downtown Association largely operates off impact fees, which come from parking and limited other contributions from the city. They operate with a $40,000 annual budget and outside of that budget, they do not have any other revenue.

There are 2 programs that the Downtown Association organizes annually, the Old Timers Parade and the Christmas Parade, as well as maintaining and servicing the Christmas lights in downtown.

Old Timer's Day Parade

After having to cancel last year's parade, the Downtown Association is happy to be organizing this historical event again this year. The parade, which was launched during the Great Depression, is now an 89-year old tradition that we would be happy to be a part of. Upon being awarded a Cannabis Business Permit, we will contribute a total of **$10,000** annually (2 times the highest donation/sponsorship amount) to the Old Timer's Day Parade.



4th of July Fireworks

The 4th of July fireworks celebration is an annual community event that happens near our store location. While COVID-19 postponed the event for a few years, the Downtown Association has expressed a desire to bring this rallying celebration back to the community. Upon being awarded a Cannabis Business Permit, we will contribute a total of **$10,000** annually to the 4th of July Fireworks show as we believe this important event helps minimize illegal fireworks in the area.

Partnership with Local Artist

To celebrate opening our store in Madera and in an effort to support the local art community, we have consulted with Patricia Pratt to paint a mural inside our retail store. **Patricia Pratt**, a 3rd generation visual artist from the Central Valley grew up in rural Merced County and continues to reside in the Central Valley. Currently, owns and operates an art gallery and design studio in Downtown Merced, focusing on murals, design, curation and custom products. She also serves as the California Program Director of Urbanists Collective, a Central Valley based non-profit arts organization that promotes career paths for urban artists. This non-profit has painted murals in Madera and recently hosted a group art show at the Madera County Arts Council Circle Gallery. Her personal background and history of the area will help create art that will connect us to our community and residents.

Located opposite of the POS, all of our customers will see this statement upon exiting our store. The cost for this large scale (16' x 8') project has been estimated to start at **$6,500** with a potential to scatter more artwork throughout the store interior.



Mural Design Inspiration

Long Standing Tradition of Giving Back to Our Communities

Our community benefits and investments plan in Madera will build on our history of community involvement in other jurisdictions, such as in Monterey County and Union City. Examples of our proven track record of community outreach are provided below:

We have donated over **$1,000,000** and over **500 volunteer hours**

Combatting Homelessness

We have been a strong supporter of Downtown Streets Team Salinas since 2015. Downtown Streets Team is regarded as one of the most effective organizations working on homelessness issues in California. The group is working to combat the homelessness epidemic in 13 communities across California, including Salinas. Mike is a Member of the organization's Board of Directors and a public champion for the group in the community. Mike works to ensure that Downtown Streets Team Salinas' programming is designed to reach as many local residents in need as possible. Mike also helps the organization tap into more sources of donations in Salinas, further expanding its reach.

Downtown Streets Team offers individuals the option to volunteer to clean the streets in exchange for a path out of homelessness. Those experiencing homelessness volunteer on teams and begin working collaboratively on beautification projects. Team Members who show dedication and leadership skills have the ability to rise up to become Team Leads, then Managers, and supervise others with little or no supervision from staff. In return, Team Members receive a non-cash stipend to help cover their basic needs, while taking advantage of case management and employment services to find housing and a job. The ultimate goal is to transition Team Members into employment.

DOWNTOWN STREETS TEAM



Our work with Downtown Streets Team over the past several years has helped hundreds of vulnerable individuals in Salinas transition into employment. As a result of the success the program has had locally, it has been adopted in communities across California to combat growing trends towards homelessness.

Reducing Youth Incarceration

We are a longtime supporter of Rancho Cielo Youth Campus, a comprehensive learning and social services center that aims to develop alternatives to incarceration for disconnected youth in Monterey County. The organization was started in 2000 by former Monterey County Superior Court Judge Phillips, who was growing alarmed about the growing epidemic of youth mass incarceration in the local community. Rancho Cielo became the loudest and most persistent voice in favor of developing alternatives to incarceration, especially for local youth.

The organization provides services related to vocational training, mental health counseling, and job readiness. As a result of our support of Rancho Cielo's programming, the organization has been able to serve hundreds of additional youths since 2016. Monterey County officials have recognized the organization for helping reduce rates of youth incarceration in some of its most vulnerable communities.



Our work with Rancho Cielo is important given the legacy of cannabis criminalization in the Salinas Valley, which has disproportionately impacted members of minority communities and limited their access to economic opportunity. In addition to providing financial support, we organize and support Rancho Cielo's public events, in which youth receive public support from friends and family to ensure their continued participation in the program.

Supporting the Local Veteran's Community

The veterans community is an important part of the social fabric in Monterey County. The region has a strong sense of connection to nearby military installations, such as those at the Presidio of Monterey, Fort Hunter Liggett, and Camp Roberts. The annual Monterey County Veteran's Parade is one of the most important civic events of the year and is attended by tens of thousands of people. Local residents beginning their military careers take part in a mass oath of enlistment surrounded by friends and family, a very important ceremony in the community.



We have been a supporter of the Monterey County Veteran's Day Parade for the past five years. In addition to providing financial support, our employees have volunteered at the event each year. This includes our commitment to helping organize and volunteer at the "Seniors' Parade", an event dedicated to celebrating senior citizens in the community that are veterans.

Supporting Agricultural Workers

We are a supporter of the Hebbron Family Center in East Salinas, which serves residents that are recent migrants to Salinas. Many of these individuals work in the local agricultural industry. The Hebbron Center aims to promote the educational advancement of farm workers and their family members working in agriculture. It supports projects designed to promote financial and nutritional well-being and independence in these communities. The Hebbron Center also has an advocacy arm, focusing on local and state laws that impact agricultural workers and advocating for changes that improve their livelihood and well-being.



We help support Hebbron Center's programming and its efforts to deliver key services to low-income residents in East Salinas. This includes the organization's citizenship and language classes, its youth literacy programs, and programming to

combat gang recruitment. We sponsor the Annual Spring Celebration at the Hebbron Family Center every year and organize the community raffle that serves as a source of the organization's funding. We have also donated equipment and other resources to the organization.

Improving Police-Community Relations

We have been a major sponsor of Salinas' National Night Out each year since 2015. National Night Out is now regarded by the Salinas Police Department as one of the most effective initiatives the City has for promoting trust between law enforcement and local citizens. Our support of this event in East Salinas' local communities has led to more effective police/community partnerships.



We have sponsored the largest local block party in East Salinas, associated with National Night Out each year. We oversee the programming for the event, including the games and contests, discussion of neighborhood public safety issues, the setting of neighborhood goals, planned community beautification efforts and the Neighborhood Watch Program. Our block party draws thousands of community members each year and has led the Police Department, Fire Department, and other key figures in the City to interact with local residents and build stronger relationships.

As in the other cities in which we operate, we plan to be an outstanding partner and an essential part of the social fabric in Madera, including partnerships with the local police department. As shown here we have a letter from the Chief of Police from Union City demonstrating how we are good partners with the police department and local community.



UNION CITY
california

POLICE DEPARTMENT

June 15, 2022

Subject: Reference Letter

To Whom it May Concern:

I am writing this reference on behalf of Grupo Flor, which opened a retail establishment at the Union Landing Shopping Center one year ago. Grupo Flor was the first cannabis retail dispensary to be awarded a commercial cannabis permit in Union City. They stood out as a strong applicant from the beginning, due in part to their detailed Neighborhood Plan, Labor and Employment Plan, as well as their responsiveness in discussing all aspects of their business and willingness to answer questions or concerns.

Grupo Flor has been a pleasure to work with throughout the process. Their professional and transparent approach has promoted open communication with local law enforcement. Their team is exceptionally organized and has followed all requests, such as security plans and audits. David Gunter, the Director of Security, has collaborated directly with the police department to ensure that all established security protocols for retail cannabis establishments are met.

It is clear that Grupo Flor is an established company that understands the cannabis industry and is engaged in promoting connections within the communities they are located.

Sincerely,

Jared Rinetti
Chief of Police
Union City Police Department

CITY OF UNION CITY
34009 Alvarado-Niles Rd • Union City • CA • 94587
unioncity.org

JIVA MAE, LLC
(dba: Jiva)

SECTION G. | COMMUNITY BENEFITS & INVESTMENT PLAN

The benefits proposed in the Community Benefits and Investment Plan ("**CBIP**") have been developed in response to the City's strategic priorities, goals, and initiatives as detailed in the City of Madera General Plan ("**GMP**"), the Vision Madera 2025 Plan ("**VMP**") and the Live Well Madera County Community Health Improvement Plan ("**CHIP**"). It is the intent of the Company and the CBIP to encourage a well-planned city, good jobs and economic opportunities, a strong community and great schools, and a safe, healthy environment as envisioned by the City and detailed in the GMP, VMP and CHIP.

To foster productive relations with the City, the Company will assign a Community Relations Director and Community Liaison who will be available to liaise with city officials and emergency services providers. These individuals will monitor and attend City Council meetings and will be responsible for implementing project changes to the CBIP as to continue supporting the goals of the GMP, VMP and CHIP.

The Community Relations Director and Advisor will serve as the first point of contact for any concerns that may arise and will be available for contact through the Company's website, email, and phone in case of an emergency. The Community Relations Director, Community Liaison or a company appointed employee will be available 24-hours a day, seven days a week.

THREE PILLARS FOR PHILANTHROPY

The Company is a family of professionals that have banded together to foster social change. The Company, subsequently, is defined by its commitment to community service and engagement as guided by its three pillars of stewardship. These pillars define the Company's identity, and inform its actions as a member of the community:

- **Foster a Safe, Healthy Environment**: The Company believes that shelter is a fundamental human need. In-line with the Goals HS-1 and HS-2 of the GMP, the Company will support initiatives that: 1) encourage safe and healthy environments for all Maderans, and 2) increase access to healthful food and spaces to be active and exercise. In addition to this, the Company will support initiatives that are in-line with the City's Regional Ten-Year Plan for Ending Homelessness ("**RTYP**"). This includes providing support to entities designed to empower existing and future labor, workforce, and affordable housing programs.

- **Protecting Youth and Family Development**: As professional stewards of cannabis, the Company is well-aware of the risk that cannabis poses to children and minors. The Company believes that the best tool in combating underage drug abuse is to provide children with a support network that provides them with a foundation for good decision making, as well as alternative outlets for socialization, stress relief, and self-expression. The Company is committed to protecting and empowering youth and family development services by supporting local non-profit organizations who share in the Company's values and vision.

- **Support Creativity and the Arts**: The Company believes that creativity is an undervalued staple of healthy communities. While food, shelter and safety are necessary for survival, creative activities and outlets foster social, intellectual, and professional skills to improve the vibrancy of individual community members and community at large. With California's public arts and music education now in crisis, the community's dependence upon non-profit and private support for the arts has increased significantly. The Company is committed to helping local educational and non-profit arts organizations overcome the hurdles that the public sector is unable to tackle alone by providing its monetary and volunteer support. In addition, the Company will promote local arts and creative programming both within the store and immediate neighborhood it inhabits.

CORPORATE IDEOLOGY

The Company has identified several ideological strategies to ensure that it will serve the local community and continually act in line with its foundational pillars of stewardship. These ideological strategies include:

Local Engagement: The Company intends to maintain a comprehensive Community Benefits Plan (CBIP) that identifies the specific means through which the Company will support City sponsored initiatives, including long team public/civic partnership projects, short term capital improvement campaigns, and one time and recurring community engagement opportunities and events. The Company shall also designate a Community Relations Director and Community Liaison to be responsible for regularly communicating with the city officials, neighbors, local stakeholders, and emergency services on the Company's behalf.

Conscious Consumerism: Nonprofits and small businesses enhance the cultural fabric of the community and are the key to conscious consumerism. The Company is committed to supporting conscious consumerism by donating one-percent (1%) of each transaction to a non-profit. Donations will be made via the Beam Impact System or the Company's Loyalty Donation Points Plan, which allows customers to accumulate points that can be later redeemed in the form of a donation to a select non-profit or charity. To support small

businesses, the Company will additionally retail grab-and-go style meals and snacks, and other non-cannabis goods that have been prepared by other local businesses.

Youth Prevention: Proper education and effective dialog play a critical role in helping the youth as they attempt to reconcile the rising tide of cannabis against existing federal laws. This education can help them understand why it is in their best interest to abstain from cannabis until the legal age and may influence any future decision they may make regarding consumption. The Company aims to protect youth and minors by taking action to ensure that they do not use or experiment with cannabis or cannabis products. But this can only happen if proper educational, counseling and mentorship programs are made available. The Company, therefore, aims to develop a comprehensive outreach program that will prioritize these types of educational, counseling and mentorship programs.

Social Justice: The Company is dedicated to social justice and to mitigating the impact of the "War on Drugs," which has historically belied a war against immigrants and people of color. The Company aims to partner with cannabis entities such as the Drug Policy Alliance to ensure that it is equipped with the latest, most up to date and accurate cannabis educational materials available. The Company, additionally, will spearhead a joint effort with locally licensed cannabis operators, community leaders, and city officials to create economic opportunities for those who have been impacted by the War on Drugs.

Intersectional Environmentalism: Intersectional Environmentalism identifies the point at which social injustice and environmental affect cross as a means to identify how these in-equalities negatively impact the environment. The Company is committed to this model and constantly challenges itself to identify how it can: 1) Mitigate damage to the environment by combatting acts of social injustice, 2) Source sustainable and locally produced goods from businesses who have been a victim of social injustice, such as a social equity owned company, 3) continue to move to organic and plant-based materials throughout the supply chain, and 4) Be proactive in our engagement with suppliers and distributors to minimize and eliminate single use plastic and packing. The Company's retail shopping bags and e-commerce mailer bags are also 100% biodegradable.

METHODS OF CONTRIBUTION

The **Community Benefits and Investment Plan** ("**CBIP**") describes the methods through which The Company proposes to provide direct aid and benefits to the local community. These benefits include:

- 1. Monetary and In-Kind Donations
- 2. Financial Support for City-Sponsored Activities
- 3. Volunteer Services
- 4. Local and Diverse Hiring Practices
- 5. Health Education

1. MONETARY AND IN-KIND DONATIONS

The Company aims to provide the following forms monetary funding and in-kind donations to the local community, including the entities described below:
:

- **Charitable Contribution Fund**: The Company will develop a Charitable Contribution Fund ("CCF") to provide funding for the CBIP. Per CCF policy, the Company will contribute one percent (1%) of its gross receipts to the CCF on an annual basis. Donations from the CCF to non-profits, local programs, and charities as stipulated by the CBIP are made in addition to the mandatory City Cannabis Tax (6%), which is provided to Madera.

  The CCF can operate in one of two ways. First, the Company can control and allocate the specific funds in the many ways described herein, or payments can be made directly to the City. The City would then distribute the funds to local area nonprofits most in need. The Company shall meet with the City at least once a year, preferably twice depending on the City's election, to identify City funding priorities for the upcoming year and review programs funded in the prior year.

  The Company anticipates contributing nearly $560,000 in monetary donations from the CCF during its first five years of operation. During the next five years of operation, years six through 10, the Company anticipates contributing an additional $650,000 from its CCF to non-profits, local programs, and charities identified in the CBIP having a gross community impact of approximately $1.2 Million during the Company's first 10 years of operation. With the CCF the Company aims to:
  - Promote commercial development that enhances economic vitality and sustainability that meets the present and future needs of Madera residents, visitors, and the regional community.
  - Maintain and enhance the economic development of the North Madera commercial shopping district as a viable service commercial, specialty retail, office, cultural, and civic center, and source of community pride.
  - To assist the City in supporting Madera community nonprofits, the Company shall provide monetary donations to the City through its CCF in excess of the City Cannabis Tax.

The Applicant's gross revenue forecast for Y1 is approximately $9.9M, Year Two ("Y2") it is approximately $11.2M, and Year Three ("Y3") it is approximately $12.3M. Per CCF Policy, these revenues warrant that one percent of annual gross be contributed to the CCF for a total of nearly $334,000 in contributions. See the table below, reflecting the CCF allocation for Y1 through Y5 as based on projected gross sales, the approximate dollar amounts associated with the annual CCF Rate ("CCF Rate,"), and the Gross Receipt Thresholds.

Please view and reference Section A, the Business & Operations Plan and) to view the associated Financial Model that includes a 5-Year Pro-Forma and Financial Projections.

Year	Projected Total Gross Sales	Gross Receipt Thresholds	Annual CCF Tax Rate	Annual CCF Amount (Approximation)
Y1	$9,909,750	$0 - $14,999,999	1.00%	$90,922
Y2	$11,241,790	$0 - $14,999,999	1.00%	$103,143
Y3	$12,339,682	$0 - $14,999,999	1.00%	$113,317
Y4	$13,367,531	$0 - $14,999,999	1.00%	$122,647
Y5	$14,144, 911	$0 - $14,999,999	1.00%	$129,789
Y6	TBD	>$15,000,000+	1.00%	Over $150,000

In total, the Company anticipates providing the city with over $750,000 in total community benefits during its first five years of operation alone:

- CAP Donation: $150,000
- Anticipated CCF Donations: $560,000
- Volunteer and Community Services: $50,000
- In Kind Donations TBD

❖ **One Time Donations**: As a sign of goodwill to the City, the Company has already made one-time donations of $3,500 to local nonprofits and organizations, including those listed below:

Self Help Enterprise	$250.00
Habitat for Humanity	$250.00
Madera County Rescue Mission Inc	$250.00
United Way Fresno and Madera Counties	$250.00
Madera County Food Bank	$250.00
Big Brothers Big Sisters of Central California	$250.00
Madera PD Explorers Program	$250.00
CASA of Fresno/Madera County	$250.00
Pequeños Empresarios Inc	$250.00
Camp Fire Heart of California	$250.00
Soroptimist International of Madera	$250.00
Madera County Arts Council	$250.00
Friends of the Library	$100.00
Madera Chamber of Commerce	$100.00
Rotary Club of Madera	$100.00
Madera Evening Lions Club	$100.00
Greater Madera Kiwanis Club	$100.00

Ongoing Donations from Proceeds: The Company's **Charitable Contribution Fund ("CCF")** is a continuous fund that provides on-going funding and volunteer service to local nonprofits and charitable organizations. The monetary value of the CCF is determined by the Company's gross receipts. One percent (1%) of each transaction will be donated to a group of non-profit charities curated by the Company using either the Beam Impact System or the Company's Loyalty Donation Points Plan.

1. **Beam Impact System** ("**BIS**")**:** While most consumers appreciate brands that are aligned with their own values, few are aware of programs like the CCF or the positive impact their spending has on the local community. Even fewer

customers are aware of whether or not these commitments and promises are actually being met. To help curb this imbalance, the Company intends to implement the BIS, a technology platform that allows consumers to decide which non-profit charity will receive the donated 1% of their total transaction. The Company has shortlisted following non-profit services for inclusion in the BIS based upon the Company's three professional pillars of stewardship:

Pillar One: Foster a Safe, Healthy Environment

- **Self-Help Enterprises ("SHE")**: SHE is a nationally recognized community development organization whose mission is to work together with low-income families to build and sustain healthy homes and communities. Since 1965, SHE's efforts have touched the lives of over 55,000 families. In addition to homebuilding and ownership, SHE offers a multitude of housing programs to support families, including home repair, community development, housing related consulting services, emergency services and sustainable energy solutions. The Company has made monetary donations to support SHE and shall provide monetary contributions and volunteer services to support SHE going forward.

- **Habitat for Humanity Greater Fresno Area**: Habitat for Humanity ("HFH"): The Company is a proponent of nonprofit organizations that provide affordable housing services. HFH Greater Fresno Area builds affordable housing for low-income families and provides free first-time homebuyer education workshops in Madera and throughout the County in English and Spanish. The Company shall offer donations and/or volunteering services to HFH to support its core values such as partnership, equity, stability, and legacy. The Company has made monetary donations to support HFH and shall provide monetary contributions, professional support, and volunteer services to support the HFH going forward.

- **Madera Rescue Mission** ("MRM"): The Company has made a monetary donation to and shall support MRM and has made a donation to support MRM's continued solutions to homelessness issues within the City and County. MRM's mission statement of serving the least, the last, and the lost with radical hospitality resonates with the Company. The Company has made monetary donations to support MRM and shall provide monetary contributions and volunteer services to support the MRM going forward.

- **United Way of Fresno/Madera Counties** ("UWFMC"): The UWFMC funds community benefits programs and initiatives in Fresno and Madera Counties. The UWFMC funds community benefit organizations whose strategies align with the Company and can meet UWFMC standards of excellence, and that provide programs focused on the three UWFMC building blocks: health, education, and financial stability, employment, and career opportunities. UWFMC's SparkPoint program helps change low-income residents' lives through free financial and career education and coaching. SparkPoint's three primary focuses are increasing income, managing credit, and building assets. The Company has made monetary donations to support UWFMC and shall provide monetary contributions and volunteer services to support the UWFMC going forward.

- **Madera County Food Bank** ("MCFB"): Food insecurity often leads to poor nutritional diet leading to obesity, heart disease, hypertension, and other chronic diseases. To ensure families have access to healthy food options, MCFB has been serving the food needs of Madera County since 1999 and distributed food to families and seniors in need for over 20 years. MCFB relies heavily on dedicated volunteers to help prepare boxes and bags for the families and senior citizens of our county. The Company has made monetary donations to support MCFB and shall provide monetary contributions and volunteer services to support the MCFB going forward.

Pillar Two: Youth and Family Development

- **Big Brothers Big Sisters of Central California** ("BBBS"): For more than 50 years, BBBS has operated under the belief that inherent in every child is the ability to succeed and thrive in life. Bigs in Blue is a program of BBBS and serves to strengthen the bond between communities and law enforcement. Local law enforcement, social services and schools work collectively to support youth who are struggling in school. The Company has made monetary donations to support BBBS and shall provide monetary contributions and volunteer services to support the BBBS going forward.

- **Madera Police Youth Explorer Program** ("MPYEP"): The Company intends to provide volunteer services and/or monetary donations to continue to support the MPYEP, which is an organization of which 100% of proceeds go to support the adolescents. The Company has made a donation to support MPYEP and shall provide monetary contributions to support the MPWEP going forward.

- **Camp Fire Heart of California** ("CFHC"): CFHC the opportunity for young people to find their spark, voice and discover who they are by building their self-confidence and skills at an early age. Their research-based approach aims to increase a child's sense of purpose, social competence, school engagement, lead a

healthy lifestyle and achieve their full potential. The Company has made monetary donations to support CFHC and shall provide monetary contributions and volunteer services to support the MCAC going forward.

- ➢ **Pequeños Empresarios Inc.** ("PEI"): PEI is a non-profit organization founded in 2010 whose mission is to empower children and provide them with the tools to succeed in life. PEI provides workshops in Spanish for kids between 7 and 17 years old that help them improve their social and family bonds. Through their services, children develop their self-esteem and gain finance, manners and environmental knowledge while learning a second language. The Company has made monetary donations to support PEI and shall provide both monetary contributions and volunteer support to PEI going forward.

- ➢ **Soroptimist International of Madera** ("SIM"): The Company is a proponent of gender equality, and its corporate team and advisors include several women with minority backgrounds. The Company intends to forge a relationship with SIM through it's Community Liaison, who was the proud recipient of a SIM scholarship. SIM has made great strides in helping women and girls throughout the community and has remained true to their mission of serving as a global volunteer organization that provides women and girls with access to the education and training, they need to achieve economic achievement. The Company has made monetary donations to support SIM and shall provide both monetary contributions and volunteer support to SIM going forward.

Pillar Three: Support Creativity and the Arts

- ➢ **Madera County Arts Council** ("MCAC"): The MCAC brings together artists, organizations, and art enthusiasts to advocate, promote and provide opportunities to create and celebrate the arts for all Madera County residents and visitors. Through leadership and innovation, they are committed to nurturing and inspiring the arts and artists in Madera County by cultivating a place for creative discovery, community, and dialogue. The MCAC manages an arts-in-education program, performances and visual/performing arts classes for children, professional support for artists, exhibits year-round in the Circle Gallery, annual arts competition Celebrate Agriculture with the Arts, and newfound coalitions for visual and performing artists. The Company shall continue to support their efforts through monetary donations and volunteer service. The Company has made monetary donations to support the MCAC and shall provide monetary contributions and volunteer services to support the MCAC going forward.

- ❖ **In-Kind Donations**: Many organizations require not only financial contributions but also tangible items. The Company is committed to hosting quarterly donation drives to gather items such as non-perishable food items, coats for kids, school supplies, athletic equipment, professional clothing, and toys around holiday times.

  - ➢ **Loyalty Donation Points Plan** ("**LDPP**"): If the BIS is unavailable or non-compliant, the Company will implement a LDPP. This plan allows customers to accumulate points based on the value of their transactions. Customers, via the Company website or retail location, can use their points to make donations to a selection of non-profit charities curated by the Company.
  - ➢ ***The Company Life Program*:** Patient customers who face economic hardships or physical disabilities that limit their ability to purchase medical cannabis may qualify for the Company Life Program. Patients who qualify will receive complimentary medical cannabis every week and access all services within the limits of City and State laws. The Company's medical-first approach certifies that less fortunate patients must have access to generous patient care programs. The Applicant's Executive & Management Committee will determine qualification for The Company Life Program on a case-by-case basis considering factors such as economic hardship and the severity of a patient's medical condition.

2. FINANCIAL SUPPORT FOR CITY-SPONSORED ACTIVITIES

In addition to the CCF, The Company will provide a one-time donation of $150,000 for City Sponsored Activities that are in-line with the Company's core values, three pillars of stewardship and the goals outlined in the City's GMP, VMP and CHIP through its **City Action Plan ("CAP")**.

- ❖ To assist the City address , the Company will make a CAP donation of $150,000 to the City of Madera or to another entity as directed by the City in five equal installments of $30,000 paid annually over the Company's first years of operations. The City, (not the Company) will determine which specific organization or cause is the beneficiary of these funds however CAP funds are intended to be divided equally (1/3, 1/3, 1/3) among three strategic funding priorities: 1) Safe & Healthy Environments, 2) Youth and Family Development, and 3) Support Creativity and the Arts.

CAP Goals	Allocation Percentage	Donation Amount
Safe, Healthy Environment (1)	33.3%	$50,000
Youth and Family Development (2)	33.3%	$50,000
Support Creativity and the Arts (3)	33.3%	$50,000

3. VOLUNTEER SERVICES

The Company shall contribute 500 hours of volunteer and community service to nonprofit organizations, associations, and programs within the City as mentioned in detail below. The Company will encourage staff to volunteer and will offer each staff member twenty (20) paid hours of work time to contribute to our overall goal of achieving 500 hours. If the Company is unable to provide 500 collective staff volunteer hours, the Company will convert the deficit in hours to a financial contribution to the CCF. For each incomplete hour, $20.00 will be deposited into the CCF.

From Spring until Fall, team members shall participate in monthly garbage clean ups in the surrounding neighborhood.

Additionally, the Company will implement an incentive program to encourage employees to sign-up and perform unpaid volunteer and community service hours. Annual bonuses will be awarded to those employees who perform 20 or more hours of volunteer work and community service. Anticipating a staff of approximately 19, the Company aims to provide up to 400-hours of additional volunteer and community service during Year One of operation. The non-profit organizations that have been shortlisted as potential ongoing beneficiaries of the BIS are also targets for the company's volunteer support programs.

In addition to volunteering within local nonprofits the Company will encourage its directors, managers, and employees to participate in the community's various service clubs, including:

- **Rotary Club:** The Company has made a monetary donation to the ***Rotary Club of Madera.*** The Company's mission aligns with the RCM's commitment to service as a worthy enterprise. Therefore, the Company will support the Madera's Rotary Club and its efforts to hold high ethical standards in business and professions, and advance goodwill and peace through service.

- **Madera Evening Lions Club:** The Company has made a monetary donation to the ***Madera Evening Lions Club***, whose vision is to be a global leader in community service. The Company shall continue to support their efforts through volunteer service and monetary donations.

- **Greater Madera Kiwanis Club**: The ***Greater Madera Kiwanis Club***, a nonprofit service club, focuses on community service and assisting local children and youth. The club appropriates funds collected from their sponsored events and reinvests them in the local community in a variety of ways. Kiwanis is dedicated to improving children's lives and those less fortunate within the community that "serves one child one community at a time." The Company has made a monetary donation to their annual Mother's Day Run. The Company supports Kiwanis's mission of focusing on Madera youth's issues through youth sports, enrichment activities, leadership programs, and scholarships.

4. LOCAL AND DIVERSE HIRING

The Company believes that it can further invest in the community by providing residents with opportunities for competitively paid, professional positions in the cannabis industry. It is the goal of the Company, therefore, to offer between 75% and 90% of its first offers for employment to residents of the City and County. Utilizing a local first approach to staffing, the Company anticipates the following community benefits:

- **Stimulate Economic Prosperity:** The Company will provide competitive and rewarding career opportunities. When hiring, the Company will prioritize City residents and County locals. The Company will invest time and energy in training employees who seek long-term opportunities and offer compensation that reflects this training and level of commitment. The Company's internal promotion strategy will first offer our employees and staff an opportunity for advancement. The Company intends to provide optimal wages, a robust benefits package, incentivized benchmarks, and healthcare. The Company will provide residents a unique career path in this unconventional industry.

- **Create Up To 20 Jobs:** The Company intends to initially hire up to nineteen (19) local City and/or County employees, including four (4) full-time salaried managerial positions (General Manager, Operations Manager/Assistant GM, Sales Manager, and an Inventory Controller), and full-time and/or part-time employees such as (1) Neighborhood & Community Liaison (NCL), (6) Hospitality & Operations Associates (HOAs), (2) Customers Experience Specialists (CES), (1) Fulfillment

Specialist (FS), (2) Delivery Operations Associations (DOAs), (1) Quality Assurance Specialist (QAS), (1) Neighborhood & Community Liaison (NCL), and (1) Administrative Associate (AA).

- Pursuant to MMC Section 20.40.177(P)(1), Labor Peace Agreements, prior to CCB retail storefront operations, the Company shall enter into a Labor Peace Agreement ("LPA") once the Company has five (5) or more employees.
- By year three (Y3), the Company anticipates having over twenty (20) employees.
- The Applicant will also contract with a local Madera security company to provide (2-4) Security Specialists at the facility.

❖ **Generous Compensation and Benefits:** All of these roles will be compensated generously. The Applicant considers comparable salaries for roles in the surrounding region, to be paid a living wage exceeding the State, federal minimums, and the City's living wage minimums. The Company plans to offer comprehensive and generous health benefits, a sick leave policy, and career development training. After 90 days of employment, each employee will be offered a full benefits package, including health and dental insurance, a 401(k) plan, and other benefits. The anticipated total cost of wages/salaries plus the robust benefits package for full-time employees within the first year will be approximately $1,000,000. The Company plans for an annual cost of living increase in salary and will offer internal promotion opportunities. The Company will approach hiring, promotions, and other personnel decisions with best-practice procedures to maintain a diverse staff.

❖ **Career Development:** The Company wishes to assist the community with economically sustainable employment. One aspect directly related to cannabis is assisting individuals in career development by providing legal aid to expunge records related to non-violent cannabis crimes and to partner with organizations like ***Workforce Development Board of Madera County***. The Workforce Assistance Center is a proud partner of America's Job Center of California Network. Workforce Assistance Center provides workforce development services that assist local businesses to thrive, while training youth and adult residents to find their path to good jobs. These services are funded by the Madera County Workforce Investment Board (MCWIC). The Company will provide workforce programs with annual monetary donations to support their development services.

WORKFORCE DEVELOPMENT BOARD OF MADERA COUNTY

5. HEALTH EDUCATION

The Company supports educational awareness programs that promote the appropriate consumption of medical and adult-use cannabis. This includes information about potential drug abuse and addiction. As part of the intake and orientation process, the Applicant will provide all customers and patients with up-to-date and scientifically based educational materials.

❖ **Outreach Program:** The Company aims to develop a comprehensive outreach program that will prioritize local engagement and education. The Company welcomes the opportunity to educate the community about the appropriate consumption of medical and adult-use cannabis, as well as, the risks associated with its consumption, and aims to collaborate with the city and other locally licensed cannabis entities to develop additional outreach programs. Organizations the Company may choose to work with include, but not limited to, local nonprofits, community-based organizations, civic organizations, or social services organizations, and programs focusing on issues pertaining to education & youth development, substance abuse support & education, domestic violence prevention, public & environmental services, senior citizen programs, career development, developmental disabilities & special needs, and homeless service programs.

ADDITIONAL COMMUNITY BENEFITS, STANDARDS & INCENTIVES

As a proposed member of the community, the Company has developed additional professional standards to ensure its operation continually provides benefits to the community and in no way hinders, negatively impacts, or degrades the existing quality of life. In other words, these standards are designed to ensure the Company is at all times providing a financial, professional, and cultural benefit to the City of Madera and the local community.

❖ **Respect for the Community:** The Company requires each new hire to sign a statement of Non-Discrimination as part of their employment and operating agreements. This signed statement binds each member to practice non-discrimination in hiring practices, day-to-day business operations, and at all times when acting as an agent or representative of the business. To the Applicant, non-discrimination is not limited solely to those "protected classes" enumerated in law. Just as the City respects and supports all people, the Company embraces a similar approach, extending its respect and support to all people, no matter race, creed, religion, age, sexual or gender orientation. The Company promotes mutual respect, courtesy, and thoughtfulness in all interactions.

❖ **Responsive Communications:** The Company will react immediately (within 24-hours) to community concerns. The Community Relations Director and Community Liaison will serve as the first point of contact for any concerns and will be responsible for initiating any corrective actions required to address a concern. The Community Relations Director and Liaison can be contacted through the Company's website, electronic mail, and by phone in the case of an emergency. In addition to

this, a dedicated employee and/or a Community Liaison ("CL"), will be available 24/7 through the Company website, electronic mail, and phone in case of an emergency.

- **Maintain Quality of Life:** The Company will provide cultural and educational opportunities to the community to ensure a safe and supportive community environment. Through these opportunities, the Company will create an environment that facilitates community empowerment, public safety, and an enhanced quality of life. The Company intends to make a positive impact on the community and wishes to see it thrive. To that end, the Company's team of Security Specialists will establish a continuous dialog with law enforcement and will see to the development of an anti-abuse campaign designed to prevent drug and alcohol use/abuse amongst youth and children. The Company, additionally, will invite the City's Police Department and the City/County Fire Department's respective personnel to the Company's CCB retail storefront regularly to assess its vulnerabilities. The Company will perform regular outreach to community watch groups to apprise them of activities and provide an open-door policy for residents to voice concerns or provide feedback.

- **Promote Economic Development:** The Company envisions economic development in three parts: integration with local businesses, local hiring, and supporting individuals affected by cannabis criminalization. The Company, in-line with this vision, will offer local suppliers a "first-look" to fulfill the Company's business needs while promoting local businesses' goods and services whenever possible. This will create a foundation that will help educate and train individuals affected by cannabis criminalization to succeed in the cannabis industry. The Company will embrace local hiring practices and will utilize an internal promotion structure that includes educational training opportunities for all employees. The Company will encourage and, at times, subsidize expenses to attend workshops, conferences, and additional training to help employees improve their professional skills. This promotion structure will allow the Company to hire in-experienced operators and develop them into competent cannabis professionals. To ensure residents receive a first look at new opportunities, the Company's job opportunities will first be made available through the local job boards, newspapers, and other local venues. The Company commits to exceeding the livable wage, which will have a far-reaching impact on the City's economy.

- **Public Safety:** The Company has provided a preliminary Fire & Life Safety plan prepared by a professional fire and life safety consultant. Additionally, as detailed in the Company's Security Plan, the Company has secured a reputable and experienced Security Compliance Advisor ("SCA") to design and implement all facets of security procedures. The SCA, or a designee, will be tasked with directly communicating with the City's police or fire and other first-responders to address all concerns and comments. The Company takes a proactive stance on public safety and intends on inviting local law enforcement and firefighters to tour the operation and provide a threat vulnerability assessment.

- **Enhancing the Vibrancy of the City:** The Company seeks to enhance the quality of life in Madera by funding community-based organizations that promote: City's arts-oriented associations, food and culture, parks and recreation centers, and libraries. The Company will also contribute to programs that improve public safety, make environmental and ecological improvements, and encourage economic development. The goal is to help maintain the City's status as a vibrant, health-conscious part of the County. The Company grant program will provide grants to programs and institutions in which the City already has a vested interest. In this manner, the Company can reinforce City programs that are focused on enhancing economic and neighborhood development, which, in turn, will improve the overall quality of life for City residents.

- **Service to Economically Disadvantaged:** The Company will offer a reduced pricing plan for qualified low-income patients/customers and military Veterans, as well as a program offering complementary medicine upon approval to qualified patients in accordance with City and State law. The Company shall support seniors, military Veterans, and SSI patients with regular 20-30% discounts on products and services.

EVALUATION



Our evaluation team will work with the City and local partners to track and access statistical indicators in assessing the efficiency, effectiveness, relevance, and sustainability of CBIP implementation, and to document the results of the plan in relation to its overall objectives and expected results as defined in this document. These data points and lessons learned will be shared with the community and used to inform ongoing decision-making, recommendations and support evidence-based practices and policies when supporting future efforts.

This CBIP has been developed by Raj Pottabathni (Managing Director), reviewed, and assessed by Community Benefits Advisor, with assistance from See Lee (Community Relations Director). Collectively, they have developed comprehension of the City's goals to advise the Company to establish outreach programs and create partnerships with local nonprofits and charitable organizations/associations. Their commitments towards the City's beneficial assistance shall strategically ensure the Company can provide volunteer efforts, allocate charitable donations, and steer positive partnerships and programs.

OTC MADERA, LLC
(dba: Off the Charts)

OTC GIVES BACK!

Just like we operate as a family, we believe our community should be treated like one.

Follow our Instagram to learn about what we do to give back to the community and join us along the way!

Follow otcXcommunity













COMMUNITY BENEFITS & INVESTMENT PLAN



Off the Charts ("OTC") is focused on serving the community in which we operate, and each community has its own unique sense of identity and history. Madera's diverse cultural history, character, and sense of place speak for themselves, and we look forward to working with the Madera community to conscientiously integrate our proposed retail business into the City's existing social fabric. OTC has developed a Community Benefits and Investments Plan that outlines strategic initiatives, company policies and outreach efforts to enrich the quality of life for individuals in Madera. OTC's community benefit efforts include: (1) engaging in sponsorship of community events; (2) collaborating with City officials and local entities on ways to enhance Madera's current quality of life; (3) donating resources and funds to youth programs; and (4) partnering with local organizations that facilitate opportunities and equity for residents. Internal policies and procedures of our Community Benefit Plan include developing a network of business reciprocity and increasing local expenditures, hiring locally, working with local vendors to source equipment, supplies and services and maintaining beneficial relations with employees. This strategy has proven to be effective in our other cannabis businesses throughout Southern California where we have donated hundreds of thousands of dollars and hundreds of volunteer hours to local partner organizations along with roughly $200,000 monthly tax contributions to the City.

OTC is committed to becoming an integral member of the Madera community. We have joined the Madera Chamber of Commerce and we have outlined our Community Benefits and Investments Plan to feature a heavy emphasis on supporting a vast array of local organizations and their respective causes. OTC has selected these organizations and together we can improve the surrounding community's social equity and quality of life through preservation and enhancement of the city's local environment and resources. OTC is steadfast in its commitment to serving Madera and being stewards of the local business community. Our team's community-focused approach has been a large part of our success and we look forward to applying that same community-first approach to the City of Madera.

GOALS

The Community Benefit Plan is designed in congruence with Madera's 2009 General Plan and the 2025 General Plan Vision to address the most significant needs of the community within a reasonable timeframe. We have carefully evaluated the guiding principles of the 2009 General Plan and 2025 General Plan Vision, and our Community Benefits and Investments Plan is designed to help the city and local organizations to accomplish the following goals:

1) **Well-Planned City**: Physical aspects of Madera's growth. Affordable housing, balancing residential, commercial, agricultural needs and providing efficient services are significant concerns for a growing community. Open communications between the community and local governments are vital to a healthy city.
2) **Good Jobs and Economic Opportunities**: good jobs, a well-trained, well-paid workforce and a broad spectrum of business opportunities. The vision underscores the need to attract commercial and retail businesses and to encourage residents to buy locally.
3) **A Strong Community and Great Schools**: Development of leadership, expansion of educational opportunities, support for the arts and recognition of the Madera's unique culture. Support for Madera's youth in education, after-school programs and sports activities reflects the community's desire to create a caring environment in which to raise a family.
4) **A Safe, Healthy Environment:** Protecting Madera's natural resources, enjoy a secure community and provide healthy educational and recreational activities. The Vision recognizes the need for Madera's parks and open spaces to be convenient and well-maintained. This statement also emphasizes excellent health care and related services for all community members.

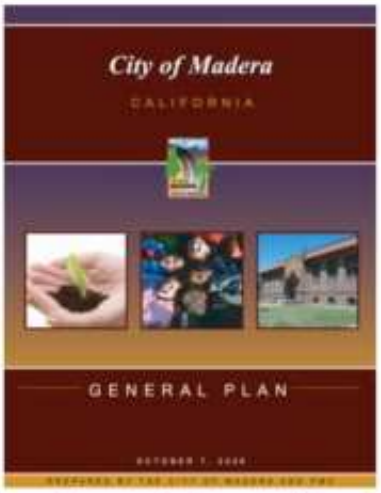
OTC commits to maintaining these community benefits goals throughout our business activities and evaluating the city's needs over time to ensure synchronicity with the city's community goals. We look forward to helping improve

health and socioeconomic outcomes in Madera through a multi-faceted approach of sponsoring community events, in-kind donations to charitable organizations, promoting the city's historical, cultural and social fabric, local sourcing practices and various other initiatives. Below are some additional partnerships, initiatives and contributions that ae included in our Community Benefits ands Investments Plan for the City of Madera.

GUIDING PRINCIPLE: A WELL-PLANNED CITY

The support outlined in our Community Benefits and Investment Plan extends beyond local non-profit and charitable organizations to the Madera directly. We have carefully researched the current initiatives that the City is executing and have determined how to best align our Community Benefits and Investments Plan with these initiatives.

FINANCIAL SUPPORT: MADERA GENERAL PLAN UPDATE



While compiling the application materials and speaking with attendees of city meetings it has come to our attention that the City's current General Plan's latest version is from 2009 and despite the Vision 2025 component, the General Plan is in need of a comprehensive update. OTC would like to support the Vision 2025 efforts and the Madera General Plan in the form of a $15,000 donation and the provision of any information, community data, volunteer hours or any other form of support. This initiative is aimed at providing a comprehensive update to the City's General Plan along with any additional updated documentation that the City is trying to compile. Today, Madera faces a very different set of conditions and challenges than when the current General Plan was adopted over 10 years ago. The development of a new plan will allow the city to address some of the more current issues the community faces as a result of the ever-changing cultural landscape of Madera. The initiative provides community members many opportunities to participate and share their ideas during the General Plan Update process; these include meetings with community groups, online surveys, community workshops, community pop-up events, planning and commission study sessions, and city council study sessions. As part of our effort to support this initiative we will have our Community Relations Officer (CRO) attend meetings, study sessions, workshops and pop-up events to join in on the General Plan Update process and discuss ways in which OTC can assist the initiative be it through monetary contributions or volunteer service. Our CRO comes from a multi-generational Madera family that has been up to date and seen the changes within the city over the years. They will be an integral resource for OTC to lean on as we prepare for local outreach efforts. Their involvement in the initiative's activities will also give OTC a better understanding of where they should focus their future charitable efforts to best serve Madera's vision for the future.

GUIDING PRINCIPLE: GOOD JOBS AND ECONOMIC OPPORTUNITIES

The community benefits and investments that OTC is bringing to the City of Madera are primarily rooted in the compensation and benefits that we provide for our staff, which directly translate into increased tax revenue and purchasing power generated by the Madera community. We plan to staff 23 employees upon initial opening with an increase to 30 employees at full capacity, which we have projected will occur within one year of operations. We are committed to local hiring throughout operations in Madera and will strive to hire exclusively Madera residents in an effort to consolidate job opportunities within the City of Madera and Madera County.

Concentrating revenue and financial gain within Corona's business community is a catalyst for improving community members' socioeconomic status as the city has a heightened ability to bolster community programs and provide opportunities for residents. Rather than look to large corporations with national footprints, OTC works with businesses with strong local roots to secure supplies, equipment and services from local businesses. We are working to source a local contractor and local electrician who can complete the interior and exterior renovations listed in **Section H: PROPOSED LOCATION**, we will be using a local vendor for all of our business materials such as fixtures, furniture and printers, and we are working to source a local company for the installation of our security and alarm systems in coordination with the Bay Alarm Company. In addition to the renovation, design and continued evaluation of our facility with the Temeka Group, we plan to partner with various other local business to source the necessary equipment and supplies for adequate business function of our retail storefront. Through careful research

we have identified the following businesses and potential partnerships for locally sourced materials in the initial and ongoing stages of operations:

- **Olmstead Electric:** electrical installation/renovation for facility development
- **Madera Auto Sales:** Delivery vehicles and referrals for vehicle maintenance and repairs
- **D&L Heating and Cooling:** HVAC consult, installation and/or renovation for facility development
- **Bares Landscaping & Irrigation:** Landscaping installation and maintenance
- **Workingarts Marketing:** Print materials, branding consult and other marketing needs

We are projecting that site development could allocate $750,000-$1 million in revenue for local businesses throughout Madera. Rather than look to large corporations with national footprints, OTC works with businesses with strong local roots to secure supplies, equipment and services from local businesses. We maintain a large network of local vendors for equipment, supplies and services and look to develop more local sourcing outlets over time.

In addition to job creation, OTC is committed to exceeding the current Living Wage for all of our employees in order to make an immediate economic impact in Madera. We currently pay all employees wages over 200% of the Federal Poverty Level and 120% of local living wage rates and we are replicating this commitment in Madera. The MIT Wage Calculator has assigned a living wage to the County of Madera at $16.22/hour. OTC's compensation plan goes beyond local and federal mandates to ***compensate all employees at a minimum wage of $19.47/ hour***, which is 20% more than the designated Living Wage in Madera. This translates to annual payroll of $1,435,079 once we have reached full capacity. Along with bonuses ranging from $10,000-$15,000 for salaried employees, we are substantially contributing to the Madera community's purchasing power and bolstering the local economy. Through the creation of living-wage job opportunities and working with local businesses and contractors, OTC's efforts are aimed at instigating immediate and long-term economic benefits for the Madera economy.

PARTNER ORGANIZATION: WORKFORCE DEVELOPMENT BOARD OF MADERA COUNTY

As part of OTC's community benefits initiative, we are going to work with the Workforce Development Board of Madera County (WDBMC) towards meeting their goal of fostering an environment that is conducive to economic development and improving the economic health of Madera County residents, businesses, and communities. WDBMC's investments in skills development and job training are flexible and responsive to the needs of business and industry, while elevating the success of Madera County's workforce and driving the region's ability to compete in California and beyond. Over the last 10 years the WDBMC has helped job seekers, including youth and those with significant barriers to employment, prepare for the labor market and find high-quality paying jobs and careers.

The organization's Workforce Assistance Center (WAC) was created to help job seekers of all backgrounds get the services and education needed to find and keep quality jobs. At the WAC, several agencies work together to provide residents job placement assistance, work-based learning, vocational training, and other services that help individuals reach their employment goals. In addition to the services described above, the WAC provides services tailored to eligible young adults, veterans, and individuals with disabilities.

The WAC's Out-of-School Young Adult Program was created for individuals between the ages of 16-24 who need additional assistance towards obtaining their High School Diploma/High School Equivalency Certificate, developing workplace skills, learning about career pathways, obtaining training for in-demand occupations, and ultimately becoming ready for employment. The WAC also provides a wide variety of resources and services targeted specifically for the Veteran community. Their office assists veterans and their spouses in obtaining benefits form federal state and local agencies administering programs for veterans and provides advocacy and outreach to the veteran community while promoting and facilitating access to needed services. The WAC's Persons with Disabilities Program offers a wide assortment of resources specifically for the disability community and makes every effort to connect these individuals to the services that best fit their needs. Much like the veteran services, the WAC's office helps individuals with disabilities navigate federal, state, and local agencies administering benefits for persons with disabilities so they can get the assistance that they need. These services have been vital in improving the economic health for many young adults, veterans, and persons with disabilities in Madera County.

WDBMC has a Workforce Business Division which is a collaboration of community agencies that connect businesses to a variety of solutions, resources, and information to support business success. The Business Division offers employers job training, recruitment and prescreening, subsidized employment, incentives and other resources and services necessary to run a successful business in Madera. Additionally, the Business Division offers general consulting services that connect businesses to a variety of resources to stay current on topics such as employment law, workforce development, human resources, and much more. Many of the resources and services offered through the Business Division are aimed at matching employers with skilled workers as well as providing them the tools they need to be competitive in the local economy.

OTC is excited to work with WDBMC towards accomplishing their goal of supporting an environment conducive to economic development and improving the economic health of Madera County residents, businesses, and communities. We would like to support the organization by offering a yearly donation of $10,000 and we will coordinate with them to see if there is any other way that our business or employees may assist. We hope that by providing monetary assistance to the WDBMC they can continue to work towards their goal and have a positive impact on the economic health of businesses and individuals in Madera County.

PARTNER ORGANIZATION: HANDS ON CENTRAL VALLEY

HandsOn Central California has been a leader in the development, implementation, deployment, and sustainability of volunteer initiatives in the Central Valley for 70 years. The organization was founded by a group of community leaders who saw the value of volunteerism as a tool for community change. Their robust portfolio includes managing volunteer programs, training, events, and initiatives across Merced, Mariposa, Stanislaus, Madera, Fresno, Tulare and Kings counties. HandsOn Central California's services combine to offer a wide array of opportunities that mobilize our community to help **"be the change"** in as many ways as possible. HandsOn is able to accomplish this through partnerships with other organizations working together to bring about long-lasting change in the community. From motivating children to discover and learn, serving hot meals to low-income families, providing support for physical and mental health initiatives, caring for the environment, large scale transformational projects, HandsOn Central California continues to respond to the critical needs of communities and their residents.

HandsOn's program, HandsOn@Work, was developed to provide businesses and their employees opportunities to network with other businesses that host volunteer programs, create custom service projects that fit company goals, interests, and budget, and provide resources and tools to track the service completed by employees as well as different areas of community impact that the business is helping to support through **HandsOn@Work.** HandsOn Central California prepares, coordinates, and executes all aspects of a businesses planned volunteer projects. HandsOn guides companies of all sizes through the often-unfamiliar territory of volunteer service project planning. Drawing on the organizations network of agency partnerships and planning expertise, HandsOn designs ongoing volunteer programs or one-time events, specifically tailored to the needs and interests of businesses and their community. HandsOn believes one of the most effective ways to connect employees is through volunteerism as it can boost employee happiness, help recruit and retain quality talent, build a strong community reputation, and it creates further opportunities for leadership training and team-building.

As a community-focused business with an emphasis on volunteerism, OTC is excited to work with HandsOn and its many partners, towards promoting community change through volunteerism. OTC would like to support HandsOn through annual donations of 120+ volunteer hours as well as working with their HandsOn@Work program to develop more meaningful volunteer programs in the City of Madera. We have faith that the organization will use our donations to continue working towards their mission to inspire, equip and mobilize residents to serve their communities.

GUIDING PRINCIPLE: A STRONG COMMUNITY AND GREAT SCHOOLS

Our vision of a strong community is one that promotes social justice, denounces institutionalized racism and provides opportunities for individuals with all sorts of backgrounds and life experiences. This starts with the community's youth, which requires support for the educational institutions and organizations that are responsible for setting them up to succeed for the rest of their lives. This continues with providing tools and skills for youth to educate themselves

throughout their adolescence and early adulthood, protecting them from violence and social injustice and creating a more equitable community overall where they have ample opportunities to thrive.

PARTNER ORGANIZATION: CALIFORNIA TEACHING FELLOWS FOUNDATION

As part of OTC's community benefits initiatives, we are going to support the California Teaching Fellows Foundation (CTFF) in their mission to inspire next-generation leaders with a passion for teaching and learning while impacting the lives of youth by providing them annual donations. CTFF was founded in 1999 at the Kremen School of Education and Human Development at Fresno State. The CTFFs approach develops exceptional educators who are inspired to be leaders in their communities and creating a brighter future for all. CTFF's teaching fellows are paid undergraduates from Central Valley Colleges or Universities who are recruited based off academic achievement and their desire to be leaders for the next generation. Teaching Fellows are trained to be instructors in K-12 after school, tutoring and summer programs, serving as mentors and role models for college success. They participate in ongoing professional development in Saturday Academy each month, which means they are continually learning and improving their skills in areas such as tutoring, classroom management, and how to creatively engage students in learning activities.

Teaching Fellows are the core of the foundation, and they are responsible for running many of the programs that CTFF is engaged in. The CTFF program partners with 26 districts to staff programs at more than 200 K-12 school sites in Madera, Fresno, Merced, and Tulare counties. CTFF offers several programs including After School in the Central Valley, California Teaching Fellows AmeriCrops, and Summer Learning. Their After School in the Central Valley program serves a combined 30,000 elementary, middle, and high school students every day. Here students work on homework and engage in two hours of enrichment activities like robotics, fashion design, breakdancing, etc.. Their AmeriCorps program delivers NASA's Aerospace Academy program in 40 high-poverty elementary schools in the Central Valley. AmeriCorps Fellows are responsible for increasing STEM knowledge, skills, and literacy of students who participate. Further, CTFF's Summer Learning program was designed to bridge the gap created by summer learning loss. Students who engage in this program experience leadership and team building, new friendships, skills development, and other creative methods that make learning fun.

We look forward to helping CTFF improve the academic success of children in the Central Valley in the form of annual donations of $10,000. OTC firmly believes that creating a meaningful impact in a community begins with the youth and CTFF's enrichment and academic success initiatives provides an avenue to directly impact the next generation of Madera residents and community contributors. We are confident that CTFF will use our annual donations to continue supporting their mission to inspire next-generation leaders with a passion for teaching and learning while impacting the lives of youth.

PARTNERSHIP: MADERA COALITION FOR COMMUNITY JUSTICE

The Madera Coalition for Community Justice (MCCJ) is primarily focused on educating and assisting low-income residents of Madera County by working together to obtain appropriate and sufficient food, clothing, healthcare, educational and employment opportunities along with other fundamental needs. Through the core tenets of "educate, organize empower" they strive to equip all Madera County residents in need with whatever they need to improve and sustain a high quality of life. MCCJ has countless programs that are available for both youth and adults have wide-ranging public benefits, including:

Food Share Programs: Collaboration with the Madera County Food Bank (who we will also be supporting in our Community Benefits and Investments Plan) to distribute free food and drinks to those in need.

Environmental Justice Programs: All kinds of events to get youth involved in fighting climate change such as tree planting, water conservation, energy education, museum Trips and more.

Madera Youth Leaders Program: a group of teenagers and young adults between the ages of 13-21years from Madera working toward positive change in their community. Their main goal is to o inspire and lead other youth in projects that give back to the community, to provide youth with the training, resources, knowledge, and experiences needed to educate the community and impact their own future and the future of Madera.

Community Help and Awareness of Natural Gas and Electricity services (CHANGES) program: Provides limited English proficient (LEP) people with natural gas and electricity (energy) education and assistance in the language of their choice. Services include education and assistance in understanding and managing energy bills. It includes assistance to help people negotiate payment arrangements and avoid disconnection, or assist them in re-connection of their service. It helps them sign up for consumer assistance programs and financial assistance, and helps them receive adjustments or corrections to their bills.

Parents as Leaders Program: The program employs a strategy to strengthen the relationship between the school district and parents to develop community leaders, give parents the tools to help their children improve academic performance, promote higher education and facilitate parent engagement. The program also provides extensive skills training to parents by building their knowledge base and leadership development to allow them to actively participate at school site activities and equipping them to become advocates for quality education. The leadership development aspect of the program focuses on both education and community issues with emphasis on how the education system and local government work and empower them to maximize the academic success of their children through hands-on learning and activities in the school and community.

Oracle Program: Focused on developing and evaluating strategies to increase testing and reduce COVID-19 infection rates in target areas.

Community Garden: Open to the Public Monday-Thursday 8am-5pm to provide a place where community members can grow their own food and learn about regenerative agriculture.

Youth Street Art Project: Harnessing the power to build pride in neighborhoods while expressing the world view of community members, where they come from, what they do and how they connect to each other throughout Madera.

These are just some of the primary programs offered by MCCJ and there are many more both currently being offered and under development. We anticipate that some programs are more established and better funded than others, but we have begun preliminary conversations with MCCJ officials to determine their greatest areas of need. We are still donating $5,000 and 50 volunteer hours to each of the aforementioned programs as an initial contribution, but our developing relationship with MCCJ will allow us to make more targeted donations over time.

COMPREHENSIVE FOCUS ON SOCIAL EQUITY

OTC's Community Benefits and Investments Plan maintains an emphasis on social equity. All community benefit activities are conducted to improve socioeconomic outcomes for members of disenfranchised and targeted communities within Madera and Madera County. We view social equity as a principle that embodies the actions we take to address discrimination, injustice, and inequality. We recognize our platform as a licensed operator in the cannabis industry as an opportunity to improve socioeconomic outcomes for those negatively impacted by decades of cannabis prohibition and offset the harm sustained by the War on Drugs in the communities in which we operate. OTC is committed to using its position of influence to provide opportunities for vulnerable populations and enhance the quality of life for Madera residents that fall into this category. We believe it is essential to understand the history of cannabis so that we can meaningfully empower and enrich communities that have been disproportionately impacted by cannabis prohibition or excluded from cannabis business ownership or employment. We also want to challenge the traditional social and political hierarchies in the professional sector and build the local cannabis industry into a landscape of opportunity for these individuals. Our shared commitment to social justice has been thoughtfully integrated in our business since its inception, creating a culture in which equity, diversity, and empowerment are fundamental principles that guide our actions as individuals and as a company. Norman Yousif, owner of OTC, is involved in several social equity projects in Los Angeles, one of which involves co-ownership of four equity businesses in Los Angeles with industry pioneers and champions of social equity Kika Keith, Moises Estrada,

Madison Shockley, and Joey Evans. OTC's Los Angeles projects have afforded Norman the opportunity to build connections with a constellation of cannabis brands, retail spaces, and community organizations that leverage the power of cannabis to transform lives and shape culture. OTC will use these additional resources to help achieve all our social equity goals, especially with respect to our hiring and training efforts in Madera.

PARTNER ORGANIZATION: SOCIAL EQUITY OWNERS AND WORKERS ASSOCIATION

Social equity Programs are designed to support equal opportunity in the industry by making legal cannabis business employment opportunities more accessible to low-income individuals and communities impacted by the criminalization of cannabis. Barriers that Social Equity candidates face include limited access to educational resources, inexperience in the job searching process, disqualification from consideration for employment based on previous convictions, lack of knowledge in preparing materials like resumes and standard operating procedures as well as limited access to mentorship from industry professionals. To mitigate this issue, we are developing a Social Equity Committee that is working in collaboration with the Social Equity Owners and Workers Association (SEOWA) to source social equity candidates for our initial and ongoing rounds of hiring. We are working with Kika Keith, who is our retailer partner in Los Angeles and the founder of SEOWA, to obtain guidance and oversight with respect to elements of social equity in our organization. We are also an ongoing donor to SEOWA to bolster their resources and abilities to source these individuals. We will not waver in our commitment to social equity, and we will constantly be looking for ways to provide opportunities to individuals who qualify as equity candidates. Our relationship with SEOWA will allow us to extend their educational resources to minority individuals and those impacted by the War on Drugs throughout Madera.

PARTNER ORGANIZATION: SOCIAL EQUITY INDIVIDUAL TRAINING HUB

Through our work in Los Angeles, we have developed a relationship with the Social Equity Individual Training Hub (SEITH). This organization serves as a career center that provides job-specific training, education and other resources in a mock retail storefront setting to individuals who qualify as social equity hires for local cannabis businesses. The center's main goal is to prepare social equity candidates for long, prosperous careers in the cannabis industry and increase the size and abilities of the local cannabis industry workforce. SEITH offers educational courses that cover overarching topics such as compliance with state laws and track and trace as well as training modules that are geared more specifically to local jurisdictions. Training modules relating to compliant commercial cannabis operations may include, but are not limited to, customer check-in procedures, processing transactions, separating adult use and medical transactions, Metrc training, diversion prevention, recordkeeping, neighborhood compatibility protocols, marketing, understanding and implementing standard operating procedures, video surveillance, product deliveries, facility sanitation and various other features of working at a commercial cannabis businesses. OTC's Community Relations Officer and Social Equity Advisor are tasked with integrating SEITH into our local hiring practices and ensuring there is a consistent pipeline of equity candidates from Madera who are being educated and trained at this facility to eventually work for OTC and other cannabis businesses in the area. We believe this collaboration can substantially increase the workforce and number of high paying jobs for Madera residents and those who have unfortunate experience of being disproportionately impacted by the War on Drugs.

EQUITY INITATIVE: EXPUNGEMENT CLINICS

We intend to work with Madera Law Center (MLC) a local Madera organization that specializes in community services, community health services, post-conviction relief, and more. We will support MLC's post-conviction relief efforts through sponsoring and volunteering for their expungement clinics. During the clinics, individuals get the chance to meet with attorneys to discuss whether their conviction qualifies as well as what steps need to be taken to clear their records. MLC's expungement clinics provide individuals with the opportunity to eliminate qualifying convictions from their records which helps remove barriers necessary to get their lives back on track. Individuals with a clean record have increased chances of securing employment, loans and housing which help increase stability and reduce recidivism something that benefits not just themselves but the community as a whole. In addition to working with MLC to organize and sponsor expungement clinics, OTC intends to build a program to source employees and promote job opportunities to qualifying individuals who have been victims of the war on drugs; our participation in the expungement clinics will also serve as a direct pipeline for potential employees.

PARTNER ORGANIZATION: OPERATION EVAC

Operation EVAC is a target organization for our community outreach and financial assistance. The "EVAC" portion of this organization's name stands for Educating Veterans About Cannabis. Founder Ryan Miller served the Marine Corps from 1998-2002 as a network systems engineer primarily in Okinawa, Japan. Constantly deployed, Ryan served in Brunei, Bali, Indonesia, Malaysia, Singapore, Philippines, Hong Kong, Thailand, Australia, and Korea twice. Two meritorious promotions, Battalion Marine of the Quarter, the Navy Achievement Medal, Microsoft Certified Systems Engineer, Cisco Certified Network Associate, and Naval Shellback are among his accomplishments earned on active-duty. Following an honorable discharge, Ryan discovered cannabis through employment at the Berkley Patients Group in the San Francisco Bay Area. He immediately saw the healing power of cannabis and understood how powerful of a tool it could be to help veterans as they work through Post Traumatic Stress Disorder, Anxiety and various other mental health conditions along with reintegration back into the workforce. Currently Operation EVAC organizes support groups, educational sessions and other events for veterans where they can learn about cannabis, health and wellness. The organization also provides workforce development and support for veteran employees of cannabis businesses. We are making a one-time donation of $10,000 to Operation EVAC as a way to support hosting support groups for the organization at our Madera location. We are also working with founder Ryan Miller to determine ways we can strategize to hire and support veterans from the organization's network in the form of a workforce development agreement. This promotes the acceptance and understanding of individuals with different life and work experiences relating to the military while also enhancing their socioeconomic status. We are committed to not only providing work opportunities to veterans but also helping them stabilize their lives after returning from active duty.

PARTNER ORGANIZATION: COURT APPOINTED SPECIAL ADVOCATES (CASA) OF FRESNO & MADERA COUNTIES

Since 1996, CASA (Court Appointed Special Advocates) of Fresno and Madera Counties has served foster youth in the Fresno and Madera regions with Judge Soukup's original goal in mind: to be a voice for our community's most at-risk children. This has been tirelessly executed with the help of dedicated men and women, from advocates to social workers, attorneys, foster parents, therapists, doctors, teachers, and the myriad of other individuals responsible for the care of the foster youth. Today, CASA of Fresno and Madera Counties employs a full-time staff and is supporting and equipping more than 210 volunteer advocates as they annually serve 331 of the 2,500 abused and neglected children in foster care in Fresno and Madera Counties.

The children at CASA are assigned by judges and are typically individuals who are deemed most at risk, having experienced abuse or neglect, and needing the Court's protection. CASA is unique in that they normally assign one CASA volunteer to one child so that the volunteer can build a deeper relationship with the child and gain a better understanding of the child's needs and interests. The volunteers act as a stable and reliable support system while children go through the court system and many of these relationships last years. The stable support provided to CASA's children is vital for their proper development and performance in other aspects of life. CASA volunteers/advocates also work alongside caseworkers or social workers to ensure the judge has the best information, and that the child receives all the services and support they need. CASA hosts several fundraising events throughout the year and the money gained throughout these events is used to fund CASA's ongoing operations and services. These events also offer CASA the opportunity to mingle with the community's residents and offer more insight into what CASA is all about. Some of CASA's fundraising events include the Granville Home of Hope Raffle, CASA Crab Feed and Virtual Auction, and Central Valley Chef Cook Off to Support CASA to name a few. CASA also hosts a dinner event called the Voices of Hope, which was designed to honor their advocates and the work they perform at CASA. This event also acts as an introduction to CASA for newly sworn in advocates and is a perfect time for them to connect with experienced CASA volunteers and staff.

OTC is excited about the opportunity to support CASA in their mission to recruit, train, and support volunteers to advocate for the best interest of abused and neglected children in the foster care system. We would like to offer support through yearly donations, engaging in their fundraising events, and engaging in some of the various

volunteer opportunities that they host. We believe this is the best form of support that we can provide CASA and we are confident that they will use our donations to continue to provide support for at risk children going through the foster care system in Madera.

COMMUNITY EVENT: EDUCATIONAL WORKSHOPS ON CANNABIS

We look forward to building relationships with Madera's local businesses and residents through cannabis education and community stewardship. We bring extensive value to the community by expanding access to free, quality educational materials and resources to those seeking to enhance their personal wellness through cannabis. OTC utilizes free cannabis educational workshops, seminars, milestone celebrations and other events that cater to clientele looking to expand their knowledge on cannabis' health and wellness attributes. Our workshop subject-matter includes cannabis-specific topics surrounding responsible and informed usage guidelines such as: Warning Signs of Abuse/Misuse; Dosing & Usage: Consumption Methods and the Conscientious Smoker; Cannabinoids & Terpenes: Benefits, Effects, and Interaction; Topicals & Pain Relief: Cannabis and Pain Management; and others. We also plan on holding events which explore health and wellness topics related to mindfulness and wellbeing such as Yoga; Body Consciousness; Meditation; Natural Healing; Exercise & Nutrition; and others. We will also feature vendor/brand partners in our workshops to discuss a vast array of important topics such as Sustainability in Cannabis Cultivation, Sun + Earth Certification, Women-Owned Business Leadership, Social Equity and various other important topics that frame our industry. We plan to rent out a public space or, if appropriate for the event, utilize our parking lot to organize events centered on wellbeing where like-minded businesses are invited to come out and share their practices with local businesses and the community. OTC's educational events are a no cost community resource event where participants can learn about, engage with, and build community through the medium of cannabis health services and overall personal wellness. We host cannabis-specific events that promote communal discussion surrounding retail cannabis businesses' impact on the community while providing exposure to the citizens of Madera.

GUIDING PRINCIPLE: A SAFE, HEALTHY ENVIRONMENT

A healthy, safe environment is one where community members have consistent access to fresh food, are provided with ample opportunity for physical activity and are insulated from the devastating impacts of climate change by intelligent choices involving the use of community resources. OTC has investigated organizations who share our core values of access to fresh food, sustainability, environmental consciousness and the importance of combatting climate change for the community's overall wellness. The following organizations will garner our support on an ongoing basis in a variety of different formats.

PARTNER ORGANIZATION: GRID ALTERNATIVES CENTRAL VALLEY

We have vetted and selected GRID Alternatives Central Valley as an organization that we would like to support through our Community Benefits and Investments Plan in Madera. GRID Alternatives believes that a rapid, equitable transition to a world powered by renewable energy will benefit everyone. Since their inception in 2011, they have been helping families of all income levels save tens of thousands of dollars in energy costs over their systems lifetime. GRID Alternatives has installed more than 10MW of locally generated, clean and renewable energy, benefitting families, for the environment and the community. Their system reduces household electricity costs by up to 90% by providing free solar electricity systems at no cost. Their projects also help job seekers be competitive in the emerging renewables industry by a number of hands-on job training opportunities each month at no-cost to the participants. This includes:

- **Installation Training Programs:** installation training programs that offer opportunities for skill development and employment opportunities,
- **SolarCorps Fellowships:** include one-year placements on a GRID Alternatives team to develop skills and experience in various aspects of the industry
- **Solar Futures:** a K-12 education program offering classroom curriculum and hands on training for youth,
- **National Women in Solar Program:** provides pathways to technical careers for women, highlights women of color in the industry and provides national leadership on solar workforce diversity to build a diverse, equitable and inclusive solar industry
- **Troops to Solar:** connects veterans to solar industry jobs and provides training in the industry

Renewable energy can drive economic growth and environmental benefits in communities most impacted by underemployment, pollution, and climate change. GRID Alternatives is a national leader in helping economic and environmental justice communities nationwide get clean, affordable renewable energy, transportation, and jobs. Internationally, their energy access work is lighting up off-grid communities in Nepal, Nicaragua, and Mexico.

OTC is committed to supporting GRID Alternatives throughout all of their ventures mentioned above. We are working with leadership at GRID Alternatives to determine their most significant needs to continue to run and further develop these programs. We are prioritizing financial contributions to the Troops to Solar program as a way of supporting veterans throughout all community benefits initiatives, but each of these programs is beneficial to Madera residents and they will garner our continued support over time. GRID Alternatives mission is aligned with addressing Madera's challenges such as sustainability and addressing climate change impacts, so we view our support of this contribution as a substantial effort towards reducing greenhouse gas emissions in Madera and surrounding communities in Madera County.

PARTNER ORGANIZATION: MADERA COUNTY FOOD BANK

OTC has chosen to support Madera County's Food Bank (MCFB) because of their network and the resultant infrastructure for serving those in need. Not only do we have complete confidence in MCFB's ability to deploy our charitable contributions into tangible assistance to those in need, but we also chose Food Share because of the numerous programs and events they host, which create a variety of volunteer opportunities. The Community Assistance Program is a monthly distribution of free fresh produce and/or products to the Citizens of Madera County. MCFB also provides an Emergency Food Program which was designed to help families in need of emergency food. This program provides emergency food boxes to approximately 1,800 individuals a month and the contents include essential items such as protein, vegetables, grain, iron, starch, and fruit. Similarly, their Emergency Food Assistance Program, a California Department of Social Services program, provides food boxes to eligible individuals and households at no cost. The MCFB has two programs tailored to serving Senior residents 55 years and older. First, they have their Senior Nutrition and Produce Program (SNAPP) which runs from April-October and was designed to provide fresh fruits and vegetables to individuals 55 years and older at an extremely low cost. They also have a Senior Brown Bag Program that is run exclusively through the program that makes a monthly delivery of essential food to the individual's residence. This program costs $24/year and is open to all residents 55 years of age and older. The MCFB services the entire city of Madera, Cowchilla, Fairmead, and all of the Mountain areas including Richmond, Coarsegold, Oakhurst, and North Fork. Currently, MCFB has 36 food distribution sites throughout Madera County and they all strive to serve the individuals and families in need throughout the County. OTC is proud to sponsor Madera County Food Bank by covering the costs for 400 individuals, which amasses to a donation of $10,000 in program sponsorships for Madera community members. In addition to charitable contributions as described above, we are eager to share with our employees the volunteer opportunities created by the various programs operated under MCFB.

G.7 COMMUNITY BENEFITS AND INVESTMENTS SUMMARY (3 YR PROJECTIONS)



OTC is committed to becoming an integrated member of the Madera community and hopes to provide continued support to local non-profit and community organizations in the form of charitable contributions and volunteer service. Our management team will be available to field any public concerns about our operations and will do their best to resolve any issues in a timely and professional manner. We look forward to the possibility of bringing new business opportunities to the City of Madera as well as to contributing to local community service initiatives. OTC's community-focused approach has been a large part of our success in the other jurisdictions in which we operate. OTC looks forward to the opportunity of applying that same community-first approach to the City of Madera. Our commitment to the community has led us to vet over a dozen locally based nonprofits and

we are confident that by teaming up with these organizations, OTC will be able to make a real contribution to the Madera community and its residents. OTC believes that food services, safe places for the abused, guidance for at risk youth, housing assistance, education, and other critical services and programs put resources where they are needed most. OTC is committed to hiring locally for all our service needs, as described above. OTC intends to hire locally to fulfill the dispensary's positions, and we also intend to take good care of our staff through generous compensation packages, as described in the Labor, Diversity, and Inclusion Plan. We are eager to host community events and educational workshops in order to introduce ourselves to the community and to provide cost-free educational materials and presentations. The initial investments outlined in this plan amass over $120,000 and 240+ volunteer hours allocated to our partner organizations within our first year of operations, and we continue to build on these investments over time (See below).



RETAIL NM, LLC
(dba: Nectar)

NECTAR



COMMUNITY BENEFITS & INVESTMENTS PLAN



Nectar is focused on serving the community in which we operate, and each community has its own unique sense of identity and history. Madera's diverse cultural history, character, and sense of place speak for themselves, and we look forward to working with the Madera community to conscientiously integrate our proposed distribution and retail business into the City's existing social fabric. Nectar Markets (Nectar) has developed a Community Benefits and Investments Plan that outlines strategic initiatives, company policies and outreach efforts to enrich the quality of life for individuals in Madera. Nectar's community benefit efforts include: (1) engaging in sponsorship of community events; (2) collaborating with City officials and local entities on ways to enhance Madera's current quality of life; (3) donating resources and funds to youth programs; and (4) partnering with local organizations that facilitate opportunities and equity for residents. Internal policies and procedures of our Community Benefit Plan include developing a network of business reciprocity and increasing local expenditures, hiring locally, working with local vendors to source equipment, supplies and services and maintaining beneficial relations with employees.

NECTAR CARES™

Nectar CARES is a community outreach program introduced in 2020 to raise funds for donation to community-focused nonprofits and organizations working to improve the quality of life for members of the community.

Nectar is an ally for social equity businesses. While not qualifying as a social equity applicant, the Company looks forward to the opportunity to work alongside these businesses and looks to incorporate social equity products into the retail supply chain and inventory. With the introduction of the Nectar CARES program in California, we look forward to expanding our philanthropic and community-oriented mindset to each community that we serve. Nectar will work alongside the city, local nonprofits, and other community-centric organizations to ensure that Nectar is doing its part to add value to the community beyond the walls of our retail establishment. Recently, Nectar was recognized by the Portland Business Journal as number ten on the 2020 Philanthropy Awards List for the Company's outreach initiatives prior to launch of the Nectar CARES program. Nectar is excited to continue to develop the Nectar CARES program and offer added value to the community. More Detail on the Nectar CARES Program, its history and its goals are provided below.

Nectar is committed to becoming an integral member of the Madera community. We are joining the Chamber of Commerce and have outlined our Community Benefits and Investments Plan to feature a heavy emphasis on supporting a vast array of local organizations and their respective causes. Nectar has selected these organizations and together we look forward to improving the surrounding community's social equity and quality of life through preservation and enhancement of the city's local environment and resources. Nectar is steadfast in its commitment to serving Madera and being stewards, participants and partners of the local business community. Our team's community-focused approach has been a large part of our success across our 30+ current retail locations and we look forward to applying that same community-first approach to the City of Madera.

GOALS

The Community Benefits and Investments Plan has been designed in congruence with Madera's 2009 General Plan and the 2025 General Plan Vision to address the most significant needs of the community within a reasonable timeframe. We have carefully evaluated the guiding principles of the 2009 General Plan and 2025General Plan Vision, and our Community Benefits and Investments Plan is designed to help the city and local organizations to accomplish the following goals:

1) **A Well-Planned City**: The physical aspects of Madera's growth. Affordable housing, balancing residential, commercial and agricultural needs and providing efficient services are significant concerns for a rapidly growing community. Open communications between the community and City/County government and within those governments are vital to a healthy city.
2) **Good Jobs and Economic Opportunities**: good jobs, a well-trained, well-paid workforce and a broad spectrum of business opportunities. The vision underscores the need to attract commercial and retail businesses and to encourage residents to buy locally.



3) **A Strong Community and Great Schools**: Development of leadership, expansion of educational opportunities, support for the arts and recognition of the Madera's unique culture. Support for Madera's youth in education, after-school programs and sports activities reflects the community's desire to create a caring environment in which to raise a family.
4) **A Safe, Healthy Environment:** Protecting Madera's natural resources, enjoy a secure community and provide healthy educational and recreational activities. The Vision recognizes the need for Madera's parks and open spaces to be convenient and well-maintained. This statement also emphasizes excellent health care and related services for all community members.

Nectar commits to maintaining these community benefits goals throughout our business activities and evaluating the city's needs over time to ensure synchronicity with the city's community goals. We look forward to helping improve health and socioeconomic outcomes in Madera through a multi-faceted approach of sponsoring community events, in-kind donations to charitable organizations, promoting the city's historical, cultural and social fabric, local sourcing practices and various other initiatives.

NECTAR CARES PROGRAM

To ensure leadership, consistency, organization and transparency throughout all of our community benefits initiatives, we have created a 501(c)(3) non-profit organization called the Nectar C.A.R.E.S Program. This organization is being developed as an arm of Nectar's overall business that is specifically dedicated to all the community benefits initiatives we plan to execute. Through our experience as a licensed operator in Oregon, we have found that it is most efficient to have a team of dedicated individuals and respective resources allocated to this aspect of our business with oversight from ownership and management rather than a collaborative effort between personnel in various areas of operations. We have thus created this non-profit organization as a way to consolidate our community benefits efforts and associated resources for the purpose of efficacy and efficiency.

The Nectar C.A.R.E.S Program controls all of our community benefits initiatives and our Community Relations Officer is working to establish relationships with local organizations and really understand the needs of the communities we serve. Program leaders have regular meetings with ownership and management and are expected to provide detailed reports of their progress throughout actualization of the Community Benefits and Investments Plan. Ownership and management periodically audit the performance of the Nectar C.A.R.E.S Program to ensure all goals are being met within designated timeframes. The Nectar C.A.R.E.S Program leaders are expected to communicate any problems or delays that they experience to ownership and management immediately, and there is a collaborative effort executed to mitigate any of these issues.

Nectar Culture Committee Mission Statement

We believe that employee and customer satisfaction starts with creating a supportive and inclusive environment where everyone feels welcome. Nectar CARES gives our employees the opportunity to make a difference in their community and workplace *through the following guiding principles:*

C – Community Development
A – Active Lifestyles
R – Representation & Inclusion
E – Environmental Sustainability
S – Social Justice

The Nectar CARES program has been a remarkable success in Oregon, with large cash and volunteer hour donations to local community centric organizations. Some highlights of this proven community engagement model's implementation include substantial fundraising of nearly $1 million for the ACLU Oregon, the Wounded Warriors Project, the Oregon Justice Resource Center, and Don't Shoot PDX. In 2021 alone, we were able to partner with the NuLeaf Projects' NuProfessional Network, which is a recruiting platform that supports vulnerable populations as they look to enter the cannabis industry. Nectar was one of the first businesses in Oregon to join this platform. Additionally, Nectar began conducting local trash cleanup events in collaboration with local 501(c)(3), Solve Oregon. To round out



the year, Nectar partnered with Last Prisoner Project on their Holiday Letter Writing campaigns to bring cheer to those who are incarcerated for cannabis offenses.

In 2022 thus far, the Nectar C.A.R.E.S committee has conducted street cleanups in Southeast Portland alongside nonprofit, Solve Oregon. Other groups Nectar is supporting this year include Special Olympics Oregon's Polar Plunge, Hunger Free Oregon, and the Transition Project in supporting houseless individuals. We are focused on enhancing and diversifying our support of the ACLU, the Wounded Warrior Project and Last Prisoner Project in Oregon and also determining how to support these organizations in California throughout 2022. We are confident that the Nectar C.A.R.E.S Program will be an integral component of our profile of businesses moving forward and we are excited to translate this successful community engagement program into our California operations.

C – COMMUNITY DEVELOPMENT

The support outlined in our Community Benefits and Investment Plan extends beyond local non-profit and charitable organizations to the City of Madera directly. We have carefully researched the current initiatives that the City is executing along with organizations that make Madera a better place to live and work and have determined how to best align our Community Benefits and Investments Plan with these initiatives.

FINANCIAL SUPPORT: CITY OF MADERA GENERAL PLAN UPDATE

While compiling the application materials and speaking with attendees of city meetings it has come to our attention that the City's current General Plan's latest version is from 2009 and despite the Vision 2025 component, the General Plan is in need of a comprehensive update. Nectar would like to support the Vision 2025 efforts and the Madera General Plan in the form of a $10,000 donation and the provision of any information, community data, volunteer hours or any other form of support. This initiative is aimed at providing a comprehensive update to the City's General Plan along with any additional updated documentation that the City is trying to compile. Today, Madera faces a very different set of conditions and challenges than when the current General Plan was adopted over 10 years ago. The development of a new plan will allow the city to address some of the more current issues the community faces as a result of the ever-changing cultural landscape of Madera. The initiative provides community members many opportunities to participate and share their ideas during the General Plan Update process; these including meetings with community groups, online surveys, community workshops, community pop-up events, planning and commission study sessions, and city council study sessions. As part of our effort to support of this initiative we will have our Community Relations Officer (CRO) attend meetings, study sessions, workshops and pop-up events to join in on the General Plan Update process and discuss ways in which Nectar can assist the initiative be it through monetary contributions or volunteer service. Our CRO's involvement in the initiative's activities will also give Nectar a better understanding of where they should focus their future charitable efforts to best serve Madera's vision for the future.

PARTNER ORGANIZATION: HANDS ON CENTRAL CALIFORNIA

HandsOn Central California has been a leader in the development, implementation, deployment, and sustainability of volunteer initiatives in the Central Valley for 70 years. The organization was founded by a group of community leaders who saw the value of volunteerism as a tool for community change. Their robust portfolio includes managing volunteer programs, training, events, and initiatives across Merced, Mariposa, Stanislaus, Madera, Fresno, Tulare and Kings counties. HandsOn Central California's services combine to offer a wide array of opportunities that mobilize our community to help "be the change" in as many ways as possible. HandsOn is able to accomplish this through partnerships with other organizations working together to bring about long-lasting change in the community. From motivating children to discover and learn, serving hot meals to low-income families, providing support for physical and mental health initiatives, caring for the environment, large scale transformational projects, HandsOn Central California continues to respond to the critical needs of communities and their residents.

HandsOn's program, HandsOn@Work, was developed to provide businesses and their employees opportunities to network with other businesses with volunteer programs, create custom service projects that fit company goals, interests, and budget, and provide resources and tools to track the service completed by employees as well as different areas of community impact that the business is helping to support through HandsOn@Work. HandsOn Central California prepares, coordinates, and executes all aspects of a businesses planned volunteer projects. HandsOn guides companies

of all sizes through the often-unfamiliar territory of volunteer service project planning. Drawing on the organization's network of agency partnerships and planning expertise, HandsOn designs ongoing volunteer programs or one-time events, specifically tailored to the needs and interests of businesses. HandsOn believes one of the most effective ways to connect employees is through volunteerism as it can boost employee happiness, help recruit and retain quality talent, build a strong community reputation, and it creates further opportunities for leadership training and team-building.

As a community-focused business with an emphasis on volunteerism, Nectar is excited about the opportunity to work with HandsOn and its many partners, towards promoting community in Madera change through volunteerism. Nectar would like to support HandsOn through annual donations of 100+ volunteer hours as well as working with their HandsOn@Work program to develop more meaningful volunteer programs in the City of Madera. We have faith that the organization will use our donations to continue working towards their mission to inspire, equip and mobilize residents to serve their communities.

HandsOn CENTRAL CALIFORNIA

PARTNER ORGANIZATION: CALIFORNIA TEACHING FELLOWS FOUNDATION

CALIFORNIA Teaching Fellows FOUNDATION

As part of Nectar's community benefits initiative, we are going to support the California Teaching Fellows Foundation (CTFF) in their mission to inspire next-generation leaders with a passion for teaching and learning while impacting the lives of youth by providing them annual donations. CTFF was founded in 1999 at the Kremen School of Education and Human Development at Fresno State. The CTFFs approach develops exceptional educators who are inspired to be leaders in their communities and creating a brighter future for all. CTFF's teaching fellows are paid undergraduates from Central Valley Colleges or Universities who are recruited based off academic achievement and their desire to be leaders for the next generation. Teaching Fellows are trained to be instructors in K-12 after school, tutoring and summer programs, serving as mentors and role models for college success. They participate in ongoing professional development in Saturday Academy each month, which means they are continually learning and improving their skills in areas such as tutoring, classroom management, and how to creatively engage students in learning activities. Teaching Fellows are the core of the foundation, and they are responsible for running many of the programs that CTFF is engaged in. The CTFF program partners with 26 districts to staff programs at more than 200 K-12 school sites in Madera, Fresno, Merced, and Tulare counties. CTFF offers several programs including After School in the Central Valley, California Teaching Fellows AmeriCrops, and Summer Learning. Their After School in the Central Valley program serves a combined 30,000 elementary, middle, and high school students every day. Here students work on homework and engage in two hours of enrichment activities like robotics, fashion design, breakdancing, etc.. Their AmeriCorps program delivers NASA's Aerospace Academy program in 40 high-poverty elementary schools in the Central Valley. AmeriCorps Fellows are responsible for increasing STEM knowledge, skills, and literacy of students who participate. Further, CTFF's Summer Learning program is designed to bridge the gap created by summer learning loss. Students who engage in this program experience leadership and team building, new friendships, skills development, and other creative methods that make learning fun.

We look forward to helping CTFF improve academic success of children in the Central Valley through annual donations of $10,000. Nectar believes creating a meaningful impact begins with the youth and CTFF's enrichment and academic success initiatives provide an avenue to directly impact the next generation of Madera residents and community contributors. We are confident CTFF will use our annual donations to continue supporting their mission to inspire next-generation leaders with a passion for teaching and learning while impacting the lives of youth.

A – ACTIVE LIFESTYLES

Physical activity and community exploration are core values of the Nectar C.A.R.E.S Program because of their important role in preventing chronic disease and enhancing quality of life. An active lifestyle is one that promotes physiological and mental health and allows individuals to take control of their own wellness. We support organizations that provide opportunities, infrastructure or any other necessary features of an active lifestyle.



PARTNER ORGANIZATION: MADERA UNITED FC

Nectar believes that leading an active lifestyle has a profound impact on child development and cognitive skills. Accordingly, we have identified the Madera United Football Club (MUFC) as one of the organizations that we would like to support through our community benefits initiative. MUFC is a competitive soccer club located in the City of Madera that has several teams in which girls and boys of varying age groups can participate. Over the years, their teams have brought home several regional and state championships. The teams meet three times a week which consists of two open practices and a scrimmage night. The club puts heavy emphasis on engaging with the community and both their practices and scrimmage night are open to the public and the public is encouraged to attend. The weekly scrimmage night acts as the clubs fundraising event and gives the public an opportunity to support the club and see them in action. The MUFC players are not just member of a team, they are also members of the community. In the off-season, the club works with local charities to bring sports and hope to underserved children in Madera. The clubs emphasis on community engagement further supported Nectars decision to provide assistance to the MUFC. We would like to support the MUFC by matching donations up to $7,500 annually that are made to the organization as part of their weekly scrimmage games based on the organization's alignment with our core value of maintaining an active lifestyle. We are confident these donations will be put to good use whether that be sponsoring a child, buying uniforms and gear, helping to pay for travel expenses, or contributing to the Club's local charity efforts.

PARTNER: ORGANIZATION: CITY OF MADERA ADULT AND YOUTH SPORTS

Our commitment to enhancing health and wellness opportunities for Madera's adults and youth is exemplified by donations to sports organizations that provide diverse recreation activities. The Community Relations Officer is tasked with evaluating local sports programs to determine which could best serve members of families that have been socioeconomically disadvantaged. Based on these evaluations of equity opportunity and financial need, Nectar is making an annual donation of $10,000 to be split among one or more of the following sports organizations: Madera's Youth Soccer League, National and American League, Tiny Tikes, Youth Basketball League, as well as Madera's Adult Basketball, Football, Soccer, and Softball Leagues. We have chosen the above leagues due to the benefits that they have on youth and adult's health and wellness, as well as for the abundant volunteer opportunities that they provide. Nectar is excited to coordinate with Adam Romero the Youth & Adult Sports Coordinator to see if there are any other ways that we can provide support to these leagues over time.

PARTNER ORGANIZATION: MADERA COUNTY FIRE TRUCK PULL EVENT

Madera County's Firetruck Pull Event is an event put on by the Madera Chamber of Commerce Tourism Alliance as a fundraising event for Madera County's Special Olympics. This event is unique in that it is only open to local law enforcement and public service agencies in Madera. The event consists of 8-man teams that are required to pull a 55,000lb firetruck a predetermined distance and the team with the fastest pull is named the Fire Truck Pull Champions. Each pulling team receives sponsors from local businesses and the donations are used to help fund the Special Olympics







of Madera County (SOMC). SOMC is dedicated to enriching the lives of children and adults with intellectual and developmental disabilities through sports, education, and athlete health. We have vast experience working with Special Olympics committees on Oregon, where we have matched all donations for various programs, most notably the Polar

Plunge. We plan to use our existing relationships with the Special Olympics at the national level to transition our support of the organization into California through events like the Fire Truck Pull Event and other Chamber of Commerce events. The average cost to send an athlete to compete in each sport is around $300 and the average athlete competes in 3 different sports in a given Special Olympics Event. SOMC is proud to offer free training and competitions for over 50 Special Olympic Athletes. Nectar is excited about the opportunity to be a sponsor and donate to the next Fire Truck Pull Event. Nectar has agreed to a one-time donation of $7,500 to the Fire Truck Pull Event in hopes of covering the costs of roughly 25 athletes to attend the Special Olympics. We will also allocate volunteer hours for the day of the event to ensure the Madera Chamber of Commerce Tourism Alliance has all the personnel and resources they need to conduct the event. SOMC relies on events like the Fire Truck Pull and the support, compassion, and generosity from individuals, organizations, small businesses, and corporations to continue to offer these sports and services free of charge. With our assistance, we can help fund a community-driven event that brings community members together and advances the SOMC's ability to prepare their athletes for annual competitions for years to come.

R – REPRESENTATION AND INCLUSION

Nectar prides itself on diversity and inclusion in our workforce and our clientele, and we embrace diversity as a source of innovation, creativity and competitive advantage. We want the City of Madera to have that same advantage and to ensure a local environment that provides opportunities for individuals with all kinds of backgrounds, ethnicities, life experiences and more to thrive. Our Community Benefits and Investments Plan has a significant component of increasing representation and inclusion, as well as for providing opportunities to underrepresented populations throughout Madera using the following initiatives and organizational partnerships.

COMMUNITY EVENT: HUSTLE HARD RETREAT FOR WOMEN WHO MEAN BUSINESS

Empowering Women in Cannabis is a key proponent of our company's culture and the directives of the Nectar C.A.R.E.S program. In 2018, Nectar partnered with Cannabis Lawyer and founder of the Oregon Cannabis Association, Amy Margolis and the organization called the The Initiative, a cannabis accelerator program specifically for women cannabis entrepreneurs and executives, to host the Hustle Hard Retreat "For Women Who Mean Business" at Brasada Ranch in Bend, OR. This retreat was an accelerator program for Women in Cannabis to network, hear presentations from women who have built successful businesses in the industry, learn how to fundraise, negotiate deals, learn business basics, corporate governance, marketing, and regulatory operations needed to be successful in Cannabis. Nectar sponsored meals for one of the three days and sent multiple women from both the administrative and retail side of Nectar to attend. In addition to supporting this event, Nectar supported The Initiative with a $50,000 donation in 2020. Along with support for *The Initiative* and The Hustle Hard retreat, Nectar promoted its female leaders with a publication in the *Portland Monthly "Women who Move the City 2020"* series. This publication featured interviews with female leaders across the Nectar organization, featuring members from Retail, compliance, Human Resources, management and Marketing. Nectar is actively looking for a legal partner and an organizational partner to replicate these events and donations in California, starting with Madera. We will also support our partner organizations financially over time to accomplish their own goals outside of partnership events with Nectar. These events have significant implications for business development and empowering women to rise to prominence in the cannabis industry. Nectar has many passionate and driven women leaders throughout the organization and will continue to support women in cannabis and the greater workforce in an effort to further purport our core values of representation and inclusion.

PARTNER ORGANIZATION: OPERATION EVAC

Operation EVAC is a target organization for our community outreach and financial assistance. The "EVAC" portion of this organization's name stands for Educating Veterans About Cannabis. Founder Ryan Miller served the Marine Corps from 1998-2002 as a network systems engineer primarily in Okinawa, Japan. Constantly deployed, Ryan served in Brunei, Bali, Indonesia, Malaysia, Singapore, Philippines, Hong Kong, Thailand, Australia, and Korea

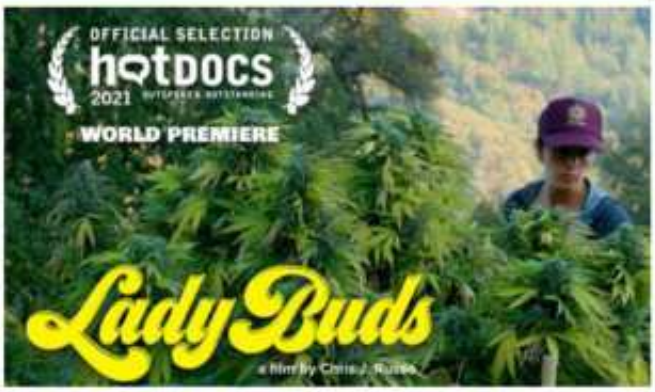
twice. Two meritorious promotions, Battalion Marine of the Quarter, the Navy Achievement Medal, Microsoft Certified Systems Engineer, Cisco Certified Network Associate, and Naval Shellback are among his accomplishments earned on active duty. Following an honorable discharge, Ryan discovered cannabis through employment at the Berkley Patients Group in the San Francisco Bay Area. He immediately saw the healing power of cannabis and understood how powerful of a tool it could be to help veterans as they work through Post Traumatic Stress Disorder, Anxiety and various other mental health conditions along with reintegration back into the workforce. Currently Operation EVAC organizes support groups, educational sessions and other events for veterans where they can learn about cannabis, health and wellness. The organization also provides workforce development and support for veteran employees of cannabis businesses. We are making a one-time donation of $10,000 to Operation EVAC as well as working to host support groups for the organization at our Madera location. We are also working with founder Ryan Miller to determine ways we can strategize to hire and support veterans from the organization's network in the form of a workforce development agreement. This promotes the acceptance and understanding of individuals with different life and work experiences relating to the military while also enhancing their socioeconomic status. We are committed to not only providing work opportunities to veterans but also helping them stabilize their lives after returning from active duty.

PARTNER ORGANIZATION: CENTRAL VALLEY VETERANS

The Central Valley Veterans (CVV) is a 501(c)(3) that strives to respond to the emergency needs of local (Madera) veterans, service members, and their families to fill in gaps that aren't fulfilled by other veterans' organizations due to program restrictions. Examples of the CVV service are showcased in the organization sponsored holiday meal delivery service to. Veterans and the "*To the Mat"* scholarship project which was created in memory of Mat Conway, U.S. Army Veteran and father of 2. Mr. Conway after being honorably discharged for medical reasons was a student at the University of Phoenix -Fresno, studying to be a School Counselor. In this pursuit, Conway made friends and formed a study group with five other students. Conway would create schedules for projects assigned to the group and would hold everyone accountable. Sadly, days before their final class, Mr. Conway passed away. In Mr. Conway's honor the CVV developed the "To the Mat" scholarship program to support active duty, guard, reserve, and veteran children. Nectar would love to support both the holiday meal delivery program and the "To the Mat" Scholarship program. The Company will host a volunteer event in which employees and community members can sign up to participate in the home delivery drive. The CVV would gain increased community awareness and outreach through the reach of a Nectar retail storefront, ultimately contributing to success in the holiday meal delivery program. For the "To the Mat" program, the Company will host a Nectar CARES campaign in which a portion of the revenue will be a direct donation to the fund, allowing the CVV to donate more to a deserving child of a veteran in Madera.

COMMUNITY EVENT: LADY BUDS DOCUMENTARY VIEWING

Lady Buds is a documentary that tells the story of six courageous women who come out of the shadows of the cannabis underground and enter the newly legal market. The documentary follows cannabis pioneers Chiah Rodriques, Sue Taylor, Felicia Carbajal, Karyn Wagner, Pearl Moon and Dr. Joyce Centofanti through the trials and tribulations of getting their farms and businesses local and state licensing. This film celebrates these women and their dedication to the plant even in the face of corporate takeover and natural disaster that threatens their livelihood. The film was recently featured at the prominent international documentary film festival Hot Docs 2021 and received significant praise as a groundbreaking film for both women and the cannabis industry. We are planning a community-wide film viewing of





Lady Buds hosted either at our store or at an alternate location provided by one of our local partners once the film becomes available via streaming service or DVD. This community-wide film viewing will take place soon after our Nectar Open House as one of our first community events as a new business in Madera. This film exemplifies our commitment to women leaders in the cannabis industry and to the arts while celebrating the cannabis industry's roots in California and giving the community an opportunity to see one of the most innovative documentary films about the industry released to date.

COMMUNITY EVENT: EDUCATIONAL WORKSHOPS ON CANNABIS

A primary focus of the C.A.R.E.S. program is building relationships with Madera's local businesses and residents through cannabis education and community stewardship. We bring extensive value to the community by expanding access to free, quality educational materials and resources to those seeking to enhance their wellness through cannabis.

In 2019, Nectar partnered with Oregon Health & Sciences University (OHSU) to bring the community a half-day physician education course "Clinical Cannabis for the Health Care Provider". This event course explored the pharmacology, uses, benefits, and risks of clinical cannabis for patients through presentations made by expert clinician scientists. Two of our national level employees, Michelle Karlebach and Myisha DeSimone, have recently appeared on local Portland news broadcasts, *The Living Well Show* on Tualatin Valley Community Television to present cannabis knowledge to the viewers of *The Living Well Show* and the community of Portland. In addition to an education around the history of cannabis, terpene profiles, and tips and suggestions for first-time consumers, Karlebach and DeSimone answered questions from staff and the community. Karlebach is no stranger to community education around cannabis. She has done multiple sessions at senior homes in the Portland Metropolitan Area. These courses serve as a crash course on cannabis, in which attendees are taught about the history of cannabis, titration, suggested dosage, products that match their lifestyle, and methods for creating an underwhelming first cannabis experience as opposed to an overwhelming one. Additionally, Nectar developed resources for attendees that provide additional information around dosage, terpenes, and questions to ask your doctor if they are considering cannabis usage. These cannabis education workshops have received positive feedback from the community and recognition from the National Council of Aging.

Nectar values cannabis education and the science behind the plant and has seen the proven success of these workshops come to fruition in Oregon. We are now planning the roll out of our educational workshops as we expand into California, and we have targeted Madera for the implementation of our initial workshops and other educational programs. Nectar utilizes free cannabis educational workshops, seminars, milestone celebrations and other events that cater to clientele looking to expand their knowledge on cannabis' health and wellness attributes. Our workshop subject-matter includes cannabis-specific topics surrounding responsible and informed usage guidelines such as: Warning Signs of Abuse/Misuse; Dosing & Usage: Consumption Methods and the Conscientious Smoker; Cannabinoids & Terpenes: Benefits, Effects, and Interaction; Topicals & Pain Relief: Cannabis and Pain Management; and others. We also plan on holding events which explore health and wellness topics related to mindfulness and wellbeing such as Yoga; Body Consciousness; Meditation; Natural Healing; Exercise & Nutrition; and others. We will also feature vendor/brand partners in our workshops to discuss a vast array of important topics such as Sustainability in Cannabis Cultivation, Sun + Earth Certification, Women-Owned Business Leadership, Social Equity and various other important topics that frame our industry. We plan to rent out a public space or, if appropriate for the event, utilize our parking lot to organize events centered on wellbeing where like-minded businesses are invited to come out and share their practices with local businesses and the community. Nectar's educational events are a no cost community resource event where participants can learn about, engage with, and build community through the medium of cannabis health services and overall personal wellness. We host cannabis-specific events that promote communal discussion surrounding retail cannabis businesses' impact on the community while providing exposure to the citizens of Madera.

We will continue to develop our educational outreach by providing the communities we serve with cannabis workshops and crash courses to ensure Madera's patient and recreational population is provided with ample resources and education around cannabis.



E – ENVIRONMENTAL CONSCIOUSNESS

Nectar has operated cultivation facilities throughout Oregon for the last five years and has developed a deep connection to farming and environmental stewardship. Madera's location in California's Central Valley and its significant agricultural component aligns with our organizational commitment to regenerative farming and environmental consciousness. Thus, Nectar has investigated organizations who share our core values of public health, regenerative agriculture, sustainability, environmental consciousness and the importance of combatting climate change for the community's overall wellness. Regenerative agriculture combined with improved environmental outcomes can promote public health throughout Madera, enhance the longevity of the City over time and mitigate the potential impacts of climate change. The following organizations will garner our support on an ongoing basis in a variety of different formats to help promote a safe, healthy environment throughout various communities in Madera.

PARTNER ORGANIZATION: GRID ALTERNATIVES CENTRAL VALLEY

GRID ALTERNATIVES

We have vetted and selected GRID Alternatives Central Valley as an organization that we would like to support through our Community Benefits and Investments Plan in Madera. GRID Alternatives believes that a rapid, equitable transition to a world powered by renewable energy will benefit everyone. Since their inception in 2011, they have been helping families of all income levels save tens of thousands of dollars in energy costs over their system's lifetime. GRID Alternatives has installed more than 10MW of locally generated, clean and renewable energy, benefitting families, for the environment and the community. Their system reduces household electricity costs by up to 90% by providing free solar electricity systems at no cost. Their projects also help job seekers be competitive in the emerging renewables industry by a number of hands-on job training opportunities each month at no-cost to the participants. This includes:

- **Installation Training Programs:** installation training programs that offer opportunities for skill development and employment opportunities,
- **SolarCorps Fellowships:** include one-year placements on a GRID Alternatives team to develop skills and experience in various aspects of the industry
- **Solar Futures:** a K-12 education program offering classroom curriculum and hands on training for youth,
- **National Women in Solar Program:** provides pathways to technical careers for women, highlights women of color in the industry and provides national leadership on solar workforce diversity to build a diverse, equitable and inclusive solar industry
- **Troops to Solar:** connects veterans to solar industry jobs and provides training in the industry

Renewable energy can drive economic growth and environmental benefits in communities most impacted by underemployment, pollution, and climate change. GRID Alternatives is a national leader in helping economic and environmental justice communities nationwide get clean, affordable renewable energy, transportation, and jobs. Internationally, their energy access work is lighting up off-grid communities in Nepal, Nicaragua, and Mexico.

Nectar is committed to supporting GRID Alternatives throughout all of their ventures mentioned above. In addition to an initial donation of $15,000, we are working with leadership at GRID Alternatives to determine their most significant needs to continue to run and further develop these programs. We are prioritizing financial contributions to the Troops to Solar program as a way of supporting both veterans and renewable energy throughout Madera, but each of these programs is beneficial to Madera residents and they will garner our continued support over time. GRID Alternatives mission is aligned with addressing Madera's challenges such as sustainability and addressing climate change impacts, so we view our support of this contribution as a substantial effort towards reducing greenhouse gas emissions in Madera and surrounding communities in Madera County.

PARTNER ORGANIZATION: MADERA COUNTY FARM BUREAU

We would like to make an annual donation to Madera County's Farm Bureau (MCFB) in the amount of $15,000 in an effort to celebrate and preserve the rich agricultural history of Madera the City's critical role in the Central Valley. MCFB is an organization that represents Madera farmers and ranchers and is the unified voice of agriculture in Madera.



MCFB currently has over 1,200 members including individuals of the farming community and the public who believe in the importance of supporting local farmers to feed local families and to contribute to the increased access to fresh produce nationwide. California's Central Valley is responsible for roughly 3% of the world's agricultural production, and farmers in the City of Madera and Madera County account for much of this production. The MCFB is a valuable source for local farmers as they educate the public about the importance of farming and provide numerous informational sources on topics related to agriculture, including current state and federal regulations affecting the industry. MCFB provides various services including Ag Education, where individuals have a chance to participate in different agriculture courses with UC Davis Instructors; Ag in the classroom, a program created to increase agriculture literacy through K-12 Education; FELS, an employment labor service, as well as providing training and signage material. Several of the services provided by MCFB place emphasis on teaching the community about the important relation between agriculture and quality of life. This emphasis on agricultural education is especially important in a place like Madera as it shows how much residents and the community rely on agriculture in their everyday lives.

PARTNER ORGANIZATION: CENTRAL VALLEY OPPORTUNITY CENTER

Central Valley Opportunity Center
"HELPING PEOPLE ... CHANGING LIVES"

Nectar is excited about the opportunity to work with the Central Valley Opportunity Center (CVOC) towards their mission to provide employment, skills, training, education, and emergency services to improve the quality of life for farm workers and underserved members in Central Valley communities. Central Valley Opportunity Center, Inc. is a non-profit 501(c)(3) employment training and service provider serving the California counties of Merced, Madera, Fresno and Stanislaus. CVOC operates numerous employment, educational, economic development, and social service programs in central California. Over the last twenty-five years, CVOC has operated major programs for the Department of Labor, Department of Community Service and Development, Department of Education, State of California, local government programs, and private foundations. CVOC also provides an extensive vocational training program that offers 8 courses covering everything from Basic Business Occupations to Photovoltaic Design and Installation. Courses range from 140-770 hours and provide many individuals with the knowledge, tools, and skills required to succeed in an agricultural setting. CVOC provides several more programs geared towards assisting migrant and seasonal farmworkers or displaced agriculture workers. CVOC's Migrant and Seasonal Farmworker program assist farmworkers and their dependents in obtaining permanent and higher paying employment opportunities. This program provides individuals with emergency services such as food assistance and courses geared at increasing the individual's worth in the workplace. Nectar has chosen CVOC due to their commitment to the agricultural communities and public services. Nectar would like to make an annual donation of $10,000 to CVOC so they can continue to serve the large agricultural community in Madera and beyond. Nectar hopes that by donating to CVOC and their cause that we will be able to make a positive impact on local farmers, farmworkers, and the residents of Madera.

PARTNER ORGANIZATION: MADERA COUNTY FOOD BANK

Nectar has chosen to support Madera County's Food Bank (MCFB) because of their network and the resultant infrastructure for serving those in need. Not only do we have complete confidence in MCFB's ability to deploy our charitable contributions into tangible assistance to those in need, but we also chose Food Share because of the numerous programs and events they host, which create a variety of volunteer opportunities. The Community Assistance Program is a monthly distribution of free fresh produce and/or products to the Citizens of Madera County. MCFB also provides an Emergency Food Program which was designed to help families in need of emergency food. This program provides emergency food boxes to approximately 1,800 individuals a month and the contents include essential items such as protein, vegetables, grain, iron, starch, and fruit. Similarly, their Emergency Food Assistance Program, a



California Department of Social Services program, provides food boxes to eligible individuals and households at no cost. The MCFB has two programs tailored to serving Senior residents 55 years and older. First, they have their Senior Nutrition and Produce Program (SNAPP) which runs from April-October and was designed to provide fresh fruits and vegetables to individuals 55 years and older at an extremely low cost. They also have a Senior Brown Bag Program that is run exclusively through the program that makes a monthly delivery of essential food to the individual's residence. This program costs $24/year and is open to all residents 55 years of age and older. The MCFB services the entire city of Madera, Cowchilla, Fairmead, and all of the Mountain areas including Richmond, Coarsegold, Oakhurst, and North Fork. Currently, MCFB has 36 food distribution sites throughout Madera County and they all strive to serve the individuals and families in need throughout the County. Nectar is proud to sponsor Madera County Food Bank by covering the costs for 400 individuals, which amasses to a donation of $10,000 in program sponsorships for Madera community members. In addition to charitable contributions as described above, we are eager to share with our employees the volunteer opportunities created by the various programs operated under MCFB.

S – SOCIAL JUSTICE

Our goal is to build our platform both through responsible business operation and through tangible connections with community members who have been negatively impacted by institutionalized racism and the War on Drugs. Our work with the Last Prisoner Project in Oregon has taught us so much about social equity in the cannabis industry and beyond, and we have made it a primary goal of the Nectar C.A.R.E.S. program to improve equity outcomes in every jurisdiction in which we operate.

COMPREHENSIVE FOCUS ON SOCIAL EQUITY

Nectar's Community Benefits and Investments Plan maintains an emphasis on social equity. All community benefit activities are conducted to improve socioeconomic outcomes for members of disenfranchised and targeted communities within Madera and Madera County. We view social equity as a principle that embodies the actions we take to address discrimination, injustice, and inequality. We recognize our platform as a licensed operator in the cannabis industry as an opportunity to improve socioeconomic outcomes for those negatively impacted by decades of cannabis prohibition and offset the harm sustained by the War on Drugs in the communities in which we operate. Nectar is committed to using its position of influence to provide opportunities for vulnerable populations and enhance the quality of life for Madera residents that fall into this category. We believe it is essential to understand the history of cannabis so that we can meaningfully empower and enrich communities that have been disproportionately impacted by cannabis prohibition or excluded from cannabis business ownership or employment. We also want to challenge the traditional social and political hierarchies in the professional sector and build the local cannabis industry into a landscape of opportunity for these individuals. Our shared commitment to social justice has been thoughtfully integrated in our business since its inception, creating a culture in which equity, diversity, and empowerment are fundamental principles that guide our actions as individuals and as a company.

PARTNER ORGANIZATION: SOCIAL EQUITY OWNERS AND WORKERS ASSOCIATION

Social equity Programs are designed to support equal opportunity in the industry by making legal cannabis business employment opportunities more accessible to low-income individuals and communities impacted by the criminalization of cannabis. Barriers that Social Equity candidates face include limited access to educational resources, inexperience in the job searching process, disqualification from consideration for employment based on previous convictions, lack of knowledge in preparing materials like resumes and standard operating procedures as well as limited access to mentorship from industry professionals. To mitigate this issue, we are developing a Social Equity Committee that is working in collaboration with the Social Equity Owners and Workers Association (SEOWA) to source social equity candidates for our initial and ongoing rounds of hiring. We are working with Kika Keith, who is the founder of SEOWA, to obtain guidance and oversight with respect to elements of social equity in our organization. We are also an ongoing donor to SEOWA to bolster their resources and abilities to source these individuals. We will not waver in our commitment to social equity and we will constantly be looking for ways to provide opportunities to individuals who qualify as equity candidates.



PARTNER ORGANIZATION: SOCIAL EQUITY INDIVIDUAL TRAINING HUB

Through our work with Kika Keith and SEOWA, we have developed a relationship with the Social Equity Individual Training Hub (SEITH). This organization is developing a career center that provides job-specific training, education and other resources in a mock retail storefront setting to individuals who qualify as social equity hires for local cannabis businesses. The center's main goal is to prepare social equity candidates for long, prosperous careers in the cannabis industry and increase the size and abilities of the local cannabis industry workforce. SEITH offers educational courses that cover overarching topics such as compliance with state laws and track and trace as well as training modules that are geared more specifically to local jurisdictions. Training modules relating to compliant commercial cannabis operations may include, but are not limited to, customer check-in procedures, processing transactions, separating adult use and medical transactions, Metrc training, diversion prevention, recordkeeping, neighborhood compatibility protocols, marketing, understanding and implementing standard operating procedures, video surveillance, product deliveries, facility sanitation and various other features of working at a commercial cannabis businesses in Madera. The Community Relations Officer is tasked with integrating SEITH into our local hiring practices and ensuring there is a consistent pipeline of equity candidates from Madera who are being educated and trained at this facility to eventually work for Nectar and other cannabis businesses in the area. We believe this collaboration can substantially increase the workforce and number of high paying jobs for Madera residents and those who have had the unfortunate experience of being disproportionately impacted by the War on Drugs.

SOCIAL JUSTICE INITATIVE: EXPUNGEMENT CLINICS

As a continuation of our work with the Oregon Justice Resource Center, we intend to work with Madera Law Center (MLC) a local Madera organization that specializes in community services, community health services, post-conviction relief, and more. We will support MLC's post-conviction relief efforts through sponsoring and volunteering for their expungement clinics. During the clinics, individuals get the chance to meet with attorneys to discuss whether their conviction qualifies as well as what steps need to be taken to clear their records. MLC's expungement clinics provide individuals with the opportunity to eliminate qualifying convictions from their records which helps remove barriers necessary to get their lives back on track. Individuals with a clean record have increased chances of securing employment, loans and housing which help increase stability and reduce recidivism something that benefits not just themselves but the community as a whole. In addition to working with MLC to organize and sponsor expungement clinics, Nectar intends to build a program to source employees and promote job opportunities to qualifying individuals who have been victims of the war on drugs; our participation in the expungement clinics will also serve as a direct pipeline for potential employees.

COMMUNITY BENEFITS AND INVESTMENTS SUMMARY

Nectar is committed to becoming an integrated member of the Madera community and hopes to provide continued support to local non-profit and community organizations in the form of charitable contributions and volunteer service. The initial investments outlined in this plan amass over **$100,000** and **200+ volunteer hours** allocated to our partner organizations, and we continue to build on these investments over time. Our management team will be available to field any public concerns about our operations and will do their best to resolve any issues in a timely and professional manner. We look forward to the possibility of bringing new business opportunities to the City of Madera as well as to contributing to local community service initiatives. Nectar's community-focused approach has been a large part of our success in the other jurisdictions in which we operate. Nectar looks forward to the opportunity of applying that same community-first approach to the City of Madera. Nectar intends to hire locally to fulfill the retailer's positions, and we also intend to take good care of our staff through generous compensation packages, as described in the Labor, Diversity, Equity and Inclusion Plan. We are eager to host community events and educational workshops in order to introduce ourselves to the community and to provide cost-free educational materials and presentations. Our commitment to the community has led us to vet over a dozen locally based nonprofits and we are confident that by teaming up with these organizations, Nectar will be able to make a real contribution to the Madera community and its residents

NMG CA 1, LLC
(dba: BaM Body and Mind)



SECTION G
COMMUNITY BENEFITS AND INVESTMENT PLAN



BaM BODY and MIND

The Perfect Balance™

1410 Country Club Dr.
Suites 120-122
Madera, California
93638

Standard Retail Commercial Cannabis Permit Application

NMG CA 1, LLC

Stephen 'Trip' Hoffman
2625 N. Green Valley Pkwy,
Suite 150
Henderson, NV 89014
(303) 396-5921
triphoffman@bodyandmind.com

www.BodyandMind.com

Section G. Community Benefits and Investments Plan



Community Oriented and Results Driven

Body and Mind submits the following Community Benefits and Investment Plan that we believe addresses the growing needs of the Madera community. Our plan is based on our assessment of the city and community through our engagement with residents, meeting with community leaders and business owners, and researching the disparities that exist in the city. We took our findings and merged them with our company culture of enhancing social responsibility, offering equal opportunities, battling inequities, and boosting community investment. Because each community is unique and has its own concerns and priorities, we believe joining our research results and company culture allows us to act in a fashion that will deliver optimal results.

Over the course of six years, Body and Mind's success was not by accident or by chance. Apart from our strong business acumen and amazing employees, our success has been built upon our decision to listen and act in our communities. We have established professional values as a company that require us to be a pillar in our community(ies) – a force of good – that brings solutions to the challenges our communities face. We consider our communities an extension of our company that drives our passions and achievements, which is why we assembled a unique community engagement plan centered around the City of Madera. As a successful marijuana business, we strive to improve the lives

of our customers, employees, and communities through outreach, volunteerism, philanthropy, and hiring, while producing an economic benefit to the city, community, and residents. Our mission is simple: positively impact our community.

At each of our retail locations, we derived our investment plans based on the community that far exceeded any community development requirements established by local or state governments. To enhance social responsibility, increase diversity, and battle social inequities, we established incubator programs that provide qualified social equity candidates opportunities to work in the cannabis industry and learn from industry experts on dispensary operations, compliance, inventory management, and more. To date, many of our social equity incubator program participants have been promoted and continue to succeed in our company, thriving in an environment that encourages equal opportunity and advancement. To boost community investment, we established and implemented employee development programs that focus on developing and managing volunteer programs focused on the surrounding communities, such as community cleanups, event volunteering, and more. We also continue to sponsor non-profit organization fundraisers, where we donate a portion of sales each month to non-profit organizations that are hand-picked by our employees and customers. These are just some examples.

Community Benefit Agreement

Body and Mind is very familiar with entering Community Benefit Agreements ("CBA") with local jurisdictions. We are fully committed to entering a CBA with the City of Madera that details our community commitments, in-kind donations, sponsorship and financial support of community events, education plans, food, toys, clothing, and book drives, engagement with local artists, support for local businesses, and social equity incubator initiatives.

Community Benefits and Investments Advisory Board

Body and Mind takes pride in the work we do and the communities we benefit and invest in. We have established a Madera Community Benefits and Investments Advisory Board (the "Board") to meet and discuss how to invest in the community and oversee how funds are dispersed. Our board will regularly meet and consult with community leaders to determine how best to assist the community, whether through volunteering, fundraising, social equity issues, targeted workplace development, or collaborating with minority and women organizations. The Board will be made up of the Chief Operating Officer, Director of Compliance, Community Liaison, Corporate Operations Manager, General Manager, and one staff member.

Community Outreach and Education Plans

Volunteer Events



Community cleanup events have been some of our

most successful methods of community engagement. Because we understand sections of beaches and riverfronts have been negatively affected by pollution and waste, we created a cleanup program that focuses on parks, beaches, and other public areas. If approved for a license, our facility will sit near the middle of the city, offering us easy access and extensive opportunities to easily cleanup areas affected by tourism and industrial waste. Because of our proximity, we feel a sense of duty to regularly hold cleanup events in public parks, industrial and sales areas, dog parks, and major streets. Not only will our employees conduct, participate, and advertise these events, but we will solicit the help from community volunteers to join our efforts to combat pollution and maintain the integrity of areas in and around the City of Madera.

Direct Aid to Non-Profits



Sometimes the best way to reach the community is through local investment, so we created a promotion that will raise money for local non-profit organizations in the City of Madera. Our investment plan includes donating every month a percentage of sales towards transitional housing shelters, children's hospitals, community centers, first-responders, animal shelters, and other local organizations. To date, we have made monetary donations to multiple non-profit organizations in the City of Madera. We believe in investing in our neighborhoods and raising the bar for local non-profits because these organizations play a vital role in lifting those in need of assistance. These programs will not only prove to be beneficial to the local community, but our customers will be thrilled to know that a portion of our sales will go to a cause that matters to them.

In addition to the $1,500 we recently donated to local non-profits, we have identified the following City of Madera non-profit organizations that we will provide direct aid to:

4-H Youth Development, Madera County
145 Tozer St. Suite 103
Madera, CA 93638

Madera County Food Bank
225 S Pine St.,
Madera, CA 93637

Hope House
117 N R St
Madera, CA 93637

Madera County Child Abuse Prevention Council
1675 E Olive Ave
Madera, CA 93638

Heartland Training Center
323 N E St
Madera, CA 93638

Madera Coalition for Community Justice
219 S D St
Madera, CA 936387

Big Brothers, Big Sisters
2300 W Industrial Ave.
Madera, CA 93637

Community Action Partnership, Madera County
1225 Gill Ave
Madera, CA 93637

The Salvation Army Family Center of Madera
121 Dwyer St
Madera, CA 93637

Habitat for Humanity

4991 East McKinley Avenue, Suite 123
Fresno, CA 93727

United Way, Madera County

1901 Howard Rd
Madera, CA 93637

Madera Rescue

332 Elm St
Madera, CA 93638

Direct Aid to the City of Madera

In addition to local taxes generated by the dispensary, we will also commit to donating five percent (5%) of our total gross sales to the City or its assignees. We believe in supporting our local jurisdictions by funding public recreational areas, parks, playgrounds, improvements, events, and activities. We will make this donation every quarter.

Direct Donations to Non-Profits in Madera

To date, we have donated $1,500 to the following organizations. We believe it is important to develop and build relationships with local nonprofit organizations to support our community investment plan and the resident of the City of Madera.

Madera County Food Bank

We have made an initial donation of $500 to the Madera County Food Bank. After meeting with their team, we have developed a plan to regularly make donations, hold fundraisers, and collect food donations. We are excited to partner with the Madera County Food Bank and continue supporting their thriving programs to the fulfill the needs of the Madera community.

Habitat for Humanity

We have made an initial donation of $500 to the Habitat for Humanity, specifically to support the "Act of Kindness" division that is providing aid to a senior resident of Madera who requires repairs and ADA upgrades to their residential home. After meeting with the interim CEO, we have developed a plan to support their work in the City of Madera, which includes regular donations, rallying other businesses to support the organization to ensure their work in Madera continues, and supporting residents that seek help from Habitat for Humanity.

Community Action Partnership, Madera County

We have made an initial donation of $500 to the Community Action Partnership of Madera County, a nonprofit organization that provides support to those in need of emergency shelter, financial assistance, crises intervention, child development resources, shelter, transportation, and more. We look forward to working with the Community Action Partnership of Madera County to regularly provide support in the form of monetary donations and fundraising.

May 23, 2022

Jayme Rivard
The Reef
1900 Fremont Boulevard
Seaside, CA 93955

Dear Mr. Rivard,

On behalf of by the Food Bank for Monterey County, I would like to thank you for your generous donations during 2020.

Total 2020 Donations: $10,000.00

As we continue to address this unprecedented level of need, we could not have done this without you. Thanks to your generous gifts, we were able to quadruple services in response to the COVID crisis, and provide our friends and neighbors in need not only with food, but with dignity and hope as well.

Kind Regards,

Melissa Kendrick
Executive Director

To satisfy IRS requirements, I confirm that you received no goods or services in exchange for your donation. Our Tax ID Number is 77-0270228.



Partner Colorado Credit Union
PO Box 1346, Arvada, CO 80001-1346
(303) 422-8221
(800) 367-2474

2141

DEP NEVADA INC
376 E WARM SPRINGS RD STE 190
LAS VEGAS, NV 89119

5/17/2022

PAY TO THE ORDER OF Madera County Food Bank $ **500.00

Five Hundred and 00/100********** DOLLARS

Madera County Food Bank
225 S. Pine St, Ste 101
Madera CA 93637

MEMO

Stephen Hoffman
AUTHORIZED SIGNATURE

Photo Safe Deposit®
Details on Back.



Partner Colorado Credit Union
PO Box 1346, Arvada, CO 80001-1346
(303) 422-8221
(800) 367-2474

2161

DEP NEVADA INC
376 E WARM SPRINGS RD STE 190
LAS VEGAS, NV 89119

6/10/2022

PAY TO THE ORDER OF Habitat for Humanity Greater Fresno Area $ **500.00

Five Hundred and 00/100********** DOLLARS

Habitat for Humanity Greater Fresno Area
4991 E. McKinley Ave Suite 123
Fresno, CA 93727

MEMO Madera repair

Stephen Hoffman
AUTHORIZED SIGNATURE

Photo Safe Deposit®
Details on Back.



Partner Colorado Credit Union
PO Box 1346, Arvada, CO 80001-1346
(303) 422-8221
(800) 367-2474

2160

DEP NEVADA INC
376 E WARM SPRINGS RD STE 190
LAS VEGAS, NV 89119

6/10/2022

PAY TO THE ORDER OF Community Action Partnership MaderaCounty $ **500.00

Five Hundred and 00/100********** DOLLARS

Community Action Partnership MaderaCounty
1225 Gill Avenue
Madera, CA 93637

MEMO

Stephen Hoffman
AUTHORIZED SIGNATURE

Photo Safe Deposit®
Details on Back.

Supporting After-School Programs

We believe that youth consumption of cannabis is one of the most dangerous risks to this industry and are committed to establishing robust measures to ensure we mitigate exposure and these risks. As part of this effort, we will act as a silent partner with local public schools and public parks to help build after-school programs and promote a positive sense of self for youth through cognitive, social, physical, and creative development in an environment that is safe and nurturing. We will work directly with these after-school-programs to identify the best way to provide support, whether in the form of volunteering, donating supplies, fundraising, consulting, or financial donations.

Supporting City Sponsored Events



The City of Madera sponsors many events throughout the year. We have set aside a budget to help sponsor and support local events, such as Concerts in the Park, Eggstravaganza, Fiesta in the Park, Fright Night, Movies in the Park, National Night Out, and Pomegranate Festival. We will also devote time and resources to recreational events and activities, such as adult and youth sports, after school programs, aquatics and swimming lessons, drop-in recreation, recreation and fitness programs, and senior activities. Working closely with the city, we will also provide volunteer hours for city service projects, such as painting, trash pickup, tree/brush trimming, river cleanup, and other labor-intensive tasks that may be unique to a site.

Food, Toys, Books, and Clothing Drives



At other locations, we have been successful in collecting food, toys, books, and clothing throughout the year and providing those items to those in need. In City of Madera, as we build our company, hire employees, and work with community leaders, we will continually hold food, toy, and clothing drives and donate those items to reputable, reliable local organizations. During these drives, we will establish a donation box at the facility for individuals to donate canned/box goods, unwrapped toys, and lightly used clothing to a local cause. At the end of each collection period, the items will be collected, transported, and donated to local organizations. As a company, it is very important to us that we give back however we can and include our employees, managers, and neighboring businesses in those efforts.

PEAK Educational Events



We believe in reaching the community through education and discussion by holding events in person and online at organizations based and connected locally, which include homeowner associations, community centers, non-profits, and other private institutions. To do this in the City of Madera, we will engage local organizations to hold public events to present information about marijuana and substance abuse.

These presentations will be called, "PEAK" events, an acronym that stands for *Public Education, Awareness, and Knowledge*. In today's world of expanding marijuana products and substance abuse issues, we believe it is important that the public is kept abreast of the various strains, product choices, correct dosing, and methods of administration. As marijuana becomes more and more mainstream, we consider it our obligation to educate the public about this relatively new and growing industry. Some of the topics that we will cover during the PEAK events focus on health, compliance, and safety. Some of the topics center on the risks and side effects associated with marijuana and prevention, symptoms, and reporting accidental ingestions. These PEAK events will include substance abuse and adverse events and information about SAMHSA, Madera County Behavioral Health Services, local rehabilitation clinics, and California Poison Control Center.

Targeted Workplace Development

City of Madera BaM Job Fair

Upon license approval, we will advertise a "BaM Job Fair" in the City of Madera to recruit and hire qualified employees and identify social equity incubator candidates. Since we pay some of the highest wages in the industry and offer full time benefits, we anticipate a strong showing at the job fair. During the job fair, prospective employees will have an opportunity to submit their resume, meet with the General Manager, and discuss the position and their professional goals and aspirations. The job fair will focus on recruiting employees who live in and around the City of Madera.

Economic Opportunity for the Underrepresented

We will partner with local coalitions and organizations that focus on providing economic opportunities to low-income residents, minorities, women, and other underrepresented groups, with a specific goal to recruit, train, and staff our dispenary. These coalitions and organizations, such as Madera Coalition for Community Justice, have proven track records of promulgating job opportunities to underrepresented communities. We will provide these organizations any and all pertinent company and position information to be displayed on their platforms. We will look to promote our positions in accordance with the standard practices of these organizations and work with each one to further develop our social incubator program. We believe that these local initiatives will align nicely with our company-wide commitment to improving economic opportunities for low-income residents, minorities, and women.

Social Equity Incubator Program



Another part of our community support efforts involves promoting and encouraging residents in the City of Madera who have been disproportionately impacted by marijuana prohibition to participate in the marijuana industry. The core of our social equity efforts will be to increase access to the industry and provide training for qualified individuals. We will seek exceptional candidates who qualify for social equity status and hire, train, and mentor them. We will attend conferences, trade shows, and industry events, and meet with community leaders to find, interview, and hire qualified individuals. Our goal is to ensure individuals who have been disproportionately impacted by marijuana prohibition will have an opportunity to participate in the industry and positively impact their communities.

Once a social equity candidate is identified, they will move through an interview and review process, which includes meeting with the General Manager and Chief Operating Officer to discuss their professional goals, experience, and availability. Once the candidate is hired and on boarded, the qualified employee will learn from the ground-on-up and move through multiple positions at the facility to learn about marijuana operations. Overtime, the qualified employee will learn all aspects of the operation. The General Manager will regularly meet with the employee to review standard operating procedures, training sessions, discuss professional goals, and evaluate performance.

Economic Development

Supporting Madera Businesses

Supporting the community also involves supporting local businesses in the City of Madera. Our goal is to spread prosperity through the local community by spending no less than 50% of our non-cannabis operational dollars on local businesses. We have identified the following locally owned businesses that we intend to engage:

Construction

MGeneral Manager Construction –
18896 Farallon Rd., Madera, CA 93638

Plumbing and Handyperson

Garza Plumbing and Building –
26829 Merril Ave, Madera, CA 93639

Landscaping

Drew's All-Season Landscaping –
1701 West 4th Street, Madera, CA 93637

Information Technology

Computer Technologies –
1501 Howard Rd., Madera, CA 93637

Cleaning Services

A Clean Slate –
1188 Seneca Dr., Madera, CA 93637

Upholstery Cleaning

Chem-Dry of Madera –
517 Willis Ave., Madera, CA 93637

Employee Lunches

Mojo's Catering Services and Restaurant –
1016 S Pine St., Madera, CA 93637

Equipment Rentals

United Rentals –
750 Madera Ave., Madera, CA 93637

Hosting Local Artists



Local artists are often struggling to find outlets and venues to host and sell their art. In the City of Madera, we will regularly host local artists to display and sell artwork and other creative products in our dispensary. We want to provide a medium for local artists to combine their art and talents in a friendly setting for both serious collectors and casual customers to view and purchase. To do this, we will recruit artists locally and partner with Madera County Arts Council, a local non-profit organization committed to showcasing and supporting local artists. Our gallery may include paintings, sculptures, jewelry, photography, furniture, pottery, glass, drawings, and more. All proceeds from any art sales will go directly to the artist.

Customer Education Plan

Educating Customers

Educating our customers as necessary is very important in our mission to provide a safe, supportive environment to customers. At our proposed dispensary, we will provide customers with free cannabis education materials upon purchase, including information-graphics, brochures, pamphlets, and cards, and hold free events at its dispensary to train employees and educate customers about cannabis and products. Content will include the dispensary hours of operation, address, and telephone number, state and federal laws, the risks associated with consuming cannabis products, proper storage, information about cannabis devices, types of strains, customer limits, and online ordering options. We have prepared cannabis literature for customers that provide information about conditions, types of strains (indica, sativa, hybrid, etc.), methods of approved administration, proper ways to consume cannabis, legal places to consume, state and federal laws, possession limits, the signs and symptoms of substance abuse, and cannabinoid profiles.

Public Presentations

Given our experience in the cannabis industry and the contacts we have established in the State of California, our officers and advisors will engage local organizations to present information about cannabis and substance abuse. We are experienced speaking and presenting information to the public during community events, career fairs, community council meetings, and sponsored educational courses with a focus on regulation and compliance. We believe in educating the community about the types of strains, unprocessed and processed products, marijuana consumption, state and federal laws, changes in the industry, testing and labeling, science behind marijuana, and substance abuse, so customers can make good decisions when selecting and consuming marijuana. All events will be thoroughly reviewed by the Director of Compliance to ensure it is compliant with California law, including advertising rules to ensure the event is not located near any sensitive use areas or where minors gather.

Identifying Substance Abuse

Our employee training program provides extensive training on how to identify and address possible substance abuse or diversion by a customer. If the

employee suspects that a customer may have negative health or safety consequences, or if the customer is exhibiting signs of potential abuse or diversion, the employee will consult with the manager in charge before refusing service to ensure proper assessment. If the manager in charge agrees with the employee, service will be denied, the customer or caregiver will be told the reason, and they'll be given education materials about substance abuse and adverse events and the toll-free telephone numbers for SAMHA, California Department of Public Health, local rehabilitation clinics, and California Poison Control Center.

Risks and Side Effects Associated with Cannabis

All employees will be trained to understand risks of using cannabis including the following specific conditions.

Respiratory problems: Cannabis smoke has many of the same irritating and lung-damaging properties as tobacco smoke. Long-term abuse may lead to a chronic cough and lung infections.

Cardiovascular risk: Cannabis ingestion can increase the heart rate for several hours, increasing the risk of heart attack or stroke. Especially at risk are those with pre-existing heart conditions.

Mental health effects: Long-term cannabis abuse can decrease performance on memory-related tasks, reduce motivation and interest in everyday activities. Cannabis abuse can also intensify symptoms in users with schizophrenia

Child development: Cannabis use during pregnancy can affect the development of the fetus' brain and has been linked to behavioral problems in babies.

Psychological Dependence: Like most drug abuse, individuals who use cannabis for long periods of time can develop a psychological dependence on it.

Preventing Accidental Ingestion

All employees will be educated on safe consumption and handling that includes the following topics:

Keep out of Reach: Always keep cannabis and devices out of sight and reach from children and pets.

Labeling: Before taking any cannabis, read and ensure you understand all the information on the label.

Packaging: Always store product in its original packaging to prevent ingesting the wrong product and to ensure expiration, dosage, and warning information are accurate.

Expiration Dates: Check all expiration dates.

Expired Products: Dispose of expired or outdated products and discard damaged containers, old supplies, and old devices.

Disposal: The safest and most effective way to dispose of unwanted or expired medications is to drop it off at a licensed, cannabis dispensary that participates in a cannabis disposal program.

Inventory: Regularly take inventory and restock products that are low or missing.

Storage: Always store marijuana and marijuana devices in a cool, dark place, away from other people. Consider purchasing and using a secure lockbox sold by the dispensary.

First Aid Supplies: Keep basic first aid supplies on hand, in case of emergencies. Supplies include assorted bandages, adhesive tape, gauze rolls and pads, antiseptic wipes, mouth-to-mouth barrier device, antibiotic ointment, hydrocortisone cream, calamine lotion, medical exam gloves, tweezers, thermometer, scissors, and safety pins.

Emergency Contact: Have emergency contact information and a list of allergies and medications for each family member readily available.

Emergency Response: Consider enrolling in a CPR course.

Symptoms of Accidental Ingestion

We will also provide education to all employees regarding some of the symptoms of improper cannabis consumption.

Neurologic: Drowsiness, fatigue, weakness, dizziness, ataxia (loss of bodily movement), headache, agitation, anxiety, giddiness, altered mood, numbness, tingling, muscle twitching, and chills.

Gastrointestinal: Altered taste, increased appetite, dry mouth and throat, mouth irritation, nausea, vomiting, loss of appetite.

Cardiopulmonary: Shortness of breath and palpitations.

Integumentary: Excessive sweating, itching, burning eyes, itching eyes.

Other Customer Education and Support Materials

We will train our employees to provide education, safety and support materials that contain the following helpful information:

Limits: Limitations on the right to possess and use cannabis.

Safety: Safe techniques for the proper use of cannabis and cannabis devices.

Dangers: Prohibition against, and dangers associated with, cannabis extractions and usage.

Consumption: Alternative methods and forms of consumption or inhalation by which one can use cannabis.

Adverse Reactions: Instruction for customers and caregivers with cannabis related inquiries or reports of adverse reactions to the toll-free telephone line.

Substance Abuse: Signs and symptoms of substance abuse and opportunities to participate in substance abuse programs.

Safe Storage: Proper, safe storage of cannabis is critical to maintaining the integrity and desired effect of the product. Customers should carefully consider where they will store their cannabis. The following recommendations will be considered:

Safety: Keep all cannabis devices out of the reach of children. Make sure all labels remain on the medication, so that it is clear it is medication. It is recommended to store marijuana in a locked box or room, out of sight.

Keep out of Light: The ideal location to keep cannabis is in a dark place.

Keep it Cool: Excessive heat can negatively affect the quality and effectiveness of cannabis.

Limit Oxygen Exposure: At the time of purchase, customers should minimize how much cannabis is exposed to air. The best solution is to keep it in its original packaging and container, sealed to avoid exposure.

Humidity: Humidity between 30% and 50% is ideal for storing cannabis.

Touching: Every time a customer touches unpackaged cannabis, the product effectiveness may be changed.

Reporting Accidental Ingestions

California Poison Control Center: CPCC is a 24-hour resource for any type of poisonous crisis. Its staff is comprised of certified and highly educated professionals to help people prevent and recover from accidental ingestion of marijuana. Our

employees will be trained to provide the information to customers to report accidental ingestion of marijuana; CPCC is available at (800) 222-1222. The customer will be provided with a list of information to have ready for the operator that answers.

HERBZ, LLC

SECTION G: COMMUNITY BENEFITS AND INVESTMENTS PLAN

Herbz is pleased to propose an annual direct monetary donation directly to the Madera Unified School District. The annual donation will be in the amount of 1% of Herbz annual gross receipts. As noted in the 3 year Pro Forma, we estimate that 1% gross receipts will be $27,375.00 in year 1, $41,151.87 in year 2, and $54,750.00 in year 3. Our intention with this contribution is to make a commitment that we can keep and not over promise. In this manner our contribution to the Madera Unified School District will steadily grow as does our business.

Each employee will receive 24 hours paid time off annually towards company approved volunteer activities. The cleanup of parks and the community will be approved volunteer activities and we will encourage our employees to help beautify our parks and public facilities. We will reach out to the Beautification Committee which meets every month. Through direct communication with the Committee we can direct employees to use their paid volunteer hours towards programs and projects to enhance the aesthetic appearance of the community. We will also contact the City of Madera Parks & Community Services Department to see how we can best provide in-kind donations and volunteer services to beautify and restore local facilities, parks, and fields.

Herbz will benefit the community by providing meaningful employment and business partnership opportunities. Herbz will seek to hire half its staff from those communities that have been harmed by cannabis criminalization and the other half from Madera's veteran community, with 100% local hiring. We will provide a living wage and community benefits. To the extent possible, Herbz will use exclusively Madera business for goods and services.

Sadek knows the community very well as a resident since 2007. He has donated to several causes in the City before. He will provide valuable insight as to where and how Herbz can best contribute to the City of Madera and provide creative community benefits for as long as we are operational. One of Sadek's goals is to help create more facilities where people can access Narcan. In this way, we can directly help save lives in our community that are being lost due to the national drug epidemic

HBF2, INC
(dba: Hazy Bulldog Farms)

Type 10 Storefront Retail with Delivery

324 S Gateway Drive
Madera, CA 93637
APN: 010-163-004

Applicant: Hazy Bulldog Farms
For: City of Madera

Community Benefits and Investment Plan



begreenlegal

SECTION G - COMMUNITY BENEFITS AND INVESTMENT PLAN

As owners of small community businesses across the state of California, we are excited about the opportunity to serve the needs of cannabis customers in Madera. Cannabis products can improve quality of life as both a source of relief and enjoyment in both medical and adult recreational customers. As part of our research into locating a business in the City of Madera, we found the following important statistics. According to recent census data, the City of Madera is home to 65,575 people and of this population, 78% are Hispanic, 14% are White, and the next largest group are Black at 4%. The median age for residents in Madera is 28 years old. The median income for Madera households was $49,275. This average income level puts 21% of families in poverty in Madera. The central goal of our business is to provide high quality cannabis products and services at a reasonable points and support economic growth and community development throughout the city. Our community benefits plan will support existing non-profit community service institutions, youth sports, local educational opportunities, the development of entrepreneurs, and a well-trained cannabis workforce. We want to be a valuable community partner and will commit our time and resources to help support the local community.

NON-PROFIT INCORPORATION AND REVENUE DONATION

We are committed to the City of Madera and understand that processing of applications takes resources. To provide a transparent and accountable method of delivering resources to the community, we intend to establish a non-profit corporation that would provide a vehicle for Hazy Bulldog Farms to donate a minimum of 2% of its gross revenue to the non-profit for providing programming and funding to youth organizations, non-profits, and educational institutions in Madera. The specific programs that this non-profit will support as listed in the sections below. Our non-profit will be trustworthy and accountable and will be managed by community volunteers and regularly audited. To find volunteer board members, we would put out advertisements and social media posts to recruit volunteers from the local community. We would require a statement of interest in being a board member, conduct interviews with these applicants, and select three board members from the pool of applicants. In addition, the non-profit would submit an annual report of its activities and programs for the city to review.

COMMUNITY CONTRIBUTIONS

One of our goals as a City of Madera business partner will be to give back to the community as we grow and prosper. We have identified the following local organizations and non-profit groups that we intend to support through volunteer efforts and monetary contributions if the city deems acceptable. In addition, we anticipate creating two annual scholarship funds for young entrepreneurs.

MADERA COUNTY FOODBANK

The Madera County Foodbank is an important community institution that focuses on providing food for individuals and families. We intend to volunteer and participate in the Foodbanks' two annual food give-a-aways at Thanksgiving and Christmas. We may run canned food drives during this time and provide incentives for our customers to donate food through a discount program during the holidays. Our incentive program will be $1.00 off the customer's purchase order per nonperishable food item up to $5.00 per customer per visit. We will also become a platinum level sponsor of the Madera County Foodbank by providing a $2,000 donation.

AAUW OF MADERA

The Madera California branch of the AAUW has provided local women opportunities for community service and educational enrichment. This important program aims to encourage and support young women in our community. We will also donate $2,000 dollars to this non-profit annually in to help advance equity for women and girls.

MADERA LODGE NO 1918 BENEVOLENT AND PROTECTIVE ORDER OF ELKS-

We would like to support the local Madera Elks Lodge. As a local chapter of a major national philanthropic organization, there are several national programs that we would like to support locally, including the Elks National Drug Awareness Program, which is operated by volunteers to eliminate the use and abuse of illegal drugs with a focus on providing kids with a drug free environment. In addition, we would like to participate in the local Madera version of the veteran's support programs. The national chapter works on rehabilitation through adaptive sports programs and therapy kits. Veterans support holds a special part in our heart and lives as our founder is a veteran and Courtney Muzio's father is a disabled veteran. We value the sacrifice and service that these members of our community have made the decision to protect and serve our nation. We will donate $2,000 to local Elks Lodge to help promote youth awareness of illegal drugs and to help our veterans.

MADERA YOUTH SOCCER LEAGUE & MADERA NATIONAL LITTLE LEAGUE:

As athletes ourselves, sports have always played an important role in our lives growing up and we have passed on our love and passion to sports to our young children. Representing our local community sports teams was a great honor in our childhood and we would love to give back to youth sports within the Madera community. Youth sports provide children opportunities to develop leadership skills, teamwork and healthy active habits. To provide support for spaces that provide facilities and equipment for our children to develop, we would like to donate and become un-named league sponsors for both the Madera Youth Soccer League and Madera National Little League. We will donate $1,000 to the soccer league and become a home run level sponsor by donating $2,000 to the baseball little league.

ANNUAL ENTREPRENEUR SCHOLARSHIP:

In addition to supporting existing community programs, we would like to support the community in a unique way by providing the remaining of the 2% of gross receipts towards two scholarship programs that would be awarded in February of each year. As small local business owners in multiple communities around the state, we want to provide much needed resources and opportunities to young entrepreneurs as well as other career-oriented individuals within the community who have limited opportunities for higher education, trade schools, or upward mobility. The first scholarship for young adults and entrepreneurs would focus on supporting individuals interested in starting new careers or businesses that require resources such as higher learning, additional skills, or start-up capital. Applicants would be required to submit an essay of 500-1,000 words to tell us why the concept of higher education is important and how that student would implement their goals in a particular field of study. Funds would be provided to youth who can demonstrate an ability to excel in their endeavors but have not been provided the resources needed to pursue their dreams by either attending a college or starting their own business. Additionally, we will establish a second scholarship fund that will provide financial resources to individuals in Madera County who are interested in starting a cannabis career or business but have no experience or the means to do so. The scholarship fund will specifically target online training that is easy to complete at home. We have preliminarily vetted two

such resource companies that would accomplish this goal, including Oaksterdam University or Cannabis Training University. The fund will also assist with purchasing laptops and internet access to ensure these individuals can complete the training.

PUBLIC OUTREACH AND EDUCATION COORDINATION

Our volunteer board of directors will be responsible for selecting and hiring a public outreach and educational coordinator for the non-profit who will directly work with school administrators, police officers, and rehabilitation centers to vet the most supportive educational programs for students as well as to provide training and resources such as speakers, video and print materials which have been proven to make a difference. Topics covered in these training sessions will undoubtedly include honest and potentially frightening discussions and evidence of the potential harmful effects of using cannabis to early, or too much. It has been proven that the approach of demonizing cannabis and its use is not effective with this age group, and we intend to help shape this discussion as well as redefining the role of cannabis use in our society at large. We believe that responsibly administered cannabis can be highly beneficial to a community with a balanced and healthy outlook, and we intend to show how responsible use of cannabis can assist with many of the pains and challenges that accompany us in adulthood.

FLEXIBLE PROGRAMS TO MEET THE NEEDS OF THE COMMUNITY

We recognize that any educational outreach program must be flexible to meet the needs of the community and comply with local rules and regulation. As part of this, we would require the local outreach coordinator to connect with local leaders in the school district, police force, and other community service-oriented groups to solicit ideas for effective outreach that would meet the needs of the community. From these meetings we would design appropriate educational programs that address potential restrictions of different organizations within the community. In addition, to the development of flexible programs we also intend to target the following community groups.

STUDENT EDUCATION AND OUTREACH

Hazy Bulldog Farms specifically wishes to focus our outreach and support efforts on two special groups in Madera, these groups include both students and youth organizations in need of education and assistance. Our public outreach and educational coordinator will actively work to engage with local schools. Where it concerns students, we want to focus most of our outreach efforts and contributions on supporting children of late-middle school and early high school ages. As parents ourselves, recognize that this is a time in life where social pressures and environmental influences make a serious and lasting impact on the youth of the community. As these children move toward adulthood, they face many challenging decisions about how to conduct themselves, many times coming face to face with questionable activities and environments. How and why, they make the choices they decide on in those moments has a great deal to do with the care and support they are receiving from their parents, teachers, supportive adults in their lives, and the community at large.

To truly make outreach plausible and effective, we must recognize as a community that cannabis has become a part of popular culture. It is seen and referred to in the technical environments frequented by youth, such as social media, music and entertainment streams, many times as a positive or "cool" habit to adopt. As we accept this reality, we also accept that Hazy Bulldog Farms and the extended community cannot simply preach abstinence and expect positive results. It is imperative that we teach from a place of honesty and transparency about the consequences of use, including over-use of cannabis and its effects on

developing brains. We believe that properly trained professionals will be needed to inform students of the realities of cannabis use and how it should be used in a safe and appropriate way by adults 21 and over. To affect this reality, Hazy Bulldog Farms will be sharing its time, resources, and special education programs liberally as both a function of public outreach, and direct administration through the school system as allowed.

FAMILIES AND YOUTH ORGANIZATION OUTREACH

Our focus on educational institutions alone is not exclusive to our outreach mission. We understand that schools are limited in terms of time and resources and must abide by a specific set of regulations that may limit the types of programs available in the classroom or assembly setting. Our outreach anticipates this limitation in its desire to additionally supply resources directly to families and youth organizations outside of the school setting who are struggling with defining the role of cannabis in their lives and understanding the impact that its use may have on their familial group. To meet this desire, we intend to:

- Promote and provide visibility to commonly accepted and proven tools such as articles, videos, training, and educational opportunities, in the form of links on our website, information in our newsletters and in additional ways as we interact with the community at large
- Target coming of age cannabis users with webinars, podcasts, videos, and other written materials that can help educate and properly orient them to the safe, effective use of cannabis
- Provide materials and outreach to parents that helps them understand how to best educate and inform their children about the benefits and risks of cannabis use in a responsible and effective manner
- Create and share content across our website and other platforms that assists with the goal of shaping and molding the outlook on cannabis use in society at large to engender more respect and responsible use of the remedy

POST INTERACTION COMMUNITY SURVEYS

Hazy Bulldog intends to track the effectiveness of the non-profit's programs by providing post interaction surveys to staff, community groups, and audience members to provide metrics for improvement of educational programs and outreach. In addition, the results of these surveys will also be used as data points for an annual report that the non-profit will provide to the City of Madera each year.

LOCAL BUSINESS SUPPORT

As business owners in the city of Sonora, we know how important it is to hire locally and support locally businesses. We will continue this trend by prioritizing hiring local contractors to improve our facility for the new cannabis store and purchasing cannabis products from local wholesalers in Madera County. We additionally will require vehicles, gasoline and other auto products, maintenance, insurance, and food services for our in-store and delivery staff to be locally purchased. As we anticipate employing up to 44 staff by year 3, we will be a major local job creator and indirectly contributing to all the services, products, rent, and mortgage payments those people will be paying in the city and surrounding communities. Finally, we anticipate purchasing electric vehicles for our delivery fleet as part of our plan to have an entirely electric fleet within 5 years and will source them from local suppliers.

REPORT TO CITY COUNCIL

Approved by:

_____
Will Tackett, Community Development Director

_____
Arnoldo Rodriguez, City Manager

Council Meeting of: November 15, 2023

Agenda Number: E-1

SUBJECT:

Consideration of Special Meeting dates and Phase IV City Council Interviews and Final Decision Procedures for Commercial Cannabis Business Permits in the City of Madera.

RECOMMENDATION:

Receive a summary report and provide direction on the scheduling of Special Meeting(s) of the City Council, as well as the final procedures and steps to conduct the Phase IV City Council interviews to make final determinations pertaining to the award of Commercial Cannabis Business Permits in the City of Madera.

SUMMARY:

In accordance with the provisions of Section 6-5.13(A) of the City Municipal Code (CMC), the Madera City Council (Council) on December 1, 2021, adopted Resolution No. 21-169 establishing Procedure Guidelines and Review Criteria (Guidelines) to govern the application and selection process for various types of Commercial Cannabis Business (CCB) permits. Pursuant to Section 6-5.14(A) of the CMC, applications (for CCB Permits) will be reviewed per the procedure guidelines and review criteria and will be either denied or approved.

The City of Madera has received applications and completed Phases I through III of the adopted Guidelines for Standard Retail or Microbusiness Commercial Cannabis Business Permit Applications. These phases included: (I) Determination of Eligibility; (II) Application Evaluation and Review; and, (III) Public Meetings. Phase IV comprises City Council Interviews and Final Decisions.

Phase IV of Madera's adopted Guidelines provides, upon the completion of Phase III the City Manager will present to the City Council the top Applicants from the Phase II process together with a summary report of the Public Meeting(s) to the City Council. The City Council will interview

those top Applicants and make a final determination as to which Applicant(s) will be awarded a CCB permit.

In addition, Section 6-5.11 et seq. of the CMC requires the application procedure process to include a component on community benefits. Accordingly, and in accordance with the provisions of the CMC, the Guidelines provide that any community benefits that a commercial cannabis agrees to provide will be made a condition of issuance of the regulatory (CCB) permit; and, upon successful negotiations in the Phase IV process, the Applicant will then be authorized to proceed to apply for any required land use permits and a business license and related approvals.

Finally, the Guidelines further provide that each Applicant should be prepared to conduct a brief presentation in order to be interviewed by the City Council as part of the Phase IV process. Further details as to date, time, place, and length of presentation will be provided prior to the City Council interviews.

It is for these reasons that staff is seeking additional direction from the City Council relative to desired or preferred proceedings for the Phase IV process.

DISCUSSION:

The City of Madera received a total of 26 Standard Retail or Microbusiness applications; all applications were deemed complete (Phase I). The Applications were then scored by the City's selected cannabis consultant (HdL) with all applications excepting one scoring over 90 percent. The Phase II Guidelines provide, at minimum, the top ten (10) Applicants who score a minimum of 90% or higher (2,700 points) in Phase II may be eligible to advance to Phase III. However, the City may at its sole discretion select more than ten (10) Applicants based on the quantity and overall quality of applications the City receives.

Of the 25 Applicants scoring above 90% in Phase II:

- Eight Applicants were awarded a score of 3,000 points/100%.
- The top 10 Applicants were awarded a score above 99%, a less than 0.07% deviation (with only a 0.04% deviation between the 10^{th} and 11^{th} place scores).
- The top 20 Applicants were awarded a score of 2,850 points/95% or higher.
- The total deviation in Applicant scores was less than eight percent.

These statistics represent a very competitive pool of quality Applicants with minimal distinction able to be distinguished from scores. In consultation with HdL, and with principal interest focused on providing an equitable process with benefit of community input to assist in the consideration of Applicants, the City therefore selected, in its sole discretion, the top 20 scoring Applicants to proceed to the Phase III Public Meeting portion of the process.

Phase III Public Meeting Summary:

Phase III Public Meetings were held in the Madera City Hall Council Chambers during the month of August 2023. Given the large number of Applicants selected for the Phase III portion of the process, a total of four public meetings were originally scheduled and noticed (five Applicants per public meeting). A fifth meeting was ultimately scheduled and noticed to accommodate a communication error with one Applicant and rescheduling for another Applicant due to the occurrence of a force majeure type event (resultant from summer storms and flooding at existing facilities elsewhere), which prevented the respective Applicant from attending the originally scheduled meeting.

At the public meetings, each Applicant was given five minutes to provide a presentation. Each Applicant's presentation was followed by an invitation to receive public comment or testimony from the public (three minutes per person), and then the Applicants were given an additional three minutes to respond/rebut any public commentary.

Earlier meetings were well attended by the public with attendance waning slightly toward the latter scheduled meetings. Each meeting (excepting the fifth scheduled meeting with only two Applicants) required approximately 90-120 minutes in duration.

Public testimony was at times provided and repeated at separate meetings by the same individuals with similar comments or concerns pertaining to the retail sale of cannabis, in general. For this reason, staff conducting the meetings later provided reminders to the public in attendance that the decision to allow for the retail sale of cannabis had already been enacted through ordinance and requested that public comments be limited to Applicants' specific presentations, applications or proposed operations or locations in order to best assist the City in vetting the Applications. Public commentary received in protest of retail cannabis sales in general should not be considered relevant to the selection and award of CCB permits to applicants in the manner previously set forth and enacted pursuant to City ordinance and Council adopted Guidelines. However, this is not to discount or discredit personal or negative experiences that were shared. Suggested issues which may be perceived to stem from the social environment, concentrations, exposure, perceived lack of safety and/or quality of life or neighborhood health may wish to be considered at the discretion of the Council respective to individual applications, operations and/or locations.

Public commentary received respective to individual/specific applications were primarily limited to considerations such as the availability of parking (a requirement identified by codified Zoning Regulations) and proximity of locations to sensitive uses or specific neighborhoods. Specific public comment was also provided requesting that attention be given to leased Federal facilities located in the downtown area due to the affect proximity to new cannabis business operations may have on the ability to extend existing, or secure future, lease agreements (based upon existing Federal regulations).

Specific public commentary in support of individual Applicants was also received; typically, in support of operators with a history of living, operating businesses, or participating/volunteering in or contributing to community benefit and/or charitable or non-profit work in Madera.

Testimony and personal experiences were also presented in support of increased access to cannabis goods for medicinal or therapeutic use.

Further Considerations and Discussion:

Appendix A to the adopted Guidelines sets forth the Evaluation Criteria and maximum number of points allocated to each criterion on which Phase II evaluation and scoring was predicated. Presentations from Applicants during the Phase III Public Meetings were appropriately focused on elements of the Evaluation Criteria. Respective Phase II criteria scores for each Applicant/Application are included in Attachment 2 to this report and will not be summarized in the body of this report.[1] However, in addition to the adopted Guidelines Evaluation Criteria the Council may wish to consider the following in its final decisions:

Concentration vs. Distribution.

As depicted in Attachment 1 to this report, a substantial number of Applications received proposed locations within or near the Downtown Area. During the Phase III Public Meeting process, staff heard testimony regarding the potential for new investment to contribute to revitalization of the downtown area. The benefits of potential synergy as a catalyst for further investment or activity which may be created from a concentration of awards in any given area should be weighed and considered vis-à-vis the benefits of accessibility which may be created through a more dispersed geographic distribution of awards.

New Development vs. Redevelopment.

There are arguments in favor of the benefits of both new development as well as the sustainable practice of adaptive reuse, rehabilitation, or redevelopment of existing buildings and properties. Specific buildings and/or properties may be assigned or deemed to hold greater value to the community due to visibility, aesthetic, history or heritage. Staff opines the best planned and often most successful cities include a mixture of investment in both. Beyond the location considerations of the Phase II scoring Evaluation Criteria, which are primarily focused on neighborhood compatibility and site adequacy, staff suggests the Council may wish to also consider other locational factors in its final determination such as locational improvement value.

Size and Organizational Structure.

The Phase II scoring Evaluation Criteria includes provisions relative to Labor, Equity, Diversity and Inclusion. These criteria include considerations relative to the provision of living wages, available benefits and compensation, the number of employment opportunities created, the creation of a diverse work force, and local ownership. Staff suggest the Council may wish to consider the extent to which prospective employees will be hired from local sources. In addition, the Council may wish to consider both the potential viability (or example) a larger Applicant/ownership group

[1] Note that these are the original evaluation reports; subsequent corrections have not been made but are instead reflected in the ranking report in Attachment 1. Additionally, the evaluation reports have been partially redacted to address non-public items related to public safety, deliberative process, trade secret, and similar items.

with a greater number of existing locations or years of experience may bring as well as the potential to create equal opportunities for smaller or more recent startups or business owners in its final decision of awards.

Unionization.

Section 6-5.13(G) of the CMC provides, for applicants with ten or more employees, the applicant shall attest that the applicant has entered into a labor peace agreement and will abide by the terms of the agreement.

While all public participation and testimony received to date is greatly valued and appreciated, it is not staff's opinion that the nature of public commentary received during the Phase III Public Meeting process afforded any further substantial distinction between Applicants; and, is therefore not considered to be influential to an extent necessary to justify a further reduction of the number of Applicants to be considered and interviewed by Council as part of the Phase IV process.

In addition, while Community Benefits were included in the original application submittal and represented to varying degree within the Applicants' presentations during the Phase III Public Meeting process, final proposed commitments have not yet been "negotiated" as intended through the Phase IV Guidelines.

Staff has therefore provided an outline of considerations and potential alternatives respective to proceedings for the Phase IV process for Council consideration. All alternatives are considered compliant and consistent with the provisions of the adopted Guidelines.

ALTERNATIVES:

It should be noted that neither the City Municipal Code nor adopted Guidelines require the Phase IV process to be conducted as a public hearing. At minimum, a presentation of top applicants from the Phase II process, a summary report of the Phase III Public Meeting, and interview of the top applicants for consideration of applications by the City Council is required.

All presentations should be received, and interviews of selected top applicants conducted prior to making any final determinations pertaining to an award of a Commercial Cannabis Business Permit(s).

Staff is requesting the Council receive this summary report and provide direction/determinations regarding the following procedural considerations and alternatives for conducting the Phase IV City Council interviews and for purposes of making final determinations pertaining to the award of Commercial Cannabis Business Permits in the City of Madera. The City Council may, at its discretion, select or modify any of these alternatives in its direction to staff:

- Determine the length of Applicant presentations.

Staff Recommendation: Applicants should be given, at-minimum, the same five-minute length of time afforded during the Phase III Public Meetings to present to the Council during the Phase IV process. HdL staff have opined that five minutes is not sufficient time for final presentations however and has recommended that Applicants be given 10 minutes to provide final presentations. Staff agrees with this opinion and recommendation. It is also recommended that all Applicants be required to provide final presentations in PowerPoint format and provide final PowerPoint slides to City staff either 48 or 72 hours in advance of the scheduled meeting.

- Determine whether the City Council wishes to interview all top Applicants at the same Special Meetings of the City Council at which presentations will be given; or, following receipt of all top Applicant presentations, invite all or a reduced number of top Applicants to return to Council at a later Special or Regular meeting date to participate in the interview process (please note, if a reduced number of top Applicants is selected to be interviewed, subsequent interviews of additional Applicants could be requested on an as-needed basis).

  Staff Recommendation: "Interviewing" all 20 top applicants at the same Special Meetings at which presentations are given ensures all Applicants are afforded an opportunity to be interviewed. Nothing would prevent the Council from asking Applicants questions or from deliberating following Applicant presentations. The Council may wish to consider these type of question & answer sessions to constitute the entirety of the "interview" process. However, this approach may limit the focus or depth of "interviews" unless a greater number or longer Special Meetings are scheduled.

  Alternatively, inviting a reduced number of top Applicants to interview at a later date following presentations: ensures certain time assumptions (or constraints) for the conduct of Special Meetings; may afford greater potential to minimize the number of Special Meetings required to expedite scheduling and the decision-making process; afford the Council with greater opportunity to digest information received, formulate more focused interview questions for selected Applicants and/or consider and negotiate terms relative to community benefit agreements. This approach may also allow all interviews to be conducted in one Special Meeting (or interviews to be conducted in isolation, thereby removing or minimizing any potential advantages resulting from the scheduling order of Applicants). This option would however require the Council to "make a cut" and announce invitations to interview a reduced number of top Applicants following receipt of all Applicant presentations (reserving the right to ask questions and/or deliberate following the presentations).

  In order to retain and reward Phase II score advantages, HdL staff have recommended that the order of the final Applicant presentations be scheduled beginning with the lowest Phase II scoring Applicant and ending with the highest. Staff supports this recommendation and suggests the order for Applicants who achieved the same/tied Phase II scores be selected at random.

- Determine whether public participation, comment and/or testimony will be allowed to be received either after each group of presentations for each meeting, or after all presentations have been provided.

  Staff Recommendation: Public participation is a valuable resource in any public decision-making process and can provide additional perspective and insight to decision-makers. The Phase III Public Meeting process has already afforded opportunity to the public to provide public comment and testimony pertaining to individual Applications. However, the public also has a right to comment during the Phase IV process.

  The manner win which public testimony is received may have potential to dictate the number and/or length of Special meetings necessary. Based upon the nature of public comment and testimony received to date, Staff opines that it is unlikely that new substantive issues or concerns will be brought to the attention of the Council through additional public participation; unless, in response or reaction to comments, questions or concerns raised from Council representatives.

  As such, one option to streamline the process may be to provide an opportunity for public comment after all applicants have made their presentations (which could be at a continued Special Meeting), but before the City Council makes any decision to either select a reduced number of top Applicants for additional interviews and/or prior to approving a permit for any Applicant. Alternatively, public comment could be allowed after each individual presentation. However, this alternative approach may result in repetitive or redundant commentary and extend the length of public testimony unnecessarily and without potential to yield additional information pertinent to the decision-making process.

  Regardless of approach, the public has a right to comment on the individual application and interviews once they take place. If a reduced number of top Applicants are selected for final interviews at a separate scheduled meeting, the same considerations will need to be made respective to accommodating public participation at the separately scheduled meeting.

- Determine the number of Special Meetings desired by the City Council in order to receive presentations from and interview the top Applicants:

  Assuming the top 20 Applicants are each afforded a five-minute presentation, the Council will need to assume, at-minimum, an approximately 2-hour meeting to accommodate all presentations (not including Council questions, interviews or public participation which may be allowed). If final presentations are allowed to be 10 minutes, then approximately 4-hours would be need to accommodate all presentations (not including Council questions, interviews or public participation which may be allowed).

  Staff Recommendation: The Commercial Cannabis Business permit application process has been a long one. Staff supports efforts to minimize the number of Special Meetings

of the City Council and to expedite completion of the Phase IV interview and decision-making process. Whether interviews will be conducted concurrent with presentations or be limited to a reduced number of applicants at a later date, efforts should be made to limit the number of Special Meetings to the extent possible. If the Council desires to complete the Phase IV process and provide CCB Permit award decisions in the 2023 calendar year, it is likely that no more than two Special Meetings may be able to be accommodated prior to the last Regular Meeting of the City Council in the calendar year (e.g., one Special Meeting for presentations and another subsequent Special Meeting for interviews; or, two Special Meetings with presentations and interviews conducted concurrently at the same meetings; and, with awards announced at the conclusion of the Special Meetings or with the option to announce awards at the Regular Meeting of the City Council scheduled for December 20, 2023). While time should not be the principal factor in considerations, minimizing the number of Special Meetings (and/or combining the Phase IV Special Meetings process with the Council's Regular Meeting schedule) will help ensure CCB Permit award decisions may be able to be made by the end of the calendar year.

- Determine terms for negotiation of Community Benefits Agreements.

  Staff Recommendation: Community Benefits, as originally proposed with initial complete Applications are included as Attachment 3 to this report for Council consideration. The Council may elect to allow Applicants to amend and/or submit final or best proposals at or prior to the Special Meeting in which presentations will be provided; or, the Council may choose to receive and base subsequent decisions only on the Community Benefit proposals submitted with initial Applications and defer final agreements to the negotiation process.

  Regardless of preferred alternative, staff suggests "negotiations" are typically best facilitated directly and solely between the individual parties involved. Staff recommends caution that negotiations occurring within an open forum and respective to a competitive process, as instead of a "best and final" approach from all Applicants, it could instead result in a lop-sided "bidding war" that provides an unfair advantage to Applicants based upon the order in which they are given opportunity to present or interview with the Council. Furthermore, consideration should be given to all the applicable Evaluation Criteria holistically in order to identify the best candidates. The consideration of awards should not substantially value any individual Evaluation Criterion to an extent disproportionate with the scoring methodology identified in the adopted Guidelines.

City Council Resolution No. 21-167 sets forth the number and type of CCB Permits that may be issued in the City of Madera. A total of six (6) Standard Retail or Microbusiness CCB Permits (in any combination thereof) may be granted in the City of Madera.

Pursuant to the provisions of Section 6-5.14(H) & (I) of the CMC, the City Council may either deny or approve the final candidates relating to Standard Retail Microbusiness Applications and shall select the top candidates of the cannabis businesses pursuant to review criteria established by

City Council Resolution No. 21-169 establishing Procedure Guidelines and Review Criteria (Guidelines) to govern the application and selection process for various types of Commercial Cannabis Business (CCB) permits. The City Council's decision as to the selection (denial or approval) of the prevailing candidates shall be final and shall not be subject to further administrative or City Council review or appeal.

The City will issue a notice to the prevailing applicants that the City will issue an official Cannabis Business Permit(s) upon the prevailing Applicant(s) obtaining all required land use approvals. Once all required land use approvals are secured, the City will issue an official Cannabis Business Permit.

FINANCIAL IMPACT:

At the time of application filing, each Applicant paid the application fee established by resolution of the City Council (to cover all costs incurred by the City in the application process). While additional Special Meetings of the City Council will result in additional staff resource costs, the application fee was anticipated to cover the Phase IV process and any additional resource costs resultant from any of the presented Alternatives are considered nominal and recoverable through benefit of the respective awards.

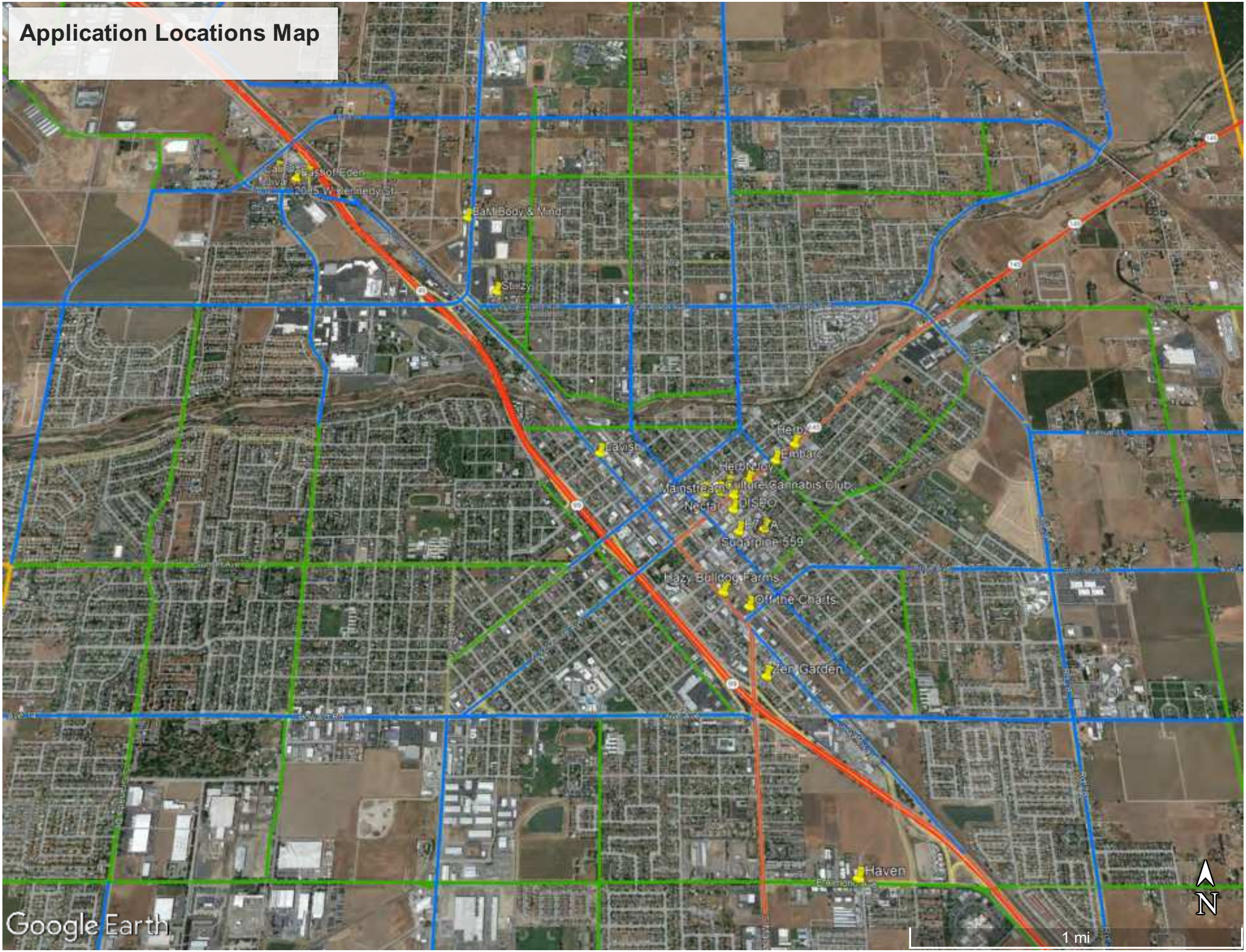
There is no significant fiscal impact associated with the recommended action.

ATTACHMENTS:

1. Application Locations Maps
2. Phase II Application Scores & Summary
3. Application Community Benefit Proposals

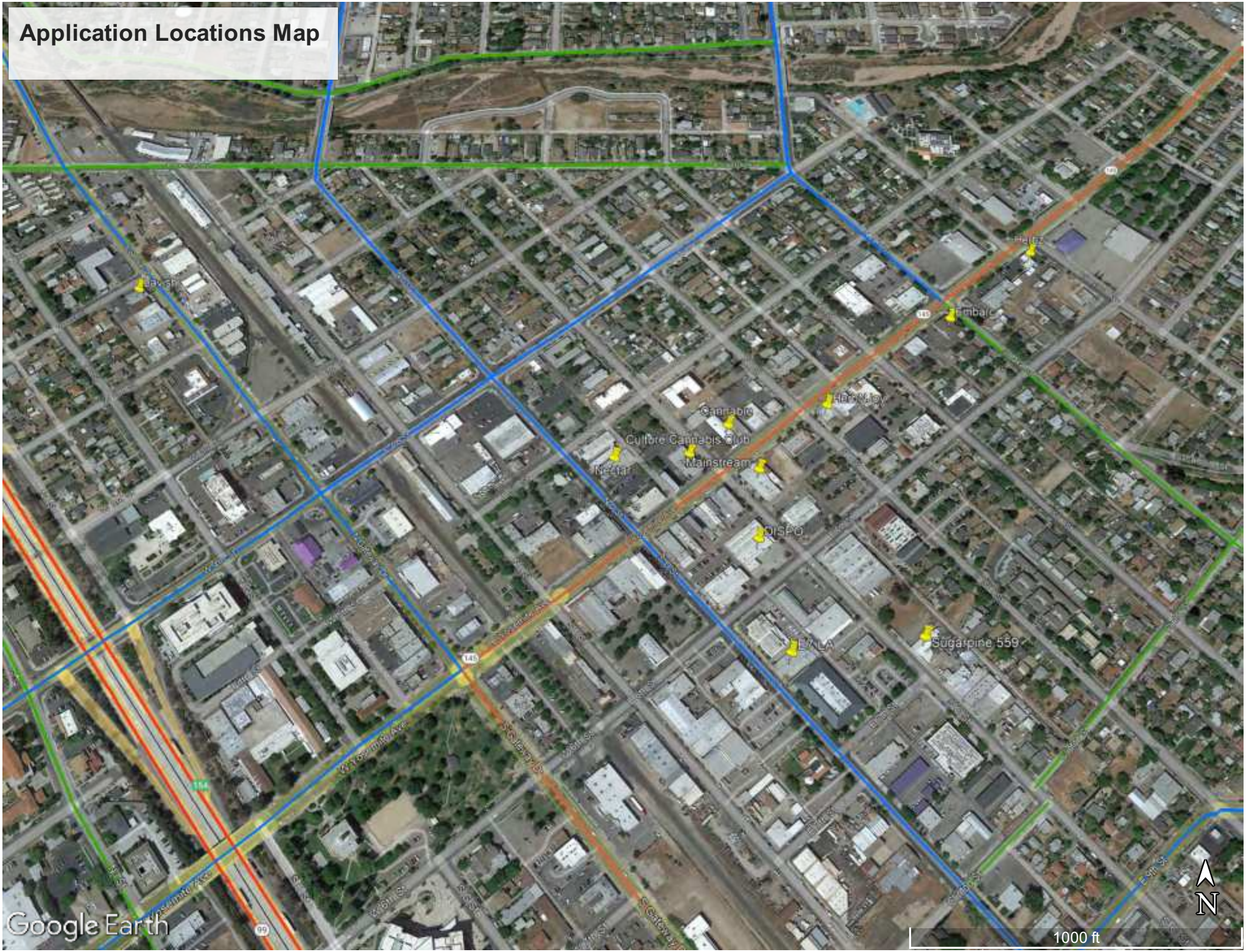
ATTACHMENT 1
Application Locations Maps

Application Locations Map

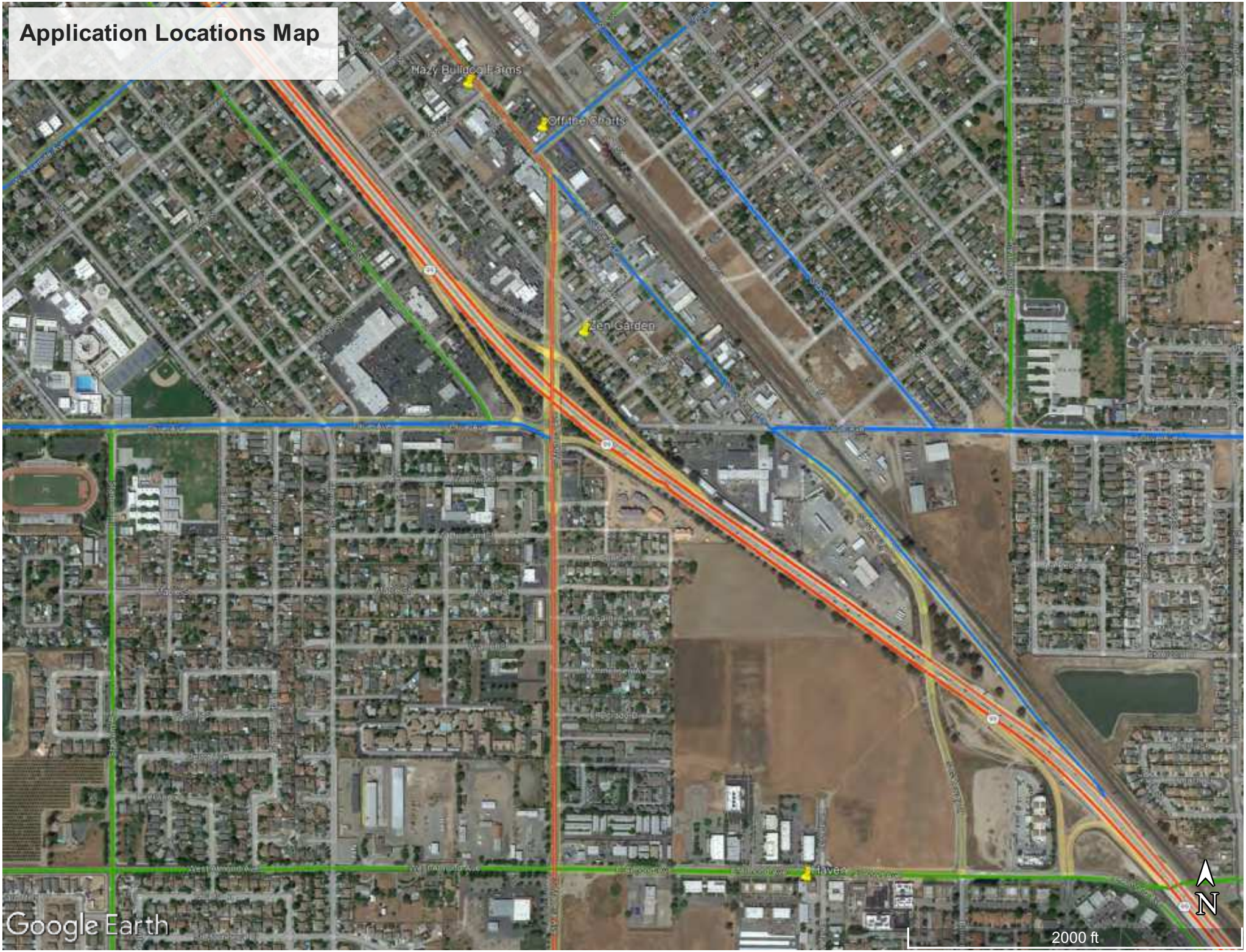



Application Locations Map
Jiva
Cali-O
East of Eden
2985 W Kennedy St
Stiizy
Google Earth
N
1000 ft

Application Locations Map



Application Locations Map



ATTACHMENT 2
Phase II Application Scores & Summary

CITY OF MADERA

(STANDARD) Application Evaluation and Review

Phase II

#	Tracking No.	Applicant Name	License Type	Points Possible	Points Awarded	Score
1. *	CAN 2022-09	Cali Oz Madera LLC	Retail	3,000	3,000	100.00%
1. *	CAN 2022-27	GBH Retail LLC	Retail	3,000	3,000	100.00%
1. *	CAN 2022-17	Lavish West Coast Madera	Retail	3,000	3,000	100.00%
1. *	CAN 2022-11	Madera Erudite Ventures	Retail	3,000	3,000	100.00%
1. *	CAN 2022-20	Madera Has Culture Inc	Retail	3,000	3,000	100.00%
1. *	CAN 2022-10	Mainstream Madera LLC	Retail	3,000	3,000	100.00%
1. *	CAN 2022-04	Responsible and Compliant Retail Madera LLC	Retail	3,000	3,000	100.00%
1. *	CAN 2022-03	Shryne Madera LLC	Retail	3,000	3,000	100.00%
2.	CAN 2022-13	Haven Madera LLC	Retail	3,000	2,993	99.77%
3.	CAN 2022-25	Sugarpine 559 Inc	Retail	3,000	2,992	99.73%
4.	CAN 2022-18	DSPO-Madera LLC	Retail	3,000	2,975	99.17%
5.	CAN 2022-19	Zen Garden of Madera Inc	Retail	3,000	2,932	97.73%
6. *	CAN 2022-28	E7 LA LLC	Retail	3,000	2,900	96.67%
6. *	CAN 2022-05	GFC Central LLC	Retail	3,000	2,900	96.67%
6. *	CAN 2022-24	Jiva MAE LLC	Retail	3,000	2,900	96.67%
6. *	CAN 2022-07	OTC Madera LLC	Retail	3,000	2,900	96.67%
6. *	CAN 2022-06	Retail NM LLC	Retail	3,000	2,900	96.67%
7.	CAN 2022-01	NMG CA 1 LLC	Retail	3,000	2,895	96.50%
8.	CAN 2022-21	Herbz LLC	Retail	3,000	2,892	96.40%
9.	CAN 2022-23	HBF2 Inc	Retail	3,000	2,889	96.30%
10.	CAN 2022-02	Perfect Union - Madera LLC	Retail	3,000	2,874	95.80%
11.	CAN 2022-12	Gateway Canna Groups	Retail	3,000	2,840	94.67%
12.	CAN 2022-22	Dime Bagz LLC	Retail	3,000	2,836	94.53%
13. *	CAN 2022-14	Bluefire of Madera Inc	Retail	3,000	2,765	92.17%
13. *	CAN 2022-15	Phenos of Madera	Retail	3,000	2,765	92.17%
14.	CAN 2022-26	Maderijuana LLC	Retail	3,000	2,504	83.47%

***** Businesses that tied in score are listed in alphabetical order

(SOCIAL EQUITY) Application Evaluation and Review

Phase II

#	Tracking No.	Applicant Name	License Type	Points Possible	Points Awarded	Score
1.	CAN 2022-08	Nebrina Madera LLC	Retail	2,700	2,700	100.00%
2.	CAN 2022-16	California Cannoisseur LLC	Retail	2,700	2,698	99.93%

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

Bluefire of Madera, Inc. dba Bluefire of Madera
Applicant Name / DBA:

212 East Yosemite Ave., Madera, CA 93638
Proposed Location / Physical Address:

Retail Storefront
License Type:

Original Report
Report Type:

7/21/2022
Report Date:

Complete Upon Initial Review.
Report Status:

Points Available: 3,000 **Points Awarded:** 2,765

Score: 92.17%

PHASE II: APPLICATION EVALUATION AND REVIEW (3,000 Points)

During this application period the City will allow up to six (6) cannabis business permits. The Procedure Guidelines and Review Criteria constitute the application process and are adopted pursuant to the City of Madera Municipal Code (MMC) Section 6-5.13 and Title X, Chapter 3 (Zoning Regulations). Applications will be reviewed and scored using a merit-based system. At a minimum the top ten (10) applicants who score a minimum of 90% or higher (2,700 points) in Phase II may be eligible to advance to Phase III. However, the City may at its sole discretion select more than ten (10) applicants based on the quantity and the overall quality of applications the City receives. Notice of the results of Phase II will be provided in writing via email to the primary contact listed on the application.

Section A: Business Plan (400 pts)			Scoring Basis	Page Number	Points Available	Points Received	Evaluation
Business Plan:							
A.1.	Budget for construction, operations, maintenance, compensation of employees, equipment, property lease, security equipment and staff, City fees, state fees, utility costs, product purchases, and other anticipated costs. Budget demonstrates sufficient capital to pay startup costs at least 3 months of operating costs and a describes sources and use of funds.		**Percentage**	pg. 4, 23, 26	**75**	**75**	Addressed Criteria
	A.1. A.	Proof of capitalization, in the form of documentation of cash or other liquid assets on hand, Letters of Credit, or other equivalent assets which can be verified by the City.	**All or None**	pg. 26, File #4	**50**	**50**	Addressed Criteria
	A.1.B.	Pro forma for at least three years of operation.	**Percentage**	pg. 27	**75**	**75**	Addressed Criteria
	A.1.C.	A schedule for beginning operation, including a narrative outlining any proposed construction and improvements and a timeline for completion.	**All or None**	pg. 4-5	**20**	**20**	Addressed Criteria
Daily Operations (Retail):							
A.2.1.	**Describes the day-to-day operations which meet best practice if you are applying for a RETAIL permit, including at a minimum the following criteria:**						
	A.2.1.A.	Describe customer check-in procedures.	**Percentage**	pg. 5-9	**75**	**75**	Addressed Criteria
	A.2.1.B.	Identify the location and procedures for receiving deliveries during business hours.	**All or None**	pg. 9-10	**25**	**25**	Addressed Criteria

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

A.2.1. Cont'd	**A.2.1.C.**	Describe the Point-of-Sale system to be used (including name), how it will interact with the states track-and-trace system, and the number of Point-of-Sale locations at full capacity.	**All or None**	pg. 10-16	**20**	**20**	Addressed Criteria
	A.2.1.D.	Estimate the number of customers to be served per hour/day.	**All or None**	pg. 16	**10**	**10**	Addressed Criteria
	A.2.1.E.	Describe the proposed product line to be sold (including brand names), and estimate of the percentage of sales of flower and manufactured products.	**Percentage**	pg. 16	**20**	**20**	Addressed Criteria
	A.2.1.F.	If proposed, describe delivery service procedures, number of vehicles and product security during transportation.	**N/A**				No delivery service.
	A.2.1.G.	Describes how the Cannabis Business will conform to local and state laws. See MMC Sections 6-5.40 and Title X.	**Percentage**	pg. 17-20	**20**	**20**	Addressed Criteria
	A.2.1.H.	Describes how cannabis will be tracked and monitored to prevent diversion.	**All or None**	pg. 20-21	**10**	**10**	Addressed Criteria
Summary	[redacted]						

Section B: Labor, Equity, Diversity, and Inclusion Plan (400 pts)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
B.1.	Describe the extent business will include recognition of the collective bargaining rights of employees in accordance with Section 6-5.13 (G).	**All or None**	pg. 32	**25**	**25**	Addressed Criteria
B.2.	Identify the number of employees at initial opening and maximum number of employees at full capacity.	**All or None**	pg. 32	**25**	**25**	Addressed Criteria
B.3.	Describe the diversity and inclusion programs that will be developed to embrace a diverse work force with a diverse set of perspectives, work and life experiences, religious, and cultural differences that provide equal opportunities for employee development.	**All or None**	pg. 32-33	**25**	**25**	Addressed Criteria
B.4.	Identify all positions and their responsibilities.	**Percentage**	pg. 33-34	**50**	**50**	Addressed Criteria
B.5.	Describe compensation to and opportunities for continuing education and training for employees.	**Percentage**	pg. 35	**50**	**50**	Addressed Criteria
B.6.	Describe whether the cannabis business is committed to offering employees a Living Wage.	**All or None**	pg. 35-36	**100**	**100**	Addressed Criteria
B.7.	Describe the benefits provided to employees such as health care, vacation, and medical leave, to the degree they are offered as part of employment.	**All or None**	pg. 36	**25**	**25**	Addressed Criteria

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

B.8.	Describe the extent to which the cannabis business will be locally owned and how the owner(s) have resided within the County of Madera for at least one year prior to June 1, 2021.	**All or None**	pg. 36	**100**	**0**	Applicant indicated that this section was "N/A". No further information was provided within the application.

Summary [redacted]

Section C: Safety Plan (300 points)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
C.1.	The detailed Safety Plan shall be prepared by a California professional fire prevention and suppression consultant.	**All or None**	pg. 37, 39	**100**	**0**	In lieu of providing a detailed safety plan prepared by a California Professional Fire Prevention and Suppression Consultant, the applicant provided an email from the City of Madera Fire Marshall, Matthew Tarr which stated that, "Fire Prevention does not need a detailed analysis for a dispensary only site. Such a site is no more hazardous than any cigarette shop in town." Section C(1) of Resolution 21-169 Cannabis Procedure Guidelines - 12.01.21, states that, "The detailed Safety Plan shall be prepared by a California professional fire prevention and suppression consultant."
C.2.	Describes all fire prevention and suppression measures, fire extinguisher locations, evacuation routes and alarm systems in place.	**Percentage**	pg. 37	**100**	**70**	Applicant's Safety Plan did not describe all fire prevention and suppression measures or evacuation routes.
C.3.	Describes all accident and incident reporting procedures.	**All or None**	pg. 37-38	**50**	**50**	Addressed Criteria
C.4.	Identify all known chemicals, gases, solvents and nutrients to be used and stored on the licensed premises. Identify storage location and how each will be secured.	**Percentage**	pg. 38	**50**	**50**	Addressed Criteria

Summary [redacted]

Section D: Security Plan (300 points)			**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
D.1.	The Security Plan shall be prepared and/or assessed by a professional security consultant.		**All or None**	pg. 40,44	**100**	**100**	Addressed Criteria
	D.1.A.	Plan shall demonstrate how the cannabis business wishes to develop the floor plan and address other security issues on the property.					

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

D.2.	Premises Diagram. In addition to the site plans submitted for the Proposed Location (in Section H of Appendix A), a separate Premises Diagram must be included in this Security Plan section (Section D) of the application. Diagram must meet the requirements of the Department of Cannabis Control DCR Title 4, Division 19, §15006 Premises Diagram.	**Percentage**	pg. 58	**75**	**75**	Addressed Criteria
	D.2.A. Diagram shall show boundaries of property and proposed location to be licensed and show all boundaries, dimensions, entrances and exits, interior partitions, walls, rooms, windows, and doorways, and shall include a brief statement or description of the principal activity to be conducted therein.	**N/A**				
	D.2.B. Diagram shall show and identifies commercial cannabis activities to take place in each area of the premises and identify all limited-access areas.	**N/A**				
	D.2.C. Diagram shall show all camera locations and include assigned an number to each camera for identification purposes.	**N/A**				
	D.2.D. The diagram shall be accurate, dimensioned and to-scale (minimum scale of 1/4").	**N/A**				
	D.2.E. If the proposed location consists of only a portion of a property, the diagram is labeled indicating which part of the property will be used for the licensed premises and what activities will be used for the remaining property.	**N/A**				
D.3.	Describe operational security, including general security for access/visitor control, inventory control and cash handling procedures.	**Percentage**	pg. 40-62	**75**	**75**	Addressed Criteria
D.4.	Describe perimeter security, on-site security guards, proposed guard hours and their responsibilities, and lighting.	**Percentage**	pg. 42-62	**35**	**35**	Addressed Criteria
D.5.	Describe employee training and general security policies.	**Percentage**	pg. 42-62	**15**	**15**	Addressed Criteria
Summary	[redacted]					

Section E: Qualification of Owners (400 points)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
E.1.	Demonstrate the business owner's experience in owning, managing, and operating a cannabis business. Evidence that prior experience was from legally permitted activities.	**Percentage**	pg. 63-85	**150**	**150**	Addressed Criteria

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

E.2.	Demonstrate knowledge of the cannabis industry, including identification of how industry best practices and state regulations have been incorporated in existing/prior legal businesses outside the City of Madera.	**Percentage**	pg. 67-85	**100**	**100**	Addressed Criteria
E.3.	Describe the involvement of the ownership team in the day-to-day operation of the business.	**Percentage**	pg. 68-85	**150**	**150**	Addressed Criteria
Summary	[redacted]					
Section F: Neighborhood Compatibility (400 points)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
F.1.	Describe how the business will proactively address and respond to complaints related to noise, light, odor, and vehicle and pedestrian traffic and avoid becoming a nuisance or negative impact.	**Percentage**	pg. 86-89	**25**	**25**	Addressed Criteria
F.2.	Describe the waste management plan including: waste disposal locations, security measures, methods of rendering all waste unusable and unrecognizable, and the vendor in charge of disposal.	**Percentage**	pg. 89-91	**100**	**100**	Addressed Criteria
F.3.	**The application includes the following information about the proposed location:**					
F.3.A.	Physical address and a detailed description of the proposed location, including overall property, building, and interior floor plan.	**Percentage**	pg. 91-92	**50**	**50**	Addressed Criteria
F.3.B.	Describes all known nearby State and local sensitive use areas. (Business must have the appropriate zoning locational requirements described in MMC sections 6-5.33 and Title X)	**All or None**	pg. 92, 94	**25**	**25**	Addressed Criteria
F.3.C.	Lists nearby, well-traveled paths to schools and describes how the business will proactively protect youth on these paths from exposure to the cannabis business.	**All or None**	pg. 92, 94	**25**	**25**	Addressed Criteria
F.3.D.	Describes how the business will proactively take steps about community concerns to protect the youth generally from the impacts of the cannabis business.	**Percentage**	pg. 93	**50**	**50**	Addressed Criteria
F.3.E.	Proof of ownership, lease agreement, or a Letter of Intent to Lease.	**All or None**	pg. 105-106	**50**	**50**	Addressed Criteria
F.3.F.	Vicinity map.	**All or None**	pg. 94	**25**	**25**	Addressed Criteria
F.3.G.	Photographs of existing site and buildings.	**All or None**	pg. 107	**25**	**25**	Addressed Criteria
F.3.H.	Evidence that the location has access to public transportation for employees or customers.	**All or None**	pg. 95	**25**	**25**	Addressed Criteria

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

Summary	[redacted]

Section G: Community Benefits and Investment Plan (500 points)		Scoring Basis	Page Number	Points Available	Points Received	Evaluation
G.1.	Describes benefits the business will provide to the local community. May include: directly aiding, participating in, volunteer services, monetary donations, financial support, funding, and or any other economic incentives to the City or other charitable organizations in which will help achieve the strategic policy goals of the City Council in permitting cannabis businesses in the City of Madera.	**Percentage**	pg. 108-157	**500**	**500**	Addressed Criteria
Summary	[redacted]					

Section H: Proposed Location (300 points)			Scoring Basis	Page Number	Points Available	Points Received	Evaluation
H.	In addition to the location details required in the Security Plan, the application shall include a thorough narrative description of the proposed location, including overall site, existing and/or proposed building(s), parking spaces, driveways, pedestrian sidewalks/rights-of-way, and neighboring businesses on the parcel.		**Percentage**	pg. 158-162	**100**	**95**	Review of section H showed that the applicant's proposed location did not include a narrative description of the neighboring businesses on the parcel.
	H.1.	Applicant must have the appropriate zoning and meet all the locational requirements as described in MMC Section 6-5.33 and Title X.	**All or None**	pg. 161	**150**	**150**	Addressed Criteria
	H.2.	In addition to the Site Diagram submitted with the Security Plan above, application must include a (Site) diagram depicting all details described in the narrative description of the proposed location.	**Percentage**	pg. 162	**50**	**50**	Addressed Criteria
Summary	[redacted]						

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

Cali Oz Madera LLC
Applicant Name / DBA:

2073 Kennedy Street, Suite 101 & 103, Madera, CA 93638
Proposed Location / Physical Address:

Retail Storefront
License Type:

Original Report
Report Type:

Friday, August 5, 2022
Report Date:

Complete Upon Initial Review.
Report Status:

Points Available: 3,000 **Points Awarded:** 3,000

Score: 100.00%

PHASE II: APPLICATION EVALUATION AND REVIEW (3,000 Points)

During this application period the City will allow up to six (6) cannabis business permits. The Procedure Guidelines and Review Criteria constitute the application process and are adopted pursuant to the City of Madera Municipal Code (MMC) Section 6-5.13 and Title X, Chapter 3 (Zoning Regulations). Applications will be reviewed and scored using a merit-based system. At a minimum the top ten (10) applicants who score a minimum of 90% or higher (2,700 points) in Phase II may be eligible to advance to Phase III. However, the City may at its sole discretion select more than ten (10) applicants based on the quantity and the overall quality of applications the City receives. Notice of the results of Phase II will be provided in writing via email to the primary contact listed on the application.

Section A: Business Plan (400 pts)			Scoring Basis	Page Number	Points Available	Points Received	Evaluation
Business Plan:							
A.1.	Budget for construction, operations, maintenance, compensation of employees, equipment, property lease, security equipment and staff, City fees, state fees, utility costs, product purchases, and other anticipated costs. Budget demonstrates sufficient capital to pay startup costs at least 3 months of operating costs and a describes sources and use of funds.		**Percentage**	pg. 2-4	**75**	**75**	Addressed Criteria
	A.1. A.	Proof of capitalization, in the form of documentation of cash or other liquid assets on hand, Letters of Credit, or other equivalent assets which can be verified by the City.	**All or None**	pg. 7 PDF File #4	**50**	**50**	Addressed Criteria
	A.1.B.	Pro forma for at least three years of operation.	**Percentage**	pg. 4-6, 8	**75**	**75**	Addressed Criteria
	A.1.C.	A schedule for beginning operation, including a narrative outlining any proposed construction and improvements and a timeline for completion.	**All or None**	pg. 9-10	**20**	**20**	Addressed Criteria
Daily Operations (Retail):							
A.2.1.	**Describes the day-to-day operations which meet best practice if you are applying for a RETAIL permit, including at a minimum the following criteria:**						
	A.2.1.A.	Describe customer check-in procedures.	**Percentage**	pg. 10-12	**75**	**75**	Addressed Criteria
	A.2.1.B.	Identify the location and procedures for receiving deliveries during business hours.	**All or None**	pg. 12-15	**25**	**25**	Addressed Criteria

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

A.2.1. Cont'd	**A.2.1.C.**	Describe the Point-of-Sale system to be used (including name), how it will interact with the states track-and-trace system, and the number of Point-of-Sale locations at full capacity.	**All or None**	pg. 15-16	**20**	**20**	Addressed Criteria
	A.2.1.D.	Estimate the number of customers to be served per hour/day.	**All or None**	pg. 16	**10**	**10**	Addressed Criteria
	A.2.1.E.	Describe the proposed product line to be sold (including brand names), and estimate of the percentage of sales of flower and manufactured products.	**Percentage**	pg. 16-17	**20**	**20**	Addressed Criteria
	A.2.1.F.	If proposed, describe delivery service procedures, number of vehicles and product security during transportation.	**N/A**				2 Electric Delivery vehicles
	A.2.1.G.	Describes how the Cannabis Business will conform to local and state laws. See MMC Sections 6-5.40 and Title X.	**Percentage**	pg. 23-24	**20**	**20**	Addressed Criteria
	A.2.1.H.	Describes how cannabis will be tracked and monitored to prevent diversion.	**All or None**	pg. 24-32	**10**	**10**	Addressed Criteria
Summary	[redacted]						

Section B: Labor, Equity, Diversity, and Inclusion Plan (400 pts)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
B.1.	Describe the extent business will include recognition of the collective bargaining rights of employees in accordance with Section 6-5.13 (G).	**All or None**	pg. 35-39	**25**	**25**	Addressed Criteria
B.2.	Identify the number of employees at initial opening and maximum number of employees at full capacity.	**All or None**	pg. 39	**25**	**25**	Addressed Criteria
B.3.	Describe the diversity and inclusion programs that will be developed to embrace a diverse work force with a diverse set of perspectives, work and life experiences, religious, and cultural differences that provide equal opportunities for employee development.	**All or None**	pg. 39-43	**25**	**25**	Addressed Criteria
B.4.	Identify all positions and their responsibilities.	**Percentage**	pg. 43-52	**50**	**50**	Addressed Criteria
B.5.	Describe compensation to and opportunities for continuing education and training for employees.	**Percentage**	pg. 52-58	**50**	**50**	Addressed Criteria
B.6.	Describe whether the cannabis business is committed to offering employees a Living Wage.	**All or None**	pg. 58	**100**	**100**	Addressed Criteria
B.7.	Describe the benefits provided to employees such as health care, vacation, and medical leave, to the degree they are offered as part of employment.	**All or None**	pg. 59-60	**25**	**25**	Addressed Criteria

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

B.8.	Describe the extent to which the cannabis business will be locally owned and how the owner(s) have resided within the County of Madera for at least one year prior to June 1, 2021.	**All or None**	pg. 60-63	**100**	**100**	Addressed Criteria
Summary	[redacted]					

Section C: Safety Plan (300 points)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
C.1.	The detailed Safety Plan shall be prepared by a California professional fire prevention and suppression consultant.	**All or None**	pg. 67	**100**	**100**	Addressed Criteria
C.2.	Describes all fire prevention and suppression measures, fire extinguisher locations, evacuation routes and alarm systems in place.	**Percentage**	pg. 68-74	**100**	**100**	Addressed Criteria
C.3.	Describes all accident and incident reporting procedures.	**All or None**	pg. 75-79	**50**	**50**	Addressed Criteria
C.4.	Identify all known chemicals, gases, solvents and nutrients to be used and stored on the licensed premises. Identify storage location and how each will be secured.	**Percentage**	pg. 80	**50**	**50**	Addressed Criteria
Summary	[redacted]					

Section D: Security Plan (300 points)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
D.1.	The Security Plan shall be prepared and/or assessed by a professional security consultant.	**All or None**	pg. 83	**100**	**100**	Addressed Criteria
	D.1.A. Plan shall demonstrate how the cannabis business wishes to develop the floor plan and address other security issues on the property.					
D.2.	Premises Diagram. In addition to the site plans submitted for the Proposed Location (in Section H of Appendix A), a separate Premises Diagram must be included in this Security Plan section (Section D) of the application. Diagram must meet the requirements of the Department of Cannabis Control DCR Title 4, Division 19, §15006 Premises Diagram.	**Percentage**	pg. 106	**75**	**75**	Addressed Criteria

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

D.2. Cont'd	**D.2.A.**	Diagram shall show boundaries of property and proposed location to be licensed and show all boundaries, dimensions, entrances and exits, interior partitions, walls, rooms, windows, and doorways, and shall include a brief statement or description of the principal activity to be conducted therein.	**N/A**				
	D.2.B.	Diagram shall show and identifies commercial cannabis activities to take place in each area of the premises and identify all limited-access areas.	**N/A**				
	D.2.C.	Diagram shall show all camera locations and include assigned an number to each camera for identification	**N/A**				
	D.2.D.	The diagram shall be accurate, dimensioned and to-scale (minimum scale of 1/4").	**N/A**				
	D.2.E.	If the proposed location consists of only a portion of a property, the diagram is labeled indicating which part of the property will be used for the licensed premises and what activities will be used for the remaining property.	**N/A**				
D.3.	Describe operational security, including general security for access/visitor control, inventory control and cash handling procedures.		**Percentage**	pg. 84-92	**75**	**75**	Addressed Criteria
D.4.	Describe perimeter security, on-site security guards, proposed guard hours and their responsibilities, and lighting.		**Percentage**	pg. 92-96	**35**	**35**	Addressed Criteria
D.5.	Describe employee training and general security policies.		**Percentage**	pg. 97-105	**15**	**15**	Addressed Criteria
Summary	[redacted]						

Section E: Qualification of Owners (400 points)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
E.1.	Demonstrate the business owner's experience in owning, managing, and operating a cannabis business. Evidence that prior experience was from legally permitted activities.	**Percentage**	pg. 108-117	**150**	**150**	Addressed Criteria
E.2.	Demonstrate knowledge of the cannabis industry, including identification of how industry best practices and state regulations have been incorporated in existing/prior legal businesses outside the City of Madera.	**Percentage**	pg. 118	**100**	**100**	Addressed Criteria
E.3.	Describe the involvement of the ownership team in the day-to-day operation of the business.	**Percentage**	pg. 119-120	**150**	**150**	Addressed Criteria

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

Summary	[redacted]

Section F: Neighborhood Compatibility (400 points)			Scoring Basis	Page Number	Points Available	Points Received	Evaluation
F.1.	Describe how the business will proactively address and respond to complaints related to noise, light, odor, and vehicle and pedestrian traffic and avoid becoming a nuisance or negative impact.		**Percentage**	pg.122-138	**25**	**25**	Addressed Criteria
F.2.	Describe the waste management plan including: waste disposal locations, security measures, methods of rendering all waste unusable and unrecognizable, and the vendor in charge of disposal.		**Percentage**	pg. 139-141	**100**	**100**	Addressed Criteria
F.3.	**The application includes the following information about the proposed location:**						
	F.3.A.	Physical address and a detailed description of the proposed location, including overall property, building, and interior floor plan.	**Percentage**	pg. 141-145	**50**	**50**	Addressed Criteria
	F.3.B.	Describes all known nearby State and local sensitive use areas. (Business must have the appropriate zoning locational requirements described in MMC sections 6-5.33 and Title X)	**All or None**	pg. 146	**25**	**25**	Addressed Criteria
	F.3.C.	Lists nearby, well-traveled paths to schools and describes how the business will proactively protect youth on these paths from exposure to the cannabis business.	**All or None**	pg. 146	**25**	**25**	Addressed Criteria
	F.3.D.	Describes how the business will proactively take steps about community concerns to protect the youth generally from the impacts of the cannabis business.	**Percentage**	pg. 147	**50**	**50**	Addressed Criteria
	F.3.E.	Proof of ownership, lease agreement, or a Letter of Intent to Lease.	**All or None**	PDF #1 pg. 20-58	**50**	**50**	Addressed Criteria
	F.3.F.	Vicinity map.	**All or None**	pg. 149	**25**	**25**	Addressed Criteria
	F.3.G.	Photographs of existing site and buildings.	**All or None**	pg. 150-151	**25**	**25**	Addressed Criteria
	F.3.H.	Evidence that the location has access to public transportation for employees or customers.	**All or None**	pg. 152-154	**25**	**25**	Addressed Criteria

Summary	[redacted]

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

Section G: Community Benefits and Investment Plan (500 points)		Scoring Basis	Page Number	Points Available	Points Received	Evaluation
G.1.	Describes benefits the business will provide to the local community. May include: directly aiding, participating in, volunteer services, monetary donations, financial support, funding, and or any other economic incentives to the City or other charitable organizations in which will help achieve the strategic policy goals of the City Council in permitting cannabis businesses in the City of Madera.	**Percentage**	pg. 156-164	**500**	**500**	Addressed Criteria
Summary						

Section H: Proposed Location (300 points)			Scoring Basis	Page Number	Points Available	Points Received	Evaluation
H.	In addition to the location details required in the Security Plan, the application shall include a thorough narrative description of the proposed location, including overall site, existing and/or proposed building(s), parking spaces, driveways, pedestrian sidewalks/rights-of-way, and neighboring businesses on the parcel.		**Percentage**	pg. 166-168	**100**	**100**	Addressed Criteria
	H.1.	Applicant must have the appropriate zoning and meet all the locational requirements as described in MMC Section 6-5.33 and Title X.	**All or None**	PDF# 5	**150**	**150**	Addressed Criteria
	H.2.	In addition to the Site Diagram submitted with the Security Plan above, application must include a (Site) diagram depicting all details described in the narrative description of the proposed location.	**Percentage**	pg. 168	**50**	**50**	Addressed Criteria
Summary							

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

Dime Bagz, LLC dba Dime Bagz	**Original Report**
Applicant Name / DBA:	**Report Type:**
301 North Gateway Dr., Madera, CA 93637	**Monday, July 25, 2022**
Proposed Location / Physical Address:	**Report Date:**
Retail Storefront	**Complete Upon Initial Review.**
License Type:	**Report Status:**

Points Available: 3,000 **Points Awarded:** 2,836

Score: 94.53%

PHASE II: APPLICATION EVALUATION AND REVIEW (3,000 Points)

During this application period the City will allow up to six (6) cannabis business permits. The Procedure Guidelines and Review Criteria constitute the application process and are adopted pursuant to the City of Madera Municipal Code (MMC) Section 6-5.13 and Title X, Chapter 3 (Zoning Regulations). Applications will be reviewed and scored using a merit-based system. At a minimum the top ten (10) applicants who score a minimum of 90% or higher (2,700 points) in Phase II may be eligible to advance to Phase III. However, the City may at its sole discretion select more than ten (10) applicants based on the quantity and the overall quality of applications the City receives. Notice of the results of Phase II will be provided in writing via email to the primary contact listed on the application.

Section A: Business Plan (400 pts)			Scoring Basis	Page Number	Points Available	Points Received	Evaluation
Business Plan:							
A.1.	Budget for construction, operations, maintenance, compensation of employees, equipment, property lease, security equipment and staff, City fees, state fees, utility costs, product purchases, and other anticipated costs. Budget demonstrates sufficient capital to pay startup costs at least 3 months of operating costs and a describes sources and use of funds.		**Percentage**	pg. 2-3 pg. 78-81	**75**	**75**	Addressed Criteria
	A.1. A.	Proof of capitalization, in the form of documentation of cash or other liquid assets on hand, Letters of Credit, or other equivalent assets which can be verified by the City.	**All or None**	pg. 74-77	**50**	**0**	Review of the applicant's proof of capitalization in PDF File #4 and on pages 74-77 of PDF File #2, showed that [redacted], and [redacted] were joint account holders on the bank accounts utilized to substantiate capital. The applicant failed to identify [redacted], or [redacted] as owners of the proposed business or include authorization from the aforementioned individuals to utilize the funds. As such, the source of capital could not be verified.

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

A.1. Cont'd	**A.1.B.**	Pro forma for at least three years of operation.	**Percentage**	pg. 2-3 pg. 78-81	**75**	**64**	Review of PDF File #2 showed that the applicant did not clearly identify the 3-year Pro Forma. Pages 80-81 showed table illustrating three years of anticipated annual revenue and costs. Although this table was not clearly identified, HdL utilized this table as no other table representing a "Pro Forma" was provided. Applicant's table failed to include costs for equipment, or maintenance.
	A.1.C.	A schedule for beginning operation, including a narrative outlining any proposed construction and improvements and a timeline for completion.	**All or None**	pg. 3	**20**	**20**	Addressed Criteria
Daily Operations (Retail):							
A.2.1.	**Describes the day-to-day operations which meet best practice if you are applying for a RETAIL permit, including at a minimum the following criteria:**						
	A.2.1.A.	Describe customer check-in procedures.	**Percentage**	pg. 5-6	**75**	**75**	Addressed Criteria
	A.2.1.B.	Identify the location and procedures for receiving deliveries during business hours.	**All or None**	pg. 6	**25**	**25**	Addressed Criteria
	A.2.1.C.	Describe the Point-of-Sale system to be used (including name), how it will interact with the states track-and-trace system, and the number of Point-of-Sale locations at full capacity.	**All or None**	pg. 4 pg. 6-7	**20**	**20**	Addressed Criteria
	A.2.1.D.	Estimate the number of customers to be served per hour/day.	**All or None**	pg. 7-8	**10**	**10**	Addressed Criteria
	A.2.1.E.	Describe the proposed product line to be sold (including brand names), and estimate of the percentage of sales of flower and manufactured products.	**Percentage**	pg. 8	**20**	**20**	Addressed Criteria
	A.2.1.F.	If proposed, describe delivery service procedures, number of vehicles and product security during transportation.	**N/A**	pg. 9			One Delivery Vehicle
	A.2.1.G.	Describes how the Cannabis Business will conform to local and state laws. See MMC Sections 6-5.40 and Title X.	**Percentage**	pg. 4-9	**20**	**20**	Addressed Criteria
	A.2.1.H.	Describes how cannabis will be tracked and monitored to prevent diversion.	**All or None**	pg. 7-9	**10**	**10**	Addressed Criteria

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

Summary	[redacted]

Section B: Labor, Equity, Diversity, and Inclusion Plan (400 pts)		Scoring Basis	Page Number	Points Available	Points Received	Evaluation
B.1.	Describe the extent business will include recognition of the collective bargaining rights of employees in accordance with Section 6-5.13 (G).	**All or None**	pg. 10	**25**	**25**	Addressed Criteria
B.2.	Identify the number of employees at initial opening and maximum number of employees at full capacity.	**All or None**	pg. 11	**25**	**25**	Addressed Criteria
B.3.	Describe the diversity and inclusion programs that will be developed to embrace a diverse work force with a diverse set of perspectives, work and life experiences, religious, and cultural differences that provide equal opportunities for employee development.	**All or None**	pg. 11	**25**	**25**	Addressed Criteria
B.4.	Identify all positions and their responsibilities.	**Percentage**	pg. 11-13	**50**	**50**	Addressed Criteria
B.5.	Describe compensation to and opportunities for continuing education and training for employees.	**Percentage**	pg. 13	**50**	**50**	Addressed Criteria
B.6.	Describe whether the cannabis business is committed to offering employees a Living Wage.	**All or None**	pg. 14	**100**	**100**	Addressed Criteria
B.7.	Describe the benefits provided to employees such as health care, vacation, and medical leave, to the degree they are offered as part of employment.	**All or None**	pg. 14	**25**	**25**	Addressed Criteria
B.8.	Describe the extent to which the cannabis business will be locally owned and how the owner(s) have resided within the County of Madera for at least one year prior to June 1, 2021.	**All or None**	pg. 14	**100**	**0**	Applicant stated that the proposed business was not locally owned.

Summary	[redacted]

Section C: Safety Plan (300 points)		Scoring Basis	Page Number	Points Available	Points Received	Evaluation
C.1.	The detailed Safety Plan shall be prepared by a California professional fire prevention and suppression consultant.	**All or None**	pg. 16	**100**	**100**	Addressed Criteria
C.2.	Describes all fire prevention and suppression measures, fire extinguisher locations, evacuation routes and alarm systems in place.	**Percentage**	pg. 25-27	**100**	**100**	Addressed Criteria
C.3.	Describes all accident and incident reporting procedures.	**All or None**	pg. 19-23	**50**	**50**	Addressed Criteria

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

C.4.	Identify all known chemicals, gases, solvents and nutrients to be used and stored on the licensed premises. Identify storage location and how each will be secured.	**Percentage**	pg. 18	**50**	**50**	Addressed Criteria
Summary	[redacted]					

Section D: Security Plan (300 points)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
D.1.	The Security Plan shall be prepared and/or assessed by a professional security consultant.	**All or None**	pg. 35	**100**	**100**	Addressed Criteria
D.1.A.	Plan shall demonstrate how the cannabis business wishes to develop the floor plan and address other security issues on the property.					
D.2.	Premises Diagram. In addition to the site plans submitted for the Proposed Location (in Section H of Appendix A), a separate Premises Diagram must be included in this Security Plan section (Section D) of the application. Diagram must meet the requirements of the Department of Cannabis Control DCR Title 4, Division 19, §15006 Premises Diagram.	**Percentage**	pg. 64	**75**	**72**	Review of the applicant's Premises Diagram on page 64 of File #2 showed that the applicant identified the state defined "Retail Area" as the "Showroom". As such, the premises diagram did not meet the requirements of the Department of Cannabis Control DCR Title 4, Division 19, §15006.
D.2.A.	Diagram shall show boundaries of property and proposed location to be licensed and show all boundaries, dimensions, entrances and exits, interior partitions, walls, rooms, windows, and doorways, and shall include a brief statement or description of the principal activity to be conducted therein.	**N/A**				
D.2.B.	Diagram shall show and identifies commercial cannabis activities to take place in each area of the premises and identify all limited-access areas.	**N/A**				
D.2.C.	Diagram shall show all camera locations and include assigned an number to each camera for identification purposes.	**N/A**				
D.2.D.	The diagram shall be accurate, dimensioned and to-scale (minimum scale of 1/4”).	**N/A**				
D.2.E.	If the proposed location consists of only a portion of a property, the diagram is labeled indicating which part of the property will be used for the licensed premises and what activities will be used for the remaining property.	**N/A**				

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

D.3.	Describe operational security, including general security for access/visitor control, inventory control and cash handling procedures.	**Percentage**	pg. 35-47	**75**	**75**	Addressed Criteria
D.4.	Describe perimeter security, on-site security guards, proposed guard hours and their responsibilities, and lighting.	**Percentage**	pg. 47-52	**35**	**35**	Addressed Criteria
D.5.	Describe employee training and general security policies.	**Percentage**	pg. 52-54	**15**	**15**	Addressed Criteria
Summary	[redacted]					

Section E: Qualification of Owners (400 points)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
E.1.	Demonstrate the business owner's experience in owning, managing, and operating a cannabis business. Evidence that prior experience was from legally permitted activities.	**Percentage**	pg. 65	**150**	**150**	Addressed Criteria
E.2.	Demonstrate knowledge of the cannabis industry, including identification of how industry best practices and state regulations have been incorporated in existing/prior legal businesses outside the City of Madera.	**Percentage**	pg. 65-66	**100**	**100**	Addressed Criteria
E.3.	Describe the involvement of the ownership team in the day-to-day operation of the business.	**Percentage**	pg. 66	**150**	**150**	Addressed Criteria
Summary	[redacted]					

Section F: Neighborhood Compatibility (400 points)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
F.1.	Describe how the business will proactively address and respond to complaints related to noise, light, odor, and vehicle and pedestrian traffic and avoid becoming a nuisance or negative impact.	**Percentage**	pg. 67-68	**25**	**25**	Addressed Criteria
F.2.	Describe the waste management plan including: waste disposal locations, security measures, methods of rendering all waste unusable and unrecognizable, and the vendor in charge of disposal.	**Percentage**	pg. 68-69	**100**	**100**	Addressed Criteria

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

F.3.	**The application includes the following information about the proposed location:**						
	F.3.A.	Physical address and a detailed description of the proposed location, including overall property, building, and interior floor plan.	**Percentage**	pg. 69	**50**	**50**	Addressed Criteria
	F.3.B.	Describes all known nearby State and local sensitive use areas. (Business must have the appropriate zoning locational requirements described in MMC sections 6-5.33 and Title X)	**All or None**	pg. 69	**25**	**25**	Addressed Criteria
	F.3.C.	Lists nearby, well-traveled paths to schools and describes how the business will proactively protect youth on these paths from exposure to the cannabis business.	**All or None**	pg. 69, 90	**25**	**25**	Addressed Criteria
	F.3.D.	Describes how the business will proactively take steps about community concerns to protect the youth generally from the impacts of the cannabis business.	**Percentage**	pg. 70	**50**	**50**	Addressed Criteria
	F.3.E.	Proof of ownership, lease agreement, or a Letter of Intent to Lease.	**All or None**	PDF #1 pg. 11-15	**50**	**50**	Addressed Criteria
	F.3.F.	Vicinity map.	**All or None**	pg. 88-90	**25**	**25**	Addressed Criteria
	F.3.G.	Photographs of existing site and buildings.	**All or None**	pg. 92-94	**25**	**25**	Addressed Criteria
	F.3.H.	Evidence that the location has access to public transportation for employees or customers.	**All or None**	pg. 91	**25**	**25**	Addressed Criteria
Summary							

Section G: Community Benefits and Investment Plan (500 points)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
G.1.	Describes benefits the business will provide to the local community. May include: directly aiding, participating in, volunteer services, monetary donations, financial support, funding, and or any other economic incentives to the City or other charitable organizations in which will help achieve the strategic policy goals of the City Council in permitting cannabis businesses in the City of Madera.	**Percentage**	pg. 70-71	**500**	**500**	Addressed Criteria
Summary						

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

Section H: Proposed Location (300 points)			Scoring Basis	Page Number	Points Available	Points Received	Evaluation
H.	In addition to the location details required in the Security Plan, the application shall include a thorough narrative description of the proposed location, including overall site, existing and/or proposed building(s), parking spaces, driveways, pedestrian sidewalks/rights-of-way, and neighboring businesses on the parcel.		**Percentage**	pg. 71-72	**100**	**100**	Addressed Criteria
	H.1.	Applicant must have the appropriate zoning and meet all the locational requirements as described in MMC Section 6-5.33 and Title X.	**All or None**	PDF #5 pg. 1	**150**	**150**	Addressed Criteria
	H.2.	In addition to the Site Diagram submitted with the Security Plan above, application must include a (Site) diagram depicting all details described in the narrative description of the proposed location.	**Percentage**	pg. 82	**50**	**50**	Addressed Criteria
Summary							

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

DSPO-Madera, LLC dba DISPO
Applicant Name / DBA:

124 S C Street, Madera, CA 93638
Proposed Location / Physical Address:

Retail Storefront
License Type:

Original Report
Report Type:

Monday, August 15, 2022
Report Date:

Complete Upon Initial Review.
Report Status:

Points Available: 3,000 **Points Awarded:** 2,875

Score: 95.83%

PHASE II: APPLICATION EVALUATION AND REVIEW (3,000 Points)

During this application period the City will allow up to six (6) cannabis business permits. The Procedure Guidelines and Review Criteria constitute the application process and are adopted pursuant to the City of Madera Municipal Code (MMC) Section 6-5.13 and Title X, Chapter 3 (Zoning Regulations). Applications will be reviewed and scored using a merit-based system. At a minimum the top ten (10) applicants who score a minimum of 90% or higher (2,700 points) in Phase II may be eligible to advance to Phase III. However, the City may at its sole discretion select more than ten (10) applicants based on the quantity and the overall quality of applications the City receives. Notice of the results of Phase II will be provided in writing via email to the primary contact listed on the application.

Section A: Business Plan (400 pts)			Scoring Basis	Page Number	Points Available	Points Received	Evaluation
Business Plan:							
A.1.	Budget for construction, operations, maintenance, compensation of employees, equipment, property lease, security equipment and staff, City fees, state fees, utility costs, product purchases, and other anticipated costs. Budget demonstrates sufficient capital to pay startup costs at least 3 months of operating costs and a describes sources and use of funds.		**Percentage**	pg. 3-12	**75**	**75**	Addressed Criteria
	A.1. A.	Proof of capitalization, in the form of documentation of cash or other liquid assets on hand, Letters of Credit, or other equivalent assets which can be verified by the City.	**All or None**	PDF File #4	**50**	**50**	Addressed Criteria
	A.1.B.	Pro forma for at least three years of operation.	**Percentage**	pg. 12-16	**75**	**75**	Addressed Criteria
	A.1.C.	A schedule for beginning operation, including a narrative outlining any proposed construction and improvements and a timeline for completion.	**All or None**	pg. 16-18	**20**	**20**	Addressed Criteria
Daily Operations (Retail):							
A.2.1.	**Describes the day-to-day operations which meet best practice if you are applying for a RETAIL permit, including at a minimum the following criteria:**						
	A.2.1.A.	Describe customer check-in procedures.	**Percentage**	pg. 20-21	**75**	**75**	Addressed Criteria
	A.2.1.B.	Identify the location and procedures for receiving deliveries during business hours.	**All or None**	pg.21-22	**25**	**25**	Addressed Criteria
	A.2.1.C.	Describe the Point-of-Sale system to be used (including name), how it will interact with the states track-and-trace system, and the number of Point-of-Sale locations at full capacity.	**All or None**	pg. 22	**20**	**20**	Addressed Criteria
	A.2.1.D.	Estimate the number of customers to be served per hour/day.	**All or None**	pg. 23	**10**	**10**	Addressed Criteria

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

A.2.1. Cont'd	**A.2.1.E.**	Describe the proposed product line to be sold (including brand names), and estimate of the percentage of sales of flower and manufactured products.	**Percentage**	pg. 23-25	**20**	**20**	Addressed Criteria
	A.2.1.F.	If proposed, describe delivery service procedures, number of vehicles and product security during	**N/A**	pg. 25-27			Delivery proposed.
	A.2.1.G.	Describes how the Cannabis Business will conform to local and state laws. See MMC Sections 6-5.40 and Title X.	**Percentage**	pg. 27-29	**20**	**20**	Addressed Criteria
	A.2.1.H.	Describes how cannabis will be tracked and monitored to prevent	**All or None**	pg.29-32	**10**	**10**	Addressed Criteria
Summary	[redacted]						

Section B: Labor, Equity, Diversity, and Inclusion Plan (400 pts)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
B.1.	Describe the extent business will include recognition of the collective bargaining rights of employees in accordance with Section 6-5.13 (G).	**All or None**	pg. 34-35	**25**	**25**	Addressed Criteria
B.2.	Identify the number of employees at initial opening and maximum number of employees at full capacity.	**All or None**	pg. 33-49	**25**	**0**	Review pages 33 through 49 of the application showed that the applicant did not identify the number of employees at full capacity.
B.3.	Describe the diversity and inclusion programs that will be developed to embrace a diverse work force with a diverse set of perspectives, work and life experiences, religious, and cultural differences that provide equal opportunities for employee development.	**All or None**	pg. 36-41	**25**	**25**	Addressed Criteria
B.4.	Identify all positions and their responsibilities.	**Percentage**	pg. 42-44	**50**	**50**	Addressed Criteria
B.5.	Describe compensation to and opportunities for continuing education and training for employees.	**Percentage**	pg. 44-46	**50**	**50**	Addressed Criteria
B.6.	Describe whether the cannabis business is committed to offering employees a Living Wage.	**All or None**	pg. 41-42	**100**	**100**	Addressed Criteria
B.7.	Describe the benefits provided to employees such as health care, vacation, and medical leave, to the degree they are offered as part of	**All or None**	pg. 46-49	**25**	**25**	Addressed Criteria
B.8.	Describe the extent to which the cannabis business will be locally owned and how the owner(s) have resided within the County of Madera for at least one year prior to June 1, 2021.	**All or None**	PDF File #1 - PDF File #5	**100**	**0**	Applicant did not provide proof of residency in the form of mortgage statements, lease agreements, tax bills, utility bill or any other documentation capable of showing residency established prior to June 1, 2021.
Summary	[redacted]					

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

Section C: Safety Plan (300 points)		Scoring Basis	Page Number	Points Available	Points Received	Evaluation
C.1.	The detailed Safety Plan shall be prepared by a California professional fire prevention and suppression consultant.	**All or None**	pg. 50	**100**	**100**	Addressed Criteria
C.2.	Describes all fire prevention and suppression measures, fire extinguisher locations, evacuation routes and alarm systems in place.	**Percentage**	pg. 50-77	**100**	**100**	Addressed Criteria
C.3.	Describes all accident and incident reporting procedures.	**All or None**	pg. 63	**50**	**50**	Addressed Criteria
C.4.	Identify all known chemicals, gases, solvents and nutrients to be used and stored on the licensed premises. Identify storage location and how each will be secured.	**Percentage**	pg. 58-59	**50**	**50**	Addressed Criteria
Summary	[redacted]					

Section D: Security Plan (300 points)			Scoring Basis	Page Number	Points Available	Points Received	Evaluation
D.1.	The Security Plan shall be prepared and/or assessed by a professional security consultant.		**All or None**	pg.78	**100**	**100**	Addressed Criteria
	D.1.A.	Plan shall demonstrate how the cannabis business wishes to develop the floor plan and address other security issues on the property.					
D.2.	Premises Diagram. In addition to the site plans submitted for the Proposed Location (in Section H of Appendix A), a separate Premises Diagram must be included in this Security Plan section (Section D) of the application. Diagram must meet the requirements of the Department of Cannabis Control DCR Title 4, Division 19, §15006 Premises Diagram.		**Percentage**	pg. 88	**75**	**75**	Addressed Criteria
	D.2.A.	Diagram shall show boundaries of property and proposed location to be licensed and show all boundaries, dimensions, entrances and exits, interior partitions, walls, rooms, windows, and doorways, and shall include a brief statement or description of the principal activity to be conducted therein.	**N/A**				
	D.2.B.	Diagram shall show and identifies commercial cannabis activities to take place in each area of the premises and identify all limited-access areas.	**N/A**				
	D.2.C.	Diagram shall show all camera locations and include assigned an number to each camera for identification purposes.	**N/A**				
	D.2.D.	The diagram shall be accurate, dimensioned and to-scale (minimum scale of 1/4”).	**N/A**				

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

D.2. Cont'd	**D.2.E.**	If the proposed location consists of only a portion of a property, the diagram is labeled indicating which part of the property will be used for the licensed premises and what activities will be used for the remaining property.	**N/A**				
D.3.		Describe operational security, including general security for access/visitor control, inventory control and cash handling procedures.	**Percentage**	pg. 90-97	**75**	**75**	Addressed Criteria
D.4.		Describe perimeter security, on-site security guards, proposed guard hours and their responsibilities, and lighting.	**Percentage**	pg. 97-108	**35**	**35**	Addressed Criteria
D.5.		Describe employee training and general security policies.	**Percentage**	pg. 103	**15**	**15**	Addressed Criteria
Summary		[redacted]					

Section E: Qualification of Owners (400 points)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
E.1.	Demonstrate the business owner's experience in owning, managing, and operating a cannabis business. Evidence that prior experience was from legally permitted activities.	**Percentage**	pg. 122-133	**150**	**150**	Addressed Criteria
E.2.	Demonstrate knowledge of the cannabis industry, including identification of how industry best practices and state regulations have been incorporated in existing/prior legal businesses outside the City of Madera.	**Percentage**	pg. 122-133	**100**	**100**	Addressed Criteria
E.3.	Describe the involvement of the ownership team in the day-to-day operation of the business.	**Percentage**	pg. 122-133	**150**	**150**	Addressed Criteria
Summary	[redacted]					

Section F: Neighborhood Compatibility (400 points)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
F.1.	Describe how the business will proactively address and respond to complaints related to noise, light, odor, and vehicle and pedestrian traffic and avoid becoming a nuisance or negative impact.	**Percentage**	pg. 135-141	**25**	**25**	Addressed Criteria
F.2.	Describe the waste management plan including: waste disposal locations, security measures, methods of rendering all waste unusable and unrecognizable, and the vendor in charge of disposal.	**Percentage**	pg. 142 154-175	**100**	**100**	Addressed Criteria

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

F.3.	**The application includes the following information about the proposed location:**						
	F.3.A.	Physical address and a detailed description of the proposed location, including overall property, building, and interior floor plan.	**Percentage**	pg. 142-147	**50**	**50**	Addressed Criteria
	F.3.B.	Describes all known nearby State and local sensitive use areas. (Business must have the appropriate zoning locational requirements described in MMC sections 6-5.33 and Title X)	**All or None**	pg. 149-150	**25**	**25**	Addressed Criteria
	F.3.C.	Lists nearby, well-traveled paths to schools and describes how the business will proactively protect youth on these paths from exposure to the cannabis business.	**All or None**	pg. 150	**25**	**25**	Addressed Criteria
	F.3.D.	Describes how the business will proactively take steps about community concerns to protect the youth generally from the impacts of the cannabis business.	**Percentage**	pg. 151	**50**	**50**	Addressed Criteria
	F.3.E.	Proof of ownership, lease agreement, or a Letter of Intent to Lease.	**All or None**	pg. 152-153	**50**	**50**	Addressed Criteria
	F.3.F.	Vicinity map.	**All or None**	pg. 148-150	**25**	**25**	Addressed Criteria
	F.3.G.	Photographs of existing site and buildings.	**All or None**	pg. 146-148	**25**	**25**	Addressed Criteria
F.3. Cont'd	**F.3.H.**	Evidence that the location has access to public transportation for employees or customers.	**All or None**	pg. 150	**25**	**25**	Addressed Criteria
Summary		[redacted]					

Section G: Community Benefits and Investment Plan (500 points)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
G.1.	Describes benefits the business will provide to the local community. May include: directly aiding, participating in, volunteer services, monetary donations, financial support, funding, and or any other economic incentives to the City or other charitable organizations in which will help achieve the strategic policy goals of the City Council in permitting cannabis businesses in the City of Madera.	**Percentage**	pg. 179-188	**500**	**500**	Addressed Criteria
Summary	[redacted]					

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

Section H: Proposed Location (300 points)			Scoring Basis	Page Number	Points Available	Points Received	Evaluation
H.	In addition to the location details required in the Security Plan, the application shall include a thorough narrative description of the proposed location, including overall site, existing and/or proposed building(s), parking spaces, driveways, pedestrian sidewalks/rights-of-way, and neighboring businesses on the parcel.		**Percentage**	pg. 189-200	**100**	**100**	Addressed Criteria
	H.1.	Applicant must have the appropriate zoning and meet all the locational requirements as described in MMC Section 6-5.33 and Title X.	**All or None**	PDF File #5	**150**	**150**	Addressed Criteria
	H.2.	In addition to the Site Diagram submitted with the Security Plan above, application must include a (Site) diagram depicting all details described in the narrative description of the proposed location.	**Percentage**	pg. 191	**50**	**50**	Addressed Criteria
Summary							

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

E7 LA LLC
Applicant Name / DBA:

215 South D Street, Madera, CA 93638
Proposed Location / Physical Address:

Retail Storefront
License Type:

Original Report
Report Type:

Friday, August 12, 2022
Report Date:

Complete Upon Initial Review.
Report Status:

Points Available: 3,000 **Points Awarded:** 2,900

Score: 96.67%

PHASE II: APPLICATION EVALUATION AND REVIEW (3,000 Points)

During this application period the City will allow up to six (6) cannabis business permits. The Procedure Guidelines and Review Criteria constitute the application process and are adopted pursuant to the City of Madera Municipal Code (MMC) Section 6-5.13 and Title X, Chapter 3 (Zoning Regulations). Applications will be reviewed and scored using a merit-based system. At a minimum the top ten (10) applicants who score a minimum of 90% or higher (2,700 points) in Phase II may be eligible to advance to Phase III. However, the City may at its sole discretion select more than ten (10) applicants based on the quantity and the overall quality of applications the City receives. Notice of the results of Phase II will be provided in writing via email to the primary contact listed on the application.

Section A: Business Plan (400 pts)			Scoring Basis	Page Number	Points Available	Points Received	Evaluation
Business Plan:							
A.1.	Budget for construction, operations, maintenance, compensation of employees, equipment, property lease, security equipment and staff, City fees, state fees, utility costs, product purchases, and other anticipated costs. Budget demonstrates sufficient capital to pay startup costs at least 3 months of operating costs and a describes sources and use of funds.		**Percentage**	PDF #2, Pgs.7-9	**75**	**75**	Addressed criteria
	A.1. A.	Proof of capitalization, in the form of documentation of cash or other liquid assets on hand, Letters of Credit, or other equivalent assets which can be verified by the City.	**All or None**	PDF #2, Pg 10	**50**	**50**	Addressed criteria
	A.1.B.	Pro forma for at least three years of operation.	**Percentage**	PDF #2, Pgs.12, 37-44	**75**	**75**	Addressed criteria
	A.1.C.	A schedule for beginning operation, including a narrative outlining any proposed construction and improvements and a timeline for completion.	**All or None**	PDF #2, Pgs.13-16, 45-47	**20**	**20**	Addressed criteria
Daily Operations (Retail):							
A.2.1.	**Describes the day-to-day operations which meet best practice if you are applying for a RETAIL permit, including at a minimum the following criteria:**						
	A.2.1.A.	Describe customer check-in procedures.	**Percentage**	PDF #2, Pgs. 17-18	**75**	**75**	Addressed criteria
	A.2.1.B.	Identify the location and procedures for receiving deliveries during business hours.	**All or None**	PDF #2, Pgs.18-19	**25**	**25**	Addressed criteria

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

A.2.1. Cont'd	**A.2.1.C.**	Describe the Point-of-Sale system to be used (including name), how it will interact with the states track-and-trace system, and the number of Point-of-Sale locations at full capacity.	**All or None**	PDF #2, Pg. 20	**20**	**20**	Addressed criteria
	A.2.1.D.	Estimate the number of customers to be served per hour/day.	**All or None**	PDF #2, Pg.21	**10**	**10**	Addressed criteria
	A.2.1.E.	Describe the proposed product line to be sold (including brand names), and estimate of the percentage of sales of flower and manufactured products.	**Percentage**	PDF #2, Pgs. 21-22	**20**	**20**	Addressed criteria
	A.2.1.F.	If proposed, describe delivery service procedures, number of vehicles and product security during transportation.	**N/A**	PDF #2, Pgs. 23-26			Addressed criteria
	A.2.1.G.	Describes how the Cannabis Business will conform to local and state laws. See MMC Sections 6-5.40 and Title X.	**Percentage**	PDF #2, Pgs. 26-34	**20**	**20**	Addressed criteria
	A.2.1.H.	Describes how cannabis will be tracked and monitored to prevent diversion.	**All or None**	PDF #2, Pgs. 34-35	**10**	**10**	Addressed criteria
Summary		[redacted]					

Section B: Labor, Equity, Diversity, and Inclusion Plan (400 pts)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
B.1.	Describe the extent business will include recognition of the collective bargaining rights of employees in accordance with Section 6-5.13 (G).	**All or None**	PDF #2, Pg. 50	**25**	**25**	Addressed criteria
B.2.	Identify the number of employees at initial opening and maximum number of employees at full capacity.	**All or None**	PDF #2, Pgs. 50-51	**25**	**25**	Addressed criteria
B.3.	Describe the diversity and inclusion programs that will be developed to embrace a diverse work force with a diverse set of perspectives, work and life experiences, religious, and cultural differences that provide equal opportunities for employee development.	**All or None**	PDF #2, Pgs. 51-53	**25**	**25**	Addressed criteria
B.4.	Identify all positions and their responsibilities.	**Percentage**	PDF #2, Pgs. 53-56	**50**	**50**	Addressed criteria
B.5.	Describe compensation to and opportunities for continuing education and training for employees.	**Percentage**	PDF #2, Pgs. 56-58	**50**	**50**	Addressed criteria
B.6.	Describe whether the cannabis business is committed to offering employees a Living Wage.	**All or None**	PDF #2, Pgs. 58-59	**100**	**100**	Addressed criteria
B.7.	Describe the benefits provided to employees such as health care, vacation, and medical leave, to the degree they are offered as part of employment.	**All or None**	PDF #2, Pgs. 59-60	**25**	**25**	Addressed criteria

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

B.8.	Describe the extent to which the cannabis business will be locally owned and how the owner(s) have resided within the County of Madera for at least one year prior to June 1, 2021.	**All or None**	PDF #2, Pgs. 60-62	**100**	**0**	Proof of Residency not provided. Kevin Massetti, [redacted] owner, was the only owner identified as residing within Madera County.
Summary	[redacted]					

Section C: Safety Plan (300 points)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
C.1.	The detailed Safety Plan shall be prepared by a California professional fire prevention and suppression consultant.	**All or None**	PDF #2, Pgs. 67-87	**100**	**100**	Addressed criteria
C.2.	Describes all fire prevention and suppression measures, fire extinguisher locations, evacuation routes and alarm systems in place.	**Percentage**	PDF #2, Pgs. 71-79	**100**	**100**	Addressed criteria
C.3.	Describes all accident and incident reporting procedures.	**All or None**	PDF #2, Pgs. 79-85	**50**	**50**	Addressed criteria
C.4.	Identify all known chemicals, gases, solvents and nutrients to be used and stored on the licensed premises. Identify storage location and how each will be secured.	**Percentage**	PDF #2, Pg. 86	**50**	**50**	Addressed criteria
Summary	[redacted]					

Section D: Security Plan (300 points)			**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
D.1.	The Security Plan shall be prepared and/or assessed by a professional security consultant.		**All or None**	PDF #2, Pgs. 89-118	**100**	**100**	Addressed criteria
	D.1.A.	Plan shall demonstrate how the cannabis business wishes to develop the floor plan and address other security issues on the property.					
D.2.	Premises Diagram. In addition to the site plans submitted for the Proposed Location (in Section H of Appendix A), a separate Premises Diagram must be included in this Security Plan section (Section D) of the application. Diagram must meet the requirements of the Department of Cannabis Control DCR Title 4, Division 19, §15006 Premises Diagram.		**Percentage**	PDF #2, Pgs. 92, 94 & 176-181	**75**	**75**	Addressed criteria
	D.2.A.	Diagram shall show boundaries of property and proposed location to be licensed and show all boundaries, dimensions, entrances and exits, interior partitions, walls, rooms, windows, and doorways, and shall include a brief statement or description of the principal activity to be conducted therein.	**N/A**	PDF #2, Pg 92 & 94			Addressed criteria

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

D.2. Cont'd	**D.2.B.**	Diagram shall show and identifies commercial cannabis activities to take place in each area of the premises and identify all limited-access areas.	**N/A**	PDF #2, Pg 92 & 94			Addressed criteria
	D.2.C.	Diagram shall show all camera locations and include assigned an number to each camera for identification purposes.	**N/A**	PDF #2, Pg 92 & 94			Addressed criteria
	D.2.D.	The diagram shall be accurate, dimensioned and to-scale (minimum scale of 1/4").	**N/A**	PDF #2, Pg. 92 & 94			Addressed criteria
	D.2.E.	If the proposed location consists of only a portion of a property, the diagram is labeled indicating which part of the property will be used for the licensed premises and what activities will be used for the remaining property.	**N/A**	PDF #2, Pgs. 92 & 94			Addressed criteria
D.3.	Describe operational security, including general security for access/visitor control, inventory control and cash handling procedures.		**Percentage**	PDF #2, Pgs. 94-108	**75**	**75**	Addressed criteria
D.4.	Describe perimeter security, on-site security guards, proposed guard hours and their responsibilities, and lighting.		**Percentage**	PDF #2, Pgs. 108-112	**35**	**35**	Addressed criteria
D.5.	Describe employee training and general security policies.		**Percentage**	PDF #2, Pgs. 112-117	**15**	**15**	Addressed criteria
Summary							

Section E: Qualification of Owners (400 points)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
E.1.	Demonstrate the business owner's experience in owning, managing, and operating a cannabis business. Evidence that prior experience was from legally permitted activities.	**Percentage**	PDF #2, Pgs. 120-129	**150**	**150**	Addressed criteria
E.2.	Demonstrate knowledge of the cannabis industry, including identification of how industry best practices and state regulations have been incorporated in existing/prior legal businesses outside the City of Madera.	**Percentage**	PDF #2, Pgs. 131-134	**100**	**100**	Addressed criteria
E.3.	Describe the involvement of the ownership team in the day-to-day operation of the business.	**Percentage**	PDF #2, Pg. 134	**150**	**150**	Addressed criteria
Summary						

Section F: Neighborhood Compatibility (400 points)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
F.1.	Describe how the business will proactively address and respond to complaints related to noise, light, odor, and vehicle and pedestrian traffic and avoid becoming a nuisance or negative impact.	**Percentage**	PDF #2, Pgs. 136-144	**25**	**25**	Addressed criteria

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

F.2.	Describe the waste management plan including: waste disposal locations, security measures, methods of rendering all waste unusable and unrecognizable, and the vendor in charge of disposal.	**Percentage**	PDF #2, Pgs. 144-145	**100**	**100**	Addressed criteria
F.3.	**The application includes the following information about the proposed location:**					
F.3.A.	Physical address and a detailed description of the proposed location, including overall property, building, and interior floor plan.	**Percentage**	PDF #2, Pgs. 145-146	**50**	**50**	Addressed criteria
F.3.B.	Describes all known nearby State and local sensitive use areas. (Business must have the appropriate zoning locational requirements described in MMC sections 6-5.33 and Title X)	**All or None**	PDF #2, Pgs. 146-147	**25**	**25**	Addressed criteria
F.3.C.	Lists nearby, well-traveled paths to schools and describes how the business will proactively protect youth on these paths from exposure to the cannabis business.	**All or None**	PDF #2, Pgs. 146-148	**25**	**25**	Addressed criteria
F.3.D.	Describes how the business will proactively take steps about community concerns to protect the youth generally from the impacts of the cannabis business.	**Percentage**	PDF #2, Pgs. 148-149	**50**	**50**	Addressed criteria
F.3.E.	Proof of ownership, lease agreement, or a Letter of Intent to Lease.	**All or None**	PDF #1, Pgs. 8-10	**50**	**50**	Addressed criteria
F.3.F.	Vicinity map.	**All or None**	PDF #2, Pg 150	**25**	**25**	Addressed criteria
F.3.G.	Photographs of existing site and buildings.	**All or None**	PDF #2, Pgs. 151	**25**	**25**	Addressed criteria
F.3.H.	Evidence that the location has access to public transportation for employees or customers.	**All or None**	PDF #2, Pgs. 152-158	**25**	**25**	Addressed criteria
Summary	[redacted]					

Section G: Community Benefits and Investment Plan (500 points)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
G.1.	Describes benefits the business will provide to the local community. May include: directly aiding, participating in, volunteer services, monetary donations, financial support, funding, and or any other economic incentives to the City or other charitable organizations in which will help achieve the strategic policy goals of the City Council in permitting cannabis businesses in the City of Madera.	**Percentage**	PDF #2, Pgs. 159-166	**500**	**500**	Addressed criteria
Summary	[redacted]					

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

Section H: Proposed Location (300 points)			Scoring Basis	Page Number	Points Available	Points Received	Evaluation
H.	In addition to the location details required in the Security Plan, the application shall include a thorough narrative description of the proposed location, including overall site, existing and/or proposed building(s), parking spaces, driveways, pedestrian sidewalks/rights-of-way, and neighboring businesses on the parcel.		**Percentage**	PDF #2, Pgs. 171-175	**100**	**100**	Addressed criteria
	H.1.	Applicant must have the appropriate zoning and meet all the locational requirements as described in MMC Section 6-5.33 and Title X.	**All or None**	PDF #2, Pgs. 171-175	**150**	**150**	Addressed criteria
	H.2.	In addition to the Site Diagram submitted with the Security Plan above, application must include a (Site) diagram depicting all details described in the narrative description of the proposed location.	**Percentage**	PDF #2, Pgs. 176-180	**50**	**50**	Addressed criteria
Summary							

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

Gateway Canna Groups dba Garden Ablaze
Applicant Name / DBA:

222 S Gateway Drive Madera CA. 93637
Proposed Location / Physical Address:

Retail Storefront
License Type:

Original Report
Report Type:

Tuesday, August 16, 2022
Report Date:

Complete Upon Initial Review.
Report Status:

Points Available: 3,000 **Points Awarded:** 2,840

Score: 94.67%

PHASE II: APPLICATION EVALUATION AND REVIEW (3,000 Points)

During this application period the City will allow up to six (6) cannabis business permits. The Procedure Guidelines and Review Criteria constitute the application process and are adopted pursuant to the City of Madera Municipal Code (MMC) Section 6-5.13 and Title X, Chapter 3 (Zoning Regulations). Applications will be reviewed and scored using a merit-based system. At a minimum the top ten (10) applicants who score a minimum of 90% or higher (2,700 points) in Phase II may be eligible to advance to Phase III. However, the City may at its sole discretion select more than ten (10) applicants based on the quantity and the overall quality of applications the City receives. Notice of the results of Phase II will be provided in writing via email to the primary contact listed on the application.

Section A: Business Plan (400 pts)			Scoring Basis	Page Number	Points Available	Points Received	Evaluation
Business Plan:							
A.1.	Budget for construction, operations, maintenance, compensation of employees, equipment, property lease, security equipment and staff, City fees, state fees, utility costs, product purchases, and other anticipated costs. Budget demonstrates sufficient capital to pay startup costs at least 3 months of operating costs and a describes sources and use of funds.		**Percentage**	pg. 8	**75**	**75**	Addressed Criteria
	A.1. A.	Proof of capitalization, in the form of documentation of cash or other liquid assets on hand, Letters of Credit, or other equivalent assets which can be verified by the City.	**All or None**	PDF File #4	**50**	**50**	Addressed Criteria
	A.1.B.	Pro forma for at least three years of operation.	**Percentage**	PDF File #1 - PDF File #5	**75**	**38**	Applicant did not provide a 3 Year Pro forma.
	A.1.C.	A schedule for beginning operation, including a narrative outlining any proposed construction and improvements and a timeline for completion.	**All or None**	pg. 4-25	**20**	**0**	Review of pages 4 through 25 of the application showed that the applicant's business plan did not include a schedule for beginning operation, including a narrative outlining any proposed construction (aka buildout) and improvements and a timeline for completion.
Daily Operations (Retail):							
A.2.1.	**Describes the day-to-day operations which meet best practice if you are applying for a RETAIL permit, including at a minimum the following criteria:**						
	A.2.1.A.	Describe customer check-in procedures.	**Percentage**	pg. 12-13	**75**	**75**	Addressed Criteria
	A.2.1.B.	Identify the location and procedures for receiving deliveries during business hours.	**All or None**	pg. 13-14	**25**	**25**	Addressed Criteria
	A.2.1.C.	Describe the Point-of-Sale system to be used (including name), how it will interact with the states track-and-trace system, and the number of Point-of-Sale locations at full capacity.	**All or None**	pg. 15	**20**	**20**	Addressed Criteria
	A.2.1.D.	Estimate the number of customers to be served per hour/day.	**All or None**	pg. 15	**10**	**10**	Addressed Criteria

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

A.2.1. Cont'd	**A.2.1.E.**	Describe the proposed product line to be sold (including brand names), and estimate of the percentage of sales of flower and manufactured products.	**Percentage**	pg. 15-19	**20**	**20**	Addressed Criteria
	A.2.1.F.	If proposed, describe delivery service procedures, number of vehicles and product security during	**N/A**				
	A.2.1.G.	Describes how the Cannabis Business will conform to local and state laws. See MMC Sections 6-5.40 and Title X.	**Percentage**	pg. 23-24	**20**	**20**	Addressed Criteria
	A.2.1.H.	Describes how cannabis will be tracked and monitored to prevent	**All or None**	pg. 24-25	**10**	**10**	Addressed Criteria
Summary	[redacted]						

Section B: Labor, Equity, Diversity, and Inclusion Plan (400 pts)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
B.1.	Describe the extent business will include recognition of the collective bargaining rights of employees in accordance with Section 6-5.13 (G).	**All or None**	pg. 25	**25**	**25**	Addressed Criteria
B.2.	Identify the number of employees at initial opening and maximum number of employees at full capacity.	**All or None**	pg. 26	**25**	**25**	Addressed Criteria
B.3.	Describe the diversity and inclusion programs that will be developed to embrace a diverse work force with a diverse set of perspectives, work and life experiences, religious, and cultural differences that provide equal opportunities for employee development.	**All or None**	pg. 27	**25**	**25**	Addressed Criteria
B.4.	Identify all positions and their responsibilities.	**Percentage**	pg. 28-31	**50**	**50**	Addressed Criteria
B.5.	Describe compensation to and opportunities for continuing education and training for employees.	**Percentage**	pg. 31	**50**	**50**	Addressed Criteria
B.6.	Describe whether the cannabis business is committed to offering employees a Living Wage.	**All or None**	pg. 32	**100**	**100**	Addressed Criteria
B.7.	Describe the benefits provided to employees such as health care, vacation, and medical leave, to the degree they are offered as part of employment.	**All or None**	pg. 32	**25**	**25**	Addressed Criteria
B.8.	Describe the extent to which the cannabis business will be locally owned and how the owner(s) have resided within the County of Madera for at least one year prior to June 1, 2021.	**All or None**	pg. 33	**100**	**0**	Applicant did not provide proof of residency in the form of mortgage statements, lease agreements, tax bills, utility bill or any other documentation capable of showing residency established prior to June 1, 2021.
Summary	[redacted]					

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

Section C: Safety Plan (300 points)		Scoring Basis	Page Number	Points Available	Points Received	Evaluation
C.1.	The detailed Safety Plan shall be prepared by a California professional fire prevention and suppression consultant.	**All or None**	pg. 34-35	**100**	**100**	Addressed Criteria
C.2.	Describes all fire prevention and suppression measures, fire extinguisher locations, evacuation routes and alarm systems in place.	**Percentage**	pg. 37-47	**100**	**100**	Addressed Criteria
C.3.	Describes all accident and incident reporting procedures.	**All or None**	pg. 47-49	**50**	**50**	Addressed Criteria
C.4.	Identify all known chemicals, gases, solvents and nutrients to be used and stored on the licensed premises. Identify storage location and how each will be secured.	**Percentage**	pg. 35	**50**	**50**	Addressed Criteria
Summary	[redacted]					

Section D: Security Plan (300 points)			Scoring Basis	Page Number	Points Available	Points Received	Evaluation
D.1.	The Security Plan shall be prepared and/or assessed by a professional security consultant.		**All or None**	pg. 51	**100**	**100**	Addressed Criteria
	D.1.A.	Plan shall demonstrate how the cannabis business wishes to develop the floor plan and address other security issues on the property.					
D.2.	Premises Diagram. In addition to the site plans submitted for the Proposed Location (in Section H of Appendix A), a separate Premises Diagram must be included in this Security Plan section (Section D) of the application. Diagram must meet the requirements of the Department of Cannabis Control DCR Title 4, Division 19, §15006 Premises Diagram.		**Percentage**	PDF File #2	**75**	**72**	Review of PDF File #2 showed that the application contained multiple premises diagrams. However, no single premise diagram met all requirements of the Department of Cannabis Control DCR Title 4, Division 19, §15006 Premises Diagram.
	D.2.A.	Diagram shall show boundaries of property and proposed location to be licensed and show all boundaries, dimensions, entrances and exits, interior partitions, walls, rooms, windows, and doorways, and shall include a brief statement or description of the principal activity to be conducted therein.	**N/A**				
	D.2.B.	Diagram shall show and identifies commercial cannabis activities to take place in each area of the premises and identify all limited-access areas.	**N/A**				
	D.2.C.	Diagram shall show all camera locations and include assigned an number to each camera for identification purposes.	**N/A**				
	D.2.D.	The diagram shall be accurate, dimensioned and to-scale (minimum scale of 1/4”).	**N/A**				
	D.2.E.	If the proposed location consists of only a portion of a property, the diagram is labeled indicating which part of the property will be used for the licensed premises and what activities will be used for the remaining property.	**N/A**				

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

D.3.	Describe operational security, including general security for access/visitor control, inventory control and cash handling procedures.	**Percentage**	pg. 54-59	**75**	**75**	Addressed Criteria
D.4.	Describe perimeter security, on-site security guards, proposed guard hours and their responsibilities, and lighting.	**Percentage**	pg. 59-67	**35**	**35**	Addressed Criteria
D.5.	Describe employee training and general security policies.	**Percentage**	pg. 67-70	**15**	**15**	Addressed Criteria
Summary	[redacted]					

Section E: Qualification of Owners (400 points)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
E.1.	Demonstrate the business owner's experience in owning, managing, and operating a cannabis business. Evidence that prior experience was from legally permitted activities.	**Percentage**	pg. 74-76	**150**	**150**	Addressed Criteria
E.2.	Demonstrate knowledge of the cannabis industry, including identification of how industry best practices and state regulations have been incorporated in existing/prior legal businesses outside the City of Madera.	**Percentage**	pg. 74-76	**100**	**100**	Addressed Criteria
E.3.	Describe the involvement of the ownership team in the day-to-day operation of the business.	**Percentage**	pg. 76	**150**	**150**	Addressed Criteria
Summary	[redacted]					

Section F: Neighborhood Compatibility (400 points)			**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
F.1.	Describe how the business will proactively address and respond to complaints related to noise, light, odor, and vehicle and pedestrian traffic and avoid becoming a nuisance or negative impact.		**Percentage**	pg. 77-81	**25**	**25**	Addressed Criteria
F.2.	Describe the waste management plan including: waste disposal locations, security measures, methods of rendering all waste unusable and unrecognizable, and the vendor in charge of disposal.		**Percentage**	pg. 82-83	**100**	**100**	Addressed Criteria
F.3.	**The application includes the following information about the proposed location:**						
	F.3.A.	Physical address and a detailed description of the proposed location, including overall property, building, and interior floor plan.	**Percentage**	pg. 83-87	**50**	**50**	Addressed Criteria
	F.3.B.	Describes all known nearby State and local sensitive use areas. (Business must have the appropriate zoning locational requirements described in MMC sections 6-5.33 and Title X)	**All or None**	pg. 88	**25**	**25**	Addressed Criteria
	F.3.C.	Lists nearby, well-traveled paths to schools and describes how the business will proactively protect youth on these paths from exposure to the cannabis business.	**All or None**	pg. 89	**25**	**25**	Addressed Criteria

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

F.3. Cont'd	**F.3.D.**	Describes how the business will proactively take steps about community concerns to protect the youth generally from the impacts of the cannabis business.	**Percentage**	pg. 89	**50**	**50**	Addressed Criteria
	F.3.E.	Proof of ownership, lease agreement, or a Letter of Intent to Lease.	**All or None**	pg. 90-96	**50**	**50**	Addressed Criteria
	F.3.F.	Vicinity map.	**All or None**	pg.97	**25**	**25**	Addressed Criteria
	F.3.G.	Photographs of existing site and buildings.	**All or None**	pg. 98-99	**25**	**25**	Addressed Criteria
	F.3.H.	Evidence that the location has access to public transportation for employees or customers.	**All or None**	pg. 99	**25**	**25**	Addressed Criteria
Summary							

Section G: Community Benefits and Investment Plan (500 points)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
G.1.	Describes benefits the business will provide to the local community. May include: directly aiding, participating in, volunteer services, monetary donations, financial support, funding, and or any other economic incentives to the City or other charitable organizations in which will help achieve the strategic policy goals of the City Council in permitting cannabis businesses in the City of Madera.	**Percentage**	pg. 102-104	**500**	**500**	Addressed Criteria
Summary						

Section H: Proposed Location (300 points)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
H.	In addition to the location details required in the Security Plan, the application shall include a thorough narrative description of the proposed location, including overall site, existing and/or proposed building(s), parking spaces, driveways, pedestrian sidewalks/rights-of-way, and neighboring businesses on the parcel.	**Percentage**	pg. 105-109	**100**	**100**	Addressed Criteria
	H.1. Applicant must have the appropriate zoning and meet all the locational requirements as described in MMC Section 6-5.33 and Title X.	**All or None**	pg. 105-109	**150**	**150**	Addressed Criteria
	H.2. In addition to the Site Diagram submitted with the Security Plan above, application must include a (Site) diagram depicting all details described in the narrative description of the proposed location.	**Percentage**	pg. 105-109	**50**	**50**	Addressed Criteria
Summary						

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

GBH Retail LLC dba Cannable	**Original Report**
Applicant Name / DBA:	**Report Type:**
313 E Yosemite Avenue Madera, CA 93638	**Wednesday, August 17, 2022**
Proposed Location / Physical Address:	**Report Date:**
Retail Storefront	**Complete Upon Initial Review.**
License Type:	**Report Status:**

Points Available: 3,000 **Points Awarded:** 3,000

Score: 100.00%

PHASE II: APPLICATION EVALUATION AND REVIEW (3,000 Points)

During this application period the City will allow up to six (6) cannabis business permits. The Procedure Guidelines and Review Criteria constitute the application process and are adopted pursuant to the City of Madera Municipal Code (MMC) Section 6-5.13 and Title X, Chapter 3 (Zoning Regulations). Applications will be reviewed and scored using a merit-based system. At a minimum the top ten (10) applicants who score a minimum of 90% or higher (2,700 points) in Phase II may be eligible to advance to Phase III. However, the City may at its sole discretion select more than ten (10) applicants based on the quantity and the overall quality of applications the City receives. Notice of the results of Phase II will be provided in writing via email to the primary contact listed on the application.

Section A: Business Plan (400 pts)			Scoring Basis	Page Number	Points Available	Points Received	Evaluation
Business Plan:							
A.1.	Budget for construction, operations, maintenance, compensation of employees, equipment, property lease, security equipment and staff, City fees, state fees, utility costs, product purchases, and other anticipated costs. Budget demonstrates sufficient capital to pay startup costs at least 3 months of operating costs and a describes sources and use of funds.		**Percentage**	pg. 6-8	**75**	**75**	Addressed Criteria
	A.1. A.	Proof of capitalization, in the form of documentation of cash or other liquid assets on hand, Letters of Credit, or other equivalent assets which can be verified by the City.	**All or None**	pg. 9-12	**50**	**50**	Addressed Criteria
	A.1.B.	Pro forma for at least three years of operation.	**Percentage**	pg. 13-17	**75**	**75**	Addressed Criteria
	A.1.C.	A schedule for beginning operation, including a narrative outlining any proposed construction and improvements and a timeline for completion.	**All or None**	pg. 18	**20**	**20**	Addressed Criteria
Daily Operations (Retail):							
A.2.1.	**Describes the day-to-day operations which meet best practice if you are applying for a RETAIL permit, including at a minimum the following criteria:**						
	A.2.1.A.	Describe customer check-in procedures.	**Percentage**	pg. 22-23	**75**	**75**	Addressed Criteria
	A.2.1.B.	Identify the location and procedures for receiving deliveries during business hours.	**All or None**	pg. 23-24	**25**	**25**	Addressed Criteria
	A.2.1.C.	Describe the Point-of-Sale system to be used (including name), how it will interact with the states track-and-trace system, and the number of Point-of-Sale locations at full capacity.	**All or None**	pg. 24-25	**20**	**20**	Addressed Criteria

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

A.2.1. Cont'd	**A.2.1.D.**	Estimate the number of customers to be served per hour/day.	**All or None**	pg. 25	**10**	**10**	Addressed Criteria
	A.2.1.E.	Describe the proposed product line to be sold (including brand names), and estimate of the percentage of sales of flower and manufactured products.	**Percentage**	pg.25-30	**20**	**20**	Addressed Criteria
	A.2.1.F.	If proposed, describe delivery service procedures, number of vehicles and product security during transportation.	**N/A**	pg. 34-36			1 delivery vehicle
	A.2.1.G.	Describes how the Cannabis Business will conform to local and state laws. See MMC Sections 6-5.40 and Title X.	**Percentage**	pg. 36-37	**20**	**20**	Addressed Criteria
	A.2.1.H.	Describes how cannabis will be tracked and monitored to prevent diversion.	**All or None**	pg. 37-54	**10**	**10**	Addressed Criteria
Summary	[redacted]						

Section B: Labor, Equity, Diversity, and Inclusion Plan (400 pts)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
B.1.	Describe the extent business will include recognition of the collective bargaining rights of employees in accordance with Section 6-5.13 (G).	**All or None**	pg. 55-57	**25**	**25**	Addressed Criteria
B.2.	Identify the number of employees at initial opening and maximum number of employees at full capacity.	**All or None**	pg. 58-59	**25**	**25**	Addressed Criteria
B.3.	Describe the diversity and inclusion programs that will be developed to embrace a diverse work force with a diverse set of perspectives, work and life experiences, religious, and cultural differences that provide equal opportunities for employee development.	**All or None**	pg. 61-63	**25**	**25**	Addressed Criteria
B.4.	Identify all positions and their responsibilities.	**Percentage**	pg. 59-61, 63-64	**50**	**50**	Addressed Criteria
B.5.	Describe compensation to and opportunities for continuing education and training for employees.	**Percentage**	pg. 65-68	**50**	**50**	Addressed Criteria
B.6.	Describe whether the cannabis business is committed to offering employees a Living Wage.	**All or None**	pg. 58, 68-69	**100**	**100**	Addressed Criteria
B.7.	Describe the benefits provided to employees such as health care, vacation, and medical leave, to the degree they are offered as part of employment.	**All or None**	pg. 69-70	**25**	**25**	Addressed Criteria

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

B.8.	Describe the extent to which the cannabis business will be locally owned and how the owner(s) have resided within the County of Madera for at least one year prior to June 1, 2021.	**All or None**	pg. 70-73	**100**	**100**	Addressed Criteria
Summary	[redacted]					

Section C: Safety Plan (300 points)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
C.1.	The detailed Safety Plan shall be prepared by a California professional fire prevention and suppression consultant.	**All or None**	pg.74-77, 87-90	**100**	**100**	Addressed Criteria
C.2.	Describes all fire prevention and suppression measures, fire extinguisher locations, evacuation routes and alarm systems in place.	**Percentage**	79-87, 91	**100**	**100**	Addressed Criteria
C.3.	Describes all accident and incident reporting procedures.	**All or None**	pg. 80-81	**50**	**50**	Addressed Criteria
C.4.	Identify all known chemicals, gases, solvents and nutrients to be used and stored on the licensed premises. Identify storage location and how each will be secured.	**Percentage**	pg. 79	**50**	**50**	Addressed Criteria
Summary	[redacted]					

Section D: Security Plan (300 points)			**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
D.1.	The Security Plan shall be prepared and/or assessed by a professional security consultant.		**All or None**	pg. 92-93	**100**	**100**	Addressed Criteria
	D.1.A.	Plan shall demonstrate how the cannabis business wishes to develop the floor plan and address other security issues on the property.					
D.2.	Premises Diagram. In addition to the site plans submitted for the Proposed Location (in Section H of Appendix A), a separate Premises Diagram must be included in this Security Plan section (Section D) of the application. Diagram must meet the requirements of the Department of Cannabis Control DCR Title 4, Division 19, §15006 Premises Diagram.		**Percentage**	pg. 116	**75**	**75**	Addressed Criteria
	D.2.A.	Diagram shall show boundaries of property and proposed location to be licensed and show all boundaries, dimensions, entrances and exits, interior partitions, walls, rooms, windows, and doorways, and shall include a brief statement or description of the principal activity to be conducted therein.	**N/A**				

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

D.2. Cont'd	**D.2.B.**	Diagram shall show and identifies commercial cannabis activities to take place in each area of the premises and identify all limited-access areas.	**N/A**				
	D.2.C.	Diagram shall show all camera locations and include assigned an number to each camera for identification purposes.	**N/A**				
	D.2.D.	The diagram shall be accurate, dimensioned and to-scale (minimum scale of 1/4").	**N/A**				
	D.2.E.	If the proposed location consists of only a portion of a property, the diagram is labeled indicating which part of the property will be used for the licensed premises and what activities will be used for the remaining property.	**N/A**				
D.3.	Describe operational security, including general security for access/visitor control, inventory control and cash handling procedures.		**Percentage**	pg. 92-102	**75**	**75**	Addressed Criteria
D.4.	Describe perimeter security, on-site security guards, proposed guard hours and their responsibilities, and lighting.		**Percentage**	pg. 102-106	**35**	**35**	Addressed Criteria
D.5.	Describe employee training and general security policies.		**Percentage**	pg. 107-108	**15**	**15**	Addressed Criteria
Summary	[redacted]						

Section E: Qualification of Owners (400 points)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
E.1.	Demonstrate the business owner's experience in owning, managing, and operating a cannabis business. Evidence that prior experience was from legally permitted activities.	**Percentage**	pg.117-121	**150**	**150**	Addressed Criteria
E.2.	Demonstrate knowledge of the cannabis industry, including identification of how industry best practices and state regulations have been incorporated in existing/prior legal businesses outside the City of Madera.	**Percentage**	pg. 121-122	**100**	**100**	Addressed Criteria
E.3.	Describe the involvement of the ownership team in the day-to-day operation of the business.	**Percentage**	pg. 122-125	**150**	**150**	Addressed Criteria
Summary	[redacted]					

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

Section F: Neighborhood Compatibility (400 points)			Scoring Basis	Page Number	Points Available	Points Received	Evaluation
F.1.	Describe how the business will proactively address and respond to complaints related to noise, light, odor, and vehicle and pedestrian traffic and avoid becoming a nuisance or negative impact.		**Percentage**	pg. 126-138	**25**	**25**	Addressed Criteria
F.2.	Describe the waste management plan including: waste disposal locations, security measures, methods of rendering all waste unusable and unrecognizable, and the vendor in charge of disposal.		**Percentage**	pg. 138-144	**100**	**100**	Addressed Criteria
F.3.	**The application includes the following information about the proposed location:**						
	F.3.A.	Physical address and a detailed description of the proposed location, including overall property, building, and interior floor plan.	**Percentage**	pg. 145-154	**50**	**50**	Addressed Criteria
	F.3.B.	Describes all known nearby State and local sensitive use areas. (Business must have the appropriate zoning locational requirements described in MMC sections 6-5.33 and Title X)	**All or None**	pg. 155-156	**25**	**25**	Addressed Criteria
	F.3.C.	Lists nearby, well-traveled paths to schools and describes how the business will proactively protect youth on these paths from exposure to the cannabis business.	**All or None**	pg. 157-158	**25**	**25**	Addressed Criteria
	F.3.D.	Describes how the business will proactively take steps about community concerns to protect the youth generally from the impacts of the cannabis business.	**Percentage**	pg. 158-159	**50**	**50**	Addressed Criteria
	F.3.E.	Proof of ownership, lease agreement, or a Letter of Intent to Lease.	**All or None**	pg. 160 PDF File #1 pg. 11-23	**50**	**50**	Addressed Criteria
	F.3.F.	Vicinity map.	**All or None**	pg. 161	**25**	**25**	Addressed Criteria
	F.3.G.	Photographs of existing site and buildings.	**All or None**	pg. 162-163	**25**	**25**	Addressed Criteria
	F.3.H.	Evidence that the location has access to public transportation for employees or customers.	**All or None**	pg. 164	**25**	**25**	Addressed Criteria
Summary							

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

Section G: Community Benefits and Investment Plan (500 points)		Scoring Basis	Page Number	Points Available	Points Received	Evaluation
G.1.	Describes benefits the business will provide to the local community. May include: directly aiding, participating in, volunteer services, monetary donations, financial support, funding, and or any other economic incentives to the City or other charitable organizations in which will help achieve the strategic policy goals of the City Council in permitting cannabis businesses in the City of Madera.	Percentage	pg.165-173	500	500	Addressed Criteria
Summary	[redacted]					

Section H: Proposed Location (300 points)		Scoring Basis	Page Number	Points Available	Points Received	Evaluation
H.	In addition to the location details required in the Security Plan, the application shall include a thorough narrative description of the proposed location, including overall site, existing and/or proposed building(s), parking spaces, driveways, pedestrian sidewalks/rights-of-way, and neighboring businesses on the parcel.	Percentage	pg. 174-176	100	100	Addressed Criteria
H.1.	Applicant must have the appropriate zoning and meet all the locational requirements as described in MMC Section 6-5.33 and Title X.	All or None	PDF File #5	150	150	Addressed Criteria
H.2.	In addition to the Site Diagram submitted with the Security Plan above, application must include a (Site) diagram depicting all details described in the narrative description of the proposed location.	Percentage	pg. 176	50	50	Addressed Criteria
Summary	[redacted]					

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

GFC Central, LLC dba East of Eden
Applicant Name / DBA:

2085 W. Kennedy Street, Madera, CA 93637
Proposed Location / Physical Address:

Retail Storefront
License Type:

Original Report
Report Type:

Wednesday, August 17, 2022
Report Date:

Complete Upon Initial Review.
Report Status:

Points Available: 3,000 **Points Awarded:** 2,864

Score: 95.47%

PHASE II: APPLICATION EVALUATION AND REVIEW (3,000 Points)

During this application period the City will allow up to six (6) cannabis business permits. The Procedure Guidelines and Review Criteria constitute the application process and are adopted pursuant to the City of Madera Municipal Code (MMC) Section 6-5.13 and Title X, Chapter 3 (Zoning Regulations). Applications will be reviewed and scored using a merit-based system. At a minimum the top ten (10) applicants who score a minimum of 90% or higher (2,700 points) in Phase II may be eligible to advance to Phase III. However, the City may at its sole discretion select more than ten (10) applicants based on the quantity and the overall quality of applications the City receives. Notice of the results of Phase II will be provided in writing via email to the primary contact listed on the application.

Section A: Business Plan (400 pts)			Scoring Basis	Page Number	Points Available	Points Received	Evaluation
Business Plan:							
A.1.	Budget for construction, operations, maintenance, compensation of employees, equipment, property lease, security equipment and staff, City fees, state fees, utility costs, product purchases, and other anticipated costs. Budget demonstrates sufficient capital to pay startup costs at least 3 months of operating costs and a describes sources and use of funds.		**Percentage**	pg. 10-11	**75**	**75**	Addressed Criteria
	A.1. A.	Proof of capitalization, in the form of documentation of cash or other liquid assets on hand, Letters of Credit, or other equivalent assets which can be verified by the City.	**All or None**	PDF File #4	**50**	**50**	Addressed Criteria
	A.1.B.	Pro forma for at least three years of operation.	**Percentage**	pg. 12-16	**75**	**64**	Applicant's 4-year pro forma did not include expense categories for maintenance, equipment, or security equipment and staff.
	A.1.C.	A schedule for beginning operation, including a narrative outlining any proposed construction and improvements and a timeline for completion.	**All or None**	pg. 16-17	**20**	**20**	Addressed Criteria
Daily Operations (Retail):							
A.2.1.	**Describes the day-to-day operations which meet best practice if you are applying for a RETAIL permit, including at a minimum the following criteria:**						
	A.2.1.A.	Describe customer check-in procedures.	**Percentage**	pg. 17-18	**75**	**75**	Addressed Criteria
	A.2.1.B.	Identify the location and procedures for receiving deliveries during business hours.	**All or None**	pg. 19-20	**25**	**25**	Addressed Criteria

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

A.2.1. Cont'd	**A.2.1.C.**	Describe the Point-of-Sale system to be used (including name), how it will interact with the states track-and-trace system, and the number of Point-of-Sale locations at full capacity.	**All or None**	pg. 20	**20**	**20**	Addressed Criteria
	A.2.1.D.	Estimate the number of customers to be served per hour/day.	**All or None**	pg. 20	**10**	**10**	Addressed Criteria
	A.2.1.E.	Describe the proposed product line to be sold (including brand names), and estimate of the percentage of sales of flower and manufactured products.	**Percentage**	pg. 21-26	**20**	**20**	Addressed Criteria
	A.2.1.F.	If proposed, describe delivery service procedures, number of vehicles and product security during transportation.	**N/A**	pg. 26-31			3 delivery vehicles
	A.2.1.G.	Describes how the Cannabis Business will conform to local and state laws. See MMC Sections 6-5.40 and Title X.	**Percentage**	pg. 31-44	**20**	**20**	Addressed Criteria
	A.2.1.H.	Describes how cannabis will be tracked and monitored to prevent diversion.	**All or None**	pg.44-61	**10**	**10**	Addressed Criteria
Summary	[redacted]						

Section B: Labor, Equity, Diversity, and Inclusion Plan (400 pts)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
B.1.	Describe the extent business will include recognition of the collective bargaining rights of employees in accordance with Section 6-5.13 (G).	**All or None**	pg. 61-62	**25**	**25**	Addressed Criteria
B.2.	Identify the number of employees at initial opening and maximum number of employees at full capacity.	**All or None**	pg. 62	**25**	**25**	Addressed Criteria
B.3.	Describe the diversity and inclusion programs that will be developed to embrace a diverse work force with a diverse set of perspectives, work and life experiences, religious, and cultural differences that provide equal opportunities for employee development.	**All or None**	pg. 62-63	**25**	**0**	Applicant did not describe the diversity and inclusion programs that would be developed.
B.4.	Identify all positions and their responsibilities.	**Percentage**	pg. 63-66	**50**	**50**	Addressed Criteria
B.5.	Describe compensation to and opportunities for continuing education and training for employees.	**Percentage**	pg. 66-67	**50**	**50**	Addressed Criteria
B.6.	Describe whether the cannabis business is committed to offering employees a Living Wage.	**All or None**	pg. 66, 69	**100**	**100**	Addressed Criteria
B.7.	Describe the benefits provided to employees such as health care, vacation, and medical leave, to the degree they are offered as part of employment.	**All or None**	pg. 66-72	**25**	**25**	Addressed Criteria
B.8.	Describe the extent to which the cannabis business will be locally owned and how the owner(s) have resided within the County of Madera for at least one year prior to June 1, 2021.	**All or None**	pg. 73-76	**100**	**0**	Proposed business was not locally owned.

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

Summary	[redacted]

Section C: Safety Plan (300 points)		Scoring Basis	Page Number	Points Available	Points Received	Evaluation
C.1.	The detailed Safety Plan shall be prepared by a California professional fire prevention and suppression consultant.	All or None	pg. 76	100	100	Addressed Criteria
C.2.	Describes all fire prevention and suppression measures, fire extinguisher locations, evacuation routes and alarm systems in place.	Percentage	pg. 78-88 98-99	100	100	Addressed Criteria
C.3.	Describes all accident and incident reporting procedures.	All or None	pg. 88-91	50	50	Addressed Criteria
C.4.	Identify all known chemicals, gases, solvents and nutrients to be used and stored on the licensed premises. Identify storage location and how each will be secured.	Percentage	pg. 92-96	50	50	Addressed Criteria

Summary	[redacted]

Section D: Security Plan (300 points)			Scoring Basis	Page Number	Points Available	Points Received	Evaluation
D.1.	The Security Plan shall be prepared and/or assessed by a professional security consultant.		All or None	pg. 100	100	100	Addressed Criteria
	D.1.A.	Plan shall demonstrate how the cannabis business wishes to develop the floor plan and address other security issues on the property.					
D.2.	Premises Diagram. In addition to the site plans submitted for the Proposed Location (in Section H of Appendix A), a separate Premises Diagram must be included in this Security Plan section (Section D) of the application. Diagram must meet the requirements of the Department of Cannabis Control DCR Title 4, Division 19, §15006 Premises Diagram.		Percentage	pg. 109-110	75	75	Addressed Criteria
	D.2.A.	Diagram shall show boundaries of property and proposed location to be licensed and show all boundaries, dimensions, entrances and exits, interior partitions, walls, rooms, windows, and doorways, and shall include a brief statement or description of the principal activity to be conducted therein.	N/A				
	D.2.B.	Diagram shall show and identifies commercial cannabis activities to take place in each area of the premises and identify all limited-access areas.	N/A				

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

D.2. Cont'd	**D.2.C.**	Diagram shall show all camera locations and include assigned an number to each camera for identification purposes.	**N/A**				
	D.2.D.	The diagram shall be accurate, dimensioned and to-scale (minimum scale of 1/4").	**N/A**				
	D.2.E.	If the proposed location consists of only a portion of a property, the diagram is labeled indicating which part of the property will be used for the licensed premises and what activities will be used for the remaining property.	**N/A**				
D.3.	Describe operational security, including general security for access/visitor control, inventory control and cash handling procedures.		**Percentage**	pg. 115-121	**75**	**75**	Addressed Criteria
D.4.	Describe perimeter security, on-site security guards, proposed guard hours and their responsibilities, and lighting.		**Percentage**	pg. 121-133	**35**	**35**	Addressed Criteria
D.5.	Describe employee training and general security policies.		**Percentage**	pg. 127-159	**15**	**15**	Addressed Criteria
Summary	[redacted]						

Section E: Qualification of Owners (400 points)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
E.1.	Demonstrate the business owner's experience in owning, managing, and operating a cannabis business. Evidence that prior experience was from legally permitted activities.	**Percentage**	pg. 160-170	**150**	**150**	Addressed Criteria
E.2.	Demonstrate knowledge of the cannabis industry, including identification of how industry best practices and state regulations have been incorporated in existing/prior legal businesses outside the City of Madera.	**Percentage**	pg. 160-170	**100**	**100**	Addressed Criteria
E.3.	Describe the involvement of the ownership team in the day-to-day operation of the business.	**Percentage**	pg. 160-170	**150**	**150**	Addressed Criteria
Summary	[redacted]					

Section F: Neighborhood Compatibility (400 points)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
F.1.	Describe how the business will proactively address and respond to complaints related to noise, light, odor, and vehicle and pedestrian traffic and avoid becoming a nuisance or negative impact.	**Percentage**	pg. 171-178	**25**	**25**	Addressed Criteria
F.2.	Describe the waste management plan including: waste disposal locations, security measures, methods of rendering all waste unusable and unrecognizable, and the vendor in charge of disposal.	**Percentage**	pg. 178-182	**100**	**100**	Addressed Criteria

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

F.3.	**The application includes the following information about the proposed location:**						
	F.3.A.	Physical address and a detailed description of the proposed location, including overall property, building, and interior floor plan.	**Percentage**	pg. 182	**50**	**50**	Addressed Criteria
	F.3.B.	Describes all known nearby State and local sensitive use areas. (Business must have the appropriate zoning locational requirements described in MMC sections 6-5.33 and Title X)	**All or None**	pg. 182-183	**25**	**25**	Addressed Criteria
	F.3.C.	Lists nearby, well-traveled paths to schools and describes how the business will proactively protect youth on these paths from exposure to the cannabis business.	**All or None**	pg. 183	**25**	**25**	Addressed Criteria
	F.3.D.	Describes how the business will proactively take steps about community concerns to protect the youth generally from the impacts of the cannabis business.	**Percentage**	pg. 184	**50**	**50**	Addressed Criteria
	F.3.E.	Proof of ownership, lease agreement, or a Letter of Intent to Lease.	**All or None**	pg. 184-185	**50**	**50**	Addressed Criteria
	F.3.F.	Vicinity map.	**All or None**	pg. 186	**25**	**25**	Addressed Criteria
	F.3.G.	Photographs of existing site and buildings.	**All or None**	pg. 186	**25**	**25**	Addressed Criteria
	F.3.H.	Evidence that the location has access to public transportation for employees or customers.	**All or None**	pg. 187	**25**	**25**	Addressed Criteria
Summary							

Section G: Community Benefits and Investment Plan (500 points)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
G.1.	Describes benefits the business will provide to the local community. May include: directly aiding, participating in, volunteer services, monetary donations, financial support, funding, and or any other economic incentives to the City or other charitable organizations in which will help achieve the strategic policy goals of the City Council in permitting cannabis businesses in the City of Madera.	**Percentage**	pg. 189-196	**500**	**500**	Addressed Criteria
Summary						

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

Section H: Proposed Location (300 points)			Scoring Basis	Page Number	Points Available	Points Received	Evaluation
H.	In addition to the location details required in the Security Plan, the application shall include a thorough narrative description of the proposed location, including overall site, existing and/or proposed building(s), parking spaces, driveways, pedestrian sidewalks/rights-of-way, and neighboring businesses on the parcel.		**Percentage**	pg. 197-198	**100**	**100**	Addressed Criteria
	H.1.	Applicant must have the appropriate zoning and meet all the locational requirements as described in MMC Section 6-5.33 and Title X.	**All or None**	PDF File #5	**150**	**150**	Addressed Criteria
	H.2.	In addition to the Site Diagram submitted with the Security Plan above, application must include a (Site) diagram depicting all details described in the narrative description of the proposed location.	**Percentage**	pg. 200	**50**	**50**	Addressed Criteria
Summary							

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

Haven Madera, LLC	**Original Report**
Applicant Name / DBA:	**Report Type:**
508 E Almond Avenue, Madera, CA, 93637	**Thursday, August 18, 2022**
Proposed Location / Physical Address:	**Report Date:**
Retail Storefront	**Complete Upon Supplemental Application Review.**
License Type:	**Report Status:**

Points Available: 3,000 **Points Awarded:** 2,993

Score: 99.77%

PHASE II: APPLICATION EVALUATION AND REVIEW (3,000 Points)

During this application period the City will allow up to six (6) cannabis business permits. The Procedure Guidelines and Review Criteria constitute the application process and are adopted pursuant to the City of Madera Municipal Code (MMC) Section 6-5.13 and Title X, Chapter 3 (Zoning Regulations). Applications will be reviewed and scored using a merit-based system. At a minimum the top ten (10) applicants who score a minimum of 90% or higher (2,700 points) in Phase II may be eligible to advance to Phase III. However, the City may at its sole discretion select more than ten (10) applicants based on the quantity and the overall quality of applications the City receives. Notice of the results of Phase II will be provided in writing via email to the primary contact listed on the application.

Section A: Business Plan (400 pts)			Scoring Basis	Page Number	Points Available	Points Received	Evaluation
Business Plan:							
A.1.	Budget for construction, operations, maintenance, compensation of employees, equipment, property lease, security equipment and staff, City fees, state fees, utility costs, product purchases, and other anticipated costs. Budget demonstrates sufficient capital to pay startup costs at least 3 months of operating costs and a describes sources and use of funds.		**Percentage**	pg.7-8	**75**	**75**	Addressed Criteria
	A.1. A.	Proof of capitalization, in the form of documentation of cash or other liquid assets on hand, Letters of Credit, or other equivalent assets which can be verified by the City.	**All or None**	PDF File #4	**50**	**50**	Addressed Criteria
	A.1.B.	Pro forma for at least three years of operation.	**Percentage**	pg. 9-10	**75**	**68**	Applicant's pro-forma did not account for costs associated to city fees and state fees.
	A.1.C.	A schedule for beginning operation, including a narrative outlining any proposed construction and improvements and a timeline for completion.	**All or None**	pg. 11	**20**	**20**	Addressed Criteria
Daily Operations (Retail):							
A.2.1.	**Describes the day-to-day operations which meet best practice if you are applying for a RETAIL permit, including at a minimum the following criteria:**						
	A.2.1.A.	Describe customer check-in procedures.	**Percentage**	pg. 17-19	**75**	**75**	Addressed Criteria
	A.2.1.B.	Identify the location and procedures for receiving deliveries during business hours.	**All or None**	pg. 19-21	**25**	**25**	Addressed Criteria

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

A.2.1. Cont'd	**A.2.1.C.**	Describe the Point-of-Sale system to be used (including name), how it will interact with the states track-and-trace system, and the number of Point-of-Sale locations at full capacity.	**All or None**	pg. 21	**20**	**20**	Addressed Criteria
	A.2.1.D.	Estimate the number of customers to be served per hour/day.	**All or None**	pg. 22	**10**	**10**	Addressed Criteria
	A.2.1.E.	Describe the proposed product line to be sold (including brand names), and estimate of the percentage of sales of flower and manufactured products.	**Percentage**	pg. 22-24	**20**	**20**	Addressed Criteria
	A.2.1.F.	If proposed, describe delivery service procedures, number of vehicles and product security during transportation.	**N/A**	pg. 24-31			2 delivery vehicles
	A.2.1.G.	Describes how the Cannabis Business will conform to local and state laws. See MMC Sections 6-5.40 and Title X.	**Percentage**	pg. 31-32	**20**	**20**	Addressed Criteria
	A.2.1.H.	Describes how cannabis will be tracked and monitored to prevent diversion.	**All or None**	pg. 33-50	**10**	**10**	Addressed Criteria
Summary		[redacted]					

Section B: Labor, Equity, Diversity, and Inclusion Plan (400 pts)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
B.1.	Describe the extent business will include recognition of the collective bargaining rights of employees in accordance with Section 6-5.13 (G).	**All or None**	pg. 52	**25**	**25**	Addressed Criteria
B.2.	Identify the number of employees at initial opening and maximum number of employees at full capacity.	**All or None**	pg. 53	**25**	**25**	Addressed Criteria
B.3.	Describe the diversity and inclusion programs that will be developed to embrace a diverse work force with a diverse set of perspectives, work and life experiences, religious, and cultural differences that provide equal opportunities for employee development.	**All or None**	pg. 53-65	**25**	**25**	Addressed Criteria
B.4.	Identify all positions and their responsibilities.	**Percentage**	pg. 66-75	**50**	**50**	Addressed Criteria
B.5.	Describe compensation to and opportunities for continuing education and training for employees.	**Percentage**	pg. 76-83	**50**	**50**	Addressed Criteria
B.6.	Describe whether the cannabis business is committed to offering employees a Living Wage.	**All or None**	pg.84	**100**	**100**	Addressed Criteria
B.7.	Describe the benefits provided to employees such as health care, vacation, and medical leave, to the degree they are offered as part of employment.	**All or None**	pg. 84-86	**25**	**25**	Addressed Criteria

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

B.8.	Describe the extent to which the cannabis business will be locally owned and how the owner(s) have resided within the County of Madera for at least one year prior to June 1, 2021.	**All or None**	pg. 86 PDF #1 47-50	**100**	**100**	Addressed Criteria
Summary	[redacted]					

Section C: Safety Plan (300 points)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
C.1.	The detailed Safety Plan shall be prepared by a California professional fire prevention and suppression consultant.	**All or None**	pg. 88	**100**	**100**	Addressed Criteria
C.2.	Describes all fire prevention and suppression measures, fire extinguisher locations, evacuation routes and alarm systems in place.	**Percentage**	pg. 90-97 106-107	**100**	**100**	Addressed Criteria
C.3.	Describes all accident and incident reporting procedures.	**All or None**	pg. 97-99	**50**	**50**	Addressed Criteria
C.4.	Identify all known chemicals, gases, solvents and nutrients to be used and stored on the licensed premises. Identify storage location and how each will be secured.	**Percentage**	pg. 100-105	**50**	**50**	Addressed Criteria
Summary	[redacted]					

Section D: Security Plan (300 points)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
D.1.	The Security Plan shall be prepared and/or assessed by a professional security consultant.	**All or None**	pg. 109-110	**100**	**100**	Addressed Criteria
	D.1.A. Plan shall demonstrate how the cannabis business wishes to develop the floor plan and address other security issues on the property.					
D.2.	Premises Diagram. In addition to the site plans submitted for the Proposed Location (in Section H of Appendix A), a separate Premises Diagram must be included in this Security Plan section (Section D) of the application. Diagram must meet the requirements of the Department of Cannabis Control DCR Title 4, Division 19, §15006 Premises Diagram.	**Percentage**	pg. 110-111 132	**75**	**75**	Addressed Criteria
	D.2.A. Diagram shall show boundaries of property and proposed location to be licensed and show all boundaries, dimensions, entrances and exits, interior partitions, walls, rooms, windows, and doorways, and shall include a brief statement or description of the principal activity to be conducted therein.	**N/A**				

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

D.2. Cont'd	**D.2.B.**	Diagram shall show and identifies commercial cannabis activities to take place in each area of the premises and identify all limited-access areas.	**N/A**				
	D.2.C.	Diagram shall show all camera locations and include assigned an number to each camera for identification purposes.	**N/A**				
	D.2.D.	The diagram shall be accurate, dimensioned and to-scale (minimum scale of 1/4").	**N/A**				
	D.2.E.	If the proposed location consists of only a portion of a property, the diagram is labeled indicating which part of the property will be used for the licensed premises and what activities will be used for the remaining property.	**N/A**				
D.3.	Describe operational security, including general security for access/visitor control, inventory control and cash handling procedures.		**Percentage**	pg. 111-119	**75**	**75**	Addressed Criteria
D.4.	Describe perimeter security, on-site security guards, proposed guard hours and their responsibilities, and lighting.		**Percentage**	pg. 119-122	**35**	**35**	Addressed Criteria
D.5.	Describe employee training and general security policies.		**Percentage**	pg. 123-125	**15**	**15**	Addressed Criteria
Summary	[redacted]						

Section E: Qualification of Owners (400 points)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
E.1.	Demonstrate the business owner's experience in owning, managing, and operating a cannabis business. Evidence that prior experience was from legally permitted activities.	**Percentage**	pg. 134-144	**150**	**150**	Addressed Criteria
E.2.	Demonstrate knowledge of the cannabis industry, including identification of how industry best practices and state regulations have been incorporated in existing/prior legal businesses outside the City of Madera.	**Percentage**	pg. 145-149	**100**	**100**	Addressed Criteria
E.3.	Describe the involvement of the ownership team in the day-to-day operation of the business.	**Percentage**	pg. 149-150	**150**	**150**	Addressed Criteria
Summary	[redacted]					

Section F: Neighborhood Compatibility (400 points)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
F.1.	Describe how the business will proactively address and respond to complaints related to noise, light, odor, and vehicle and pedestrian traffic and avoid becoming a nuisance or negative impact.	**Percentage**	pg. 152-165	**25**	**25**	Addressed Criteria

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

F.2.	Describe the waste management plan including: waste disposal locations, security measures, methods of rendering all waste unusable and unrecognizable, and the vendor in charge of disposal.		**Percentage**	pg. 166-168	**100**	**100**	Addressed Criteria
F.3.	**The application includes the following information about the proposed location:**						
	F.3.A.	Physical address and a detailed description of the proposed location, including overall property, building, and interior floor plan.	**Percentage**	pg. 168-173	**50**	**50**	Addressed Criteria
	F.3.B.	Describes all known nearby State and local sensitive use areas. (Business must have the appropriate zoning locational requirements described in MMC sections 6-5.33 and Title X)	**All or None**	pg. 174	**25**	**25**	Addressed Criteria
	F.3.C.	Lists nearby, well-traveled paths to schools and describes how the business will proactively protect youth on these paths from exposure to the cannabis business.	**All or None**	pg. 174	**25**	**25**	Addressed Criteria
	F.3.D.	Describes how the business will proactively take steps about community concerns to protect the youth generally from the impacts of the cannabis business.	**Percentage**	pg. 174-180	**50**	**50**	Addressed Criteria
	F.3.E.	Proof of ownership, lease agreement, or a Letter of Intent to Lease.	**All or None**	pg. 180 PDF File #1	**50**	**50**	Addressed Criteria
	F.3.F.	Vicinity map.	**All or None**	pg. 180	**25**	**25**	Addressed Criteria
	F.3.G.	Photographs of existing site and buildings.	**All or None**	pg. 181	**25**	**25**	Addressed Criteria
	F.3.H.	Evidence that the location has access to public transportation for employees or customers.	**All or None**	pg. 182	**25**	**25**	Addressed Criteria
Summary	[redacted]						

Section G: Community Benefits and Investment Plan (500 points)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
G.1.	Describes benefits the business will provide to the local community. May include: directly aiding, participating in, volunteer services, monetary donations, financial support, funding, and or any other economic incentives to the City or other charitable organizations in which will help achieve the strategic policy goals of the City Council in permitting cannabis businesses in the City of Madera.	**Percentage**	pg. 183-196	**500**	**500**	Addressed Criteria
Summary	[redacted]					

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

Section H: Proposed Location (300 points)			Scoring Basis	Page Number	Points Available	Points Received	Evaluation
H.	In addition to the location details required in the Security Plan, the application shall include a thorough narrative description of the proposed location, including overall site, existing and/or proposed building(s), parking spaces, driveways, pedestrian sidewalks/rights-of-way, and neighboring businesses on the parcel.		**Percentage**	pg. 197-199	**100**	**100**	Addressed Criteria
	H.1.	Applicant must have the appropriate zoning and meet all the locational requirements as described in MMC Section 6-5.33 and Title X.	**All or None**	PDF File #5	**150**	**150**	Addressed Criteria
	H.2.	In addition to the Site Diagram submitted with the Security Plan above, application must include a (Site) diagram depicting all details described in the narrative description of the proposed location.	**Percentage**	pg. 200	**50**	**50**	Addressed Criteria
Summary							

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

Hazy Bulldog Farms 2, Inc. dba Hazy Bulldog Farms
Applicant Name / DBA:

324 S. Gateway Drive, Madera, CA 93637
Proposed Location / Physical Address:

Retail Storefront
License Type:

Original Report
Report Type:

Monday, August 8, 2022
Report Date:

Complete Upon Initial Review.
Report Status:

Points Available: 3,000 **Points Awarded:** 2,889

Score: 96.30%

PHASE II: APPLICATION EVALUATION AND REVIEW (3,000 Points)

During this application period the City will allow up to six (6) cannabis business permits. The Procedure Guidelines and Review Criteria constitute the application process and are adopted pursuant to the City of Madera Municipal Code (MMC) Section 6-5.13 and Title X, Chapter 3 (Zoning Regulations). Applications will be reviewed and scored using a merit-based system. At a minimum the top ten (10) applicants who score a minimum of 90% or higher (2,700 points) in Phase II may be eligible to advance to Phase III. However, the City may at its sole discretion select more than ten (10) applicants based on the quantity and the overall quality of applications the City receives. Notice of the results of Phase II will be provided in writing via email to the primary contact listed on the application.

Section A: Business Plan (400 pts)			Scoring Basis	Page Number	Points Available	Points Received	Evaluation
Business Plan:							
A.1.	Budget for construction, operations, maintenance, compensation of employees, equipment, property lease, security equipment and staff, City fees, state fees, utility costs, product purchases, and other anticipated costs. Budget demonstrates sufficient capital to pay startup costs at least 3 months of operating costs and a describes sources and use of funds.		**Percentage**	pg. 17-18	**75**	**75**	Addressed Criteria
	A.1. A.	Proof of capitalization, in the form of documentation of cash or other liquid assets on hand, Letters of Credit, or other equivalent assets which can be verified by the City.	**All or None**	PDF File #4	**50**	**50**	Addressed Criteria
	A.1.B.	Pro forma for at least three years of operation.	**Percentage**	pg. 18-20	**75**	**64**	Review of pages 18 through 20 of the application showed that the 3-year Pro Forma did not account for costs associated to maintenance, or security staff.
	A.1.C.	A schedule for beginning operation, including a narrative outlining any proposed construction and improvements and a timeline for completion.	**All or None**	pg. 21-22	**20**	**20**	Addressed Criteria
Daily Operations (Retail):							
A.2.1.	**Describes the day-to-day operations which meet best practice if you are applying for a RETAIL permit, including at a minimum the following criteria:**						
	A.2.1.A.	Describe customer check-in procedures.	**Percentage**	pg. 31-34	**75**	**75**	Addressed Criteria
	A.2.1.B.	Identify the location and procedures for receiving deliveries during business hours.	**All or None**	pg. 34-37	**25**	**25**	Addressed Criteria

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

A.2.1. Cont'd	**A.2.1.C.**	Describe the Point-of-Sale system to be used (including name), how it will interact with the states track-and-trace system, and the number of Point-of-Sale locations at full capacity.	**All or None**	pg. 41	**20**	**20**	Addressed Criteria
	A.2.1.D.	Estimate the number of customers to be served per hour/day.	**All or None**	pg. 1-64	**10**	**10**	Addressed Criteria
	A.2.1.E.	Describe the proposed product line to be sold (including brand names), and estimate of the percentage of sales of flower and manufactured products.	**Percentage**	pg. 21, 38-40	**20**	**20**	Addressed Criteria
	A.2.1.F.	If proposed, describe delivery service procedures, number of vehicles and product security during transportation.	**N/A**				One delivery vehicle.
	A.2.1.G.	Describes how the Cannabis Business will conform to local and state laws. See MMC Sections 6-5.40 and Title X.	**Percentage**	pg. 41-64	**20**	**20**	Addressed Criteria
	A.2.1.H.	Describes how cannabis will be tracked and monitored to prevent diversion.	**All or None**	pg. 40-44	**10**	**10**	Addressed Criteria
Summary	[redacted]						

Section B: Labor, Equity, Diversity, and Inclusion Plan (400 pts)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
B.1.	Describe the extent business will include recognition of the collective bargaining rights of employees in accordance with Section 6-5.13 (G).	**All or None**	pg. 23	**25**	**25**	Addressed Criteria
B.2.	Identify the number of employees at initial opening and maximum number of employees at full capacity.	**All or None**	pg. 70	**25**	**25**	Addressed Criteria
B.3.	Describe the diversity and inclusion programs that will be developed to embrace a diverse work force with a diverse set of perspectives, work and life experiences, religious, and cultural differences that provide equal opportunities for employee development.	**All or None**	pg. 66-70	**25**	**25**	Addressed Criteria
B.4.	Identify all positions and their responsibilities.	**Percentage**	pg. 70-74	**50**	**50**	Addressed Criteria
B.5.	Describe compensation to and opportunities for continuing education and training for employees.	**Percentage**	pg. 76-78	**50**	**50**	Addressed Criteria

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

B.6.	Describe whether the cannabis business is committed to offering employees a Living Wage.	**All or None**	pg. 75-76	**100**	**100**	Addressed Criteria
B.7.	Describe the benefits provided to employees such as health care, vacation, and medical leave, to the degree they are offered as part of employment.	**All or None**	pg. 74-75	**25**	**25**	Addressed Criteria
B.8.	Describe the extent to which the cannabis business will be locally owned and how the owner(s) have resided within the County of Madera for at least one year prior to June 1, 2021.	**All or None**	pg. 78	**100**	**0**	Applicant showed that the owners of the proposed business were not local.
Summary	[redacted]					

Section C: Safety Plan (300 points)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
C.1.	The detailed Safety Plan shall be prepared by a California professional fire prevention and suppression consultant.	**All or None**	pg. 81	**100**	**100**	Addressed Criteria
C.2.	Describes all fire prevention and suppression measures, fire extinguisher locations, evacuation routes and alarm systems in place.	**Percentage**	pg. 83-84, 86, 92-93	**100**	**100**	Addressed Criteria
C.3.	Describes all accident and incident reporting procedures.	**All or None**	pg. 84-89	**50**	**50**	Addressed Criteria
C.4.	Identify all known chemicals, gases, solvents and nutrients to be used and stored on the licensed premises. Identify storage location and how each will be secured.	**Percentage**	pg. 81-82	**50**	**50**	Addressed Criteria
Summary	[redacted]					

Section D: Security Plan (300 points)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
D.1.	The Security Plan shall be prepared and/or assessed by a professional security consultant.	**All or None**	pg. 96	**100**	**100**	Addressed Criteria
	D.1.A. Plan shall demonstrate how the cannabis business wishes to develop the floor plan and address other security issues on the property.					

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

D.2.	Premises Diagram. In addition to the site plans submitted for the Proposed Location (in Section H of Appendix A), a separate Premises Diagram must be included in this Security Plan section (Section D) of the application. Diagram must meet the requirements of the Department of Cannabis Control DCR Title 4, Division 19, §15006 Premises Diagram.	**Percentage**	pg. 126	**75**	**75**	Addressed Criteria
	D.2.A. Diagram shall show boundaries of property and proposed location to be licensed and show all boundaries, dimensions, entrances and exits, interior partitions, walls, rooms, windows, and doorways, and shall include a brief statement or description of the principal activity to be conducted therein.	**N/A**				
	D.2.B. Diagram shall show and identifies commercial cannabis activities to take place in each area of the premises and identify all limited-access areas.	**N/A**				
	D.2.C. Diagram shall show all camera locations and include assigned an number to each camera for identification purposes.	**N/A**				
	D.2.D. The diagram shall be accurate, dimensioned and to-scale (minimum scale of 1/4").	**N/A**				
	D.2.E. If the proposed location consists of only a portion of a property, the diagram is labeled indicating which part of the property will be used for the licensed premises and what activities will be used for the remaining property.	**N/A**				
D.3.	Describe operational security, including general security for access/visitor control, inventory control and cash handling procedures.	**Percentage**	pg. 98-110	**75**	**75**	Addressed Criteria
D.4.	Describe perimeter security, on-site security guards, proposed guard hours and their responsibilities, and lighting.	**Percentage**	pg. 98-126	**35**	**35**	Addressed Criteria
D.5.	Describe employee training and general security policies.	**Percentage**	pg. 110-112	**15**	**15**	Addressed Criteria
Summary	[redacted]					

Section E: Qualification of Owners (400 points)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
E.1.	Demonstrate the business owner's experience in owning, managing, and operating a cannabis business. Evidence that prior experience was from legally permitted activities.	**Percentage**	pg. 128-129	**150**	**150**	Addressed Criteria

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

E.2.	Demonstrate knowledge of the cannabis industry, including identification of how industry best practices and state regulations have been incorporated in existing/prior legal businesses outside the City of Madera.	**Percentage**	pg. 130-145	**100**	**100**	Addressed Criteria
E.3.	Describe the involvement of the ownership team in the day-to-day operation of the business.	**Percentage**	pg. 128-129	**150**	**150**	Addressed Criteria
Summary	[redacted]					
Section F: Neighborhood Compatibility (400 points)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
F.1.	Describe how the business will proactively address and respond to complaints related to noise, light, odor, and vehicle and pedestrian traffic and avoid becoming a nuisance or negative impact.	**Percentage**	pg. 147-153	**25**	**25**	Addressed Criteria
F.2.	Describe the waste management plan including: waste disposal locations, security measures, methods of rendering all waste unusable and unrecognizable, and the vendor in charge of disposal.	**Percentage**	pg. 153-159	**100**	**100**	Addressed Criteria
F.3.	**The application includes the following information about the proposed location:**					
F.3.A.	Physical address and a detailed description of the proposed location, including overall property, building, and interior floor plan.	**Percentage**	pg. 159-162	**50**	**50**	Addressed Criteria
F.3.B.	Describes all known nearby State and local sensitive use areas. (Business must have the appropriate zoning locational requirements described in MMC sections 6-5.33 and Title X)	**All or None**	pg. 162	**25**	**25**	Addressed Criteria
F.3.C.	Lists nearby, well-traveled paths to schools and describes how the business will proactively protect youth on these paths from exposure to the cannabis business.	**All or None**	pg. 162-163	**25**	**25**	Addressed Criteria
F.3.D.	Describes how the business will proactively take steps about community concerns to protect the youth generally from the impacts of the cannabis business.	**Percentage**	pg. 166	**50**	**50**	Addressed Criteria
F.3.E.	Proof of ownership, lease agreement, or a Letter of Intent to Lease.	**All or None**	pg. 167-179	**50**	**50**	Addressed Criteria
F.3.F.	Vicinity map.	**All or None**	pg. 180	**25**	**25**	Addressed Criteria
F.3.G.	Photographs of existing site and buildings.	**All or None**	pg. 181-184	**25**	**25**	Addressed Criteria
F.3.H.	Evidence that the location has access to public transportation for employees or customers.	**All or None**	pg. 184	**25**	**25**	Addressed Criteria

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

Summary	[redacted]

Section G: Community Benefits and Investment Plan (500 points)		Scoring Basis	Page Number	Points Available	Points Received	Evaluation
G.1.	Describes benefits the business will provide to the local community. May include: directly aiding, participating in, volunteer services, monetary donations, financial support, funding, and or any other economic incentives to the City or other charitable organizations in which will help achieve the strategic policy goals of the City Council in permitting cannabis businesses in the City of Madera.	**Percentage**	pg. 185-189	**500**	**500**	Addressed Criteria

Summary	[redacted]

Section H: Proposed Location (300 points)			Scoring Basis	Page Number	Points Available	Points Received	Evaluation
H.	In addition to the location details required in the Security Plan, the application shall include a thorough narrative description of the proposed location, including overall site, existing and/or proposed building(s), parking spaces, driveways, pedestrian sidewalks/rights-of-way, and neighboring businesses on the parcel.		**Percentage**	pg. 190-197	**100**	**100**	Addressed Criteria
	H.1.	Applicant must have the appropriate zoning and meet all the locational requirements as described in MMC Section 6-5.33 and Title X.	**All or None**	PDF File #5	**150**	**150**	Addressed Criteria
	H.2.	In addition to the Site Diagram submitted with the Security Plan above, application must include a (Site) diagram depicting all details described in the narrative description of the proposed location.	**Percentage**	pg. 190-197	**50**	**50**	Addressed Criteria

Summary	[redacted]

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

Herbz, LLC dba Herbz	**Original Report**
Applicant Name / DBA:	**Report Type:**
632 E. Yosemite Ave., Suite 108, Madera CA 93638	**Monday, August 1, 2022**
Proposed Location / Physical Address:	**Report Date:**
Retail Storefront	**Complete Upon Initial Review.**
License Type:	**Report Status:**

Points Available: 3,000 **Points Awarded:** 2,892

Score: 96.40%

PHASE II: APPLICATION EVALUATION AND REVIEW (3,000 Points)

During this application period the City will allow up to six (6) cannabis business permits. The Procedure Guidelines and Review Criteria constitute the application process and are adopted pursuant to the City of Madera Municipal Code (MMC) Section 6-5.13 and Title X, Chapter 3 (Zoning Regulations). Applications will be reviewed and scored using a merit-based system. At a minimum the top ten (10) applicants who score a minimum of 90% or higher (2,700 points) in Phase II may be eligible to advance to Phase III. However, the City may at its sole discretion select more than ten (10) applicants based on the quantity and the overall quality of applications the City receives. Notice of the results of Phase II will be provided in writing via email to the primary contact listed on the application.

Section A: Business Plan (400 pts)			Scoring Basis	Page Number	Points Available	Points Received	Evaluation
Business Plan:							
A.1.	Budget for construction, operations, maintenance, compensation of employees, equipment, property lease, security equipment and staff, City fees, state fees, utility costs, product purchases, and other anticipated costs. Budget demonstrates sufficient capital to pay startup costs at least 3 months of operating costs and a describes sources and use of funds.		**Percentage**	pg. 2, 5-7, 75-76	**75**	**75**	Addressed Criteria
	A.1. A.	Proof of capitalization, in the form of documentation of cash or other liquid assets on hand, Letters of Credit, or other equivalent assets which can be verified by the City.	**All or None**	pg. 2, 68-73, PDF file #4	**50**	**50**	Addressed Criteria
	A.1.B.	Pro forma for at least three years of operation.	**Percentage**	pg. 2, 5-7, 75-76	**75**	**75**	Addressed Criteria
	A.1.C.	A schedule for beginning operation, including a narrative outlining any proposed construction and improvements and a timeline for completion.	**All or None**	pg. 3	**20**	**20**	Addressed Criteria
Daily Operations (Retail):							
A.2.1.	**Describes the day-to-day operations which meet best practice if you are applying for a RETAIL permit, including at a minimum the following criteria:**						
	A.2.1.A.	Describe customer check-in procedures.	**Percentage**	pg. 8	**75**	**75**	Addressed Criteria
	A.2.1.B.	Identify the location and procedures for receiving deliveries during business hours.	**All or None**	pg. 8-11	**25**	**25**	Addressed Criteria
	A.2.1.C.	Describe the Point-of-Sale system to be used (including name), how it will interact with the states track-and-trace system, and the number of Point-of-Sale locations at full capacity.	**All or None**	pg. 11, 84	**20**	**20**	Addressed Criteria

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

A.2.1. Cont'd	**A.2.1.D.**	Estimate the number of customers to be served per hour/day.	**All or None**	pg. 11	**10**	**10**	Addressed Criteria
	A.2.1.E.	Describe the proposed product line to be sold (including brand names), and estimate of the percentage of sales of flower and manufactured products.	**Percentage**	pg. 11-12	**20**	**20**	Addressed Criteria
	A.2.1.F.	If proposed, describe delivery service procedures, number of vehicles and product security during transportation.	**N/A**	pg. 12-13			
	A.2.1.G.	Describes how the Cannabis Business will conform to local and state laws. See MMC Sections 6-5.40 and Title X.	**Percentage**	pg. 13	**20**	**20**	Addressed Criteria
	A.2.1.H.	Describes how cannabis will be tracked and monitored to prevent diversion.	**All or None**	pg. 14	**10**	**10**	Addressed Criteria
Summary	[redacted]						

Section B: Labor, Equity, Diversity, and Inclusion Plan (400 pts)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
B.1.	Describe the extent business will include recognition of the collective bargaining rights of employees in accordance with Section 6-5.13 (G).	**All or None**	pg. 15,79-82	**25**	**25**	Addressed Criteria
B.2.	Identify the number of employees at initial opening and maximum number of employees at full capacity.	**All or None**	pg. 15-16	**25**	**25**	Addressed Criteria
B.3.	Describe the diversity and inclusion programs that will be developed to embrace a diverse work force with a diverse set of perspectives, work and life experiences, religious, and cultural differences that provide equal opportunities for employee development.	**All or None**	pg. 16	**25**	**25**	Addressed Criteria
B.4.	Identify all positions and their responsibilities.	**Percentage**	pg. 15-20	**50**	**45**	Applicants Labor, Equity, Diversity and Inclusion Plan on pages 15 through 20 of PDF File #2 showed that the applicant did not identify the Delivery Driver, Head of Marketing, and Inventory Assistant responsibilities within the Labor, Equity, Diversity, and Inclusion Plan.
B.5.	Describe compensation to and opportunities for continuing education and training for employees.	**Percentage**	pg. 18	**50**	**50**	Addressed Criteria
B.6.	Describe whether the cannabis business is committed to offering employees a Living Wage.	**All or None**	pg. 19	**100**	**100**	Addressed Criteria
B.7.	Describe the benefits provided to employees such as health care, vacation, and medical leave, to the degree they are offered as part of employment.	**All or None**	pg. 19	**25**	**25**	Addressed Criteria

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

B.8.	Describe the extent to which the cannabis business will be locally owned and how the owner(s) have resided within the County of Madera for at least one year prior to June 1, 2021.	**All or None**	pg. 19-20	**100**	**0**	Applicant did not provide proof of residency in the form of mortgage statements, lease agreements, tax bills, utility bill or any other documentation capable of showing residency established prior to June 1, 2021.
Summary	[redacted]					

Section C: Safety Plan (300 points)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
C.1.	The detailed Safety Plan shall be prepared by a California professional fire prevention and suppression consultant.	**All or None**	pg. 20	**100**	**100**	Addressed Criteria
C.2.	Describes all fire prevention and suppression measures, fire extinguisher locations, evacuation routes and alarm systems in place.	**Percentage**	pg. 24-31, pg. 34	**100**	**100**	Addressed Criteria
C.3.	Describes all accident and incident reporting procedures.	**All or None**	pg. 22-24	**50**	**50**	Addressed Criteria
C.4.	Identify all known chemicals, gases, solvents and nutrients to be used and stored on the licensed premises. Identify storage location and how each will be secured.	**Percentage**	pg. 22	**50**	**50**	Addressed Criteria
Summary	[redacted]					

Section D: Security Plan (300 points)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
D.1.	The Security Plan shall be prepared and/or assessed by a professional security consultant.	**All or None**	pg. 36	**100**	**100**	Addressed Criteria
	D.1.A. Plan shall demonstrate how the cannabis business wishes to develop the floor plan and address other security issues on the property.					
D.2.	Premises Diagram. In addition to the site plans submitted for the Proposed Location (in Section H of Appendix A), a separate Premises Diagram must be included in this Security Plan section (Section D) of the application. Diagram must meet the requirements of the Department of Cannabis Control DCR Title 4, Division 19, §15006 Premises Diagram.	**Percentage**	pg. 59	**75**	**72**	Review of the applicant's Premises Diagram on page 59 of File #2 showed that the applicant identified the state defined "Retail Area" as the "Unit 108 - Showroom". As such, the premises diagram did not meet the requirements of the Department of Cannabis Control DCR Title 4, Division 19, §15006.
	D.2.A. Diagram shall show boundaries of property and proposed location to be licensed and show all boundaries, dimensions, entrances and exits, interior partitions, walls, rooms, windows, and doorways, and shall include a brief statement or description of the principal activity to be conducted therein.	**N/A**				

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

D.2. Cont'd	**D.2.B.**	Diagram shall show and identifies commercial cannabis activities to take place in each area of the premises and identify all limited-access areas.	**N/A**				
	D.2.C.	Diagram shall show all camera locations and include assigned an number to each camera for identification purposes.	**N/A**				
	D.2.D.	The diagram shall be accurate, dimensioned and to-scale (minimum scale of 1/4").	**N/A**				
	D.2.E.	If the proposed location consists of only a portion of a property, the diagram is labeled indicating which part of the property will be used for the licensed premises and what activities will be used for the remaining property.	**N/A**				
D.3.	Describe operational security, including general security for access/visitor control, inventory control and cash handling procedures.		**Percentage**	pg. 38-43	**75**	**75**	Addressed Criteria
D.4.	Describe perimeter security, on-site security guards, proposed guard hours and their responsibilities, and lighting.		**Percentage**	pg. 43-49	**35**	**35**	Addressed Criteria
D.5.	Describe employee training and general security policies.		**Percentage**	pg. 49-57	**15**	**15**	Addressed Criteria
Summary	[redacted]						

Section E: Qualification of Owners (400 points)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
E.1.	Demonstrate the business owner's experience in owning, managing, and operating a cannabis business. Evidence that prior experience was from legally permitted activities.	**Percentage**	pg. 60-61	**150**	**150**	Addressed Criteria
E.2.	Demonstrate knowledge of the cannabis industry, including identification of how industry best practices and state regulations have been incorporated in existing/prior legal businesses outside the City of Madera.	**Percentage**	pg. 60-61	**100**	**100**	Addressed Criteria
E.3.	Describe the involvement of the ownership team in the day-to-day operation of the business.	**Percentage**	pg. 61	**150**	**150**	Addressed Criteria
Summary	[redacted]					

Section F: Neighborhood Compatibility (400 points)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
F.1.	Describe how the business will proactively address and respond to complaints related to noise, light, odor, and vehicle and pedestrian traffic and avoid becoming a nuisance or negative impact.	**Percentage**	pg. 62-63	**25**	**25**	Addressed Criteria
F.2.	Describe the waste management plan including: waste disposal locations, security measures, methods of rendering all waste unusable and unrecognizable, and the vendor in charge of disposal.	**Percentage**	pg. 63-64	**100**	**100**	Addressed Criteria

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

F.3.	**The application includes the following information about the proposed location:**						
	F.3.A.	Physical address and a detailed description of the proposed location, including overall property, building, and interior floor plan.	**Percentage**	pg. 64	**50**	**50**	Addressed Criteria
	F.3.B.	Describes all known nearby State and local sensitive use areas. (Business must have the appropriate zoning locational requirements described in MMC sections 6-5.33 and Title X)	**All or None**	pg. 64	**25**	**25**	Addressed Criteria
	F.3.C.	Lists nearby, well-traveled paths to schools and describes how the business will proactively protect youth on these paths from exposure to the cannabis business.	**All or None**	pg. 64	**25**	**25**	Addressed Criteria
	F.3.D.	Describes how the business will proactively take steps about community concerns to protect the youth generally from the impacts of the cannabis business.	**Percentage**	pg. 64	**50**	**50**	Addressed Criteria
	F.3.E.	Proof of ownership, lease agreement, or a Letter of Intent to Lease.	**All or None**	PDF #1 pg. 10-11	**50**	**50**	Addressed Criteria
	F.3.F.	Vicinity map.	**All or None**	pg. 85-87	**25**	**25**	Addressed Criteria
	F.3.G.	Photographs of existing site and buildings.	**All or None**	pg. 89-97	**25**	**25**	Addressed Criteria
	F.3.H.	Evidence that the location has access to public transportation for employees or customers.	**All or None**	pg. 88	**25**	**25**	Addressed Criteria
Summary	[redacted]						

Section G: Community Benefits and Investment Plan (500 points)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
G.1.	Describes benefits the business will provide to the local community. May include: directly aiding, participating in, volunteer services, monetary donations, financial support, funding, and or any other economic incentives to the City or other charitable organizations in which will help achieve the strategic policy goals of the City Council in permitting cannabis businesses in the City of Madera.	**Percentage**	**pg. 65**	**500**	**500**	Addressed Criteria
Summary	[redacted]					

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

Section H: Proposed Location (300 points)			Scoring Basis	Page Number	Points Available	Points Received	Evaluation
H.	In addition to the location details required in the Security Plan, the application shall include a thorough narrative description of the proposed location, including overall site, existing and/or proposed building(s), parking spaces, driveways, pedestrian sidewalks/rights-of-way, and neighboring businesses on the parcel.		**Percentage**	pg. 66, 83	**100**	**100**	Addressed Criteria
	H.1.	Applicant must have the appropriate zoning and meet all the locational requirements as described in MMC Section 6-5.33 and Title X.	**All or None**	PDF File #5 pg. 1	**150**	**150**	Addressed Criteria
	H.2.	In addition to the Site Diagram submitted with the Security Plan above, application must include a (Site) diagram depicting all details described in the narrative description of the proposed location.	**Percentage**	pg. 83-84	**50**	**50**	Addressed Criteria
Summary							

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

Jiva MAE, LLC dba Jiva
Applicant Name / DBA:

2350 N Schnoor St., Madera, CA 93637
Proposed Location / Physical Address:

Retail Storefront
License Type:

Original Report
Report Type:

Wednesday, August 3, 2022
Report Date:

Complete Upon Initial Review.
Report Status:

Points Available: 3,000 **Points Awarded:** 2,900

Score: 96.67%

PHASE II: APPLICATION EVALUATION AND REVIEW (3,000 Points)

During this application period the City will allow up to six (6) cannabis business permits. The Procedure Guidelines and Review Criteria constitute the application process and are adopted pursuant to the City of Madera Municipal Code (MMC) Section 6-5.13 and Title X, Chapter 3 (Zoning Regulations). Applications will be reviewed and scored using a merit-based system. At a minimum the top ten (10) applicants who score a minimum of 90% or higher (2,700 points) in Phase II may be eligible to advance to Phase III. However, the City may at its sole discretion select more than ten (10) applicants based on the quantity and the overall quality of applications the City receives. Notice of the results of Phase II will be provided in writing via email to the primary contact listed on the application.

Section A: Business Plan (400 pts)			Scoring Basis	Page Number	Points Available	Points Received	Evaluation
Business Plan:							
A.1.	Budget for construction, operations, maintenance, compensation of employees, equipment, property lease, security equipment and staff, City fees, state fees, utility costs, product purchases, and other anticipated costs. Budget demonstrates sufficient capital to pay startup costs at least 3 months of operating costs and a describes sources and use of funds.		**Percentage**	pg. 7-11	**75**	**75**	Addressed Criteria
	A.1. A.	Proof of capitalization, in the form of documentation of cash or other liquid assets on hand, Letters of Credit, or other equivalent assets which can be verified by the City.	**All or None**	PDF #4 pg. 1-5	**50**	**50**	Addressed Criteria
	A.1.B.	Pro forma for at least three years of operation.	**Percentage**	pg. 8-9, 12	**75**	**75**	Addressed Criteria
	A.1.C.	A schedule for beginning operation, including a narrative outlining any proposed construction and improvements and a timeline for completion.	**All or None**	pg. 13-14	**20**	**20**	Addressed Criteria
Daily Operations (Retail):							
A.2.1.	**Describes the day-to-day operations which meet best practice if you are applying for a RETAIL permit, including at a minimum the following criteria:**						
	A.2.1.A.	Describe customer check-in procedures.	**Percentage**	pg. 14-16	**75**	**75**	Addressed Criteria
	A.2.1.B.	Identify the location and procedures for receiving deliveries during business hours.	**All or None**	pg. 16-18	**25**	**25**	Addressed Criteria

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

A.2.1. Cont'd	**A.2.1.C.**	Describe the Point-of-Sale system to be used (including name), how it will interact with the states track-and-trace system, and the number of Point-of-Sale locations at full capacity.	**All or None**	pg. 18-19	**20**	**20**	Addressed Criteria
	A.2.1.D.	Estimate the number of customers to be served per hour/day.	**All or None**	pg. 9, 19	**10**	**10**	Addressed Criteria
	A.2.1.E.	Describe the proposed product line to be sold (including brand names), and estimate of the percentage of sales of flower and manufactured products.	**Percentage**	pg. 19-21	**20**	**20**	Addressed Criteria
	A.2.1.F.	If proposed, describe delivery service procedures, number of vehicles and product security during transportation.	**N/A**	pg. 21-25			2 to 3 delivery vehicles.
	A.2.1.G.	Describes how the Cannabis Business will conform to local and state laws. See MMC Sections 6-5.40 and Title X.	**Percentage**	pg. 26-41	**20**	**20**	Addressed Criteria
	A.2.1.H.	Describes how cannabis will be tracked and monitored to prevent diversion.	**All or None**	pg. 41-45	**10**	**10**	Addressed Criteria
Summary	[redacted]						

Section B: Labor, Equity, Diversity, and Inclusion Plan (400 pts)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
B.1.	Describe the extent business will include recognition of the collective bargaining rights of employees in accordance with Section 6-5.13 (G).	**All or None**	pg. 46	**25**	**25**	Addressed Criteria
B.2.	Identify the number of employees at initial opening and maximum number of employees at full capacity.	**All or None**	pg. 46-47	**25**	**25**	Addressed Criteria
B.3.	Describe the diversity and inclusion programs that will be developed to embrace a diverse work force with a diverse set of perspectives, work and life experiences, religious, and cultural differences that provide equal opportunities for employee development.	**All or None**	pg. 47-54	**25**	**25**	Addressed Criteria
B.4.	Identify all positions and their responsibilities.	**Percentage**	pg. 47, 49-56	**50**	**50**	Addressed Criteria
B.5.	Describe compensation to and opportunities for continuing education and training for employees.	**Percentage**	pg. 56-58	**50**	**50**	Addressed Criteria
B.6.	Describe whether the cannabis business is committed to offering employees a Living Wage.	**All or None**	pg. 58-59	**100**	**100**	Addressed Criteria

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

B.7.	Describe the benefits provided to employees such as health care, vacation, and medical leave, to the degree they are offered as part of employment.	**All or None**	pg. 59-60	**25**	**25**	Addressed Criteria
B.8.	Describe the extent to which the cannabis business will be locally owned and how the owner(s) have resided within the County of Madera for at least one year prior to June 1, 2021.	**All or None**	pg. 61-63	**100**	**0**	Applicant did not provide proof of residency in the form of mortgage statements, lease agreements, tax bills, utility bill or any other documentation capable of showing residency established prior to June 1, 2021 for Sarah Martinez or Bonique Emerson.
Summary	[redacted]					

Section C: Safety Plan (300 points)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
C.1.	The detailed Safety Plan shall be prepared by a California professional fire prevention and suppression consultant.	**All or None**	pg. 65	**100**	**100**	Addressed Criteria
C.2.	Describes all fire prevention and suppression measures, fire extinguisher locations, evacuation routes and alarm systems in place.	**Percentage**	pg. 67-71, 74	**100**	**100**	Addressed Criteria
C.3.	Describes all accident and incident reporting procedures.	**All or None**	pg. 68	**50**	**50**	Addressed Criteria
C.4.	Identify all known chemicals, gases, solvents and nutrients to be used and stored on the licensed premises. Identify storage location and how each will be secured.	**Percentage**	pg. 72	**50**	**50**	Addressed Criteria
Summary	[redacted]					

Section D: Security Plan (300 points)			**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
D.1.	The Security Plan shall be prepared and/or assessed by a professional security consultant.		**All or None**	pg. 77	**100**	**100**	Addressed Criteria
	D.1.A.	Plan shall demonstrate how the cannabis business wishes to develop the floor plan and address other security issues on the property.					

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

D.2.	Premises Diagram. In addition to the site plans submitted for the Proposed Location (in Section H of Appendix A), a separate Premises Diagram must be included in this Security Plan section (Section D) of the application. Diagram must meet the requirements of the Department of Cannabis Control DCR Title 4, Division 19, §15006 Premises Diagram.		**Percentage**	pg. 80-81	**75**	**75**	Addressed Criteria
	D.2.A.	Diagram shall show boundaries of property and proposed location to be licensed and show all boundaries, dimensions, entrances and exits, interior partitions, walls, rooms, windows, and doorways, and shall include a brief statement or description of the principal activity to be conducted therein.	**N/A**				
	D.2.B.	Diagram shall show and identifies commercial cannabis activities to take place in each area of the premises and identify all limited-access areas.	**N/A**				
	D.2.C.	Diagram shall show all camera locations and include assigned an number to each camera for identification purposes.	**N/A**				
	D.2.D.	The diagram shall be accurate, dimensioned and to-scale (minimum scale of 1/4”).	**N/A**				
	D.2.E.	If the proposed location consists of only a portion of a property, the diagram is labeled indicating which part of the property will be used for the licensed premises and what activities will be used for the remaining property.	**N/A**				
D.3.	Describe operational security, including general security for access/visitor control, inventory control and cash handling procedures.		**Percentage**	pg. 84-90	**75**	**75**	Addressed Criteria
D.4.	Describe perimeter security, on-site security guards, proposed guard hours and their responsibilities, and lighting.		**Percentage**	pg. 91-106	**35**	**35**	Addressed Criteria
D.5.	Describe employee training and general security policies.		**Percentage**	pg. 98-102	**15**	**15**	Addressed Criteria
Summary	[redacted]						

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

Section E: Qualification of Owners (400 points)		Scoring Basis	Page Number	Points Available	Points Received	Evaluation
E.1.	Demonstrate the business owner's experience in owning, managing, and operating a cannabis business. Evidence that prior experience was from legally permitted activities.	**Percentage**	pg. 107-127	**150**	**150**	Addressed Criteria
E.2.	Demonstrate knowledge of the cannabis industry, including identification of how industry best practices and state regulations have been incorporated in existing/prior legal businesses outside the City of Madera.	**Percentage**	pg. 107-127	**100**	**100**	Addressed Criteria
E.3.	Describe the involvement of the ownership team in the day-to-day operation of the business.	**Percentage**	pg. 127-130	**150**	**150**	Addressed Criteria
Summary						

Section F: Neighborhood Compatibility (400 points)			Scoring Basis	Page Number	Points Available	Points Received	Evaluation
F.1.	Describe how the business will proactively address and respond to complaints related to noise, light, odor, and vehicle and pedestrian traffic and avoid becoming a nuisance or negative impact.		**Percentage**	pg. 132-159	**25**	**25**	Addressed Criteria
F.2.	Describe the waste management plan including: waste disposal locations, security measures, methods of rendering all waste unusable and unrecognizable, and the vendor in charge of disposal.		**Percentage**	pg. 139-140	**100**	**100**	Addressed Criteria
F.3.	**The application includes the following information about the proposed location:**						
	F.3.A.	Physical address and a detailed description of the proposed location, including overall property, building, and interior floor plan.	**Percentage**	pg. 140-143	**50**	**50**	Addressed Criteria
	F.3.B.	Describes all known nearby State and local sensitive use areas. (Business must have the appropriate zoning locational requirements described in MMC sections 6-5.33 and Title X)	**All or None**	pg. 144	**25**	**25**	Addressed Criteria
	F.3.C.	Lists nearby, well-traveled paths to schools and describes how the business will proactively protect youth on these paths from exposure to the cannabis business.	**All or None**	pg. 145-147	**25**	**25**	Addressed Criteria
	F.3.D.	Describes how the business will proactively take steps about community concerns to protect the youth generally from the impacts of the cannabis business.	**Percentage**	pg. 147-148	**50**	**50**	Addressed Criteria
	F.3.E.	Proof of ownership, lease agreement, or a Letter of Intent to Lease.	**All or None**	pg. 149-151	**50**	**50**	Addressed Criteria
	F.3.F.	Vicinity map.	**All or None**	pg. 152	**25**	**25**	Addressed Criteria

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

F.3. Cont'd	F.3.G.	Photographs of existing site and buildings.	All or None	pg. 153-154	25	25	Addressed Criteria
	F.3.H.	Evidence that the location has access to public transportation for employees or customers.	All or None	pg. 155	25	25	Addressed Criteria
Summary		[redacted]					
Section G: Community Benefits and Investment Plan (500 points)			**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
G.1.		Describes benefits the business will provide to the local community. May include: directly aiding, participating in, volunteer services, monetary donations, financial support, funding, and or any other economic incentives to the City or other charitable organizations in which will help achieve the strategic policy goals of the City Council in permitting cannabis businesses in the City of Madera.	Percentage	pg. 160-167	500	500	Addressed Criteria
Summary		[redacted]					
Section H: Proposed Location (300 points)			**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
H.		In addition to the location details required in the Security Plan, the application shall include a thorough narrative description of the proposed location, including overall site, existing and/or proposed building(s), parking spaces, driveways, pedestrian sidewalks/rights-of-way, and neighboring businesses on the parcel.	Percentage	pg. 168-186	100	100	Addressed Criteria
	H.1.	Applicant must have the appropriate zoning and meet all the locational requirements as described in MMC Section 6-5.33 and Title X.	All or None	pg. 168-186	150	150	Addressed Criteria
	H.2.	In addition to the Site Diagram submitted with the Security Plan above, application must include a (Site) diagram depicting all details described in the narrative description of the proposed location.	Percentage	pg. 168-186	50	50	Addressed Criteria
Summary		[redacted]					

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

Lavish West Coast Madera dba Lavish
Applicant Name / DBA:

520 North Gateway Dr., Madera, CA 93637
Proposed Location / Physical Address:

Retail Storefront
License Type:

Original Report
Report Type:

Friday, July 22, 2022
Report Date:

Complete Upon Initial Review.
Report Status:

Points Available: 3,000 **Points Awarded:** 3,000

Score: 100%

PHASE II: APPLICATION EVALUATION AND REVIEW (3,000 Points)

During this application period the City will allow up to six (6) cannabis business permits. The Procedure Guidelines and Review Criteria constitute the application process and are adopted pursuant to the City of Madera Municipal Code (MMC) Section 6-5.13 and Title X, Chapter 3 (Zoning Regulations). Applications will be reviewed and scored using a merit-based system. At a minimum the top ten (10) applicants who score a minimum of 90% or higher (2,700 points) in Phase II may be eligible to advance to Phase III. However, the City may at its sole discretion select more than ten (10) applicants based on the quantity and the overall quality of applications the City receives. Notice of the results of Phase II will be provided in writing via email to the primary contact listed on the application.

Section A: Business Plan (400 pts)			Scoring Basis	Page Number	Points Available	Points Received	Evaluation
Business Plan:							
A.1.	Budget for construction, operations, maintenance, compensation of employees, equipment, property lease, security equipment and staff, City fees, state fees, utility costs, product purchases, and other anticipated costs. Budget demonstrates sufficient capital to pay startup costs at least 3 months of operating costs and a describes sources and use of funds.		**Percentage**	pg. 1-7	**75**	**75**	Addressed Criteria
	A.1. A.	Proof of capitalization, in the form of documentation of cash or other liquid assets on hand, Letters of Credit, or other equivalent assets which can be verified by the City.	**All or None**	PDF #4	**50**	**50**	Addressed Criteria
	A.1.B.	Pro forma for at least three years of operation.	**Percentage**	pg. 14	**75**	**75**	Addressed Criteria
	A.1.C.	A schedule for beginning operation, including a narrative outlining any proposed construction and improvements and a timeline for completion.	**All or None**	pg. 15	**20**	**20**	Addressed Criteria
Daily Operations (Retail):							
A.2.1.	**Describes the day-to-day operations which meet best practice if you are applying for a RETAIL permit, including at a minimum the following criteria:**						
	A.2.1.A.	Describe customer check-in procedures.	**Percentage**	pg. 25-30	**75**	**75**	Addressed Criteria
	A.2.1.B.	Identify the location and procedures for receiving deliveries during business hours.	**All or None**	pg. 30-35	**25**	**25**	Addressed Criteria
	A.2.1.C.	Describe the Point-of-Sale system to be used (including name), how it will interact with the states track-and-trace system, and the number of Point-of-Sale locations at full capacity.	**All or None**	pg. 36-41	**20**	**20**	Addressed Criteria

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

A.2.1. Cont'd	**A.2.1.D.**	Estimate the number of customers to be served per hour/day.	**All or None**	pg. 42	**10**	**10**	Addressed Criteria
	A.2.1.E.	Describe the proposed product line to be sold (including brand names), and estimate of the percentage of sales of flower and manufactured products.	**Percentage**	pg. 43-46	**20**	**20**	Addressed Criteria
	A.2.1.F.	If proposed, describe delivery service procedures, number of vehicles and product security during transportation.	**N/A**	pg. 46-54			2 delivery vehicles
	A.2.1.G.	Describes how the Cannabis Business will conform to local and state laws. See MMC Sections 6-5.40 and Title X.	**Percentage**	pg. 55-56	**20**	**20**	Addressed Criteria
	A.2.1.H.	Describes how cannabis will be tracked and monitored to prevent diversion.	**All or None**	pg. 56-57	**10**	**10**	Addressed Criteria
Summary		[redacted]					

Section B: Labor, Equity, Diversity, and Inclusion Plan (400 pts)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
B.1.	Describe the extent business will include recognition of the collective bargaining rights of employees in accordance with Section 6-5.13 (G).	**All or None**	pg. 58-59	**25**	**25**	Addressed Criteria
B.2.	Identify the number of employees at initial opening and maximum number of employees at full capacity.	**All or None**	pg. 60	**25**	**25**	Addressed Criteria
B.3.	Describe the diversity and inclusion programs that will be developed to embrace a diverse work force with a diverse set of perspectives, work and life experiences, religious, and cultural differences that provide equal opportunities for employee development.	**All or None**	pg. 60-63	**25**	**25**	Addressed Criteria
B.4.	Identify all positions and their responsibilities.	**Percentage**	pg. 64-70	**50**	**50**	Addressed Criteria
B.5.	Describe compensation to and opportunities for continuing education and training for employees.	**Percentage**	pg. 70-72	**50**	**50**	Addressed Criteria
B.6.	Describe whether the cannabis business is committed to offering employees a Living Wage.	**All or None**	pg. 60, 73	**100**	**100**	Addressed Criteria
B.7.	Describe the benefits provided to employees such as health care, vacation, and medical leave, to the degree they are offered as part of employment.	**All or None**	pg. 74-76	**25**	**25**	Addressed Criteria
B.8.	Describe the extent to which the cannabis business will be locally owned and how the owner(s) have resided within the County of Madera for at least one year prior to June 1, 2021.	**All or None**	pg. 76-77	**100**	**100**	Addressed Criteria

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

Summary	[redacted]

Section C: Safety Plan (300 points)		Scoring Basis	Page Number	Points Available	Points Received	Evaluation
C.1.	The detailed Safety Plan shall be prepared by a California professional fire prevention and suppression consultant.	All or None	pg. 78	100	100	Addressed Criteria
C.2.	Describes all fire prevention and suppression measures, fire extinguisher locations, evacuation routes and alarm systems in place.	Percentage	pg. 79-90	100	100	Addressed Criteria
C.3.	Describes all accident and incident reporting procedures.	All or None	pg. 90-108	50	50	Addressed Criteria
C.4.	Identify all known chemicals, gases, solvents and nutrients to be used and stored on the licensed premises. Identify storage location and how each will be secured.	Percentage	pg. 93-96	50	50	Addressed Criteria

Summary	[redacted]

Section D: Security Plan (300 points)			Scoring Basis	Page Number	Points Available	Points Received	Evaluation
D.1.	The Security Plan shall be prepared and/or assessed by a professional security consultant.		All or None	pg. 109	100	100	Addressed Criteria
	D.1.A.	Plan shall demonstrate how the cannabis business wishes to develop the floor plan and address other security issues on the property.					
D.2.	Premises Diagram. In addition to the site plans submitted for the Proposed Location (in Section H of Appendix A), a separate Premises Diagram must be included in this Security Plan section (Section D) of the application. Diagram must meet the requirements of the Department of Cannabis Control DCR Title 4, Division 19, §15006 Premises Diagram.		Percentage	pg. 113	75	75	Addressed Criteria
	D.2.A.	Diagram shall show boundaries of property and proposed location to be licensed and show all boundaries, dimensions, entrances and exits, interior partitions, walls, rooms, windows, and doorways, and shall include a brief statement or description of the principal activity to be conducted therein.	N/A				

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

D.2. Cont'd	**D.2.B.**	Diagram shall show and identifies commercial cannabis activities to take place in each area of the premises and identify all limited-access areas.	**N/A**				
	D.2.C.	Diagram shall show all camera locations and include assigned an number to each camera for identification purposes.	**N/A**				
	D.2.D.	The diagram shall be accurate, dimensioned and to-scale (minimum scale of 1/4").	**N/A**				
	D.2.E.	If the proposed location consists of only a portion of a property, the diagram is labeled indicating which part of the property will be used for the licensed premises and what activities will be used for the remaining property.	**N/A**				
D.3.	Describe operational security, including general security for access/visitor control, inventory control and cash handling procedures.		**Percentage**	pg. 113-123	**75**	**75**	Addressed Criteria
D.4.	Describe perimeter security, on-site security guards, proposed guard hours and their responsibilities, and lighting.		**Percentage**	pg. 123-133	**35**	**35**	Addressed Criteria
D.5.	Describe employee training and general security policies.		**Percentage**	pg. 134-145	**15**	**15**	Addressed Criteria
Summary							

Section E: Qualification of Owners (400 points)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
E.1.	Demonstrate the business owner's experience in owning, managing, and operating a cannabis business. Evidence that prior experience was from legally permitted activities.	**Percentage**	pg. 146-154	**150**	**150**	Addressed Criteria
E.2.	Demonstrate knowledge of the cannabis industry, including identification of how industry best practices and state regulations have been incorporated in existing/prior legal businesses outside the City of Madera.	**Percentage**	pg. 154-159	**100**	**100**	Addressed Criteria
E.3.	Describe the involvement of the ownership team in the day-to-day operation of the business.	**Percentage**	pg. 160	**150**	**150**	Addressed Criteria
Summary						

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

Section F: Neighborhood Compatibility (400 points)			Scoring Basis	Page Number	Points Available	Points Received	Evaluation
F.1.	Describe how the business will proactively address and respond to complaints related to noise, light, odor, and vehicle and pedestrian traffic and avoid becoming a nuisance or negative impact.		**Percentage**	pg. 161-170	**25**	**25**	Addressed Criteria
F.2.	Describe the waste management plan including: waste disposal locations, security measures, methods of rendering all waste unusable and unrecognizable, and the vendor in charge of disposal.		**Percentage**	pg. 170-173	**100**	**100**	Addressed Criteria
F.3.	**The application includes the following information about the proposed location:**						
	F.3.A.	Physical address and a detailed description of the proposed location, including overall property, building, and interior floor plan.	**Percentage**	pg. 174	**50**	**50**	Addressed Criteria
	F.3.B.	Describes all known nearby State and local sensitive use areas. (Business must have the appropriate zoning locational requirements described in MMC sections 6-5.33 and Title X)	**All or None**	pg. 175	**25**	**25**	Addressed Criteria
	F.3.C.	Lists nearby, well-traveled paths to schools and describes how the business will proactively protect youth on these paths from exposure to the cannabis business.	**All or None**	pg. 175-176	**25**	**25**	Addressed Criteria
	F.3.D.	Describes how the business will proactively take steps about community concerns to protect the youth generally from the impacts of the cannabis business.	**Percentage**	pg. 176	**50**	**50**	Addressed Criteria
	F.3.E.	Proof of ownership, lease agreement, or a Letter of Intent to Lease.	**All or None**	pg. 177	**50**	**50**	Addressed Criteria
	F.3.F.	Vicinity map.	**All or None**	pg. 178-179	**25**	**25**	Addressed Criteria
	F.3.G.	Photographs of existing site and buildings.	**All or None**	pg. 180-181	**25**	**25**	Addressed Criteria
	F.3.H.	Evidence that the location has access to public transportation for employees or customers.	**All or None**	pg. 182	**25**	**25**	Addressed Criteria
Summary							

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

Section G: Community Benefits and Investment Plan (500 points)		Scoring Basis	Page Number	Points Available	Points Received	Evaluation
G.1.	Describes benefits the business will provide to the local community. May include: directly aiding, participating in, volunteer services, monetary donations, financial support, funding, and or any other economic incentives to the City or other charitable organizations in which will help achieve the strategic policy goals of the City Council in permitting cannabis businesses in the City of Madera.	**Percentage**	pg. 183-190	**500**	**500**	Addressed Criteria
Summary						

Section H: Proposed Location (300 points)			Scoring Basis	Page Number	Points Available	Points Received	Evaluation
H.	In addition to the location details required in the Security Plan, the application shall include a thorough narrative description of the proposed location, including overall site, existing and/or proposed building(s), parking spaces, driveways, pedestrian sidewalks/rights-of-way, and neighboring businesses on the parcel.		**Percentage**	pg. 191-197	**100**	**100**	Addressed Criteria
	H.1.	Applicant must have the appropriate zoning and meet all the locational requirements as described in MMC Section 6-5.33 and Title X.	**All or None**	pg. 191-197	**150**	**150**	Addressed Criteria
	H.2.	In addition to the Site Diagram submitted with the Security Plan above, application must include a (Site) diagram depicting all details described in the narrative description of the proposed location.	**Percentage**	pg. 191-197	**50**	**50**	Addressed Criteria
Summary							

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

Madera Erudite Ventures dba HerbNJoy
Applicant Name / DBA:

400 E Yosemite Avenue Street, Madera, CA 93638
Proposed Location / Physical Address:

Retail Storefront
License Type:

Original Report
Report Type:

Wednesday, August 17, 2022
Report Date:

Complete Upon Initial Review.
Report Status:

Points Available: 3,000 **Points Awarded:** 3,000

Score: 100.00%

PHASE II: APPLICATION EVALUATION AND REVIEW (3,000 Points)

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Section A: Business Plan (400 pts)			Scoring Basis	Page Number	Points Available	Points Received	Evaluation
Business Plan:							
A.1.	Budget for construction, operations, maintenance, compensation of employees, equipment, property lease, security equipment and staff, City fees, state fees, utility costs, product purchases, and other anticipated costs. Budget demonstrates sufficient capital to pay startup costs at least 3 months of operating costs and a describes sources and use of funds.		**Percentage**	pg. 6-9	**75**	**75**	Addressed Criteria
	A.1. A.	Proof of capitalization, in the form of documentation of cash or other liquid assets on hand, Letters of Credit, or other equivalent assets which can be verified by the City.	**All or None**	pg. 10 File #4	**50**	**50**	Addressed Criteria
	A.1.B.	Pro forma for at least three years of operation.	**Percentage**	pg. 8-14	**75**	**75**	Addressed Criteria
	A.1.C.	A schedule for beginning operation, including a narrative outlining any proposed construction and improvements and a timeline for completion.	**All or None**	pg.15	**20**	**20**	Addressed Criteria
Daily Operations (Retail):							
A.2.1.	**Describes the day-to-day operations which meet best practice if you are applying for a RETAIL permit, including at a minimum the following criteria:**						
	A.2.1.A.	Describe customer check-in procedures.	**Percentage**	pg. 22-25	**75**	**75**	Addressed Criteria
	A.2.1.B.	Identify the location and procedures for receiving deliveries during business hours.	**All or None**	pg. 26-29	**25**	**25**	Addressed Criteria
	A.2.1.C.	Describe the Point-of-Sale system to be used (including name), how it will interact with the states track-and-trace system, and the number of Point-of-Sale locations at full capacity.	**All or None**	pg. 29-30	**20**	**20**	Addressed Criteria
	A.2.1.D.	Estimate the number of customers to be served per hour/day.	**All or None**	pg. 30-31	**10**	**10**	Addressed Criteria

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

A.2.1. Cont'd	**A.2.1.E.**	Describe the proposed product line to be sold (including brand names), and estimate of the percentage of sales of flower and manufactured products.	**Percentage**	pg. 10, 31	**20**	**20**	Addressed Criteria
	A.2.1.F.	If proposed, describe delivery service procedures, number of vehicles and product security during transportation.	**N/A**	pg. 31-37			3 delivery vehicles
	A.2.1.G.	Describes how the Cannabis Business will conform to local and state laws. See MMC Sections 6-5.40 and Title X.	**Percentage**	pg. 38-39	**20**	**20**	Addressed Criteria
	A.2.1.H.	Describes how cannabis will be tracked and monitored to prevent diversion.	**All or None**	pg. 39-51	**10**	**10**	Addressed Criteria
Summary							

Section B: Labor, Equity, Diversity, and Inclusion Plan (400 pts)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
B.1.	Describe the extent business will include recognition of the collective bargaining rights of employees in accordance with Section 6-5.13 (G).	**All or None**	pg. 53-55	**25**	**25**	Addressed Criteria
B.2.	Identify the number of employees at initial opening and maximum number of employees at full capacity.	**All or None**	pg. 56	**25**	**25**	Addressed Criteria
B.3.	Describe the diversity and inclusion programs that will be developed to embrace a diverse work force with a diverse set of perspectives, work and life experiences, religious, and cultural differences that provide equal opportunities for employee development.	**All or None**	pg. 56-60	**25**	**25**	Addressed Criteria
B.4.	Identify all positions and their responsibilities.	**Percentage**	pg. 60-64	**50**	**50**	Addressed Criteria
B.5.	Describe compensation to and opportunities for continuing education and training for employees.	**Percentage**	pg. 64-65	**50**	**50**	Addressed Criteria
B.6.	Describe whether the cannabis business is committed to offering employees a Living Wage.	**All or None**	pg. 66	**100**	**100**	Addressed Criteria
B.7.	Describe the benefits provided to employees such as health care, vacation, and medical leave, to the degree they are offered as part of employment.	**All or None**	pg.67-68	**25**	**25**	Addressed Criteria
B.8.	Describe the extent to which the cannabis business will be locally owned and how the owner(s) have resided within the County of Madera for at least one year prior to June 1, 2021.	**All or None**	pg.67-73	**100**	**100**	Addressed Criteria

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

Summary	[redacted]

Section C: Safety Plan (300 points)		Scoring Basis	Page Number	Points Available	Points Received	Evaluation
C.1.	The detailed Safety Plan shall be prepared by a California professional fire prevention and suppression consultant.	All or None	pg. 75-76	100	100	Addressed Criteria
C.2.	Describes all fire prevention and suppression measures, fire extinguisher locations, evacuation routes and alarm systems in place.	Percentage	pg. 77-85	100	100	Addressed Criteria
C.3.	Describes all accident and incident reporting procedures.	All or None	pg. 85-86, 91-92	50	50	Addressed Criteria
C.4.	Identify all known chemicals, gases, solvents and nutrients to be used and stored on the licensed premises. Identify storage location and how each will be secured.	Percentage	pg. 86-88	50	50	Addressed Criteria

Summary	[redacted]

Section D: Security Plan (300 points)			Scoring Basis	Page Number	Points Available	Points Received	Evaluation
D.1.	The Security Plan shall be prepared and/or assessed by a professional security consultant.		All or None	pg.94	100	100	Addressed Criteria
	D.1.A.	Plan shall demonstrate how the cannabis business wishes to develop the floor plan and address other security issues on the property.					
D.2.	Premises Diagram. In addition to the site plans submitted for the Proposed Location (in Section H of Appendix A), a separate Premises Diagram must be included in this Security Plan section (Section D) of the application. Diagram must meet the requirements of the Department of Cannabis Control DCR Title 4, Division 19, §15006 Premises Diagram.		Percentage	pg. 112	75	75	Addressed Criteria
	D.2.A.	Diagram shall show boundaries of property and proposed location to be licensed and show all boundaries, dimensions, entrances and exits, interior partitions, walls, rooms, windows, and doorways, and shall include a brief statement or description of the principal activity to be conducted therein.	N/A				

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

D.2. Cont'd	**D.2.B.**	Diagram shall show and identifies commercial cannabis activities to take place in each area of the premises and identify all limited-access areas.	**N/A**				
	D.2.C.	Diagram shall show all camera locations and include assigned an number to each camera for identification purposes.	**N/A**				
	D.2.D.	The diagram shall be accurate, dimensioned and to-scale (minimum scale of 1/4").	**N/A**				
	D.2.E.	If the proposed location consists of only a portion of a property, the diagram is labeled indicating which part of the property will be used for the licensed premises and what activities will be used for the remaining property.	**N/A**				
D.3.	Describe operational security, including general security for access/visitor control, inventory control and cash handling procedures.		**Percentage**	pg. 95-101	**75**	**75**	Addressed Criteria
D.4.	Describe perimeter security, on-site security guards, proposed guard hours and their responsibilities, and lighting.		**Percentage**	pg. 101-104	**35**	**35**	Addressed Criteria
D.5.	Describe employee training and general security policies.		**Percentage**	pg. 104-106	**15**	**15**	Addressed Criteria
Summary	[redacted]						

Section E: Qualification of Owners (400 points)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
E.1.	Demonstrate the business owner's experience in owning, managing, and operating a cannabis business. Evidence that prior experience was from legally permitted activities.	**Percentage**	pg. 113-121	**150**	**150**	Addressed Criteria
E.2.	Demonstrate knowledge of the cannabis industry, including identification of how industry best practices and state regulations have been incorporated in existing/prior legal businesses outside the City of Madera.	**Percentage**	pg. 122-125	**100**	**100**	Addressed Criteria
E.3.	Describe the involvement of the ownership team in the day-to-day operation of the business.	**Percentage**	pg. 125-126	**150**	**150**	Addressed Criteria
Summary	[redacted]					

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

Section F: Neighborhood Compatibility (400 points)			Scoring Basis	Page Number	Points Available	Points Received	Evaluation
F.1.	Describe how the business will proactively address and respond to complaints related to noise, light, odor, and vehicle and pedestrian traffic and avoid becoming a nuisance or negative impact.		**Percentage**	pg. 127-142	**25**	**25**	Addressed Criteria
F.2.	Describe the waste management plan including: waste disposal locations, security measures, methods of rendering all waste unusable and unrecognizable, and the vendor in charge of disposal.		**Percentage**	pg.142-144	**100**	**100**	Addressed Criteria
F.3.	**The application includes the following information about the proposed location:**						
	F.3.A.	Physical address and a detailed description of the proposed location, including overall property, building, and interior floor plan.	**Percentage**	pg. 145-150	**50**	**50**	Addressed Criteria
	F.3.B.	Describes all known nearby State and local sensitive use areas. (Business must have the appropriate zoning locational requirements described in MMC sections 6-5.33 and Title X)	**All or None**	pg. 151	**25**	**25**	Addressed Criteria
	F.3.C.	Lists nearby, well-traveled paths to schools and describes how the business will proactively protect youth on these paths from exposure to the cannabis business.	**All or None**	pg. 151-153	**25**	**25**	Addressed Criteria
	F.3.D.	Describes how the business will proactively take steps about community concerns to protect the youth generally from the impacts of the cannabis business.	**Percentage**	pg. 155	**50**	**50**	Addressed Criteria
	F.3.E.	Proof of ownership, lease agreement, or a Letter of Intent to Lease.	**All or None**	pg. 155 PDF File #1	**50**	**50**	Addressed Criteria
	F.3.F.	Vicinity map.	**All or None**	pg. 156	**25**	**25**	Addressed Criteria
	F.3.G.	Photographs of existing site and buildings.	**All or None**	pg. 157-159	**25**	**25**	Addressed Criteria
	F.3.H.	Evidence that the location has access to public transportation for employees or customers.	**All or None**	pg. 160	**25**	**25**	Addressed Criteria
Summary							

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

Section G: Community Benefits and Investment Plan (500 points)		Scoring Basis	Page Number	Points Available	Points Received	Evaluation
G.1.	Describes benefits the business will provide to the local community. May include: directly aiding, participating in, volunteer services, monetary donations, financial support, funding, and or any other economic incentives to the City or other charitable organizations in which will help achieve the strategic policy goals of the City Council in permitting cannabis businesses in the City of Madera.	Percentage	pg. 161-172	500	500	Addressed Criteria
Summary						

Section H: Proposed Location (300 points)		Scoring Basis	Page Number	Points Available	Points Received	Evaluation
H.	In addition to the location details required in the Security Plan, the application shall include a thorough narrative description of the proposed location, including overall site, existing and/or proposed building(s), parking spaces, driveways, pedestrian sidewalks/rights-of-way, and neighboring businesses on the parcel.	Percentage	pg. 174-176	100	100	Addressed Criteria
H.1.	Applicant must have the appropriate zoning and meet all the locational requirements as described in MMC Section 6-5.33 and Title X.	All or None	PDF File #5	150	150	Addressed Criteria
H.2.	In addition to the Site Diagram submitted with the Security Plan above, application must include a (Site) diagram depicting all details described in the narrative description of the proposed location.	Percentage	pg. 178	50	50	Addressed Criteria
Summary						

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

Madera Has Culture, Inc. dba Culture Cannabis Club	Original Report
Applicant Name / DBA:	**Report Type:**
233 E. Yosemite Avenue, Madera, CA 93638	Friday, August 12, 2022
Proposed Location / Physical Address:	**Report Date:**
Retail Storefront	Complete Upon Initial Review.
License Type:	**Report Status:**

Points Available: 3,000 **Points Awarded:** 3,000

Score: 100.00%

PHASE II: APPLICATION EVALUATION AND REVIEW (3,000 Points)

During this application period the City will allow up to six (6) cannabis business permits. The Procedure Guidelines and Review Criteria constitute the application process and are adopted pursuant to the City of Madera Municipal Code (MMC) Section 6-5.13 and Title X, Chapter 3 (Zoning Regulations). Applications will be reviewed and scored using a merit-based system. At a minimum the top ten (10) applicants who score a minimum of 90% or higher (2,700 points) in Phase II may be eligible to advance to Phase III. However, the City may at its sole discretion select more than ten (10) applicants based on the quantity and the overall quality of applications the City receives. Notice of the results of Phase II will be provided in writing via email to the primary contact listed on the application.

Section A: Business Plan (400 pts)		Scoring Basis	Page Number	Points Available	Points Received	Evaluation
Business Plan:						
A.1.	Budget for construction, operations, maintenance, compensation of employees, equipment, property lease, security equipment and staff, City fees, state fees, utility costs, product purchases, and other anticipated costs. Budget demonstrates sufficient capital to pay startup costs at least 3 months of operating costs and a describes sources and use of funds.	**Percentage**	pg. 17-21	**75**	**75**	Addressed Criteria
	A.1. A. Proof of capitalization, in the form of documentation of cash or other liquid assets on hand, Letters of Credit, or other equivalent assets which can be verified by the City.	**All or None**	pg. 21-22 PDF File #4	**50**	**50**	Addressed Criteria
	A.1.B. Pro forma for at least three years of operation.	**Percentage**	pg. 23-26	**75**	**75**	Addressed Criteria
	A.1.C. A schedule for beginning operation, including a narrative outlining any proposed construction and improvements and a timeline for completion.	**All or None**	pg. 27-28	**20**	**20**	Addressed Criteria
Daily Operations (Retail):						
A.2.1.	**Describes the day-to-day operations which meet best practice if you are applying for a RETAIL permit, including at a minimum the following criteria:**					
	A.2.1.A. Describe customer check-in procedures.	**Percentage**	pg. 38-40	**75**	**75**	Addressed Criteria
	A.2.1.B. Identify the location and procedures for receiving deliveries during business hours.	**All or None**	pg. 40-42	**25**	**25**	Addressed Criteria

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

A.2.1. Cont'd	**A.2.1.C.**	Describe the Point-of-Sale system to be used (including name), how it will interact with the states track-and-trace system, and the number of Point-of-Sale locations at full capacity.	**All or None**	pg.42-44	**20**	**20**	Addressed Criteria
	A.2.1.D.	Estimate the number of customers to be served per hour/day.	**All or None**	pg. 45-47	**10**	**10**	Addressed Criteria
	A.2.1.E.	Describe the proposed product line to be sold (including brand names), and estimate of the percentage of sales of flower and manufactured products.	**Percentage**	pg. 48-53	**20**	**20**	Addressed Criteria
	A.2.1.F.	If proposed, describe delivery service procedures, number of vehicles and product security during transportation.	**N/A**				2 vehicles.
	A.2.1.G.	Describes how the Cannabis Business will conform to local and state laws. See MMC Sections 6-5.40 and Title X.	**Percentage**	pg. 59-64	**20**	**20**	Addressed Criteria
	A.2.1.H.	Describes how cannabis will be tracked and monitored to prevent diversion.	**All or None**	pg.64-65	**10**	**10**	Addressed Criteria
Summary	[redacted]						

Section B: Labor, Equity, Diversity, and Inclusion Plan (400 pts)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
B.1.	Describe the extent business will include recognition of the collective bargaining rights of employees in accordance with Section 6-5.13 (G).	**All or None**	pg. 66-69	**25**	**25**	Addressed Criteria
B.2.	Identify the number of employees at initial opening and maximum number of employees at full capacity.	**All or None**	pg. 69-71	**25**	**25**	Addressed Criteria
B.3.	Describe the diversity and inclusion programs that will be developed to embrace a diverse work force with a diverse set of perspectives, work and life experiences, religious, and cultural differences that provide equal opportunities for employee development.	**All or None**	pg.71-74	**25**	**25**	Addressed Criteria
B.4.	Identify all positions and their responsibilities.	**Percentage**	pg. 74-75	**50**	**50**	Addressed Criteria
B.5.	Describe compensation to and opportunities for continuing education and training for employees.	**Percentage**	pg. 75-79	**50**	**50**	Addressed Criteria
B.6.	Describe whether the cannabis business is committed to offering employees a Living Wage.	**All or None**	pg. 80	**100**	**100**	Addressed Criteria

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

B.7.	Describe the benefits provided to employees such as health care, vacation, and medical leave, to the degree they are offered as part of employment.	**All or None**	pg. 81-82	**25**	**25**	Addressed Criteria
B.8.	Describe the extent to which the cannabis business will be locally owned and how the owner(s) have resided within the County of Madera for at least one year prior to June 1, 2021.	**All or None**	pg. 83-86	**100**	**100**	Addressed Criteria
Summary	[redacted]					

Section C: Safety Plan (300 points)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
C.1.	The detailed Safety Plan shall be prepared by a California professional fire prevention and suppression consultant.	**All or None**	pg. 87-89	**100**	**100**	Addressed Criteria
C.2.	Describes all fire prevention and suppression measures, fire extinguisher locations, evacuation routes and alarm systems in place.	**Percentage**	pg.89-94	**100**	**100**	Addressed Criteria
C.3.	Describes all accident and incident reporting procedures.	**All or None**	pg. 94-99	**50**	**50**	Addressed Criteria
C.4.	Identify all known chemicals, gases, solvents and nutrients to be used and stored on the licensed premises. Identify storage location and how each will be secured.	**Percentage**	pg. 100	**50**	**50**	Addressed Criteria
Summary	[redacted]					

Section D: Security Plan (300 points)			**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
D.1.		The Security Plan shall be prepared and/or assessed by a professional security consultant.	**All or None**	pg. 103-104	**100**	**100**	Addressed Criteria
	D.1.A.	Plan shall demonstrate how the cannabis business wishes to develop the floor plan and address other security issues on the property.					

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

D.2.	Premises Diagram. In addition to the site plans submitted for the Proposed Location (in Section H of Appendix A), a separate Premises Diagram must be included in this Security Plan section (Section D) of the application. Diagram must meet the requirements of the Department of Cannabis Control DCR Title 4, Division 19, §15006 Premises Diagram.		**Percentage**	pg. 128	**75**	**75**	Addressed Criteria
	D.2.A.	Diagram shall show boundaries of property and proposed location to be licensed and show all boundaries, dimensions, entrances and exits, interior partitions, walls, rooms, windows, and doorways, and shall include a brief statement or description of the principal activity to be conducted therein.	**N/A**				
	D.2.B.	Diagram shall show and identifies commercial cannabis activities to take place in each area of the premises and identify all limited-access areas.	**N/A**				
	D.2.C.	Diagram shall show all camera locations and include assigned an number to each camera for identification purposes.	**N/A**				
	D.2.D.	The diagram shall be accurate, dimensioned and to-scale (minimum scale of 1/4").	**N/A**				
	D.2.E.	If the proposed location consists of only a portion of a property, the diagram is labeled indicating which part of the property will be used for the licensed premises and what activities will be used for the remaining property.	**N/A**				
D.3.	Describe operational security, including general security for access/visitor control, inventory control and cash handling procedures.		**Percentage**	pg. 105-110	**75**	**75**	Addressed Criteria
D.4.	Describe perimeter security, on-site security guards, proposed guard hours and their responsibilities, and lighting.		**Percentage**	pg. 111-118	**35**	**35**	Addressed Criteria
D.5.	Describe employee training and general security policies.		**Percentage**	pg. 118-120	**15**	**15**	Addressed Criteria
Summary							

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

Section E: Qualification of Owners (400 points)		Scoring Basis	Page Number	Points Available	Points Received	Evaluation
E.1.	Demonstrate the business owner's experience in owning, managing, and operating a cannabis business. Evidence that prior experience was from legally permitted activities.	**Percentage**	pg. 129-144	**150**	**150**	Addressed Criteria
E.2.	Demonstrate knowledge of the cannabis industry, including identification of how industry best practices and state regulations have been incorporated in existing/prior legal businesses outside the City of Madera.	**Percentage**	pg.144-146	**100**	**100**	Addressed Criteria
E.3.	Describe the involvement of the ownership team in the day-to-day operation of the business.	**Percentage**	pg. 146-147	**150**	**150**	Addressed Criteria
Summary						

Section F: Neighborhood Compatibility (400 points)			Scoring Basis	Page Number	Points Available	Points Received	Evaluation
F.1.	Describe how the business will proactively address and respond to complaints related to noise, light, odor, and vehicle and pedestrian traffic and avoid becoming a nuisance or negative impact.		**Percentage**	pg. 148-156	**25**	**25**	Addressed Criteria
F.2.	Describe the waste management plan including: waste disposal locations, security measures, methods of rendering all waste unusable and unrecognizable, and the vendor in charge of disposal.		**Percentage**	pg. 156-161	**100**	**100**	Addressed Criteria
F.3.	**The application includes the following information about the proposed location:**						
	F.3.A.	Physical address and a detailed description of the proposed location, including overall property, building, and interior floor plan.	**Percentage**	pg. 161-166	**50**	**50**	Addressed Criteria
	F.3.B.	Describes all known nearby State and local sensitive use areas. (Business must have the appropriate zoning locational requirements described in MMC sections 6-5.33 and Title X)	**All or None**	pg. 166-167	**25**	**25**	Addressed Criteria
	F.3.C.	Lists nearby, well-traveled paths to schools and describes how the business will proactively protect youth on these paths from exposure to the cannabis business.	**All or None**	pg. 167-175	**25**	**25**	Addressed Criteria
	F.3.D.	Describes how the business will proactively take steps about community concerns to protect the youth generally from the impacts of the cannabis business.	**Percentage**	pg. 176	**50**	**50**	Addressed Criteria

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

F.3. Cont'd	**F.3.E.**	Proof of ownership, lease agreement, or a Letter of Intent to Lease.	**All or None**	pg. 176 PDF File #1 pg. 28-61	**50**	**50**	Addressed Criteria
	F.3.F.	Vicinity map.	**All or None**	pg. 179	**25**	**25**	Addressed Criteria
	F.3.G.	Photographs of existing site and buildings.	**All or None**	pg. 179-180	**25**	**25**	Addressed Criteria
	F.3.H.	Evidence that the location has access to public transportation for employees or customers.	**All or None**	pg. 181-182	**25**	**25**	Addressed Criteria
Summary							

Section G: Community Benefits and Investment Plan (500 points)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
G.1.	Describes benefits the business will provide to the local community. May include: directly aiding, participating in, volunteer services, monetary donations, financial support, funding, and or any other economic incentives to the City or other charitable organizations in which will help achieve the strategic policy goals of the City Council in permitting cannabis businesses in the City of Madera.	**Percentage**	pg. 183-192	**500**	**500**	Addressed Criteria
Summary						

Section H: Proposed Location (300 points)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
H.	In addition to the location details required in the Security Plan, the application shall include a thorough narrative description of the proposed location, including overall site, existing and/or proposed building(s), parking spaces, driveways, pedestrian sidewalks/rights-of-way, and neighboring businesses on the parcel.	**Percentage**	pg. 193-195	**100**	**100**	Addressed Criteria

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

H. Cont'd	**H.1.**	Applicant must have the appropriate zoning and meet all the locational requirements as described in MMC Section 6-5.33 and Title X.	**All or None**	pg.196 PDF File #5 pg. 3	**150**	**150**	Addressed Criteria
	H.2.	In addition to the Site Diagram submitted with the Security Plan above, application must include a (Site) diagram depicting all details described in the narrative description of the proposed location.	**Percentage**	pg. 197	**50**	**50**	Addressed Criteria
Summary							

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

Maderjiuana LLC dba Yerba
Applicant Name / DBA:

404 East Yosemite Avenue, Madera, CA 93638
Proposed Location / Physical Address:

Retail Storefront
License Type:

Original Report
Report Type:

Thursday, August 4, 2022
Report Date:

Complete Upon Initial Review.
Report Status:

Points Available: 3,000 **Points Awarded:** 2,504

Score: 83.47%

PHASE II: APPLICATION EVALUATION AND REVIEW (3,000 Points)

During this application period the City will allow up to six (6) cannabis business permits. The Procedure Guidelines and Review Criteria constitute the application process and are adopted pursuant to the City of Madera Municipal Code (MMC) Section 6-5.13 and Title X, Chapter 3 (Zoning Regulations). Applications will be reviewed and scored using a merit-based system. At a minimum the top ten (10) applicants who score a minimum of 90% or higher (2,700 points) in Phase II may be eligible to advance to Phase III. However, the City may at its sole discretion select more than ten (10) applicants based on the quantity and the overall quality of applications the City receives. Notice of the results of Phase II will be provided in writing via email to the primary contact listed on the application.

Section A: Business Plan (400 pts)			Scoring Basis	Page Number	Points Available	Points Received	Evaluation
Business Plan:							
A.1.	Budget for construction, operations, maintenance, compensation of employees, equipment, property lease, security equipment and staff, City fees, state fees, utility costs, product purchases, and other anticipated costs. Budget demonstrates sufficient capital to pay startup costs at least 3 months of operating costs and a describes sources and use of funds.		**Percentage**	All Application PDF files	**75**	**57**	Additionally, applicant did not demonstate sufficient capital to pay startup costs and at least 3 months of operating costs.
	A.1. A.	Proof of capitalization, in the form of documentation of cash or other liquid assets on hand, Letters of Credit, or other equivalent assets which can be verified by the City.	**All or None**	All Application PDF files	**50**	**0**	Applicant did not provide proof of capitalization.
	A.1.B.	Pro forma for at least three years of operation.	**Percentage**	pg. 5	**75**	**64**	Review of page 5 of the application showed that the applicant's 3-year Pro Forma did not include a budget for construction, operations, maintenance, equipment, city fees, and state fees.
	A.1.C.	A schedule for beginning operation, including a narrative outlining any proposed construction and improvements and a timeline for completion.	**All or None**	All Application PDF files	**20**	**0**	Applicant did not include a schedule for beginning operation, including a narrative outlining any proposed construction and improvements and a timeline for completion.
Daily Operations (Retail):							
A.2.1.	**Describes the day-to-day operations which meet best practice if you are applying for a RETAIL permit, including at a minimum the following criteria:**						
	A.2.1.A.	Describe customer check-in procedures.	**Percentage**	Pg. 6	**75**	**75**	Addressed Criteria
	A.2.1.B.	Identify the location and procedures for receiving deliveries during business hours.	**All or None**	pg. 6	**25**	**25**	Addressed Criteria

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

A.2.1. Cont'd	**A.2.1.C.**	Describe the Point-of-Sale system to be used (including name), how it will interact with the states track-and-trace system, and the number of Point-of-Sale locations at full capacity.	**All or None**	pg. 6	**20**	**20**	Addressed Criteria
	A.2.1.D.	Estimate the number of customers to be served per hour/day.	**All or None**	pg. 5	**10**	**10**	Addressed Criteria
	A.2.1.E.	Describe the proposed product line to be sold (including brand names), and estimate of the percentage of sales of flower and manufactured products.	**Percentage**	pg. 7	**20**	**20**	Addressed Criteria
	A.2.1.F.	If proposed, describe delivery service procedures, number of vehicles and product security during	**N/A**				
	A.2.1.G.	Describes how the Cannabis Business will conform to local and state laws. See MMC Sections 6-5.40 and Title X.	**Percentage**	pg. 7	**20**	**20**	Addressed Criteria
	A.2.1.H.	Describes how cannabis will be tracked and monitored to prevent	**All or None**	pg. 7	**10**	**10**	Addressed Criteria
Summary	[redacted]						

Section B: Labor, Equity, Diversity, and Inclusion Plan (400 pts)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
B.1.	Describe the extent business will include recognition of the collective bargaining rights of employees in accordance with Section 6-5.13 (G).	**All or None**	pg. 8	**25**	**25**	Addressed Criteria
B.2.	Identify the number of employees at initial opening and maximum number of employees at full capacity.	**All or None**	pg. 8	**25**	**25**	Addressed Criteria
B.3.	Describe the diversity and inclusion programs that will be developed to embrace a diverse work force with a diverse set of perspectives, work and life experiences, religious, and cultural differences that provide equal opportunities for employee development.	**All or None**	pg. 8	**25**	**25**	Addressed Criteria
B.4.	Identify all positions and their responsibilities.	**Percentage**	pg. 8	**50**	**50**	Addressed Criteria
B.5.	Describe compensation to and opportunities for continuing education and training for employees.	**Percentage**	pg. 8	**50**	**50**	Addressed Criteria
B.6.	Describe whether the cannabis business is committed to offering employees a Living Wage.	**All or None**	pg. 8	**100**	**100**	Addressed Criteria
B.7.	Describe the benefits provided to employees such as health care, vacation, and medical leave, to the degree they are offered as part of employment.	**All or None**	pg. 8	**25**	**25**	Addressed Criteria
B.8.	Describe the extent to which the cannabis business will be locally owned and how the owner(s) have resided within the County of Madera for at least one year prior to June 1, 2021.	**All or None**	All Application PDF files	**100**	**0**	Applicant did not provide proof of residency in the form of mortgage statements, lease agreements, tax bills, utility bill or any other documentation capable of showing residency established prior to June 1, 2021.
Summary	[redacted]					

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

Section C: Safety Plan (300 points)		Scoring Basis	Page Number	Points Available	Points Received	Evaluation
C.1.	The detailed Safety Plan shall be prepared by a California professional fire prevention and suppression consultant.	**All or None**	pg. 9-23	**100**	**0**	Applicant's Safety Plan was not prepared by a California professional fire prevention and suppression consultant. As such, the applicant was not awarded points for this section.
C.2.	Describes all fire prevention and suppression measures, fire extinguisher locations, evacuation routes and alarm systems in place.	**Percentage**	pg. 9-23	**100**	**85**	Review of pages 9 through 23 of the application showed that the applicants Safety Plan did not describe the fire extinguisher locations, evacuation routes, and alarm systems and place.
C.3.	Describes all accident and incident reporting procedures.	**All or None**	pg. 18-20	**50**	**50**	Addressed Criteria
C.4.	Identify all known chemicals, gases, solvents and nutrients to be used and stored on the licensed premises. Identify storage location and how each will be secured.	**Percentage**	pg. 9-23	**50**	**40**	Review of pages 9 through 23 of the application showed that the applicants Safety Plan did not identify any known chemicals, gases, solvents, and nutrients to be used and stored on the licensed premises.
Summary						

Section D: Security Plan (300 points)			Scoring Basis	Page Number	Points Available	Points Received	Evaluation
D.1.	The Security Plan shall be prepared and/or assessed by a professional security consultant.		**All or None**	pg. 24-25	**100**	**0**	Applicants Security Plan was not prepared by a professional security consultant.
	D.1.A.	Plan shall demonstrate how the cannabis business wishes to develop the floor plan and address other security issues on the property.					
D.2.	Premises Diagram. In addition to the site plans submitted for the Proposed Location (in Section H of Appendix A), a separate Premises Diagram must be included in this Security Plan section (Section D) of the application. Diagram must meet the requirements of the Department of Cannabis Control DCR Title 4, Division 19, §15006 Premises Diagram.		**Percentage**	pg. 25	**75**	**68**	Review of page 25 showed that the applicant's premises diagram did not meet the requirements of the Department of Cannabis Control DCR Title 4, Division 19, §15006 Premises Diagram as the applicant did not identify the location of the surveillance-system storage device, and identified the state defined "Retail Area" as a "Show Room".
	D.2.A.	Diagram shall show boundaries of property and proposed location to be licensed and show all boundaries, dimensions, entrances and exits, interior partitions, walls, rooms, windows, and doorways, and shall include a brief statement or description of the principal activity to be conducted therein.	**N/A**				
	D.2.B.	Diagram shall show and identifies commercial cannabis activities to take place in each area of the premises and identify all limited-access areas.	**N/A**				

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

D.2. Cont'd	**D.2.C.**	Diagram shall show all camera locations and include assigned an number to each camera for identification purposes.	**N/A**				
	D.2.D.	The diagram shall be accurate, dimensioned and to-scale (minimum scale of 1/4").	**N/A**				
	D.2.E.	If the proposed location consists of only a portion of a property, the diagram is labeled indicating which part of the property will be used for the licensed premises and what activities will be used for the remaining property.	**N/A**				
D.3.	Describe operational security, including general security for access/visitor control, inventory control and cash handling procedures.		**Percentage**	pg. 24-25	**75**	**68**	Review of pages 24 through 25 of the application showed that the applicant's Security Plan did not describe visitor identification and sign-in/sign-out procedures or describe cash handling procedures.
D.4.	Describe perimeter security, on-site security guards, proposed guard hours and their responsibilities, and lighting.		**Percentage**	pg. 24	**35**	**35**	Addressed Criteria
D.5.	Describe employee training and general security policies.		**Percentage**	pg. 24-25	**15**	**12**	Review of pages 24 through 25 of the application showed that the applicant's Security Plan did not describe employee training and general security policies.
Summary	[redacted]						

Section E: Qualification of Owners (400 points)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
E.1.	Demonstrate the business owner's experience in owning, managing, and operating a cannabis business. Evidence that prior experience was from legally permitted activities.	**Percentage**	pg. 26	**150**	**150**	Addressed Criteria
E.2.	Demonstrate knowledge of the cannabis industry, including identification of how industry best practices and state regulations have been incorporated in existing/prior legal businesses outside the City of Madera.	**Percentage**	pg. 26	**100**	**100**	Addressed Criteria
E.3.	Describe the involvement of the ownership team in the day-to-day operation of the business.	**Percentage**	pg. 26	**150**	**150**	Addressed Criteria
Summary	[redacted]					

Section F: Neighborhood Compatibility (400 points)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
F.1.	Describe how the business will proactively address and respond to complaints related to noise, light, odor, and vehicle and pedestrian traffic and avoid becoming a nuisance or negative impact.	**Percentage**	pg. 27	**25**	**25**	Addressed Criteria
F.2.	Describe the waste management plan including: waste disposal locations, security measures, methods of rendering all waste unusable and unrecognizable, and the vendor in charge of disposal.	**Percentage**	pg. 27	**100**	**100**	Addressed Criteria

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

F.3.	**The application includes the following information about the proposed location:**						
	F.3.A.	Physical address and a detailed description of the proposed location, including overall property, building, and interior floor plan.	**Percentage**	pg. 27	**50**	**50**	Addressed Criteria
	F.3.B.	Describes all known nearby State and local sensitive use areas. (Business must have the appropriate zoning locational requirements described in MMC sections 6-5.33 and Title X)	**All or None**	pg. 27-28	**25**	**25**	Addressed Criteria
	F.3.C.	Lists nearby, well-traveled paths to schools and describes how the business will proactively protect youth on these paths from exposure to the cannabis business.	**All or None**	pg. 28	**25**	**25**	Addressed Criteria
	F.3.D.	Describes how the business will proactively take steps about community concerns to protect the youth generally from the impacts of the cannabis business.	**Percentage**	pg. 27-28	**50**	**50**	Addressed Criteria
	F.3.E.	Proof of ownership, lease agreement, or a Letter of Intent to Lease.	**All or None**	pg. 30-31	**50**	**50**	Addressed Criteria
	F.3.F.	Vicinity map.	**All or None**	pg. 36	**25**	**25**	Addressed Criteria
	F.3.G.	Photographs of existing site and buildings.	**All or None**	pg. 27-32	**25**	**0**	Review of pages 27 through 32 of the application showed that the applicants Neighborhood Compatibility Plan did not include photographs of existing site and buildings.
	F.3.H.	Evidence that the location has access to public transportation for employees or customers.	**All or None**	pg. 27-32	**25**	**0**	Review of pages 27 through 32 of the application showed that the applicants Neighborhood Compatibility Plan did not provide evidence that the location had access to public transportation for employees or customers.
Summary	[redacted]						

Section G: Community Benefits and Investment Plan (500 points)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
G.1.	Describes benefits the business will provide to the local community. May include: directly aiding, participating in, volunteer services, monetary donations, financial support, funding, and or any other economic incentives to the City or other charitable organizations in which will help achieve the strategic policy goals of the City Council in permitting cannabis businesses in the City of Madera.	**Percentage**	pg.33	**500**	**500**	Addressed Criteria
Summary	[redacted]					

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

Section H: Proposed Location (300 points)			Scoring Basis	Page Number	Points Available	Points Received	Evaluation
H.	In addition to the location details required in the Security Plan, the application shall include a thorough narrative description of the proposed location, including overall site, existing and/or proposed building(s), parking spaces, driveways, pedestrian sidewalks/rights-of-way, and neighboring businesses on the parcel.		**Percentage**	pg. 34-38	**100**	**95**	Review of pages 34 through 38 of the application showed that the application did not include a narrative description of the proposed location's parking spaces or driveways.
	H.1.	Applicant must have the appropriate zoning and meet all the locational requirements as described in MMC Section 6-5.33 and Title X.	**All or None**	PDF File #4 pg. 2	**150**	**150**	Addressed Criteria
	H.2.	In addition to the Site Diagram submitted with the Security Plan above, application must include a (Site) diagram depicting all details described in the narrative description of the proposed location.	**Percentage**	pg. 36	**50**	**50**	Addressed Criteria
Summary							

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

Mainstream Madera, LLC
Applicant Name / DBA:

300 East Yosemite St., Madera CA 93638
Proposed Location / Physical Address:

Retail Storefront
License Type:

Original Report
Report Type:

Wednesday, July 20, 2022
Report Date:

Complete Upon Initial Review.
Report Status:

Points Available: 3,000 **Points Awarded:** 3,000

Score: 100.00%

PHASE II: APPLICATION EVALUATION AND REVIEW (3,000 Points)

During this application period the City will allow up to six (6) cannabis business permits. The Procedure Guidelines and Review Criteria constitute the application process and are adopted pursuant to the City of Madera Municipal Code (MMC) Section 6-5.13 and Title X, Chapter 3 (Zoning Regulations). Applications will be reviewed and scored using a merit-based system. At a minimum the top ten (10) applicants who score a minimum of 90% or higher (2,700 points) in Phase II may be eligible to advance to Phase III. However, the City may at its sole discretion select more than ten (10) applicants based on the quantity and the overall quality of applications the City receives. Notice of the results of Phase II will be provided in writing via email to the primary contact listed on the application.

Section A: Business Plan (400 pts)			Scoring Basis	Page Number	Points Available	Points Received	Evaluation
Business Plan:							
A.1.	Budget for construction, operations, maintenance, compensation of employees, equipment, property lease, security equipment and staff, City fees, state fees, utility costs, product purchases, and other anticipated costs. Budget demonstrates sufficient capital to pay startup costs at least 3 months of operating costs and a describes sources and use of funds.		**Percentage**	pg. 2-9	**75**	**75**	Addressed Criteria
	A.1. A.	Proof of capitalization, in the form of documentation of cash or other liquid assets on hand, Letters of Credit, or other equivalent assets which can be verified by the City.	**All or None**	pg. 7	**50**	**50**	Addressed Criteria
	A.1.B.	Pro forma for at least three years of operation.	**Percentage**	pg. 8-9	**75**	**75**	Addressed Criteria
	A.1.C.	A schedule for beginning operation, including a narrative outlining any proposed construction and improvements and a timeline for completion.	**All or None**	pg. 9-10	**20**	**20**	Addressed Criteria
Daily Operations (Retail):							
A.2.1.	**Describes the day-to-day operations which meet best practice if you are applying for a RETAIL permit, including at a minimum the following criteria:**						
	A.2.1.A.	Describe customer check-in procedures.	**Percentage**	pg. 11-12	**75**	**75**	Addressed Criteria
	A.2.1.B.	Identify the location and procedures for receiving deliveries during business hours.	**All or None**	pg. 12-14	**25**	**25**	Addressed Criteria

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

A.2.1. Cont'd	**A.2.1.C.**	Describe the Point-of-Sale system to be used (including name), how it will interact with the states track-and-trace system, and the number of Point-of-Sale locations at full capacity.	**All or None**	pg. 15	**20**	**20**	Addressed Criteria
	A.2.1.D.	Estimate the number of customers to be served per hour/day.	**All or None**	pg. 15	**10**	**10**	Addressed Criteria
	A.2.1.E.	Describe the proposed product line to be sold (including brand names), and estimate of the percentage of sales of flower and manufactured products.	**Percentage**	pg. 16-18	**20**	**20**	Addressed Criteria
	A.2.1.F.	If proposed, describe delivery service procedures, number of vehicles and product security during transportation.	**N/A**				
	A.2.1.G.	Describes how the Cannabis Business will conform to local and state laws. See MMC Sections 6-5.40 and Title X.	**Percentage**	pg. 24-25	**20**	**20**	Addressed Criteria
	A.2.1.H.	Describes how cannabis will be tracked and monitored to prevent diversion.	**All or None**	pg. 26-28	**10**	**10**	Addressed Criteria
Summary		[redacted]					

Section B: Labor, Equity, Diversity, and Inclusion Plan (400 pts)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
B.1.	Describe the extent business will include recognition of the collective bargaining rights of employees in accordance with Section 6-5.13 (G).	**All or None**	pg. 30	**25**	**25**	Addressed Criteria
B.2.	Identify the number of employees at initial opening and maximum number of employees at full capacity.	**All or None**	pg. 36	**25**	**25**	Addressed Criteria
B.3.	Describe the diversity and inclusion programs that will be developed to embrace a diverse work force with a diverse set of perspectives, work and life experiences, religious, and cultural differences that provide equal opportunities for employee development.	**All or None**	pg. 37-39	**25**	**25**	Addressed Criteria
B.4.	Identify all positions and their responsibilities.	**Percentage**	pg. 39-40	**50**	**50**	Addressed Criteria
B.5.	Describe compensation to and opportunities for continuing education and training for employees.	**Percentage**	pg. 40-44	**50**	**50**	Addressed Criteria
B.6.	Describe whether the cannabis business is committed to offering employees a Living Wage.	**All or None**	pg. 44	**100**	**100**	Addressed Criteria
B.7.	Describe the benefits provided to employees such as health care, vacation, and medical leave, to the degree they are offered as part of employment.	**All or None**	pg. 44-45	**25**	**25**	Addressed Criteria

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

B.8.	Describe the extent to which the cannabis business will be locally owned and how the owner(s) have resided within the County of Madera for at least one year prior to June 1, 2021.	**All or None**	pg. 45	**100**	**100**	Addressed Criteria
Summary	[redacted]					
Section C: Safety Plan (300 points)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
C.1.	The detailed Safety Plan shall be prepared by a California professional fire prevention and suppression consultant.	**All or None**	pg. 50	**100**	**100**	Addressed Criteria
C.2.	Describes all fire prevention and suppression measures, fire extinguisher locations, evacuation routes and alarm systems in place.	**Percentage**	pg. 53-59	**100**	**100**	Addressed Criteria
C.3.	Describes all accident and incident reporting procedures.	**All or None**	pg. 59-65	**50**	**50**	Addressed Criteria
C.4.	Identify all known chemicals, gases, solvents and nutrients to be used and stored on the licensed premises. Identify storage location and how each will be secured.	**Percentage**	pg. 65-66	**50**	**50**	Addressed Criteria
Summary	[redacted]					
Section D: Security Plan (300 points)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
D.1.	The Security Plan shall be prepared and/or assessed by a professional security consultant.	**All or None**	pg. 68	**100**	**100**	Addressed Criteria
D.1.A.	Plan shall demonstrate how the cannabis business wishes to develop the floor plan and address other security issues on the property.					
D.2.	Premises Diagram. In addition to the site plans submitted for the Proposed Location (in Section H of Appendix A), a separate Premises Diagram must be included in this Security Plan section (Section D) of the application. Diagram must meet the requirements of the Department of Cannabis Control DCR Title 4, Division 19, §15006 Premises Diagram.	**Percentage**	pg. 88	**75**	**75**	Addressed Criteria

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

D.2. Cont'd	**D.2.A.**	Diagram shall show boundaries of property and proposed location to be licensed and show all boundaries, dimensions, entrances and exits, interior partitions, walls, rooms, windows, and doorways, and shall include a brief statement or description of the principal activity to be conducted therein.	**N/A**				
	D.2.B.	Diagram shall show and identifies commercial cannabis activities to take place in each area of the premises and identify all limited-access areas.	**N/A**				
	D.2.C.	Diagram shall show all camera locations and include assigned an number to each camera for identification purposes.	**N/A**				
	D.2.D.	The diagram shall be accurate, dimensioned and to-scale (minimum scale of 1/4").	**N/A**				
	D.2.E.	If the proposed location consists of only a portion of a property, the diagram is labeled indicating which part of the property will be used for the licensed premises and what activities will be used for the remaining property.	**N/A**				
D.3.	Describe operational security, including general security for access/visitor control, inventory control and cash handling procedures.		**Percentage**	pg. 71-76	**75**	**75**	Addressed Criteria
D.4.	Describe perimeter security, on-site security guards, proposed guard hours and their responsibilities, and lighting.		**Percentage**	pg. 76-79	**35**	**35**	Addressed Criteria
D.5.	Describe employee training and general security policies.		**Percentage**	pg. 80	**15**	**15**	Addressed Criteria
Summary	[redacted]						

Section E: Qualification of Owners (400 points)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
E.1.	Demonstrate the business owner's experience in owning, managing, and operating a cannabis business. Evidence that prior experience was from legally permitted activities.	**Percentage**	pg. 90-91	**150**	**150**	Addressed Criteria
E.2.	Demonstrate knowledge of the cannabis industry, including identification of how industry best practices and state regulations have been incorporated in existing/prior legal businesses outside the City of Madera.	**Percentage**	pg. 92-93	**100**	**100**	Addressed Criteria

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

E.3.	Describe the involvement of the ownership team in the day-to-day operation of the business.	**Percentage**	pg. 94	**150**	**150**	Addressed Criteria
Summary	[redacted]					

Section F: Neighborhood Compatibility (400 points)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
F.1.	Describe how the business will proactively address and respond to complaints related to noise, light, odor, and vehicle and pedestrian traffic and avoid becoming a nuisance or negative impact.	**Percentage**	pg. 96-107	**25**	**25**	Addressed Criteria
F.2.	Describe the waste management plan including: waste disposal locations, security measures, methods of rendering all waste unusable and unrecognizable, and the vendor in charge of disposal.	**Percentage**	pg. 107-109	**100**	**100**	Addressed Criteria
F.3.	**The application includes the following information about the proposed location:**					
F.3.A.	Physical address and a detailed description of the proposed location, including overall property, building, and interior floor plan.	**Percentage**	pg. 109-110	**50**	**50**	Addressed Criteria
F.3.B.	Describes all known nearby State and local sensitive use areas. (Business must have the appropriate zoning locational requirements described in MMC sections 6-5.33 and Title X)	**All or None**	pg. 111-113	**25**	**25**	Addressed Criteria
F.3.C.	Lists nearby, well-traveled paths to schools and describes how the business will proactively protect youth on these paths from exposure to the cannabis business.	**All or None**	pg. 113	**25**	**25**	Addressed Criteria
F.3.D.	Describes how the business will proactively take steps about community concerns to protect the youth generally from the impacts of the cannabis business.	**Percentage**	pg. 113-114	**50**	**50**	Addressed Criteria
F.3.E.	Proof of ownership, lease agreement, or a Letter of Intent to Lease.	**All or None**	pg. 118	**50**	**50**	Addressed Criteria
F.3.F.	Vicinity map.	**All or None**	pg. 119	**25**	**25**	Addressed Criteria
F.3.G.	Photographs of existing site and buildings.	**All or None**	pg. 119-120	**25**	**25**	Addressed Criteria
F.3.H.	Evidence that the location has access to public transportation for employees or customers.	**All or None**	pg. 120	**25**	**25**	Addressed Criteria
Summary	[redacted]					

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

Section G: Community Benefits and Investment Plan (500 points)		Scoring Basis	Page Number	Points Available	Points Received	Evaluation
G.1.	Describes benefits the business will provide to the local community. May include: directly aiding, participating in, volunteer services, monetary donations, financial support, funding, and or any other economic incentives to the City or other charitable organizations in which will help achieve the strategic policy goals of the City Council in permitting cannabis businesses in the City of Madera.	**Percentage**	pg. 121-140	**500**	**500**	Addressed Criteria
Summary	[redacted]					

Section H: Proposed Location (300 points)		Scoring Basis	Page Number	Points Available	Points Received	Evaluation
H.	In addition to the location details required in the Security Plan, the application shall include a thorough narrative description of the proposed location, including overall site, existing and/or proposed building(s), parking spaces, driveways, pedestrian sidewalks/rights-of-way, and neighboring businesses on the parcel.	**Percentage**	pg. 142-145	**100**	**100**	Addressed Criteria
H.1.	Applicant must have the appropriate zoning and meet all the locational requirements as described in MMC Section 6-5.33 and Title X.	**All or None**	pg. 145	**150**	**150**	Addressed Criteria
H.2.	In addition to the Site Diagram submitted with the Security Plan above, application must include a (Site) diagram depicting all details described in the narrative description of the proposed location.	**Percentage**	pg. 147	**50**	**50**	Addressed Criteria
Summary	[redacted]					

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

NMG CA 1, LLC dba BaM Body and Mind
Applicant Name / DBA:

1410 Country Club Dr., Madera, CA 93638
Proposed Location / Physical Address:

Retail Storefront
License Type:

Original Report
Report Type:

Thursday, August 11, 2022
Report Date:

Complete Upon Initial Review.
Report Status:

Points Available: 3,000 **Points Awarded:** 2,895

Score: 96.50%

PHASE II: APPLICATION EVALUATION AND REVIEW (3,000 Points)

During this application period the City will allow up to six (6) cannabis business permits. The Procedure Guidelines and Review Criteria constitute the application process and are adopted pursuant to the City of Madera Municipal Code (MMC) Section 6-5.13 and Title X, Chapter 3 (Zoning Regulations). Applications will be reviewed and scored using a merit-based system. At a minimum the top ten (10) applicants who score a minimum of 90% or higher (2,700 points) in Phase II may be eligible to advance to Phase III. However, the City may at its sole discretion select more than ten (10) applicants based on the quantity and the overall quality of applications the City receives. Notice of the results of Phase II will be provided in writing via email to the primary contact listed on the application.

Section A: Business Plan (400 pts)			Scoring Basis	Page Number	Points Available	Points Received	Evaluation
Business Plan:							
A.1.	Budget for construction, operations, maintenance, compensation of employees, equipment, property lease, security equipment and staff, City fees, state fees, utility costs, product purchases, and other anticipated costs. Budget demonstrates sufficient capital to pay startup costs at least 3 months of operating costs and a describes sources and use of funds.		**Percentage**	pg. 7	**75**	**75**	Addressed Criteria
	A.1. A.	Proof of capitalization, in the form of documentation of cash or other liquid assets on hand, Letters of Credit, or other equivalent assets which can be verified by the City.	**All or None**	pg. 8, PDF #4	**50**	**50**	Addressed Criteria
	A.1.B.	Pro forma for at least three years of operation.	**Percentage**	pg. 8-12	**75**	**75**	Addressed Criteria
	A.1.C.	A schedule for beginning operation, including a narrative outlining any proposed construction and improvements and a timeline for completion.	**All or None**	pg. 7	**20**	**20**	Addressed Criteria
Daily Operations (Retail):							
A.2.1.	**Describes the day-to-day operations which meet best practice if you are applying for a RETAIL permit, including at a minimum the following criteria:**						
	A.2.1.A.	Describe customer check-in procedures.	**Percentage**	pg. 17-23	**75**	**75**	Addressed Criteria
	A.2.1.B.	Identify the location and procedures for receiving deliveries during business hours.	**All or None**	pg. 23-24	**25**	**25**	Addressed Criteria

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

A.2.1. Cont'd	**A.2.1.C.**	Describe the Point-of-Sale system to be used (including name), how it will interact with the states track-and-trace system, and the number of Point-of-Sale locations at full capacity.	**All or None**	pg. 19, 24	**20**	**20**	Addressed Criteria
	A.2.1.D.	Estimate the number of customers to be served per hour/day.	**All or None**	pg. 4	**10**	**10**	Addressed Criteria
	A.2.1.E.	Describe the proposed product line to be sold (including brand names), and estimate of the percentage of sales of flower and manufactured products.	**Percentage**	pg. 28-34	**20**	**20**	Addressed Criteria
	A.2.1.F.	If proposed, describe delivery service procedures, number of vehicles and product security during transportation.	**N/A**	pg. 35-39			1 delivery vehicle
	A.2.1.G.	Describes how the Cannabis Business will conform to local and state laws. See MMC Sections 6-5.40 and Title X.	**Percentage**	pg. 39-45	**20**	**20**	Addressed Criteria
	A.2.1.H.	Describes how cannabis will be tracked and monitored to prevent diversion.	**All or None**	pg. 45-52	**10**	**10**	Addressed Criteria
Summary	[redacted]						

Section B: Labor, Equity, Diversity, and Inclusion Plan (400 pts)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
B.1.	Describe the extent business will include recognition of the collective bargaining rights of employees in accordance with Section 6-5.13 (G).	**All or None**	pg. 54-55	**25**	**25**	Addressed Criteria
B.2.	Identify the number of employees at initial opening and maximum number of employees at full capacity.	**All or None**	pg. 56	**25**	**25**	Addressed Criteria
B.3.	Describe the diversity and inclusion programs that will be developed to embrace a diverse work force with a diverse set of perspectives, work and life experiences, religious, and cultural differences that provide equal opportunities for employee development.	**All or None**	pg. 61-64	**25**	**25**	Addressed Criteria
B.4.	Identify all positions and their responsibilities.	**Percentage**	pg. 35, 66-70	**50**	**45**	Pages 35 the application showed that the applicant would provide a delivery service with a delivery employee. However, review of page 66 through 70 showed that the applicant did not identify the delivery drivers responsibility within the Labor, Equity, Diversity and Inclusion Plan.

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

B.5.	Describe compensation to and opportunities for continuing education and training for employees.	**Percentage**	pg. 71-79	**50**	**50**	Addressed Criteria
B.6.	Describe whether the cannabis business is committed to offering employees a Living Wage.	**All or None**	pg. 79-80	**100**	**100**	Addressed Criteria
B.7.	Describe the benefits provided to employees such as health care, vacation, and medical leave, to the degree they are offered as part of employment.	**All or None**	pg. 79-80	**25**	**25**	Addressed Criteria
B.8.	Describe the extent to which the cannabis business will be locally owned and how the owner(s) have resided within the County of Madera for at least one year prior to June 1, 2021.	**All or None**	PDF File #1 pg. 3-4	**100**	**0**	Owner's of the proposed business did not qualify for local status.
Summary	[redacted]					

Section C: Safety Plan (300 points)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
C.1.	The detailed Safety Plan shall be prepared by a California professional fire prevention and suppression consultant.	**All or None**	pg. 83	**100**	**100**	Addressed Criteria
C.2.	Describes all fire prevention and suppression measures, fire extinguisher locations, evacuation routes and alarm systems in place.	**Percentage**	pg. 85-96, 107-109	**100**	**100**	Addressed Criteria
C.3.	Describes all accident and incident reporting procedures.	**All or None**	pg. 99-101	**50**	**50**	Addressed Criteria
C.4.	Identify all known chemicals, gases, solvents and nutrients to be used and stored on the licensed premises. Identify storage location and how each will be secured.	**Percentage**	pg. 98	**50**	**50**	Addressed Criteria
Summary	[redacted]					

Section D: Security Plan (300 points)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
D.1.	The Security Plan shall be prepared and/or assessed by a professional security consultant.	**All or None**	pg. 13	**100**	**100**	Addressed Criteria
	D.1.A. Plan shall demonstrate how the cannabis business wishes to develop the floor plan and address other security issues on the property.					

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

D.2.	Premises Diagram. In addition to the site plans submitted for the Proposed Location (in Section H of Appendix A), a separate Premises Diagram must be included in this Security Plan section (Section D) of the application. Diagram must meet the requirements of the Department of Cannabis Control DCR Title 4, Division 19, §15006 Premises Diagram.		**Percentage**	pg. 124	**75**	**75**	Addressed Criteria
	D.2.A.	Diagram shall show boundaries of property and proposed location to be licensed and show all boundaries, dimensions, entrances and exits, interior partitions, walls, rooms, windows, and doorways, and shall include a brief statement or description of the principal activity to be conducted therein.	**N/A**				
	D.2.B.	Diagram shall show and identifies commercial cannabis activities to take place in each area of the premises and identify all limited-access areas.	**N/A**				
	D.2.C.	Diagram shall show all camera locations and include assigned an number to each camera for identification purposes.	**N/A**				
	D.2.D.	The diagram shall be accurate, dimensioned and to-scale (minimum scale of 1/4").	**N/A**				
	D.2.E.	If the proposed location consists of only a portion of a property, the diagram is labeled indicating which part of the property will be used for the licensed premises and what activities will be used for the remaining property.	**N/A**				
D.3.	Describe operational security, including general security for access/visitor control, inventory control and cash handling procedures.		**Percentage**	pg. 111-115	**75**	**75**	Addressed Criteria
D.4.	Describe perimeter security, on-site security guards, proposed guard hours and their responsibilities, and lighting.		**Percentage**	pg. 116	**35**	**35**	Addressed Criteria
D.5.	Describe employee training and general security policies.		**Percentage**	pg. 122	**15**	**15**	Addressed Criteria
Summary	[redacted]						

Section E: Qualification of Owners (400 points)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
E.1.	Demonstrate the business owner's experience in owning, managing, and operating a cannabis business. Evidence that prior experience was from legally permitted activities.	**Percentage**	pg. 125-128	**150**	**150**	Addressed Criteria

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

E.2.	Demonstrate knowledge of the cannabis industry, including identification of how industry best practices and state regulations have been incorporated in existing/prior legal businesses outside the City of Madera.	**Percentage**	pg. 129-139	**100**	**100**	Addressed Criteria
E.3.	Describe the involvement of the ownership team in the day-to-day operation of the business.	**Percentage**	pg. 129-136	**150**	**150**	Addressed Criteria
Summary	[redacted]					

Section F: Neighborhood Compatibility (400 points)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
F.1.	Describe how the business will proactively address and respond to complaints related to noise, light, odor, and vehicle and pedestrian traffic and avoid becoming a nuisance or negative impact.	**Percentage**	pg. 141-146	**25**	**25**	Addressed Criteria
F.2.	Describe the waste management plan including: waste disposal locations, security measures, methods of rendering all waste unusable and unrecognizable, and the vendor in charge of disposal.	**Percentage**	pg. 146-149	**100**	**100**	Addressed Criteria
F.3.	**The application includes the following information about the proposed location:**					
F.3.A.	Physical address and a detailed description of the proposed location, including overall property, building, and interior floor plan.	**Percentage**	pg. 150-152	**50**	**50**	Addressed Criteria
F.3.B.	Describes all known nearby State and local sensitive use areas. (Business must have the appropriate zoning locational requirements described in MMC sections 6-5.33 and Title X)	**All or None**	pg. 152	**25**	**25**	Addressed Criteria
F.3.C.	Lists nearby, well-traveled paths to schools and describes how the business will proactively protect youth on these paths from exposure to the cannabis business.	**All or None**	pg. 150-151	**25**	**25**	Addressed Criteria
F.3.D.	Describes how the business will proactively take steps about community concerns to protect the youth generally from the impacts of the cannabis business.	**Percentage**	pg. 150-151	**50**	**50**	Addressed Criteria
F.3.E.	Proof of ownership, lease agreement, or a Letter of Intent to Lease.	**All or None**	pg. 154, PDF #1 pg. 26-40	**50**	**50**	Addressed Criteria
F.3.F.	Vicinity map.	**All or None**	pg. 152-153	**25**	**25**	Addressed Criteria
F.3.G.	Photographs of existing site and buildings.	**All or None**	pg. 155-163	**25**	**25**	Addressed Criteria
F.3.H.	Evidence that the location has access to public transportation for employees or customers.	**All or None**	pg. 164	**25**	**25**	Addressed Criteria

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

Summary	
	[redacted]

Section G: Community Benefits and Investment Plan (500 points)		Scoring Basis	Page Number	Points Available	Points Received	Evaluation
G.1.	Describes benefits the business will provide to the local community. May include: directly aiding, participating in, volunteer services, monetary donations, financial support, funding, and or any other economic incentives to the City or other charitable organizations in which will help achieve the strategic policy goals of the City Council in permitting cannabis businesses in the City of Madera.	**Percentage**	pg. 165-178	**500**	**500**	Addressed Criteria

Summary	
	[redacted]

Section H: Proposed Location (300 points)			Scoring Basis	Page Number	Points Available	Points Received	Evaluation
H.	In addition to the location details required in the Security Plan, the application shall include a thorough narrative description of the proposed location, including overall site, existing and/or proposed building(s), parking spaces, driveways, pedestrian sidewalks/rights-of-way, and neighboring businesses on the parcel.		**Percentage**	pg. 180-182	**100**	**100**	Addressed Criteria
	H.1.	Applicant must have the appropriate zoning and meet all the locational requirements as described in MMC Section 6-5.33 and Title X.	**All or None**	PDF File #5	**150**	**150**	Addressed Criteria
	H.2.	In addition to the Site Diagram submitted with the Security Plan above, application must include a (Site) diagram depicting all details described in the narrative description of the proposed location.	**Percentage**	pg. 183	**50**	**50**	Addressed Criteria

Summary	
	[redacted]

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

OTC Madera LLC dba Off the Charts
Applicant Name / DBA:

427 S. Gateway Dr., Madera CA 93637
Proposed Location / Physical Address:

Retail Storefront
License Type:

Original Report
Report Type:

Wednesday, August 3, 2022
Report Date:

Complete Upon Initial Review.
Report Status:

Points Available: 3,000 **Points Awarded:** 2,900

Score: 96.67%

PHASE II: APPLICATION EVALUATION AND REVIEW (3,000 Points)

During this application period the City will allow up to six (6) cannabis business permits. The Procedure Guidelines and Review Criteria constitute the application process and are adopted pursuant to the City of Madera Municipal Code (MMC) Section 6-5.13 and Title X, Chapter 3 (Zoning Regulations). Applications will be reviewed and scored using a merit-based system. At a minimum the top ten (10) applicants who score a minimum of 90% or higher (2,700 points) in Phase II may be eligible to advance to Phase III. However, the City may at its sole discretion select more than ten (10) applicants based on the quantity and the overall quality of applications the City receives. Notice of the results of Phase II will be provided in writing via email to the primary contact listed on the application.

Section A: Business Plan (400 pts)			Scoring Basis	Page Number	Points Available	Points Received	Evaluation
Business Plan:							
A.1.	Budget for construction, operations, maintenance, compensation of employees, equipment, property lease, security equipment and staff, City fees, state fees, utility costs, product purchases, and other anticipated costs. Budget demonstrates sufficient capital to pay startup costs at least 3 months of operating costs and a describes sources and use of funds.		**Percentage**	pg. 4-7	**75**	**75**	Addressed Criteria
	A.1. A.	Proof of capitalization, in the form of documentation of cash or other liquid assets on hand, Letters of Credit, or other equivalent assets which can be verified by the City.	**All or None**	PDF File #4	**50**	**50**	Addressed Criteria
	A.1.B.	Pro forma for at least three years of operation.	**Percentage**	pg. 7-9	**75**	**75**	Addressed Criteria
	A.1.C.	A schedule for beginning operation, including a narrative outlining any proposed construction and improvements and a timeline for completion.	**All or None**	pg. 10-11	**20**	**20**	Addressed Criteria
Daily Operations (Retail):							
A.2.1.	**Describes the day-to-day operations which meet best practice if you are applying for a RETAIL permit, including at a minimum the following criteria:**						
	A.2.1.A.	Describe customer check-in procedures.	**Percentage**	pg. 14-17	**75**	**75**	Addressed Criteria
	A.2.1.B.	Identify the location and procedures for receiving deliveries during business hours.	**All or None**	pg. 17-19	**25**	**25**	Addressed Criteria

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

A.2.1. Cont'd	**A.2.1.C.**	Describe the Point-of-Sale system to be used (including name), how it will interact with the states track-and-trace system, and the number of Point-of-Sale locations at full capacity.	**All or None**	pg. 19	**20**	**20**	Addressed Criteria
	A.2.1.D.	Estimate the number of customers to be served per hour/day.	**All or None**	pg. 3-50	**10**	**10**	Addressed Criteria
	A.2.1.E.	Describe the proposed product line to be sold (including brand names), and estimate of the percentage of sales of flower and manufactured products.	**Percentage**	pg. 20-25	**20**	**20**	Addressed Criteria
	A.2.1.F.	If proposed, describe delivery service procedures, number of vehicles and product security during transportation.	**N/A**	pg. 26-30			4 delivery vehicles
	A.2.1.G.	Describes how the Cannabis Business will conform to local and state laws. See MMC Sections 6-5.40 and Title X.	**Percentage**	pg. 30-35	**20**	**20**	Addressed Criteria
	A.2.1.H.	Describes how cannabis will be tracked and monitored to prevent diversion.	**All or None**	pg. 35-50	**10**	**10**	Addressed Criteria
Summary	[redacted]						

Section B: Labor, Equity, Diversity, and Inclusion Plan (400 pts)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
B.1.	Describe the extent business will include recognition of the collective bargaining rights of employees in accordance with Section 6-5.13 (G).	**All or None**	pg. 54	**25**	**25**	Addressed Criteria
B.2.	Identify the number of employees at initial opening and maximum number of employees at full capacity.	**All or None**	pg. 62	**25**	**25**	Addressed Criteria
B.3.	Describe the diversity and inclusion programs that will be developed to embrace a diverse work force with a diverse set of perspectives, work and life experiences, religious, and cultural differences that provide equal opportunities for employee development.	**All or None**	pg. 62-66	**25**	**25**	Addressed Criteria
B.4.	Identify all positions and their responsibilities.	**Percentage**	pg. 66-69	**50**	**50**	Addressed Criteria
B.5.	Describe compensation to and opportunities for continuing education and training for employees.	**Percentage**	pg. 69-75	**50**	**50**	Addressed Criteria
B.6.	Describe whether the cannabis business is committed to offering employees a Living Wage.	**All or None**	pg. 75-76	**100**	**100**	Addressed Criteria

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

B.7.	Describe the benefits provided to employees such as health care, vacation, and medical leave, to the degree they are offered as part of employment.	**All or None**	pg. 76-83	**25**	**25**	Addressed Criteria
B.8.	Describe the extent to which the cannabis business will be locally owned and how the owner(s) have resided within the County of Madera for at least one year prior to June 1, 2021.	**All or None**	pg. 83	**100**	**0**	Applicant did not qualify for local status.
Summary	[redacted]					

Section C: Safety Plan (300 points)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
C.1.	The detailed Safety Plan shall be prepared by a California professional fire prevention and suppression consultant.	**All or None**	pg. 86	**100**	**100**	Addressed Criteria
C.2.	Describes all fire prevention and suppression measures, fire extinguisher locations, evacuation routes and alarm systems in place.	**Percentage**	pg. 87-91	**100**	**100**	Addressed Criteria
C.3.	Describes all accident and incident reporting procedures.	**All or None**	pg. 92, 95-97	**50**	**50**	Addressed Criteria
C.4.	Identify all known chemicals, gases, solvents and nutrients to be used and stored on the licensed premises. Identify storage location and how each will be secured.	**Percentage**	pg. 97	**50**	**50**	Addressed Criteria
Summary	[redacted]					

Section D: Security Plan (300 points)			**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
D.1.	The Security Plan shall be prepared and/or assessed by a professional security consultant.		**All or None**	pg. 101	**100**	**100**	Addressed Criteria
	D.1.A.	Plan shall demonstrate how the cannabis business wishes to develop the floor plan and address other security issues on the property.					

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

D.2.	Premises Diagram. In addition to the site plans submitted for the Proposed Location (in Section H of Appendix A), a separate Premises Diagram must be included in this Security Plan section (Section D) of the application. Diagram must meet the requirements of the Department of Cannabis Control DCR Title 4, Division 19, §15006 Premises Diagram.		**Percentage**	pg. 104	**75**	**75**	Addressed Criteria
	D.2.A.	Diagram shall show boundaries of property and proposed location to be licensed and show all boundaries, dimensions, entrances and exits, interior partitions, walls, rooms, windows, and doorways, and shall include a brief statement or description of the principal activity to be conducted therein.	**N/A**				
	D.2.B.	Diagram shall show and identifies commercial cannabis activities to take place in each area of the premises and identify all limited-access areas.	**N/A**				
	D.2.C.	Diagram shall show all camera locations and include assigned an number to each camera for identification purposes.	**N/A**				
	D.2.D.	The diagram shall be accurate, dimensioned and to-scale (minimum scale of 1/4”).	**N/A**				
	D.2.E.	If the proposed location consists of only a portion of a property, the diagram is labeled indicating which part of the property will be used for the licensed premises and what activities will be used for the remaining property.	**N/A**				
D.3.	Describe operational security, including general security for access/visitor control, inventory control and cash handling procedures.		**Percentage**	pg. 110-116	**75**	**75**	Addressed Criteria
D.4.	Describe perimeter security, on-site security guards, proposed guard hours and their responsibilities, and lighting.		**Percentage**	pg. 116-129	**35**	**35**	Addressed Criteria
D.5.	Describe employee training and general security policies.		**Percentage**	pg. 130-133	**15**	**15**	Addressed Criteria
Summary	[redacted]						

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

Section E: Qualification of Owners (400 points)			Scoring Basis	Page Number	Points Available	Points Received	Evaluation
E.1.	Demonstrate the business owner's experience in owning, managing, and operating a cannabis business. Evidence that prior experience was from legally permitted activities.		**Percentage**	pg. 134-139	**150**	**150**	Addressed Criteria
E.2.	Demonstrate knowledge of the cannabis industry, including identification of how industry best practices and state regulations have been incorporated in existing/prior legal businesses outside the City of Madera.		**Percentage**	pg. 140-145	**100**	**100**	Addressed Criteria
E.3.	Describe the involvement of the ownership team in the day-to-day operation of the business.		**Percentage**	pg. 145-146	**150**	**150**	Addressed Criteria
Summary	[redacted]						
Section F: Neighborhood Compatibility (400 points)			**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
F.1.	Describe how the business will proactively address and respond to complaints related to noise, light, odor, and vehicle and pedestrian traffic and avoid becoming a nuisance or negative impact.		**Percentage**	pg. 148-152	**25**	**25**	Addressed Criteria
F.2.	Describe the waste management plan including: waste disposal locations, security measures, methods of rendering all waste unusable and unrecognizable, and the vendor in charge of disposal.		**Percentage**	pg. 156-159	**100**	**100**	Addressed Criteria
F.3.	**The application includes the following information about the proposed location:**						
	F.3.A.	Physical address and a detailed description of the proposed location, including overall property, building, and interior floor plan.	**Percentage**	pg. 159-160	**50**	**50**	Addressed Criteria
	F.3.B.	Describes all known nearby State and local sensitive use areas. (Business must have the appropriate zoning locational requirements described in MMC sections 6-5.33 and Title X)	**All or None**	pg. 160-161	**25**	**25**	Addressed Criteria
	F.3.C.	Lists nearby, well-traveled paths to schools and describes how the business will proactively protect youth on these paths from exposure to the cannabis business.	**All or None**	pg. 160-162	**25**	**25**	Addressed Criteria
	F.3.D.	Describes how the business will proactively take steps about community concerns to protect the youth generally from the impacts of the cannabis business.	**Percentage**	pg. 162-163	**50**	**50**	Addressed Criteria
	F.3.E.	Proof of ownership, lease agreement, or a Letter of Intent to Lease.	**All or None**	pg. 163-164	**50**	**50**	Addressed Criteria
	F.3.F.	Vicinity map.	**All or None**	pg. 165	**25**	**25**	Addressed Criteria

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

F.3. Cont'd	**F.3.G.**	Photographs of existing site and buildings.	**All or None**	pg. 166	**25**	**25**	Addressed Criteria
	F.3.H.	Evidence that the location has access to public transportation for employees or customers.	**All or None**	pg. 167	**25**	**25**	Addressed Criteria
Summary	[redacted]						

Section G: Community Benefits and Investment Plan (500 points)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
G.1.	Describes benefits the business will provide to the local community. May include: directly aiding, participating in, volunteer services, monetary donations, financial support, funding, and or any other economic incentives to the City or other charitable organizations in which will help achieve the strategic policy goals of the City Council in permitting cannabis businesses in the City of Madera.	**Percentage**	pg. 168-179	**500**	**500**	Addressed Criteria
Summary	[redacted]					

Section H: Proposed Location (300 points)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
H.	In addition to the location details required in the Security Plan, the application shall include a thorough narrative description of the proposed location, including overall site, existing and/or proposed building(s), parking spaces, driveways, pedestrian sidewalks/rights-of-way, and neighboring businesses on the parcel.	**Percentage**	pg. 180-184	**100**	**100**	Addressed Criteria
H.1.	Applicant must have the appropriate zoning and meet all the locational requirements as described in MMC Section 6-5.33 and Title X.	**All or None**	PDF File #5 pg. 2	**150**	**150**	Addressed Criteria
H.2.	In addition to the Site Diagram submitted with the Security Plan above, application must include a (Site) diagram depicting all details described in the narrative description of the proposed location.	**Percentage**	pg. 185-186	**50**	**50**	Addressed Criteria
Summary	[redacted]					

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

Perfect Union - Madera, LLC
Applicant Name / DBA:

5 E Yosemite Ave., Madera CA 93638
Proposed Location / Physical Address:

Retail Storefront
License Type:

Original Report
Report Type:

Monday, August 15, 2022
Report Date:

Complete Upon Initial Review.
Report Status:

Points Available: 3,000 **Points Awarded:** 2,874

Score: 95.80%

PHASE II: APPLICATION EVALUATION AND REVIEW (3,000 Points)

During this application period the City will allow up to six (6) cannabis business permits. The Procedure Guidelines and Review Criteria constitute the application process and are adopted pursuant to the City of Madera Municipal Code (MMC) Section 6-5.13 and Title X, Chapter 3 (Zoning Regulations). Applications will be reviewed and scored using a merit-based system. At a minimum the top ten (10) applicants who score a minimum of 90% or higher (2,700 points) in Phase II may be eligible to advance to Phase III. However, the City may at its sole discretion select more than ten (10) applicants based on the quantity and the overall quality of applications the City receives. Notice of the results of Phase II will be provided in writing via email to the primary contact listed on the application.

Section A: Business Plan (400 pts)			Scoring Basis	Page Number	Points Available	Points Received	Evaluation
Business Plan:							
A.1.	Budget for construction, operations, maintenance, compensation of employees, equipment, property lease, security equipment and staff, City fees, state fees, utility costs, product purchases, and other anticipated costs. Budget demonstrates sufficient capital to pay startup costs at least 3 months of operating costs and a describes sources and use of funds.		**Percentage**	pg. 26	**75**	**75**	Addressed Criteria
	A.1. A.	Proof of capitalization, in the form of documentation of cash or other liquid assets on hand, Letters of Credit, or other equivalent assets which can be verified by the City.	**All or None**	pg. 27, PDF File #4 PDF File #1	**50**	**50**	Addressed Criteria
	A.1.B.	Pro forma for at least three years of operation.	**Percentage**	pg. 28-29	**75**	**64**	Review of pages 28 through 29 of the application showed that the applicant's 5-year pro forma did not include an expense category for "Maintenance", "Equipment", "Utilities".
	A.1.C.	A schedule for beginning operation, including a narrative outlining any proposed construction and improvements and a timeline for completion.	**All or None**	pg. 30-32	**20**	**20**	Addressed Criteria
Daily Operations (Retail):							
A.2.1.	**Describes the day-to-day operations which meet best practice if you are applying for a RETAIL permit, including at a minimum the following criteria:**						
	A.2.1.A.	Describe customer check-in procedures.	**Percentage**	pg. 32-34	**75**	**75**	Addressed Criteria
	A.2.1.B.	Identify the location and procedures for receiving deliveries during business hours.	**All or None**	pg. 34-36	**25**	**25**	Addressed Criteria

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

A.2.1. Cont'd	**A.2.1.C.**	Describe the Point-of-Sale system to be used (including name), how it will interact with the states track-and-trace system, and the number of Point-of-Sale locations at full capacity.	**All or None**	pg. 36	**20**	**20**	Addressed Criteria
	A.2.1.D.	Estimate the number of customers to be served per hour/day.	**All or None**	pg. 37	**10**	**10**	Addressed Criteria
	A.2.1.E.	Describe the proposed product line to be sold (including brand names), and estimate of the percentage of sales of flower and manufactured products.	**Percentage**	pg. 37-40	**20**	**20**	Addressed Criteria
	A.2.1.F.	If proposed, describe delivery service procedures, number of vehicles and product security during transportation.	**N/A**				No delivery service.
	A.2.1.G.	Describes how the Cannabis Business will conform to local and state laws. See MMC Sections 6-5.40 and Title X.	**Percentage**	pg. 41-45	**20**	**20**	Addressed Criteria
	A.2.1.H.	Describes how cannabis will be tracked and monitored to prevent diversion.	**All or None**	pg. 45-53	**10**	**10**	Addressed Criteria
Summary		[redacted]					

Section B: Labor, Equity, Diversity, and Inclusion Plan (400 pts)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
B.1.	Describe the extent business will include recognition of the collective bargaining rights of employees in accordance with Section 6-5.13 (G).	**All or None**	pg.54	**25**	**25**	Addressed Criteria
B.2.	Identify the number of employees at initial opening and maximum number of employees at full capacity.	**All or None**	pg. 29,54-55	**25**	**25**	Addressed Criteria
B.3.	Describe the diversity and inclusion programs that will be developed to embrace a diverse work force with a diverse set of perspectives, work and life experiences, religious, and cultural differences that provide equal opportunities for employee development.	**All or None**	pg. 55-57	**25**	**25**	Addressed Criteria
B.4.	Identify all positions and their responsibilities.	**Percentage**	pg. 29, 57-59	**50**	**50**	Addressed Criteria
B.5.	Describe compensation to and opportunities for continuing education and training for employees.	**Percentage**	pg. 59-63	**50**	**50**	Addressed Criteria
B.6.	Describe whether the cannabis business is committed to offering employees a Living Wage.	**All or None**	pg.63	**100**	**100**	Addressed Criteria
B.7.	Describe the benefits provided to employees such as health care, vacation, and medical leave, to the degree they are offered as part of employment.	**All or None**	pg. 63-65	**25**	**25**	Addressed Criteria

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

B.8.	Describe the extent to which the cannabis business will be locally owned and how the owner(s) have resided within the County of Madera for at least one year prior to June 1, 2021.	**All or None**	pg. 54-65	**100**	**0**	Application showed that the owners of the proposed business were not local.
Summary	[redacted]					

Section C: Safety Plan (300 points)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
C.1.	The detailed Safety Plan shall be prepared by a California professional fire prevention and suppression consultant.	**All or None**	Pg. 66	**100**	**100**	Addressed Criteria
C.2.	Describes all fire prevention and suppression measures, fire extinguisher locations, evacuation routes and alarm systems in place.	**Percentage**	pg. 66-80	**100**	**100**	Addressed Criteria
C.3.	Describes all accident and incident reporting procedures.	**All or None**	pg. 80-82	**50**	**50**	Addressed Criteria
C.4.	Identify all known chemicals, gases, solvents and nutrients to be used and stored on the licensed premises. Identify storage location and how each will be secured.	**Percentage**	pg. 75	**50**	**50**	Addressed Criteria
Summary	[redacted]					

Section D: Security Plan (300 points)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
D.1.	The Security Plan shall be prepared and/or assessed by a professional security consultant.	**All or None**	pg. 85-86	**100**	**100**	Addressed Criteria
	D.1.A. Plan shall demonstrate how the cannabis business wishes to develop the floor plan and address other security issues on the property.					
D.2.	Premises Diagram. In addition to the site plans submitted for the Proposed Location (in Section H of Appendix A), a separate Premises Diagram must be included in this Security Plan section (Section D) of the application. Diagram must meet the requirements of the Department of Cannabis Control DCR Title 4, Division 19, §15006 Premises Diagram.	**Percentage**	pg. 90, 101	**75**	**75**	Addressed Criteria
	D.2.A. Diagram shall show boundaries of property and proposed location to be licensed and show all boundaries, dimensions, entrances and exits, interior partitions, walls, rooms, windows, and doorways, and shall include a brief statement or description of the principal activity to be conducted therein.	**N/A**				

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

D.2. Cont'd	**D.2.B.**	Diagram shall show and identifies commercial cannabis activities to take place in each area of the premises and identify all limited-access areas.	**N/A**				
	D.2.C.	Diagram shall show all camera locations and include assigned an number to each camera for identification purposes.	**N/A**				
	D.2.D.	The diagram shall be accurate, dimensioned and to-scale (minimum scale of 1/4").	**N/A**				
	D.2.E.	If the proposed location consists of only a portion of a property, the diagram is labeled indicating which part of the property will be used for the licensed premises and what activities will be used for the remaining property.	**N/A**				
D.3.	Describe operational security, including general security for access/visitor control, inventory control and cash handling procedures.		**Percentage**	pg. 87-96, 102-109	**75**	**75**	Addressed Criteria
D.4.	Describe perimeter security, on-site security guards, proposed guard hours and their responsibilities, and lighting.		**Percentage**	pg. 92-96, 99, 109-122	**35**	**35**	Addressed Criteria
D.5.	Describe employee training and general security policies.		**Percentage**	pg. 98-117	**15**	**15**	Addressed Criteria
Summary							

Section E: Qualification of Owners (400 points)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
E.1.	Demonstrate the business owner's experience in owning, managing, and operating a cannabis business. Evidence that prior experience was from legally permitted activities.	**Percentage**	pg. 123-129	**150**	**150**	Addressed Criteria
E.2.	Demonstrate knowledge of the cannabis industry, including identification of how industry best practices and state regulations have been incorporated in existing/prior legal businesses outside the City of Madera.	**Percentage**	pg. 123-129	**100**	**100**	Addressed Criteria
E.3.	Describe the involvement of the ownership team in the day-to-day operation of the business.	**Percentage**	pg.129-130	**150**	**150**	Addressed Criteria
Summary						

Section F: Neighborhood Compatibility (400 points)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
F.1.	Describe how the business will proactively address and respond to complaints related to noise, light, odor, and vehicle and pedestrian traffic and avoid becoming a nuisance or negative impact.	**Percentage**	pg. 131-140	**25**	**25**	Addressed Criteria

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

F.2.	Describe the waste management plan including: waste disposal locations, security measures, methods of rendering all waste unusable and unrecognizable, and the vendor in charge of disposal.		**Percentage**	pg. 140-141	**100**	**100**	Addressed Criteria
F.3.	**The application includes the following information about the proposed location:**						
	F.3.A.	Physical address and a detailed description of the proposed location, including overall property, building, and interior floor plan.	**Percentage**	pg. 142-148	**50**	**50**	Addressed Criteria
	F.3.B.	Describes all known nearby State and local sensitive use areas. (Business must have the appropriate zoning locational requirements described in MMC sections 6-5.33 and Title X)	**All or None**	pg. 149	**25**	**25**	Addressed Criteria
	F.3.C.	Lists nearby, well-traveled paths to schools and describes how the business will proactively protect youth on these paths from exposure to the cannabis business.	**All or None**	pg. 149-150	**25**	**25**	Addressed Criteria
	F.3.D.	Describes how the business will proactively take steps about community concerns to protect the youth generally from the impacts of the cannabis business.	**Percentage**	pg. 150	**50**	**50**	Addressed Criteria
	F.3.E.	Proof of ownership, lease agreement, or a Letter of Intent to Lease.	**All or None**	pg. 150-154	**50**	**50**	Addressed Criteria
	F.3.F.	Vicinity map.	**All or None**	pg. 155	**25**	**25**	Addressed Criteria
	F.3.G.	Photographs of existing site and buildings.	**All or None**	pg. 155-156	**25**	**25**	Addressed Criteria
	F.3.H.	Evidence that the location has access to public transportation for employees or customers.	**All or None**	pg. 157	**25**	**25**	Addressed Criteria
Summary							

Section G: Community Benefits and Investment Plan (500 points)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
G.1.	Describes benefits the business will provide to the local community. May include: directly aiding, participating in, volunteer services, monetary donations, financial support, funding, and or any other economic incentives to the City or other charitable organizations in which will help achieve the strategic policy goals of the City Council in permitting cannabis businesses in the City of Madera.	**Percentage**	pg. 158-162	**500**	**500**	Addressed Criteria

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

Summary	[redacted]

Section H: Proposed Location (300 points)			Scoring Basis	Page Number	Points Available	Points Received	Evaluation
H.	In addition to the location details required in the Security Plan, the application shall include a thorough narrative description of the proposed location, including overall site, existing and/or proposed building(s), parking spaces, driveways, pedestrian sidewalks/rights-of-way, and neighboring businesses on the parcel.		**Percentage**	pg. 163-166	**100**	**85**	Review of pages 163 through 166 showed that "Section H: Proposed Location" did not include a thorough narrative description of the proposed location, including overall site, existing and/or proposed building(s), parking spaces, driveways, pedestrian sidewalks/ rights-of-way, and neighboring businesses on the parcel.
	H.1.	Applicant must have the appropriate zoning and meet all the locational requirements as described in MMC Section 6-5.33 and Title X.	**All or None**	PDF File #5	**150**	**150**	Addressed Criteria
	H.2.	In addition to the Site Diagram submitted with the Security Plan above, application must include a (Site) diagram depicting all details described in the narrative description of the proposed location.	**Percentage**	pg. 164-166	**50**	**50**	Addressed Criteria

Summary	[redacted]

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

Phenos of Madera, Inc. dba Phenos of Madera
Applicant Name / DBA:

301 E Yosemite Avenue, Madera, CA 93638
Proposed Location / Physical Address:

Retail Storefront
License Type:

Original Report
Report Type:

Wednesday, August 10, 2022
Report Date:

Complete Upon Initial Review.
Report Status:

Points Available: 3,000 **Points Awarded:** 2,765

Score: 92.17%

PHASE II: APPLICATION EVALUATION AND REVIEW (3,000 Points)

During this application period the City will allow up to six (6) cannabis business permits. The Procedure Guidelines and Review Criteria constitute the application process and are adopted pursuant to the City of Madera Municipal Code (MMC) Section 6-5.13 and Title X, Chapter 3 (Zoning Regulations). Applications will be reviewed and scored using a merit-based system. At a minimum the top ten (10) applicants who score a minimum of 90% or higher (2,700 points) in Phase II may be eligible to advance to Phase III. However, the City may at its sole discretion select more than ten (10) applicants based on the quantity and the overall quality of applications the City receives. Notice of the results of Phase II will be provided in writing via email to the primary contact listed on the application.

Section A: Business Plan (400 pts)			Scoring Basis	Page Number	Points Available	Points Received	Evaluation
Business Plan:							
A.1.	Budget for construction, operations, maintenance, compensation of employees, equipment, property lease, security equipment and staff, City fees, state fees, utility costs, product purchases, and other anticipated costs. Budget demonstrates sufficient capital to pay startup costs at least 3 months of operating costs and a describes sources and use of funds.		**Percentage**	pg. 4, 23-25	**75**	**75**	Addressed Criteria
	A.1. A.	Proof of capitalization, in the form of documentation of cash or other liquid assets on hand, Letters of Credit, or other equivalent assets which can be verified by the City.	**All or None**	pg. 4,26 File #4	**50**	**50**	Addressed Criteria
	A.1.B.	Pro forma for at least three years of operation.	**Percentage**	pg. 4, 28	**75**	**75**	Addressed Criteria
	A.1.C.	A schedule for beginning operation, including a narrative outlining any proposed construction and improvements and a timeline for completion.	**All or None**	pg. 4-5	**20**	**20**	Addressed Criteria
Daily Operations (Retail):							
A.2.1.	**Describes the day-to-day operations which meet best practice if you are applying for a RETAIL permit, including at a minimum the following criteria:**						
	A.2.1.A.	Describe customer check-in procedures.	**Percentage**	pg. 5-8	**75**	**75**	Addressed Criteria
	A.2.1.B.	Identify the location and procedures for receiving deliveries during business hours.	**All or None**	pg. 8-9	**25**	**25**	Addressed Criteria

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

A.2.1. Cont'd	**A.2.1.C.**	Describe the Point-of-Sale system to be used (including name), how it will interact with the states track-and-trace system, and the number of Point-of-Sale locations at full capacity.	**All or None**	pg. 10-16	**20**	**20**	Addressed Criteria
	A.2.1.D.	Estimate the number of customers to be served per hour/day.	**All or None**	pg. 16	**10**	**10**	Addressed Criteria
	A.2.1.E.	Describe the proposed product line to be sold (including brand names), and estimate of the percentage of sales of flower and manufactured products.	**Percentage**	pg. 16, 29-32	**20**	**20**	Addressed Criteria
	A.2.1.F.	If proposed, describe delivery service procedures, number of vehicles and product security during transportation.	**N/A**				No delivery service
	A.2.1.G.	Describes how the Cannabis Business will conform to local and state laws. See MMC Sections 6-5.40 and Title X.	**Percentage**	pg. 17-20	**20**	**20**	Addressed Criteria
	A.2.1.H.	Describes how cannabis will be tracked and monitored to prevent diversion.	**All or None**	pg. 20-21	**10**	**10**	Addressed Criteria
Summary	[redacted]						

Section B: Labor, Equity, Diversity, and Inclusion Plan (400 pts)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
B.1.	Describe the extent business will include recognition of the collective bargaining rights of employees in accordance with Section 6-5.13 (G).	**All or None**	pg. 33	**25**	**25**	Addressed Criteria
B.2.	Identify the number of employees at initial opening and maximum number of employees at full capacity.	**All or None**	pg. 33	**25**	**25**	Addressed Criteria
B.3.	Describe the diversity and inclusion programs that will be developed to embrace a diverse work force with a diverse set of perspectives, work and life experiences, religious, and cultural differences that provide equal opportunities for employee development.	**All or None**	pg. 33-34	**25**	**25**	Addressed Criteria
B.4.	Identify all positions and their responsibilities.	**Percentage**	pg. 34-35	**50**	**50**	Addressed Criteria
B.5.	Describe compensation to and opportunities for continuing education and training for employees.	**Percentage**	pg. 36	**50**	**50**	Addressed Criteria
B.6.	Describe whether the cannabis business is committed to offering employees a Living Wage.	**All or None**	pg. 36-37	**100**	**100**	Addressed Criteria
B.7.	Describe the benefits provided to employees such as health care, vacation, and medical leave, to the degree they are offered as part of employment.	**All or None**	pg. 37	**25**	**25**	Addressed Criteria

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

B.8.	Describe the extent to which the cannabis business will be locally owned and how the owner(s) have resided within the County of Madera for at least one year prior to June 1, 2021.	**All or None**	pg. 37	**100**	**0**	Applicant stated this section was "N/A". No further information was provided in the application.
Summary	[redacted]					

Section C: Safety Plan (300 points)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
C.1.	The detailed Safety Plan shall be prepared by a California professional fire prevention and suppression consultant.	**All or None**	pg. 38, 40	**100**	**0**	In lieu of providing a detailed safety plan prepared by a California Professional Fire Prevention and Suppression Consultant, the applicant provided an email from the City of Madera Fire Marshall, Matthew Tarr which stated that, "Fire Prevention does not need a detailed analysis for a dispensary only site. Such a site is no more hazardous than any cigarette shop in town." Section C(1) of Resolution 21-169 Cannabis Procedure Guidelines - 12.01.21, states that, "The detailed Safety Plan shall be prepared by a California professional fire prevention and suppression consultant."
C.2.	Describes all fire prevention and suppression measures, fire extinguisher locations, evacuation routes and alarm systems in place.	**Percentage**	pg. 38	**100**	**70**	Applicant's Safety Plan did not describe all fire prevention and suppression measures or evacuation routes.
C.3.	Describes all accident and incident reporting procedures.	**All or None**	pg.38-39	**50**	**50**	Addressed Criteria
C.4.	Identify all known chemicals, gases, solvents and nutrients to be used and stored on the licensed premises. Identify storage location and how each will be secured.	**Percentage**	pg. 39	**50**	**50**	Addressed Criteria
Summary	[redacted]					

Section D: Security Plan (300 points)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
D.1.	The Security Plan shall be prepared and/or assessed by a professional security consultant.	**All or None**	pg. 41	**100**	**100**	Addressed Criteria
	D.1.A. Plan shall demonstrate how the cannabis business wishes to develop the floor plan and address other security issues on the property.					

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

D.2.	Premises Diagram. In addition to the site plans submitted for the Proposed Location (in Section H of Appendix A), a separate Premises Diagram must be included in this Security Plan section (Section D) of the application. Diagram must meet the requirements of the Department of Cannabis Control DCR Title 4, Division 19, §15006 Premises Diagram.	**Percentage**	pg. 45	**75**	**75**	Addressed Criteria
	D.2.A. Diagram shall show boundaries of property and proposed location to be licensed and show all boundaries, dimensions, entrances and exits, interior partitions, walls, rooms, windows, and doorways, and shall include a brief statement or description of the principal activity to be conducted therein.	**N/A**				
	D.2.B. Diagram shall show and identifies commercial cannabis activities to take place in each area of the premises and identify all limited-access areas.	**N/A**				
	D.2.C. Diagram shall show all camera locations and include assigned an number to each camera for identification purposes.	**N/A**				
	D.2.D. The diagram shall be accurate, dimensioned and to-scale (minimum scale of 1/4").	**N/A**				
	D.2.E. If the proposed location consists of only a portion of a property, the diagram is labeled indicating which part of the property will be used for the licensed premises and what activities will be used for the remaining property.	**N/A**				
D.3.	Describe operational security, including general security for access/visitor control, inventory control and cash handling procedures.	**Percentage**	pg. 41-49	**75**	**75**	Addressed Criteria
D.4.	Describe perimeter security, on-site security guards, proposed guard hours and their responsibilities, and lighting.	**Percentage**	pg. 42-63	**35**	**35**	Addressed Criteria
D.5.	Describe employee training and general security policies.	**Percentage**	pg. 43-44	**15**	**15**	Addressed Criteria
Summary	[redacted]					

Section E: Qualification of Owners (400 points)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
E.1.	Demonstrate the business owner's experience in owning, managing, and operating a cannabis business. Evidence that prior experience was from legally permitted activities.	**Percentage**	pg. 64-68	**150**	**150**	Addressed Criteria

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

E.2.	Demonstrate knowledge of the cannabis industry, including identification of how industry best practices and state regulations have been incorporated in existing/prior legal businesses outside the City of Madera.	**Percentage**	pg.68-82	**100**	**100**	Addressed Criteria
E.3.	Describe the involvement of the ownership team in the day-to-day operation of the business.	**Percentage**	pg. 68	**150**	**150**	Addressed Criteria
Summary	[redacted]					

Section F: Neighborhood Compatibility (400 points)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
F.1.	Describe how the business will proactively address and respond to complaints related to noise, light, odor, and vehicle and pedestrian traffic and avoid becoming a nuisance or negative impact.	**Percentage**	pg. 83-86	**25**	**25**	Addressed Criteria
F.2.	Describe the waste management plan including: waste disposal locations, security measures, methods of rendering all waste unusable and unrecognizable, and the vendor in charge of disposal.	**Percentage**	pg.86-88, 98	**100**	**100**	Addressed Criteria
F.3.	**The application includes the following information about the proposed location:**					
F.3.A.	Physical address and a detailed description of the proposed location, including overall property, building, and interior floor plan.	**Percentage**	pg. 88-89 93-97	**50**	**50**	Addressed Criteria
F.3.B.	Describes all known nearby State and local sensitive use areas. (Business must have the appropriate zoning locational requirements described in MMC sections 6-5.33 and Title X)	**All or None**	pg.89	**25**	**25**	Addressed Criteria
F.3.C.	Lists nearby, well-traveled paths to schools and describes how the business will proactively protect youth on these paths from exposure to the cannabis business.	**All or None**	pg. 89-90	**25**	**25**	Addressed Criteria
F.3.D.	Describes how the business will proactively take steps about community concerns to protect the youth generally from the impacts of the cannabis business.	**Percentage**	pg. 90	**50**	**50**	Addressed Criteria
F.3.E.	Proof of ownership, lease agreement, or a Letter of Intent to Lease.	**All or None**	pg. 102-103 File #1 pg. 10-11	**50**	**50**	Addressed Criteria
F.3.F.	Vicinity map.	**All or None**	pg. 91	**25**	**25**	Addressed Criteria
F.3.G.	Photographs of existing site and buildings.	**All or None**	pg. 104	**25**	**25**	Addressed Criteria
F.3.H.	Evidence that the location has access to public transportation for employees or customers.	**All or None**	pg. 92	**25**	**25**	Addressed Criteria

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

Summary	[redacted]

Section G: Community Benefits and Investment Plan (500 points)		Scoring Basis	Page Number	Points Available	Points Received	Evaluation
G.1.	Describes benefits the business will provide to the local community. May include: directly aiding, participating in, volunteer services, monetary donations, financial support, funding, and or any other economic incentives to the City or other charitable organizations in which will help achieve the strategic policy goals of the City Council in permitting cannabis businesses in the City of Madera.	Percentage	pg. 150	500	500	Addressed Criteria

Summary	[redacted]

Section H: Proposed Location (300 points)			Scoring Basis	Page Number	Points Available	Points Received	Evaluation
H.	In addition to the location details required in the Security Plan, the application shall include a thorough narrative description of the proposed location, including overall site, existing and/or proposed building(s), parking spaces, driveways, pedestrian sidewalks/rights-of-way, and neighboring businesses on the parcel.		Percentage	pg. 151-156	100	95	Review of section H showed that the applicant's proposed location did not include a narrative description of the neighboring businesses on the parcel.
	H.1.	Applicant must have the appropriate zoning and meet all the locational requirements as described in MMC Section 6-5.33 and Title X.	All or None	File #5	150	150	Addressed Criteria
	H.2.	In addition to the Site Diagram submitted with the Security Plan above, application must include a (Site) diagram depicting all details described in the narrative description of the proposed location.	Percentage	pg. 156	50	50	Addressed Criteria

Summary	[redacted]

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

Responsible and Compliant Retail Madera, LLC dba Embarc Madera
Applicant Name / DBA:

530 E. Yosemite Ave., Madera, CA 93638
Proposed Location / Physical Address:

Retail Storefront
License Type:

Original Report
Report Type:

7/18/2022
Report Date:

Complete Upon Initial Review.
Report Status:

Points Available: 3,000 **Points Awarded:** 3,000

Score: 100%

PHASE II: APPLICATION EVALUATION AND REVIEW (3,000 Points)

During this application period the City will allow up to six (6) cannabis business permits. The Procedure Guidelines and Review Criteria constitute the application process and are adopted pursuant to the City of Madera Municipal Code (MMC) Section 6-5.13 and Title X, Chapter 3 (Zoning Regulations). Applications will be reviewed and scored using a merit-based system. At a minimum the top ten (10) applicants who score a minimum of 90% or higher (2,700 points) in Phase II may be eligible to advance to Phase III. However, the City may at its sole discretion select more than ten (10) applicants based on the quantity and the overall quality of applications the City receives. Notice of the results of Phase II will be provided in writing via email to the primary contact listed on the application.

Section A: Business Plan (400 pts)			Scoring Basis	Page Number	Points Available	Points Received	Evaluation
Business Plan:							
A.1.	Budget for construction, operations, maintenance, compensation of employees, equipment, property lease, security equipment and staff, City fees, state fees, utility costs, product purchases, and other anticipated costs. Budget demonstrates sufficient capital to pay startup costs at least 3 months of operating costs and a describes sources and use of funds.		**Percentage**	pg. 8	**75**	**75**	Addressed Criteria
	A.1. A.	Proof of capitalization, in the form of documentation of cash or other liquid assets on hand, Letters of Credit, or other equivalent assets which can be verified by the City.	**All or None**	File #4	**50**	**50**	Addressed Criteria
	A.1.B.	Pro forma for at least three years of operation.	**Percentage**	PG. 12	**75**	**75**	Addressed Criteria
	A.1.C.	A schedule for beginning operation, including a narrative outlining any proposed construction and improvements and a timeline for completion.	**All or None**	pg. 14-18	**20**	**20**	Addressed Criteria
Daily Operations (Retail):							
A.2.1.	**Describes the day-to-day operations which meet best practice if you are applying for a RETAIL permit, including at a minimum the following criteria:**						
	A.2.1.A.	Describe customer check-in procedures.	**Percentage**	pg. 22-25	**75**	**75**	Addressed Criteria
	A.2.1.B.	Identify the location and procedures for receiving deliveries during business hours.	**All or None**	pg. 25-27	**25**	**25**	Addressed Criteria

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

A.2.1. Cont'd	**A.2.1.C.**	Describe the Point-of-Sale system to be used (including name), how it will interact with the states track-and-trace system, and the number of Point-of-Sale locations at full capacity.	**All or None**	pg. 27	**20**	**20**	Addressed Criteria
	A.2.1.D.	Estimate the number of customers to be served per hour/day.	**All or None**	pg. 27	**10**	**10**	Addressed Criteria
	A.2.1.E.	Describe the proposed product line to be sold (including brand names), and estimate of the percentage of sales of flower and manufactured products.	**Percentage**	pg. 29	**20**	**20**	Addressed Criteria
	A.2.1.F.	If proposed, describe delivery service procedures, number of vehicles and product security during transportation.	**N/A**	pg. 30-32			2 delivery vehicles
	A.2.1.G.	Describes how the Cannabis Business will conform to local and state laws. See MMC Sections 6-5.40 and Title X.	**Percentage**	pg. 35-47	**20**	**20**	Addressed Criteria
	A.2.1.H.	Describes how cannabis will be tracked and monitored to prevent diversion.	**All or None**	pg. 47-53	**10**	**10**	Addressed Criteria
Summary	[redacted]						

Section B: Labor, Equity, Diversity, and Inclusion Plan (400 pts)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
B.1.	Describe the extent business will include recognition of the collective bargaining rights of employees in accordance with Section 6-5.13 (G).	**All or None**	pg. 54-55	**25**	**25**	Addressed Criteria
B.2.	Identify the number of employees at initial opening and maximum number of employees at full capacity.	**All or None**	pg. 55	**25**	**25**	Addressed Criteria
B.3.	Describe the diversity and inclusion programs that will be developed to embrace a diverse work force with a diverse set of perspectives, work and life experiences, religious, and cultural differences that provide equal opportunities for employee development.	**All or None**	pg. 55-63	**25**	**25**	Addressed Criteria
B.4.	Identify all positions and their responsibilities.	**Percentage**	pg. 63-66	**50**	**50**	Addressed Criteria
B.5.	Describe compensation to and opportunities for continuing education and training for employees.	**Percentage**	pg. 66-69	**50**	**50**	Addressed Criteria
B.6.	Describe whether the cannabis business is committed to offering employees a Living Wage.	**All or None**	pg. 69-70	**100**	**100**	Addressed Criteria

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

B.7.	Describe the benefits provided to employees such as health care, vacation, and medical leave, to the degree they are offered as part of employment.	**All or None**	pg. 70-72	**25**	**25**	Addressed Criteria
B.8.	Describe the extent to which the cannabis business will be locally owned and how the owner(s) have resided within the County of Madera for at least one year prior to June 1, 2021.	**All or None**	pg. 72	**100**	**100**	Addressed Criteria
Summary	[redacted]					

Section C: Safety Plan (300 points)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
C.1.	The detailed Safety Plan shall be prepared by a California professional fire prevention and suppression consultant.	**All or None**	pg. 73-74	**100**	**100**	Addressed Criteria
C.2.	Describes all fire prevention and suppression measures, fire extinguisher locations, evacuation routes and alarm systems in place.	**Percentage**	pg. 74-75	**100**	**100**	Addressed Criteria
C.3.	Describes all accident and incident reporting procedures.	**All or None**	pg. 76-81	**50**	**50**	Addressed Criteria
C.4.	Identify all known chemicals, gases, solvents and nutrients to be used and stored on the licensed premises. Identify storage location and how each will be secured.	**Percentage**	pg. 82	**50**	**50**	Addressed Criteria
Summary	[redacted]					

Section D: Security Plan (300 points)			**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
D.1.	The Security Plan shall be prepared and/or assessed by a professional security consultant.		**All or None**	pg. 83-84	**100**	**100**	Addressed Criteria
	D.1.A.	Plan shall demonstrate how the cannabis business wishes to develop the floor plan and address other security issues on the property.					

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

D.2.	Premises Diagram. In addition to the site plans submitted for the Proposed Location (in Section H of Appendix A), a separate Premises Diagram must be included in this Security Plan section (Section D) of the application. Diagram must meet the requirements of the Department of Cannabis Control DCR Title 4, Division 19, §15006 Premises Diagram.		**Percentage**	pg. 89-90	**75**	**75**	Addressed Criteria
	D.2.A.	Diagram shall show boundaries of property and proposed location to be licensed and show all boundaries, dimensions, entrances and exits, interior partitions, walls, rooms, windows, and doorways, and shall include a brief statement or description of the principal activity to be conducted therein.	**N/A**				
	D.2.B.	Diagram shall show and identifies commercial cannabis activities to take place in each area of the premises and identify all limited-access areas.	**N/A**				
	D.2.C.	Diagram shall show all camera locations and include assigned an number to each camera for identification purposes.	**N/A**				
	D.2.D.	The diagram shall be accurate, dimensioned and to-scale (minimum scale of 1/4").	**N/A**				
	D.2.E.	If the proposed location consists of only a portion of a property, the diagram is labeled indicating which part of the property will be used for the licensed premises and what activities will be used for the remaining property.	**N/A**				
D.3.	Describe operational security, including general security for access/visitor control, inventory control and cash handling procedures.		**Percentage**	pg. 92-101	**75**	**75**	Addressed Criteria
D.4.	Describe perimeter security, on-site security guards, proposed guard hours and their responsibilities, and lighting.		**Percentage**	pg. 104-106	**35**	**35**	Addressed Criteria
D.5.	Describe employee training and general security policies.		**Percentage**	pg. 106-112	**15**	**15**	Addressed Criteria
Summary	[redacted]						

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

Section E: Qualification of Owners (400 points)		Scoring Basis	Page Number	Points Available	Points Received	Evaluation
E.1.	Demonstrate the business owner's experience in owning, managing, and operating a cannabis business. Evidence that prior experience was from legally permitted activities.	**Percentage**	pg. 113-124	**150**	**150**	Addressed Criteria
E.2.	Demonstrate knowledge of the cannabis industry, including identification of how industry best practices and state regulations have been incorporated in existing/prior legal businesses outside the City of Madera.	**Percentage**	pg. 124-128	**100**	**100**	Addressed Criteria
E.3.	Describe the involvement of the ownership team in the day-to-day operation of the business.	**Percentage**	pg. 128-130	**150**	**150**	Addressed Criteria
Summary	[redacted]					

Section F: Neighborhood Compatibility (400 points)			Scoring Basis	Page Number	Points Available	Points Received	Evaluation
F.1.	Describe how the business will proactively address and respond to complaints related to noise, light, odor, and vehicle and pedestrian traffic and avoid becoming a nuisance or negative impact.		**Percentage**	pg. 133-141	**25**	**25**	Addressed Criteria
F.2.	Describe the waste management plan including: waste disposal locations, security measures, methods of rendering all waste unusable and unrecognizable, and the vendor in charge of disposal.		**Percentage**	pg. 142-144	**100**	**100**	Addressed Criteria
F.3.	**The application includes the following information about the proposed location:**						
	F.3.A.	Physical address and a detailed description of the proposed location, including overall property, building, and interior floor plan.	**Percentage**	pg. 144-149	**50**	**50**	Addressed Criteria
	F.3.B.	Describes all known nearby State and local sensitive use areas. (Business must have the appropriate zoning locational requirements described in MMC sections 6-5.33 and Title X)	**All or None**	pg. 149	**25**	**25**	Addressed Criteria
	F.3.C.	Lists nearby, well-traveled paths to schools and describes how the business will proactively protect youth on these paths from exposure to the cannabis business.	**All or None**	pg. 149-154	**25**	**25**	Addressed Criteria
	F.3.D.	Describes how the business will proactively take steps about community concerns to protect the youth generally from the impacts of the cannabis business.	**Percentage**	pg. 149-154	**50**	**50**	Addressed Criteria
	F.3.E.	Proof of ownership, lease agreement, or a Letter of Intent to Lease.	**All or None**	PDF #1 pg. 12-28	**50**	**50**	Addressed Criteria
	F.3.F.	Vicinity map.	**All or None**	pg. 158	**25**	**25**	Addressed Criteria

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

F.3. Cont'd	**F.3.G.**	Photographs of existing site and buildings.	**All or None**	pg. 158	**25**	**25**	Addressed Criteria
	F.3.H.	Evidence that the location has access to public transportation for employees or customers.	**All or None**	pg. 158	**25**	**25**	Addressed Criteria
Summary							

Section G: Community Benefits and Investment Plan (500 points)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
G.1.	Describes benefits the business will provide to the local community. May include: directly aiding, participating in, volunteer services, monetary donations, financial support, funding, and or any other economic incentives to the City or other charitable organizations in which will help achieve the strategic policy goals of the City Council in permitting cannabis businesses in the City of Madera.	**Percentage**	pg. 159-180	**500**	**500**	Addressed Criteria
Summary						

Section H: Proposed Location (300 points)			**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
H.	In addition to the location details required in the Security Plan, the application shall include a thorough narrative description of the proposed location, including overall site, existing and/or proposed building(s), parking spaces, driveways, pedestrian sidewalks/rights-of-way, and neighboring businesses on the parcel.		**Percentage**	pg. 181-182	**100**	**100**	Addressed Criteria
	H.1.	Applicant must have the appropriate zoning and meet all the locational requirements as described in MMC Section 6-5.33 and Title X.	**All or None**	pdf #5 pg. 2	**150**	**150**	Addressed Criteria
	H.2.	In addition to the Site Diagram submitted with the Security Plan above, application must include a (Site) diagram depicting all details described in the narrative description of the proposed location.	**Percentage**	pg. 183-184	**50**	**50**	Addressed Criteria
Summary							

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

Retail NM, LLC dba Nectar
Applicant Name / DBA:

115 N D St. Madera, CA 93638
Proposed Location / Physical Address:

Retail Storefront
License Type:

Original Report
Report Type:

Wednesday, August 10, 2022
Report Date:

Complete Upon Initial Review.
Report Status:

Points Available: 3,000 **Points Awarded:** 2,900

Score: 96.67%

PHASE II: APPLICATION EVALUATION AND REVIEW (3,000 Points)

During this application period the City will allow up to six (6) cannabis business permits. The Procedure Guidelines and Review Criteria constitute the application process and are adopted pursuant to the City of Madera Municipal Code (MMC) Section 6-5.13 and Title X, Chapter 3 (Zoning Regulations). Applications will be reviewed and scored using a merit-based system. At a minimum the top ten (10) applicants who score a minimum of 90% or higher (2,700 points) in Phase II may be eligible to advance to Phase III. However, the City may at its sole discretion select more than ten (10) applicants based on the quantity and the overall quality of applications the City receives. Notice of the results of Phase II will be provided in writing via email to the primary contact listed on the application.

Section A: Business Plan (400 pts)			Scoring Basis	Page Number	Points Available	Points Received	Evaluation
Business Plan:							
A.1.	Budget for construction, operations, maintenance, compensation of employees, equipment, property lease, security equipment and staff, City fees, state fees, utility costs, product purchases, and other anticipated costs. Budget demonstrates sufficient capital to pay startup costs at least 3 months of operating costs and a describes sources and use of funds.		**Percentage**	pg. 4-6	**75**	**75**	Addressed Criteria
	A.1. A.	Proof of capitalization, in the form of documentation of cash or other liquid assets on hand, Letters of Credit, or other equivalent assets which can be verified by the City.	**All or None**	PDF File #4	**50**	**50**	Addressed Criteria
	A.1.B.	Pro forma for at least three years of operation.	**Percentage**	pg. 7-9	**75**	**75**	Addressed Criteria
	A.1.C.	A schedule for beginning operation, including a narrative outlining any proposed construction and improvements and a timeline for completion.	**All or None**	pg. 10-11	**20**	**20**	Addressed Criteria
Daily Operations (Retail):							
A.2.1.	**Describes the day-to-day operations which meet best practice if you are applying for a RETAIL permit, including at a minimum the following criteria:**						
	A.2.1.A.	Describe customer check-in procedures.	**Percentage**	pg. 14-17	**75**	**75**	Addressed Criteria
	A.2.1.B.	Identify the location and procedures for receiving deliveries during business hours.	**All or None**	pg. 17-18	**25**	**25**	Addressed Criteria

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

A.2.1. Cont'd	**A.2.1.C.**	Describe the Point-of-Sale system to be used (including name), how it will interact with the states track-and-trace system, and the number of Point-of-Sale locations at full capacity.	**All or None**	pg. 19	**20**	**20**	Addressed Criteria
	A.2.1.D.	Estimate the number of customers to be served per hour/day.	**All or None**	pg. 19-20	**10**	**10**	Addressed Criteria
	A.2.1.E.	Describe the proposed product line to be sold (including brand names), and estimate of the percentage of sales of flower and manufactured products.	**Percentage**	pg. 20-24	**20**	**20**	Addressed Criteria
	A.2.1.F.	If proposed, describe delivery service procedures, number of vehicles and product security during	**N/A**	pg. 25-29			4 delivery vehicles
	A.2.1.G.	Describes how the Cannabis Business will conform to local and state laws. See MMC Sections 6-5.40 and Title X.	**Percentage**	pg. 29-33	**20**	**20**	Addressed Criteria
	A.2.1.H.	Describes how cannabis will be tracked and monitored to prevent diversion.	**All or None**	pg. 33-40	**10**	**10**	Addressed Criteria
Summary	[redacted]						

Section B: Labor, Equity, Diversity, and Inclusion Plan (400 pts)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
B.1.	Describe the extent business will include recognition of the collective bargaining rights of employees in accordance with Section 6-5.13 (G).	**All or None**	pg. 57	**25**	**25**	Addressed Criteria
B.2.	Identify the number of employees at initial opening and maximum number of employees at full capacity.	**All or None**	pg. 63	**25**	**25**	Addressed Criteria
B.3.	Describe the diversity and inclusion programs that will be developed to embrace a diverse work force with a diverse set of perspectives, work and life experiences, religious, and cultural differences that provide equal opportunities for employee development.	**All or None**	pg. 63-67	**25**	**25**	Addressed Criteria
B.4.	Identify all positions and their responsibilities.	**Percentage**	pg. 67-73	**50**	**50**	Addressed Criteria
B.5.	Describe compensation to and opportunities for continuing education and training for employees.	**Percentage**	pg. 73-79	**50**	**50**	Addressed Criteria

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

B.6.	Describe whether the cannabis business is committed to offering employees a Living Wage.	**All or None**	pg. 4,79	**100**	**100**	Addressed Criteria
B.7.	Describe the benefits provided to employees such as health care, vacation, and medical leave, to the degree they are offered as part of employment.	**All or None**	pg. 80-87	**25**	**25**	Addressed Criteria
B.8.	Describe the extent to which the cannabis business will be locally owned and how the owner(s) have resided within the County of Madera for at least one year prior to June 1, 2021.	**All or None**	pg. 87	**100**	**0**	Application showed that the owners of the proposed business were not local.
Summary	[redacted]					

Section C: Safety Plan (300 points)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
C.1.	The detailed Safety Plan shall be prepared by a California professional fire prevention and suppression consultant.	**All or None**	pg. 90	**100**	**100**	Addressed Criteria
C.2.	Describes all fire prevention and suppression measures, fire extinguisher locations, evacuation routes and alarm systems in place.	**Percentage**	pg. 91-95	**100**	**100**	Addressed Criteria
C.3.	Describes all accident and incident reporting procedures.	**All or None**	pg. 96, 99-101	**50**	**50**	Addressed Criteria
C.4.	Identify all known chemicals, gases, solvents and nutrients to be used and stored on the licensed premises. Identify storage location and how each will be secured.	**Percentage**	pg. 101	**50**	**50**	Addressed Criteria
Summary	[redacted]					

Section D: Security Plan (300 points)			**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
D.1.	The Security Plan shall be prepared and/or assessed by a professional security consultant.		**All or None**	pg. 105	**100**	**100**	Addressed Criteria
	D.1.A.	Plan shall demonstrate how the cannabis business wishes to develop the floor plan and address other security issues on the property.					

D.2.	Premises Diagram. In addition to the site plans submitted for the Proposed Location (in Section H of Appendix A), a separate Premises Diagram must be included in this Security Plan section (Section D) of the application. Diagram must meet the requirements of the Department of Cannabis Control DCR Title 4, Division 19, §15006 Premises Diagram.	**Percentage**	pg. 108	**75**	**75**	Addressed Criteria
	D.2.A. Diagram shall show boundaries of property and proposed location to be licensed and show all boundaries, dimensions, entrances and exits, interior partitions, walls, rooms, windows, and doorways, and shall include a brief statement or description of the principal activity to be conducted therein.	**N/A**				
	D.2.B. Diagram shall show and identifies commercial cannabis activities to take place in each area of the premises and identify all limited-access areas.	**N/A**				
	D.2.C. Diagram shall show all camera locations and include assigned an number to each camera for identification purposes.	**N/A**				
	D.2.D. The diagram shall be accurate, dimensioned and to-scale (minimum scale of 1/4").	**N/A**				
	D.2.E. If the proposed location consists of only a portion of a property, the diagram is labeled indicating which part of the property will be used for the licensed premises and what activities will be used for the remaining property.	**N/A**				
D.3.	Describe operational security, including general security for access/visitor control, inventory control and cash handling procedures.	**Percentage**	pg. 110-118	**75**	**75**	Addressed Criteria
D.4.	Describe perimeter security, on-site security guards, proposed guard hours and their responsibilities, and lighting.	**Percentage**	pg. 124-131	**35**	**35**	Addressed Criteria
D.5.	Describe employee training and general security policies.	**Percentage**	pg. 133-136	**15**	**15**	Addressed Criteria
Summary	[redacted]					

Section E: Qualification of Owners (400 points)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
E.1.	Demonstrate the business owner's experience in owning, managing, and operating a cannabis business. Evidence that prior experience was from legally permitted activities.	**Percentage**	pg. 137-152	**150**	**150**	Addressed Criteria
E.2.	Demonstrate knowledge of the cannabis industry, including identification of how industry best practices and state regulations have been incorporated in existing/prior legal businesses outside the City of Madera.	**Percentage**	pg. 137-152	**100**	**100**	Addressed Criteria

E.3.	Describe the involvement of the ownership team in the day-to-day operation of the business.	Percentage	pg. 153-154	150	150	Addressed Criteria
Summary	[redacted]					

Section F: Neighborhood Compatibility (400 points)		Scoring Basis	Page Number	Points Available	Points Received	Evaluation
F.1.	Describe how the business will proactively address and respond to complaints related to noise, light, odor, and vehicle and pedestrian traffic and avoid becoming a nuisance or negative impact.	Percentage	pg. 156-160	25	25	Addressed Criteria
F.2.	Describe the waste management plan including: waste disposal locations, security measures, methods of rendering all waste unusable and unrecognizable, and the vendor in charge of disposal.	Percentage	pg. 164-166	100	100	Addressed Criteria
F.3.	**The application includes the following information about the proposed location:**					
F.3.A.	Physical address and a detailed description of the proposed location, including overall property, building, and interior floor plan.	Percentage	pg. 167-168	50	50	Addressed Criteria
F.3.B.	Describes all known nearby State and local sensitive use areas. (Business must have the appropriate zoning locational requirements described in MMC sections 6-5.33 and Title X)	All or None	pg. 168	25	25	Addressed Criteria
F.3.C.	Lists nearby, well-traveled paths to schools and describes how the business will proactively protect youth on these paths from exposure to the cannabis business.	All or None	pg. 168-170	25	25	Addressed Criteria
F.3.D.	Describes how the business will proactively take steps about community concerns to protect the youth generally from the impacts of the cannabis business.	Percentage	pg. 169-170	50	50	Addressed Criteria
F.3.E.	Proof of ownership, lease agreement, or a Letter of Intent to Lease.	All or None	PDF File #1 pg. 21-38	50	50	Addressed Criteria
F.3.F.	Vicinity map.	All or None	pg. 172	25	25	Addressed Criteria
F.3.G.	Photographs of existing site and buildings.	All or None	pg. 172-173	25	25	Addressed Criteria
F.3.H.	Evidence that the location has access to public transportation for employees or customers.	All or None	pg. 174	25	25	Addressed Criteria
Summary	[redacted]					

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

Section G: Community Benefits and Investment Plan (500 points)		Scoring Basis	Page Number	Points Available	Points Received	Evaluation
G.1.	Describes benefits the business will provide to the local community. May include: directly aiding, participating in, volunteer services, monetary donations, financial support, funding, and or any other economic incentives to the City or other charitable organizations in which will help achieve the strategic policy goals of the City Council in permitting cannabis businesses in the City of Madera.	Percentage	pg. 175-187	500	500	Addressed Criteria
Summary	[redacted]					

Section H: Proposed Location (300 points)			Scoring Basis	Page Number	Points Available	Points Received	Evaluation
H.		In addition to the location details required in the Security Plan, the application shall include a thorough narrative description of the proposed location, including overall site, existing and/or proposed building(s), parking spaces, driveways, pedestrian sidewalks/rights-of-way, and neighboring businesses on the parcel.	Percentage	pg. 189-190	100	100	Addressed Criteria
	H.1.	Applicant must have the appropriate zoning and meet all the locational requirements as described in MMC Section 6-5.33 and Title X.	All or None	PDF File #5	150	150	Addressed Criteria
	H.2.	In addition to the Site Diagram submitted with the Security Plan above, application must include a (Site) diagram depicting all details described in the narrative description of the proposed location.	Percentage	pg. 194-195	50	50	Addressed Criteria
Summary		[redacted]					

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

Shryne Madera, LLC dba Stiiizy Madera
Applicant Name / DBA:

1105 Country Club Dr., Madera, CA 93638
Proposed Location / Physical Address:

Retail Storefront
License Type:

Original Report
Report Type:

Tuesday, August 16, 2022
Report Date:

Complete Upon Initial Review.
Report Status:

Points Available: 3,000 **Points Awarded:** 3,000

Score: 100.00%

PHASE II: APPLICATION EVALUATION AND REVIEW (3,000 Points)

During this application period the City will allow up to six (6) cannabis business permits. The Procedure Guidelines and Review Criteria constitute the application process and are adopted pursuant to the City of Madera Municipal Code (MMC) Section 6-5.13 and Title X, Chapter 3 (Zoning Regulations). Applications will be reviewed and scored using a merit-based system. At a minimum the top ten (10) applicants who score a minimum of 90% or higher (2,700 points) in Phase II may be eligible to advance to Phase III. However, the City may at its sole discretion select more than ten (10) applicants based on the quantity and the overall quality of applications the City receives. Notice of the results of Phase II will be provided in writing via email to the primary contact listed on the application.

Section A: Business Plan (400 pts)			Scoring Basis	Page Number	Points Available	Points Received	Evaluation
Business Plan:							
A.1.	Budget for construction, operations, maintenance, compensation of employees, equipment, property lease, security equipment and staff, City fees, state fees, utility costs, product purchases, and other anticipated costs. Budget demonstrates sufficient capital to pay startup costs at least 3 months of operating costs and a describes sources and use of funds.		**Percentage**	pg. 2-3	**75**	**75**	Addressed Criteria
	A.1. A.	Proof of capitalization, in the form of documentation of cash or other liquid assets on hand, Letters of Credit, or other equivalent assets which can be verified by the City.	**All or None**	pg. 4 PDF File #4	**50**	**50**	Addressed Criteria
	A.1.B.	Pro forma for at least three years of operation.	**Percentage**	pg.5-6	**75**	**75**	Addressed Criteria
	A.1.C.	A schedule for beginning operation, including a narrative outlining any proposed construction and improvements and a timeline for completion.	**All or None**	pg. 7-9	**20**	**20**	Addressed Criteria
Daily Operations (Retail):							
A.2.1.	**Describes the day-to-day operations which meet best practice if you are applying for a RETAIL permit, including at a minimum the following criteria:**						
	A.2.1.A.	Describe customer check-in procedures.	**Percentage**	pg. 9-12	**75**	**75**	Addressed Criteria
	A.2.1.B.	Identify the location and procedures for receiving deliveries during business hours.	**All or None**	pg. 12-14	**25**	**25**	Addressed Criteria
	A.2.1.C.	Describe the Point-of-Sale system to be used (including name), how it will interact with the states track-and-trace system, and the number of Point-of-Sale locations at full capacity.	**All or None**	pg. 15-17	**20**	**20**	Addressed Criteria

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

A.2.1. Cont'd	**A.2.1.D.**	Estimate the number of customers to be served per hour/day.	**All or None**	pg. 18	**10**	**10**	Addressed Criteria
	A.2.1.E.	Describe the proposed product line to be sold (including brand names), and estimate of the percentage of sales of flower and manufactured products.	**Percentage**	pg. 19-22	**20**	**20**	Addressed Criteria
	A.2.1.F.	If proposed, describe delivery service procedures, number of vehicles and product security during transportation.	**N/A**	pg. 23-27			Addressed Criteria
	A.2.1.G.	Describes how the Cannabis Business will conform to local and state laws. See MMC Sections 6-5.40 and Title X.	**Percentage**	pg. 27-31	**20**	**20**	Addressed Criteria
	A.2.1.H.	Describes how cannabis will be tracked and monitored to prevent diversion.	**All or None**	pg. 31-32	**10**	**10**	Addressed Criteria
Summary							

Section B: Labor, Equity, Diversity, and Inclusion Plan (400 pts)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
B.1.	Describe the extent business will include recognition of the collective bargaining rights of employees in accordance with Section 6-5.13 (G).	**All or None**	pg. 34-37	**25**	**25**	Addressed Criteria
B.2.	Identify the number of employees at initial opening and maximum number of employees at full capacity.	**All or None**	pg. 38	**25**	**25**	Addressed Criteria
B.3.	Describe the diversity and inclusion programs that will be developed to embrace a diverse work force with a diverse set of perspectives, work and life experiences, religious, and cultural differences that provide equal opportunities for employee development.	**All or None**	pg. 38-40	**25**	**25**	Addressed Criteria
B.4.	Identify all positions and their responsibilities.	**Percentage**	pg. 41-42	**50**	**50**	Addressed Criteria
B.5.	Describe compensation to and opportunities for continuing education and training for employees.	**Percentage**	pg. 42-47	**50**	**50**	Addressed Criteria
B.6.	Describe whether the cannabis business is committed to offering employees a Living Wage.	**All or None**	pg. 47	**100**	**100**	Addressed Criteria
B.7.	Describe the benefits provided to employees such as health care, vacation, and medical leave, to the degree they are offered as part of employment.	**All or None**	pg. 47-48	**25**	**25**	Addressed Criteria
B.8.	Describe the extent to which the cannabis business will be locally owned and how the owner(s) have resided within the County of Madera for at least one year prior to June 1, 2021.	**All or None**	pg. 48-49	**100**	**100**	Addressed Criteria
Summary						

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

Section C: Safety Plan (300 points)		Scoring Basis	Page Number	Points Available	Points Received	Evaluation
C.1.	The detailed Safety Plan shall be prepared by a California professional fire prevention and suppression consultant.	All or None	pg. 50-54	100	100	Addressed Criteria
C.2.	Describes all fire prevention and suppression measures, fire extinguisher locations, evacuation routes and alarm systems in place.	Percentage	pg. 54-65	100	100	Addressed Criteria
C.3.	Describes all accident and incident reporting procedures.	All or None	pg. 65-68	50	50	Addressed Criteria
C.4.	Identify all known chemicals, gases, solvents and nutrients to be used and stored on the licensed premises. Identify storage location and how each will be secured.	Percentage	pg. 69	50	50	Addressed Criteria
Summary						

Section D: Security Plan (300 points)		Scoring Basis	Page Number	Points Available	Points Received	Evaluation
D.1.	The Security Plan shall be prepared and/or assessed by a professional security consultant.	All or None	pg. 70	100	100	Addressed Criteria
D.1.A.	Plan shall demonstrate how the cannabis business wishes to develop the floor plan and address other security issues on the property.					
D.2.	Premises Diagram. In addition to the site plans submitted for the Proposed Location (in Section H of Appendix A), a separate Premises Diagram must be included in this Security Plan section (Section D) of the application. Diagram must meet the requirements of the Department of Cannabis Control DCR Title 4, Division 19, §15006 Premises Diagram.	Percentage	pg. 71-79	75	75	Addressed Criteria
D.2.A.	Diagram shall show boundaries of property and proposed location to be licensed and show all boundaries, dimensions, entrances and exits, interior partitions, walls, rooms, windows, and doorways, and shall include a brief statement or description of the principal activity to be conducted therein.	N/A				
D.2.B.	Diagram shall show and identifies commercial cannabis activities to take place in each area of the premises and identify all limited-access areas.	N/A				
D.2.C.	Diagram shall show all camera locations and include assigned an number to each camera for identification purposes.	N/A				
D.2.D.	The diagram shall be accurate, dimensioned and to-scale (minimum scale of 1/4”).	N/A				

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

D.2. Cont'd	**D.2.E.**	If the proposed location consists of only a portion of a property, the diagram is labeled indicating which part of the property will be used for the licensed premises and what activities will be used for the remaining property.	**N/A**				
D.3.	Describe operational security, including general security for access/visitor control, inventory control and cash handling procedures.		**Percentage**	pg. 79-85	**75**	**75**	Addressed Criteria
D.4.	Describe perimeter security, on-site security guards, proposed guard hours and their responsibilities, and lighting.		**Percentage**	pg. 85-90	**35**	**35**	Addressed Criteria
D.5.	Describe employee training and general security policies.		**Percentage**	pg. 91-96	**15**	**15**	Addressed Criteria
Summary							

Section E: Qualification of Owners (400 points)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
E.1.	Demonstrate the business owner's experience in owning, managing, and operating a cannabis business. Evidence that prior experience was from legally permitted activities.	**Percentage**	pg. 97-102	**150**	**150**	Addressed Criteria
E.2.	Demonstrate knowledge of the cannabis industry, including identification of how industry best practices and state regulations have been incorporated in existing/prior legal businesses outside the City of Madera.	**Percentage**	pg.102-109	**100**	**100**	Addressed Criteria
E.3.	Describe the involvement of the ownership team in the day-to-day operation of the business.	**Percentage**	pg. 110-111	**150**	**150**	Addressed Criteria
Summary						

Section F: Neighborhood Compatibility (400 points)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
F.1.	Describe how the business will proactively address and respond to complaints related to noise, light, odor, and vehicle and pedestrian traffic and avoid becoming a nuisance or negative impact.	**Percentage**	pg. 112-119	**25**	**25**	Addressed Criteria
F.2.	Describe the waste management plan including: waste disposal locations, security measures, methods of rendering all waste unusable and unrecognizable, and the vendor in charge of disposal.	**Percentage**	pg. 119-121	**100**	**100**	Addressed Criteria

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

F.3.	**The application includes the following information about the proposed location:**						
	F.3.A.	Physical address and a detailed description of the proposed location, including overall property, building, and interior floor plan.	**Percentage**	pg. 122-125	**50**	**50**	Addressed Criteria
	F.3.B.	Describes all known nearby State and local sensitive use areas. (Business must have the appropriate zoning locational requirements described in MMC sections 6-5.33 and Title X)	**All or None**	pg. 126-128	**25**	**25**	Addressed Criteria
	F.3.C.	Lists nearby, well-traveled paths to schools and describes how the business will proactively protect youth on these paths from exposure to the cannabis business.	**All or None**	pg. 128	**25**	**25**	Addressed Criteria
	F.3.D.	Describes how the business will proactively take steps about community concerns to protect the youth generally from the impacts of the cannabis business.	**Percentage**	pg.129	**50**	**50**	Addressed Criteria
	F.3.E.	Proof of ownership, lease agreement, or a Letter of Intent to Lease.	**All or None**	pg. 130-131	**50**	**50**	Addressed Criteria
	F.3.F.	Vicinity map.	**All or None**	pg. 132	**25**	**25**	Addressed Criteria
	F.3.G.	Photographs of existing site and buildings.	**All or None**	pg. 133	**25**	**25**	Addressed Criteria
	F.3.H.	Evidence that the location has access to public transportation for employees or customers.	**All or None**	pg. 134	**25**	**25**	Addressed Criteria
Summary							

Section G: Community Benefits and Investment Plan (500 points)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
G.1.	Describes benefits the business will provide to the local community. May include: directly aiding, participating in, volunteer services, monetary donations, financial support, funding, and or any other economic incentives to the City or other charitable organizations in which will help achieve the strategic policy goals of the City Council in permitting cannabis businesses in the City of Madera.	**Percentage**	pg. 135-142	**500**	**500**	Addressed Criteria
Summary						

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

Section H: Proposed Location (300 points)			Scoring Basis	Page Number	Points Available	Points Received	Evaluation
H.	In addition to the location details required in the Security Plan, the application shall include a thorough narrative description of the proposed location, including overall site, existing and/or proposed building(s), parking spaces, driveways, pedestrian sidewalks/rights-of-way, and neighboring businesses on the parcel.		**Percentage**	143	**100**	**100**	Addressed Criteria
	H.1.	Applicant must have the appropriate zoning and meet all the locational requirements as described in MMC Section 6-5.33 and Title X.	**All or None**	File #5	**150**	**150**	Addressed Criteria
	H.2.	In addition to the Site Diagram submitted with the Security Plan above, application must include a (Site) diagram depicting all details described in the narrative description of the proposed location.	**Percentage**	pg. 143, 149-150	**50**	**50**	Addressed Criteria
Summary							

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

Sugarpine 559, Inc.
Applicant Name / DBA:

231 South C. Street, Madera, CA 93638
Proposed Location / Physical Address:

Retail Storefront
License Type:

Original Report
Report Type:

Wednesday, July 27, 2022
Report Date:

Complete Upon Initial Review.
Report Status:

Points Available: 3,000 **Points Awarded:** 2,992

Score: 99.73%

PHASE II: APPLICATION EVALUATION AND REVIEW (3,000 Points)

During this application period the City will allow up to six (6) cannabis business permits. The Procedure Guidelines and Review Criteria constitute the application process and are adopted pursuant to the City of Madera Municipal Code (MMC) Section 6-5.13 and Title X, Chapter 3 (Zoning Regulations). Applications will be reviewed and scored using a merit-based system. At a minimum the top ten (10) applicants who score a minimum of 90% or higher (2,700 points) in Phase II may be eligible to advance to Phase III. However, the City may at its sole discretion select more than ten (10) applicants based on the quantity and the overall quality of applications the City receives. Notice of the results of Phase II will be provided in writing via email to the primary contact listed on the application.

Section A: Business Plan (400 pts)			Scoring Basis	Page Number	Points Available	Points Received	Evaluation
Business Plan:							
A.1.	Budget for construction, operations, maintenance, compensation of employees, equipment, property lease, security equipment and staff, City fees, state fees, utility costs, product purchases, and other anticipated costs. Budget demonstrates sufficient capital to pay startup costs at least 3 months of operating costs and a describes sources and use of funds.		**Percentage**	pg. 1, 13-14	**75**	**75**	Addressed Criteria
	A.1. A.	Proof of capitalization, in the form of documentation of cash or other liquid assets on hand, Letters of Credit, or other equivalent assets which can be verified by the City.	**All or None**	pg. 1, 7-12	**50**	**50**	Addressed Criteria
	A.1.B.	Pro forma for at least three years of operation.	**Percentage**	pg. 1, 13-14	**75**	**75**	Addressed Criteria
	A.1.C.	A schedule for beginning operation, including a narrative outlining any proposed construction and improvements and a timeline for completion.	**All or None**	pg. 15-16	**20**	**20**	Addressed Criteria
Daily Operations (Retail):							
A.2.1.	**Describes the day-to-day operations which meet best practice if you are applying for a RETAIL permit, including at a minimum the following criteria:**						
	A.2.1.A.	Describe customer check-in procedures	**Percentage**	pg. 1-2	**75**	**75**	Addressed Criteria
	A.2.1.B.	Identify the location and procedures for receiving deliveries during business hours.	**All or None**	pg. 2-3	**25**	**25**	Addressed Criteria

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

A.2.1. Cont'd	**A.2.1.C.**	Describe the Point-of-Sale system to be used (including name), how it will interact with the states track-and-trace system, and the number of Point-of-Sale locations at full capacity.	**All or None**	pg. 3	**20**	**20**	Addressed Criteria
	A.2.1.D.	Estimate the number of customers to be served per hour/day.	**All or None**	pg. 3	**10**	**10**	Addressed Criteria
	A.2.1.E.	Describe the proposed product line to be sold (including brand names), and estimate of the percentage of sales of flower and manufactured products.	**Percentage**	pg. 3-4	**20**	**20**	Addressed Criteria
	A.2.1.F.	If proposed, describe delivery service procedures, number of vehicles and product security during transportation.	**N/A**	pg. 5-6			3 delivery vehicles
	A.2.1.G.	Describes how the Cannabis Business will conform to local and state laws. See MMC Sections 6-5.40 and Title X.	**Percentage**	pg. 6	**20**	**20**	Addressed Criteria
	A.2.1.H.	Describes how cannabis will be tracked and monitored to prevent diversion.	**All or None**	pg. 6	**10**	**10**	Addressed Criteria
Summary	[redacted]						

Section B: Labor, Equity, Diversity, and Inclusion Plan (400 pts)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
B.1.	Describe the extent business will include recognition of the collective bargaining rights of employees in accordance with Section 6-5.13 (G).	**All or None**	pg. 17, 19	**25**	**25**	Addressed Criteria
B.2.	Identify the number of employees at initial opening and maximum number of employees at full capacity.	**All or None**	pg. 17	**25**	**25**	Addressed Criteria
B.3.	Describe the diversity and inclusion programs that will be developed to embrace a diverse work force with a diverse set of perspectives, work and life experiences, religious, and cultural differences that provide equal opportunities for employee development.	**All or None**	pg. 17	**25**	**25**	Addressed Criteria
B.4.	Identify all positions and their responsibilities.	**Percentage**	pg. 17	**50**	**45**	Review of pages 5 and 6 of the application showed that the applicant would provide a delivery service with a delivery driver. However, review of page 17 through 20 showed that the applicant did not identify the delivery drivers responsibility within the Labor, Equity, Diversity and Inclusion Plan.

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

B.5.	Describe compensation to and opportunities for continuing education and training for employees.	**Percentage**	pg.17	**50**	**50**	Addressed Criteria
B.6.	Describe whether the cannabis business is committed to offering employees a Living Wage.	**All or None**	pg.18	**100**	**100**	Addressed Criteria
B.7.	Describe the benefits provided to employees such as health care, vacation, and medical leave, to the degree they are offered as part of employment.	**All or None**	pg. 18	**25**	**25**	Addressed Criteria
B.8.	Describe the extent to which the cannabis business will be locally owned and how the owner(s) have resided within the County of Madera for at least one year prior to June 1, 2021.	**All or None**	pg. 18, 21-39	**100**	**100**	Addressed Criteria
Summary	[redacted]					

Section C: Safety Plan (300 points)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
C.1.	The detailed Safety Plan shall be prepared by a California professional fire prevention and suppression consultant.	**All or None**	pg. 41	**100**	**100**	Addressed Criteria
C.2.	Describes all fire prevention and suppression measures, fire extinguisher locations, evacuation routes and alarm systems in place.	**Percentage**	pg. 41-48	**100**	**100**	Addressed Criteria
C.3.	Describes all accident and incident reporting procedures.	**All or None**	pg. 45-47	**50**	**50**	Addressed Criteria
C.4.	Identify all known chemicals, gases, solvents and nutrients to be used and stored on the licensed premises. Identify storage location and how each will be secured.	**Percentage**	pg. 47	**50**	**50**	Addressed Criteria
Summary	[redacted]					

Section D: Security Plan (300 points)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
D.1.	The Security Plan shall be prepared and/or assessed by a professional security consultant.	**All or None**	pg. 49	**100**	**100**	Addressed Criteria
	D.1.A. Plan shall demonstrate how the cannabis business wishes to develop the floor plan and address other security issues on the property.					

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

D.2.	Premises Diagram. In addition to the site plans submitted for the Proposed Location (in Section H of Appendix A), a separate Premises Diagram must be included in this Security Plan section (Section D) of the application. Diagram must meet the requirements of the Department of Cannabis Control DCR Title 4, Division 19, §15006 Premises Diagram.		**Percentage**		**75**	**72**	Review of page 72 of the application showed that the applicant's Premises Security Diagram did not meet the requirements of the Department of Cannabis Control DCR Title 4, Division 19, §15006 Premises Diagram as the premises diagram did not include assigned camera numbers to each camera for identification purposes.
	D.2.A.	Diagram shall show boundaries of property and proposed location to be licensed and show all boundaries, dimensions, entrances and exits, interior partitions, walls, rooms, windows, and doorways, and shall include a brief statement or description of the principal activity to be conducted therein.	**N/A**				
	D.2.B.	Diagram shall show and identifies commercial cannabis activities to take place in each area of the premises and identify all limited-access areas.	**N/A**				
	D.2.C.	Diagram shall show all camera locations and include assigned an number to each camera for identification purposes.	**N/A**				
	D.2.D.	The diagram shall be accurate, dimensioned and to-scale (minimum scale of 1/4”).	**N/A**				
	D.2.E.	If the proposed location consists of only a portion of a property, the diagram is labeled indicating which part of the property will be used for the licensed premises and what activities will be used for the remaining property.	**N/A**				
D.3.	Describe operational security, including general security for access/visitor control, inventory control and cash handling procedures.		**Percentage**	pg. 51-56	**75**	**75**	Addressed Criteria
D.4.	Describe perimeter security, on-site security guards, proposed guard hours and their responsibilities, and lighting.		**Percentage**	pg. 58-61	**35**	**35**	Addressed Criteria
D.5.	Describe employee training and general security policies.		**Percentage**	pg. 63-64	**15**	**15**	Addressed Criteria
Summary	[redacted]						

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

Section E: Qualification of Owners (400 points)		Scoring Basis	Page Number	Points Available	Points Received	Evaluation
E.1.	Demonstrate the business owner's experience in owning, managing, and operating a cannabis business. Evidence that prior experience was from legally permitted activities.	**Percentage**	pg. 73	**150**	**150**	Addressed Criteria
E.2.	Demonstrate knowledge of the cannabis industry, including identification of how industry best practices and state regulations have been incorporated in existing/prior legal businesses outside the City of Madera.	**Percentage**	pg. 73-74	**100**	**100**	Addressed Criteria
E.3.	Describe the involvement of the ownership team in the day-to-day operation of the business.	**Percentage**	pg. 73-74	**150**	**150**	Addressed Criteria
Summary	[redacted]					

Section F: Neighborhood Compatibility (400 points)			Scoring Basis	Page Number	Points Available	Points Received	Evaluation
F.1.	Describe how the business will proactively address and respond to complaints related to noise, light, odor, and vehicle and pedestrian traffic and avoid becoming a nuisance or negative impact.		**Percentage**	pg. 75	**25**	**25**	Addressed Criteria
F.2.	Describe the waste management plan including: waste disposal locations, security measures, methods of rendering all waste unusable and unrecognizable, and the vendor in charge of disposal.		**Percentage**	pg. 76	**100**	**100**	Addressed Criteria
F.3.	**The application includes the following information about the proposed location:**						
	F.3.A.	Physical address and a detailed description of the proposed location, including overall property, building, and interior floor plan.	**Percentage**	pg. 77-78	**50**	**50**	Addressed Criteria
	F.3.B.	Describes all known nearby State and local sensitive use areas. (Business must have the appropriate zoning locational requirements described in MMC sections 6-5.33 and Title X)	**All or None**	pg. 77	**25**	**25**	Addressed Criteria
	F.3.C.	Lists nearby, well-traveled paths to schools and describes how the business will proactively protect youth on these paths from exposure to the cannabis business.	**All or None**	pg. 77	**25**	**25**	Addressed Criteria
	F.3.D.	Describes how the business will proactively take steps about community concerns to protect the youth generally from the impacts of the cannabis business.	**Percentage**	pg. 77	**50**	**50**	Addressed Criteria
	F.3.E.	Proof of ownership, lease agreement, or a Letter of Intent to Lease.	**All or None**	pg. 88-93	**50**	**50**	Addressed Criteria
	F.3.F.	Vicinity map.	**All or None**	pg. 78	**25**	**25**	Addressed Criteria

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

F.3. Cont'd	**F.3.G.**	Photographs of existing site and buildings.	**All or None**	pg. 79-84	**25**	**25**	Addressed Criteria
	F.3.H.	Evidence that the location has access to public transportation for employees or customers.	**All or None**	pg. 85-87	**25**	**25**	Addressed Criteria
Summary		[redacted]					

Section G: Community Benefits and Investment Plan (500 points)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
G.1.	Describes benefits the business will provide to the local community. May include: directly aiding, participating in, volunteer services, monetary donations, financial support, funding, and or any other economic incentives to the City or other charitable organizations in which will help achieve the strategic policy goals of the City Council in permitting cannabis businesses in the City of Madera.	**Percentage**	pg. 94-95	**500**	**500**	Addressed Criteria
Summary	[redacted]					

Section H: Proposed Location (300 points)			**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
H.	In addition to the location details required in the Security Plan, the application shall include a thorough narrative description of the proposed location, including overall site, existing and/or proposed building(s), parking spaces, driveways, pedestrian sidewalks/rights-of-way, and neighboring businesses on the parcel.		**Percentage**	pg. 96	**100**	**100**	Addressed Criteria
	H.1.	Applicant must have the appropriate zoning and meet all the locational requirements as described in MMC Section 6-5.33 and Title X.	**All or None**	Section H pdf. pg. 1	**150**	**150**	Addressed Criteria
	H.2.	In addition to the Site Diagram submitted with the Security Plan above, application must include a (Site) diagram depicting all details described in the narrative description of the proposed location.	**Percentage**	pg. 97	**50**	**50**	Addressed Criteria
Summary	[redacted]						

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

Zen Garden of Madera, Inc. dba Zen Garden
Applicant Name / DBA:

700 South G Street, Madera, CA 93637
Proposed Location / Physical Address:

Retail Storefront
License Type:

Original Report
Report Type:

Monday, August 8, 2022
Report Date:

Complete Upon Initial Review.
Report Status:

Points Available: 3,000 **Points Awarded:** 2,932

Score: 97.73%

PHASE II: APPLICATION EVALUATION AND REVIEW (3,000 Points)

During this application period the City will allow up to six (6) cannabis business permits. The Procedure Guidelines and Review Criteria constitute the application process and are adopted pursuant to the City of Madera Municipal Code (MMC) Section 6-5.13 and Title X, Chapter 3 (Zoning Regulations). Applications will be reviewed and scored using a merit-based system. At a minimum the top ten (10) applicants who score a minimum of 90% or higher (2,700 points) in Phase II may be eligible to advance to Phase III. However, the City may at its sole discretion select more than ten (10) applicants based on the quantity and the overall quality of applications the City receives. Notice of the results of Phase II will be provided in writing via email to the primary contact listed on the application.

Section A: Business Plan (400 pts)			Scoring Basis	Page Number	Points Available	Points Received	Evaluation
Business Plan:							
A.1.	Budget for construction, operations, maintenance, compensation of employees, equipment, property lease, security equipment and staff, City fees, state fees, utility costs, product purchases, and other anticipated costs. Budget demonstrates sufficient capital to pay startup costs at least 3 months of operating costs and a describes sources and use of funds.		**Percentage**	pg. 13-22 PDF File #4	**75**	**57**	Review of applicant did not demonstrate sufficient capital to pay startup costs and at least 3 months of operating costs.
	A.1. A.	Proof of capitalization, in the form of documentation of cash or other liquid assets on hand, Letters of Credit, or other equivalent assets which can be verified by the City.	**All or None**	pg. 13-17 PDF File #4	**50**	**0**	Application contained a commitment letter in the amount of [redacted] from [redacted] (PDF #4, page 2). However, the accompanied bank statements in PDF File #4 failed to demonstrate sufficient capitalization to fund the [redacted] loan commitment (PDF #4, pages 3-15). Additionally, the supporting documents contained within PDF File #4 were inconsistent with the proof of capital narrative illustrated on page 13 of PDF File #2. As such, the applicant's source of capital could not be verified.
	A.1.B.	Pro forma for at least three years of operation.	**Percentage**	pg. 18-22	**75**	**75**	Addressed Criteria
	A.1.C.	A schedule for beginning operation, including a narrative outlining any proposed construction and improvements and a timeline for completion.	**All or None**	pg. 22-23	**20**	**20**	Addressed Criteria

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

Daily Operations (Retail):							
A.2.1.	**Describes the day-to-day operations which meet best practice if you are applying for a RETAIL permit, including at a minimum the following criteria:**						
	A.2.1.A.	Describe customer check-in procedures.	**Percentage**	pg. 24-25	**75**	**75**	Addressed Criteria
	A.2.1.B.	Identify the location and procedures for receiving deliveries during business hours.	**All or None**	pg. 25-27	**25**	**25**	Addressed Criteria
	A.2.1.C.	Describe the Point-of-Sale system to be used (including name), how it will interact with the states track-and-trace system, and the number of Point-of-Sale locations at full capacity.	**All or None**	pg. 28	**20**	**20**	Addressed Criteria
	A.2.1.D.	Estimate the number of customers to be served per hour/day.	**All or None**	pg. 28-29	**10**	**10**	Addressed Criteria
	A.2.1.E.	Describe the proposed product line to be sold (including brand names), and estimate of the percentage of sales of flower and manufactured products.	**Percentage**	pg. 29-30	**20**	**20**	Addressed Criteria
	A.2.1.F.	If proposed, describe delivery service procedures, number of vehicles and product security during transportation.	**N/A**	pg. 30			1 delivery vehicle
	A.2.1.G.	Describes how the Cannabis Business will conform to local and state laws. See MMC Sections 6-5.40 and Title X.	**Percentage**	pg. 35-39	**20**	**20**	Addressed Criteria
	A.2.1.H.	Describes how cannabis will be tracked and monitored to prevent diversion.	**All or None**	pg. 40-41	**10**	**10**	Addressed Criteria
Summary		[redacted]					

Section B: Labor, Equity, Diversity, and Inclusion Plan (400 pts)		Scoring Basis	Page Number	Points Available	Points Received	Evaluation
B.1.	Describe the extent business will include recognition of the collective bargaining rights of employees in accordance with Section 6-5.13 (G).	**All or None**	pg. 43-44	**25**	**25**	Addressed Criteria
B.2.	Identify the number of employees at initial opening and maximum number of employees at full capacity.	**All or None**	pg. 45	**25**	**25**	Addressed Criteria

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

B.3.	Describe the diversity and inclusion programs that will be developed to embrace a diverse work force with a diverse set of perspectives, work and life experiences, religious, and cultural differences that provide equal opportunities for employee development.	**All or None**	pg. 45-46	**25**	**25**	Addressed Criteria
B.4.	Identify all positions and their responsibilities.	**Percentage**	pg. 46-55	**50**	**50**	Addressed Criteria
B.5.	Describe compensation to and opportunities for continuing education and training for employees.	**Percentage**	pg. 55-56	**50**	**50**	Addressed Criteria
B.6.	Describe whether the cannabis business is committed to offering employees a Living Wage.	**All or None**	pg. 56	**100**	**100**	Addressed Criteria
B.7.	Describe the benefits provided to employees such as health care, vacation, and medical leave, to the degree they are offered as part of employment.	**All or None**	pg. 56	**25**	**25**	Addressed Criteria
B.8.	Describe the extent to which the cannabis business will be locally owned and how the owner(s) have resided within the County of Madera for at least one year prior to June 1, 2021.	**All or None**	pg. 57-59	**100**	**100**	Addressed Criteria
Summary	[redacted]					

Section C: Safety Plan (300 points)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
C.1.	The detailed Safety Plan shall be prepared by a California professional fire prevention and suppression consultant.	**All or None**	pg. 60	**100**	**100**	Addressed Criteria
C.2.	Describes all fire prevention and suppression measures, fire extinguisher locations, evacuation routes and alarm systems in place.	**Percentage**	pg.62-68	**100**	**100**	Addressed Criteria
C.3.	Describes all accident and incident reporting procedures.	**All or None**	pg. 68-76	**50**	**50**	Addressed Criteria
C.4.	Identify all known chemicals, gases, solvents and nutrients to be used and stored on the licensed premises. Identify storage location and how each will be secured.	**Percentage**	pg. 77-78	**50**	**50**	Addressed Criteria
Summary	[redacted]					

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

Section D: Security Plan (300 points)			Scoring Basis	Page Number	Points Available	Points Received	Evaluation
D.1.	The Security Plan shall be prepared and/or assessed by a professional security consultant.		**All or None**	pg. 78	**100**	**100**	Addressed Criteria
	D.1.A.	Plan shall demonstrate how the cannabis business wishes to develop the floor plan and address other security issues on the property.					
D.2.	Premises Diagram. In addition to the site plans submitted for the Proposed Location (in Section H of Appendix A), a separate Premises Diagram must be included in this Security Plan section (Section D) of the application. Diagram must meet the requirements of the Department of Cannabis Control DCR Title 4, Division 19, §15006 Premises Diagram.		**Percentage**	pg. 80	**75**	**75**	Addressed Criteria
	D.2.A.	Diagram shall show boundaries of property and proposed location to be licensed and show all boundaries, dimensions, entrances and exits, interior partitions, walls, rooms, windows, and doorways, and shall include a brief statement or description of the principal activity to be conducted therein.	**N/A**				
	D.2.B.	Diagram shall show and identifies commercial cannabis activities to take place in each area of the premises and identify all limited-access areas.	**N/A**				
	D.2.C.	Diagram shall show all camera locations and include assigned an number to each camera for identification purposes.	**N/A**				
	D.2.D.	The diagram shall be accurate, dimensioned and to-scale (minimum scale of 1/4”).	**N/A**				
	D.2.E.	If the proposed location consists of only a portion of a property, the diagram is labeled indicating which part of the property will be used for the licensed premises and what activities will be used for the remaining property.	**N/A**				
D.3.	Describe operational security, including general security for access/visitor control, inventory control and cash handling procedures.		**Percentage**	pg. 81-89	**75**	**75**	Addressed Criteria
D.4.	Describe perimeter security, on-site security guards, proposed guard hours and their responsibilities, and lighting.		**Percentage**	pg. 89-93	**35**	**35**	Addressed Criteria
D.5.	Describe employee training and general security policies.		**Percentage**	pg. 93-103	**15**	**15**	Addressed Criteria

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

Summary	[redacted]

Section E: Qualification of Owners (400 points)		Scoring Basis	Page Number	Points Available	Points Received	Evaluation
E.1.	Demonstrate the business owner's experience in owning, managing, and operating a cannabis business. Evidence that prior experience was from legally permitted activities.	**Percentage**	pg. 103-107	**150**	**150**	Addressed Criteria
E.2.	Demonstrate knowledge of the cannabis industry, including identification of how industry best practices and state regulations have been incorporated in existing/prior legal businesses outside the City of Madera.	**Percentage**	pg. 107	**100**	**100**	Addressed Criteria
E.3.	Describe the involvement of the ownership team in the day-to-day operation of the business.	**Percentage**	pg. 108	**150**	**150**	Addressed Criteria

Summary	[redacted]

Section F: Neighborhood Compatibility (400 points)			Scoring Basis	Page Number	Points Available	Points Received	Evaluation
F.1.	Describe how the business will proactively address and respond to complaints related to noise, light, odor, and vehicle and pedestrian traffic and avoid becoming a nuisance or negative impact.		**Percentage**	pg. 110-113	**25**	**25**	Addressed Criteria
F.2.	Describe the waste management plan including: waste disposal locations, security measures, methods of rendering all waste unusable and unrecognizable, and the vendor in charge of disposal.		**Percentage**	pg. 113-118	**100**	**100**	Addressed Criteria
F.3.	**The application includes the following information about the proposed location:**						
	F.3.A.	Physical address and a detailed description of the proposed location, including overall property, building, and interior floor plan.	**Percentage**	pg. 120-122	**50**	**50**	Addressed Criteria
	F.3.B.	Describes all known nearby State and local sensitive use areas. (Business must have the appropriate zoning locational requirements described in MMC sections 6-5.33 and Title X)	**All or None**	pg. 122	**25**	**25**	Addressed Criteria
	F.3.C.	Lists nearby, well-traveled paths to schools and describes how the business will proactively protect youth on these paths from exposure to the cannabis business.	**All or None**	pg. 122	**25**	**25**	Addressed Criteria

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

F.3. Cont'd	**F.3.D.**	Describes how the business will proactively take steps about community concerns to protect the youth generally from the impacts of the cannabis business.	**Percentage**	pg.122	**50**	**50**	Addressed Criteria
	F.3.E.	Proof of ownership, lease agreement, or a Letter of Intent to Lease.	**All or None**	PDF #1 pg. 23-25	**50**	**50**	Addressed Criteria
	F.3.F.	Vicinity map.	**All or None**	pg. 123	**25**	**25**	Addressed Criteria
	F.3.G.	Photographs of existing site and buildings.	**All or None**	pg. 124-126	**25**	**25**	Addressed Criteria
	F.3.H.	Evidence that the location has access to public transportation for employees or customers.	**All or None**	pg. 125	**25**	**25**	Addressed Criteria
Summary		[redacted]					

Section G: Community Benefits and Investment Plan (500 points)		**Scoring Basis**	**Page Number**	**Points Available**	**Points Received**	**Evaluation**
G.1.	Describes benefits the business will provide to the local community. May include: directly aiding, participating in, volunteer services, monetary donations, financial support, funding, and or any other economic incentives to the City or other charitable organizations in which will help achieve the strategic policy goals of the City Council in permitting cannabis businesses in the City of Madera.	**Percentage**	pg. 127-134	**500**	**500**	Addressed Criteria
Summary	[redacted]					

City of Madera
(Standard) Commercial Cannabis Application Phase II Evaluation Report

Section H: Proposed Location (300 points)			Scoring Basis	Page Number	Points Available	Points Received	Evaluation
H.	In addition to the location details required in the Security Plan, the application shall include a thorough narrative description of the proposed location, including overall site, existing and/or proposed building(s), parking spaces, driveways, pedestrian sidewalks/rights-of-way, and neighboring businesses on the parcel.		**Percentage**	pg. 135-138	**100**	**100**	Addressed Criteria
	H.1.	Applicant must have the appropriate zoning and meet all the locational requirements as described in MMC Section 6-5.33 and Title X.	**All or None**	PDF #2	**150**	**150**	Addressed Criteria
	H.2.	In addition to the Site Diagram submitted with the Security Plan above, application must include a (Site) diagram depicting all details described in the narrative description of the proposed location.	**Percentage**	pg. 142	**50**	**50**	Addressed Criteria
Summary							

ATTACHMENT 3
Application Community Benefit Proposals

CALI OZ MADERA, LLC

SECTION

G

Community Benefit

Section G: Community Benefits and Investments Plan

Oz is committed to positively impacting the community in which our proposed store is located, as well as the City of Madera community in general. We plan to implement a variety of community benefit initiatives, including our community outreach and education efforts as outlined in Section F, as well as philanthropic efforts, explained in further detail below.

Determining and Staying Attuned to Community Needs

In order to determine how our Community Benefits and Investments Plan could best serve the community, Oz reviewed the City of Madera 2021-2022 Action Plan (the "Action Plan"), which the City has designed to align with the goals and objectives set by its 2020-2024 Consolidation Plan, with a much more direct impact to its citizens. The following are some of the City's major needs identified by the Action Plan:

- **Housing and Homelessness;**
- **Access to Services;**
- **Infrastructure Improvements;**
- **Trafficking; and**
- **Parental Services.**

As explained in detail in Section F, in accordance with MMC §§6-5.50(A)-(B), Oz will designate a Community Relations Contact/Representative, who will establish and maintain community connections, and find philanthropic opportunities once the facility is in operation. In particular, the Community Relations Contact/Representative will be responsible for identifying and contacting our neighbors, as well as community organizations which serve the area. As explained in detail in Section B.3, our Community Relations Contact/Representative will be a local, Madera resident, who is therefore familiar with the community's specific and unique charitable needs.

Proposed Giving

In order to address the City's major needs as outlined above, Oz will give to the Madera community in the following ways:

- **Monetary Giving;**
- **In-kind Giving;**
- **Volunteer Hours; and**
- **Local Hiring.**

Monetary Giving

Oz will dedicate 1% of our gross revenues annually to charitable giving, meaning we will benefit the City utilizing these funds, through monetary donations to local organizations as well as sponsorships of community events. Oz has selected the following charitable and community organizations as potential partners and recipients of our financial support.

Madera Rescue Mission

The Action Plan states that the City's two most major needs are housing and homelessness, and therefore these issues are major focus points of future City projects. The Action Plan stated that the City had identified major gaps in homeless services/prevention, and that the City's homeless population was a concern with regards to social services, public safety, and quality of life. In particular, the City names provision of emergency shelter and transitional housing as a jurisdictional one-year goal for reducing and ending homelessness.

The 2019 Point-in-Time Count of the Fresno-Madera region identified 260 unsheltered, and 96 sheltered homeless individuals in the City of Madera. Out of the regional count, roughly 21% of sheltered and 13% of unsheltered homeless individuals were in the City of Madera during the 2019 Point-in-Time count.

Madera Rescue Mission ("MRM") is a faith-based organization which provides a variety of services to Madera's poor and homeless populations. MRM provides meals, showers, clothing, and a safe place to sleep at its Men's Shelter and Women's Emergency Shelter. Further, MRM provides extensive addiction and substance abuse recovery resources, including an inpatient, 12-month Discipleship Recovery program, with 6 months of aftercare. In addition to basic care and recovery, MRM provides employment assistance and aftercare resources to help provide a path out of homelessness.

Oz is excited to support MRM's important work, and will make a monetary contribution of 1% of sales. In addition, as discussed in further detail below in our schedule of Community Benefit Opportunities/ Sponsorships, Oz will sponsor the MRM Second Wind 5K event.

Madera Coalition for Community Justice

According to the 2020 Census, 16.1% of Madera residents are in poverty, much higher than the State average. As stated in the Action Plan, the City's anti-poverty strategy includes homelessness prevention, provision of employment opportunities, and offering supportive services.

Madera Coalition for Community Justice ("MCCJ") is one of the activities the City is funding as part of its anti-poverty strategy. While the City did not initially recommend funding MCCJ's work, an overwhelming amount of support was expressed by the community during the public comment period of the Action Plan development process, and MCCJ was ultimately granted funds. In 2022, MCCJ was selected by Senator Anna Caballero as the 2022 Nonprofit of the Year for Senate District 12.

MCCJ is a nonprofit organization serving Madera's low-income residents by providing food, clothing, health care, educational and employment opportunities, and assistance with other fundamental needs. MCCJ runs a variety of programs tailored to different community members and their needs, including but not limited to the following:

- The Rental and Utilities Assistance, Food Share, and Teams and Changes programs provide housing, nutritional, utility, and phone assistance to low-income Madera residents, and the Environmental Justice program helps combat the structural inequality faced by these individuals.
- MCCJ serves Madera's youth through the MCCJ Child Development Center, Youth Leaders program, and Youth Street Art project.
- The Parents as Leaders Program empowers parents to become engaged in their children's education and promote achievement in school.
- With the unprecedented challenges the community has faced throughout the COVID-19 pandemic, MCCJ implemented the Orale Program to increase testing and reduce infection in the community

MADERA COALITION for COMMUNITY JUSTICE

educate | organize | empower





O.L.I.V.E. Madera



Overcoming Limitations through Intervention, Value, and Empowerment

OLIVE TEAM:

April 20th, 2022

Cali OZ Madera LLC
108 S Main Street Suite A
Royal Oak, MI 48067

Dear Cali OZ Madera,

Thank you so much for your very generous donation of $1,500.00 to Olive received this year. Your donation will go a long way toward the new safe house for our survivors of human sex trafficking. Our project was completed in February of 2021. This will ensure a safe location of victims of this heinous crime that plagues our world. Thank you for your contribution and we look forward to future donations.

No goods or services were provided for this donation.

For more information on trafficking, you can go to our website at www.olivemadera.com

Respectfully,

April Molina
Operations Director

DONATION RECEIPT – Keep for your records

Organization: O.L.I.V.E. Charitable Organization
Tax ID #: 84-2806845
Cash Contribution: $1,500.00

The Action Plan states the City's desire to support services for combating trafficking, including its funding of O.L.I.V.E (Overcoming Limitations through Intervention, Value, and Empowerment). O.L.I.V.E. is a nonprofit organization that was founded in 2015 by a member of Madera's Police Department, Lieutenant Dan Foss, in order to fill the gap in resources needed to assist victims of human sex trafficking. O.L.I.V.E. partners with local law enforcement agencies to assist victims of sex trafficking. In addition, O.L.I.V.E. strives to help women who are victims of trafficking see the value within themselves and empower them to move forward, through education, awareness, and outreach.

According to O.L.I.V.E., there are 10,000-20,000 victims of sex trafficking in the Madera/Fresno area, and these shocking numbers are only increasing over time. O.L.I.V.E. found that the number one issue for the survivors it serves is safety and housing. In order to address these pressing needs, O.L.I.V.E. recently opened a "safe house" for survivors.

Oz will support O.L.I.V.E. and its important work in the community in several ways. We have contributed

CASA of Fresno and Madera Counties



CASA

Court Appointed Special Advocates

March 23, 2022

Cali Oz Haders LLC

The Action Plan identifies homelessness, services for youth, as well as parental services such as education, as areas of continued support by the City. In addition, the Action Plan names helping individuals uniquely at risk of becoming



and guidance to children who are under the care of the court due to neglect and/or abuse. We are able to provide these children with the support they need from their community.

You may use this letter as your official receipt. No goods or services were received for this contribution. The tax identification number for CASA of Fresno and Madera Counties is 77-0401361.

Warmest Regards,

Wilma Tash Hashimoto
Executive Director

Thank you so much!

CASA: The Voice that Matters for Foster Youth

As of 2020, Fresno and Madera Counties had more than 2,500 children in the foster care system. According to 2021 data from CalYOUTH, a comprehensive study gauging the effectiveness of State and federal foster care legislation conducted between 2012-2022, 1 in 4 California foster youth become homeless after leaving extended care. Court Appointed Special Advocates of Fresno and Madera Counties ("CASA") is a nonprofit organization which supports abused and neglected children in the foster care system by recruiting, training, and supporting volunteers to advocate and speak for these youth's best interests in court. CASA aims to change the trajectory of foster children's lives, in order to avoid the all-too-common pipeline of foster care to prison, homelessness, or mental health issues in adulthood

Oz will support the community in ways beyond merely donating funds. Although many community and charitable organizations are in need of monetary support, some organizations are in more dire need of supplies or volunteers, and are best assisted by in-kind donations and/or contributions of volunteer

hours. Oz understands that hosting supply drives at our store can accomplish multiple goals. Firstly, a drive can collect much needed supplies for donation to valuable community organizations. Secondly, by asking for customer and community participation in a drive, we spread awareness about the organization and its important work, and even potentially lead interested individuals to get involved with the cause in the future. Oz has selected the following organization as a potential beneficiary of in-kind and volunteer contributions:

H.O.P.E. House Madera

When discussing the City's one-year goals and actions to reduce and end homelessness, the Action Plan lists the importance of providing resources and education to help prevent certain vulnerable individuals from becoming homeless, including those who are low-income, those being discharged from institutions and systems of care, or those receiving assistance regarding housing, health, social services, education, or youth needs.

H.O.P.E. House Madera ("H.O.P.E. House") serves several of the vulnerable populations considered in the Action Plan, including current, former, and prospective clients of behavioral health services, adults facing homelessness, individuals recovering from addiction, and transitional age youth. H.O.P.E. House strives to improve the quality of life of the individuals it serves through placing focus on the Eight Dimension of Wellness – emotional, spiritual, intellectual, physical, environmental, financial, occupational, and social.

Among its other services throughout Madera County, H.O.P.E. House operates a drop-in wellness center in Madera, which provides employment and volunteer opportunities, education / school support, transportation, life skills building and support groups, a computer lab, bicycle repair services, and laundry and shower facilities. The Madera wellness center also offers an afterschool program for high school age transition age youth.

In order to best support H.O.P.E. House's important work in the Madera community, Oz will contribute in-kind donations, and will explore the possibility of contributing volunteer hours. We will launch an in-store drive to collect adult clothing, new socks, and undergarments, for donation to H.O.P.E. House.

Local Hiring

As explained in Section B, Oz will benefit the Madera community by hiring locally and paying all employees a living wage. Our local hiring and generous compensation will benefit the City economy.

As discussed in Section B.3, Oz plans to staff our store with 100% local Madera residents, which will benefit the City economically through our living wage and generous compensation packages to all staff, including our 27 local hires during our first 13 months of operations.

As part of our local recruitment efforts, Oz will partner with O.L.I.V.E., with which we have entered into a first rights for hire job training agreement, within the confines of the law.

United Way Fresno and Madera Counties

We will also host a local hiring event in partnership with United Way Fresno and Madera Counties' Prosperity Coaching Program.

United Way Fresno and Madera Counties is a nonprofit organization working to achieve education, financial stability, and well-being for communities in Fresno and Madera Counties. United Way Fresno and Madera Counties is particularly committed to improving the radical wealth, health, and education-

Oz proposes the following schedule of Community Benefit Opportunities and Sponsorships.

CALENDAR Key	COMMUNITY PARTNERS	COMMUNITY EVENTS
JANUARY 2022	**Sponsorship/ National Human Trafficking Prevention Month**	
	O.L.I.V.E Madera	
	The Pledge 2 Stop Trafficking Fund	
FEBRUARY 2022	**Sponsorship Opportunities**	
	CASA of Fresno & Madera Counties	
		The Ultimate Chef Cook-Off (to support CASA of Fresno & Madera Counties)
MARCH 2022	**Sponsorship Opportunities**	
	Madera Rescue Mission (MRM)	
		Second Wind 5K (benefiting Madera Rescue Mission and Madera Co. Food Bank)

APRIL 2022

Sponsorship Opportunities

Relay for Life Madera

MAY 2022

Sponsorship/National Foster Care Month

CASA Madera & Fresno Counties

CASA Awareness Day / CASA Awareness Month

JUNE 2022

Sponsorship Opportunities

Black Saints United and the City of Madera

Juneteenth (hosted by Black Saints United and the City of Madera)

JULY 2022

Sponsorship Opportunities

Madera County Food Bank

Madera County **10th Annual Dinner** (fundraiser for Madera County Food Bank)

AUGUST 2022

Sponsorship Opportunities

Madera Unified School District ("MUSD")

Madera Police Association

Back to School supply drive (Partner with MUSD in providing students with backpacks filled with the basic school supplies each student needs to begin school.)

National Night Out (NNO) is a national community-building event celebrated by over 33 million Americans across the United States. It promotes community-police partnerships and neighborhood camaraderie by bringing law enforcement officers, community leaders, and residents together for an evening against crime.

SEPTEMBER 2022

Sponsorship Opportunities

CASA Madera & Fresno Counties

Annual Crab Feed (to benefit CASA Madera & Fresno Counties)

Old Timers' Day Parade And Celebrate Booths In The Park

OCTOBER 2022

Sponsorship Opportunities

Latinas Unidas De Madera, Californi

Annual Fiesta in the Park (to promote Madera cultural arts)

NOVEMBER 2022

Sponsorship Opportunities

The Madera Chamber of Commerce Tourism Alliance Committee

11th annual Pomegranate, Fruit & Nut Festival

DECEMBER 2022

Sponsorship Opportunities

Salvation Army of Madera County

Madera Chamber of Commerce

Toys 4 Tots and Coats for Kids drives

GBH RETAIL, LLC
(dba: Cannable)

G. COMMUNITY BENEFITS & INVESTMENTS PLAN

OVERVIEW

GBH recognizes both community engagement and local involvement as vital components of a successful and responsible business. By modeling a deep commitment to the community, GBH hopes to attract high quality resources, educated customers and partners, and City and community support. We will act as a responsible employer, service provider, and neighbor, working to establish a professional and compassionate reputation. GBH will, in all cases, build its business on the foundation of compliance, safe product use, and unparalleled customer care and community outreach. Our team of devoted professionals share one common mission: to offer the best service to our patients and customers while being an upstanding member of the Madera community. Our team consists of Central California and Madera residents who understand the city's objectives and the issues that matter most to our communities. As demonstrated herein, our team genuinely cares about the success of our community outreach programs and promises to exceed the minimum requirements of doing business in order to be a productive and collaborative member.

GBH understands that to truly integrate into Madera and bring value to the community, we need to establish meaningful connections and ongoing relationships within the community in order to understand the complex and changing socioeconomic issues. We want to ensure that our plans are created and executed under the guidance of knowledgeable individuals respected by City officials, businesses and neighbors. Therefore, GBH will commit to establishing a Community Advisory Board, led by GBH Owner and Madera Resident Lloyd Fagundes, who will build a team specifically identified for their knowledge and familiarity with the mission, core values, and community of Madera. GBH will rely upon this Advisory Board to direct civic, charitable and community engagement. Substantively, GBH's strategic approach to benefitting the community encompasses a range of locally tailored areas for intervention in Madera, including the combination of education with recruitment, providing salaries that reflect the relatively high poverty rates in Madera as discussed in Living Wage, monetarily supporting local community organizations directly and through a Community Benefits Fund administered with the approval of the City Council, providing incentives for employees to volunteer with community organizations, working with identified local businesses, and by utilizing the strategic business model and location of the proposed cannabis business on E Yosemite Ave, near Hwy 99 and the large population centers of Madera County, generating greater revenues for GBH and the City of Madera.

Further, in every community where we are operational, our business has contributed positively to the community in the form of local hiring, working with and funding community based organizations and city programs benefitting the community, collaboration with community leaders and officials to educate and assist in the transition to a local economy that includes cannabis, and incorporating environmentally sustainable practices including location for odor mitigation, solar, water conservation, energy and environmentally efficient buildings and vehicles to reduce our carbon footprint. Our Community Benefits program builds on GBH's tailored approach and business model supporting the City's General Plan and Vision Madera 2025 goals to achieve (1) A Well-Planned City, (2) Good Jobs and Economic Opportunities, (3) Strong Community and Great Schools, and (4) A Safe, Healthy Environment.

COMMUNITY FUNDING & INITIATIVES

COMMUNITY BENEFITS FUND

GBH will establish and make monetary contributions to a GBH Community Benefits Fund and, inclusive of the 2% municipal tax on Gross Receipts, commits to contributing 5% Gross Receipts with a minimum commitment of 0.5% Gross Receipts (GBH anticipates contributing $85,211 to the fund from June through December, 2023). Through numerous discussions with local youth organizations' leadership, GBH Management Team members have concluded that City-supported funding avenues are likely the most effective means for distributing GBH's monetary donations to community organizations. The current culture around the cannabis industry in Madera has deterred interest for direct donations from certain youth organizations, although they were in support of City-supported funding avenues and our proposed staff volunteer program. GBH would like to propose that monetary contributions from the Community Benefits Fund be directed through the City Council, that allocations from the Community Benefits Fund shall be agreed upon in a Community Benefits Agreement with the City of Madera for the benefit of public safety, youth education, empowerment and drug addiction, supporting recreational and educational programs, as grants for artists, or other uses benefiting the community as deemed appropriate by GBH and the Council, and may include, but is not limited to: in-kind donations, sponsorship of community events; support, financial or otherwise for community-based organizations and projects.

GBH has so far been in discussions about potential monetary contributions with Mattie Mendez of Community Action Partnership of Madera, the Olive Foundation Madera, Madera County Foodbank, and the Madera County Workforce Investment Corporation. A list of additional community benefit areas that GBH has identified for monetary funding, as well as for paid volunteer hours for employees, are further explored below. This list is provided to offer options for discussion and GBH is open to review and consider any other opportunities that the Community Advisory Board and/or City Representatives identify.

YOUTH ADDICTION & DRUG EDUCATION

Our CCO, Marc Garcia, was a former Merced County Superior Court Judge who handled drug addiction issues both at the juvenile and adult level and has years of experience confronting the challenges that both situations present. With his guidance and input in collaboration with our Community Advisory Board leader Michael Fagundes and Community Relations Director Norm Allinder, discussions have started on potential partnerships for the development and implementation of an education program outlining the risks of youth addiction to cannabis, with GBH making resources available through the Community Benefits Fund to support these endeavors, per MMC §6-5.11(C). Kings View Community Services, located near our proposed location in Madera, for example, works in Youth Addiction outside of Madera, and exploring possibilities to expand these programs to their Madera operations would be of interest to GBH. Through these and other similar efforts GBH shall develop and make available to youth organizations and educational institutions a public education plan that outlines the risks of youth addiction to cannabis and identifies resources available to youth related to drugs and drug addiction. Our Community Relations Director shall then work with youth organizations and schools to help deliver such packages and education programs to youth in City of Madera.

Separately, and under Marc's stewardship, we have also been developing programs to drive adult addicts away from reliance on pharmaceuticals and hardened street drugs to cannabis-based medicines whose medicinal value has been proven in clinical settings for a diverse range of individuals from mentally ill patients to homeless addicts, to veterans dealing with the issue of post-traumatic stress disorder (PTSD). Cannabis

programs would be developed for use as a therapeutic intervention to remove or break addition from these drugs in adults.

As a person with experience and credibility in this area, our COO Marc Garcia would be tasked with outreach and be available as a point of contact on behalf of the company to these specific stake holders to create and implement a sustainable plan to outline the risks and curb the use of cannabis and also create and implement a sustainable plan on the other side of the spectrum for adults challenged with addiction.

EMPLOYEE COMMUNITY VOLUNTEER PROGRAM

In addition to direct financial support, GBH is committed to donating time to participate in support of local community organizations, including participation in local and state fundraisers and community-oriented campaigns and events. We have developed an Employee Involvement Program as a way to encourage employees to volunteer their time to the groups and organizations most important to the community of Madera. GBH is proud to offer all employees four (4) paid volunteer hours per month, further encouraging employee participation and engagement within our community. We will develop a calendar each quarter, to be shared with all employees, showcasing volunteer opportunities and will work with the City to identify opportunities.

GBH has already been in discussions with local organizations seeking volunteers to create a list of established volunteer opportunities for employee consideration. GBH has been in touch with Mattie Mendez of Community Action Partnership of Madera (CAPM) about GBH making a CAPM volunteer program available to our staff. Further support being explored include providing volunteer hours for the Madera County Foodbank. Additional organizations and programs will be identified based upon their alignment with City priorities and GBH principles and goals for community engagement. Using their paid volunteer days, employees will be able to select from approved organizations and commit their time to their organizations of choice. The volunteer list will be continually expanded and refined as GBH identifies new opportunities to participate in beneficial community initiatives and events.

CANNABIS EDUCATION & THERAPEUTIC SOLUTIONS

GBH is keenly aware that the expansion of cannabis operations in Madera will continue to raise an array of questions within the community, and with the elderly in particular. Once the risks of Covid-19 have subsided, GBH plans to offer public education seminars at least four times a year at nearby senior care facilities and retirement communities such as Cedar Creek Senior Living to ease this transition and to ensure that members of the elderly community and general public have access to accurate information about cannabis. After GBH obtains City approval for each public meeting prior to holding the meeting, the public education seminars will be designed to inform Madera and Madera County residents of cannabis issues, cannabis products and the proper, safe and legal ways cannabis products should be used. There will be a particular focus on aligning the therapeutic properties of cannabis and products to symptoms and qualifying conditions that may be treated with a particular strain or product. In lieu of offering medical advice seminars will explain educational materials, should a patient have health inquiries. GBH will create a platform with knowledgeable stakeholders that ensures the longevity of the educational seminars.

When allowed by the hosting venue, these free seminars will be open to the public and will provide an opportunity for attendees to learn more about cannabis. Seminars may feature lectures by local and national healthcare experts and/or cannabis professionals, as well as local officials who want to provide unbiased education to the community about cannabis, educating attendees about the benefits and risks of cannabis products. Applicant's proposed format for these meetings is as follows:

- GBH will identify a venue off premises to host members of the elderly community and general public interested in learning more about cannabis.
- For meetings open to the public, GBH will publicize the meetings on their website, through social media, by posting the meeting schedule at the dispensary and by communicating the meeting time and date with neighbors, City Council and other community partners.
- Each meeting will include:
    - Scheduled Learning Topic may include but are not limited to: unbiased education about cannabis; exploring various delivery systems; explaining various product categories and the cannabis brands and products within each category; discussions surrounding the proper dosing of cannabis; alignment and therapeutic properties between cannabis products and medical symptoms and qualifying conditions; and benefits and risks of cannabis use.
    - Question and Answer Session

Attendees will always have the opportunity to ask questions at the conclusion of the meeting. GBH's Management Team will also remain in the seminar facility after the meeting to answer questions privately, should attendees wish to speak with a member of our team about personal concerns or questions.

UTILIZATION OF LOCAL SERVICES & PRODUCT PROVIDERS

GBH will work intimately with the Madera Chamber of Commerce to learn more about the City, while promoting its new retail location. GBH will offer exclusive events and promotions to community businesses and circulate notifications through Chamber-sponsored emails and bulletins. Further, as a member, GBH will develop directory listings and other advertising materials for the Chamber's business and online directories. To further engage with community businesses and local residents, GBH will be an active member of the Chamber of Commerce and will regularly attend the Chamber's sponsored functions. Additionally, GBH will sponsor several networking events with the Madera Chamber of Commerce, which will be promoted on the Chamber's monthly calendar along with weekly e-bulletins that are distributed to Chamber members.

Beyond the economic incentives of employing a diverse workforce from the local community, factoring in the estimated $779,500 in annual local resident salaries GBH will provide in 2023, the property development of currently unoccupied buildings, and the long-term economic impact of contributing to infrastructure and the community organizations as discussed above, GBH will also engage with local, diverse businesses and contractors, and will utilize union labor whenever possible. GBH will aim to purchase products such as packaging and office supplies and technology systems and equipment, from companies and suppliers in the City of Madera or Madera County with aligned ethics, cultures and values to further support and enrich the lives of local residents and patients while contributing to the development of Madera's economy. Additionally, GBH will engage local businesses to provide the wide range of services necessary. These partnerships may include engaging with small, diverse businesses such as a local advertising agency, general contractor, waste management company, security company, and other local businesses. GBH aims to be an admirable business partner, a role-model employer, and a pillar of exemplary company values and business ethics.

A list of possible local partners identified by GBH include:

- Madera Private Security Patrol (Security Guards)
- Madera Armed Patrol (Security Guards)
- Madera – S&J Lumber Inc (Lumber and Buildings Supplies)
- General Builders Supply (Lumber and Building Supplies)
- ADS (Advertising and Marketing)

- Workingarts Marketing Inc. (Marketing)
- MGM Construction (General Contractor)
- Span Construction & Engineering Inc. (General Contractor)
- Conquest Sanitation Solutions (Waste Management)
- Diamond Communications Inc (Security Equipment Installation)
- A&A Security Services (Security Equipment Installation)
- Peters Brothers Nursery & Custom Landscaping (Landscaping)
- Rosenbalm Rockery Inc (Landscaping)
- Doe Magnet (Graphic Design)
- MHDesigns LLC (Graphic Design)

COMMUNITY ENGAGEMENT

GBH is committed to proactively addressing all potential issues related to noise, light, odor, litter, and vehicle and pedestrian traffic, but has prepared to handle all complaints or concerns regarding these and other matters should they arise from the community. Pursuant to MMC §6-5.50, GBH appointed the Community Liaison, Madera resident Norm Allinder, to serve as GBH's primary point of contact for all matters related to community engagement, including preventative and proactive complaint response. The dispensary's phone number and email address – each of which forwards directly to Norm Allinder's phone and email – will be visible on GBH's website, in all neighborhood-related communications, on the exterior of the dispensary's front door, and in all other places required by the City Manager and/or by the law. Norm Allinder will check email and voicemail at least twice a day to ensure receipt of any comments or complaints from the community and will promptly respond to those comments within 24-48 business hours.

GBH understands the importance of maintaining a healthy, communicative relationship with its neighbors and the greater Madera business community, and will be available 24 hours per day, seven days per week, to address complaints, questions and concerns presented by the community. GBH also appointed an Alternate Community Relations Contact, General Manager Delia Macias, to ensure seamless communication and rapid response in the event Norm Allinder is unavailable. Employees will be trained to record and report all concerns, comments, or complaints received from any customer or concerned neighbor directly to the Community Relations Contact. If the Community Relations Contact is unavailable or unable to perform the responsibilities of the role, the alternate Community Relations Contact, Ms. Macias, will assume all responsibilities. Ms. Macias will also receive forwarded calls and emails from the listed store contact information.

CITY MEETINGS

During the first year of operation, the owners, manager, and community relations representative commit to attending meetings with the city manager or designee(s) and other interested parties as deemed appropriate by the city manager, to discuss costs, benefits, and other community issues arising as a result of cannabis operations, pursuant to MMC §6-5.50(B). After the first year of operation, the owner, manager, and community relations representative shall meet with the city manager or designee(s) when and as requested by the city manager or designee(s).

HISTORY OF CORPORATE SOCIAL RESPONSIBILITY

In every community where we are operational, our business has contributed positively to the community in the form of local hiring, funding community based organizations, collaboration with community leaders and

officials to educate and assist in the transition to a local economy that includes cannabis, and incorporating environmentally sustainable practices including location for odor mitigation, solar, water conservation, energy and environmentally efficient buildings and vehicles to reduce our carbon footprint. Specific examples of this include but are not limited to:

Our support to the local community has been diverse and innovative. In addition to organizing a fundraising banquet for a local community organization in Parlier, some of our less traditional projects have included $15,000 toward furnishing the City's Christmas Tree, funding a new design for the City's Seal and implemented a marketing program on behalf of the City, supported their annual holiday season parade and events, funded a fireworks display to boost morale on the 4th of July, and a project with the local high school whose graduation was cancelled where we facilitated placing banners made by every student on light poles on main streets throughout the City, amongst others. We also supported the following projects through the City of Parlier Police Department's non-profit organization called Cops Building Bridges: financing a K-9 dog (named Koba), t-shirts for all children during centennial celebration, an easter basket program for underprivileged children, coordinated a donations collection and distribution for *Pet Month – Donate to Your Local K-9 Unit* national drive, funded their *Halloween Trick or Treat Program* for underprivileged youth, and led a fundraiser to secure a venue for Parlier High School's 2022 prom.

We have conducted similar community benefits projects in Mendota and Carpinteria, leading fundraisers, providing scholarships for youth organizations including Girls Inc. and Carpinteria Children's Project, participating in food distributions, funding graduation ceremonies, a youth running club and local Arts Center, local celebrations for Earth Day, as well as a gun buyback program with a gun violence organization and programs dedicated to the expungement of criminal cannabis convictions, and providing our staff with paid volunteer hours to improve local trails together with Friends of Franklin Trail.

ENVIRONMENTAL BENEFITS

GBH is a committed environmentally conscious steward of our community and state's natural resources. With over 30 years of experience in botany and horticulture, our team designs state of the art facilities plan that will ensure the most efficient and effective use of those resources. GBH shall adopt the following key concepts as Best Management Practices and SOPs:

CONSERVATION AND EFFICIENCY

ENERGY

GBH views energy efficiency as essential for both its long-term financial sustainability and for its benefits to the environment. GBH will conduct a full assessment of the proposed facility's existing energy usage to determine priorities for improvement. In this process, leadership will work closely with the City of Madera to screen all proposed energy efficiency improvements and to identify the most pressing needs. GBH will also identify priorities using the Global Climate Action Plan and California Building Energy Efficiency Standards. Further, GBH shall implement the strategies of California's 75 Percent Initiative Defining the Future.

Employees will be trained on acceptable energy usage and ways in which they can reduce their use of electricity in the dispensary. For example, one of the most common, unnecessary uses of energy is chargers and adapters left plugged into a power source while they are not actively charging an item. Employees will be instructed to remove such items and to be conscious of electronics pulling energy without being used. Computer terminals will be placed on energy-saving stand-by modes, further eliminating excessive energy use.

WATER USAGE

Using Best Practices and LEED water efficiency standards as a guide, GBH shall conserve water usage for the proposed medical and adult use storefront retail store. For this type of retail business there will not be substantial water usage. However, for marginal water usage on site, GBH shall establish the conservation efforts such as:

- Regularly scheduling maintenance on HVAC systems;
- Monitoring water bills to detect excess water usage or leaks;
- Installing high-efficiency toilets;
- Landscaping using low-water usage techniques
- Installing faucet aerators.

Each employee shall play a role in water usage. Therefore, it is imperative that employees are involved in green water conservation efforts, and each employee shall receive training on how to conserve water. Managers shall be responsible for the training of employees to keep each individual accountable. To be cognizant of the water used in the dispensary, restrooms and handwashing sinks will contain low-flow fixtures and will be monitored to limit unnecessary loss of water due to leaks or ruptures.

SITE DESIGN AND BUILDING CONSTRUCTION

GBH shall strongly emphasis the following during construction and tenant improvements:

- Installing high-efficiency lighting;
- Reducing lighting use through motion-activated internal and external lighting;
- Installing high-efficiency toilets;
- Installing faucet aerators;
- Monitoring water bills to detect excess water usage or leaks;
- Installing rain barrels to collect excess rainwater, to supplement landscape irrigation;
- landscaping with native, drought resistant plants;
- Landscaping using low-water techniques, consistent with guidelines in the Hayward Lawn Conversation Rebate Program and Hayward Water Efficient Landscape Ordinance;
- Conducting a review of building insulation;
- Conducting routine maintenance on HVAC systems;
- Pursuing Hayward Green Business Certification;
- Encouraging employees to make responsible energy choices, including recycling and mitigation of water and energy usage;
- Encouraging employee carpooling and use of public transit;
- Installing bicycle parking in the vicinity of the facility, if not already available;
- Conducting a review of building insulation, including windows;
- Prioritizing local vendors, distributors, and testing laboratories to reduce transportation energy usage;
- Prioritizing vendors with certified environmentally responsible practices, particularly cultivation businesses who demonstrably mitigate energy and water consumption; and
- Assessing the feasibility of LEED certification.

TRANSPORT

GBH's sustainability plan shall aggressively avoid and minimize emissions, including vehicle emissions (especially diesel emissions) related to operation of the business as detailed below via the following Best Practices and Standard Operating Procedures (SOPs) for commercial operation:

Energy-Efficient Delivery Practices. GBH will utilize hybrid or electric vehicles such as the Prius, or comparable small-engine economy cars, for optimal fuel efficiency and environmental sustainability. The specific vehicles purchased will depend on availability at the time of purchase. In addition to using energy efficient vehicles, GBH will implement the following environmentally friendly vehicle maintenance policies:

- Maintaining correct tire pressure to reduce fuel consumption by checking and adjusting the tire pressure whenever a driver refuels;
- Not overfilling the fuel tank at the gas pump;
- Avoiding air conditioning when the ambient temperature is 70 degrees or cooler;
- Maintaining the radiator by checking the temperature gauge on every delivery drive;
- Changing the fuel filter and flush injectors every 30,000 miles;
- Complying with state environmental impact standards for vehicle emission systems;
- Completing regular tune-ups, including fuel efficient oil changes every 5,000 miles; and
- Driving efficiently, without rapid acceleration or idling for long periods of time, using cruise control to maintain a steady speed, and avoiding congested roads by following the vehicle's GPS identification of the most efficient routes.

Alternative Transportation Incentives. GBH will encourage customers and employees to use alternative means of transportation to and from the dispensary, including carpooling, public transit, and biking, by providing incentives to individuals who participate. In particular, GBH will look into pre-tax bus vouchers and pre-tax bike repair incentives for dispensary employees. In addition, GBH will install bicycle parking in the vicinity of the facility for employee and customer use if permitted by the property owner.

SUSTAINABILITY

REDUCE, REUSE, RECYCLE

GBH will strive to operate a dispensary that produces as little waste as possible. Any waste created at the dispensary will be disposed of in an environmentally conscious manner. Excess paper waste will be reduced by digitizing and automating as many reports and files as possible, by setting printer defaults to double-sided printing, and by providing employees with accessible recycling bins. Waste and recycling bins will be provided in every office, sales station, and break area with clear signage indicating the proper method for sorting recyclable materials including, paper, plastic, glass and food waste.

Waste and recycling will be sorted, and recyclable material will be separated and designated for removal by a City of Madera recycling division. GBH will use environmentally friendly cleaning agents however, any potentially hazardous materials will be disposed of in a fashion that does not pose a risk to the municipal wastewater system or employees who handle the materials.

EFFICIENT SUPPLIES & WASTE GENERATION

Whenever possible, environmentally friendly supplies including printer paper, paper towels, plastic trash bags, and cardboard boxes will be made from recycled materials and will be recycled after use. GBH will research and source office supplies and equipment with careful consideration for the environmental impact of these

products, including materials sourced from local manufacturers that are comprised of recycled content. GBH will evaluate the energy efficiency rating when purchasing appliances or electronics for the dispensary, such as television or computer monitors, and copy machines.

As further discussed in the Waste Disposal section, GBH will fully comply with Madera business recycling mandates for disposal of recyclable materials and organic non-cannabis waste. Employees will be trained in recycling procedures, and customers will be encouraged to recycle inside the facility. GBH will also pursue relationships with packaging vendors to ensure that exit packages will be recyclable. Each of these initiatives is designed with the intent of being a leader in the push for more sustainable business practices in the cannabis industry and GBH is dedicated to auditing sustainability practices quarterly in order to ensure this goal is being met.

LAVISH WEST COAST MADERA
(dba: Lavish)

Section G

Community Benefits and Investments Plan

COMMUNITY BENEFITS CONTRIBUTIONS

Lavish x West Coast is deeply committed to our community and we've established a "Lavish Cares" fund. We will donate **2%** of our gross receipts to our community partners through this fund. This would project to $200,000 in our first year of business that goes directly to the Madera Community and the people who truly need the help. This will be in addition to in-kind donations of goods and services to the City of Madera directly for special events and local improvements.

Lavish/West Coast is very committed to supporting and utilizing local businesses, and we will choose local contractors and companies for our non-cannabis business needs whenever possible. We believe that supporting local businesses is important for community relationship building and results in additional economic benefits for the city and its residents.

Lavish/West Coast wants to be active, honest, impactful, reliable, and most of all, positive members of our local community. We are dedicated to being an example of a best-in-class cannabis brand in all ways, consistently ensuring that West Coast is a brand that is synonymous with enhancing our client's and our community's overall quality of life and well-being.

Lavish/West Coast's efforts are focused on creating highly desirable job opportunities, educating our local workforce to deliver up to our high corporate values, and creating mutually beneficial partnerships with community leaders and organizations to address the needs of Madera effectively above and beyond the scope of others currently occupying the cannabis industry. Social responsibility is fundamental to Lavish/West Coast's overall mission, and a vital building block supporting company efforts to bring awareness and prosperity to this emerging industry.

Community Outreach

If chosen as a cannabis retailer in the Madera community, Lavish/West Coast will continue our relationships with impactful and active organizations. We are mindful of our partnerships and have supported and will continue to support these great nonprofits with our time, energy, and regular contributions:

- Madera County Food Bank - Partner: Ryan McWhorter - 225 S. Pine St., Madera, CA 93637
- Greater Madera Kiwanis Club - Partner: Rohi Zacharia - 1906 Howard Rd., Madera, CA 93637

FOOD DISTRIBUTED



From left, Rancho and Bonita Market owners Akram Kassim, Nayef Mohsen, and Mohamed Mohsen hand out food boxes during a drive thru distribution they hosted at the Pan Am Center on Thursday. For more photos, see Page 2.

- CASA Fresno Madera County - Partner: Lisa RochaDanks - 2300 Tulare St., Fresno, CA 93721
- Beloved Survivors - Partner: Tina Rodriguez (Address Protected)
- Madera Coalition for Community Justice - Partner: Zainab Qaiser P.O Box 817, 219 S. D St., Madera, CA 93638
- Project Run - Partner: Alisha Brown - 1470 South A Street, Madera CA 93638

We plan to be ongoing contributors of these organizations to continue to support the important work they do everyday here in the Madera Community through our "Lavish Cares" fund.

Project Run Madera
1470 S. A Street
Madera CA 93638

Phone: (559) 474-3772
Email: projectrunmadera@gmail.com
Tax EIN: 86-2768786

Instagram: @projectrunmadera
Facebook: Project Run Madera
Webpage: projectrunmadera.org

06/16/2022

Dear Honorable Mayor, Members of the City Council, Staff, and Consultants,
c/o City of Madera
205 W. 4th St.
Madera, CA 93637

RE: Letter of Support- Lavish

It is with great pleasure that I write this letter on behalf of the Nonprofit Organization, Project Run Madera, for the future projects of Lavish Madera and West Coast Cannabis Club. Project Run Madera is focused on keeping grade age athletes in the sport of running and ultimately off the streets and in school, by providing resources and opportunities.

Lavish Madera has shown support in our endeavors to provide these necessary resources to our youth, by giving a generous financial donation just a few months ago. Their donation assisted us in purchasing running shirts, shorts, sports bras and running shoes for middle school and high school track athletes in Madera.

We support Lavish Madera opening a dispensary here in Madera, CA, as we understand they are committed to funding charities and community projects that will benefit the people of Madera. In the past Lavish Madera has hosted food banks, backpack giveaways, and Christmas toy drives/giveaways, and other charity events for the advantage of the community and youth. The dedication of these individuals is exactly what the City of Madera needs. Our hope is that the dispensary is approved, for the benefits of charities being supported. We are excited to embark on a partnership with West Coast Cannabis, pending their approval.

If you have any further questions or concerns, please reach out via phone (559) 474-3772 or by email at projectrunmadera@gmail.com.

Best regards,

Alisha Brown,
Founder/CEO of Project Run Madera

4th of July

During our time in Madera we learned how important the return of the 4th of July event is to the community, and how excited everyone is to celebrate this event closer to home again. We are so honored to be the only cannabis company supporting the return of this event, and we look forward to further connecting with our community there. Additionally, we look forward to supporting this event in the following years if we are chosen as one of the cannabis companies to open a dispensary here in Madera.



Dear Honorable Mayor, Members of the City Council, Staff, and Consultants,

c/o City of Madera
205 W. 4th St.
Madera, CA 93637

RE: Letter of Support – Lavish West Coast Madera

I write to you in support of Lavish West Coast Madera's efforts in obtaining a retail cannabis permit, within the City of Madera. They have shown support for our community by giving to our group to help bring the Fireworks Spectacular to life. We have met with them a number of occasions and they always shown to be a very professional group looking to help make sure they are adding to our community in a positive way. Having roots in Madera is key to giving back. Their team mentioned a number of organizations that personally serve on, and it was very refreshing to hear their give-back plan versus being asked who I think they should be supporting. I understand your council has a very challenging task in selecting a limited number of permit recipients. I have a high level of confidence in the work that Lavish West Coast Madera has done and will continue to do. Lavish West Coast Madera is majority owned by local resisdents which is something I feel will guarantee their efforts in improving Madera through their works. I feel they truly have the best intentions for a better Madera.
Thank you

Rohi Zacharia
President
559-706-1100

Lavish/West Coast's Comprehensive Community Responsibility Plan includes the following:

- Partnerships with dynamic and impactful charities serving the community
- Educational opportunities like classes, senior outreach, and a commitment to positive social media campaigns.
- Participation and support of local and regional community events and fundraisers
- Job growth with a safe, entrepreneurial focused work environment.
- Tax revenue for local municipalities, benefiting the local community.
- Special product pricing for seniors, medical patients, and veterans.
- Modern and current Health and Wellness Programs.
- Supporting programs to help solve the unhoused crisis in our community.
- Dedicated staff volunteer hours to give back to the Madera Community.

Lavish/West Coast's Health and Wellness Program for Seniors

Residents aged 55+ are a growing group of individuals who are turning to cannabis and CBD products as a healthier alternative to opioids and other costly prescriptions to manage pain, certain illnesses, appetite encouragement, assistance with sleep and other issues. This is also the group of individuals who are asking for more education on the use of cannabis for medicinal purposes. We are dedicated to providing current, convenient, and ongoing education programs for our clients including programs specifically for our seniors. These education opportunities can take place one on one on site in our private consultation area where a customer can ask detailed questions and get answers from an experienced staff person as well as at our Lavish West Coast facility with technologically advanced, easy-to-use kiosks, where an individual can get detailed information on a product and its use. Additionally we will hold events at scheduled times with our senior organization partners where our team can educate small groups of residents about any and all questions they may have.

Lavish/West Coast's Commitment to Reducing Homelessness

The Madera community has several organizations dedicated to assisting the homeless. West Coast is committed to assisting the community with addressing the increase in homelessness throughout the City. There are several areas where we at Lavish West Coast would like to be helpful:

- Funding for local unhoused shelters, especially during the Summer and Winter months
- Assisting homeless individuals with community reentry, inclusive job fairs, and temporary housing by supporting Madera Rescue Mission
- Contributing support to youth and students affected by housing insecurity through our charitable partners.

Lavish/West Coast has partnered with The Madera County Food Bank to support their realtime efforts to feed the hungry and disenfranchised community through meeting one of our most basic needs, healthy food to eat. West Coast looks forward to a thriving relationship with The

Madera Food Bank and together bringing meals to those who need them.

West Coast will designate a set amount of its donation budget to pay for shelter essentials such as beds, food, clothes, or other necessities for homeless individuals and families annually as well. West Coast will work with the Madera Rescue Mission and Beloved Survivors shelters to identify the cost to sponsor two persons per month in local shelters and pay for their essential needs.

Additionally, Lavish/West Coast will reach out to our local partners regularly for new and innovative ideas for how we can impact and support the community directly.

Volunteer Hours

Where there is a need in the Madera community, Lavish/West Coast will be there to provide direct funding and/or in-kind donations to nonprofit organizations, important causes and programs that benefit local Madera residents. As important as donating is, a priority of West Coast is its commitment to hands-on, boots-on-the-ground volunteering by our owners, community board members, managers and employees. West Coast will develop a weekly and monthly volunteer plan and schedule – so that it is integrated into becoming a full-fledged participant in the Madera community. Below is a listing of volunteer projects where we could be helpful:

- Madera Coalition for Community Justice Art Projects
- Literacy mentorship programs for residents
- Winter coat, hats and glove donation drives benefitting local charities
- Food drives for the Madera Food Bank and Pantry
- Volunteering at the Madera Food Bank packing and distributing
- Holiday Donation Drive to collect presents like toys and bikes for children in need
- Other volunteer opportunities defined by our Community Board

Lavish/West Coast's Social Media Program Encourages Community

We take our Corporate Social Responsibility (CSR) seriously and apply the same consistent code of ethics to our Social Media campaigns that we strive for elsewhere within our company. That means a commitment to a positive and community focused presence on all social media and company communication with the community.

Environmentally Sustainable Business Model

Lavish/West Coast's founders believe that science is real and that collectively, as a community, action must be taken now to slow down Climate Change, and hopefully reverse the effects to provide for future generations. As responsible business owners, it is up to the company to act as a leader to implement green business practices at the onset of company operations. Implementing green business practices early creates a company culture that cares for the

environment and hopefully inspires company employees, peers, and community members to employ similar green practices. Lavish/West Coast will:

- Hire Locally reducing greenhouse gas emissions
- Centralized Distribution minimizing our companies overall carbon footprint
- Procure and use recycled materials for construction where possible.
- Join San Joaquin River Parkway and Conservation Trust
- Purchase Hybrid vehicles for all delivery operations
- Implement strategies from the County of Madera's Greenhouse Gas Reduction Plan
- Certification by the California Green Business Network.
- Give preference to vendors who are Clean Green Certified

LAVISH IN THE LOCAL NEWS

The Madera Tribune

'Brothers' combine efforts to help the community



Madera residents who attended last month's Juneteenth Day were subject to a number of inspirational speeches, but those who skipped breakfast for the morning ceremony were more than happy to receive a boxed roasted chicken lunch, provided by Rancho Market (12890 Road 24).

However, it's not the first time Rancho Market owner Akram Kassim has donated his wares to help the community or those in need. "We asked how we could help with the event," he said. "We wanted to give back to the community and do something. It's obviously a special time. We wanted to be a part of that and part of the community."

Weekend Edition, Saturday, November 27, 2021 | VOL 130 - ISSUE 70 | 75 Cents

The Madera Tribune

Visit us online: www.maderatribune.com

Thanksgiving drive held



Golden Valley SD makes major moves



Kevin Hatch



Felipe Piedra

Lavish Madera has held several food drives in the community over the last couple of years, including a Thanksgiving food drive, a 4th of July food drive, and a Christmas Blanket, Beanie and Glove giveaway



Midweek Edition, Wednesday, December 29, 2021 | VOL 130 - ISSUE 79 | 75 Cents

The Madera Tribune

Visit us online: www.maderatribune.com

Notice

The Madera Tribune will be closed Friday, Dec. 31. Happy Holidays from The Madera Tribune.



Dr. Mazhar Javaid, right, is joined by his family, from left, Roohi, Nadia and Omar at the 60 year anniversary celebration of Madera Community Hospital on October 15.

Doctor retiring after 38-plus years

By Tyler A. Tekeda

For the past two years, Dr. Mazhar Javaid has been preparing for the moment that took place last week — retirement.

Javaid worked his final day in Madera and Madera Community Hospital on Dec. 21 and will head into semi-retirement. He has

Javaid moved from Virginia to start a practice in Madera in June 1982, almost 39 years ago.

"After I finished my fellowship, I joined a group in Virginia," he said. "There were two other lung specialists. I didn't see like where I was."

Javaid came to California on the advice of a cousin of

Donation held at Lavish



Families stand in line Thursday for a blanket, beanie and glove giveaway at Lavish Madera on the corner of Gateway and first. Two hundred families received blankets and each child received a glove and beanie. Lavish Madera's Akimi Kasahi estimates they gave away about 300 pairs of gloves and beanies.



Families take their picture with Santa Claus at Lavish Madera's blanket, beanie and glove giveaway. Lavish gave away 200 blankets and 300 gloves and beanies, which was also sponsored by Sellers Distributing.

For more photos, see Page 2.

Dear Lavish West Coast Madera,

Beloved Survivors is a nonprofit organization that serves families in the central valley. Our purpose is to establish a culture that normalizes healing through healthy relationships absent of violence. The services that we offer include the following:

- Counseling
- Healthcare advocacy
- Legal resources
- Career plans
- Funeral assistance
- Mentoring
- Safety planning
- Outreach
- Restorative justice.

With the support of the community, we are able to provide much needed resources to victims in crisis. In addition, to the services listed above, we are called upon to assist with clothing for loved ones of homicide victims to attend services and food. The demand for assistance exceeds what we are able to provide.

We are certain that your support will be greatly appreciated by the population that we serve. A donation is more than a gesture of a gift, it serves as a reminder that there are good people in this world that are thoughtful of others. We value your contribution and look forward to partnering with you to bring hope into our community.

All donations are tax deductible and receipts are provided upon request.

Please contact me with any questions that you may have at belovedsurvivors@gmail.com.

Sincerely,

Phyllis Ryan

Board President

MADERA COALITION *for* COMMUNITY JUSTICE

"If you want peace, work for justice"

Madera Coalition for Community Justice
*PH (559) 661-1879
maderaccj@yahoo.com

P.O Box 817
219 S D St.
Madera, CA 93638
*FAX: (559) 416-7401

Dear Honorable Mayor, Members of the City Council, Staff, and Consultants, c/o City of Madera

205 W. 4th St.

Madera, CA 93637

RE: Letter of Support- Lavish

It is with great pleasure that I write this letter on behalf of the Nonprofit Organization, Madera Coalition for Community Justice, for the future projects of Lavish Madera and West Coast Cannabis Club.Madera Coalition for Community Justice is a community based organization that was founded in 1992. Its mission is to build community capacity through the implementation of self-help projects that engage its constituents in leadership development and civic engagement. One of the projects is the Madera Youth Leaders(MYL) which comprises at-risk youth from the greater City of Madera including those from alternative school, juvenile hall, and boot camp.

Lavish Madera has shown support in our endeavors to provide these necessary resources to our youth, by giving a generous financial donation. Their donation will assist us in purchasing art supplies, team building activities and much more.

We support Lavish Madera opening a dispensary here in Madera, CA, as we understand they are committed to funding charities and community projects that will benefit the people of Madera. In the past Lavish Madera has hosted food banks, backpack giveaways, and Christmas toy drives/giveaways, and other charity events for the advantage of the community and youth. The dedication of these individuals is exactly what the City of Madera needs. Our hope is that the dispensary is approved, for the benefits of charities being supported. We are excited to embark on a partnership with West Coast Cannabis, pending their approval.

If you have any further questions or concerns, please reach out via phone (559) 871-7750 or by email at zainabq@maderaccj.org.

Best regards,

Zainab Qaiser

MADERA ERUDITE VENTURES
(dba: HerbNJoy)



SECTION G

COMMUNITY BENEFITS AND INVESTMENTS PLAN

VISION MADERA UPDATE

When crafting a Community Benefits Plan for each new City where we hope to locate, we prioritize the City's goals and values first. Our process includes an in-depth review of the City's planning documents.

Originally published in 2006, the City of Madera's Vision Madera 2025 Vision and Action Plan (the "Original Vision Madera") is a community-driven planning document which provides a roadmap to the City's future, with the overarching goal of ensuring that "Madera develops as an attractive, family-friendly city with great schools, good business opportunities, well-paying jobs and abundant natural resources." Updated in 2014, the Vision Madera 2025 2014 Update ("Vision Madera Update") follows the Original Vision Madera's four Vision Statements, while expanding upon the original strategy and action suggestions.

When reviewing the Original Vision Madera and Vision Madera Update, HerbNJoy identified the following strategies and actions for each Vision Statement which we believe we can best support through our Community Benefits Plan:

- **A Well Planned City.** The Original Vision Madera establishes the Vision Statement of "A Well Planned City," which concerns the physical aspects of the City's growth such as residential, commercial, and agricultural land uses, communication between the community and local governments, and intergovernmental communication.
  - **Downtown Revitalization.** The Vision Madera Update emphasizes the importance of the revitalization of downtown Madera, including through promotion and expansion of the Madera Downtown Association, as well as cooperation with business and property owners.
- **Good Jobs and Economic Opportunities.** The Original Vision Madera establishes the Vision Statement of "Good Jobs and Economic Opportunities," which focuses on opportunities for the community's workforce and businesses.
  - **Attract New Jobs to Madera.** As part of its list of ways to strengthen the City's economy, the Vision Madera Update includes attraction of new jobs to Madera.
  - **Strengthen the Workforce.** Directly aligning with HerbNJoy's philosophy toward continuing education and training, as discussed in greater detail both below and in Section B of this application, the Vision Madera Update suggests that educational opportunities are required for a strong workforce, and proposes business-education alliances to support necessary training.
- **A Strong Community and Great Schools.** The Original Vision Madera establishes the Vision Statement of "A Strong Community and Great Schools," which emphasizes the importance of the City's schools, as well as cultural and artistic opportunities for local youth.
  - **Leadership Development Opportunities.** As part of broader efforts to strengthen the community, the Vision Madera Update suggests encouragement of leadership development opportunities through the community, such as through youth involvement and strengthening neighborhood associations.
  - **Community Service Organizations.** The Vision Madera Update emphasizes the importance of Community Service Clubs, the need to promote their work, and connect them to the broader community.
  - **Public Arts.** The Vision Madera Update lists a variety of strategies and actions directed at promotion of a rich cultural life for the community, including promotion of public arts, and the expansion of potential venues for exhibits or performances.
- **A Safe, Healthy Environment.** The final Vision Statement from the Original Vision Madera, "A Safe, Healthy Environment," concerns both the protection of the City's natural resources, as well as community health, security, and recreational opportunities, including the maintenance of local parks and open spaces.
  - **Domestic Violence Reduction**. Among other efforts to make the City a safe and healthy environment, the Vision Madera Update lists reduction of domestic violence within the community, including child abuse, spousal abuse, crimes against youth and the elderly, and crimes committed by youth.
  - **Public Safety.** In order to achieve a safe public, the Vision Madera Update suggests supporting first responders and other public safety personnel.

METHODS OF GIVING

Having served as a community partner in multiple jurisdictions, HerbNJoy is keenly aware that nonprofits, community organizations, and City-sponsored events require not only financial contributions, but also volunteer time and in-kind donations. To ensure that HerbNJoy covers all of the needs required, we are committed to giving not only financial resources, but also volunteer hours. In addition, utilizing our storefront, we will engage our staff and customers to contribute to in-kind donation drives hosted on a regular basis.

In summary, our methods of giving include:

- Monetary donations
- Volunteer hours
- In-kind giving
- Local hiring

HERBNJOY COMMITMENT TO GIVING

As shown on our pro forma in Section A.1.B, HerbNJoy has accounted for a $150K donation Year 1, and 2% gross revenues to support our Community Benefits Plan in all following years. These funds will serve as donations to nonprofits, community organizations, and City-sponsored events in Madera. In addition to our $150K donation Year 1, our budgeted 2% gross revenue donation in all following years equates to $142.1K in year 2, $152.1K in year 3, and $159.7K in year 4.

In addition to our financial commitment, HerbNJoy commits to providing volunteer match time of 40 hours per month.

HERBNJOY'S COMMUNITY ADVISORY BOARD

HerbNJoy has tailored our operations plan to fit Madera's character and needs. Therefore, we will assemble a Community Advisory Board, composed of influential Madera community members, to help us adjust, fine tune, and implement our Community Benefits Plan. Our Community Advisory Board will select and oversee the distribution of financial support to community organizations and ensure HerbNJoy will be a reliable partner to the City. The Advisory Board will work directly with local resident Vera Coffeen, our Director of Neighborhood Compatibility and Community Relations.

SPECIFIC GIVING GOALS

DOWNTOWN REVITALIZATION

MADERA DOWNTOWN ASSOCIATION

The Madera Downtown Association ("MDA") was formed by the local leaders of business, government, and nonprofits with a mission to promote and foster improvement and modernization of the central downtown area of Madera. MDA sponsors a variety of projects aimed at improving downtown Madera, including public beautification projects, support for increased public parking facilities, and installation of displays for public holidays. MDA runs a variety of community events and programs, including the historic Old Timer's Parade, held since 1931, and the successful Downtown Crow Abatement Program.

The Vision Madera Update mentions the importance of the Madera Downtown Association in multiple contexts. Firstly, when discussing the importance of the revitalization of downtown Madera as a strategy for achieving a well-planned City, it mentions the action item of promotion and expansion of the Madera Downtown Association and cooperation with business and property owners. Secondly, when discussing the broad vision of a strong community, the Vision Madera Update mentions the action of strengthening neighborhood associations, such as the Madera Downtown Association, in order to encourage leadership development opportunities in the community.

Upon earning our license, HerbNJoy looks forward to joining and speaking with the Madera Downtown Association, and supporting its efforts to revitalize downtown Madera as well as promote area businesses. HerbNJoy also plans to provide $100,000 in monetary support for the Madera Downtown Association's plans to build an Arts & Cultural Center (as discussed in greater detail below). In addition, we commit $80,000 annually in monetary support to the Madera Downtown Association, sponsorship of all its events, as well as a monthly contribution of 40 volunteer hours. In addition, we plan to sponsor a paid internship for six months, which will rotate between the Madera Downtown Association and other worthy local community organizations.

Madera DOWNTOWN Association
P.O. Box 812 - Madera, CA 93639

June 17, 2022
Jeff Linden

Mona Davie, President
Madera Downtown Association

ECONOMIC OPPORTUNITY

MADERA CHAMBER OF COMMERCE

The Madera Chamber of Commerce supports a diverse regional economy by promoting the City's business community and positively contributing to the community's quality of life. The Madera Chamber of Commerce strives to endorse a strong local economy, represent and advocate on behalf of local businesses, provide opportunities to enhance business connections, and promote the community at large.

HerbNJoy joins the local Chamber of Commerce in every city in which we operate, and is a proud member of the Madera Chamber of Commerce. We look forward to partnering with the Madera Chamber of Commerce upon earning a license in the City. HerbNJoy is painfully aware that the COVID-19 pandemic has harshly impacted many small businesses and is committed to revitalizing the local economy.

HerbNJoy sponsored and participated in the Business Extravaganza and Home Show hosted by the Madera Chamber of Commerce & Madera Association of Realtors recently in June. We had a booth at the event and met many community members. HerbNJoy intends to provide a monetary donation each year to the Madera Chamber of Commerce to support its programming.



COMMUNITY ACTION PARTNERSHIP OF MADERA COUNTY

Community Action Partnership of Madera County ("CAPMC") is a non-profit organization with the mission of "improving the social well-being and economic capacity of low to moderate-income individuals and families, as well as providing opportunities to achieve economic independence." CAPMC is one of over 1,000 Community Action Agencies ("CAA") established by the Economic Opportunities Act of 1964. These CAAs were founded as an administrative umbrella for numerous anti-poverty programs, and continue to fulfill that mission to this day.

CAPMC continues to fulfill its mission to change the lives of County residents for the better by providing over a dozen programs, including but not limited to crisis intervention, child development, financial assistance, shelter, and transportation. In addition to these services CAPMC acts as a "voice and catalyst of empowerment and opportunity to the at-risk and invisible populations" of Madera County communities.

HerbNJoy believes that we can improve the economic opportunities of Madera County residents through support of CAPMC. HerbNJoy's Community Advisory Board will determine the amount of financial support that we will contribute to CAPMC.

MADERA
CHAMBER OF
COMMERCE

120 North E Street
Madera, CA 93638
Phone (559) 673-3563
www.maderachamber.com

May 10, 2022

Jeff Linden
HerbNJoy
1900 S. Norfolk
Suite 350
San Mateo, CA 94403

Dear Jeff,

Welcome to the Madera Chamber of Commerce, we thank you for choosing to include your business in our membership.

Please find enclosed your chamber membership decal, and chamber coupons. Remember to bookmark **www.maderachamber.com** and visit us on Facebook. We hope that you will participate in our many chamber activities, programs, and events…

The Madera Chamber of Commerce strives to represent the interests of business and the community with our support and involvement in several different community business events, providing networking opportunities for our chamber members.

Thank you again for choosing to become a member of the Madera Chamber of Commerce. Please feel free to contact me if you have any questions.

Sincerely,

Toni Jordan
Administrative Assistant
tjordan@maderachamber.com

OUR MISSION:
The mission of the Madera District Chamber of Commerce is to support a diverse regional economy by promoting a thriving business environment that contributes to our community's quality of life.

OUR COMMITMENT:
The Madera District Chamber of Commerce strives to:

- *Endorse a Strong Local Economy*
- *Represent and Advocate on Behalf of Business*
- *Provide Opportunities for Enhancing Business Connections*
- *Promote Our Community*

100% LOCAL HIRES

In order to achieve the Vision Statement of "Good Jobs and Economic Opportunities," the Vision Madera Update provides the strategy of attracting jobs to the City.

In addition to our support of the Madera Downtown Association and Madera Chamber of Commerce, as well as other small businesses in the community, as described in Section F, HerbNJoy will develop the Madera economy by staffing our store with 100% local residents. We will provide comprehensive training, listed as an essential action for strengthening the City's workforce in the Vision Madera Update.

Our job opportunities will help diversify the private sector employment options in the City. As explained in Section B, we will offer competitive pay and benefits packages, and therefore will support the local economy through provision of high paying jobs with plenty of opportunities for advancement.

STRONG COMMUNITY

As part of suggested strategies to strengthen the Madera community, the Vision Madera Update suggests connecting Madera's many community service clubs with all residents and local needs. Actions to achieve this strategy include publicization of local service clubs, connecting clubs with community needs, expanding and promotion of both youth and community organizations, and increased communication with service clubs.

MADERA EVENING LIONS CLUB

The Madera Evening Lions Club is the local Madera County chapter of Lions Club International, an international non-political service organization and 501(c)(4) non-profit striving to "improve health and well-being, strengthen communities, and support those in need through humanitarian services and grants that impact lives." The local Madera Evening Lions Club helps to raise funds to provide over a dozen different grants and programs for local nonprofits and organizations serving Madera County and beyond including Ronald McDonald House, Relay for Life, City of Hope, Heartland/ARC of Fresno/Madera Counties, Honor Flight, Hearing Foundation, and the Madera Community College. The Madera Evening Lions are particularly committed to supporting local youth through college scholarships, the Madera Leadership, Experience, Opportunity ("LEO") Club, and supporting local Madera youth sports leagues and activities.

HerbNJoy is excited to do our part to strengthen the Madera community through support of the Madera Evening Lions Club, through both a potential contribution of monetary support and/or volunteer hours. HerbNJoy's Community Advisory Board will determine the amount of financial support that we will contribute to the Madera Evening Lions Club.

MADERA COUNTY FOOD BANK

Since 1999, the Madera County Food Bank has fed hungry residents of Madera, Chowchilla, Fairmead, and the County's mountain areas. Currently, the Madera County Food Bank runs five programs and sixteen food distribution sites.

HerbNJoy has made an initial financial contribution to Madera County Food Bank, and is excited to contribute to building an additional food bank in Madera. In addition, as included in the letter below, we have committed to supporting Madera County Food Bank through a donation of 20 hours of volunteer hours per month, an annual monetary contribution of $25,000, and a paid internship at $20 per hour for up to 40 hours per week.



MADERA COUNTY
FOOD BANK
THE ♥ OF COMMUNITY MATTERS

225 S. Pine Street Madera, CA 93637
www.maderafoodbank.com
(559) 674-1462
EIN#77-0513468

Madera County Food Bank
225 S. Pine Street
Madera.CA 93637

Thank you for your recent contribution of one thousand dollars in support of the Madera County Food Bank. Every contribution helps us better serve the Madera community.

Our mission is to improve the quality of life of families and seniors that are food needy within our reach by offering basic sustenance. Food education and self-sufficient training.

We appreciate that HerbNJoy has decided to support the Madera County Food Bank in the following three ways as an engaged community partner:

20 hours of volunteer hours a month
$25,000 dollars annually
A paid internship @ $20 per hour up to 40 hours a week

Your interest in the Madera County Food Bank is appreciated and I hope that you are successful in receiving a license.

Looking forward to your continued support of the food bank specifically and in general HerbNJoy's community engagement in Madera.

The Madera County Food Bank acknowledges HerbNJoy for its commitment moving forward if selected for a retail license in Madera.

Regards,

Ryan McWherter
Executive Director

FRIENDS OF MADERA ANIMAL SHELTER

Friends of Madera Animal Shelter is a volunteer-run non profit organization providing rescue, rehabilitation, spay/neuter, veterinary care, and re-homing services to dogs and cats in need throughout Madera County. Friends of Madera Animal Shelter is funded entirely by donations, and is in dire need of funding. Our owner and local Madera resident, Vera Coffeen, works closely with the volunteers running this organization. HerbNJoy believes that Friends of Madera Animal Shelter is a perfect partner to support the homeless and needy animal population of Madera County. HerbNJoy plans to support Friends of Madera Animal Shelter through financial contributions, contribution of volunteer hours, and a potential drive to collect pet food and supplies as an in-kind donation. As demonstrated in the letter below, HerbNJoy has committed an annual donation of $50,000 to assist Friends of Madera Animal Shelter's spay and neuter efforts, as well as a donation of volunteer hours.

Friends of FMAS Madera Animal Shelter

P.O. Box 923
Madera, CA 93639
559.363.5106
www.fmas.info
fmasvolunteers1@gmail.com

June 15, 2022

Friends of Madera Animal Shelter would like to thank HerbNJoy for its commitment of financial support to assist our efforts with spay and neuter operations. HerbNJoy's $50,000 annual commitment will contribute to our mission of reducing the number of unwanted animals.

As a non-profit 501 (c)(3) organization, run by dedicated volunteers, we are thrilled that HerbNJoy will be an active community partner. They are including Friends of Madera Animal Shelter in their community volunteer program. This HerbNJoy program provides volunteer hours annually to three to four non-profits in each community where they operate.

We appreciate and acknowledge HerbNJoy for both its financial and volunteer commitment.

Sincerely,

Bob Labrucherie, President

Mission Statement
Friends of Madera Animal Shelter is a non-profit 501 (c)3 organization, run by dedicated volunteers working tirelessly to support the education of responsible pet ownership. Through donations, we spay and neuter pets in our community, reducing the number of animals being euthanized. We are sworn to saving animals in crisis, working with our rescue partners, finding qualified and loving forever homes through our adoption programs.
077-055184

ARTS & CULTURAL CENTER

The Vision Madera Update emphasizes that a rich cultural life is necessary to build a strong community, and that public arts are an important strategy to achieve this vision. As explained above, HerbNJoy plans to partner with the Madera Downtown Association in various capacities. Our local owner, Vera Coffeen, has spoken with Julia O'Kane, the director of the Madera Arts Council, regarding the Madera Downtown Association's plan to build an Arts & Cultural Center in the City. HerbNJoy believes that this project will greatly enrich residents' cultural life and support the City's public arts, and intends to provide financial support. HerbNJoy has committed $100,000 in monetary contributions to support the Madera Downtown Association's Arts & Cultural Center.

DOMESTIC VIOLENCE REDUCTION AND PUBLIC SAFETY

O.L.I.V.E.

In order to achieve a Safe, Healthy Environment, the Vision Madera Update includes many strategies related to reducing crime and violence throughout the community.

Overcoming Limitations through Intervention, Value and Empowerment ("O.L.I.V.E."), a charitable organization serving the Madera community, was founded in 2015 by Lt. Dan Foss of Madera Police Department in order to close the gap in resources provided to victims of human sex trafficking. O.L.I.V.E. is a unique organization due to the fact that it was founded by and has direct ties to law enforcement. O.L.I.V.E works with students of Fresno State University to provide education about and increase community awareness to the evils of sex trafficking. In addition, O.L.I.V.E works to empower victims of sex trafficking through intervention and connection with additional resources. As O.L.I.V.E.'s clients suffer from trauma-induced Post Traumatic Stress Disorder ("PTSD"), O.L.I.V.E. focuses on providing supportive services while allowing individual decision making, including through offering a safe house, assistance with rent and bills, counseling services, transportation, food, clothing, as well as assistance with educational applications, parole, probation, resume-writing, tutoring, and obtaining State and County resources. O.L.I.V.E. also provides assistance navigating the legal and healthcare systems, through courtroom advocacy, filing police reports, assistance with the CPS system, application for drug or alcohol rehabilitation, and more.

HerbNJoy is excited to support O.L.I.V.E. upon earning our license. Our owner, Vera Coffeen, knows Lt. Dan Foss well and is excited to work together to support O.L.I.V.E's mission. We have committed to contributing monetary donations to O.L.I.V.E., and as a sign of good faith have already donated $1300 towards their annual fundraiser, as well as attended the event. HerbNJoy will sponsor the cost of assisting a victim through O.L.I.V.E's program for the next five years.



Overcoming Limitations through Intervention, Value, and Empowerment.

OLIVE TEAM:

Operations Director:
April Molina

Board of Directors:

Lt. Dan Foss
Chairman

Lt. Robert Blehm
President

Cynthia Ramos
Vice President

Sylvia Anguiano
Secretary

John Molina
Treasurer

D.A. Sally Moreno
Director

Sgt. Alicia Videgain
Director

www.olivemadera.com
1625 Howard Rd.
Madera, CA 93637
559-365-6265

June 17, 2022

Dear HerbNJoy,

Thank you for your financial commitment to underwrite the cost to the organization of assisting a victim through the O.L.I.V.E. program and your continued support at this level of assistance for the next five years.

We appreciate your commitment and support that assists O.L.I.V.E. in fulfilling its mission.

Our goal is to help these women see the value within themselves and empower them to move forward. Through education, awareness and outreach, O.L.I.V.E. believes a difference can be made in the lives of women who have been victimized.

We appreciate HerbNJoy's recent attendance at our annual fundraising dinner and are grateful that they took the opportunity to engage with the organization and become a supporter.

Respectfully,

April Molina

April Molina

Operations Director

MADERA COUNTY CHILD ABUSE PREVENTION COUNCIL

The "A Safe, Healthy Environment" Vision Statement covers the need for a secure community. In the Vision Madera Update, reduction of domestic violence was listed as a strategy to achieve a safe and healthy environment. The Vision Madera Update explains that domestic violence includes child abuse.

Madera County Child Abuse Prevention Council ("MCCAPC") is a registered non profit organization with the mission to "support community efforts in the prevention, intervention and treatment of child abuse by promoting and facilitating education that strengthens, empowers, and preserves the dignity of individuals and families." Since 1986 the organization has provided dozens of programs and classes for children, teens, parents, and staff on numerous topics, including child abuse, bullying, nutrition, parenting, public safety, financial literacy, and many others. In addition to raising public awareness and providing education, MCCAPC plays a vital role by helping families and children find the support they need to prevent and treat cases of child abuse. As a member of the Central California Coalition of Child Abuse Prevention Councils, MCCAPC is able to collaborate with partner organizations to make a greater impact in the region.

HerbNJoy believes that MCCAPC is the perfect partner to reduce child abuse in the community, and thereby make the City more secure. Should MCCAPC accept donations from a cannabis company, HerbNJoy looks forward to providing support through financial contributions. HerbNJoy's Community Advisory Board will determine the amount of financial support that we will contribute to MCCAPC.



MADERA COUNTY SHERIFF'S FOUNDATION

In order to achieve a safe and healthy environment, the Vision Madera Update puts forth a strategy of ensuring the safety and protection of the community. Actions listed as part of this strategy include recruiting and retaining qualified first responders and public safety personnel, and coordinating with regional law enforcement to improve community safety.

The Madera County Sheriff's Foundation ("MCSF") was founded in 2016 by then Sheriff Jay Varney with a mission to "promote civic spirit in support of law enforcement and to enhance the ability of the Madera County Sheriff's Office to work even more safely and effectively." MCSF is a registered 501(C)(3) nonprofit that helps to raise funds for scholarships, law enforcement equipment, K-9 team support, and training and community engagement programs. The MCSF's scholarship program provides assistance to Madera County youth who are interested in pursuing a career in local law enforcement and includes assistance for both two and four year degree programs as well as certificate and training programs. MCSF provides support to the County Sheriff's department and builds stronger ties with the community.

Should MCSF choose to accept donations from a cannabis company, HerbNJoy looks forward to supporting MCSF's important work with community law enforcement. HerbNJoy's Community Advisory Board will determine the amount of financial support that we will contribute to MCSF.

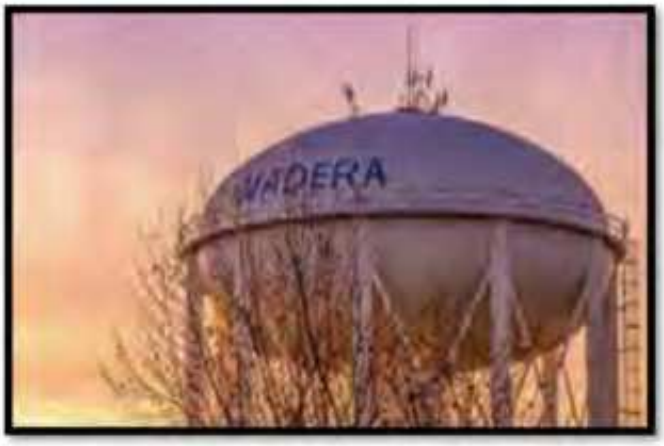
MADERA HAS CULTURE, INC.
(dba: Culture Cannabis Club)

SECTION G: COMMUNITY BENEFITS

COMMUNITY BENEFIT PLAN



CONTRIBUTION OF GROSS SALES



Culture will directly aid, participate in, and fund the work of local non-profits, community-based organizations, civic organizations, or social service organizations. Culture will achieve this goal through monetary donations to these organizations, financial support of city-sponsored activities and programs, encouraging and incentivizing volunteer drives, and in-kind donations to the City or other charitable organizations. To support our shared goals in the City, Culture will donate 2% of its gross sales to the Culture Community program. These 2% of gross sales will be available as donations to the community organizations deemed most in need. Together, we can bring impactful financial contributions and volunteer hours to the Madera Community.

Based on anticipated revenue as outlined in the Business Plan section of this application, Culture projects 2% of gross sales to equate to approximately $111,411 in Year 1, $125,895 in Year 2, and $144,779 in Year 3. Further, since Culture knows that there is always an immediate need for community involvement, **Culture will pledge $75,000 to its Community Benefits Fund at the time a license is awarded.**

VOLUNTEER HOURS

Culture creates a volunteer hour program for its employees, wherein owners and staff combined will contribute at least 30 hours per month of volunteer time to community service initiatives in the City. Culture pays for these employee volunteer hours as wages. This translates to almost $900 per month quantifying the enormous value volunteers will provide to the City of Madera.



https://independentsector.org/value-of-volunteer-time-2022/

SUMMARY OF GOALS

Culture operates compliant, safe, and secure operations in a beautiful, vibrant, and modern facility. Culture's business model focuses on customer service, education, and retention, while marketing campaigns are tasteful and respectful of the community at large. We believe that everyone within the communities we serve can benefit from education about the benefits of safe and moderate cannabis consumption, and Culture has the power to enact real, positive, and meaningful change in the City. Together with the people of Madera, Culture takes its responsibility further to ensure an inclusive ethos, social equity hiring, a robust employee benefit program, partnerships with local businesses, and upward company mobility. These commitments are core Culture standards that enhance the community from deep within.

Culture is determined to better the areas we serve by partnering with communities to create sustainable generational change. We favor and support programs with a proven model of holistic development that address the root causes of poverty, addiction, social displacement, and mental illness. **Partnering with Madera's community organizations is not a business transaction for Culture**, it is a deep and lasting connection with a community made of people of all cultures and races. The Culture Outreach team - led by our Director of Community Outreach, Julian Dominguez, with advice of the City Council - looks for foundations, charities, and organizations that can improve the quality of life for all citizens in Madera by providing social benefits and financial assistance. By carefully selecting our partner organizations, Culture is confident that granting us a license to operate a retail cannabis dispensary will lead to a lasting and positive social impact in Madera.

Culture has selected and secured partnerships with the following organizations in Madera:

1. O.L.I.V.E. Foundation
2. Madera Chamber of Commerce
3. Downtown Business Association
4. American Cancer Society

Our collaboration with these organizations will empower our Culture Outreach team to make meaningful contributions to the City and community of Madera. Once a partnership has been agreed upon with clear collaborative expectations, Culture will create the *Culture Community* program further outlined in the next paragraph.

THE CULTURE COMMUNITY PROGRAM

Culture pledges support for many corners of the Madera community through its comprehensive and strategic *Culture Community* program. The Culture Community team has diligently worked to understand the complex issues that are most prevalent in Madera and identified partnering organizations that could make the most effectual use of the support and philanthropy being offered by the Culture team. Building from owner **Julian Dominguez'** tenured experience and knowledge of the City and County, *Culture Community* is committed to making an impact in the following areas:

Public Outreach for Youth Education	Support for the Homeless
Senior Citizen Outreach and Education	Infrastructure Funding
Support for Community Public Safety	City Cleanup and Beautification Projects

Programs for the Underserved	Partnerships with Local Nonprofits
Drug Addiction Support and Rehabilitation	Community Problem-Solving
Programs that Celebrate Diversity	Health & Wellness Education

These are a few of the organizations that Culture has secured partnerships with as part of our ongoing commitment to establish meaningful programs aimed at the betterment of the community in Madera.

O.L.I.V.E. FOUNDATION - OVERCOMING LIMITATIONS THROUGH INTERVENTION, VALUE, AND EMPOWERMENT
330 South C Street
Madera, CA 93638
(559) 365-6265

Founded by Lieutenant Daniel Foss of the Madera Police Department, O.L.I.V.E. has been supporting victims of human sex trafficking since its initiation in 2015. Through his connection with the community Daniel reached out to students at Fresno State University to start the organization with the goal of empowering women who have been victimized by sex trafficking. **Culture is honored to partner with O.L.I.V.E.** to further their goal of providing women with the resources to empower their lives for the better. O.L.I.V.E. estimates that there are approximately 10,000 - 20,000 victims of sex trafficking in the Madera and Fresno County areas alone, demonstrating the immediate need for an organization that empowers women to overcome the hardships of sex trafficking. O.L.I.V.E. has participated in the creation of a safe-house meant to give women the space to rebound from these horrific experiences. These are substantive efforts that allow for women to escape the sexual exploitation, debt bondage, false claims, and violence associated with sex trafficking. We hope that by giving women resources such as housing and job support, we may begin to counteract the damage done by sex traffickers.

MADERA CHAMBER OF COMMERCE
120 N E Street
Madera, CA 93638
(559) 673-3563

Culture has partnered with the Madera Chamber of Commerce to promote the interests of Madera's local business community. This **strategic partnership** will increase our ability to collaborate with established community members and businesses to drive our robust community benefits program. By joining forces with these pillars of the Madera community, we are confident that our charitable giving and volunteer force will be utilized in the most effective way.

AMERICAN CANCER SOCIETY
425 N Gateway Drive
Madera, CA 93637
(800) 227-2345

Charlotte Brewer has been a leader in the fight against cancer in the City of Madera for many years. She has organized and participated in fundraising events for the American Cancer Society and we are honored to have her support as we continue to strengthen our relationship with the Madera community.

Events such as Madera's **Relay for Life** brings the community together while fundraising for an important cause. Much of the funds raised go towards the fight against cancer through educational programs, research, and services to patients.

As a company focused on wellness and alternative medicines, Culture supports the efforts of the American Cancer Society in this fight. We look forward to supporting the Relay for life and future events in the city.

MADERA DOWNTOWN ASSOCIATION
428 East Yosemite Avenue
Madera, CA 93638
(559) 673-3563

The Madera Downtown Association has been committed for many years to promoting and modernizing the Historic Downtown Business Area of Madera through various local events and public displays. The Association continues to support a rekindled liveliness to the downtown area by supporting local small businesses. These local revitalization efforts are what create a tight-knit community that allows for businesses and citizens to succeed. Culture understands that when surrounding businesses thrive, our community thrives, and we are honored to partner with the Downtown Association on the recent events listed below:

RECENT COMMUNITY SPONSORSHIPS

- Christmas Parade
- Pomegranate Festival
- 4th of July Fireworks Show
- Old Timers Day Parade
- Pomegranate Festival
- Madera Business Extravaganza and Home Expo (Platinum Sponsor)





CULTURE'S COMMITMENT TO SUPPORTING THE 55+ POPULATION & VETERANS



Residents aged 55+ and Military Veterans are increasingly turning to cannabis and CBD as a healthier alternative to opioids and other costly medications to manage pain, certain illnesses, sleep disorders, decreased appetite, and many other health issues. 55+ Americans are one of the fastest-growing demographics in the country, and we've found that along with Veterans, these groups of individuals often request and respond positively to targeted education on the use of cannabis for medical purposes. Culture provides creative and ongoing education programs for our 55+ and veteran customers. Our state-of-the-art and uncomplicated digital kiosks allow individuals to get detailed information about a product and its wellness characteristics. We also offer private consultation areas where a customer or patient can ask questions about their specific wellness goals and get personalized answers from an experienced Culture employee. Targeted outreach programs take place at scheduled times at senior living facilities or veteran centers where Culture Community's educated ambassadors can talk to small groups of residents about the benefits of moderate consumption of cannabis. If chosen as a cannabis retailer in the City, Culture will reach out to 55+ and veteran organizations to identify opportunities to educate these residents.

YOUTH PROGRAMS

Culture has in place a youth education program to protect the most vulnerable and susceptible to the negative impacts of drugs crime, gangs and violence. By creating strategic partnerships with organizations in the City, Culture will implement meaningful and impactful programs tailored to children ranging from elementary school age to teenagers. The goal is to ensure youth education on the negative impacts of all drug use, including cannabis. Our public education plan involves three pillars: **Embrace**, **Learn**, and **Grow**.

EMBRACE

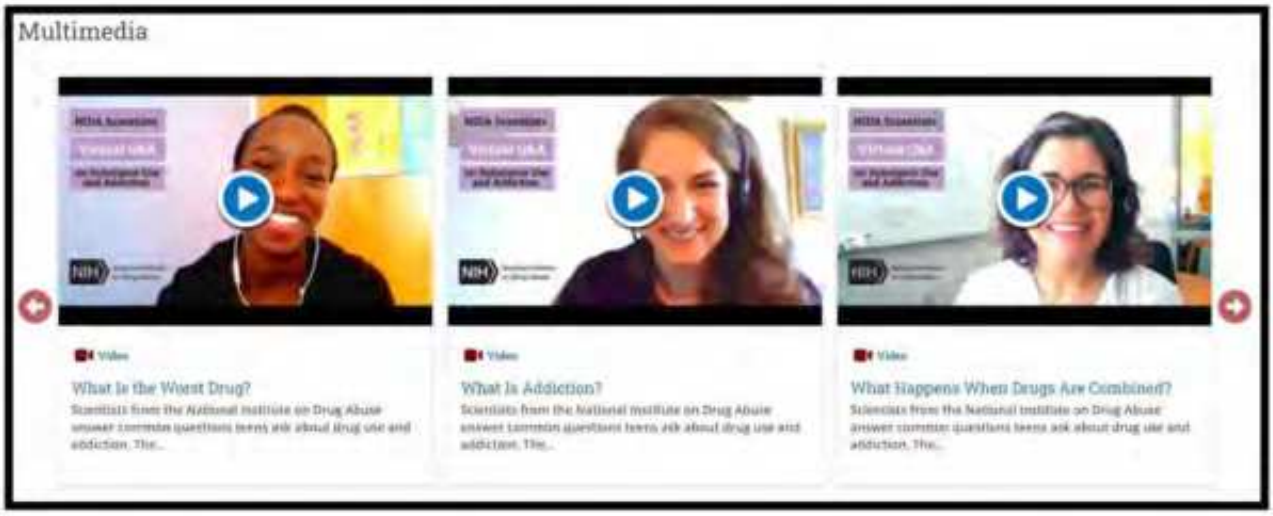
Culture knows that young adults with strong family and community ties are less likely to turn to a life of crime or substance abuse. Our program intends to embrace youth through arts, sports, and community action. It is our hope that keeping kids busy will keep them on the right path. Culture encourages youth to participate in some of the many programs and facilities available to them in the City of Madera.

LEARN

Culture is committed to providing accurate and age-appropriate educational materials to minimize the risk of youth exposure to cannabis and other drugs. Culture works with community leaders and subject matter experts to effectively communicate the effects, dangers, and other impacts of use or addiction to cannabis and other substances. Materials are age-appropriate and sourced by such reputable sources as the Department of Cannabis Control, National Institute for Drug Abuse, and the Centers for Disease Control and Prevention. Topics for in-person and online educational opportunities include:



- Health effects and risks of cannabis use, particularly in developmental stages of children and teens
- Addiction science and treatments
- Mental and emotional health through healthy coping skills

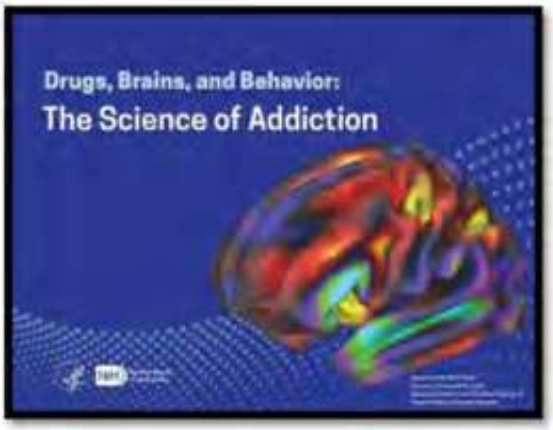


GROW

As a trusted community partner, Culture hopes to continue to embrace our youth with relevant information and positive healthy influences on every step of the way to adulthood. Education and outreach are tailored to different parts of a young adult's developmental journey. As our youth develop, so too do the tools and literature that best reach them. Topics shift from authoritative concepts to collaborative exchanges, with themes such as:

- Conversation starters for parents and leaders
- Effects of peer pressure in today's age of social media
- Mentorship programs for older teens to support drug awareness campaigns for younger children
- How to identify addictive behavior in yourself and others, and steps to address

Culture is proud of our commitment to our youth education and drug prevention programs. We carefully select Culture ambassadors and guests to deliver informational meetings and handouts. Along with personal experience and relevant narratives and anecdotes, we will draw on the following resources for age-appropriate materials:



- https://www.cdc.gov/marijuana/index.htm
- https://teen-safe.org/resources
- https://abovetheinfluence.com/resources/
- https://nida.nih.gov/research-topics/parents-educators

COMMUNITY BENEFITS EFFORTS IN HOST CITIES

It takes an entire community effort to beautify a city, and Culture is there to help!
Throughout 2021-2022, with the help of local citizen groups, Culture has organized and enacted the following efforts:

- Raised awareness and donated to local animal shelters and at-risk friends
- Donated to Corona teacher foundation to help purchase school supplies for kids
- Donated to a homeless family program to feed and provide care
- Donated and partnered with the Cal Cities to help them educate cannabis in new emerging cities
- Assisted with local park clean-ups in Long Beach
- Hosted a Vaccine Clinic in Fresno, CA

The following images document Culture's follow through on the promises it makes to its community. Culture was excited to spearhead a very successful beach clean-up that removed approximately 30 pounds of trash from the Long Beach beaches. Culture Corona has partnered with South Hills Church by organizing Angel Tree, an event designed to provide gifts to children with parents incarcerated during the holiday season. Culture Banning donates to A.R.E Animal Rescue making an impact on the care and difference the organization makes toward saving animals. In line with its efforts to help our four-legged friends, Culture hosted 10 Days of Giving, a fundraising event that provides nutritional care to animals in desperate need. Culture Long Beach continues to make a difference in its community with its beautifying efforts aimed at parks hosting monthly park cleanups in partnership with El Dorado Park. Lastly Culture is most proud of its partnership with HeroGrown Foundation hosting the 12 Days of Cheer event. HeroGrown is an organization designed to help veterans discover the healing potential of hemp and cannabis.









Association meetings to gain an understanding of what the needs are of our downtown and how he and Culture Cannabis can contribute to bettering our community. They have verbally committed to several projects that are currently being constructed.

- Ideal Location – The Madera Downtown Association requested of the Council to commit two locations within our Downtown Improvement District area. Their proposed location is a vacated building which sits on a key corner in downtown. Their conceptual drawings, elevations, and proposed art projects sit hand in hand with the goals and missions of various organizations that seek to improve downtown.
- Proven Commitment- As Chairman of the Old Timers' Day Parade, Culture Cannabis was our only top-level financial sponsor, and no other cannabis companies contributed to the parade. Additionally, Culture Cannabis has contributed to the Christmas Parade, Pomegranate Festival, the 4th of July Firework Show, and the Business Extravaganza. Culture Cannabis has also provided an exceptional community give back plan via the Madera Downtown Association, which he provided in writing.

Based on my personal involvement in our community, I have yet to see any financial contributions come from any other potential applicant. I have had dozens of verbal commitments, but I believe there is a clear delineation between verbal and actual commitments. Aside from Culture Cannabis's commitment to our community, I feel their proven track record solidifies their overall success in Madera.

Sincerely,

Nick Salinas

Chief of Staff – Madera County
Commissioner – City of Madera Civil Service Commission
Chairman – Madera Old Timers' Day Parade
President – Madera County Mosquito & Vector Control District
Acting Director – Madera County Art's Authority
Board Member – Madera Downtown Association
Board Member – Valley Public Broadcasting Service (PBS)
Board Member – Central Valley Opportunity Center
Member – 4th of July Fireworks Extravaganza Committee
Member – Madera County Courthouse Park Restoration Committee
Member – Madera Rotary Club
Student – CSU San Bernardino , CSAC County Cohort Master's Program

May 31, 2022

City of Madera
205 W 4th St,
Madera, CA 93637

RE: COMMERCIAL CANNABIS BUSINESS PERMIT APPLICATION

Dear Honorable Mayor, Members of the City Council, and City Staff,

I am writing this letter to express my support of Culture Cannabis Club for the Commercial Cannabis Business Permit Application in the City of Madera. As a civic leader, I understand the importance of bringing together partners to build a strong and healthy city for our residents to live, shop, play, and work. In the last decade, Madera County has seen an increase in population, yet we continue to face challenges in our economic growth, reducing revenue for community priority projects in the arts, housing, and revitalization of our Downtown.

Community engagement has the power to unite individuals in shared experience and vision, while also creating a bridge of trust with each other. There's no doubt that the City of Madera is a thriving opportunity of economic growth . I thank the City Council and City Staff for their hard work, their leadership in tackling such difficult conversations, and seeking opportunities of revenue for the City of Madera.

As you review applications submitted, I want to show my appreciation and support for Culture Cannabis Club. Throughout this process, they have shown their commitment to the Madera community. Not only have they assisted and engaged with community members at events such as the Old Timers' Parade, Downtown Tractor Parade, and Pomegranate Festival, but have also contributed financially through sponsorships. This goes to show they are more than just another business, but a dedicated community partner. In addition, Culture Cannabis Club has a strong history of working with community partners across California including Long Beach, Beverly Hills, Los Angeles, Concord, San Francisco, Sacramento and more.

I thank you for your time and in recognition of Culture Cannabis Club as a dispensary that will drive our Downtown economic vitality and contribute to the needs of the community, as well as be a partner of progress for our County.

In Community,

Leticia Gonzalez
Supervisor, District 4
Madera County

SUPERVISOR LETICIA GONZALEZ, DISTRICT 4
200 West Fourth Street • Madera, CA 93637 • 559.662.6040 • Leticia.Gonzalez@maderacounty.com • maderacounty.com

Overcoming Limitations through Intervention, Value, and Empowerment.

May 10, 2022

OLIVE TEAM:

Operations Director:
April Molina

Board of Directors:

Lt. Dan Foss
Chairman

Lt. Robert Blehm
President

Cynthia Ramos
Vice President

Sylvia Anguiano
Secretary

John Molina
Treasurer

D.A. Sally Moreno
Director

Sgt. Alicia Videgain
Director

www.olivemadera.com
1625 Howard Rd.
Madera, CA 93637
559-365-6265

To whom it may concern,

Olive Charitable Organization is pleased to have the support of Culture Cannabis. They have committed assist in our efforts to have a positive impact on the City of Madera. Culture Cannabis has agreed and committed in writing to donate to our organization what would amount to approximately 15% of our annual budget.

This commitment from Culture Cannabis would allow us to provide much needed services for the victims of human sex trafficking and exploitation. Of course, our agreement with Culture Cannabis is contingent upon their award of a retail cannabis license in the City of Madera.

We work hard to build community relationships and maintain the utmost transparency within our network.

If you have any questions regarding this affiliation, please don't hesitate to contact us at 559-365-6265 or olivemadera2015@gmail.com

Respectfully,

Dan Foss
Chairman

MAINSTREAM MADERA, LLC



MAINSTREAM MADERA

G - COMMUNITY BENEFITS & INVESTMENT PLAN

MAINSTREAM

Mainstream's mission is to successfully integrate legalized cannabis into mainstream culture. As a 100% minority-owned business, we recognize that this begins with the central tenets of social responsibility, community empowerment, and upward mobility. Mainstream has a demonstrated history of community involvement not only as a business but also on an individual level; each owner is a pillar of the local community.

Mainstream has spent the last year creating and hosting several giveaways in Madera to address the needs of the community, and what sets us apart is that we do not consider this charity, but rather a movement. As some may feel uncomfortable asking for or accepting assistance, Mainstream has taken on a commitment to transform what are typically considered "charity giveaways" into community celebrations for all families to come together and enjoy. If granted a retail license, we intend to continue each of these events until they become annual Madera traditions.

Mainstream's Community Events

- **Back 2 School Backpack Giveaway**
- **Coats 4 Kids**
- **Thanksgiving Turkey**

Back 2 School Backpack Giveaway

To ensure that Madera's youth were prepared for heading back to in-person studies, Mainstream created the first annual Back 2 School Backpack Giveaway in August 2021. We provided more than 300 backpacks to students. Each was filled with necessities, such as notebooks, paper, pencils, and highlighters, for the 2021–2022 school year. Our giveaway event featured a barbeque, drinks, and a bounce house, and we even provided haircuts to Madera's youth through owner Rico Saldivar's hair salon and barbershop, Salon Divar and Redwave Barbers.






City of Madera

MAYOR'S CERTIFICATE

Mainstream Madera

Coats for Kids Pumpkin Patch

To help families gear up for the winter season, we held our Coats 4 Kids event in October 2021. Being locals ourselves, we understand that Madera families often struggle to put their children in warm coats during cold Madera winters. So, we created a massive pumpkin patch, complete with a photo booth, and distributed beanies, gloves, and coats to the children of Madera. In addition to providing children with winter gear, we gave them fresh haircuts through Salon Divar and Redwave Barbers.







Thanksgiving Turkey Giveaway

In November 2021, we partnered with Lavish Madera for a major Thanksgiving Food Drive event at McNally Park. We gave over 800 packages of food, including turkey, chicken, milk, cheese, butter, mashed potatoes, mac and cheese, biscuits, and other traditional Thanksgiving sides to over 800 Madera families. We intend to continue partnering with local cannabis business applicants to organize events similar to this one to help provide for our Madera community.



The Madera Tribune

Thanksgiving drive held

Golden Valley SD makes major moves







MAINSTREAM OWNER GEORGE DELEIJA, a lifelong resident of Madera, is a first-generation Mexican American business owner who strives to build a strong and engaging community through his entrepreneurship. Mr. Deleija began his volunteer efforts over 10 years ago by volunteering for Kings View Ready, Set, Go in Madera. Through this youth empowerment program, Mr. Deleija helped high school students and young adults in Madera County work to develop resources, life skills, and strategies to improve their self-esteem and assisted them with creating successful lives. Since then, Mr. Deleija has dedicated hundreds of hours to his community, including running food drives through his businesses and creating in-kind donation events to help support Madera's youth. Mr. Deleija and his wife, Marilyn Deleija—a DACA recipient who was born in Guatemala—actively support and participate in Madera Votes, a nonpartisan, local civic engagement group that aims to amplify the unheard and economically distressed voices of Madera. The couple, who met while both were attending Easton Arcola Middle School in Madera, helped over 5,000 people register to vote in Madera's last election. Mr. Deleija owns, operates, and manages five U-tec Technology Repair storefronts in Madera, Fresno, and Clovis, where he currently employs over 20 Central Valley residents. Mr. Deleija's goal in opening the Mainstream dispensary is to continue to hire, produce, and sell local, because he understands that when you keep your money where your heart lives—the Heart of California—it helps to preserve and perpetuate true community values. He hopes to continue to build deep, authentic relationships and partnerships so Mainstream will become a consistent voice to lift Latinos such as himself into positions of leadership and advocacy.



OWNER RICO SALDIVAR has become a pillar of the Madera community since founding the Mainstream brand and making it a beacon of community service. Mr. Saldivar is often credited with having a genuine heart, relentless drive, and a passion for helping others. Mr. Saldivar regularly serves his community by actively participating in and sponsoring events that have a positive impact on Madera and the Central Valley. Since 2008, Mr. Saldivar has actively sponsored the Muscular Dystrophy Association's event, The MDA Lock-up, helping to provide lifesaving research to individuals and families affected by neuromuscular diseases. Additionally, Mr. Saldivar and his wife, Ofeilia Saldivar, sponsored and participated in The Sweetheart Luncheon, a beauty pageant for children with Down syndrome. The couple also sponsored the Broadway Cabaret, a show presented by The Arc in Madera and Fresno County. For the last 16 years, Mr. Saldivar has sponsored and hosted the Fresno Tattoo Expo at his tattoo and art gallery, Redwave Tattoo, in Fresno. Sponsoring this event led Mr. Saldivar to create Toys-4-Tats, a program that has hand delivered gifts to children in Madera, Fresno, Clovis, and throughout the Central Valley since 2011. Through his barbershop and salon, Mr. Saldivar created Kidz Day, an event aimed at providing children with haircuts before they return to school to help instill confidence, self-esteem, and a great mindset for the beginning of the school year. Driven by his love for jiu-jitsu and his passion for helping to elevate others, Mr. Saldivar has sponsored over 22 up-and-coming Central Valley fighters by providing them with necessities and capital to help them dedicate themselves to MMA. Additionally, in partnership with local gym Madera Martial Arts, Mr. Saldivar sponsors children whose parents cannot afford to pay for their jiu-jitsu training. His efforts have helped several young athletes learn discipline, hard work, dedication, and how to help others. This serial entrepreneur intends to bring his operational business knowledge and experience, as well as his love for giving back to the community, to the Mainstream team.



OWNER MATTHEW GARZA, nominated for Major League Baseball's prestigious Roberto Clemente Award, which is given to recognize a player who demonstrates extraordinary character, community involvement, and philanthropy on and off the field, has been a consistent supporter of initiatives that affect women and children. A strong supporter of ending domestic violence, Mr. Garza has helped to raise over $75,000 for various organizations, including the Sojourner Family Peace Center, Meta House, and The Joy House. Additionally, Mr. Garza actively participates with the Make-a-Wish Foundation, helping to grant wishes and visiting hospitals to bring strength, hope, and transformation to children with critical illnesses. For the last six years, Mr. Garza and his wife, Serina Garza, and their six children have opened their home to host and support the entire CASA Fresno/Madera County community—over 800 people—as they come together for the annual Crab Boil. The event is aimed at raising awareness and capital and advocating for abused and neglected children who have been placed in foster care. The Garzas, who believe that strong families make for strong communities, intend to continue giving back to the Madera community as a family and in the Mainstream name.



ADAM HIJAZI founded the Long Beach Collective Association (LBCA) with one goal: to advocate for fair and consistent cannabis industry regulations, policies, and laws. Through the LBCA, Mr. Hijazi has worked to unite commercial cannabis businesses that operate illegally under California state law and to offer them guidance to help cannabis operators succeed in the legal cannabis market. Mr. Hijazi's passion to strengthen the cannabis industry and educate communities led him to teach the first ever Intro to Cannabis 101 course at Long Beach Community College. Mr. Hijazi opened the first licensed retail facility in Long Beach in 2010 and has gone on to open another retail dispensary and a cultivation facility that employs over 50 people. Recently, Mr. Hijazi partnered with AOC7, an association aimed at uniting residents and businesses to prevent community deterioration and enhance public safety, to periodically organize cleanup days called "It's Time to Clean up the Neighborhood." His goals for Mainstream include continuing to integrate it into the community, becoming a reliable actor with respect to Madera and California regulators, and maintaining planned metrics for safe, effective, and compliant growth. Mr. Hijazi is a true believer in the cause of bringing people into the regulated market; he has seen firsthand how dispensaries can serve as forces for connecting people with their community.

As demonstrated by the work Mainstream has already commenced, our roots in and loyalty to Madera far exceed the superficial connections promised by larger national and out-of-town cannabis retailers. We're locally grown, so we understand the importance of building and maintaining strong connections to the Madera community. Mainstream's owners already have our boots on the ground: we've had more than a dozen meetings with local organizations and leaders to share our vision, gather and integrate feedback, and build partnerships to proactively support the needs of the Madera community by providing financial support, supporting in-kind donation drives, and volunteering.

Mainstream will continue to proactively engage with and listen to the needs of local people to determine how best to allocate our community contributions. As part of this initiative, we will establish a Community Benefits Advisory Board to oversee distribution of the Community Fund and make recommendations for how our storefront can best help the community. We have already selected well-deserving Madera leaders as board members. The Community Benefits Advisory Board is made up of Madera residents appointed on the basis of their strong community ties and their personal and professional experience with community benefits work.

Community Benefits Plan

Community Benefits Advisory Board

Mainstream believes in giving back to the community and will be donating 2% of its annual gross revenue to various community organizations, described below, based on the recommendations of our Community Benefits Advisory Board. We have recruited leaders from the Madera community to serve on this board to help identify local needs and guide Mainstream regarding where donations can best be directed to serve the City of Madera. The board will meet quarterly to decide to whom and how the funds should be allocated. We will provide the City with reports, annually or more often upon request, documenting these contributions. The Community Benefits Advisory Board will initially consist of Daniel Riley, Jim Kocher, Chris Arias, Alex Salazar, and Dr. Neely.



Madera business owner Dan Riley's family tradition, which began with his grandfather home brewing five-gallon batches of beer on the kitchen stove, has grown to be a 16-acre complex with 76,000 square feet of buildings. Mr. Riley first found himself advocating for Madera businesses, farms, and residences in 2013, when the California High-Speed Rail Authority threatened to run its new high-speed rail through his property. Having emerged victorious from that effort, Mr. Riley believes that the community needs to consistently "engage soon and often." Mr. Riley is proud to represent Madera's small business owners, and we are pleased to welcome him onto our Advisory Board.



Through his position as the **Executive Director of the Madera County Arts Council, Jim Kocher** has made it his mission to support and promote all arts in Madera County. Before working for the Council, Mr. Kocher's entrepreneurial spirit and passion for customer service led him to cofound a successful consulting business focused on enhancing professional services by providing input and assessing organizations to determine how their processes can be improved. Mr. Kocher has over 30 years of professional experience, including time with Showbizjobs, Dignity Health, The Walt Disney Company, and the Playhouse Merced community theater. At Playhouse Merced, he helped lead the nonprofit arts organization toward improved community awareness and attendance and increased donors and sponsorships. We are grateful to have Mr. Kocher's voice on our Advisory Board.



Born and raised in Madera, local resident Chris Arias helped to launch the Madera COVID-19 Hunger Relief Fund, which raised over $7,000 in donations and helped provide for more than 50 Madera families. Mr. Arias owns and operates Madera Martial Arts, a fun and energetic training facility that teaches athletes a mixture of martial arts and discipline. Mr. Arias is most proud of his Little Champs program, which he says is the "heart and soul" of his facility. Mr. Arias is proud to be able to contribute to his student athletes' growing confidence, focus, and self-esteem. Mr. Arias also works as a real estate agent with Miracle Realty. We are excited to have Mr. Arias as part of our Community Benefits Advisory Board.



After 32 years as an Electrical Substation Supervisor with Pacific Gas and Electric, Dr. Neely currently serves as the President of the BTU Congress of Christian Education for the San Joaquin District Association, Dean of the Mt. Zion Theological Seminary, and remains active in the Ministerial Alliance of Madera. Dr. Neely has been married to First Lady Yvonne Neely for 45 years and together they have raised six children. No stranger to the Madera community, Dr. Neely's extraordinary gift of teaching, mentoring and administration will provide valuable insight Mainstream Advisory Board.



For over 20 years, Alex Salazar has helped over 1,000 families become homeowners in Madera. Currently serving Madera, Merced and Fresno counties, Alex and his team of real estate professionals were named one of the top real estate teams in Northern California two consecutive years in a row. Alex first became interested in local matters after he was appointed as the Government Affairs Director for the Madera Association of Realtors. His leadership helped forge the passage of two local school bonds. Alex has served as the Director of the California Association of Realtors, Region 12 Director representing realtors from Madera to Bakersfield, member of the ADA Advisory Committee and also served as a member of the City of Madera Planning Commission, where he served for three years.

Benefiting the Community by In-Kind Donation Drives and Events

Mainstream has found that in-kind donations are just as valuable and often more meaningful than monetary donations. In-kind donations will continue to be a key strategy in our community benefits program. We will commit to participating in the following in-kind donation drives:

- **Valley Children's Healthcare**
- **Christmas Extravaganza**
- **Madera Rescue Mission**
- **Redwave's Toys 4 Tats**

Valley Children's Healthcare

Valley Children's HEALTHCARE

For seven decades, Valley Children's Healthcare has provided high-quality, comprehensive healthcare services to 1.3 children living in the Central Valley, regardless of their families' ability to pay. Mainstream will donate toys, games, books, and personal items to patients and families to help support the hospital's vision to support kids right here in the Valley.

Christmas Extravaganza

A Madera tradition, the Christmas Extravaganza donation drive is spearheaded each year by Mayor Pro Tem Anita Evans. To celebrate the Christmas and holiday spirit, Ms. Evans collects, and hand delivers Christmas presents to the children of James Monroe Elementary school in Madera. The 2021 Extravaganza was able to give over 150 presents to some of Madera's most underserved children. Mainstream directly participated by contributing to and assisting with the Extravaganza, and it intends to continue the tradition in 2022.





Madera Rescue Mission

Since 1987, the Madera Rescue Mission has provided vital services to men, women, and children who find themselves without a home. The Mission provides food, hot showers, clean beds, and many other services. Mainstream will work with the Madera Rescue mission to help raise donations, including food and the necessities of living.

Redwave's Toys 4 Tats



Every year, Redwave Tattoo & Art Gallery donates personalized tattoos in exchange for children's toys valued over $30. The toys collected are then hand delivered to children in Madera, Clovis, Reedley, Kerman, and Fresno. Mainstream intends to participate in 2022's Toys 4 Tats drive after having already proudly sponsored and participated in the toy drive in December 2021. We were able to provide 435 presents, valued at over $15,225, to children throughout the Central Valley.

Benefiting the Community by Participation in Support of City-Sponsored Events

Relay for Life of Heart of California

The American Cancer Association, dedicated to helping people with cancer, holds a very special place in the hearts of Mainstream's owners. Ofeilia Saldivar, Rico Saldivar's wife, was diagnosed with ovarian cancer in 2019. George Deleija's father, Francisco Deleija, was diagnosed with stage 4 lung and kidney cancer in 2016. Mr. Deleija attributes his passion for fixing computers and gadgets to his father, who worked for the Madera Unified School District for 33 years until the day of his passing on February 11, 2021, when he lost his fight with cancer.





Each year, the American Cancer Foundation ensures that no one faces cancer alone by providing cancer information, answers, hope, and a sense of community. The Association accepts donations to help to fund groundbreaking cancer research and patient programs and make a difference in communities like ours. Mainstream intends to participate in the next Association's Relay for Life of Heart of California.

Madera Downtown Christmas Light Parade



The Madera Downtown Christmas Light Parade, held every year by the Madera Evening Lions and the Madera Downtown Association, takes the concept "parade" to another level. Madera residents string lights on their tractors, cars, fire trucks, and other vehicles to light up the town. Visitors enjoy the lights of over 40 entrants and the wineries along the route. Since Mainstream's proposed location, 300 East Yosemite Avenue, is on the route of the parade as it runs through downtown Yosemite, it is a given that we will attend the 2022 Madera Downtown Christmas Light Parade. We participated in the 2021 parade and intend to show our appreciation for the Madera community by continuing this fun tradition.

Local Madera Art Hop in Coalition with Madera Arts Council

If selected as a license recipient, Mainstream will partner with the Madera Arts Council to create the Madera Art Hop. This event will be an opportunity to meet and greet artists as well as a way for local artists, organizations, and businesses to showcase their work and bring the Madera community together in their shared love for the arts, culture, community, and cannabis. Mainstream plans to partner with the Madera Art Council and Downtown Association to create a Downtown Mural District that will feature local artists and Nationally renowned mural artists , Joshua Wigger and Eric Drane.

Madera County Artfest

The Madera County ArtFest is a fun festival that promotes art in the community. Every year, the ArtFest features face painting, hands-on art activities, live art demonstrations, performance art groups, and much more. Mainstream strives to emphasize the importance of art in the downtown community, and we intend to participate in and help promote this Madera tradition.

CASA Fresno Madera's Duck Race, Chef Cook-Off, and Crab Boil

CASA Fresno Madera is a voice for abused and neglected children in the community who have been placed in foster care. After a child has been removed from their home due to abuse and neglect and is placed in foster care, these volunteers—court-appointed special advocates—work with the courts to help judges make informed decisions in the child's best interests and to advocate for the child's needs and provide ongoing support during their journey through foster care. Mainstream commits to participating in the Great CASA Duck Race to help support CASA. Mainstream will also participate in the second annual Chef Cook-Off. The money raised during this event goes directly to the recruitment, training, and support of compassionate volunteer advocates who speak on behalf of the abused and neglected children in the Madera community. Mainstream's owner Matthew Garza actively patriciates in the annual Crab Boil by inviting over 800 guests into his family's home to help raise money for the children of CASA Fresno Madera. Mainstream intends to attend and participate in all three of these events to support and generate awareness of the community's most at-risk children.

Participation in Volunteer Services

- **Community Beautification Days with the Parks & Community Services Department**
- **Paid Time Off Program**
- **The Arc of Fresno Madera Counties: An Enchanting Evening**

Community Beautification Days with the Parks & Community Services Department

In conjunction with the Parks and Community Services Department, Mainstream will establish monthly Community Beautification Days. Employees will pick up trash and clean up graffiti in the area around the retail business. Mainstream believes that cleaning up downtown Madera is an important strategy for building a strong and vibrant community.

Additionally, we plan to conduct an annual tree planting event as part of our Community Beautification Days to offset carbon emissions. Information about these Community Beautification Days will be posted in our retail facility for employees and customers to see. Information will be featured on our website to provide inquiring customers with information on how to participate. Customers and community members wishing to participate will be rewarded with store discounts or branded merchandise.

Paid Volunteer Time Off Program

Mainstreams will implement a Paid Volunteer Time Off Program at our facility. The program will grant each employee up to 40 hours per year of paid time to volunteer during working hours as a way of building and fostering strong relationships with our surrounding and downtown community. Employees who take advantage of the program will be free to select a nonprofit to support with their time.

The Arc of Fresno and Madera Counties: An Enchanted Evening



In coalition with the Arc Club and Madera Counties, Mainstream lent their artistic talents in providing hair and make-up for the actor participants in the Arc Club's production of Beauty and the Beast. The Arc Club of Fresno and Madera Counties offers individuals with intellectual or developmental disabilities the opportunity to succeed in a supportive environment. Mainstream will continue to support the Arc Club of Fresno and Madera Counties for years to come.





Benefiting the Community by Funding

Mainstream understands that Madera has faced exceptional challenges stemming from the pandemic, societal unrest, and a particularly harsh drought season. With that in mind, Mainstream's community contributions plan is tailored to address those most in need and designed to alleviate some of the burden on organizations that do so much good for many members of our community.

The organizations that Mainstream has committed to make donations to were selected for their deep ties to the Madera community and alignment with our core values. Initially, Mainstream will be donating 2% of its annual gross revenue to the identified organizations. Based on our research, and in consultation with local community leaders and organizations, Mainstream has selected the following four organizations to receive its donations:

- **Madera VFW Hall Post #1981**
- **Madera County Food Bank**
- **Madera County Arts Council**
- **Martha Diaz Shelter**
- **Sponsorship of local athletes**

Madera VFW Hall Post #1981



The Veterans of Foreign Wars of the United States is a nonprofit veterans service organization comprising veterans and military service members from the active, guard, and reserve forces. Madera VFW Hall Post #1981 ensures that those who've protected American's freedom are protected in return. It helps facilitate the rehabilitation of the nation's disabled and needy veterans and assists the dependents of needy or disabled veterans by providing access to services in the Madera community. Mainstream seeks to be of service to VFW members by sponsoring them with monetary donations and providing those with chronic pain and other service-connected health conditions with secure access to cannabis. Further, if granted a license, Mainstream will give discounts to VFW members.

Madera County Food Bank



The Madera County Food Bank strives to improve the quality of life of families and seniors by offering food, basic sustenance, food education, and self-sufficient training. The Madera County Food Bank runs five thriving programs and distributes food at 16 locations. Mainstream has already financially contributed and intends to continue donating to help feed the people of Madera.

Madera County Arts Council



The Madera County Arts Council gives Madera County residents and visitors access to art and culture through its diverse programs and services. It encourages a wide variety of public art and initiates fundraising activities to sponsor art in public places. Like the Madera County Arts Council, Mainstream strives to play a role in the economic development of the area through promotion of the arts. We have already made a monetary contribution to the Arts Council, and we intend to create an Art Hop event alongside the Council, as discussed above.



Martha Diaz Shelter



The Victim Services Center at Community Action Partnership of Madera County (CAPMC), in conjunction with the Martha Diaz Shelter, helps to provide compassionate and comprehensive services to victims of crime, sexual assault/rape, and domestic violence. The Martha Diaz Shelter provides up to 30 days of shelter, food and clothing to men, women, and children who are in imminent danger of domestic violence. Mainstream intends to donate a portion of its Community Investment Fund to the Martha Diaz Shelter.



Local Sponsorships



Mainstream feels strongly about investing in the future of youth sports by providing resources to help low-income and marginalized families remove the financial obstacle of participation. With today's economy, Mainstream understands that many families cannot afford to place their children in extracurricular activities. For this reason, they have personally sponsored over 100 Madera County children in numerous sports and tournaments in the Mainstream name. Not only does Mainstream provide financial resources, but they also provide sport apparel and gear to help children feel confident when out on the mat or field. If selected for a license, Mainstream will continue on their mission to level the un-level playing field in youth athletics.



Economic Incentives That Help Achieve Policy Goals

Local Business Partners

In addition to providing direct aid to, participating in, and funding the work of local community organizations, Mainstream supports and will continue to patronize local businesses whenever possible. Its owners being local business owners themselves, Mainstream realizes the importance of engaging with and supporting local businesses, including women-owned and minority businesses, to promote economic development and prosperity in Madera. We have identified the following Madera businesses that we intend to purchase from should we be awarded a license to operate:

MADERA PRIVATE SECURITY 910 W. YOSEMITE AVE., MADERA, CA 93637

- Mainstream intends to contract with Madera Private Security to provide security services for our dispensary.

BRIAN'S HEATING AND COOLING 2910 FALCON DR., STE. D, MADERA, CA 93637

- Mainstream intends to partner with Brian's Heating and Cooling for our HVAC installation and maintenance.

U-TEC MADERA 106 N. GATEWAY DR., STE. 102, MADERA, CA 93637

- Mainstream intends to partner with U-tec Madera for computer repair services.



PITA HOUSE 114 N GATEWAY DR., MADERA, CA 93637

- Mainstream intends to partner with Pita House to provide meals at our staff-sponsored events.



LAS DELICIAS 901 N D ST., MADERA, CA 93638

- Mainstream intends to partner with Las Delicias to provide meals at our staff-sponsored events.

On April 22nd, 2022, Mr. Saldivar opened a new ScreenPrint, DTG printing and Embroidery business called "Redwave Print Studio" which will be utilized to sponsor Mainstream and Madera community events.

Madera Chamber of Commerce 120 N E St, Madera, CA 93638

Madera Downtown Association 428 E Yosemite Ave, Madera, CA 93638

Mainstream has joined the Madera Chamber of Commerce and Madera Downtown Association as a way of making inroads with local businesses. Mainstream realizes that as a small business, it must lean on the support of other small businesses to help its dispensary thrive. We believe that local businesses are the backbone of the economy. Therefore, our support goes beyond providing direct aid. Mainstream will partner with the Chamber and Downtown Association to hold networking events. This will allow us to obtain resumes and local vendor proposals. Mainstream appreciates both the Chamber's and the Downtown Association's roles as drivers of economic development and opportunity in the city of Madera.

Madera DOWNTOWN Association
P.O. Box 812 - Madera, CA 93639

June 17, 2022

Rico R. Saldivar, Mainstream

To Whom It May Concern:

We would like to thank you for attending our meetings and allowing us the opportunity to get to know your company. Learning of your goals, plans, and future commitments to serve our area provided us the opportunity to see what your presence could potentially do for our city with an emphasis on our downtown district.

The Madera Downtown Association would like to acknowledge our formal support of your application for a cannabis permit to conduct business in the downtown area.

Thank you for your commitment to Madera Downtown Association and the non-profits in our community. We look forward to partnering with you on future projects, pending approval of your permit.

Best wishes as you move forward in this process.

Respectfully,

Mona Davie, President
Madera Downtown Association

Local Product Support

Mainstream will make purchasing decisions using criteria that favor the local supply chain. When selecting products to stock our shelves, we will give preference to cultivators, manufacturers, and distributors in the Central Valley. Additionally, we will designate prime shelf space for local brands to help support the local supply chain. Mainstream will proactively seek out and pursue products with locally licensed operators.

Spanish Language & Disability Support

The 2021 Census Bureau reflects that 54% of Madera residents identify as Hispanic or Latino. To ensure that our Spanish-speaking customers are never overlooked, Mainstream will commit to having at least one staff member on site who is fluent in Spanish. Everyone on the Mainstream team will be trained on how to assist customers who speak a different language or have a disability. Mainstream is committed to inclusiveness in support of safe access to cannabis.

Local Employment Opportunities

Madera Local Hire Preference

Furthermore, Mainstream will commit to 85% of its location's employees being local hires. To reach our 85% local-hire goal, we will use various recruitment strategies, including posting on Indeed.com and engaging with local nonprofits, such as the Workforce Development Board of Madera County, to reach a broad swath of the community. As our economy rebuilds, opportunity in the cannabis industry only continues to grow as legalization progresses and passes into law across the country. Mainstream plans to break down barriers to entry by minorities to contribute to that growth through retail ownership and entrepreneurship. Mainstream is committed to building a Madera team that reflects the local market by hiring Madera residents who can relate to customers at all socioeconomic levels. It has been our experience that local employees know the local market better than anyone and help to serve as our connective tissue to the community.

See Following Labor Peace Agreement





Jacques Loveall
President
International Vice President

Labor Peace Agreement

Mainstream Madera ("the Company") and the United Food and Commercial Workers Union Local 8-Golden State ("the Union") hereby agree to the following terms:

1. Neutrality and Non-Disparagement. The Company agrees to take a neutral approach to unionization of workers, meaning that the Company, which also includes any managers, agents, and representatives, will neither help nor hinder the Union's organizing effort, including making any statement or taking any action that directly or indirectly indicates or implies any opposition to workers selecting the Union as their collective bargaining representative, or directly or indirectly supporting or assisting in any way any person or group who may oppose the Union. This includes the Company refraining from making negative comments or otherwise demean by word or action the Union, Union representatives, or unionization. The Union agrees to refrain from exercising its rights to picket, handbill, boycott, work stop- page nor engage in any other economic interference against the Company's facilities or operations; however, if the Company recognizes another union as the bargaining representative of any workers, the union's obligation will automatically cease to apply to those workers' facilities or operations.

2. Bargaining Unit. The Union will notify the company of the facilities and/or operations for which the union seeks to invoke this agreement's unionization process and, in this notice, the Union will designate the bargaining unit. The Union will invoke this agreement's unionization process for any of the Company's employees no more than 1 (once) per Quarter. If the unit of employees to be covered by this Agreement is one in the exclusive jurisdiction of the California Agricultural Labor Relations Act, the Parties will meet within ten days of such knowledge and modify the Agreement to comply with that law as mandated by its terms.

3. Access. The Company grants the Union and its Union representatives access onto the Company's premises during working hours to speak with bargaining unit employees for any duration during any non-working time, including meal periods and rest breaks. The Company will cooperate with the Union in making arrangements to permit these conversations to be held in areas where the employees will be able to speak to the Union representatives without monitoring by the Company. If the Company believes that the Union's access on the premises is disrupting operations, it may discuss the issue with the Union.

4. Meeting. At the Union's request, the Company will conduct a meeting on a mutually agreeable date(s) and time(s) with all of the bargaining unit employees on Company time. At the meeting, the Company will tell the employees that it is neutral, does not object to their talking to and supporting the Union, and will negotiate a collective bargaining agreement (CBA) with the Union if a majority of the bargaining unit employees designate the Union as their collective bargaining representative. Union representatives will attend the meeting and, after the Company has introduced them and left the meeting, the Union representatives will talk with the employees about the Union. The Union will request this meeting no more than once per Quarter.

5. Contact information. At the Union's request, the Company shall furnish to the Union the names, job classifications, home addresses, cell phone numbers, home phone numbers and email addresses, if known, of the bargaining unit employees (collectively, "contact information"). The Company further agrees thereafter to provide updated worker contact information, as reasonably requested by the Union.

6. Recognition. When a majority of bargaining unit employees designates the Union as their collective bargaining representative, the Company will recognize the Union as the exclusive representative of the bargaining unit, provided that the Union may assign jurisdiction and representation rights to any of its affiliates. At either party's request, a neutral third party may confirm majority authorization. The Company and the Union will comply with all requirements necessary to obtain certification of the Union as the exclusive bargaining representative of these employees.

7. Elections. The Company waives the right under the National Labor Relations Act to file any petition with the National Labor Relations Board for any election in any bargaining unit subject to this agreement by itself or as part of a larger unit, and agrees to refrain from directly or indirectly supporting any such petition. If any election petition is filed, the Company agrees that, at the Union's request, the Company will enter into a full consent election agreement under Section 102.62(c) of the NLRB's Rules and Regulations under the terms the union determines. The Company waives the right to file any unfair labor practice charge related to or based on this agreement, the Union's demand for recognition under this agreement, the Union's election, or any other matter related thereto, and further agrees to refrain from directly or indirectly assisting with or supporting any such unfair labor practice charge. As long as the Company and the Union have complied with Arbitrator's orders as described below.

8. Bargaining. No later than 90 days from the date of recognition (or 45 days from a request by the Un- ion to bargain a successor contract for a contract with an impending expiration date), the parties will begin good faith bargaining for a CBA covering the bargaining unit. This timeline can be extended through mutual agreement by both parties. If the Union and Company are unable to agree to a collective bargaining agreement within 120 days of commencement of negotiations, the parties agree that either the Company or the Union may require that all open provisions and issues be submitted to final and binding interest arbitration per the subsection titled herein "Arbitration." The arbitrator shall be guided by the:

(i) Company's size, type of business, and financial ability;

(ii) The employees' ability to sustain themselves, their families and dependents on the wages, hours, and benefits they earn from the Company, and the living wage for their family size and region, as indicated in the MIT Living Wage Calculator (http://livingwage.mit.edu/)

9. Arbitration. The parties agree that final and binding arbitration will be the exclusive remedy for any alleged violations of this Agreement and any dispute or claim arising from or relating to the interpretation or application of any provision of this Agreement. Unless they promptly agree on an arbitrator, the parties will proceed to expedited arbitration using the American Arbitration Association's rules and procedures. The arbitrator is authorized to compel the attendance of witnesses and the production of documents at the arbitration hearing, and to award appropriate monetary, injunctive and declaratory relief. The parties agree not to challenge the arbitrator's decision in court and consent to the entry of the arbitrator's award as the order of judgment of a United States District Court, without notice. Company waives the right to challenge any aspect of this agreement before the NLRB, any other state or federal government agency, or any court.

10. Successorship, affiliated companies and subcontractors. This agreement will be binding on the parties' successors and assigns, including all purchasers of the Company's assets or business, and in the event of a merger. This agreement is also binding on any and all corporations, partnerships, organizations and sole proprietorships affiliated with or related to the Company's business activities. If the Company intends to subcontract any work performed by bargaining unit employees, the Company agrees to require the subcontractor in writing, to comply with this agreement. Should the company be subject to a complete sale of the stock, the purchaser shall comply with this agreement and any labor peace agreement(s) which are applicable. Upon completion of the transfer of all of the stock, the company shall be relieved of its obligations under this agreement.

11. Severability. If any provision of this Agreement is held illegal, void or invalid under any applicable law, the parties will meet and confer to amend the provision to make it legal, valid and binding, and the remaining provisions of this Agreement will remain binding and enforceable according to their terms and the parties' intent.

12. Term of Agreement. The term of this agreement is one (1) year from the date of this agreement. The term will renew for additional 1-year terms unless and until either party gives the other written notice no sooner than 60 days and no later than 30 days prior to the expiration.

13. Confidentiality. The Company and Union agree that all terms and conditions of this agreement are confidential and proprietary between the parties and shall not be disclosed to anyone else, except as may be necessary to effectuate this agreement, as required by law or court order, or as mutually agreed upon in writing prior to disclosure.

14. Collaboration. The Union will attempt to assist with the Company's efforts to secure cannabis licenses in the jurisdiction of the local union's signatories by speaking to relevant decision-makers and community partners about the Company. The Union does not guarantee that the Company will receive a license. However, if the Company recognizes another union as the bargaining representative of any workers, the union's obligation will automatically cease to apply to those workers' facilities or operations.

Rico Saldivar CEO	Jacques Loveall, President
For the Company (print name)	For the Union (print name)
Signature	Signature
2/9/2022	
Date	Date
Mainstream Madera	United Food & Commercial Workers Union, 8-Golden State
Company/Company Name	Union
300 E. Yosemite Ave Madera, Ca 93638	2200 Professional Drive Roseville, CA 95661
Address	Address
559-892-6590	916-786-0588
Phone	Phone

Economic and Workforce Benefits

Mainstream is committed to doing its part to improve the community through equity, empowerment, and diversity and inclusion initiatives. We will require all our employees to undergo implicit bias and cultural competency training yearly. We will also make special efforts to ensure equity with regard to race, gender, sexual orientation, physical ability, and age. All of Mainstream's managers will be required to complete a minimum of 30 hours of training, as provided by Cal-OSHA.

Expungement and Outreach Services

Expungement Fairs

Mainstream recognizes the harm to numerous communities, especially communities of color, resulting from the War on Drugs and decades of exclusion from public decision-making. If afforded the opportunity to operate, Mainstream promises to do all in its power to rectify these wrongs, including partnering with Central California Legal Services (CCLS) to help facilitate the expungement process for qualifying harmed individuals. CCLS provides legal assistance to low-income persons in education, employment and labor, rural health, and expungement. Its mission is to fight for justice and individual rights alongside the most exploited communities, including Indigenous Mexican communities, LGBT communities, and farm communities. Mainstream will provide informational material and connect individuals with qualified professionals who will be able to help expunge their records on a pro bono or low-cost basis. This information will be advertised in our storefront and on our social media page.

Adult Outreach

Mainstream welcomes the opportunity and obligation to educate members of the public about safe cannabis use. Specifically, we will provide members of the public with informational pamphlets regarding pertinent cannabis regulations and information, and we will provide information anonymously for those who may have substance abuse disorders. Mainstream embraces the duty to safely provision cannabis so that users can responsibly reap its many benefits.

Mainstream will further provide opportunities for members of the public and first-time cannabis users to engage with staff through periodic educational seminars in which they can learn more about the science and benefits of cannabis. When possible, we will also be willing to host a wide range of discussions on social justice by community members.

To help people afflicted with alcohol, cannabis, or other recreational drug abuse or dependence, Mainstream will provide informational pamphlets that connect those seeking help with resources so they can regain control of their lives. Mainstream will also train receptionists to recognize and engage with people who appear to be suffering from abuse of or dependence on cannabis, as well as other substances, and offer to provide local resources and anonymous support hotlines where such people can engage with professionals to begin their journey toward recovery.

A Venue for Artists

With art flowing through the veins of Mainstream's very existence, Mainstream's owner and founder, Rico Saldivar, seeks to celebrate and promote local artists in Madera. A tattoo artist by trade, Mr. Saldivar aims to provide local artists with a venue for displaying their artwork and will encourage customers and members of the public to view and purchase their work. By providing a unique art gallery experience incorporated into the design of the facility, Mr. Saldivar hopes to encourage Madera artistic creativity through an infusion of art and cannabis. In addition to displaying local art, Mainstream will support artists by holding a quarterly art expo to help promote and facilitate sales; artists will receive 100% of the proceeds.

Environmentally Sustainable Business Plan

Mainstream is dedicated to running a clean and energy-efficient business. Mainstream intends to institute operating procedures that have the goal of achieving, as nearly as possible, a zero-waste footprint. We believe in using an integrated development approach that focuses on health, wellness, and sustainability. Mainstream understands the environmental impact that cannabis cultivation and distribution can have on the environment and accepts its responsibility to help lesson this impact. We will craft everything from operations and products to our building design with the environment in mind.

Mainstream has developed an environmentally sustainable business model following guidance provided by The City of Madera Climate Action Plan (CAP). Mainstream's sustainable business model incorporates high-level considerations, including energy efficiency, conservation, renewable energy, land use and transportation, recycling, water conservation, and government operations, into the practical understanding of the cannabis industry to envision a lasting and mutually beneficial relationship between Mainstream and our environment.

Mainstream's building specifications will conform with LEED design and Living Building Futures standards. Mainstream's building will use and source eco-friendly materials for both the exterior and interior of our dispensary, including reclaimed wood and recycled glass and plastic. We will also upgrade the building's existing plumbing to promote water efficiency. Mainstream's restroom will include ultra-low-flow plumbing fixtures and low-flush toilets.

Energy Efficient Lighting and Controls

Mainstream will work with our architects, engineers, and design consultants to ensure the most efficient and cost-effective means of providing electricity to our dispensary. Mainstream will use energy-efficient LED lighting and adjust daylight and nighttime lighting to reduce energy consumption. Lighting will be programmed to operate with a circadian lighting system to minimize energy usage. All appliances and equipment, such as computers, refrigerators, kitchen equipment, and POS stations, will incorporate energy-efficient technology to the greatest extent possible.

Climate Control and Energy Consumption



Mainstream anticipates that a large portion of our energy consumption will be from the HVAC system. Mainstream will integrate the most efficient climate control system possible, preserving indoor air quality while minimizing energy consumption. All staff will be trained on energy conservation practices to ensure that our dispensary is consuming only as much energy as needed to safely operate. Sales associates will turn off computers, appliances, and POS systems when not in use to conserve energy.

Management Systems and Energy Audits

To monitor and ensure compliance with our environmentally conscious standards, Mainstream will conduct semiannual energy audits to optimize our energy usage consistent with our business needs. We will partner with the Madera Energy Watch Program. The Madera Energy Watch Program helps small and medium-size businesses improve their energy efficiency. By increasing energy efficiency, Mainstream will benefit the environment by conserving Madera's natural resources and reducing greenhouse gases.

RESPONSIBLE AND COMPLIANT RETAIL MADERA, LLC
(dba: Embarc)

SECTION G. COMMUNITY BENEFITS AND INVESTMENTS PLAN

"Embarc first sat down with me last fall as part of their listening tour to inform their application, and in getting to know them … I am confident in their ability to deliver on their commitments to enhancing downtown Madera while serving as a true partner and resource to the City and Downtown Madera Association revitalization efforts."

Steve Copeland, Lifelong Madera Resident & Local Business Owner

"As a member of law enforcement and long-term member of this community, I am not supportive of cannabis. But with the City's decision to legalize adult use, I am committed to doing my part as a community leader to ensure that retail cannabis is done right. Throughout this process, several cannabis companies approached me offering to support my work but in none of those conversations did a cannabis operator discuss their work to support youth or their proven track record in delivering youth education and drug prevention in other communities, until I met Embarc. I believe our City leaders must select operators that will set the bar for what community-centric cannabis operations in Madera can achieve, and I believe I have found that partner in Embarc."

Dan Foss, Founder, O.L.I.V.E. Charitable Organization

"Embarc has a proven track record of developing real partnerships to facilitate the funding, education and empowerment of communities, with a focus on protecting youth, and it is this prioritization that excites me about serving on Embarc's Community Advisory Board and the positive impact this Board can have on our community."

Baldwin Moy, Co-founder and Director, Madera Coalition for Community Justice

"As an educator, I do not support cannabis. However, I am serving on Embarc's Board because I believe in their track record and approach to youth drug prevention and in the opportunity this Board provides in delivering thoughtful investment to address the evolving needs and challenges facing Madera's youth today. I look forward to working with the Board to lead by example in setting the standard for impactful community benefits, especially for our youth."

Joetta Fleak, Trustee, Madera Unified School District

"Embarc has put in the work to understand our community and empower a team of trusted local leaders to ensure the thoughtful distribution of Embarc's community funding. Embarc is the right partner for Madera, and I look forward to working together to achieve our shared vision of a vibrant, walkable family friendly downtown."

Dr. Julia O'Kane, Former Madera Educator, Board President, Madera County Arts Authority

"I am not supportive of legal cannabis, but if cannabis is coming to Madera I want to ensure it is done right. As a member of the Community Advisory Board, Embarc has empowered me and my fellow Board colleagues to direct and allocate Embarc's Community Investment Fund - ensuring the benefits from the sale of legal cannabis are targeted to meeting tangible needs in our community. It is this philosophy that has solidified my confidence that Embarc Madera is the right fit for our community."

Ryan McWherter, Executive Director, Madera Food Bank

"As a neighbor to Embarc's proposed downtown location and an advocate for Madera's youth, I look forward to serving on Embarc's Board to provide my insights on how best to advance and ensure the protection and education of Madera's youth."

Monica Ramirez, First 5 Madera County

The cannabis business should describe the benefits the business will provide to the local community, for example by directly aiding, participating in, or funding the work of local nonprofits, community-based organizations, civic organizations, or social services organizations. Benefits may be in the form of volunteer services, monetary donations, financial support of City-sponsored activities or organizations, in-kind donations to the City or other charitable organizations and/or any other economic incentives to the City which will help achieve the strategic policy goals of the City Council in permitting cannabis businesses in the City of Madera.

We understand that while cannabis has existed within our communities for decades, legal, regulated cannabis is still an emerging market. Communities are now grappling with how to best integrate commercial cannabis activities into existing neighborhoods, balancing the economic opportunity this industry represents with a desire to protect public health, safety and neighborhood integrity.

Embarc believes operating a cannabis business is a privilege and not a right. Our successful business model is predicated on the ability to consistently engage the community and the City with integrity and through transparency and collaboration. Given this commitment to Madera, we will operate a business that provides meaningful ongoing benefits and serves as the type of partner the community can be proud of and will value.

Purpose

Embarc's Community Benefits and Investments Plan, summarized below, is intended to be a living, breathing document that encompasses the company's core values and priorities for ongoing community engagement. It was developed with and will continue to evolve over time through collaboration with our Community Advisory Board. This plan does not contain static organizational commitments or one-time checks at the front end of a license pursuit; rather, it is the embodiment of

PROMISES MADE, PROMISES KEPT: COMMUNITY IS IN OUR DNA

Embarc is proud to be the first cannabis operator in California to launch a Community Advisory Board in every community where it operates that is granted the sole authority for allocating community benefits funds, ensuring transparency and accountability in funding have been part of the company's DNA since the beginning. We are happy to see other operators similarly adopting a Community Board model, and believe our track record of community engagement, not as an afterthought or reaction to others but at the forefront of how we operate, is critical to living our values in action.

Embarc's proven community engagement model – one that values and respects the importance of diverse local perspectives and experiences in being able to adapt to continuously address evolving community needs.

This approach is evident in how we compiled our Community Benefits and Investment Plan for Madera. What follows is not a template, but rather a plan that has been formulated with significant input from local leaders to ensure a plan developed by Madera residents for the Madera community. It centers around the following equation:



COMMUNITY ADVISORY BOARD

In every community where we operate, Embarc's Community Advisory Board ("the Board") is empowered with total control over where community investment funds and engagement are directed in perpetuity. It is this group that will work collaboratively with our ownership to drive our efforts to address Madera's needs. The primary goals of the Community Advisory Board are to work collaboratively with Embarc leadership to implement and continue to refine our community benefits plan and to ensure safe, transparent, and community-oriented operations. Duties of the Board include, but are not limited to:

1. Development and implementation of our community relations plan
   - Identifying and/or creating opportunities to help enhance and promote community input, engagement, education and awareness
   - Reviewing operational policies and procedures to identify opportunities for community and neighborhood engagement
2. Allocating all community funding
   - Assessing opportunities for financial contributions
   - Identifying local, immediate priority funding gaps in which our resources could provide flexible assistance
   - Determining the best allocation of community funding
3. Oversight and accountability for Embarc operations
   - Quarterly accountability on commitments made/commitments delivered
   - Reviewing marketing plans and advertisements
   - Monitoring Embarc's responses to any community feedback or concerns
4. Assistance in establishing and building community trust
   - Continuous identification of community priorities, values and needs
   - Identifying opportunities for collaboration with local businesses and other stakeholders
   - Serving as a voice within the community
5. Ensuring appropriate and thoughtful community education
   - Providing input on education and awareness programs
   - Recommending priority causes for employee and executive volunteer support
   - Providing consistent feedback to refine and best tailor our efforts

The Community Advisory Board is comprised of the following individuals:

Embarc Madera Community Advisory Board	
Will Oliver	Owner & Chair of Community Advisory Board – Embarc Madera Former Madera City Councilmember
Debi Bray	President & CEO, Madera Chamber of Commerce
Joetta Fleak	Madera Unified School District, Trustee
Dan Foss	Founder, O.L.I.V.E Charitable Organization
Ryan McWherter	Executive Director, Madera Food Bank

Baldwin Moy	Co-Founder, Madera Coalition for Community Justice
Dr. Julia O'Kane	Former Madera Educator, Board President of the Madera County Arts Authority and Board Member of the Madera County Arts Council
Monica Ramirez	Executive Director, First 5 Madera
TBD	Representative, Madera Downtown Association
TBD	City of Madera and/or City of Madera Law Enforcement *

*To ensure operational transparency we would welcome the opportunity to include a participant from City government and/or a current public safety officer but thought it inappropriate to reach out to such representatives prior to the conclusion of this process. While neither would be voting members, this is an opportunity for City leadership to remain apprised of, and provide feedback on, Embarc's operations and philanthropic execution.

"As a former City Council member representing this community, I understand the concerns and opportunities that come with legal cannabis, and I am dedicated to ensuring we will deliver a community-sensitive cannabis retail dispensary that the City of Madera will be proud of … As an owner and member of the Community Advisory Board, I look forward to being an active participant in ensuring safe and responsible integration of retail cannabis in our community."

WILL OLIVER,
OWNER, EMBARC MADERA

Will Oliver, Local Owner and Chair of the Board

Will is a lifelong resident of Madera County with family roots in the community for over 100 years. As a former Madera City Mayor Pro Tem and Councilmember, Will understands the unique opportunities and challenges represented by the introduction of retail cannabis to the community. He currently serves as VP of Business Services at Fresno Economic Development Corporation, a dynamic, private, not-for-profit that provides business development services to recruit new industries to the area and to support the growth of today's workforce. Will leads strategic initiatives and special projects, serving as a trusted advisor to many local businesses, working to optimize meaningful opportunity creation for Central Valley residents. Will has built his career at the intersection of policy, business and community development, making him uniquely qualified to ensure the successful and respectful integration of a new industry in his hometown.

Debi Bray, President & CEO of the Madera Chamber of Commerce

Born and raised in Madera, Debi is a local leader who has dedicated her life's work to supporting and advancing a thriving local business community. She is the beating heart of the Madera Chamber, having joined in 1986. Given this tenure, Debi understands the evolving opportunities and challenges facing Madera and is a respected voice in standing up for what is best for the community. Serving as President and CEO of the Chamber, Debi is responsible for everything from operations to programming and events. Debi also serves as a Board Member for the Madera Downtown Association, bringing vital knowledge and understanding pertinent to the future development of downtown Madera. As a local parent and grandparent, Debi is committed to ensuring retail cannabis is sensitively and successfully integrated into both the business community and the community at large, which drives her commitment to having a seat at the table in Embarc's Community Advisory Board.

Joetta Fleak, Madera Unified School District, Trustee

Born and raised in Madera, with multigenerational roots of the North Fork Mono Tribe, Joetta has dedicated her life's work to educating Madera's youth. A mother of two, she was first inspired to pursue teaching after volunteering in the classroom with her two daughters at Madera Unified. This experience propelled Joetta into a twenty-eight-year career with Madera Unified as a 4th grade teacher. Joetta brings her significant expertise as a practicing local educator to her role as Area 4 Trustee, and her passion and commitment to addressing the growing youth mental health crisis and the needs of English language learners. Joetta also serves on the Board of the Madera County Arts Authority, the Madera County Historical Society and as Treasurer of the North Fork Mono Tribe. She brings her deep understanding of the needs and opportunities for investing in Madera's youth to the forefront of Embarc's Community Advisory Board priorities and will be a vital voice in identifying meaningful opportunities to invest in and empower Madera's youth.

Dan Foss, Founder of the O.L.I.V.E. Charitable Organization

Dan has spent his career protecting this community. After an Honorable Discharge from the US Army, he became a law enforcement officer, a capacity he has served in for two decades. As a steadfast public servant to the Madera community, he also served as Acting Director for Public Works while remaining a Lieutenant in the Madera Police Department. He founded the non-profit organization O.L.I.V.E. (Overcoming Limitations through Intervention, Value and Empowerment) in 2015 to assist women involved in human trafficking by helping survivors see the value within themselves and empowering them through education, therapy and a stable and loving home environment. Dan has grown O.L.I.V.E. into a regional resource and model for other cities combatting sex trafficking. It is this passion combined with significant real-life experience that has propelled him as a leader in Madera and throughout the state, providing a greater perspective on where funds can be utilized to best address the community's most pressing needs.

Ryan McWherter, Executive Director of the Madera Food Bank

Ryan brings a diverse perspective to Embarc's Community Advisory Board given the various roles he plays within the Madera community. He has served as Executive Director of the Madera County Food Bank for over ten years, which serves a critical function for Madera's most in-need residents including families and seniors by providing basic nutrition, food education and self-sufficiency training. As Executive Director, Ryan oversees all critical services of the Food Bank. As a local parent, Ryan understands the importance of putting youth drug prevention and education at the forefront of our effort and will ensure the funds derived from legal cannabis are invested to advance the needs of the community's most vulnerable residents. As Board President of Men of Integrity – Madera, Ryan volunteers to bring faith and fellowship to men throughout the region. He also serves on the Board of the Madera Local FEMA Board as part of the Community Action Partnership of Madera County, where he brings his focus on addressing food insecurity to a County-wide platform.

Baldwin Moy, Co-Founder of the Madera Coalition for Community Justice

Baldwin co-founded the Madera Coalition for Community Justice in 1992 and spearheads the work of the coalition's Youth Leadership Program. Additionally, Baldwin serves as directing attorney at California Rural Legal Assistance (CRLA). Baldwin has been an advocate for underserved populations and specifically youth in Madera for decades. Having lived in Madera for over thirty-two years, Baldwin is a dedicated community leader that believes in the importance of mentorship and art in the lives of youth and the community at large. Baldwin has led the development of many community projects from large public murals throughout blighted areas of downtown to creating safe spaces through youth centered gardens. Baldwin's passion for and deep understanding of Madera will serve as a guiding light in ensuring Embarc contributes positively to the development of Madera's downtown core while providing meaningful benefits to the community in which we serve.

Dr. Julia O'Kane, Former Madera Educator, Board President of the Madera County Arts Authority and Board Member of the Madera County Arts Council

Dr. O'Kane has been a pillar and esteemed leader in Madera for decades with a particular focus on the advancement of the community's youth. Julia served Madera as an administrator, teacher and as superintendent of the Madera Unified School District. She is a Board member of the San Joaquin River Parkway and Conservation Trust, ultimately serving as Board President, to ensure open space and outdoor education are accessible for Madera's youth. She now serves as President of the Board of the Madera County Arts Authority and on the Board of the Madera County Arts Council. Her passion for the protection and empowerment of youth combined with her years of lived experience as an educator uniquely positions her to understand the challenges and opportunities facing today's youth. Additionally, Julia has years of experience working with City leadership and Madera's business community to enhance and revitalize Madera's downtown core, bringing historical knowledge of the challenges and opportunities in developing innovative community led solutions. Dr. O'Kane brings this unique perspective and track record on diverse issues – from youth to environmental stewardship to the arts – to Embarc's Community Advisory Board.

Monica Ramirez, First 5 Madera, Executive Director

Monica is a longtime Central Valley resident who has built her career empowering and educating young people throughout communities. A graduate of Fresno State, Monica pursued a career in education and community empowerment. Monica has worked with crucial youth service providers throughout the Central Valley including Fresno Head Start and First 5 Fresno. Monica now serves as Executive Director of First 5 Madera County and is a trusted leader in child development, child health and the fundamentals of creating healthy families, providing vital services to Madera's youth and families. As a neighbor and member of Embarc's Community Advisory Board, Monica will bring her unique perspective on the needs and challenges facing Madera's youth as well as provide real-time feedback to ensure Embarc's operations are a net positive to the surrounding community.

TBD, Madera Downtown Association

Embarc initiated engagement with the Madera Downtown Association (MDA) over six months prior to submitting this application to ensure their perspective and our shared priorities were reflected in this proposal. Understanding the important role the MDA plays in advancing commerce and the vitality of downtown, we have reserved a seat on our Community Advisory Board for a representative, should we be selected to operate in this community. We understand the MDA has been inundated by cannabis applicants making large promises. Our approach is different and, in our experience, has been the most successful model for delivering benefits to address the communities' evolving needs. We are confident that by reserving a seat at the table for the MDA, we are ensuring that our shared priorities of uplifting downtown will be reflected in the Board's quarterly funding and volunteerism allocations. Our intention is not to issue one-off checks and press releases, but rather to foster real partnership through deliberate and thoughtful investment for the lifetime of the business.

Ultimately, the Board is comprised of leaders with diverse backgrounds and experiences that inform their ability to make thoughtful determinations regarding how Embarc Madera executes its community benefits. **It is this group of dedicated and trusted community leaders that will ensure the benefits of legal cannabis are directed to advance the community's most pressing needs.** Specifically, the Community Advisory Board will determine Embarc's:

- Funding allocations
- Volunteerism priorities
- Workforce development partnerships
- Financial support of City-sponsored activities
- Ongoing neighborhood engagement plan
- Execution of a youth drug education and prevention program

In addition to directing Embarc's committed community funding, the Board will meet quarterly to provide feedback on Embarc's operational model, including community outreach, neighbor and business engagement, local partnerships, the sensitivity of advertising and marketing efforts and more.

Unlike most operators in the cannabis industry that attempt to apply their brand and values onto a community using a top-down approach, Embarc seeks to meet the needs of the community from the bottom up – as represented by the passion for the Madera community that these Board members embody and the role that they have been empowered to play within our local operations.

COMMUNITY INVESTMENT FUND

The Community Advisory Board is able to make a sizable local impact because of our commitment to the creation of an internal Community Investment Fund. **In addition to providing 4% of gross receipts to the City of Madera, Embarc will allocate an additional 1% of gross receipts to our internal Community Investment Fund in perpetuity,** generating significant, ongoing funding for community organizations through the efforts and allocations of our Community Advisory Board.

One hundred percent (100%) of the Community Investment Fund will be allocated by the Community Advisory Board to local organizations and partners, ensuring we prevent divestment by requiring all of the benefits generated from our local cannabis business remain local. This is the same commitment Embarc makes in every community it operates, ensuring that this commitment has proven sustainable and impactful in addressing community needs.

Identified Priorities

Our Community Advisory Board members have lived in Madera for decades, even generations, and are unified in their commitment to preserving the unique and intangible qualities that make Madera a community where they choose to live, work and raise their families. As such, the Board's overarching mission is to support and uplift organizations, programs and priorities that enrich the quality of life for Madera residents with a focus on educating and empowering its youth. Studies have indicated that quality of life is predicated on multiple factors: internal value, or the extent to which you feel personally fulfilled; external value, or the extent to which your network enhances fulfillment; and your environment, which can impact both mental and physical wellbeing.

Given the interconnectedness of these factors, the Board has identified the following three pillars as a central focus of our efforts in Madera:

- To **enrich and empower the lives of youth,** as thriving youth are the lifeblood of families
- To support **healthy and stable households**, as families are the pillars of community
- To **create and maintain a family friendly environment** such that residents thrive

To Enrich and Empower Youth

The Board's first pillar is to appropriately and discreetly support youth activities that meet vital needs, teach new skills and provide enriching experiences with a goal of teaching healthy habits, supporting the creation of youth-oriented spaces and activities that provide structure, and helping youth identify passions and develop opportunities for the future. We have identified the following as initial target programs and priorities but anticipate these will expand over time:

- **Madera Community College**
  Two years ago, Madera Community College became California's 116th community college campus. This is a significant advancement for the community and a necessity for Madera's growing population. The College is located off Avenue 12, six miles outside of town, and has over 4,500 students, yet higher education is still out of reach for many Madera residents given a lack of access to financial resources and transportation options. Throughout our listening tour, we learned safe, accessible, affordable transportation to and from the College is a hurdle for many in this community.

Embarc's Advisory Board is committed to working with the Madera Community College to increase enrollment through community outreach and scholarships. The Board will collaborate with the College and appropriate non-profits to identify potential recipients for academic scholarships for low-income students in need. Additionally, we look forward to being an engaged business leader working with the City and broader community to identify creative solutions to increasing affordable, safe and convenient transportation options for Madera Community College students.

- **Re-launching Madera Police Activities League**
  Research shows that when kids have police as mentors, they are more likely to respect the rule of law as they mature. Now more than ever, young people need the opportunity to know and understand public safety and the role it plays (or can play) in communities. Board member Dan Foss highlighted the impactful work Madera PAL did to support underserved youth through sports and mentorship, but unfortunately the program was discontinued due to a lack of funding and staff turnover in 2016.

  Embarc works with other PAL organizations in communities we serve and welcomes the opportunity to support the relaunch of Madera's Police Activities League. In conversations with Foss, karate, martial arts and self-defense classes came up as a potential activity for Madera PAL. Embarc stands ready to partner in providing funding to relaunch this important program. Our goal is to provide the resources to help build on the great work various stakeholders have previously undertaken in establishing this program and, if selected, will seek to work with Madera Unified School District and Madera Police Department to provide necessary funding to reinstate PAL.

- **John Wells Youth Center**
  The average American child is said to spend approximately seven hours per day on a screen and only four to seven minutes in unstructured play outdoors (Child Mind Institute, 2021). Many studies have affirmed that youth who play outside are happier, healthier and more confident. Sports get kids active and provide great scholarship opportunities yet can often be prohibitively expensive. As our Community Advisory Board discussed several target programs to support, the John Wells Youth Center and the afterschool programs they provide to Madera's youth emerged as a significant priority.

  It was through the creation of the John Wells Youth Center that Local Owner Will Oliver first became involved in local government. At the age of 16, Will participated in a youth advisory committee working alongside then-Mayor Wells to develop plans for Madera's first community youth center. Eighteen years later, the John Wells Youth Center is now a crucial resource to Madera families providing a host of supervised sports and physical activities for youth to enjoy.

  The Center is near and dear to not only Will but to all or our Board members' hearts. Embarc's Board seeks to work with the John Wells Youth Center and the Parks and Community Services Department to increase funding and resources to support youth activities.

- **Madera Youth Leaders Program**
  Embarc funds youth drug education and prevention programs in every community where we operate, as enriching and empowering youth is a value we share with the communities we serve. We are proud to have the Boys and Girls Club serve on Community Advisory Boards in several communities and believe we can execute similar partnerships in Madera given this priority. As a result of our listening tour and through discussions with our Advisory Board, it is evident that that there is a lack of local youth service providers in the immediate community. In conjunction with our Board member, Baldwin Moy, co-founder of the Madera Coalition for Community Justice which oversees the Madera Youth Leadership Program, Embarc seeks to deploy a holistic youth drug prevention and education program

appropriately and sensitively for Madera's youth. Given spatial constraints, our proposed youth drug prevention and education program is detailed extensively later in this section.

- **Madera County Arts Council**
  Access to the arts increases aptitude in development, academic achievement and the development of twenty-first century skills, especially when started from a young age. Community Advisory Board Member and MCAC Board member Dr. Julia O'Kane's commitment to the rehabilitative role the arts can play in the lives of youth and the vibrancy it provides within a community will serve as a guiding pillar in the Board's approach to both youth empowerment and community revitalization. The Madera County Arts Council has created accessible and affordable options for residents of all ages to get involved in the Arts. From annual art competitions to youth art summer camps to in-school visiting artists to offsite tailored art classes, MCAC's Art Education program is Madera's leading program to engage the community creatively. Embarc stands ready to partner in advancing the great work the MCAC does for youth across this community.

  Two MCAC initiatives our Board is specifically passionate about include:
  - The Madera Theater Project - In partnership with Madera Unified, the MCAC recently launched the Madera Theater Project to "bring community theatre back to Madera" and its students. Providing students with the opportunity to participate and learn firsthand the power of live performance is an important educational and community benefit that both Madera residents and students have not historically had access to. With the guidance of Dr. O'Kane, our Board will identify opportunities to support and advance the emergence of theater and the arts in downtown Madera.
  - Bringing Arts to Incarcerated Youth - We recognize that operating a business in the legal cannabis industry is a privilege and not a right and that many who have come before us do not have this freedom of opportunity, particularly those from low-income communities and communities of color. It is incumbent upon us to continue to identify ways to support those who have been forced to navigate the complex justice system and to provide resources for holistic re-integration into society. That is why we are so passionate about the work being undertaken by the MCAC to bring arts to Madera County's incarcerated youth through a partnership with the County Juvenile Probation program. We look forward to working with Dr. O'Kane to support this effort financially and bolstered through our executive and employee volunteerism, further detailed in this section.

To Support Healthy and Stable Households

Creating and sustaining healthy and stable home environments is critical for all Madera residents, as it supports our neighbors in need and ultimately enhances the family-friendly ethos that makes our Board members proud to call Madera home. Given that many of our Board members serve in leadership and/or volunteer capacities with organizations focused on meeting this critical need, we have identified the following program partners for our second pillar:

- **Madera County Food Bank**
  Ryan McWherter is a trusted leader working to assist those experiencing food insecurity throughout Madera community. The Food Bank supports Madera's most vulnerable populations by providing a host of services and programs including the Emergency Food Program, Senior Brown Bag Program, Senior Nutritional and Produce Program, Community Assistance Program and Emergency Food Assistance Program. It is these programs that provide necessary nutrition to seniors, low-income residents and students experiencing poverty. Additionally, the Food Bank educates community members on healthy foods and self-sufficiency training.

In learning what the needs of the Food Bank are today and how Embarc can be a partner to addressing them in the future, Ryan identified the importance of food security among Madera's senior population as a growing need. Embarc will support the Senior Brown Bag Program, which provides anyone 55 years and older with a monthly brown bag filled with a variety of grocery items and necessities. In partnership with Ryan, Embarc will work with the Food Bank to increase awareness of the program among residents and provide both financial and volunteer support.

- **O.L.I.V.E. Charitable Organization**
  Dan Foss founded the O.L.I.V.E. Charitable Organization to address the gap in services and programs for survivors of human sex trafficking. Every year, human traffickers generate billions of dollars by victimizing millions of people around the world, including in the United States. Human trafficking is one of the fastest growing criminal industries worldwide, ensnarling minors and adults in modern-day slavery.

  The Central Valley is a main corridor for human trafficking and Foss has developed a model that has gained statewide recognition. Embarc will support these vital efforts through ongoing financial support targeted directly to generating awareness, training on combatting and preventing trafficking, technical assistance, advocacy, and direct services regarding trafficking and trafficking-related issues. In this way, Embarc can sensitively and appropriately support survivors of human trafficking in creating a stable environment where survivors can begin to rebuild their lives.

- **Community Action Partnership of Madera County**
  Community Action Partnership (CAPMC) offers a wide variety of programs to help individuals and families overcome the impacts of poverty through no cost or low-cost programs for Madera residents. Critical services provided to those in need include but are not limited to Child Care, Head Start, Domestic Violence Services and Rape and Sexual Assault Services. CAPMC funding supports local shelters, Shunammite Place and Martha Diaz Shelter. These services are imperative to helping residents break free from the grips of poverty, oppression and injustice -providing support and optionality for residents in need.

  Embarc's Board has identified the Shunammite Place and Martha Diaz Shelter as potential recipients for funding and volunteer support given the vital role they play in the community. Shunammite Place provides permanent supportive housing for those experiencing chronic homelessness and individuals with disabilities. Martha Diaz Shelter houses adults and children seeking shelter and safety from abuse. If selected to operate, Embarc seeks to serve as an engaged partner in supporting these efforts.

- **Expungement of Non-Violent Cannabis Offenses**
  Having a criminal record – even for a low-level, non-violent cannabis offense – serves as a scarlet letter that restricts economic opportunity and job mobility years or even decades after the offense. As a responsible operator that enjoys the privilege of working in the cannabis industry, Embarc is committed to supporting record expungement efforts that provide these individuals with a second chance to shape their narrative and economic future. Appreciating that Proposition 64 allowed for jurisdictions to automatically expunge records, Embarc will seek to work directly with the District Attorney and County of Madera to help facilitate this outcome and will also work with local community partners to include information on expungement as part of broader wraparound services.

- **Centro Binacional para el Desarrollo Indígena Oaxaqueño**
  The Oaxacan indigenous community is a vibrant and significant portion of Madera's population. The Binational Center for the Development of

Oaxacan Indigenous Communities (CBDIO) provides vital services to indigenous migrant communities from Oaxaca, Mexico living in the Central Valley. Embarc supports CBDIO's efforts to advance workers' rights by providing access to education, training and counseling to address the needs of this community. Embarc believes in the importance and supports CBDIO local efforts to expand enrollment in Medi-Cal within this community. Our Board looks forward to supporting and identifying creative and meaningful ways to support CBDIO and the Madera residents they represent.

To Create and Maintain a Family Friendly Environment

A common refrain during our meetings with our Community Advisory Board is the group's deep appreciation for the fact that Madera is an idyllic community in which to raise a family. As such, the third pillar of the Board's efforts is focused on sustaining that "family-friendly" feeling, ensuring Madera is a safe, clean and well-cared for environment.

- **Revitalizing Downtown**
  In each community where we operate, Embarc is committed to providing funding and tangible contributions to the revitalization of our immediately surrounding neighborhoods. With Embarc's local ownership and Community Advisory Board members' extensive experience supporting Madera's business community, Embarc stands ready to be an active supporter of the Madera Downtown Association's (MDA) revitalization efforts. Throughout our conversations with MDA, we have learned that there is a need for both funding and organizational support for collaboration with City Hall. As part of our Executive Volunteerism (described below), our leadership team – with extensive experience in planning, development and municipal revitalization – stands ready to provide strategic and/or resource expertise support in addition to our funding commitments.

  This Board of trusted local advisors is committed to ensuring small business owners are represented in the city's current and future transportation plans and revitalization efforts. Members of our Board have been engaged with downtown business owners for years working as steadfast partners to the community's downtown revitalization efforts. We understand the immediate priorities in downtown including funding and volunteer support for additional trashcans, ongoing cleanups of bus stops, painting old buildings, requests for additional crosswalks, and enhancing and increasing the number of trees, planters and green landscaping. In addition to the items listed here, what excites us about downtown is the larger opportunity of what true revitalization can bring. If selected to operate in downtown, we look forward to being a dependable funding partner and strategic thinker in ongoing revitalization.

- **Madera County Arts Authority**
  The Madera County Arts Authority (MCAA) is a joint powers agreement among the City of Madera, the County of Madera, Madera Unified School District and the Madera County Arts Council. The MCAA was created to coalesce Madera's government stakeholders to advance the development of the County's first Cultural Arts Center to be located in the heart of downtown Madera. Through deploying significant investment into the creation of a Cultural Arts Center and citing it as the centerpiece of downtown, the MCAA seeks to catalyze downtown into a vibrant center of the arts, theater and local commerce for all residents to enjoy. Embarc's Board of Advisors are committed to being engaged partners to the MCAA and support their vision for a re-imagined downtown with arts and community culture at the epicenter.

  Understanding the Cultural Arts Center is in the planning stages, an immediate project aligned with our Board's priorities is what is currently known as "The Alley Project", located parallel to Yosemite Ave between E St and B St. The Alley Project is focused on bringing residents downtown by enhancing the walkability and visual aesthetics of downtown's alleyway

through large scale murals and encouraging outdoor community events. We understand the importance of aesthetics in increasing safety and pedestrian usage. Our Board looks forward to being an engaged partner to The Alley Project sponsoring murals by local artists and working with our neighbors to advance downtown Madera as a regional epicenter for the arts.

- **Safe Spaces and Public Parks**
  Providing safe, family-friendly spaces for our young people to explore and enjoy is critical to supporting youth in our community. Unfortunately, youth are often not prioritized when developing or refurbishing public park infrastructure. Through discussions with our Community Advisory Board, we have identified and prioritized the funding and cleanup of community parks throughout the City. Baldwin Moy has spearheaded efforts to create a youth community garden and Embarc stands ready to support this endeavor.

  With the guidance of our Board, Embarc is committed to expanding safe spaces and healthy outdoor environments for Madera's youth. Understanding these efforts must be taken in conjunction with City leadership, we look forward to the opportunity to collaborate with the City of Madera's Parks and Community Services Department to ensure the construction and expansion of safe spaces, community gardens and playgrounds in Madera.

- **Supporting Community Events**
  In the wake of budget cutbacks, community events are falling short of the necessary funding to administer family-fun annual events. In a community where families have limited disposable income, free community events are critical functions for families to gather and enjoy. Throughout our listening tour, we learned that Madera's beloved Fourth of July fireworks display has been cancelled due to lack of funding. Embarc looks forward to being a resource for volunteer support in community events including the Pomegranate Festival, National Night Out, Old Timers Day Parade, Fiesta in the Park and Extravaganza. The Board is open to feedback and recommendations from the community on specific events to support both financially and through volunteerism.

  Our Board of lifelong residents understand how important free community events are for Madera residents, and particularly for its youth. Embarc is committed to working with the City and community to ensure Madera's special events are properly funded and adequately staffed.

Embarc recognizes that a community's needs and priorities shift over time – sometimes gradually and sometimes rapidly. That shift is why it is so critical for Embarc's focus areas to be driven by our Community Advisory Board, who live and work in this community and are vital resources in determining prioritization.

VOLUNTEERISM

In addition to the financial commitments made above, Embarc will deploy significant human resources to benefit community partners and local community needs.

Employee Volunteerism

There are few things that feel better than doing a good deed, except maybe doing it with your peers while getting paid. Embarc is committed to providing a positive workplace that encourages employees to give back to their community. Partnering our workforce with community organizations will foster a culture of volunteerism among our employees.

Embarc employees will be afforded up to 40 hours of paid time off to participate in local community activities and programs per year through our volunteerism program. These opportunities for engagement provide employees with tools for professional development by exposing them to a variety of local organizations. In addition, investment in employees reduces turnover and improves workplace performance. Research shows that the best way to achieve employee

participation is to provide structured volunteer opportunities. Embarc will provide our employees with opportunities to work with our community partners and also allow team members to suggest and organize additional activities with their colleagues. These opportunities help employees:

- Learn new skills
- Gain project management experience
- Grow personal and professional networks
- Create a positive presence in our community
- Participate in off-site team building with purpose

Embarc commits to providing 40 hours of paid community service per employee per year. Given we anticipate employing approximately 15 employees initially, **this will result in 600 hours in paid volunteerism hours per year and will scale at maturity to more than 1,000 hours per year at maturity.**

Executive Volunteerism

Our team represents the coming together of combined centuries of relevant business experience, which can be tremendously beneficial to local organizations and efforts. As part of our volunteerism commitment, we will provide more than just store-level employee volunteerism, although that is a critical component of our company ethos as it is important for team building and community investment. Embarc will also donate significant, ongoing expertise and support from our owners and leadership team to drive ongoing efforts to bolster the community's priorities. This executive volunteerism demonstrates our willingness to act as a partner in achieving the City of Madera's community goals.

ADDITIONAL COMMUNITY BENEFITS COMPONENTS

In addition to the efforts outlined above, Embarc will implement the following customary corporate social responsibility components expected of all community-oriented cannabis businesses as part of its broader Community Benefits and Investments Plan in Madera.

- **Community Education**
  We will host educational panels, informational workshops and non-profit partnership events as part of an ongoing community education and engagement effort. Education is critical in demystifying cannabis and breaking down the barriers and stigma that prevent many from feeling comfortable asking questions about appropriate use. Topics for this education range from cannabis specific (understanding dosing and your body) to public safety (how to safely store cannabis at home). These will be led by Embarc team members and external subject matter experts as appropriate.

- **Senior Outreach**
  Seniors are one of the fastest growing consumer demographics for cannabis, but they are also the most likely to be susceptible to cannabis' long-lasting stigma. Therefore, it is important to create an atmosphere that makes seniors in the community feel as though they are a part of and welcome at Embarc. Employing seniors within the store is critical in breaking down that barrier.

  In recognition of the tremendous medical benefits cannabis can provide this demographic, Embarc is committed to ongoing education and engagement with Madera's senior community to dispel the myths, eliminate the stigma and provide education without a sales pitch to help seniors navigate this new normal. We will explore opportunities to partner with senior citizens' groups and organizations to provide monthly free education workshops on CBD, THC, medical cannabis, dosing, and more, led by our Seniors Outreach and Educational Advisor and members of our team who are over the age of 50. Topics will include cannabis basics, cannabis and pain, cannabis and sleep, and more. In recognition of fixed incomes, we will also provide a discount to senior citizens.

- **Creating a Subcommittee at the Chamber of Commerce or a Local Cannabis Industry Association**

When implementing a new industry – and particularly when that industry is cannabis – we believe the community will benefit from having unified businesses that work together to achieve common, community-oriented goals. While we did not think it was prudent to do so prior to being awarded a permit and coordinating with other license recipients, Embarc will gladly undertake an effort to coalesce the local cannabis industry under a common umbrella, or proactively engage in any existing efforts, through a subcommittee at the Chamber of Commerce or via an independent local Cannabis Industry Association.

By bringing a representative from each legal cannabis business to the table, we can facilitate ongoing working relationships and positive collaboration among the legal and compliant cannabis operators. This could also provide a representative from the City the opportunity to engage with a singular, unified voice for the industry through participation as part of this effort.

- **Scholarship Program**
  As detailed in Section B, Embarc supports scholarship programs for underrepresented groups and will continue this track record in Madera. In South Lake Tahoe, for example, Embarc provides scholarships through the Lake Tahoe Community College for LGBTQIA+ students and for the equity food bank that feeds students meeting certain household income requirements, and in Fairfield, provides three scholarships annually to low-income community members seeking to further their education. This scholarship program is enhanced by our internal staff scholarship program, further detailed in Section B of this proposal.

- **Mentorship**
  Embarc has implemented a mentorship program that pairs entry-level employees with more seasoned team members to cultivate passions and provide meaningful feedback on how to continue professional development and growth. Please see Section B for a detailed explanation of Compass, Embarc's mentorship program.

- **Financial Literacy Community Workshops**
  We will offer financial literacy workshops for the general public, providing access to seasoned financial executives that can assist low-income community members with issues such as budgeting, money management and building and repairing credit. This workshop leverages the financial literacy curriculum developed by the National Financial Educators Council, a proven model. We will seek to sponsor these in partnership with local partners and offer them in English and Spanish for maximum efficacy.

- **Neighborhood Discount Program**
  One component of enhancing existing efforts to revitalize downtown is creating partnerships that uplift existing businesses by encouraging our customers to dine, shop and enjoy other businesses when in the area to visit Embarc. Through our Neighborhood Discount Program, Embarc offers a 10% discount to customers with same day receipts from local businesses within a one-mile radius of our shop and will engage in appropriate business-to-business partnerships, spearheaded by both our local owner and community affairs manager (once hired).

- **Local Business Partnerships**
  Embarc will do its part to support working families by keeping dollars local, thereby growing the Madera economy. This support drives local tax revenues which in turn supports our tax base and vital local services. It is our intention to obtain goods and retain services from locally licensed small businesses, including but not limited to construction services; landscaping services; maintenance and janitorial services; ongoing IT services; security services; miscellaneous professional services; local artisan goods/products; and most importantly—our employees. Our Chamber of Commerce membership will provide a great network of local business

contacts for these and other vital components of keeping our dollars local.

In addition to hiring local employees, partnering with local vendors and relying on local goods and services, Embarc will also create meaningful partnerships with local businesses to cross promote and market their goods and services. Such opportunities span a variety of businesses, ranging from health and wellness (yoga instruction, outdoor gear, etc.) to restaurants, coffee shops, and entertainment. By solidifying promotional partnerships, our operations can help to drive additional customers to these businesses. Please see Section F for more details.

These partnerships are not just promises made but actual mandates we implement at the store level. In order for any Purchase Order or Service Contract to be approved, the General Manager must check a box that the contractor or vendor is based in Madera. If the store proposes to use a non-local service provider, leadership must explain the reasoning for selecting an entity from outside the City for review and approval and must then identify an alternative option in Madera County.

- **Compassionate Use**
  Cannabis is recognized as an important medical treatment option for many medical conditions ranging from seizures to PTSD to cancer and more. To help meet the medical needs of some patients who are otherwise unable to afford cannabis, Embarc will offer reduced and no-cost medicinal products to low income and seriously ill patients. This program will be operated in accordance with regulations set forth by the Department of Cannabis Control. Patients who want to receive benefits from this program must provide evidence of residency as well as medical and financial need. We believe patients should have access to affordable medicine that benefits their health and quality of life. We are proud to offer a compassionate use program providing low-cost and no-cost medicinal products.

- **Discount Programs**
  High quality, safe and tested cannabis should be accessible rather than exclusive. As such, Embarc maintains a range of discount programs intended to benefit a variety of communities, including seniors, veterans and residents. Additionally, to encourage customers to shop during non-peak hours and mitigate traffic and customer flow impacts, Embarc often offers incentives for online order pick-up or off-hours shopping.

- **Addiction Resources**
  We understand that admitting that you need help is the first and often hardest step to recovery, and as such we must be prepared to provide relevant resources to anyone who is willing to ask. Embarc will partner with local community health organizations to make resources available regarding addiction recovery and will maintain materials onsite for such requests.

YOUTH EDUCATION AND PREVENTION RESOURCES

We understand that with society's shift to legal, regulated cannabis comes confusion for communities and particularly for its youth and parents. As a responsible, community-centric cannabis operator, we believe it is incumbent upon us to sensitively and appropriately provide the tools and resources this community needs to navigate this new normal.

Embarc is committed to the execution of a thoughtful youth education and drug prevention program tailored to the unique needs and priorities of this community because experience has shown that the best youth prevention plan in the world is meaningless without community buy in. As such, if fortunate enough to be selected to operate a commercial cannabis business in the City of Madera, and upon receiving input and approval from our Community Advisory Board and City leadership, we welcome the opportunity to deploy a third-party, accredited youth education and drug prevention program through local partners in the Madera community.

Embarc has already initiated a similar effort in other communities, partnering with a local organization to ensure responsible messengers (and not Embarc) are engaging with youth on this vital topic. This ensures we are bringing a proven and community-sensitive model to these efforts in Madera.

In our experience, providing resources and educational opportunities for youth as well as parents, teachers, coaches, pastors, and other adults that play formative roles in shaping their trajectory is an important component of integrating legal cannabis operations into a local community. As such, we would propose to bring our proven educational model to Madera, which due to spatial constraints has been briefly outlined below.

Program Overview

When founding members of our team led the development of Proposition 64, the initiative to legalize adult use cannabis in California, they knew youth prevention and education were paramount to maximizing public health and safety within communities. As such, and with intentionality, our team ensured that Proposition 64 would provide the resources and direction necessary to educate youth on the risks associated with cannabis use.

Proposition 64 included the development of a state-sponsored educational campaign, entitled "Let's Talk" with curriculum specifically targeted to communities, parents, and youth. We have utilized this program, developed with a science-based approach by some of the brightest minds in California, as a foundation for resource development for the adults that play formative roles in the lives of youth.

Additionally, understanding impactful education requires tailored age-appropriate content, Embarc adopted accredited and nationally recognized Botvin LifeSkills Training for middle school aged students. Embarc Madera seeks to deploy targeted youth drug prevention education utilizing Botvin's LST 1 for middle school aged youth in partnership with our Community Advisory Board and local community partners.

We will continue to refine our program and will work closely with the Department of Public Health, our Community Advisory Board, the City and potentially other operators to ensure this program is the best fit for the Madera community. Cornerstones of this approach will be:

- Utilization of the "Let's Talk" campaign to provide resources and toolkits for parents, teachers, coaches and others looking for guidance on how to navigate these discussions with youth
- Utilization of Botvin's accredited LifeSkills program (or other similar curriculum as appropriate) specific to middle school aged youth, deployed through partnerships with appropriate messengers in the community including youth-oriented non-profits

Program Background

The National Institute on Drug Abuse developed A Research Based Guide for Parents, Educators, and Community Leaders for Preventing Drug Use in Children and Adolescents, which serves as an internationally recognized analysis that cites Botvin's research as a guide on how to develop and implement effective youth drug prevention campaigns. This comprehensive guide contains significant science-based research that directed Embarc's efforts to develop and implement an effective youth education and drug prevention campaign.

The following served as foundations in this endeavor:

1. Prevention programs should be tailored to address risks specific to population or audience characteristics, such as age, gender, and ethnicity, to improve program effectiveness (Oetting et al, 1997).
2. Prevention programs aimed at general populations in key transition points, such as the transition to middle school, can produce beneficial effects even among high-risk families and children. Such interventions do not single out at-risk populations and, therefore, reduce labeling and promote bonding to school and community (Botvin et al, 1995; Dishion et al, 2002).

3. Community prevention programs reaching populations in multiple settings — for example, schools, clubs, faith-based organizations, and the media — are most effective when they present consistent, community-wide messages in each setting (Chou et al, 1998).
4. Community prevention programs that combine two or more effective programs, such as family-based and school-based programs, can be more effective than a single program alone (Battistich et al, 1997).
5. Prevention programs are most effective when they employ interactive techniques, such as peer discussion groups and parent role-playing, that allow for active involvement in learning about drug abuse and reinforcing skills (Botvin et al, 1995).
6. Prevention programs should include teacher training on good classroom management
7. practices, such as rewarding appropriate student behavior. Such techniques help to foster students' positive behavior, achievement, academic motivation, and school bonding (Ialongo et al, 2001).
8. When communities adapt programs to match their needs, community norms, or differing cultural requirements, they should retain core elements of the original research-based intervention (Spoth et al, 2002b), which include:
   a. Structure (how the program is organized and constructed);
   b. Content (the information, skills, and strategies of the program); and
   c. Delivery (how the program is adapted, implemented, and evaluated).

Based on this significant body of research, it is clear that the most effective program:

1. Targets youth with age-appropriate content at various stages in of development;
2. Utilizes multiple learning formats including interactive content;
3. Involves multiple parties including teachers, parents, faith-based organizations and more to provide multiple access points for information; and
4. Benefits from hyper-localism, as long as the program remains rooted in structure, content and delivery.

As such, our campaign is designed with these best practices in mind.

Audience

To ensure we are both effective and inclusive in outreach, we have segmented our youth drug prevention education into three categories: Youth General, Youth Targeted Age and Adults in the Lives of Youth.

- **Youth General:** Research has proven that the most effective youth education and drug prevention programs utilize two or more effective programs rather than any single program alone. For example, an effective school-based curriculum is more successful when coupled with at-home and technological components. Thus, Embarc will implement a multicomponent program that takes a holistic approach to youth engagement through:

  1. Media campaigns with general anti-drug education messaging targeted to all youth
  2. Digital campaigns targeted to middle and high school students
  3. Educational programming for use as an in-school program, with a toolkit for teachers and/or a program coordinator

  Creating a multicomponent program will ensure that youth education and prevention efforts engage youth across multiple channels, in many forums, and on a consistent basis to maximize efficacy.

- **Youth Targeted Impact (Middle School):** Evidence demonstrates that the first year of middle school is when childhood drug use typically appears, so education before and during the teen years can delay or prevent experimentation and onset of use. At the middle-school level, children are eager to fit in, often overriding instincts to avoid unhealthy behavior especially in the face of peer pressure. As such, Embarc Madera will focus our youth drug prevention and education efforts on this critical age through the use of Botvin's accredited model.

- **Adults in the Lives of Youth:** Ensuring that adults who play a critical role in a young person's life have the tools and education necessary to address questions from youth is a critical component of a community's transition to legal cannabis. In coordination with accredited resources from the state's Let's Talk Campaign and Botvin's individualized tutorials for adults in the lives of youth, Embarc will ensure Madera adults have the resources necessary to educate youth about the dangers of youth drug use through materials, toolkits and hosted educational events.

  Understanding these are difficult conversations that the arrival of legal cannabis may have pushed to happen sooner than parents would have hoped, we believe it is our responsibility as leaders in the legal cannabis industry to do our part to ensure parents have the tools needed to answer tough questions during these critical conversations.

Content

Our Community Advisory Board members have committed to working collaboratively to implement this effort for Madera youth through local partnerships. By utilizing the accredited and nationally recognized Botvin LifeSkills Training coursework as the starting point, we can leverage the best science available while tailoring our program specifically to Madera.

Embarc's Youth Drug Prevention and Educational coursework was developed through a series of workshops with youth drug prevention and education specialists. Embarc undertook a rigorous process to select Botvin's curriculum as the most effective, engaging, and suitable youth drug prevention education coursework for young people today.

Understanding that we alone should not decide what is the "best" education for young people, Embarc undertook an extensive process of ensuring Botvin's accredited and nationally recognized content was an impactful and engaging course for today's youth. We created our approach and coursework by:

- Identifying the target age group to focus our efforts
- Adopting certified coursework resources from Botvin's nationally recognized youth drug prevention work
- Pursuing a cogitative behavioral approach to education as our framework
- Conducting numerous workshops with drug prevention specialists, members of law enforcement, City Council members, parents and members of Unified School Districts in multiple California communities

Botvin's e-LST Middle School 1 is a substance abuse and violence prevention program based on more than 35 years of rigorous scientific research. LifeSkills Training is comprehensive and dynamic, designed to promote mental health, social-emotional learning (SEL) skills and positive youth development. In addition to helping young people resist drug, alcohol, and tobacco use, the LifeSkills Training Middle School program also effectively supports the reduction of violence and other high-risk behaviors. Through tailored courses, learning objectives include:

- **Personal Self-Management Skills:** Students develop skills that help them enhance self-esteem, develop problem-solving abilities, reduce stress and anxiety, and manage anger for better mental health.
- **General Social Skills:** Students gain skills to meet personal challenges such as overcoming shyness, communicating clearly, building relationships, and avoiding violence.
- **Drug Resistance Skills:** Students learn skills that help them build effective defenses against pressures to use tobacco, alcohol, and other drugs.

In this way, we are providing a holistic approach to drug resistance by also focusing on the vital personal and inter-personal factors necessary to effectively discourage youth drug use.

Understanding that those tasked with educating our young people must have the expertise, credentials and trust of the community, we have initiated and will continue to develop meaningful partnerships

with youth-servicing non-profit organizations to provide a full spectrum of ways in which we can appropriately and respectfully contribute to the education and personal development of the community's youth. These efforts are tailored to the specific needs of the community through the guidance of our local partners and Community Advisory Board as youth drug prevention and education is not a one-time effort, but rather a continuous commitment to meeting the ever-changing needs of today's youth.

Given Madera's non-profits are experiencing an influx of activity as a result of this competitive process, we have opted not to be aggressive in the finalization of partnerships on this topic until the conclusion of this process. Instead, we will work collaboratively with our Community Advisory Board to identify and finalize the most appropriate partnerships for the lifetime of operations.

CASE STUDY: A TRACK RECORD OF DELIVERING ON COMMITMENTS IN TAHOE

In our myriad discussions with local stakeholders over many months in Madera, a common refrain was the community's desire that, if an existing operator is selected, it must be able to demonstrate a track record of follow through on commitments to the community – not as superficial check writing, but as a true partnership for the long haul. Thus, critical to understanding what our approach looks like in Madera is getting a better sense of what our partnership looks like in other communities. The following is a brief summary of Embarc's efforts in South Lake Tahoe:

- **Supporting Youth Development: Scholarships to Summer Camp for Low-Income Local Youth**
  The past two years have been tremendously challenging for all, but especially our youth. Look no further than the mental health crisis among school age children to see the ramifications of a year of isolation and fear. With COVID restrictions lessening, the local Community Advisory Board felt it was critical to support opportunities for low-income youth to participate in summer camps.

  Embarc provided financial support to two local organizations, the Tahoe Institute of Natural Sciences and the Tahoe Rim Trail Association, to provide scholarships for low-income children to attend summer camp this year, providing them with new and enriching experiences in the outdoors and some normalization as children prepare to go back to school next year.

> "We welcome Embarc's leadership and partnership in ensuring that our community's youth are supported and prioritized … Through Embarc's generous support, TINS will be able to continue to provide in-school and field trip programs to hundreds of school children, and free Boys and Girls Club camp programs for dozens of campers, annually … we are deeply grateful to Embarc for their support in helping us achieve our goals."
>
> **WILL RICHARDSON,** EXECUTIVE DIRECTOR, TAHOE INSTITUTE FOR NATURAL SCIENCES

- **Addressing Pressing Community Need: Tahoe Coalition for the Homeless**
  When we first met with the Tahoe Coalition for the Homeless, the group had no shelter space and winter was rapidly approaching. The Embarc team sprang into action, securing a space that the Coalition utilized as a warm room all winter to meet the timely needs of the local homeless population. Since that time, the Coalition has received state grant funding to develop a local shelter and our support has transitioned from providing the physical space to helping to prepare the new one, with volunteerism and financial support.

- **Supporting a City Initiative: Funding the Development of a Local Park in a High-Density Area**
  The City of South Lake Tahoe recently received a donated parcel from three local families that

had been working for nearly half a decade to secure land to create a gathering place in the neighborhood. Given one of the City's Strategic Priorities is developing "a park or community garden in every neighborhood," this was an exciting opportunity to advance that goal. Embarc is providing $25,000 to support the creation of this local park in the heart of a high-density area that lacks this critical open space for families to enjoy.

- **Sensitively Supporting Youth: Boys and Girls Club of Lake Tahoe**
  Embarc conducted initial outreach to the Boys and Girls Club of Lake Tahoe more than four years ago, prior to the community's licensing process even initiating, to get a better sense of community concern regarding legalization. At that time, it was virtually unheard of for a cannabis company to be working with a Boys and Girls Club, let alone for the discussion to be focused on youth education and how to navigate legal cannabis coming to the community.

> "The Advisory Board comprised of local community organizations, including our Drug Free Coalition, holds Embarc accountable to our community, while also advising them on how to distribute their business donations …I feel strongly that businesses permitted to retail cannabis must conform to the highest standards of ethics and business practices and be willing to work with and support local nonprofits and youth organizations. In Embarc you will find a business that exemplifies those standards and provides meaningful support and engagement with the local community."
>
> **JUDE WOOD**, EXECUTIVE DIRECTOR, BOYS AND GIRLS CLUB OF LAKE TAHOE

Since that time, the Boys and Girls Club has continued to be a valued resource and community partner, both as a voice providing oversight of operations as a member of the Community Advisory Board and as a partner on vital local initiatives. Our partnership is multi-faceted, from providing volunteers for the organization's annual fundraisers, to food and clothing drives to support families during the pandemic, to providing significant ($50,000) economic support for the organization to build a new Clubhouse for youth. The Boys and Girls Club is also piloting a youth drug education and prevention curriculum in Tahoe, leveraging tools and resources provided by Embarc to initiate these discussions appropriately with local youth.

- **Environmental Stewardship: Keep Tahoe Blue**
  Given the Tahoe community's deep appreciation for the region's natural environment, our employees requested we focus some of our beautification efforts on the outdoor treasures that make Tahoe such a special place to live, work and play. Embarc hosts volunteer clean ups with our staff and incentivizes residents to participate through a special discount program.

- **Supporting Critical Youth Education Work: Tahoe Alliance for Safe Kids (TASK)**
  The Tahoe Drug-Free Coalition is a group of parents, community leaders and local law enforcement officers dedicated to providing educational resources to the community to prevent youth drug use. As noted in the volunteerism section, Embarc's team integrated into the organization, attending Board meetings over many months to rebrand the organization into Tahoe Alliance for Safe Kids, developing a new identity package and website, and creating communications channels to better target youth and parents during the pandemic. Our team participates in ongoing meetings to keep our finger on the pulse of the community discussion regarding youth drug use prevention and continuously monitor for adverse impacts associated with legal cannabis operations.

"Embarc has been a steadfast partner in our shared commitment to youth drug prevention and education. From providing the expertise to modernize TASK's website and branding to funding the expansion of Friday Night Live programming, I appreciate the collaborative approach Embarc takes to community benefits and have full confidence in their operations and leadership."

PAULA PETERSON, BOARD MEMBER, TAHOE ALLIANCE FOR SAFE KIDS

- **Addressing Food Insecurity: Bread and Broth & Lake Tahoe Community College Equity Food Pantry**
  As noted earlier in this section, Embarc's team supports Bread and Broth's mission to address food insecurity in South Lake Tahoe through volunteerism and food drives. In this capacity, our team members are able to engage on the frontlines of a pressing community issue. Additionally, college students should be worried about finals, not their next meal. Embarc donates to the Lake Tahoe Community College Equity Food Bank which provides free access to nutritious food for those who meet certain income thresholds.

- **Creating Safe Spaces for Teens: Friday Night Live**
  The South Lake Tahoe Unified School District lost funding for Friday Night Live programming a number of years ago, but the community remained committed to the value of this type of programming and safe space for high schoolers in the region. Embarc is providing the investment necessary to re-launch Friday Night Live locally by providing funding for a staff member to oversee the program and creating space for high school aged youth to congregate with their peers in a healthy, nurturing environment. Friday Night Live programming is designed to encourage peer-oriented programming that is youth driven and youth led, encourage and empower young people as active leaders and community resources and encourage youth to care about each other and the environment.

- **Keeping Teens Safe: Sober Grad Night**
  Sober Grad Nights were developed by the California Highway Patrol in the 1980s to address the significant increase in alcohol related injuries and fatalities experienced in the month of June among graduating seniors. Since Sober Grad Night was established, these numbers have reduced dramatically, illustrating the importance of providing a fun alternative to the traditional celebration. Embarc provided funds to support sending the local high school graduating class on an overnight boat trip out on the lake, providing a safe way to celebrate graduation after a tough year for all.

- **Supporting Higher Education: Scholarships to Lake Tahoe Community College**

  A number of Embarc Tahoe's employees identify as LGBTQIA+, a community that can sometimes feel unsupported in the Tahoe region. In recognition of this, Embarc provides financial support to the Lake Tahoe Equity PRIDE Scholarship Fund to support local LGBTQIA+ students in receiving a higher education.

Much like Madera, Tahoe's Board is focused on preserving the unique quality of life in that community with a prioritization on supporting healthy kids and by extension healthy families as the lifeblood of the community. Our track record demonstrates our ability to meaningfully contribute to advancing those shared goals.

CONCLUSION

Embarc has a demonstrated track record of meeting the unique needs and priorities of each community it serves. As part of that ongoing effort, we have coalesced many of the leading community voices in Madera into a Community Advisory Board tasked with ensuring our local community benefits remain focused on addressing the pressing needs of Madera residents.

Formation of a Board is not something we will undertake if selected to operate; instead, our Board members have been at the table in the development of this proposal. What results is a commitment of significant resources – both financial and human – to ongoing engagement with and betterment of the community we seek to serve, resulting in tangible impacts for Madera.

This plan also briefly highlights other key components of how Embarc will seek to integrate into and ultimately benefit this community. While not exhaustive, it is intended to illustrate many of the ways in which we believe we can serve as partners in community betterment. It builds on our existing track record from current operations, as well as our team's track record of local and regional philanthropy. Ultimately, it is the embodiment of our belief that true community benefits are not about static partnerships or one-time checks, they are the result of bringing the right voices to the table and providing them with significant ongoing resources to address pressing local needs.





"As a member of law enforcement and long-term member of this community, I am not supportive of cannabis. But with the City's decision to legalize adult use, I am committed to doing my part as a community leader to ensure that retail cannabis is done right. Throughout this process, several cannabis companies approached me offering to support my work but in none of those conversations did a cannabis operator discuss their work to support youth or their proven track record in delivering youth education and drug prevention in other communities, until I met Embarc. I believe our City leaders must select operators that will set the bar for what community-centric cannabis operations in Madera can achieve, and I believe I have found that partner in Embarc."

Dan Foss
Founder, O.L.I.V.E. Charitable Organization

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SHRYNE MADERA, LLC
(dba: Stiiizy)

Section G: Community Benefits and Investments Plan

Giving back and investing in our local communities is an essential part of who we are as a company. Shryne Group has a tremendous track record of providing community benefits in all of the cities that we operate in. More importantly, we have fulfilled every commitment we have made. In 2021 alone, we've donated over $1,000,000 to various non-profits such as the Boys and Girls Club, Food Share, Imperial Valley Food Bank, Community Action North Bay, Self-Care Lab, Corona Settlement House, Food Bank of Contra Costa County, Family Justice Center, Monument Crisis Center, San Gabriel Valley Conservation Corps, Shelter Inc., Southern California Service Corps, United Playaz, and veterans' organizations such as Battle Brothers and Vet Hunters. Shryne Group's community efforts were recently honored by the CLIO Awards for excellence in public service.

In Madera, we will continue our history of contributing to every city in which we have a presence through monetary contributions and volunteerism as described below.

Shryne Group Foundation - $75,000

Shryne Group reviewed the City of Madera's Consolidated Plan, interviewed local residents and businesses, and solicited feedback from key stakeholders about the needs of the community and how they envision Shryne Group contributing to the community as a neighbor. Based on feedback we received about community needs, we have determined that housing, domestic violence, workforce development and child development are some of the most pressing needs of Madera where we believe Shryne can contribute towards.

To address these needs and other needs that come up, Stiiizy Madera will create a Shryne Group Community Benefits Foundation and contribute $75,000 annually towards this fund which will be earmarked towards donations directly to the City of Madera and to non-profit organizations. This Foundation will be driven by an Advisory Board comprised of local community leaders. The Advisory Board will initially be focused on identifying projects and non-profit organizations which are in need of funds towards improving housing, domestic violence, workforce development and child development. The Advisory Board will meet once a quarter to identify such causes and organizations and will disburse the funds at least once a quarter. The $75,000 fund will be replenished annually.

Local Organizations Commitments

In addition to our $75,000 annual contribution to the Shryne Group Foundation, we have also identified 2 Madera non-profit organizations which we will contribute to directly every year which will help us make the biggest impact towards improving housing, domestic violence, workforce development and child development in Madera.

UNITED WAY OF FRESNO AND MADERA COUNTIES (UWFM)

United Way Fresno and Madera Counties

United Way of Fresno and Madera Counties (UWFM) is a local branch of an established non-profit that operates in Madera, working closely with government, non-profit agencies, and the community to improve the health, education, and financial stability of every person. United Way spearheads critical services in Madera such as Madera Rising, which is a comprehensive approach to financial stability that advances all aspects of prosperity - from career and employment counseling, home ownership, financial planning, and expanding social capital to broader networks. We have previously donated to United Way of Ventura County as well as United Way of Merced County and want to continue our relationship with the Fresno and Madera Counties branch. We have been in communication with Executive Director, Lindsay Fox, and VP of Impact, Coreen Campos, who advised us about the most important issues in Madera. We have donated $2,500 initially and have pledged to donate $7,500 annually to address these priority issues if we are selected to operate in the City of Madera.

COMMUNITY ACTION PARTNERSHIP OF MADERA COUNTY (CAPMC)

Community Action Partnership of Madera County (CAPMC) is a non-profit founded in 1965 to improve the social well-being and economic capacity of low to moderate-income individuals and families, as well as providing opportunities to achieve economic independence in Madera. CAPMC was created by the Madera County Board of Supervisors and has direct engagement with the community and its leaders on how to effectively service Madera's most important issues. As Madera County's anti-poverty agency, CAPMC serves low income residents annually through its broad spectrum of programs and resources such as crisis intervention, shelter, and child development services. We have been in communications with Executive Director, Mattie Mendez, who advised us about the most important issues in Madera as well as the challenges the agency faces. We have donated $2,500 initially and have pledged to donate $7,500 annually to address these priority issues if we are selected to operate in the City of Madera.

Volunteerism

Shryne Group has always been actively involved in supporting difference-makers and promoting social justice within our communities. In 2021, Shryne Group introduced our first-ever, employee volunteer group: Joint Efforts. Through Joint Efforts all employees are invited to volunteer together at various events identified and sponsored by Shryne Group at least twice a month.

Stiiizy Madera will continue the Joint Efforts program in Madera. Employees will be able to utilize their 16 hours of paid time-off for volunteerism to support initiatives from homeless shelters, street clean up efforts, and local food drives. Upon licensure, the Joint Efforts program in Madera will immediately begin to identify causes and organizations we can volunteer with.

Our employees will also volunteer monthly with our partner organizations the United Way of Fresno and Madera Counties and Community Action Partnership of Madera County and other organizations which the employees are passionate about. In addition to the bi-monthly planned events hosted by Stiiizy Madera, our employees will also have the opportunity to volunteer individually or in smaller groups on an ad-hoc basis with the prior approval of the managers. Our organization has strong relationships with veteran organizations and homeless organizations, and our Madera employees will continue this tradition of assisting these groups. See below photos of our Thanksgiving Food Drive and our food drop off to veterans during National Food Bank Day.





Our goal is to provide at least 200 hours of volunteer hours annually in the City of Madera.

Product Promotion Proceeds

In addition to direct contributions, contributions through the Shryne Group Community Benefits, and volunteerism, Stiiizy Madera will also collaborate with Madera's homelessness and veterans' organizations to allocate a percentage of our promotional proceeds to these organizations and raise public awareness of their issues. All profits from our BLESSED BY STIIIZY brand sold at Stiiizy Madera will be contributed towards homelessness and veteran's causes and organizations. We undertake this program at every one of our stores and contributed over $300,000 in proceeds from BLESSED BY STIIIZY proceeds in 2021.



BLESSED BY LIIIT: STIIIZY'S NEW CHARITABLE MODEL TO CONTINUE GIVING BACK DURING COVID-19 CRISIS

12/10/20

STIIIZY gives back to the community in a big way with BLESSED by LIIIT.

Read More



STIIIZY x STHIZYNATION COLLABORATION FOR BREAST CANCER AWARENESS MONTH



STIIIZY x WEED FOR WARRIORS x BLACKLIST: AN EXCLUSIVE BATTERY COLLABORATION

Compassionate Care

Stiiizy Madera will partner with the Weed for Warriors Project to donate medical cannabis to the Madera veteran community. We have a history of working with the Weed for Warriors Project and greatly respect the social justice work they do and look forward to partnering with them in Madera.

Medical cannabis is widely and positively regarded in the veteran community as a way to alleviate symptoms of pain and PTSD without the undesirable side effects that prescription opioids and anxiolytics can cause. These prescription medications have the potential to be not only addictive, but also life threatening in some cases, so it is understandable that many veterans opt for a more holistic and natural approach to addressing complications, disabilities, and other ailments that may have resulted from their time in service.

This treatment option, although natural, still presents a financial hurdle to some medical card holding military veterans. The system that was intended to help and support our soldiers find relief from physical and mental conditions is sorely lacking and allows vets to fall through the cracks. Under current laws and policies, veterans only have access to FDA-approved pharmaceuticals through the Department of Veterans Affairs, which does not include medical cannabis.

Stiiizy is a proud veteran-led company, and we salute all those who have served and are currently serving. We understand that these troops risked their lives to fight for our country, but they are not getting the support that they deserve back home which is why it is so vital to demonstrate our support and listen to their concerns.



Youth Drug Prevention Education

In addition to the informational sessions we will hold regarding the science and safe use of cannabis, we hope to educate the public and especially families on the dangers of drug abuse. The Shryne Group is actively in the process of developing a Youth Drug Prevention Education program that we will implement throughout our retail locations, including in Madera. Preventing access of drugs to youths and educating the public on drug abuse and youth prevention is one of our main priorities as a legal cannabis operator. We will continue to do our part to educate the public in Madera with these types of initiatives.

We recently partnered with the leading Spanish language magazine in California, Para Todos[18], for us to provide monthly educational articles on cannabis for their Spanish language readers. The topics covered in our monthly articles include preventing youth access, health and science of cannabis, dosing and other topics which can educate the Spanish speaking community in Madera and other cities in California on the risks of youth use of cannabis and drug addiction.



18 http://paratodos.com/pt/

We also regularly distribute educational materials at our stores on safe dosing, preventing abuse and addiction and youth drug use prevention such as the materials below.



Scholarships and Workforce Development

SCHOLARSHIPS

Stiiizy Madera will grant up to two scholarships for low income citizens of Madera every two years. The scholarships will pay for at least two years of coursework at Madera Community College. The scholarship recipients will also have the option of working part-time at Shryne Group's own retail, manufacturing, or cultivation operations as part of our apprenticeship program so that he or she can receive hands on experience and training in the cannabis industry to supplement their formal education. Stiiizy Madera and Shryne Group look forward to implementing this program in Madera.

WORKFORCE DEVELOPMENT

Shryne Group will provide workforce development courses led by college instructors for our Madera employees at no cost. We will compensate our employees for their participation in the program and they will also receive college credits for completing these courses. The classes will be held every two to three weeks at the Madera facility or via Zoom and will be free of charge to the employees. Employees who were initially scheduled to work during the classes will be paid to attend. One set of courses typically contain 8-10 classes, with subjects including, but not limited to:

- Microsoft Suite (Word, Excel, PowerPoint);
- Supply chain logistics and basic accounting;
- Team facilitation, effective followership, and conflict resolution strategies;
- Effective customer service and active listening; and
- Leadership strategies, task-oriented skills, and effective performance feedback.

Upon completion of a course, the employee will receive 1-3 college units which can be transferred to any 2 or 4-year college.

We believe that providing educational opportunities and opportunities to receive free college credit to our employees will help them attain the goal of thriving regardless of background or income level.



Stiiizy Los Angeles Taking a Class on Digital Literacy

Letters from Local Non-Profit Partners

See below Letters from our Madera partners, United Way of Fresno and Madera Counties and Community Action Partnership of Madera County.

United Way Fresno and Madera Counties

City of Madera
Attention: Mayor Garcia
205 West Fourth Street
Madera, California 93637

Dear Mayor and City Council,

On behalf of United Way of Fresno and Madera Counties, we would like to express our support for the Shryne Group to operate a retail business in the City of Madera.
We are very impressed with the business practices of Shryne Group as well as its robust community benefits program. Shryne Group has an extensive track record for operating safe and compliant retail stores and being an excellent neighbor. Shryne Group has made safety a top priority, positively impacting communities with security procedures such as on site 24-hour security personnel and high coverage security cameras. These measures make communities safer and cleaner.

Moreover, the Shryne Group values its employees. As a partner with the UFCW, Shryne Group intends to bring high-quality jobs to Madera; meaning paying their employees a livable wage; offering full benefits; and much more. Shryne Group also provides employees opportunities to advance their careers with workforce development classes available online and in-person through Los Angeles Trade Tech College. At United Way Fresno and Madera Counties, we envision a world where working families can prosper and thrive, where things like race or ethnicity have no bearing on an individual's access to education, wealth creation, or well-being. United Way is uniquely positioned to tackle complex social issues and we plan to achieve this by addressing the racial wealth gap that has been harming our communities of color for far too long. United Way spearheads critical services in Madera such as Madera Rising, which is a comprehensive approach to financial stability that advances all aspects of prosperity - from career and employment counseling, home ownership, financial planning, and expanding social capital to broader networks. Although it is hard to capture the full reach and breadth of the work, it is critical to note in Madera that investment by socially responsive businesses, like Shryne Group, supports community transformation.

Through both annual donations per store to the United Way for core work and through ongoing investment in community organizations through the United Way, multiple community-based organizations and programs in Madera will receive critical funding in core areas thanks to the help of Shryne Group. These Core areas include, but are not limited to housing, food, workforce development, and any other core focus allowing Shryne Group's corporate social responsibility to be leveraged for the highest impact in Madera. United Way will work to match and leverage this investment to advance prosperity in Madera. Partnerships with community focused businesses such as the Shryne Group are important to our success. With their support, United Way can continue to serve those in need within the community with the goal of improving their quality of life. United Way of Fresno and Madera Counties welcomes the Shryne Group to the community, and we look forward to growing our partnership through their continued support of our important work.

Thank you,

Lindsay S. Fap

4949 E. Kings Canyon Rd., Fresno, CA 93727 | 559.244.5710 | www.uwfm.org

Helping People, Changing Lives.
community Action
PARTNERSHIP
OF MADERA COUNTY

June 13, 2022

Shryne Group Inc.
728 E Commercial St. Fl 2
Los Angeles, CA 90012

Dear Shryne Group Inc.,

On behalf of the Community Action Partnership of Madera County's (CAPMC) Board of Directors and staff, thank you for the generous contribution of $2,500, dated May 26, 2022, towards CAPMC's services that support domestic violence and housing programs.

The current pandemic has caused a surge in domestic violence, both in frequency and severity. Your support will help us provide emergency food, shelter, and services to victims in this time of increased need.

We strive to improve our community by providing members the necessary resources to achieve independence to live free from violence. Again, a big thank you from all of us at CAPMC for the donation.

Sincerely,

Mattie Mendez

Mattie Mendez
Executive Director

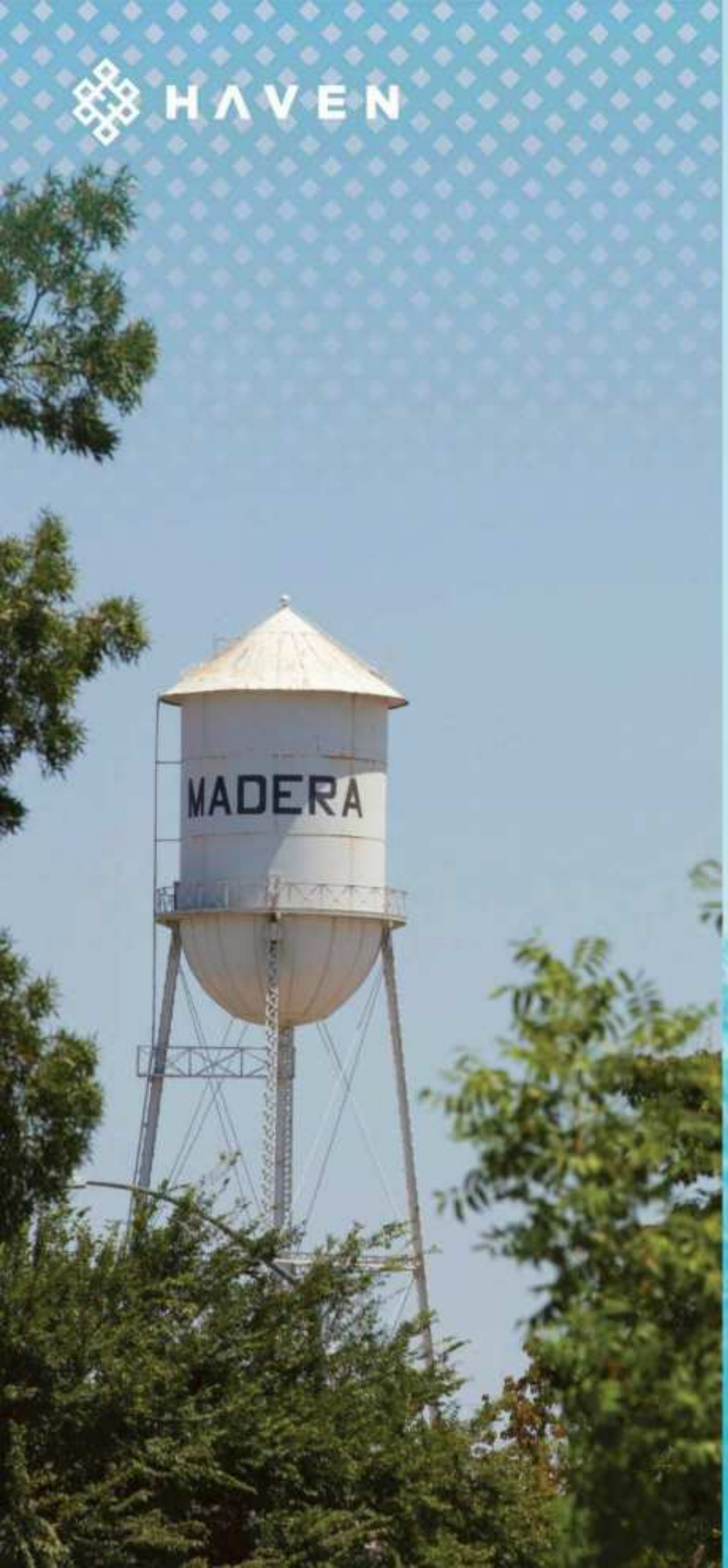
Tax ID #: 94-1612823 – No goods or services were provided in exchange for this contribution. The full amount stated above is tax deductible. Please retain this letter as verification of the above donation

1225 Gill Avenue • Madera, CA 93637 • www.maderacap.org

Administration / Community Services (559) 673-9173 • Fax (559) 673-3223
Child Care Alternative Payment and Resource & Referral Program (559) 661-0779 • Fax (559) 661-0764
Head Start Child Development Services (559) 673-0012 • Fax (559) 661-8459
Fresno Migrant Head Start • 4610 W. Jacquelyn Ave • Fresno, CA 93722 • (559) 277-8641 • Fax (559) 277-2640
Victim Services Center • 812 W. Yosemite Avenue, Suite 101 • Madera, CA 93637 • (559) 661-1000 / (800) 355-8989 • Fax (559) 661-8389

HAVEN MADERA, LLC

HAVEN



SECTION
G

COMMUNITY BENEFITS AND INVESTMENTS PLAN

SECTION G: COMMUNITY BENEFITS AND INVESTMENTS PLAN

INTRODUCTION

For many months, Haven has followed along with the City of Madera as the City has progressed in developing and launching a legal cannabis retail program. Each step of the way, the City has maintained its focus on inviting only those cannabis businesses that are committed to improving the City of Madera, with a focus on protecting the youth. With the City's interest in mind, Haven has shaped and molded our business plan to meet the City's goals. Through our Community Benefits and Investments Plan, and many other aspects of our Business Plan (See Section A), Haven focuses on funding the work of local non-profits, community-based organizations, civic organizations and social service organizations. But our efforts do not stop at simply writing a check. Haven also includes opportunities for volunteerism, charitable giving through in-kind donation drives and sparking the local economy through B2B Partnerships and local hiring.

In developing this plan for the City, we looked at past plans created and identified aspects of those plans that made the largest impact when implemented. To create a meaningful plan for Madera, we:

- Conducted in-depth research on the demographic makeup of Madera;
- Identified non-profit organizations most in need;
- Reviewed the profile of each City Council member in an effort to align charitable interests; and
- Spoke with local residents to gather their ideas and views associated with areas of need.

As a cannabis dispensary operator, entering any community has public perception challenges. There are often lingering fear and safety concerns stemming from a period of unregulated-market cannabis trade. Our goal is to be the best community partner possible and present our brand as safe, friendly and deeply engaged in the local community. Haven's deep commitment to the community is also apparent in our locally focused Labor, Equity, Diversity & Inclusion Plan as shown in Section B.

As Haven moves through the application process, we encourage community members to reach out to our interim Community Relations Contact/Representative, Johnnie Hernandez. Johnnie, Haven's owner and CEO, is available to answer any questions about Haven operations and commitment to the community. He can be reached at info@myhavenstores.com.

OUR COMMITMENT

Haven is committed to giving 2% of Gross Revenues to fund this Community Benefits and Investments Plan. Based on our projections outlined in the Pro Forma included in Section A, this equates to the following:

YEAR 1	YEAR 2	YEAR 3
$27,567	$194,760	$298,269

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It goes without saying, but a lot of good can be done with these funds! In addition, Haven will hire 100% of our employees (including all management positions) from within the local community.

COMMUNITY APPROACH

Haven's approach to the communities we serve has five facets:

1. **Respect –** We must politely introduce ourselves.
2. **Honesty –** Our word is our bond. Trust is a process. Honesty is key.
3. **Understanding –** Our approach must fit the community. Listening is golden.
4. **Values –** Our core values must overlap with the values of those we serve.
5. **Unity –** Through our financial and service gifts, we show we're part of the community.

This plan will evolve based on feedback from the City and the community. Haven looks forward to proving that we're good neighbors through a heart-felt collaboration.

CITY OF MADERA AS A PARTNER

Haven is ready to partner with the City of Madera. While Haven is capable of developing and implementing a Community Benefits and Investment Plan completely developed in-house, the most impactful plans are those that take into account actual needs communicated by local residents and the City. Haven intends to review this plan with the City, meeting with each individual City Council member to gain their perspective.

Additionally, Haven intends to develop a Citizens Panel as discussed in Section F and described in more detail here. Our Citizens Panel will include individuals representing a cross-section of the community, including members of non-profit organizations, civic groups, and City staff. Typically, we aim to include persons from the following cross-sections of the community:

- Employee of the Chamber of Commerce (1)
- Director of Non-Profit Agency (2)
- Member of the School Board (1)
- Planning Department Staff Member (1)
- Member of Local Law Enforcement (1)
- Member of the Local Medical Community (1)
- Senior Citizen or Advocate for Senior (1)
- Veteran or Representative of a Veteran Organization (1)
- Citizens at Large (3)

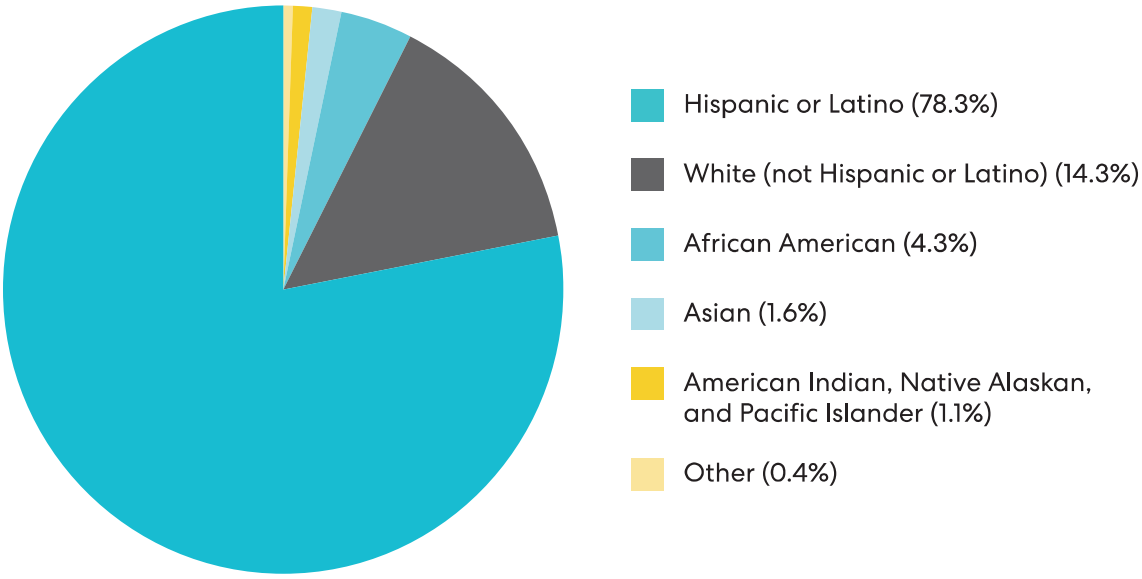
Haven welcomes community involvement in the drafting phase in order to finalize a plan built in the City's image.

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UNDERSTANDING THE COMMUNITY MAKEUP

Haven has conducted statistical research to understand the demographics of Madera and determine where to focus our funds to best meet the needs of the community.

Madera is a diverse community with a population of 66,224. Multiple ethnicities are represented within the population, with the majority of residents identifying as Hispanic or Latino (78.3%), and others identifying as White (not Hispanic or Latino) (14.3%), African American (4.3%), Asian (1.6%), and American Indian, Native Alaskan, and Pacific Islander (1.1%) and several others (0.4%).



Of the 17,598 households in Madera, 61.4% speak a language other than English at home. The median household income is $49,335 which is below the national and state averages. The median age of residents is 28.6. The university graduation rate is low at 10%, below the national average, and this aligns with a lower than average rate of high school graduation at 59.5%. Approximately 26.1% of the population lives under the poverty line. Madera's homeless population is approximately 345 individuals. There are 1,515 veterans living in Madera.

Based on the data compiled, and the Madera County Community Health Needs Assessment, Haven has identified the following areas as those deemed most important to the Madera community:

- Youth Education and Higher-Education
- Community Access to Health Care
- Substance Abuse Prevention
- English & Spanish Programming
- Housing and Homelessness
- Nutrition and Food Access
- Providing for Veterans
- Providing for Seniors
- Economic Development
- Environmental Protection
- City Improvements

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PLAN IMPLEMENTATION

Haven's plan implementation includes providing resources in the following areas:

- Provide Meaningful Employment Opportunities
- Contribute Volunteer Hours
- Conduct Community Outreach
- Operate Donation Drives
- Donate Funds to Local Nonprofits
- Support City Programs and City Improvements
- Environmental and Sustainability Practices



PROVIDE MEANINGFUL EMPLOYMENT OPPORTUNITIES

Haven is dedicated to hiring 100% local residents for the staffing of the Madera dispensary, including management positions. Haven understands that operating successfully and hiring locally stimulates the local economy and contributes positively to economic development. Haven has developed a robust Labor, Equity, Diversity and Inclusion Plan. The plan paves the way for Haven to partner with several local non-profits, whose focus is on providing employment opportunities to those most in need. Additionally, Haven provides a comprehensive Employee Training and Continuing Education Program to each employee, to ensure that customers are not misguided, and cannabis is not misused. Please see Section B for a full description of Haven's Labor, Equity, Diversity and Inclusion Plan, including local hiring techniques.

CONTRIBUTE VOLUNTEER HOURS

Haven encourages employees to give of themselves through volunteer work. Haven offers all employees paid time off, in order to volunteer with a local organization of their choosing. As you can see from the Community Calendar provided below, we have identified a number of volunteer opportunities for staff participation.

Community Calendar

Through careful consideration, we have drafted a sample community calendar filled with opportunities for Haven and our staff to give back to the community. Each month is focused on a different cause and includes "lecture series," "giving goals" and volunteer opportunities. This calendar is only a representation of what we hope to accomplish in the City, so we are open and willing to make adjustments as our Citizens' Panel sees fit.

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JANUARY

Madera Senior Services Division

Monthly Focus
Supporting Seniors

Lecture Series
Cannabis Uses for Seniors

Community Participation
Volunteer at Frank Bergon Senior Center

Giving Goal
Volunteer at Frank Bergon Senior Center

FEBRUARY

Friends of Madera Animal Shelter

Monthly Focus
Shelter and Rescue Pets

Lecture Series
Therapeutic Value of Pets

Community Participation
Pet Supply Drive

Giving Goal
Donate to and Host Pet Supply Drive for Friends of Madera Animal Shelter

MARCH

City of Madera Parks & Community Services

Monthly Focus
Youth Empowerment & Leadership

Lecture Series
Youth Education & Use Prevention

Community Participation
Eggstravaganza

Giving Goal
Sponsor and Attend Event

APRIL

American Cancer Society

Monthly Focus
Health and Wellness

Lecture Series
Developing an Exercise Routine

Community Participation
Relay for Life of Heart of California

Giving Goal
Donate to and Volunteer at Event

MAY

Greater Madera Kiwanis Club

Monthly Focus
Community Involvement

Lecture Series
Volunteerism and its Impact

Community Participation
Greater Madera Kiwanis Annual Mother's Day Run

Giving Goal
Sponsor and Participate in Run

JUNE

Ronald McDonald House of the Central Valley

Monthly Focus
Ending Homelessness

Lecture Series
Sustainable Housing Developments

Community Participation
Adopt a Room

Giving Goal
Adopt a Room

JULY

Madera Special Needs Sports & Recreation (MSNR)

Monthly Focus
Disability Awareness, Advocacy, and Inclusion

Lecture Series
Acceptance and Diversity

Community Participation
Madera Special Needs Sports & Recreation (MSNR) Annual Superhero Dance

Giving Goal
Sponsor and Attend Dance

AUGUST

Madera County Food Bank

Monthly Focus
Food Insecurity

Lecture Series
Healthy Eating on a Budget

Community Participation
Madera Food Bank Annual Sponsorship Dinner

Giving Goal
Sponsor and Attend Dinner

SEPTEMBER

Madera Downtown Association

Monthly Focus
Local Heritage

Lecture Series
History of Madera

Community Participation
Old Timer's Day Parade and Celebrate Booths in the Park

Giving Goal
Sponsor and Participate in the Parade

OCTOBER

Latinas Unidas

Monthly Focus
Empowering Women

Lecture Series
Women in Business

Community Participation
Fiesta in the Park

Giving Goal
Sponsor and Attend Fiesta in the Park

NOVEMBER

Madera Chamber of Commerce

Monthly Focus
Supporting Local Businesses

Lecture Series
Careers in Cannabis

Community Participation
Pomegranate, Fruit & Nut Festival

Giving Goal
Sponsor and Attend Festival

DECEMBER

Madera Evening Lions Club

Monthly Focus
Community Pride

Lecture Series
Diversity Community Panel

Community Participation
Madera Downtown Christmas Light Parade

Giving Goal
Sponsor and Donate to Toy Drive

Example Volunteer Opportunities

Senior Centers

Aside from employee-led volunteer hours, Haven organizes storewide service projects, to give back to the community while providing a team building activity. Haven is a proud supporter of Senior Centers statewide and commits to organizing volunteer hours with a local Senior Center. We have identified the Frank Bergon Senior Center as a potential location to volunteer. We know that not all seniors in Madera have access to health care, so we'll also provide seniors in the local community with a public lecture series focused on how cannabis can help seniors with health issues as alternative treatment for chronic illness, as well as a senior discount on our products.

Relay for Life of Heart of California

Cannabis has a long history of medicinal use helping cancer patients during treatment and on the road to recovery. Haven will honor this history and continue to raise money for cancer research through volunteer participation in Madera's Relay for Life. All proceeds from the event will benefit the American Cancer Society and its work to find a cure and better patient outcomes.

CONDUCT COMMUNITY OUTREACH

Haven believes that community outreach is accomplished in a variety of ways. Attending community events, sponsoring community events, and hosting community events are all forms of effective community outreach.

Lecture Series

Haven intends to offer outreach on-site at our retail store. Through carefully curated topics, Haven will utilize the assistance of local organizations to present important issues to interested members of the community. For example, as you can see from our Community Calendar, Haven will partner with Madera Food Bank to host a Healthy Eating on a Budget lecture series for the community. Other topics can include healthcare, volunteerism, etc. All series will include Spanish translation when requested.

Opening our facility to others to present valuable information (be that resume writing tips, treatment options or medical cannabis uses) furthers our mission of providing outreach to the community. Haven is extremely interested in the City's input on lecture series topics most needed in the community.

OPERATE DONATION DRIVES

With the large homeless population in the City of Madera, there is no doubt that local families struggle with nutrition and food insecurity. To combat this very serious problem, Haven will conduct two semi-annual canned food drives at our storefront location. Guests, staff members and community members at large may bring canned food items to Haven, and Haven will collect and deliver all of the non-perishable donations to Madera County Food Bank and The Salvation Army Family Service Center of Madera. Teaming up with these two well-known organizations will provide an opportunity for Haven to reach more community members in need.

While Haven is committed to providing employment opportunities within, Haven also would like to assist in providing opportunities to individuals who seek employment in other industries aside from cannabis. To achieve this goal, Haven will host an annual clothing drive geared at collecting professional work attire from within the community. Once collected, Haven will donate the items to the Salvation Army Family Service Center of Madera and Madera Rescue Mission. If these organizations are not in need of professional clothing for their clients, Haven will seek recommendations on other noteworthy organizations in need.

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COVID-19 Drive Efforts

As COVID-19 very quickly swept through the nation, Haven looked for opportunities to ease the stress felt by many families. In Long Beach, food pantries quickly became inundated. As a means to support those in need and reduce some of the pressure felt by local food pantries, Haven hosted a food drive of its own. COVID-19 Kits, including non-perishable foods, critical supplies, and antibacterial products were made available at no cost to local citizens in need. Haven's collection efforts exceeded those individuals originally identified as recipients, and Long Beach City Council member Stacy Mungo teamed with Haven to distribute the remaining kits to individuals and families the Council had previously identified as being in need.



Haven owner Michael Simonian organized and volunteered at Haven's COVID-19 essentials drive.

DONATE FUNDS TO LOCAL NONPROFITS, CIVIC ORGANIZATIONS & SOCIAL SERVICE ORGANIZATIONS

Community Action Partnership of Madera County (CAPMC)

Community Action Partnership of Madera County ("CAPMC") is a nonprofit organization striving to end poverty in the Madera County area through empowering and improving the social well-being and economic capacity of "at-risk" and invisible populations. CAPMC provides a wide variety of services to low-income Madera County residents, including crisis intervention, child development resources, financial assistance, shelter, transportation, and volunteer opportunities.

Victim Services Center and Martha Diaz Shelter

Domestic violence is a pattern of psychological, emotional, and/or sexual abuse that occurs between intimate partners. Domestic violence is a serious problem - according to the National Intimate Partner and Sexual Violence Survey ("NIPSVS") conducted by the CDC, 34.9 % of California women and 31.1% of California men experience intimate partner physical violence, intimate partner sexual violence and/or intimate partner stalking in their lifetimes. Unfortunately, many victims of domestic violence in California do not have access to necessary resources. According to the National Network to End Domestic Violence, in a single day in 2019, while 81% of California domestic violence shelters served 5,644 adults and children, 1,236 requests for services went unmet due to lack of resources.

CAPMC's Victim Services Center ("VSC"), located in the City of Madera, serves Madera County residents affected by domestic violence through several programs, including a 24-hour crisis hotline, counseling, victim and witness assistance, and services for victims of rape and sexual assault. As part of its services for victims of domestic violence, CAPMC runs the Martha Diaz Shelter, a free shelter for battered adults and children seeking shelter from an abusive relationship, located in an undisclosed location, protected by policy patrols. Martha Diaz Shelter provides a safe place for domestic violence victims to stay for up to 30 days, as well as emergency food and clothing.

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Among CAPMC's many programs, Haven is particularly interested in contributing financially to the VSC and Martha Diaz Shelter. The VSC Volunteer Program supports the VSC's work by staffing the 24-hour Crisis Hotline, answering crisis calls, accompanying victims to court, working on special projects, and providing community education. Haven believes we can support CAPMC's Victim Services Center through contribution of volunteer hours.

Ronald McDonald House Charities of the Central Valley

Families with hospitalized children may often need to commute long distances to be with their children as they receive treatment. This can create added unnecessary stress on the family due to the constant commute and the financial strain of hotel fees and other travel-related expenses. The Ronald McDonald House Charities of the Central Valley ("RMHCC") provides families of hospitalized children a comfortable, calm, and nurturing place to maintain a family bond during a difficult time. Families with children receiving treatment and care from the Valley Children's Hospital can stay at the Ronald McDonald House located adjacent to the hospital, in the City of Madera. Family members may either stay multiple nights or utilize the Day Room Service, which provides wait-listed families the ability to rest, shower, and enjoy a home-cooked meal. The Meals from the Heart program offers families the opportunity to eat a warm, home-cooked meal after a long day enduring the stressful hospital environment. In 2020, RMHCC served 70 children, but 219 families were turned away due to lack of space.

Haven believes that RMHCC is the perfect partner to support families and hospitalized children in the Madera area. We will support RMHCC through a financial contribution. Haven will "Adopt a Room," meaning exclusively sponsor a room at the Ronald McDonald House in Madera. The Adopt a Room sponsorship provides families with children hospitalized at Valley Children's Hospital with a private room and bathroom closeby to their child, food and beverages, kitchen and laundry access, internet, and entertainment for siblings.

Madera Special Needs Sports and Recreation (MSNR)

According to a 2015 report by the National Institute on Disability, Independent Living, and Rehabilitation Research, 13.1% of Madera County residents live with a disability. The Madera Special Needs Sports and Recreation ("MSNR"), in partnership with the City of Madera, provides indoor and outdoor sports and recreational experiences for individuals with disabilities. MSNR creates unique opportunities that allow children with special needs to engage in sports or recreational programs in a no-judgment, supportive environment. Programs offered by MSNR include MMA, CrossFit, soccer, baseball, basketball, and an annual fundraising event, the Superhero Dance.

Haven looks forward to supporting MSNR's work with Madera's disabled community. We will support MSNR through a monetary contribution, including sponsorship of the annual Superhero Dance.

SUPPORT CITY PROGRAMS AND CITY IMPROVEMENTS

Funding for Enforcement Against Illegal Cannabis Operations

Haven is a full supporter of decreasing the number of illegal cannabis operations operating in the Madera County area. The only way for legal cannabis business owners to be successful, and to ensure that only safe and tested cannabis is distributed to guests, is by only allowing regulated dispensaries to operate. Haven will contribute funds and provide support to these efforts spearheaded by the City.

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Identifying City Improvements

Haven also conducted research to identify improvements that would benefit the City as a whole. The Madera County Community Health Needs Assessment lists multiple areas of need. Haven is the perfect partner to assist the City of Madera in achieving these goals, and brings to the City experience of successfully negotiating Community Benefit Agreements and Development Agreements and implementing Community Benefits Plans.

Public Safety

The legalization of cannabis has raised many issues where public safety is concerned. Communities fear that cannabis products will end up in the hands of children. Haven heavily focuses on prevention. From advanced security measures, to utilizing proper and legal packaging, to developing business practices geared to appeal only to adults, Haven pushes the importance of public safety in each of our business decisions. Haven will rely on the City to provide information as to their specific needs in increasing public safety, and eagerly seeks to partner with the City in our efforts. As a means of doing our part to prevent cannabis from reaching the hands of children, we will implement a Youth Education and Use Prevention Plan, which is included in Section F.3.D. of this application.

ENVIRONMENTAL AND SUSTAINABILITY PRACTICES

Protecting Our Environment

Surrounded by agricultural land, in the heart of California's Central Valley, which is the most productive agricultural region in the nation and world, Madera's unique geographic landscape is a reminder of the importance of performing business in harmony with nature. Haven's primary objectives are conservation of natural resources and the reduction of our carbon footprint within the City of Madera, Madera County, and the State of California, preserving the local community.

The City is conscious of new businesses and the impact new businesses have on the environment, the surrounding communities, conservation, development and use of natural resources, and the open space areas that are important for residents' views and recreation. Haven will fully implement recycling practices company wide along with promoting the message to our guests to encourage sustainability. Haven is committed to looking for new and innovative ideas to reduce our carbon footprint and to operate in a way that protects our environment and addresses community concerns.

Environmental Impact on the City

Pursuant to the current California cannabis regulations, all cannabis businesses are required to conduct a California Environmental Quality and Safety report as part of The California Environmental Quality Act ("CEQA"). Alongside the State's stance on protecting the environment, Madera has outlined goals, strategies, and actions to reduce local community greenhouse gas ("GHG") emissions in its 2015 Climate Action Plan ("CAP"). While Haven implements sustainability measures at all our locations, we have tailored our business practices to adhere to the following objectives outlined in the CAP:

- Energy Efficiency and Conservation in Existing Buildings;
- On-Site Small Scale Renewable Energy;
- Bicycle and Pedestrian Environment;
- Low Carbon Fuel Vehicles;
- Water Conservation;
- Solid Waste Reduction and Recycling; and
- Trees and Vegetation.

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Haven will work with the City and follow the strategies outlined in the CAP. We will align our business model and best practices to implement a "green" approach to operating our company successfully.

GENERAL "GREEN" BUSINESS PROCEDURES

In designing our business and site plans for Madera, we followed the City's stated objectives and strategies in the CAP, the CoolCalifornia small business toolkit, and the CALGreen Building Code. Our building design, while artistic, is crafted to utilize natural resources to save energy and reduce waste, as detailed further below. Haven will renovate our building to include more energy efficient lighting, solar roofing, and plumbing for water reuse. We will work with the City to conduct a business energy assessment and devise a highly energy efficient building. Haven will explore the use of energy efficient upgrades to the existing building.

Haven will implement the following General Business Procedures to protect the environment, reduce our carbon footprint, and help meet Madera's CAP goals.

Energy Efficiency and Conservation in Existing Buildings

Use of Safe & Efficient Building Materials

We will enhance our building's exterior with Hanson eco-friendly concrete and natural stone. We will source eco-friendly materials for our interior to the fullest extent possible, using ceramic floor tiles and fixtures made of sustainable materials, such as recycled glass and plastic and reclaimed wood.

Use of Energy Efficient Lighting and Equipment

Haven will work with local utility providers to find the most efficient means of providing electricity to our facility. All light bulbs in our facility will be energy efficient LED lights and we will utilize daylighting to reduce energy use. Equipment (such as computers, refrigerators, kitchen related equipment, registers, POS equipment) will all include the most current energy efficient technology. Haven will install automatic bathroom lighting, faucets, and hand dryers. All office space will have automatic energy efficient lighting.

Climate Control System

Climate control systems account for a large percentage of the total energy consumed in a cannabis business. In designing our climate control system, we will consult with a mechanical engineer to devise the most energy efficient system possible taking into account 1) indoor air quality; 2) odor control; 3) energy consumption; 4) greenhouse gas emissions; 5) regulatory compliance; and 6) climate. Should carbon emissions be a concern, Haven will employ additional procedures to offset any carbon emission.

Efficient Heating and Cooling

Haven will use a closed room environment to minimize our electricity costs. A closed room environment does not exchange air with the outside of the building and limits the electricity associated with the cooling of external air. In addition to the cost and energy-savings, closed room environments present the added benefit of decreased odor presence surrounding the premises. We will regularly maintain Haven's climate control and HVAC systems to ensure continuously efficient operations and to reduce energy consumption and energy costs. Maintenance will include periodic efficiency checks, filter replacements, and evaluations of system upgrades. Haven's facility will be sufficiently insulated to reduce heating or cooling losses. We will also install an energy-efficient or tankless water heater and insulate the first three feet of heated water exiting the water heater.

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Management Systems and Energy Audits

Our facility managers will consider installing a Building Management System (BMS) or Energy Management System (EMS). The U.S. Department of Energy has developed a suite of Specification and Procurement Support Materials to help managers identify the right fit for their facility. Haven will utilize Xcel's Energy Analysis Program to identify financial incentive programs and to perform a comprehensive energy audit or engineering assistance study (EAS). For example, we can install sub-meters, such as e-mon and Power TakeOff, inside the building to collect power usage data.

Air Purification, Noise, and Odor Reduction

Haven's air purification system consists of a series of plenums, arranged side by side, covering the entire ceiling. The plenums will provide air changes at the rate of one room volume every 5 minutes. Not only will the registers take in the air at an astounding rate, but the noise of the equipment will be greatly reduced due to their large size.

On-Site Small Scale Renewable Energy

Use of Solar Power

Haven will work with local solar companies to install solar photovoltaic systems on the building to provide us with renewable, efficient, 100% green energy.

Transportation and Land Use Measures

Alternative Transportation Program

Haven will assist Madera's transportation centers and local ride-share businesses. We will partner with ride-share companies to drop off and pick up guests at our business. Our parking lot will have designated spaces where ride-share vehicles can park while waiting for guests to finish at the dispensary. This will assist in minimizing traffic flow inside and out of the business. We will work to install alternative fuel vehicle parking and charging stations at our facility. Additionally, we will offer bike parking and scooter parking for employees and guests that use those modes of transportation.

Team Member Reward Program

We will offer rewards to team members who engage in environmentally friendly behaviors. For example, if team members carpool, ride a bicycle, or take public transportation to work, they will accrue points to be redeemed for prizes. Team members can also acquire points for recycling, using energy efficient practices, and suggesting practices that are later implemented by the company.

Water Conservation

Protecting natural resources is integral to Madera, which has experienced worsening drought. We appreciate how water issues are closely tied to the quality of life and economic vitality of the Madera Community. We'll do our part to be good stewards of the environment including participating in recycling education efforts to increase sustainability in the community.

"Green" Growing Practices

Haven will source its products from growers and manufacturers who follow environmentally friendly business practices, as in our other retail locations. When selecting products, Haven will follow a careful vetting process, reviewing each supplier's processes to ensure they are pesticide free and eco-friendly. For example, Haven will seek out cultivators that utilize the collection of rainwater, living soil, and chemical free pest control.

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Water Conservation

Haven's water conservation and reuse efforts include installing and implementing water efficiency upgrades to our building. As part of Haven's building improvements, we will upgrade all landscaping to a water-wise design, utilizing drought resistant greenery and watering techniques. Haven will retrofit our retail location with automatic faucets, set with a timing mechanism to control the flow of water, in all restrooms and break rooms.

Solid Waste Reduction and Recycling

Waste Disposal Plan

Team members will fully comply with all waste disposal regulations outlined in 4 CCR §17223 and Division 30 of the Public Resource Code. Cannabis waste will be disposed of in a secured waste receptacle on our property, which is only accessible to our staff and team members. Cannabis waste will be kept inside the facility only in a secured area. Each type of cannabis waste will be stored in a separate bin: flower, concentrates, edibles, etc. As we do for our other licensed locations, we will contract with GAIACA Cannabis Waste Company to collect and properly dispose of our waste. All waste disposal will be tracked accordingly.

Zero Waste Plan

Haven will reduce waste throughout the facility by recycling and reusing whenever possible. Haven will strive to recycle or compost all waste generated by our business. We plan to achieve a 25% landfill rate upon commencing our business, with a goal of reaching a 0% landfill rate by 2023. We will work with the City to eliminate plastic bags and to utilize local recycling companies to develop economic growth and create jobs. Packaging from inbound materials, waste generated during operations and team member waste will be the main sources of recyclable materials. Haven will place recycling bins in the team member break areas, office areas, and where inventory is sorted to ensure that all recyclable waste is identified and disposed of properly.

Haven will also greatly reduce the amount of landfill generated within the facility by composting waste, helping to produce quality compost that can be used to inoculate soil with microbial life. Team members will make every effort possible to identify recyclable and compostable materials, separate them from other waste, and place them in appropriate containers to be picked up by our recycling service provider. In addition to recycling, Haven team members will reuse everything possible.

Use of Recyclable Materials/ Closed Loop Recycling

In compliance with MMC §6-5.40(G)(4) and Cal. Bus. & Prof. Code §26070.1, all purchased cannabis products will leave Haven in a child-proof opaque package, utilizing the highest percentages of recyclable materials possible. Specifically, Haven will work with Encore Recycling, a company that collects, washes, and recycles the hoop house plastic used in growing cannabis. Haven will coordinate between Encore and its suppliers of compliant child proof packaging to create a Closed Loop Recycling program wherein the very same plastic used in growing cannabis crop is given a second life in packaging the product for Haven's guests.

Packaging Return Incentive Program

Haven will also offer an incentive program to encourage guests to bring back their used packaging to be sent to Encore to be recycled again – truly closing the loop. Each time a guest returns with his/her exit packaging, he/she will receive one stamp on an incentive program card. A full incentive card earns the consumer a discount or credit on a future Haven purchase. To the extent that exit packaging can be sealed and reused for an additional purchase made by the same guest, it will be. Once the exit packaging becomes unusable from repeat use, the guest can return the packaging for a new one and the old packaging will be recycled accordingly.

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Trees and Vegetation

Planting of Drought-Tolerant, Low-Maintenance Native Trees and Vegetation

The CAP suggests planting trees and other vegetation in order to absorb and capture GHG from the atmosphere, as well as reduce urban heat island effect.

As stated above under Water Conservation, part of Haven's building improvements, we will upgrade all landscaping to a water-wise design, utilizing native, low maintenance, drought resistant greenery and watering techniques. We will select plants utilizing the City's Approved Tree List when designing our landscaping. In accordance with MMC §6-5.36(A)(16), exterior vegetation will be planted, altered, and maintained in a fashion that precludes its use as a hiding place for persons on the premises.



SUGARPINE 559, INC

Section G: Community Benefits and Investment Plan

Sugarpine 559 is committed to contributing $150,000.00 annually to the City of Madera General Fund upon receipt of a State Cannabis Permit to operate. Sugarpine 559 is confident that our city officials will know where to best spend the funds to help improve the community, including the revitalization of the downtown area and parks.

Ahmed “Mike” Alamari, owner of Sugarpine 559 Inc. (Sugarpine) has a long history of contributing back to the greater Madera community and youth and Sugarpine will continue this tradition. Sugar pine chose to brand itself with the name because its connection to the community. Mike was born and raised in Madera and understands the needs of the community. Sugar pine will create a police liaison position to continue the legacy of other businesses operated by Mr. Alamari. The community liaison will engage directly with the city and local leaders to further expand support for local law enforcement needs. More importantly, we will reach out directly to the community we serve.

As a Madera High School graduate, U.C. Merced graduate and lifelong Madera resident for 31 years, Mike has committed to continue donating to local charities and causes to benefit Madera’s youth and community-based organizations. For the past two years, Mr. Alamari has contributed $5,000 to the Ronald McDonald House at Valley Children’s Hospital for its Adopt-A-Room. This allows a family to have a local place to stay similar to a hotel when their child is enduring a stay at Valley Children’s. He has also committed to giving $25,000 for the new building expenses for the expansion of the new Ronald McDonald House.

Mr. Alamari believes in youth and providing them every opportunity to be successful and to go to college. He has sponsored the Madera Farm Bureau’s scholarship foundation for 5 years now. Three lucky students receive a $1,000 scholarship based on criteria set by the farm bureau. Mike has plans to continue this tradition well into the future. Mr. Alamari purchased over 750 coats for kids who live in three of the most under-resourced areas of Madera and Fresno. In 2019 he sponsored the Central Unified School Districts Coats for Kids give away. He then decided to bring the project home in 2021 by purchase five hundred coats for elementary school kids in Madera. Mike hopes to continue this tradition as well and team up with other Madera businesses to provide more coats for the program. Mike has also held backpack giveaways prior to the beginning of the school year both in August of 2020 and August of 2021. Over five hundred backpacks were provided to Madera students in 2020 and in 2021, he passed out 250 backpacks to students in Fresno in addition to the five hundred in Madera. Overall, the community is incredibly grateful to have a person like Mr. Alamari constantly giving back to the community. These events will not only continue but grow soon. Pacific Farm management currently operates a community outreach program and has events year-round. We will tap into our current network and expand on the efforts.

Aside from the student-based programs Mike has been a part of, he also has stepped up in the wake of the Coronavirus pandemic. In late March of 2020, the community was experiencing a short supply of bottled water and toilet paper. Mr. Alamari worked effortlessly the weekend on March 21st to secure water and toilet paper. He got a hold of 350 cases of water and 1500 rolls of toilet tissue. He was originally going to sell the products to the public at cost due to other retail markets price gouging. Instead, he published on Facebook that he would provide each family that drove to his shop the following Monday morning with a free case of bottled water and four free rolls of toilet paper. The post was extremely successful, and he was able to pass out the supplies in an hour on March 23rd, 2020.

In April of 2020 during the peak of the first COVID-19 outbreak; Mr. Alamari read that the Madera Community Hospital was severely short of protective supplies. Using his network from his supply business, he took it upon himself to donate to the hospital staff by providing medical gloves, N95 masks, and sanitation/disinfectant supplies. Total value was over $4,000 at a time when all the hospitals supply chain was exhausted. Mike's donation to the Madera Community Hospital was published on local news media. He then received a request from Community Regional Medical Center in Fresno to purchase supplies if available. Mike responded promptly but providing another pallet of similar goods at no cost to Community Regional Medical in downtown Fresno!

Overall, Mike is an exceptional person and businessperson in his community. He is very philanthropically driven. Mr. Alamari has plans to leverage profits from Sugarpine and inject them directly into the local community. He will do this by providing quarterly grants for recognized non-profits in the Madera area. Mike will also consult with community leaders in finding programs and ways to help the youth community since he is a firm believer in the critical age window of 10-14 dictates a person's future. In addition, we are committed to empowering and cultivating a new generation of student leaders.

Sugarpine not only believes in monetary contributions, but we will also be involved in local efforts. Our employees will share this value and we will count on them to do charity work as well. Thus, our team will help in providing mentorship of local youth and volunteering at local community events such as Memorial Day, Veteran's Day, and Martin Luther King Jr. Day. In addition, we are committed to assisting the City of Madera in beautification projects in Downtown and around our city. Pacific Farm management currently operates a community outreach program and has events year-round. We will tap into our current network and expand on the efforts.

https://www.maderatribune.com/single-post/pacific-farm-management-hands-out-backpacks

https://www.maderatribune.com/single-post/2020/04/02/cal-pacific-helps-out-more-than-300-families

DSPO–MADERA, LLC
(dba: DISPO)



SECTION G

COMMUNITY BENEFITS AND INVESTMENTS PLAN
DSPO-MADERA, LLC
Dba DISPO

Madera, CA



DSPO-Madera, LLC's Community Benefit and Investment Mission Statement

We strive to have an organization that successfully capitalizes on enhancing our communities. We believe that with a plan to assist and work with our community we can address systemic barriers embedded within policies, practices, programs, and services that will include all individuals in the cannabis community. Our organization strives to create an inclusive community where our local citizens are working together with us to make the lives of all significantly better. It is our goal to invest in our community to the highest extent possible because without them we would not survive.

SECTION G: COMMUNITY BENEFITS AND INVESTMENTS PLAN

Community Engagement – DSPO-Madera, LLC chose our company name to build a deep-rooted business for the local community. We seek to promote and recognize the Madera community's unique, inclusive, and caring spirit in everything we do, taking a handcrafted and personal approach to our business ventures. The ownership is driven to collaborate with various local organizations to align ourselves with the City Council's priorities in the Vision 2025 Plan, including Housing-Homeless, Transportation, a Vibrant Downtown, and Children/Youth programs. Our efforts will directly aid, participate in, or fund the work of local non-profits, community-based organizations, civic organizations, and social services organizations. We aim to increase health, happiness, and creativity for the hard-working and creative residents of the beautiful vineyard-lined home of Madera City.

THE DOWNTOWN ART PROJECT

We are committed to a vibrant downtown and believe promoting the arts and funding the revitalization and activation of the alleyways behind our location will be a perfect place to start. We are committed to working with Rochelle Noblett and the Donwtown Madera Arts (DOMA) to make the area a community gathering place with artworks, including a sculpture garden, lighting, overhead shade, seating, and activities to bring residents downtown and benefit the restaurants and businesses in the surrounding area. With Rochelle's lifelong experience and commitment to Downtown Madera and the arts, we have the benefit of her expertise to guide us in our commitment to making the entire downtown a showcase. With senior tours and block events, the DOMA project will liven the community in Madera and give us a chance to give back while connecting with our community. The renderings below are of an actual space that is in dire need of revitalization in the downtown area. We have already secured the commitment of all of the local businesses within this area to begin the project.









HOUSING-HOMELESS

Madera is known for its high-tech, great climate, and profound sense of community. Right here in our town are residents going through difficult, life-threatening situations and finding themselves without employment or a place to rest their head. We aim to step in and engage the community during this devastation and build a profound sense of togetherness and support. We will play a vital role in helping the community address this tragedy in Madera by partnering with those who know best: the local organizations that are already engaged.

Madera Hope House - Help Lift Someone out of homelessness (https://www.tpocc.org/hope-house)

The Madera Hope House is a local organization whose team members are committed to overcoming incredible odds in the face of hopelessness, human suffering, and countless roadblocks as they seek to better the community and lift themselves out of homelessness. They provide homeless and low-income men and women with the resources they need to rebuild their lives by volunteering and using programs to better themselves and join the workforce as it restores hope and opportunities. Volunteer work is correlated with beautifying the city and partnering with local businesses. We commit to partner with this organization and offer funds to help them continue in their efforts.

TRANSPORTATION

Community-based transportation systems have been and continue to be an essential way of offering solutions to communities for many years. The Madera Vision 2025 Plan includes many policies relating to improving bicycle and pedestrian transport to be more convenient, comfortable, and safe. We believe that pedestrian safety is as important as vehicle safety. We also want to educate the community in our outreach training on the many benefits of using walking and biking as a transportation source. Biking lowers the mortality rate by 40%, and walking reduces the mortality rate by 25%. It also promotes colossal health benefits. New research by health economists at the University of East Anglia and the Centre for Diet and Activity Research (CEDAR) show that walking or cycling to work is also better for the community's mental health. Educating the community and offering solutions will help build a safer and healthy community for all. Auto crashes are the number one cause of death in children, and motor vehicles are the number one cause of pollution. We believe investing in this safe mode of transportation would greatly benefit Madera. It would also limit traffic and congestion.

DISPO will work with the city to invest in barrier-protected transport lanes for the community's vital protection. Our team connected with the Senior Transport Coordinator of Madera and completed the process's initial stage of due diligence. Currently, no protective barriers or paths for biking or walking in Madera are deemed safe for non-vehicle transportation. There have been many fatalities and injustices that could have been avoided with the protective barriers in place. The city has prioritized this issue in the Madera Vision 2025 Plan. DISPO will invest in the protective lane barrier, starting with the city's most threatening areas. We seek to build a long-term relationship with many other non-profits and projects that involve transportation, building safety barriers and protective lanes, safe overpasses for pedestrians, building community bicycle racks, and more.

CROW ABATEMENT ASSISTANCE

The City of Madera, in tandem with the Madera Downtown Association and the County of Madera, have an annual crow abatement project. This abatement project utilizes falconry to remove crows that nest in the downtown and peripheral areas of the city. Each year these crows congregate in such large masses that their feces become such a nuisance that the abatement project became a necessity. The project pays for a professional falconry group to release their trained falcons throughout downtown which in turn causes the crows to



abandon their rooftop nesting places. Falcons are a crow's natural enemy so within 2-3 days after the release of the falcons the entire population of crows relocate to the rural outskirts of the city. After about 6 months the crows realize the falcons are gone, and due to the waste left by humans in dumpsters and on the streets the crows return for an easy meal. This return leads to another annual craw abatement through falconry.

The cost of the falconry is $31,000 and is split equally by the Madera Downtown Association, the City of Madera, and the County of Madera. Being that DISPO will be located in the heart of Downtown Madera, and we will be members of the Madera Downtown Association, we pledge to pay the portion of the crow abatement fee allocated to the Madera Downtown Association each year.

CHILDREN/YOUTH PROGRAMS

The city of Madera, California, has a population of 66,575 residents. A percentage of this population is an important group that will, in the future, work at the local business, own a home and raise a family within the town, and play a vital role in making Madera a vibrant place to live. This group is the children and youth of Madera. The youth are an imperative group of individuals worth investing in as they grow into mature adults and benefit the town. Youth programs help mold important qualities in these early years of life to help them grow toward success.

John Wells Youth Center - Providing services with compassion, not judgment. (701 E 5th St, Madera)

The City of Madera Youth Center offers youth a positive, safe, happy place to become or stay healthy, interact with others in the community, receive mentorship, and provide leadership. The youth center looks to provide the kids with mentorships and resources to empower them to use their voice, choices, education, and leadership to change the community positively. The youth's investment should not be ignored but looked at as an opportunity to influence the city's future entirely. We see this as a crucial aspect of any community's current and future well-being. Our commitment is to partner with the center to help fund and provide opportunities for the youth by giving directly to the center and covering the cost of weekend field trips and yearly basketball leagues.

D.A.R.E Education - Madera County Sherriff's Office

We are committed to educating our community's youth by donating to the Madera Police Department's local D.A.R.E program, where a trained police officer teaches us about the harmful effects that drugs can have within our respective neighborhoods. From a young age, we learned to "Just say no" to drugs in all of their forms. Beyond our adult community educational platform for cannabis as medicine, we will partner with the Madera Police Department to educate youth to "Just say no" to drugs in all forms. We, as a Company, pledged continued support for the education of our local youth. As community advocates, we consider all California children our responsibility to educate to raise them in a morally conscious environment.

Support of Treatment Centers for Addiction - As a Madera community concern, alcohol and substance abuse is a reality for many families who live in the community we will serve. Our Company will pledge donations to healing those local families which suffer from alcohol and substance abuse, notwithstanding the role the cannabis industry might play in either healing or promoting that overall effect. Unfortunately, the residents of Madera can still suffer from the impact of substance abuse. In 2017, 47 Madera County residents died of drug-related causes. The Central Valley Opioid Safety Coalition Health Grant #19-10779 states the statistics and plan for the central valley opioid epidemic and provides multi-pronged strategic approaches to comprehensively address opioid misuse, abuse, and overdose deaths for Fresno, Tulare, Kings, Merced, Mariposa, and Madera. In December of 2017, reported deaths were 67,850, compared to 70,980 in 2019. 70% of these drug overdose deaths involve an opioid. Nearly 450,000 people died from a drug overdose between 1999-2018.

Our Company will provide grateful support to treatment centers that focus on; behavioral health counseling, residential services, outpatient treatment, aftercare planning, and traditional 12-step treatment programs. We will also work with local community organizations to promote healthcare, public education, and awareness.

Social Equity - Equity Business Operational Support & Sales Consulting

At least five hours of total operations and sales consulting will be provided weekly on a first-come, first-served basis to any inquiring equity business owners. We will also prioritize equity product contracts, hire local minority residents, train and engage minority-owned businesses for services, and prioritize all social equity applications to create culture and diverse perspectives within the company and the community. We will diversify the hiring process and hold accountable any bias in our programs, business, and organization.

ADDITIONAL COMMUNITY SUPPORT MEASURES

Madera Core Values - Our Company is committed to clench the diversity of this community and embody the ideals of respect and inclusion in everything that we do, starting from non-discriminatory hiring practices, payment of truthful living wages to our employees, green power initiatives, in addition to participating directly with local residents, business owners, organizations, and governmental stakeholders. We are committed to up the standard of our community through artistic entrepreneurship. We are excited for the chance to develop a forward-thinking and exquisite new business that grows the Madera community.

(1)Education of the consumer & the community - The organization will engage the local community by creating opportunities for education to teach our local community about the positive benefits, adverse reactions, and proper limitations on cannabis to create a better-informed conversation as a therapeutic alternative.

(2) Customer Education - Our seasoned staff will take ongoing training through mandatory weekly company safety and compliance meetings and earn industry-established certification through Clover Leaf University. We will also enforce strict product labeling standards for our vendors, so customers are on immediate notice of the standard of product they are purchasing and using. We will also hold local classes for community residents to educate them on the effects, potency, quality, and safe use of cannabis products.

(3) Clover Leaf University Workforce Training -- Clover Leaf University is the first cannabis and hemp university approved by the Department of Higher Education's Private Occupational School Board. CLU has educated thousands of government agencies, business owners, and employees with regard to the highest standards of industry compliance, responsible marketing, seed-to-sale tracking, consumer safety, money security, and budtender product safety. We will provide our workforce with an occupational curriculum, supplying an additional layer to the post-secondary educational opportunities in Madera. Our company will fully fund the preparation of the best-trained employees and community patrons in the cannabis industry. We will support programs in local hiring, vocational mentoring, and continuing education through our local dispensary, benefitting both customers and the Madera community as a whole.

(4) Medical Cannabis Education - Our Company will support the local community with a focus on the medical benefits of cannabis. Our employees and seasoned budtenders will acquire licensed medical marijuana training certifications from Clover Leaf University before interacting with customers. Additionally, we will provide our community with dispensary tours to educate the community about cannabis and its positive or potentially harmful effects.

(5) Veteran Community Support - Our Chief Executive has pledged the Company's support of local Veteran organizations, including the local American Legion Post 11, and the VFW Post 1981, which promotes tremendous

veteran assistance within the local community. We will also pledge financial support to the local Trauma and PTSD Treatment Centers to promote and rehabilitate veterans who find it difficult to readjust to life upon returning home after selflessly serving their country on our community's behalf. We will also work with industry veteran associations such as Weed for Warriors to provide services and discount pricing for community veterans.

(6) Local Special Needs Community Support - Our Company Owners are immense proponents of the special needs community in California and abroad. Our governing board has identified Accessible Recreation, a California-based, national 501(c)(3) nonprofit offering to improve the lives of special needs community members by providing youth programs and activities that focus on positive experiences, learning opportunities, and life skill development in a fun, safe, caring environment. As we grow, we will identify the special needs community leaders in Madera and expand our support for many other nonprofits and groups tackling this issue within the community.

(7) Local Enforcement Initiatives - We stand strong in supporting the local law enforcement officers who are charged as the guardians of our community. Our Company will pledge consistent financial support to the Madera Police Department.

(8) Neighborhood Watch Participation and Crisis Hotline - Our Company will attend Neighborhood Watch meetings to understand our Madera community members' concerns better. Our support will promote our residents' safety and reduce any potential burden our business activities could place on the Madera police officers keeping us safe. We will also set up a crisis/complaint hotline to support our community with any adverse situations or feedback.

(9) Local First Responder Support - We are aware of the potential downside the presence of cannabis in a community might place on first responders. As an active community partner, our Company will support the local Madera Fire Department and Police Department by hosting annual events to appreciate their important role in our community. We will also provide annual financial contributions to both Madera organizations to enhance the quality of those departments to show appreciation for everything they do for our neighbors and us.

(10) Impaired Patrons - There may be instances where customers enter the dispensary in a mentally or physically impaired state. It will be the duty of every employee to protect the welfare of everyone at the establishment, including the impaired individual. Security and management will be immediately notified when an individual appears to be impaired. Once the manager on duty has assessed the situation, if required, the manager will either call for transportation for the impaired individual to make it to a safe place or alert the proper authorities in order to maintain a peaceful operation.

(11) Green Cannabis Community Action - The Organization will support the green businesses within California's cannabis culture to minimize the negative impact. Indoor grows equal one percent of electricity usage in the US each year, which comes to about $6 billion in energy usage annually, according to a 2011 report. Outdoor cultivation leads to deforestation, diverting of water, and destabilization of whole ecosystems. One pound of cannabis equates to about 1.95 metric tons of carbon dioxide or 2,095 pounds of coal burned. So, one pound of cannabis is approximately $3,000 in gross revenue sales. Our Company will pledge that trees will be planted through reforestation projects through local nonprofits and other California organizations dedicated to reforestation to counteract the environmental effects of the products we sell and preserve California's gorgeous landscape.

(12) Water Conservation - Water use for cannabis plants can be as much as 1 billion liters of water per square mile in a single growing season in a sizeable outdoor activity. A single plant can use up to 6 gallons of water per day during the summer season. Using ebb and flow trays, which recycle the water between adjacent plants, indoor facilities may allow more efficient water use. Our Owners feel that an emphasis on sustainable water conservation practices should become the new standard to minimize the cannabis industry's future impact. Our Company's solution focuses on reducing carbon footprint by minimizing the environmental impact, and carbon footprint cannabis operations

produce. We will establish a preference for vendors with energy efficiency standards, processes, and sustainable practices in place to guarantee less wasteful production of cannabis and its ancillary products.

(13) State Certified Organic - Our company will pursue business alliances with cannabis facilities committed to obtaining and gaining full organic certification once the certification specifications are released.

(14) Neighborhood Security & Improvements - The property is located on a main commercial corridor in Madera. The lot is located in a compliant zone for cannabis businesses, which does not restrict the property from operating a retail dispensary. There are no schools, libraries, or parks within the buffer zone limitation, so the property is compliant under the Act. Additionally, we will take upgraded security measures by employing onsite security guards, as well as off-site security of security surveillance of the surrounding building and the neighbors we share the city block with. We will engage heavily in our Neighborhood Watch programs and provide top-of-the-line security cameras in all areas to help protect any neighboring facilities, businesses, or residents.

(15) Building & Neighborhood Revitalization - The building itself will be redesigned, improved, and highly upgraded from the ground up. With our prime location in the heart of Madera, the Ownership is opting to maintain the building's outside aesthetic, which now includes improved interior and exterior design and functionality.

16) Nuisance Reduction - As a responsible and curious adult retailer, we will not produce any noise emissions to annoy our fellow companies or create a disturbance within the surrounding community. Any odor that may escape from our inventory storage or showroom floor would be eliminated by adding dual air scrubbers and an air filtration exhaust system.

(17) Community Nonprofits - Our Ownership has a long history of work in the local nonprofit community, specifically minority support groups, community outreach, nonprofit support, chamber and association support, government relations, and various others. Historically, the Owners have taken a community-oriented approach to businesses; they have provided paid volunteer opportunities to throw barbecues for the homeless, and our technology staffers have performed pro bono work on behalf of local schools and governmental institutions. We expect to continue this tradition; offering paid volunteering opportunities to our staff members who contribute time and work to those nonprofits we support and developing marketing partnerships with these organizations by which we can help to provide cash contributions and help them raise funding. We will also support the Multicultural Institute by hiring day laborers for any additional work. https://mionline.org/

18) Community Business Partnerships - As noted before, partnerships with the existing neighborhood and area businesses are fundamental to our Company's success. We will give priority to our local entrepreneurs and expect to utilize the services of local contractors for the construction of our business, to stock locally made cannabis products (or products from locally-owned companies) on our shelves, and to continuously seek out and develop prolific partnerships within the Madera business community.

(19.) Tax Contributions - We aim to raise revenues to generate significant tax revenue for Madera, helping to educate the community by our actions, best practices, and commitments.

(20) Community Events – Participation in and sponsorship of community holiday events and local engagements is a priority for our business and community engagement strategy. Other State and Local Participation - Our company members are active supporters and member participants in the following organizations, which educate and uphold local communities with regards to safe, legal, and responsible cannabis research and access:

Membership Associations and Affiliates

- Madera Chamber of Commerce - https://maderachamber.com/
- Clover Leaf University - http://www.cloverleafuniversity.com

- California Cannabis Industry Association - https://thecannabisindustry.org/
- NORML - https://norml.org/chapters/
- Minorities for Medical Marijuana Participation - https://www.M4mm.com
- Americans for Safe Access- http://www.safeaccessnow.org
- Weed for Warriors Veteran Support - https://www.wfwproject.org/

LETTERS OF RECOMMENDATION

DOWNTOWN BUSINESS AND PROPERTY OWNERS SUPPORTING DOMA ARTS DISTRICT

DOMA ARTS
Downtown Madera Arts District

June 17, 2022

Mayor Santos Garcia
Members of City Council
405 West Fourth Street
Madera, CA 93637

Dear Mayor Santos and City Council Members,

We hope that you will agree that a beautified downtown area will be beneficial to all residents and that you will help to make our dream possible by approving permits for two dedicated businesses to operate and contribute to the city's growth and prosperity.

We, the undersigned, are business and property owners in Downtown Madera who support the approval of permits for two special cannabis businesses. Although a number of potential dispensary businesses have either bought or taken limited leases on downtown buildings, only ***DSPO Madera and HerbNJoy*** are committed to invest in a transformational project that will make Downtown Madera a destination as our city's Art District. The venture that we have discussed with the two businesses and which they enthusiastically support is an Alleyway Revitalization Project. Together, we have developed a plan to convert the T-shaped alleys between South C Street and South D Street, as well as the partial alleyway that runs north from 6th Street for a half block, into public spaces for the arts, sport courts, and cultural events.

We are convinced that DOMA (DOwntown MAdera) will attract new businesses and create a robust mix of shopping, dining, and entertainment. In turn, this will provide the opportunity for jobs in a variety of skills and income levels. In addition to providing funding for the DOMA project, both companies have pledged financial support and volunteer services for the ongoing improvement of the business district.

Some of us are long-time owners and business operators, others are relative newcomers. However, collectively, we share a belief that DOMA can and will be a vibrant area that will attract and inspire our diverse population.

Please allow DSPO and HerbNJoy to make this dream come true by approving their request for permits to operate in Downtown Madera.

Business and Property Owner
Chris Miller, Leighton's Jewelry

Business and Property Owner Ramiro Sepulveda
Romeo's Furniture

Business Owner Garrett Tarin, Diamond Communications

Business and Property Owner
George Buenrostro, TJ's Bar and Grill

Property Owner James A. "Lex" Bufford

Business and Property Owner
Rochelle M. Noblett, Pete's Sport Shop

Madera DOWNTOWN Association
P.O. Box 812 - Madera, CA 93639

June 17, 2022

David Nola
DSPO

To Whom It May Concern:

We would like to thank you for attending our meetings and allowing us the opportunity to get to know your company. Learning of your commitments and activities in the communities you currently conduct business allowed us the opportunity to see what your presence could potentially do for our city with an emphasis on our downtown district.

The Madera Downtown Association would like to acknowledge our formal support of your application for a cannabis permit to conduct business in the downtown area.

Thank you for your commitment to Madera Downtown Association and the non-profits in our community. We look forward to partnering with you on future projects, pending approval of your permit.

Best wishes as you move forward in this process.

Respectfully,

Mona Davie, President
Madera Downtown Association

ZEN GARDEN OF MADERA, LLC

G. Community Benefits and Investment

We – and all our competitors – have now introduced our owners, demonstrated our fiscal soundness, committed to industry best practices, commissioned safety and security plans, and shared our plans for integrating into our local neighborhoods. When it comes to our community, our ZGW team has and will continue to invest. We are Local, Experienced, and Caring - caring for our neighborhood, our community, and our customers. ZGW brings a Good Neighbor philosophy to our enterprise.

What Makes a Good Neighbor?

ZGW is committed to being a good neighbor – but what makes a good neighbor? To us, it means generating a net positive impact on our community and neighborhoods. We aim to create authentic relationships grounded in the principles of friendship and cooperation for mutual benefit. To that end, here are the values that we of ZGW stand by:

- We keep the interests of the entire community at heart, not just our own.
- We stay connected and engage with the community based on current needs and emergencies.
- We are open and approachable to neighboring businesses and residents and will quickly and fairly resolve any issues.
- We operate in a peaceful, calm, and unobtrusive manner.
- We show respect to all, in the way we run our business, design our facilities, and maintain our property.
- We offer help whenever we can.
- We LOVE our neighbors and share these values with our employees and Customers.

We ARE Madera!

We live here, we raise our families here, we operate our businesses here. We share this City with over 100,000 other folks, and we see every day how we are all interconnected – in ways we know and ways we may not always see. It is our heartfelt commitment to make our City better, in part by being better ourselves. By operating businesses that care for our City – creating local, living wage jobs; bringing entertainment to enrich our quality of life; stimulating our economy through hiring local professionals and service providers; giving of ourselves and our profits to raise others up; and, through our dispensary, providing safe quality access to our citizens who choose to consume cannabis.

LOCAL. EXPERIENCED. CARING.

Why Local Matters.

We are already your neighbors. We live where we work, where we play, where we grow our families.

Giving to Madera is in our DNA. As individuals, as families, as businesses, we always have and always will contribute time and resources to our community, our neighborhood, and our home.

We keep our dollars here. We hire local people we know can not only get the job done but can learn and grow from their experience at ZGW. We infuse money into our local economy by hiring local laborers, professional service providers, and tradesfolk.

We're in it for the long haul. We take care of our staff with living wages, ongoing education, benefits, and a positive work environment.

Why Experience Matters.

Cannabis is a relatively "new" industry, where quality hands-on experience is at a premium and not often easy to come by. Our leadership team checks all those boxes. It has the right people, with the right experience, a demonstrated commitment to enhancing Madera through a positive community works in socially important areas. Owner Barbara Perkins has dedicated herself to advocating for children in Foster Care, and is a CASA Child Advocate, Owner Corey Travis is a strong supporter of Stanford Sierra Youth Solutions, an organization dedicated to assisted children who have been displaced from homes.

This real world experience of advocating for change, and taking action, is a key component of ZGW Madera's leadership, and will continue to drive the company's ongoing philanthropic activities.

Why Caring and Compassion Matters.

As longtime Madera residents and business operators, the owners of ZGW have seen incontrovertible evidence that the heart of a business translates to better, and even more profitable, business. Mirroring the interconnectedness of our families, friends, and colleagues, all businesses in a neighborhood are connected. Each has the opportunity to raise or lower the overall bar.

The owners of ZGW are proud of their demonstrated commitment to the betterment of our local community through charitable giving, volunteering, and collaborating. So while some might disagree, we know that caring is not just a nice word, a "soft" benefit. When we bring compassion to our work, to our customer interaction, to our neighborhood engagement, all are enhanced. When compassion guides our decisions, all benefit. When compassion is the measure by which we gauge our performance, we are guided to make the "right" decisions. Building a relationship with our community – and our shared customer base – through caring and generosity ensures that the whole is made more sound, stronger, more vibrant, and more sustainable.

ZGW Community Investment: Past and Present

We are proud of our Community Benefits Plan, laid out in Section F.4, below. We think it offers a broad array of options for our management and staff to engage for the mutual benefit of our community. But at the end of the day – or the application – it's just a plan, right? In our case, it's a continuation of our community service work.

To see what kind of neighbor we WILL be, take a look at what kind of neighbor we've ALREADY BEEN.

We're really, really good at events and promotions! Our owners have regularly used those skills to hold annual holiday and special need drives and fundraisers, generating sizeable contributions to local organizations like the Annual Gardenland Toy Drive.





Our team was a key sponsor and participant of "The Great Sac Give Back" a community centered program designed to give back to the immediately surrounding community on a District by District basis .

In the early days of the COVID-19 pandemic, PPE (Personal Protective Equipment) items were often in short supply in Madera. ZGW partnered with Nathaniel Awbrey of Shield and Seal, to produce hundreds of high-quality face coverings, which were then donated to local businesses and essential workers to assist in the control of the spread of COVID-19.



Sacramento, the City of Trees, identified that lower income neighborhoods suffer from lack of tree canopy coverage, increasing temperatures, and decreasing property values. The ZGW team came out in full force to plant donated trees in these communities, and teach residents about proper tree care.

ZGW has also organized, funded, and sponsored a number of park cleanups in the immediate district. Often there is no budget for this kind of cleanup with City resources spread thin, additionally, these lack of cleanup resources compound by discouraging residents in these areas from using parks and recreational facilities nearby. ZGW has organized their renowned rain or shine cleanup for 5 years. In the wake of a rainy year when many community cleanups were regularly cancelled, ZGW got news coverage for handing out ponchos and rain gear to stay on mission. It went viral and reminded folks there is no excuse to skip on improving your community.



ZGW Community Investment: Into the Future

ZGW's mission is to leverage our success for the betterment of all within our community. As we move forward, we will model these values, instill them into our team, and continue to support activities, entities, and programs in our chosen areas of shared interest and need: disenfranchised youth, environmental restoration, and food and housing security. ZGW has identified several means by which we, as an entity, as an ownership group, as employees, and as a "family" can offer our support: whether that be time, significant funding, or collaboration.

Funding for Immediate Needs

Through ZGW, our ownership team looks forward to extending their existing community contributions. In her role as Community Liaison, Barbara Perkins will be responsible for the day-to-day management of ZGW's community outreach program, including the operational budget, performance tracking, and

employee engagement. Barbara's current deep involvement in local affairs makes her uniquely qualified to have a dramatic positive impact on our community with additional resources from ZGW. *In addition,* **ZGW will pledge to donate one percent (1.0%) of our gross receipts** back into the community. Through an endowment fund managed by Mrs. Perkins, we will be able to direct disbursements to organizations, programs, and agencies immediately when critical needs arise. Additionally, ZGW shall utilize these funds to assist in fundraising drives to raise money for actions and entities ZGW supports or to respond to unexpected local emergency situations.

Donating our Time and Expertise

Aside from monetary giving, the ZGW business family intends to donate our time. Employees will be reimbursed for one (1) paid day per quarter to volunteer with preferred local organizations with a ***team goal of three hundred (300) community service hours per year***. We aim to be the BEST place to work for employees and will empower our staff to choose charities of their choice to support with time and donations and will offer opportunities for ZGW to match certain donations. We will vote as a team annually to determine what charities ZGW will officially sponsor and where we focus our support. ZGW aims not just to be a job for our employees but a community and family where no one wants to leave, as we all share in our desire to give back and improve our local community.

Adopting Areas, Projects, and Programs

The primary focus of our outreach efforts will be on public safety programs that support the health, safety, and welfare of neighboring residents. Our selected areas of concentration are: (1) Disenfranchised Youth, (2) Environmental Restoration, and (3) Housing and Food Security.

1. **Disenfranchised Youth.** ZGW understands the need to protect children, especially those that may be at most risk due to economic, social, or familial reasons. We plan to work with the Madera Unified School District and Madera County Public Health department to support programs and initiatives aimed at diversion and youth education. As one example, we will propose to their board that ZGW 'adopt' (provide financial support and volunteer assistance for) Parks and Recreational open spaces, located near our proposed Facility. The small neighborhood parks will provide children with superior alternatives for recreation; our efforts would include maintaining and improving playgrounds to support outdoor activities, providing funds for increasing opportunities for family gatherings, and providing financial support for parental education programs.

We are developing various educational programs to be offered at an alternative community site in the area. These programs will serve as prevention and youth diversion programs and we will contribute literature and educational support focusing on teaching parents how to properly use and store cannabis products and to ensure that such products are not accessible to minors. Equally important, we will work

to educate parents on how to speak to their children about drug use and to recognize signs of use to proactively help divert children from drug use. Program goals are to assist families in providing youth diversion programs and education to ensure that legal cannabis is only utilized by adults over the age of twenty-one (21) or those under direct medical supervision. With education playing such a large role in preventing addiction, we have devoted space within the retail floor for adult educational programs. Periodic seminars will be held on topics related to responsible consumption and "Cannabis 101" by manufacturers presenting their products and explaining the palliative benefits and uses.

2. **Environmental Restoration** – Madera prides itself on its parks events, and community involvement. Many such areas need to be protected and/or restored to ensure the community can continue to enjoy their use. We have two primary projects planned as of this writing:

ZGW will seek to adopt a park and/or major traffic corridors in the community to support the maintenance and restoration of family play areas, and walking or driving pathways and their surrounding areas, in pursuit of conserving and enhancing Madera's beautiful community and environment.

On a broader scale, we will explore ways to work with select local entities to adopt and fund portions of their operating budgets, such as an annual commitment to their organizations. All of these targeted efforts will contribute to an increase in safe and welcoming recreational spaces for the community to enjoy and will serve to increase public safety.

3. **Housing & Food Security** – ZGW understands the concept of a community and wants to work to help those that are most vulnerable and susceptible to drug abuse, in particular our homeless population. ZGW plans to support heating and cooling centers, including "pop-ups" in the community to help those at-risk members of our community during extreme weather conditions. Furthermore, we will seek to work to financially support the Community Action Partnership of Madera to provide alternative living situations to those that might otherwise be subject to harsh weather conditions which create illnesses and other dangers. We will work in community gardens programs to support food availability, with a specific focus on Olive Street, and Gateway Drive neighborhoods. We will also combat food insecurity through joint projects with existing entities like the Madera Rescue Mission, and Modera County Food Bank.

Seasonal Food and Clothing Drives

Fires happen. Jobs are lost. Illness or injury surprises. Budgets run tight and families go wanting. The reality is that needs arise, often unpredictably, sometimes around holidays, more times not. Our "Collection Campaigns" – whether of toys or clothing or food – are a staple of the ZGW team. They are a gift to each of us, every bit as much as they may generate gifts for others. The child with an unexpected toy on Christmas eve, the donor who shopped for the toy. The man enjoying the warmth of a "new" coat, and the donor who purged a closet. The householder putting food on their table, and the family who gathered or bought the "fixings." All benefit. At ZGW, our family will continue to use our Collection Campaigns for the benefit of the families of our community.

Support for Specific Populations.

ZGW plans to launch a variety of discount and incentive programs to meet the needs of various customer subsets.

Discounts. As a reflection of our belief in the palliative benefits of cannabis, we will offer a 10% discount to qualifying seniors, and to US veterans and active military to show our gratitude for their service. Low-cost compassionate care programs will be implemented to ensure low-income and/or indigent customers have safe and ready access to both products and information.

Incentives. In order to minimize wait lines and the use of offsite parking, we will encourage visits during non-peak hours and at varying times of the year, through pricing incentives such as "happy hour" prices or "early bird" offerings, driven by the data gathered by our POS software indicating our least busy hours. Additionally, discounts will be offered on different products on different days to potentially distribute the various types of Customers throughout the week.

Environmental Leadership

ZGW aims to be an environmentally mindful business. In addition to supporting ecologically sound practices outside our Facility– we will use our building, our purchases, and our operating practices to take a leadership role in environmental stewardship. From the design, selection of materials, planned addition of solar panels and EV charging stations, to limiting our carbon footprint by the use of hybrid delivery vehicles, minimal paper use, and pro-active recyclings procedures, we will preserve and conserve our precious natural resources while operating in an aesthetically pleasing sales environment. We will implement waste reduction in our purchasing practices, working with our vendors to reduce the often excessive packaging of cannabis products. We will utilize energy-efficient machinery and strive for zero added waste. Inside or outside, our environmental goals are to ensure that we leave a light footprint and protect proximate areas of urban parks and adjacent native habitat, and in so doing, encourage others to do the same.

Deliver the Benefits of Legal Cannabis Retail

ZGW will bring the benefits of legal cannabis retail to the Madera community.

Safety and Compliance: Our retail and delivery environments will be designed and equipped to meet or exceed the highest standards of security and regulatory compliance. We will only sell approved, lab-tested products that clearly convey ingredients, provenance, and dosage information.

Critical Information: All public-facing employees will attend an approved bud-tender training course to help our customers and patients make informed decisions about their cannabis consumption. Printed educational material will be available in-store and online.

Local jobs and taxes: We work with as many local partners as possible to identify, secure, build out, and advertise our premises. We will create a minimum of 22 local jobs that pay a living wage, and remit all relevant license fees and taxes.

Giving Back: We will devote 1% of gross revenue to local causes. We will be good neighbors who bring customers and vitality to surrounding businesses. We will help our customers grow in their knowledge, and we're ideally positioned to react appropriately to any concerning behavior.

Why ZGW?

We are long-term local residents, choosing to raise our families here, contribute to our local economy through our businesses, are deeply invested and engaged in our community, and are long-term participants in the local music and event scene. We will be:

- BEST for the Madera economy, with a target of 100% local hires and professional service providers.
- BEST for Madera consumers, with decades of cannabis-specific experience and a strong commitment to ongoing education, with respect for the critical need to inform and educate.
- BEST for the Madera community, with ongoing and planned financial, resource, event, and manpower support in the areas of disenfranchised youth, housing and food insecurity, and environmental restoration.
- BEST for the Madera environment, adopting best practices for sustainability, alternative energy, and a goal of zero-waste operations.

Every retail applicant is likely to bring either local focus, sound financials, cannabis-specific experience, or a compassionate motivation to their business. It is unlikely that anyone else will bring them all.

We can. We will. We already do.
We are ZGW.

E7 LA, LLC



SECTION 14
COMMUNITY BENEFITS AND INVESTMENTS PLAN

COMMUNITY BENEFITS AND INVESTMENTS PLAN



Cannabis Community Benefits Plan

Element 7 has a strong track record of community involvement – in the last 3 years our company and local owners have conducted the following in California:

1. Element 7 held the largest ever **Expungement Clinic in Fresno** – we partnered with NDICA and the Fresno County Public Defender's Office (Carmen Romero) to help over 200 people in a single day expunge their records. The event was a huge success and demonstrates Element 7's commitment to local equity programs that change lives in communities.



2. Element 7 has held **Job Fairs** with NDICA and the State Economic Development Department in Los Angeles to help minorities access employment in the cannabis industry.
3. Element 7 has contributed funding to the **Big Red Church for Food Bank Programs**.

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4. Element 7 has **donated funds** to the Firebaugh High School Athletics Team for new uniforms. Element 7 also recently donated to the Firebaugh Police Charity Fund for the July 4th Celebrations and City of Mendota for the same event in Mendota.
5. Element 7 has **partnered with social equity applicants** to submit cannabis permits in Oakland, Los Angeles, Tracy, and San Francisco.
6. Element 7 has **Sponsored** NDICA (National Diversity and Inclusion Cannabis Alliance) and **Latinos 4 Cannabis** Programs in their local communities.
7. Greg Moreno has helped do **voluntary coaching** with the YMCA Basketball Team in nearby Hanford for the last 5 years.
8. Greg is a **Member of the Marine Corps League and Wounded Warriors** since 2001. Greg recently joined the **VFW Program** helping to support fellow disabled veterans.
9. Element 7 has financially partnered, backed, and supported JePahl White and **Green Pastures Premium Cannabis Company** to help that company submit a cannabis application for a license in Fresno. In an industry that is rampant with competition, division, and dissociation, we are proud to be helping a social equity applicant secure cannabis licensing.
10. Element 7 recently sponsored '**Stop the Violence**' park clean-ups, and Thanksgiving Tukey's for homeless people (November 2020).
11. **Kevin Massetti** has actively sponsored little leagues, soccer teams, and other community-based sports and cultural programs in **Madera** for the last 20 years. He is an active member of St. Joachim Church and regularly assists with food bank, youth outreach, and other church-based initiatives in the Madera community.



Element 7 Commitment to Madera

We have been engaging the local community within Madera since 2020 when we learned that Madera was considering cannabis in the community. Outreach efforts included personal visits from Robert DiVito (Founder and CEO) and Greg Moreno (Community Outreach Manager), and a Booklet that each neighboring business received that explained our vision and local plans.

We are committed to Madera and committed to meeting the cities performance timelines. Element 7 intends to fully integrate with the community by actively participating as a community member, providing services for unmet needs, and improving the community where it can. To facilitate this integration, Element 7 brings several other key programs that can positively affect the local community beyond a **$50,000 annual commitment** that we have made below to a

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range of local non-profits. These programs are managed under two (2) core initiatives through Element 7's business model:

1. **E7 Cares**: E7 Cares is our local outreach platform to build community involvement, health, and impact. Governed by a Board of 5 Members to be elected from the community, E7 Cares puts equity into the hands of the community and commits to a number of annual micro-plans annually designed to drive change in the community.

2. **E7 ONE**: The newly formed E7 ONE program is in direct response to a growing need within the cannabis industry to collaborate and work together to create change, justice reform and broader social equity. The spearhead of our social equity plan is the expungement clinics that Element 7 runs in conjunction with the Public Defender's Office and NDICA. We have ONE industry, ONE plant, ONE community, and we are all ONE people. E7 ONE is operated by a board of social justice pioneers appointed by Element 7 annually.

In addition to all other commitments in this application, Element 7 agrees to provide a one-time donation of $100,000 to the City of Madera on approval of the permit (for General Fund use within the City) and negotiate an additional Public Benefits Tax (1% of Gross Receipts) through a Development Agreement with the City.

Support for Local Non-Profits

The foundation of our community and local efforts is our **Element 7 Cares** program which seeks to do four critical things in each community we operate. Our Mission is to:

1. Integrate as seamlessly and authentically as possible into the local community;
2. Change opinions through education, consistency, and reliability;
3. Get involved with local small businesses, non-profits and other community groups and programs; and
4. Be active in improving the overall local community economically and socially.

Element 7 will be committing **$50,000 annually** to four (4) local non-profits for the purposes of actively building and creating facilities that contribute towards local community development (3 non-profits have been identified below).

Organization Focus	Name of Organization
Community	**Finegold Trust:** Non-Profit committed to building communities through change, trust, and hope. Based in Madera, Finegold is a place of learning and development for all ages. Element 7 received a letter of support (attached at rear) from Andrew Carillo.
Veterans	**American Legion Post 11:** Element 7 actively supports the American Legion across California, working with Weed for Warriors and Battle Brothers to reduce opioid use with veterans. Element 7 is eager to expand this partnership to Madera and help veterans through the SB34 Program.
Veterans	**VFW Post 1981:** Element 7 actively works with the VFW in California, a relationship that is managed by Greg Moreno (Community Services Manager at Element 7) who served for 23 years with the Marines.

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Sports	**Babe Ruth Baseball Madera:** Youth baseball development league based in Madera. Element 7 received a letter of support (attached at rear) from Steve Alvanado.

Community Advisory Board

Our Element 7 Cares program will be headed by a committee that includes 5 of Madera's most influential community leaders. The local community representatives are essential to the governance and accountability of the program and achieving its mission. The local **Community Advisory Board** will oversee all community integration efforts and support Element 7's outreach & service with the local community, the impact of our financial donations, and the community groups that most need our support. Accountability, transparency and integrity can, and should be, maintained and implemented across Element 7 operations, business model and ethos. With the help of the E7 Cares Board - Element 7 will consistently be geared towards earning and safeguarding Public Trust, the health and safety of our patrons and the environment.

Impacting Homelessness

With over 150 homeless people living on the streets of Madera, homelessness is a major social issue in the region, set to get worse as COVID-19 continues to rage through our community. The issue is a complex one and despite many attempts by the private and public sector to resolve the issue, the problems continue. As business owners and operators, despite our intent and goodwill, we cannot claim to truly understand the full extent of the issue or the solutions which is why we have partnered with groups like NDICA (National Diversity and Inclusion Cannabis alliance) and Latinos 4 Cannabis that have a far stronger grasp of the social issues at a grassroots level.

We have appointed Lorenze LaNier as an ambassador and advisor for this aspect of our community support. Lorenze grew up in the heart of Skid Row - as a teen, Lorenze was introduced to the drug business by his mother and received his first felony at 18. Lorenze spent years in and out of jail and lived on the streets. While his mother still lives on Skid Row, Lorenze calls South LA home and is an aspiring entrepreneur and has his own HVAC company.



Lorenze at Skid Row, Los Angeles (center image is Lorenze with his Mother)

Lorenze is part of Element 7's Community Advisory Board and focuses on our approach to homelessness programs and issues across California – interacting with the local non-profits that we partner with in each City to create real and meaningful solutions to problems only people like him truly understand. As Lorenze says, "Don't write us off. A lot of good people

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come from bad places..." Element 7 will commit an additional $5,000 in funds annually to programs in Madera focused on helping with homeless issues. Funds will be directed by Element 7's Community Advisory Board and Lorenze will be Element 7's ambassador for ensuring that those funds are being spent in the right places and on programs that create real solutions.

Local Product and Supplier Sourcing Program

Element 7 will source materials, services, equipment, and team members locally, where possible. Local sourcing seeks to promote and support the vibrant local small business economy and community. We are extremely interested in working with local businesses and would look to form a pool of local business engagements across several industries that supply at least 75% of our local building, construction, equipment, repairs and maintenance needs on an ongoing basis. Identified partners include:

Category	Name of Company
General Contractor	MGM Construction, Madera
HVAC Specialist	Purl's Sheet Metal and Air Conditioning, Madera
Plumbing	Leedway Plumbing, Madera
Electricals	Boyle Electric Shop, Madera
Handyman	The Handy Squad, Madera
Painters	JMV Painting, Madera
Landscaping	Rosenbalm Rockery, Madera
Janitorial Services	One Main Janitorial, Madera
Staffing Services	Spherion Employment, Madera
Vehicle Maintenance	Yosemite Auto Repair, Madera
Catering	Players Smoked BBQ, Madera
Printing	CAL Valley Printing, Madera
Marketing Services	Western Fresh Marketing, Madera

Local Community Engagement Manager

Element 7 will have a Local Community Engagement Manager (Roseann Jasso) to sit within the business, ensuring that a strong local voice is always present at key decision points within the business, and that programs that Element 7 commits to are funded and executed.

Staff Volunteer Program

Element 7 will ensure that it gives back to the community by requiring all full-time staff to commit at least 10-hours quarterly to a local cause or charity. Annually, each staff member will contribute over 40-hours or more of community service beyond the monetary commitments we deliver. These hours will either be used for hands-on volunteering or providing pro-bono support services in the specialist area of the volunteer - business management, design and creative, logistics, processes, and systems.

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Medical Cannabis Discount Programs

Element 7's discount program will give-away and allow for heavily discounted medical cannabis and cannabis goods for sick or low-income medical patients. To enroll in the Element 7 discount program patients will either apply on-line or at the Element 7 facility. The process for enrollment will request the following information from applicants:

1. Medical ID Card and proof of low-income for the last two (2) years (via tax return); or
2. Medical ID Card and proof that patients are receiving state benefits such as welfare, HUD or food stamps.

Participants in the discount program can receive 5 grams of mixed shake or a 20% discount on medical cannabis purchased at Element 7 up to 28g total of THC and 50mg of CBD per month. The discount program is specifically for seniors, retired veterans, HIV and AIDS patients, children diagnosed with autism, epileptics, terminally ill patients and low-income patients. Element 7 will partner with the **American Legion and VFW** to offer medical cannabis, education, and discounts to veterans living in and around Madera.

Element 7 recently supported an event in West Hollywood that served over 75 local Veterans with compliant and free cannabis under the SB34 program. We are committed to supporting similar events in Madera which help veterans access medicine.



Element 7 Partnered with AHHS & Weed for Warriors to get Medicine into Veterans Hands

Craft Cannabis Producers Program

Element 7 has a policy of supporting local and small craft and boutique cannabis farmers and manufacturers. Many of these come from disadvantaged local communities across the State of California. As corporate cannabis operations continue to expand in California, small cannabis growers have begun to develop cooperatives to stay competitive with their large-scale rivals. Co-ops present benefits for smaller marijuana producers:

- By joining forces, these more modest-sized farming operations can offer a steadier supply of cannabis to distributors and retailers.
- Growers can generally market their products more efficiently through a cooperative model.
- Cultivators at the co-op level can share resources, helping to lower operating costs.

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We have an active relationship in place with Red Crow Cannabis – a cannabis cultivation company focused on cultivating cannabis on Native American Tribal Land in California. After having conducted their first season in 2017, Red Crow Cannabis are looking to expand their business in 2018 and we call Richard *Tall Bear* Westerman, the founder and CEO for Red Crow Cannabis, a close friend. Through our Head of Security, we have also formed a relationship with a Veterans Cultivation project in Yolo County – White Wolf Farms. This group provides combat veterans with medical cannabis information, support services, and safe access to high quality medicinal cannabis. White Wolf Farms cultivates high-quality organic outdoor cannabis on a 1-acre plot in Yolo County. We are very interested in identifying other local licensed cultivators and manufacturers from the County that we can collaborate with and will actively identify and work with these groups.

Cannabis Criminalization Reform and NDICA Partnership

A founding principle of Element 7 is to see criminal justice reform for non-violent cannabis offenders as public opinion has shifted in its support of reforming federal and state cannabis laws. Element 7 has partnered at a national level with NDICA (National Diversity and Inclusion Cannabis Alliance) to sponsor and host Expungement Clinics, the first of which was held in Fresno, California. We will commit to holding one (1) annual expungement clinic in Madera annually.

In addition to NDICA, Element 7 is a partner of **Latinos 4 Cannabis** and works closely with this wonderful non-profit to create preferred job placements, job fairs, and training programs for cannabis entrepreneurs (refer to attached Letters of Support).

Environmentally Sustainable Business Practices

Element 7 takes its environmental impact seriously and has developed facility build out and designs in a manner that complies with green building practices. Each Element 7 cannabis business facility has been thoughtfully designed, crafted and built to maximize and maintain resource-efficient, high performing, healthy, cost-effective and compliant operations, that considers sustainability its highest priority. Facilities bring forward the best and most impactful emerging technology that provides for almost 100% renewable and sustainable operations. Element 7 believes that community and the environment go hand in hand. Securing a positive outlook and future for every Element 7 community means being a responsible cannabis business operator who takes each community member, local small business and competitor into consideration. Element 7 is at the helm of an emerging cannabis industry that is quickly making its mark on the country and the world.

- Green building certification/Zero-impact workplace facilities
- Purchasing/local sourcing from sustainable vendors
- Working with environmentally conscious distributors
- Low impact / eco-friendly cleaning products
- Sustainable product packaging
- Implementing emerging technology
- Hybrid 'green' e-vehicles used by all delivery drivers
- LEED Certified consultant employed within Element 7 team
- Drought resistant plants used in landscaping plans
- Automatic 'sensor' lights used in bathrooms, office, and hallways

Public Health Outreach and Education

Element 7 will be an active participant in ensuring that local youth receive accurate information on the dangers of substance abuse at an early age so that they are better informed and more capable of decision-making as they develop and mature. To create and implement this program, we will be approaching local education, youth, and law enforcement groups with a view to either providing monetary resources or educational materials to such groups.

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Community Engagement Events

The need for cannabis education is more important now than ever, and Element 7 plays an active role in delivering this message into the mainstream consciousness by making credible cannabis education accessible in the communities we serve. Element 7 will proactively engage with Madera and nearby County residents, business owners, and officials to cultivate lasting and mutually beneficial connections, sustained by a discreet but visible neighborhood presence. Element 7 seeks to provide tangible benefits to the local community through educational outreach and partnerships with non-profit organizations, municipal agencies, and neighborhood groups.

Summary

Giving back to the local community isn't something we at Element 7 want to be forced to do to gain a business license - rather, giving back is part of our *business with purpose* core belief and mission. We feel proud that we have the opportunity to use our business to create positive change in the local community, leveraging both our people and bottom-line to do good in a range of areas from supporting non-profits through helping disadvantaged patients, reformed cannabis criminals and local businesses.

The work we have done in California over the last 2 years, hosting the largest ever expungement clinic in the City of Fresno, is testament to our commitment to make an impact in Madera. We will continue this work regardless of our success or otherwise in securing a permit for retail operations in Madera. Our programs are designed to enlighten people on the many benefits of legal marijuana and help eradicate consumers from using the illegal and illicit market which supports criminal activity and gives the cannabis industry a bad name.

With a commitment over $50,000 annually to our Element 7 Cares programs and Madera Cannabis Community Benefit Program, along with the 40-hours per full-time employee to the local community, Element 7 will be a force for good in Madera. This is in addition to the one-time donation of $100,000 to the City of Madera on approval of the permit (for General Fund use within the City) and negotiate an additional Public Benefits Tax (1% of Gross Receipts) through a Development Agreement with the City. This is in addition to the 6% Gross Receipts Tax.

We are excited to partner with the city to compliantly bring cannabis to Madera and expand our local footprint in the Central Valley.

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June 20, 2022

Mr. Robert DiVito
Element 7 Madera
645 West 9th Street, Unit #110-631
Los Angeles, CA 90015

RE: LETTER OF SUPPORT – COMMUNITY OUTREACH AND SUPPORT

Dear Robert,

Thanks for your time recently to engage and advise us of your upcoming commercial cannabis application in the City of Madera.

We appreciate you taking the time to walk us through your approach to cannabis in the City and the upcoming cannabis application process. Your commitment to hiring local talent and community support initiatives are progressive and sound exactly what the industry and City requires from operators in your industry.

As a non-profit within the City, support from companies such as yours are exactly what organizations like ours need to support the community and achieve our mission and objectives.

We wish you all the very best in the upcoming process and have no hesitation in supporting your business as a good neighbor and friend of Element 7.

Kind regards,

Name: Andrew Carrillo
Title: Director of Development
Organization: Finegold Trust

June 20, 2022

Mr. Robert DiVito
Element 7 Madera
645 West 9th Street, Unit #110-631
Los Angeles, CA 90015

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Kind regards,

Name: Steve Alvernaldo
Title: Member -
Organization: Babe ruth Baseball Madera

GFC CENTRAL, LLC
(dba: East of Eden)



SECTION G. COMMUNITY BENEFITS AND INVESTMENTS PLAN

Community Outreach

We have worked closely with Nick Salinas and different highly respected local organizations, such as the **Friends of Madera Animal Shelter, Olive Charitable organization, Madera Food Bank,** and the **Downtown Association**, to develop very specific and actionable plans by which the business will support the work these organizations do to uplift the Madera community. The philanthropic initiatives we will undertake with these organizations are detailed in the application. These plans include robust commitments of financial support and volunteer hours each year.

We pledge to give a **minimum of $85,000/ year** to Madera to support community organizations

Friends of Madera Animal Shelter

The Friends of Madera Animal Shelter is a non-profit organization dedicated to the care, rehabilitation, and adoption of domestic animals. Staffed by volunteers, FMAS main goals are: (1) remove animals from homeless situations (2) provide medical care and rehabilitation as necessary (3) place animals in secure adoptive homes (4) provide affordable vaccine & spay/ neuter services and (5) provide resources for stray & feral cats. FMAS rescues 2,000 animals annually and is the best avenue to reduce overcrowding and euthanizing in the shelter.

We met with **Becky Koop**, Executive Director of the Friends of Madera Animal Shelter (FMAS), who gave a tour of their facility, which housed about 15 cats/kittens at the time. Giving us a brief history of the organization, she explained how it has been running for 15 years, primarily running on donations and volunteers. This organization suffered a lot during the pandemic and had to discontinue their program of free cat spaying. At the time, they were housing a section of about 8 felines with a contagious disease, which they were treating. Once they receive a pet in their facility. FMAS takes the appropriate steps to find qualified and loving forever homes through their adoption events.

Historically, Madera has had problems with a higher rate of shelter euthanization, and the Voucher Program helped immensely but ran out of funding, so, in effort to keep trying to support animal loving Madera residents, FMAS has aligned with the Madera Animal Shelter to sponsor a SNIP mobile clinic on July 25th and 26th. While the local alternative option, Hope Foundation, is a cheap option for residents, its located about 30 minutes in

the neighboring city Fresno which can make a huge difference to low income pet owners. The event is spay/neuter focused, hosting 2 mobile clinics for 2 days, which is access to 4 vets for medical appointments, spay/neuter services, training e-collars, and pain meds. SNIP has saved hundreds of thousands of unwanted animals from being born and have spayed & neutered over 20,000 dogs and cats since they began, snipping 26-32 animals per clinic. This would be a first time FMAS collaboration with SNIP for Madera residents.

Upon being awarded a Cannabis Business Permit, we will help sponsor fundraisers and will contribute **$15,000 annually** to The Friends of Madera Animal Shelter. Additionally, we will offer our retail employees paid time off to volunteer at the shelter.

The O.L.I.V.E. Foundation

We met with April Molina, Executive Director at the Safe House, who explained the history of the O.L.I.V.E Charitable Organization. (The acronym stands for Overcoming Limitations through Intervention, Value and Empowerment) Founded in 2015 by Lt. Dan Foss of Madera Police Department and students attending Fresno State University, the O.L.I.V.E. Foundation addresses the gap in resources and agencies for victims of human sex trafficking. Their organization is unique in two ways: (1) they are a sex trafficking non-profit organization that was founded and has direct ties to law enforcement and (2) they have a unique approach as they attempt to empower those whose lives have been stunted in such a devastating way.

It brings a new approach of empowerment to the victims, in that they offer more of a "supportive service" and allow the victims/survivors to succeed in their own decision making. Through education, awareness and outreach, O.L.I.V.E. believes a difference can be made in the lives of the women who have been victimized. They work differently than other organizations; they allow the women to choose their own programs and therapists. If they do not feel comfortable with one they take the time to find them the proper help and guidance. As well the recipients are introduced to different programs and services such as therapists, health providers, or educational classes, to stabilize their inner growth. And while the Olive Foundation started out with a team of law enforcement members and students in Madera, it has now expanded into other locations, such as Sacramento and Los Angeles.

Lt. Foss, Chairman/Founder of the O.L.I.V.E. Foundation, worked hard to open the only safe house in the County that focuses on victims of sex trafficking. Currently, their Madera location is a 4 bedroom dorm house with 1 bathroom, a living room space, and a small kitchen table. And while there is no stove, the women have a 2-burner electric cooktop and manage to bake cookies in a small oven. Currently, there are 3 ladies in the safe house, all which are on different stages of the program.

Upon being awarded a Cannabis Business Permit, we will donate **$20,000** annually to the O.L.I.V.E. Foundation to help these victims of sex trafficking.

Madera Food Bank

The Madera County Food Bank services the entire city of Madera, Chowchilla, Fairmead and all mountain areas including Raymond, Coarsegold, Oakhurst and North Fork. The Food Bank relies heavily on dedicated volunteers to help prepare boxes and bags for the families and senior citizens of Madera County.



When we met with **Ryan McWherter**, Executive of the Madera Food Bank, and **Michelle Ruiz** who is their Operations Manager, they explained their long time service to the Food Bank; Ryan has been there for 12 years and Michelle for 14. We toured their distribution center and Store, which consisted of a large inventory of items such as canned and boxed foods, vitamins, toiletries and even baby products such as diapers and wipes. This Store Program was designed for churches and individuals to shop and pass on recipes of how to cook with the Store products. As well, the Madera Food Bank has a monthly senior "Brown Bag" Program. and gives food to the Madera Rescue Mission, Sunamite Place, amongst many other organizations.

The Food Bank distributes about 40,000 - 45,000 pounds of food to Madera County every month and currently has 3 semi trucks and 2 vans to conduct all deliveries and pickups. As well as donated contributions, they also receive support and food from Whole Foods and Trader Joes, alongside with many other local big retailers.

COVID-19 greatly affected the organization and the needs of the community went up 25%, but they were only able to get $1.4 million in grant help. They are still conducting capital campaigns and searching for loans to fulfill their $800,000 annual budget.

And while things were very well organized, their warehouse was full of equipment, inventory, and a crew of 10 volunteers. Their biggest struggle currently is that they outgrew their current location about 5 years ago, and were able to find a great location to relocate to, which is 3.5 acres and about 20,000 square feet in storage space.

Upon being awarded a Cannabis Business Permit, we will donate **$20,000** annually to The Madera County Food Bank. We understand that this donation will be used to pay the Food Bank's rent. Additionally, we will offer our retail employees paid time off to volunteer at the shelter.

The Madera County Courthouse Park: 9/11 Memorial

Madera County took part in a highly competitive selection process and was chosen to receive one of less than a dozen beams available and is creating a space of honor and reverence and to engage and unite the community. The organization received a beam from the World Trade Center. The beam will be placed on a circular memorial in Courthouse Park, with a path leading to the beam and a viewing seat wall surrounding it. A donor plaque will be laid at the entry with a dedication area behind, adorned in glass pebbles with fire fighting insignias with memorial names. Upon being awarded a Cannabis Business Permit, we will donate **$10,000** annually to the 9/11 Memorial Mural fund for the maintenance and upkeep of the Memorial.



Downtown Association

When we met with **Nick Salinas**, Chief of Staff of the Madera County Board of Supervisors and on the Madera Downtown Association Board of Directors, he walked us through a few projects that we could currently help with.

The Madera Downtown Association was suggested with **Debbi Bray**, the President/CEO of the Madera Chamber of Commerce and the Madera Downtown Association Board of Directors, as our main contact. The Madera Downtown Association supports revitalization of the central downtown area of Madera, such as public displays for holidays, beautification/cleaning efforts, sponsoring increased City parking to increase the business potential serving the people of Madera.

The Downtown Association largely operates off impact fees, which come from parking and limited other contributions from the city. They operate with a $40,000 annual budget and outside of that budget, they do not have any other revenue.

There are 2 programs that the Downtown Association organizes annually, the Old Timers Parade and the Christmas Parade, as well as maintaining and servicing the Christmas lights in downtown.

Old Timer's Day Parade

After having to cancel last year's parade, the Downtown Association is happy to be organizing this historical event again this year. The parade, which was launched during the Great Depression, is now an 89-year old tradition that we would be happy to be a part of. Upon being awarded a Cannabis Business Permit, we will contribute a total of **$10,000** annually (2 times the highest donation/sponsorship amount) to the Old Timer's Day Parade.



4th of July Fireworks

The 4th of July fireworks celebration is an annual community event that happens near our store location. While COVID-19 postponed the event for a few years, the Downtown Association has expressed a desire to bring this rallying celebration back to the community. Upon being awarded a Cannabis Business Permit, we will contribute a total of **$10,000** annually to the 4th of July Fireworks show as we believe this important event helps minimize illegal fireworks in the area.

Partnership with Local Artist

To celebrate opening our store in Madera and in an effort to support the local art community, we have consulted with Patricia Pratt to paint a mural inside our retail store. **Patricia Pratt**, a 3rd generation visual artist from the Central Valley grew up in rural Merced County and continues to reside in the Central Valley. Currently, owns and operates an art gallery and design studio in Downtown Merced, focusing on murals, design, curation and custom products. She also serves as the California Program Director of Urbanists Collective, a Central Valley based non-profit arts organization that promotes career paths for urban artists. This non-profit has painted murals in Madera and recently hosted a group art show at the Madera County Arts Council Circle Gallery. Her personal background and history of the area will help create art that will connect us to our community and residents.

Located opposite of the POS, all of our customers will see this statement upon exiting our store. The cost for this large scale (16' x 8') project has been estimated to start at **$6,500** with a potential to scatter more artwork throughout the store interior.



Mural Design Inspiration

Long Standing Tradition of Giving Back to Our Communities

Our community benefits and investments plan in Madera will build on our history of community involvement in other jurisdictions, such as in Monterey County and Union City. Examples of our proven track record of community outreach are provided below:

We have donated over **$1,000,000** and over **500 volunteer hours**

Combatting Homelessness

We have been a strong supporter of Downtown Streets Team Salinas since 2015. Downtown Streets Team is regarded as one of the most effective organizations working on homelessness issues in California. The group is working to combat the homelessness epidemic in 13 communities across California, including Salinas. Mike is a Member of the organization's Board of Directors and a public champion for the group in the community. Mike works to ensure that Downtown Streets Team Salinas' programming is designed to reach as many local residents in need as possible. Mike also helps the organization tap into more sources of donations in Salinas, further expanding its reach.

Downtown Streets Team offers individuals the option to volunteer to clean the streets in exchange for a path out of homelessness. Those experiencing homelessness volunteer on teams and begin working collaboratively on beautification projects. Team Members who show dedication and leadership skills have the ability to rise up to become Team Leads, then Managers, and supervise others with little or no supervision from staff. In return, Team Members receive a non-cash stipend to help cover their basic needs, while taking advantage of case management and employment services to find housing and a job. The ultimate goal is to transition Team Members into employment.

DOWNTOWN STREETS TEAM



Our work with Downtown Streets Team over the past several years has helped hundreds of vulnerable individuals in Salinas transition into employment. As a result of the success the program has had locally, it has been adopted in communities across California to combat growing trends towards homelessness.

Reducing Youth Incarceration

We are a longtime supporter of Rancho Cielo Youth Campus, a comprehensive learning and social services center that aims to develop alternatives to incarceration for disconnected youth in Monterey County. The organization was started in 2000 by former Monterey County Superior Court Judge Phillips, who was growing alarmed about the growing epidemic of youth mass incarceration in the local community. Rancho Cielo became the loudest and most persistent voice in favor of developing alternatives to incarceration, especially for local youth.

The organization provides services related to vocational training, mental health counseling, and job readiness. As a result of our support of Rancho Cielo's programming, the organization has been able to serve hundreds of additional youths since 2016. Monterey County officials have recognized the organization for helping reduce rates of youth incarceration in some of its most vulnerable communities.



Our work with Rancho Cielo is important given the legacy of cannabis criminalization in the Salinas Valley, which has disproportionately impacted members of minority communities and limited their access to economic opportunity. In addition to providing financial support, we organize and support Rancho Cielo's public events, in which youth receive public support from friends and family to ensure their continued participation in the program.

Supporting the Local Veteran's Community

The veterans community is an important part of the social fabric in Monterey County. The region has a strong sense of connection to nearby military installations, such as those at the Presidio of Monterey, Fort Hunter Liggett, and Camp Roberts. The annual Monterey County Veteran's Parade is one of the most important civic events of the year and is attended by tens of thousands of people. Local residents beginning their military careers take part in a mass oath of enlistment surrounded by friends and family, a very important ceremony in the community.



We have been a supporter of the Monterey County Veteran's Day Parade for the past five years. In addition to providing financial support, our employees have volunteered at the event each year. This includes our commitment to helping organize and volunteer at the "Seniors' Parade", an event dedicated to celebrating senior citizens in the community that are veterans.

Supporting Agricultural Workers

We are a supporter of the Hebbron Family Center in East Salinas, which serves residents that are recent migrants to Salinas. Many of these individuals work in the local agricultural industry. The Hebbron Center aims to promote the educational advancement of farm workers and their family members working in agriculture. It supports projects designed to promote financial and nutritional well-being and independence in these communities. The Hebbron Center also has an advocacy arm, focusing on local and state laws that impact agricultural workers and advocating for changes that improve their livelihood and well-being.



We help support Hebbron Center's programming and its efforts to deliver key services to low-income residents in East Salinas. This includes the organization's citizenship and language classes, its youth literacy programs, and programming to

combat gang recruitment. We sponsor the Annual Spring Celebration at the Hebbron Family Center every year and organize the community raffle that serves as a source of the organization's funding. We have also donated equipment and other resources to the organization.

Improving Police-Community Relations

We have been a major sponsor of Salinas' National Night Out each year since 2015. National Night Out is now regarded by the Salinas Police Department as one of the most effective initiatives the City has for promoting trust between law enforcement and local citizens. Our support of this event in East Salinas' local communities has led to more effective police/community partnerships.



We have sponsored the largest local block party in East Salinas, associated with National Night Out each year. We oversee the programming for the event, including the games and contests, discussion of neighborhood public safety issues, the setting of neighborhood goals, planned community beautification efforts and the Neighborhood Watch Program. Our block party draws thousands of community members each year and has led the Police Department, Fire Department, and other key figures in the City to interact with local residents and build stronger relationships.

As in the other cities in which we operate, we plan to be an outstanding partner and an essential part of the social fabric in Madera, including partnerships with the local police department. As shown here we have a letter from the Chief of Police from Union City demonstrating how we are good partners with the police department and local community.



UNION CITY

california

POLICE DEPARTMENT

June 15, 2022

Subject: Reference Letter

To Whom it May Concern:

I am writing this reference on behalf of Grupo Flor, which opened a retail establishment at the Union Landing Shopping Center one year ago. Grupo Flor was the first cannabis retail dispensary to be awarded a commercial cannabis permit in Union City. They stood out as a strong applicant from the beginning, due in part to their detailed Neighborhood Plan, Labor and Employment Plan, as well as their responsiveness in discussing all aspects of their business and willingness to answer questions or concerns.

Grupo Flor has been a pleasure to work with throughout the process. Their professional and transparent approach has promoted open communication with local law enforcement. Their team is exceptionally organized and has followed all requests, such as security plans and audits. David Gunter, the Director of Security, has collaborated directly with the police department to ensure that all established security protocols for retail cannabis establishments are met.

It is clear that Grupo Flor is an established company that understands the cannabis industry and is engaged in promoting connections within the communities they are located.

Sincerely,

Jared Rinetti
Chief of Police
Union City Police Department

CITY OF UNION CITY
34009 Alvarado-Niles Rd • Union City • CA • 94587
unioncity.org

JIVA MAE, LLC
(dba: Jiva)

SECTION G. | COMMUNITY BENEFITS & INVESTMENT PLAN

The benefits proposed in the Community Benefits and Investment Plan ("**CBIP**") have been developed in response to the City's strategic priorities, goals, and initiatives as detailed in the City of Madera General Plan ("**GMP**"), the Vision Madera 2025 Plan ("**VMP**") and the Live Well Madera County Community Health Improvement Plan ("**CHIP**"). It is the intent of the Company and the CBIP to encourage a well-planned city, good jobs and economic opportunities, a strong community and great schools, and a safe, healthy environment as envisioned by the City and detailed in the GMP, VMP and CHIP.

To foster productive relations with the City, the Company will assign a Community Relations Director and Community Liaison who will be available to liaise with city officials and emergency services providers. These individuals will monitor and attend City Council meetings and will be responsible for implementing project changes to the CBIP as to continue supporting the goals of the GMP, VMP and CHIP.

The Community Relations Director and Advisor will serve as the first point of contact for any concerns that may arise and will be available for contact through the Company's website, email, and phone in case of an emergency. The Community Relations Director, Community Liaison or a company appointed employee will be available 24-hours a day, seven days a week.

THREE PILLARS FOR PHILANTHROPY

The Company is a family of professionals that have banded together to foster social change. The Company, subsequently, is defined by its commitment to community service and engagement as guided by its three pillars of stewardship. These pillars define the Company's identity, and inform its actions as a member of the community:

- **Foster a Safe, Healthy Environment**: The Company believes that shelter is a fundamental human need. In-line with the Goals HS-1 and HS-2 of the GMP, the Company will support initiatives that: 1) encourage safe and healthy environments for all Maderans, and 2) increase access to healthful food and spaces to be active and exercise. In addition to this, the Company will support initiatives that are in-line with the City's Regional Ten-Year Plan for Ending Homelessness ("**RTYP**"). This includes providing support to entities designed to empower existing and future labor, workforce, and affordable housing programs.

- **Protecting Youth and Family Development**: As professional stewards of cannabis, the Company is well-aware of the risk that cannabis poses to children and minors. The Company believes that the best tool in combating underage drug abuse is to provide children with a support network that provides them with a foundation for good decision making, as well as alternative outlets for socialization, stress relief, and self-expression. The Company is committed to protecting and empowering youth and family development services by supporting local non-profit organizations who share in the Company's values and vision.

- **Support Creativity and the Arts**: The Company believes that creativity is an undervalued staple of healthy communities. While food, shelter and safety are necessary for survival, creative activities and outlets foster social, intellectual, and professional skills to improve the vibrancy of individual community members and community at large. With California's public arts and music education now in crisis, the community's dependence upon non-profit and private support for the arts has increased significantly. The Company is committed to helping local educational and non-profit arts organizations overcome the hurdles that the public sector is unable to tackle alone by providing its monetary and volunteer support. In addition, the Company will promote local arts and creative programming both within the store and immediate neighborhood it inhabits.

CORPORATE IDEOLOGY

The Company has identified several ideological strategies to ensure that it will serve the local community and continually act in line with its foundational pillars of stewardship. These ideological strategies include:

Local Engagement: The Company intends to maintain a comprehensive Community Benefits Plan (CBIP) that identifies the specific means through which the Company will support City sponsored initiatives, including long team public/civic partnership projects, short term capital improvement campaigns, and one time and recurring community engagement opportunities and events. The Company shall also designate a Community Relations Director and Community Liaison to be responsible for regularly communicating with the city officials, neighbors, local stakeholders, and emergency services on the Company's behalf.

Conscious Consumerism: Nonprofits and small businesses enhance the cultural fabric of the community and are the key to conscious consumerism. The Company is committed to supporting conscious consumerism by donating one-percent (1%) of each transaction to a non-profit. Donations will be made via the Beam Impact System or the Company's Loyalty Donation Points Plan, which allows customers to accumulate points that can be later redeemed in the form of a donation to a select non-profit or charity. To support small

businesses, the Company will additionally retail grab-and-go style meals and snacks, and other non-cannabis goods that have been prepared by other local businesses.

Youth Prevention: Proper education and effective dialog play a critical role in helping the youth as they attempt to reconcile the rising tide of cannabis against existing federal laws. This education can help them understand why it is in their best interest to abstain from cannabis until the legal age and may influence any future decision they may make regarding consumption. The Company aims to protect youth and minors by taking action to ensure that they do not use or experiment with cannabis or cannabis products. But this can only happen if proper educational, counseling and mentorship programs are made available. The Company, therefore, aims to develop a comprehensive outreach program that will prioritize these types of educational, counseling and mentorship programs.

Social Justice: The Company is dedicated to social justice and to mitigating the impact of the "War on Drugs," which has historically belied a war against immigrants and people of color. The Company aims to partner with cannabis entities such as the Drug Policy Alliance to ensure that it is equipped with the latest, most up to date and accurate cannabis educational materials available. The Company, additionally, will spearhead a joint effort with locally licensed cannabis operators, community leaders, and city officials to create economic opportunities for those who have been impacted by the War on Drugs.

Intersectional Environmentalism: Intersectional Environmentalism identifies the point at which social injustice and environmental affect cross as a means to identify how these in-equalities negatively impact the environment. The Company is committed to this model and constantly challenges itself to identify how it can: 1) Mitigate damage to the environment by combatting acts of social injustice, 2) Source sustainable and locally produced goods from businesses who have been a victim of social injustice, such as a social equity owned company, 3) continue to move to organic and plant-based materials throughout the supply chain, and 4) Be proactive in our engagement with suppliers and distributors to minimize and eliminate single use plastic and packing. The Company's retail shopping bags and e-commerce mailer bags are also 100% biodegradable.

METHODS OF CONTRIBUTION

The **Community Benefits and Investment Plan** ("**CBIP**") describes the methods through which The Company proposes to provide direct aid and benefits to the local community. These benefits include:

- 1. Monetary and In-Kind Donations
- 2. Financial Support for City-Sponsored Activities
- 3. Volunteer Services
- 4. Local and Diverse Hiring Practices
- 5. Health Education

1. MONETARY AND IN-KIND DONATIONS

The Company aims to provide the following forms monetary funding and in-kind donations to the local community, including the entities described below:
:

- **Charitable Contribution Fund**: The Company will develop a Charitable Contribution Fund ("CCF") to provide funding for the CBIP. Per CCF policy, the Company will contribute one percent (1%) of its gross receipts to the CCF on an annual basis. Donations from the CCF to non-profits, local programs, and charities as stipulated by the CBIP are made in addition to the mandatory City Cannabis Tax (6%), which is provided to Madera.

  The CCF can operate in one of two ways. First, the Company can control and allocate the specific funds in the many ways described herein, or payments can be made directly to the City. The City would then distribute the funds to local area nonprofits most in need. The Company shall meet with the City at least once a year, preferably twice depending on the City's election, to identify City funding priorities for the upcoming year and review programs funded in the prior year.

  The Company anticipates contributing nearly $560,000 in monetary donations from the CCF during its first five years of operation. During the next five years of operation, years six through 10, the Company anticipates contributing an additional $650,000 from its CCF to non-profits, local programs, and charities identified in the CBIP having a gross community impact of approximately $1.2 Million during the Company's first 10 years of operation. With the CCF the Company aims to:
  - Promote commercial development that enhances economic vitality and sustainability that meets the present and future needs of Madera residents, visitors, and the regional community.
  - Maintain and enhance the economic development of the North Madera commercial shopping district as a viable service commercial, specialty retail, office, cultural, and civic center, and source of community pride.
  - To assist the City in supporting Madera community nonprofits, the Company shall provide monetary donations to the City through its CCF in excess of the City Cannabis Tax.

The Applicant's gross revenue forecast for Y1 is approximately $9.9M, Year Two ("Y2") it is approximately $11.2M, and Year Three ("Y3") it is approximately $12.3M. Per CCF Policy, these revenues warrant that one percent of annual gross be contributed to the CCF for a total of nearly $334,000 in contributions. See the table below, reflecting the CCF allocation for Y1 through Y5 as based on projected gross sales, the approximate dollar amounts associated with the annual CCF Rate ("CCF Rate,"), and the Gross Receipt Thresholds.

Please view and reference Section A, the Business & Operations Plan and) to view the associated Financial Model that includes a 5-Year Pro-Forma and Financial Projections.

Year	Projected Total Gross Sales	Gross Receipt Thresholds	Annual CCF Tax Rate	Annual CCF Amount (Approximation)
Y1	$9,909,750	$0 - $14,999,999	1.00%	$90,922
Y2	$11,241,790	$0 - $14,999,999	1.00%	$103,143
Y3	$12,339,682	$0 - $14,999,999	1.00%	$113,317
Y4	$13,367,531	$0 - $14,999,999	1.00%	$122,647
Y5	$14,144, 911	$0 - $14,999,999	1.00%	$129,789
Y6	TBD	>$15,000,000+	1.00%	Over $150,000

In total, the Company anticipates providing the city with over $750,000 in total community benefits during its first five years of operation alone:

- CAP Donation: $150,000
- Anticipated CCF Donations: $560,000
- Volunteer and Community Services: $50,000
- In Kind Donations TBD

❖ **One Time Donations**: As a sign of goodwill to the City, the Company has already made one-time donations of $3,500 to local nonprofits and organizations, including those listed below:

Self Help Enterprise	$250.00
Habitat for Humanity	$250.00
Madera County Rescue Mission Inc	$250.00
United Way Fresno and Madera Counties	$250.00
Madera County Food Bank	$250.00
Big Brothers Big Sisters of Central California	$250.00
Madera PD Explorers Program	$250.00
CASA of Fresno/Madera County	$250.00
Pequeños Empresarios Inc	$250.00
Camp Fire Heart of California	$250.00
Soroptimist International of Madera	$250.00
Madera County Arts Council	$250.00
Friends of the Library	$100.00
Madera Chamber of Commerce	$100.00
Rotary Club of Madera	$100.00
Madera Evening Lions Club	$100.00
Greater Madera Kiwanis Club	$100.00

Ongoing Donations from Proceeds: The Company's **Charitable Contribution Fund ("CCF")** is a continuous fund that provides on-going funding and volunteer service to local nonprofits and charitable organizations. The monetary value of the CCF is determined by the Company's gross receipts. One percent (1%) of each transaction will be donated to a group of non-profit charities curated by the Company using either the Beam Impact System or the Company's Loyalty Donation Points Plan.

1. **Beam Impact System** ("**BIS**")**:** While most consumers appreciate brands that are aligned with their own values, few are aware of programs like the CCF or the positive impact their spending has on the local community. Even fewer

customers are aware of whether or not these commitments and promises are actually being met. To help curb this imbalance, the Company intends to implement the BIS, a technology platform that allows consumers to decide which non-profit charity will receive the donated 1% of their total transaction. The Company has shortlisted following non-profit services for inclusion in the BIS based upon the Company's three professional pillars of stewardship:

Pillar One: Foster a Safe, Healthy Environment

- **Self-Help Enterprises ("SHE")**: SHE is a nationally recognized community development organization whose mission is to work together with low-income families to build and sustain healthy homes and communities. Since 1965, SHE's efforts have touched the lives of over 55,000 families. In addition to homebuilding and ownership, SHE offers a multitude of housing programs to support families, including home repair, community development, housing related consulting services, emergency services and sustainable energy solutions. The Company has made monetary donations to support SHE and shall provide monetary contributions and volunteer services to support SHE going forward.

- **Habitat for Humanity Greater Fresno Area**: Habitat for Humanity ("HFH"): The Company is a proponent of nonprofit organizations that provide affordable housing services. HFH Greater Fresno Area builds affordable housing for low-income families and provides free first-time homebuyer education workshops in Madera and throughout the County in English and Spanish. The Company shall offer donations and/or volunteering services to HFH to support its core values such as partnership, equity, stability, and legacy. The Company has made monetary donations to support HFH and shall provide monetary contributions, professional support, and volunteer services to support the HFH going forward.

- **Madera Rescue Mission** ("MRM"): The Company has made a monetary donation to and shall support MRM and has made a donation to support MRM's continued solutions to homelessness issues within the City and County. MRM's mission statement of serving the least, the last, and the lost with radical hospitality resonates with the Company. The Company has made monetary donations to support MRM and shall provide monetary contributions and volunteer services to support the MRM going forward.

- **United Way of Fresno/Madera Counties** ("UWFMC"): The UWFMC funds community benefits programs and initiatives in Fresno and Madera Counties. The UWFMC funds community benefit organizations whose strategies align with the Company and can meet UWFMC standards of excellence, and that provide programs focused on the three UWFMC building blocks: health, education, and financial stability, employment, and career opportunities. UWFMC's SparkPoint program helps change low-income residents' lives through free financial and career education and coaching. SparkPoint's three primary focuses are increasing income, managing credit, and building assets. The Company has made monetary donations to support UWFMC and shall provide monetary contributions and volunteer services to support the UWFMC going forward.

- **Madera County Food Bank** ("MCFB"): Food insecurity often leads to poor nutritional diet leading to obesity, heart disease, hypertension, and other chronic diseases. To ensure families have access to healthy food options, MCFB has been serving the food needs of Madera County since 1999 and distributed food to families and seniors in need for over 20 years. MCFB relies heavily on dedicated volunteers to help prepare boxes and bags for the families and senior citizens of our county. The Company has made monetary donations to support MCFB and shall provide monetary contributions and volunteer services to support the MCFB going forward.

Pillar Two: Youth and Family Development

- **Big Brothers Big Sisters of Central California** ("BBBS"): For more than 50 years, BBBS has operated under the belief that inherent in every child is the ability to succeed and thrive in life. Bigs in Blue is a program of BBBS and serves to strengthen the bond between communities and law enforcement. Local law enforcement, social services and schools work collectively to support youth who are struggling in school. The Company has made monetary donations to support BBBS and shall provide monetary contributions and volunteer services to support the BBBS going forward.

- **Madera Police Youth Explorer Program** ("MPYEP"): The Company intends to provide volunteer services and/or monetary donations to continue to support the MPYEP, which is an organization of which 100% of proceeds go to support the adolescents. The Company has made a donation to support MPYEP and shall provide monetary contributions to support the MPWEP going forward.

- **Camp Fire Heart of California** ("CFHC"): CFHC the opportunity for young people to find their spark, voice and discover who they are by building their self-confidence and skills at an early age. Their research-based approach aims to increase a child's sense of purpose, social competence, school engagement, lead a

healthy lifestyle and achieve their full potential. The Company has made monetary donations to support CFHC and shall provide monetary contributions and volunteer services to support the MCAC going forward.

- ➢ **Pequeños Empresarios Inc.** ("PEI"): PEI is a non-profit organization founded in 2010 whose mission is to empower children and provide them with the tools to succeed in life. PEI provides workshops in Spanish for kids between 7 and 17 years old that help them improve their social and family bonds. Through their services, children develop their self-esteem and gain finance, manners and environmental knowledge while learning a second language. The Company has made monetary donations to support PEI and shall provide both monetary contributions and volunteer support to PEI going forward.

- ➢ **Soroptimist International of Madera** ("SIM"): The Company is a proponent of gender equality, and its corporate team and advisors include several women with minority backgrounds. The Company intends to forge a relationship with SIM through it's Community Liaison, who was the proud recipient of a SIM scholarship. SIM has made great strides in helping women and girls throughout the community and has remained true to their mission of serving as a global volunteer organization that provides women and girls with access to the education and training, they need to achieve economic achievement. The Company has made monetary donations to support SIM and shall provide both monetary contributions and volunteer support to SIM going forward.

Pillar Three: Support Creativity and the Arts

- ➢ **Madera County Arts Council** ("MCAC"): The MCAC brings together artists, organizations, and art enthusiasts to advocate, promote and provide opportunities to create and celebrate the arts for all Madera County residents and visitors. Through leadership and innovation, they are committed to nurturing and inspiring the arts and artists in Madera County by cultivating a place for creative discovery, community, and dialogue. The MCAC manages an arts-in-education program, performances and visual/performing arts classes for children, professional support for artists, exhibits year-round in the Circle Gallery, annual arts competition Celebrate Agriculture with the Arts, and newfound coalitions for visual and performing artists. The Company shall continue to support their efforts through monetary donations and volunteer service. The Company has made monetary donations to support the MCAC and shall provide monetary contributions and volunteer services to support the MCAC going forward.

- ❖ **In-Kind Donations**: Many organizations require not only financial contributions but also tangible items. The Company is committed to hosting quarterly donation drives to gather items such as non-perishable food items, coats for kids, school supplies, athletic equipment, professional clothing, and toys around holiday times.

  - ➢ **Loyalty Donation Points Plan** ("**LDPP**"): If the BIS is unavailable or non-compliant, the Company will implement a LDPP. This plan allows customers to accumulate points based on the value of their transactions. Customers, via the Company website or retail location, can use their points to make donations to a selection of non-profit charities curated by the Company.
  - ➢ ***The Company Life Program*:** Patient customers who face economic hardships or physical disabilities that limit their ability to purchase medical cannabis may qualify for the Company Life Program. Patients who qualify will receive complimentary medical cannabis every week and access all services within the limits of City and State laws. The Company's medical-first approach certifies that less fortunate patients must have access to generous patient care programs. The Applicant's Executive & Management Committee will determine qualification for The Company Life Program on a case-by-case basis considering factors such as economic hardship and the severity of a patient's medical condition.

2. FINANCIAL SUPPORT FOR CITY-SPONSORED ACTIVITIES

In addition to the CCF, The Company will provide a one-time donation of $150,000 for City Sponsored Activities that are in-line with the Company's core values, three pillars of stewardship and the goals outlined in the City's GMP, VMP and CHIP through its **City Action Plan ("CAP")**.

- ❖ To assist the City address , the Company will make a CAP donation of $150,000 to the City of Madera or to another entity as directed by the City in five equal installments of $30,000 paid annually over the Company's first years of operations. The City, (not the Company) will determine which specific organization or cause is the beneficiary of these funds however CAP funds are intended to be divided equally (1/3, 1/3, 1/3) among three strategic funding priorities: 1) Safe & Healthy Environments, 2) Youth and Family Development, and 3) Support Creativity and the Arts.

CAP Goals	Allocation Percentage	Donation Amount
Safe, Healthy Environment (1)	33.3%	$50,000
Youth and Family Development (2)	33.3%	$50,000
Support Creativity and the Arts (3)	33.3%	$50,000

3. VOLUNTEER SERVICES

The Company shall contribute 500 hours of volunteer and community service to nonprofit organizations, associations, and programs within the City as mentioned in detail below. The Company will encourage staff to volunteer and will offer each staff member twenty (20) paid hours of work time to contribute to our overall goal of achieving 500 hours. If the Company is unable to provide 500 collective staff volunteer hours, the Company will convert the deficit in hours to a financial contribution to the CCF. For each incomplete hour, $20.00 will be deposited into the CCF.

From Spring until Fall, team members shall participate in monthly garbage clean ups in the surrounding neighborhood.

Additionally, the Company will implement an incentive program to encourage employees to sign-up and perform unpaid volunteer and community service hours. Annual bonuses will be awarded to those employees who perform 20 or more hours of volunteer work and community service. Anticipating a staff of approximately 19, the Company aims to provide up to 400-hours of additional volunteer and community service during Year One of operation. The non-profit organizations that have been shortlisted as potential ongoing beneficiaries of the BIS are also targets for the company's volunteer support programs.

In addition to volunteering within local nonprofits the Company will encourage its directors, managers, and employees to participate in the community's various service clubs, including:

- **Rotary Club:** The Company has made a monetary donation to the ***Rotary Club of Madera.*** The Company's mission aligns with the RCM's commitment to service as a worthy enterprise. Therefore, the Company will support the Madera's Rotary Club and its efforts to hold high ethical standards in business and professions, and advance goodwill and peace through service.

- **Madera Evening Lions Club:** The Company has made a monetary donation to the ***Madera Evening Lions Club***, whose vision is to be a global leader in community service. The Company shall continue to support their efforts through volunteer service and monetary donations.

- **Greater Madera Kiwanis Club**: The ***Greater Madera Kiwanis Club***, a nonprofit service club, focuses on community service and assisting local children and youth. The club appropriates funds collected from their sponsored events and reinvests them in the local community in a variety of ways. Kiwanis is dedicated to improving children's lives and those less fortunate within the community that "serves one child one community at a time." The Company has made a monetary donation to their annual Mother's Day Run. The Company supports Kiwanis's mission of focusing on Madera youth's issues through youth sports, enrichment activities, leadership programs, and scholarships.

4. LOCAL AND DIVERSE HIRING

The Company believes that it can further invest in the community by providing residents with opportunities for competitively paid, professional positions in the cannabis industry. It is the goal of the Company, therefore, to offer between 75% and 90% of its first offers for employment to residents of the City and County. Utilizing a local first approach to staffing, the Company anticipates the following community benefits:

- **Stimulate Economic Prosperity:** The Company will provide competitive and rewarding career opportunities. When hiring, the Company will prioritize City residents and County locals. The Company will invest time and energy in training employees who seek long-term opportunities and offer compensation that reflects this training and level of commitment. The Company's internal promotion strategy will first offer our employees and staff an opportunity for advancement. The Company intends to provide optimal wages, a robust benefits package, incentivized benchmarks, and healthcare. The Company will provide residents a unique career path in this unconventional industry.

- **Create Up To 20 Jobs:** The Company intends to initially hire up to nineteen (19) local City and/or County employees, including four (4) full-time salaried managerial positions (General Manager, Operations Manager/Assistant GM, Sales Manager, and an Inventory Controller), and full-time and/or part-time employees such as (1) Neighborhood & Community Liaison (NCL), (6) Hospitality & Operations Associates (HOAs), (2) Customers Experience Specialists (CES), (1) Fulfillment

Specialist (FS), (2) Delivery Operations Associations (DOAs), (1) Quality Assurance Specialist (QAS), (1) Neighborhood & Community Liaison (NCL), and (1) Administrative Associate (AA).

- Pursuant to MMC Section 20.40.177(P)(1), Labor Peace Agreements, prior to CCB retail storefront operations, the Company shall enter into a Labor Peace Agreement ("LPA") once the Company has five (5) or more employees.
- By year three (Y3), the Company anticipates having over twenty (20) employees.
- The Applicant will also contract with a local Madera security company to provide (2-4) Security Specialists at the facility.

❖ **Generous Compensation and Benefits:** All of these roles will be compensated generously. The Applicant considers comparable salaries for roles in the surrounding region, to be paid a living wage exceeding the State, federal minimums, and the City's living wage minimums. The Company plans to offer comprehensive and generous health benefits, a sick leave policy, and career development training. After 90 days of employment, each employee will be offered a full benefits package, including health and dental insurance, a 401(k) plan, and other benefits. The anticipated total cost of wages/salaries plus the robust benefits package for full-time employees within the first year will be approximately $1,000,000. The Company plans for an annual cost of living increase in salary and will offer internal promotion opportunities. The Company will approach hiring, promotions, and other personnel decisions with best-practice procedures to maintain a diverse staff.

❖ **Career Development:** The Company wishes to assist the community with economically sustainable employment. One aspect directly related to cannabis is assisting individuals in career development by providing legal aid to expunge records related to non-violent cannabis crimes and to partner with organizations like ***Workforce Development Board of Madera County***. The Workforce Assistance Center is a proud partner of America's Job Center of California Network. Workforce Assistance Center provides workforce development services that assist local businesses to thrive, while training youth and adult residents to find their path to good jobs. These services are funded by the Madera County Workforce Investment Board (MCWIC). The Company will provide workforce programs with annual monetary donations to support their development services.

WORKFORCE DEVELOPMENT BOARD OF MADERA COUNTY

5. HEALTH EDUCATION

The Company supports educational awareness programs that promote the appropriate consumption of medical and adult-use cannabis. This includes information about potential drug abuse and addiction. As part of the intake and orientation process, the Applicant will provide all customers and patients with up-to-date and scientifically based educational materials.

❖ **Outreach Program:** The Company aims to develop a comprehensive outreach program that will prioritize local engagement and education. The Company welcomes the opportunity to educate the community about the appropriate consumption of medical and adult-use cannabis, as well as, the risks associated with its consumption, and aims to collaborate with the city and other locally licensed cannabis entities to develop additional outreach programs. Organizations the Company may choose to work with include, but not limited to, local nonprofits, community-based organizations, civic organizations, or social services organizations, and programs focusing on issues pertaining to education & youth development, substance abuse support & education, domestic violence prevention, public & environmental services, senior citizen programs, career development, developmental disabilities & special needs, and homeless service programs.

ADDITIONAL COMMUNITY BENEFITS, STANDARDS & INCENTIVES

As a proposed member of the community, the Company has developed additional professional standards to ensure its operation continually provides benefits to the community and in no way hinders, negatively impacts, or degrades the existing quality of life. In other words, these standards are designed to ensure the Company is at all times providing a financial, professional, and cultural benefit to the City of Madera and the local community.

❖ **Respect for the Community:** The Company requires each new hire to sign a statement of Non-Discrimination as part of their employment and operating agreements. This signed statement binds each member to practice non-discrimination in hiring practices, day-to-day business operations, and at all times when acting as an agent or representative of the business. To the Applicant, non-discrimination is not limited solely to those "protected classes" enumerated in law. Just as the City respects and supports all people, the Company embraces a similar approach, extending its respect and support to all people, no matter race, creed, religion, age, sexual or gender orientation. The Company promotes mutual respect, courtesy, and thoughtfulness in all interactions.

❖ **Responsive Communications:** The Company will react immediately (within 24-hours) to community concerns. The Community Relations Director and Community Liaison will serve as the first point of contact for any concerns and will be responsible for initiating any corrective actions required to address a concern. The Community Relations Director and Liaison can be contacted through the Company's website, electronic mail, and by phone in the case of an emergency. In addition to

this, a dedicated employee and/or a Community Liaison ("CL"), will be available 24/7 through the Company website, electronic mail, and phone in case of an emergency.

- **Maintain Quality of Life:** The Company will provide cultural and educational opportunities to the community to ensure a safe and supportive community environment. Through these opportunities, the Company will create an environment that facilitates community empowerment, public safety, and an enhanced quality of life. The Company intends to make a positive impact on the community and wishes to see it thrive. To that end, the Company's team of Security Specialists will establish a continuous dialog with law enforcement and will see to the development of an anti-abuse campaign designed to prevent drug and alcohol use/abuse amongst youth and children. The Company, additionally, will invite the City's Police Department and the City/County Fire Department's respective personnel to the Company's CCB retail storefront regularly to assess its vulnerabilities. The Company will perform regular outreach to community watch groups to apprise them of activities and provide an open-door policy for residents to voice concerns or provide feedback.

- **Promote Economic Development:** The Company envisions economic development in three parts: integration with local businesses, local hiring, and supporting individuals affected by cannabis criminalization. The Company, in-line with this vision, will offer local suppliers a "first-look" to fulfill the Company's business needs while promoting local businesses' goods and services whenever possible. This will create a foundation that will help educate and train individuals affected by cannabis criminalization to succeed in the cannabis industry. The Company will embrace local hiring practices and will utilize an internal promotion structure that includes educational training opportunities for all employees. The Company will encourage and, at times, subsidize expenses to attend workshops, conferences, and additional training to help employees improve their professional skills. This promotion structure will allow the Company to hire in-experienced operators and develop them into competent cannabis professionals. To ensure residents receive a first look at new opportunities, the Company's job opportunities will first be made available through the local job boards, newspapers, and other local venues. The Company commits to exceeding the livable wage, which will have a far-reaching impact on the City's economy.

- **Public Safety:** The Company has provided a preliminary Fire & Life Safety plan prepared by a professional fire and life safety consultant. Additionally, as detailed in the Company's Security Plan, the Company has secured a reputable and experienced Security Compliance Advisor ("SCA") to design and implement all facets of security procedures. The SCA, or a designee, will be tasked with directly communicating with the City's police or fire and other first-responders to address all concerns and comments. The Company takes a proactive stance on public safety and intends on inviting local law enforcement and firefighters to tour the operation and provide a threat vulnerability assessment.

- **Enhancing the Vibrancy of the City:** The Company seeks to enhance the quality of life in Madera by funding community-based organizations that promote: City's arts-oriented associations, food and culture, parks and recreation centers, and libraries. The Company will also contribute to programs that improve public safety, make environmental and ecological improvements, and encourage economic development. The goal is to help maintain the City's status as a vibrant, health-conscious part of the County. The Company grant program will provide grants to programs and institutions in which the City already has a vested interest. In this manner, the Company can reinforce City programs that are focused on enhancing economic and neighborhood development, which, in turn, will improve the overall quality of life for City residents.

- **Service to Economically Disadvantaged:** The Company will offer a reduced pricing plan for qualified low-income patients/customers and military Veterans, as well as a program offering complementary medicine upon approval to qualified patients in accordance with City and State law. The Company shall support seniors, military Veterans, and SSI patients with regular 20-30% discounts on products and services.

EVALUATION



Our evaluation team will work with the City and local partners to track and access statistical indicators in assessing the efficiency, effectiveness, relevance, and sustainability of CBIP implementation, and to document the results of the plan in relation to its overall objectives and expected results as defined in this document. These data points and lessons learned will be shared with the community and used to inform ongoing decision-making, recommendations and support evidence-based practices and policies when supporting future efforts.

This CBIP has been developed by Raj Pottabathni (Managing Director), reviewed, and assessed by Community Benefits Advisor, with assistance from See Lee (Community Relations Director). Collectively, they have developed comprehension of the City's goals to advise the Company to establish outreach programs and create partnerships with local nonprofits and charitable organizations/associations. Their commitments towards the City's beneficial assistance shall strategically ensure the Company can provide volunteer efforts, allocate charitable donations, and steer positive partnerships and programs.

OTC MADERA, LLC
(dba: Off the Charts)

OTC GIVES BACK!

Just like we operate as a family, we believe our community should be treated like one.

Follow our Instagram to learn about what we do to give back to the community and join us along the way!

Follow otcXcommunity













COMMUNITY BENEFITS & INVESTMENT PLAN



Off the Charts ("OTC") is focused on serving the community in which we operate, and each community has its own unique sense of identity and history. Madera's diverse cultural history, character, and sense of place speak for themselves, and we look forward to working with the Madera community to conscientiously integrate our proposed retail business into the City's existing social fabric. OTC has developed a Community Benefits and Investments Plan that outlines strategic initiatives, company policies and outreach efforts to enrich the quality of life for individuals in Madera. OTC's community benefit efforts include: (1) engaging in sponsorship of community events; (2) collaborating with City officials and local entities on ways to enhance Madera's current quality of life; (3) donating resources and funds to youth programs; and (4) partnering with local organizations that facilitate opportunities and equity for residents. Internal policies and procedures of our Community Benefit Plan include developing a network of business reciprocity and increasing local expenditures, hiring locally, working with local vendors to source equipment, supplies and services and maintaining beneficial relations with employees. This strategy has proven to be effective in our other cannabis businesses throughout Southern California where we have donated hundreds of thousands of dollars and hundreds of volunteer hours to local partner organizations along with roughly $200,000 monthly tax contributions to the City.

OTC is committed to becoming an integral member of the Madera community. We have joined the Madera Chamber of Commerce and we have outlined our Community Benefits and Investments Plan to feature a heavy emphasis on supporting a vast array of local organizations and their respective causes. OTC has selected these organizations and together we can improve the surrounding community's social equity and quality of life through preservation and enhancement of the city's local environment and resources. OTC is steadfast in its commitment to serving Madera and being stewards of the local business community. Our team's community-focused approach has been a large part of our success and we look forward to applying that same community-first approach to the City of Madera.

GOALS

The Community Benefit Plan is designed in congruence with Madera's 2009 General Plan and the 2025 General Plan Vision to address the most significant needs of the community within a reasonable timeframe. We have carefully evaluated the guiding principles of the 2009 General Plan and 2025 General Plan Vision, and our Community Benefits and Investments Plan is designed to help the city and local organizations to accomplish the following goals:

1) **Well-Planned City**: Physical aspects of Madera's growth. Affordable housing, balancing residential, commercial, agricultural needs and providing efficient services are significant concerns for a growing community. Open communications between the community and local governments are vital to a healthy city.
2) **Good Jobs and Economic Opportunities**: good jobs, a well-trained, well-paid workforce and a broad spectrum of business opportunities. The vision underscores the need to attract commercial and retail businesses and to encourage residents to buy locally.
3) **A Strong Community and Great Schools**: Development of leadership, expansion of educational opportunities, support for the arts and recognition of the Madera's unique culture. Support for Madera's youth in education, after-school programs and sports activities reflects the community's desire to create a caring environment in which to raise a family.
4) **A Safe, Healthy Environment:** Protecting Madera's natural resources, enjoy a secure community and provide healthy educational and recreational activities. The Vision recognizes the need for Madera's parks and open spaces to be convenient and well-maintained. This statement also emphasizes excellent health care and related services for all community members.

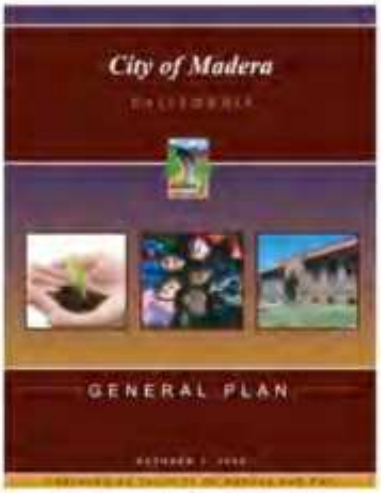
OTC commits to maintaining these community benefits goals throughout our business activities and evaluating the city's needs over time to ensure synchronicity with the city's community goals. We look forward to helping improve

health and socioeconomic outcomes in Madera through a multi-faceted approach of sponsoring community events, in-kind donations to charitable organizations, promoting the city's historical, cultural and social fabric, local sourcing practices and various other initiatives. Below are some additional partnerships, initiatives and contributions that ae included in our Community Benefits ands Investments Plan for the City of Madera.

GUIDING PRINCIPLE: A WELL-PLANNED CITY

The support outlined in our Community Benefits and Investment Plan extends beyond local non-profit and charitable organizations to the Madera directly. We have carefully researched the current initiatives that the City is executing and have determined how to best align our Community Benefits and Investments Plan with these initiatives.

FINANCIAL SUPPORT: MADERA GENERAL PLAN UPDATE



While compiling the application materials and speaking with attendees of city meetings it has come to our attention that the City's current General Plan's latest version is from 2009 and despite the Vision 2025 component, the General Plan is in need of a comprehensive update. OTC would like to support the Vision 2025 efforts and the Madera General Plan in the form of a $15,000 donation and the provision of any information, community data, volunteer hours or any other form of support. This initiative is aimed at providing a comprehensive update to the City's General Plan along with any additional updated documentation that the City is trying to compile. Today, Madera faces a very different set of conditions and challenges than when the current General Plan was adopted over 10 years ago. The development of a new plan will allow the city to address some of the more current issues the community faces as a result of the ever-changing cultural landscape of Madera. The initiative provides community members many opportunities to participate and share their ideas during the General Plan Update process; these include meetings with community groups, online surveys, community workshops, community pop-up events, planning and commission study sessions, and city council study sessions. As part of our effort to support this initiative we will have our Community Relations Officer (CRO) attend meetings, study sessions, workshops and pop-up events to join in on the General Plan Update process and discuss ways in which OTC can assist the initiative be it through monetary contributions or volunteer service. Our CRO comes from a multi-generational Madera family that has been up to date and seen the changes within the city over the years. They will be an integral resource for OTC to lean on as we prepare for local outreach efforts. Their involvement in the initiative's activities will also give OTC a better understanding of where they should focus their future charitable efforts to best serve Madera's vision for the future.

GUIDING PRINCIPLE: GOOD JOBS AND ECONOMIC OPPORTUNITIES

The community benefits and investments that OTC is bringing to the City of Madera are primarily rooted in the compensation and benefits that we provide for our staff, which directly translate into increased tax revenue and purchasing power generated by the Madera community. We plan to staff 23 employees upon initial opening with an increase to 30 employees at full capacity, which we have projected will occur within one year of operations. We are committed to local hiring throughout operations in Madera and will strive to hire exclusively Madera residents in an effort to consolidate job opportunities within the City of Madera and Madera County.

Concentrating revenue and financial gain within Corona's business community is a catalyst for improving community members' socioeconomic status as the city has a heightened ability to bolster community programs and provide opportunities for residents. Rather than look to large corporations with national footprints, OTC works with businesses with strong local roots to secure supplies, equipment and services from local businesses. We are working to source a local contractor and local electrician who can complete the interior and exterior renovations listed in **Section H: PROPOSED LOCATION**, we will be using a local vendor for all of our business materials such as fixtures, furniture and printers, and we are working to source a local company for the installation of our security and alarm systems in coordination with the Bay Alarm Company. In addition to the renovation, design and continued evaluation of our facility with the Temeka Group, we plan to partner with various other local business to source the necessary equipment and supplies for adequate business function of our retail storefront. Through careful research

we have identified the following businesses and potential partnerships for locally sourced materials in the initial and ongoing stages of operations:

- **Olmstead Electric:** electrical installation/renovation for facility development
- **Madera Auto Sales:** Delivery vehicles and referrals for vehicle maintenance and repairs
- **D&L Heating and Cooling:** HVAC consult, installation and/or renovation for facility development
- **Bares Landscaping & Irrigation:** Landscaping installation and maintenance
- **Workingarts Marketing:** Print materials, branding consult and other marketing needs

We are projecting that site development could allocate $750,000-$1 million in revenue for local businesses throughout Madera. Rather than look to large corporations with national footprints, OTC works with businesses with strong local roots to secure supplies, equipment and services from local businesses. We maintain a large network of local vendors for equipment, supplies and services and look to develop more local sourcing outlets over time.

In addition to job creation, OTC is committed to exceeding the current Living Wage for all of our employees in order to make an immediate economic impact in Madera. We currently pay all employees wages over 200% of the Federal Poverty Level and 120% of local living wage rates and we are replicating this commitment in Madera. The MIT Wage Calculator has assigned a living wage to the County of Madera at $16.22/hour. OTC's compensation plan goes beyond local and federal mandates to ***compensate all employees at a minimum wage of $19.47/ hour***, which is 20% more than the designated Living Wage in Madera. This translates to annual payroll of $1,435,079 once we have reached full capacity. Along with bonuses ranging from $10,000-$15,000 for salaried employees, we are substantially contributing to the Madera community's purchasing power and bolstering the local economy. Through the creation of living-wage job opportunities and working with local businesses and contractors, OTC's efforts are aimed at instigating immediate and long-term economic benefits for the Madera economy.

PARTNER ORGANIZATION: WORKFORCE DEVELOPMENT BOARD OF MADERA COUNTY

As part of OTC's community benefits initiative, we are going to work with the Workforce Development Board of Madera County (WDBMC) towards meeting their goal of fostering an environment that is conducive to economic development and improving the economic health of Madera County residents, businesses, and communities. WDBMC's investments in skills development and job training are flexible and responsive to the needs of business and industry, while elevating the success of Madera County's workforce and driving the region's ability to compete in California and beyond. Over the last 10 years the WDBMC has helped job seekers, including youth and those with significant barriers to employment, prepare for the labor market and find high-quality paying jobs and careers.

The organization's Workforce Assistance Center (WAC) was created to help job seekers of all backgrounds get the services and education needed to find and keep quality jobs. At the WAC, several agencies work together to provide residents job placement assistance, work-based learning, vocational training, and other services that help individuals reach their employment goals. In addition to the services described above, the WAC provides services tailored to eligible young adults, veterans, and individuals with disabilities.

The WAC's Out-of-School Young Adult Program was created for individuals between the ages of 16-24 who need additional assistance towards obtaining their High School Diploma/High School Equivalency Certificate, developing workplace skills, learning about career pathways, obtaining training for in-demand occupations, and ultimately becoming ready for employment. The WAC also provides a wide variety of resources and services targeted specifically for the Veteran community. Their office assists veterans and their spouses in obtaining benefits form federal state and local agencies administering programs for veterans and provides advocacy and outreach to the veteran community while promoting and facilitating access to needed services. The WAC's Persons with Disabilities Program offers a wide assortment of resources specifically for the disability community and makes every effort to connect these individuals to the services that best fit their needs. Much like the veteran services, the WAC's office helps individuals with disabilities navigate federal, state, and local agencies administering benefits for persons with disabilities so they can get the assistance that they need. These services have been vital in improving the economic health for many young adults, veterans, and persons with disabilities in Madera County.

WDBMC has a Workforce Business Division which is a collaboration of community agencies that connect businesses to a variety of solutions, resources, and information to support business success. The Business Division offers employers job training, recruitment and prescreening, subsidized employment, incentives and other resources and services necessary to run a successful business in Madera. Additionally, the Business Division offers general consulting services that connect businesses to a variety of resources to stay current on topics such as employment law, workforce development, human resources, and much more. Many of the resources and services offered through the Business Division are aimed at matching employers with skilled workers as well as providing them the tools they need to be competitive in the local economy.

OTC is excited to work with WDBMC towards accomplishing their goal of supporting an environment conducive to economic development and improving the economic health of Madera County residents, businesses, and communities. We would like to support the organization by offering a yearly donation of $10,000 and we will coordinate with them to see if there is any other way that our business or employees may assist. We hope that by providing monetary assistance to the WDBMC they can continue to work towards their goal and have a positive impact on the economic health of businesses and individuals in Madera County.

PARTNER ORGANIZATION: HANDS ON CENTRAL VALLEY

HandsOn Central California has been a leader in the development, implementation, deployment, and sustainability of volunteer initiatives in the Central Valley for 70 years. The organization was founded by a group of community leaders who saw the value of volunteerism as a tool for community change. Their robust portfolio includes managing volunteer programs, training, events, and initiatives across Merced, Mariposa, Stanislaus, Madera, Fresno, Tulare and Kings counties. HandsOn Central California's services combine to offer a wide array of opportunities that mobilize our community to help **"be the change"** in as many ways as possible. HandsOn is able to accomplish this through partnerships with other organizations working together to bring about long-lasting change in the community. From motivating children to discover and learn, serving hot meals to low-income families, providing support for physical and mental health initiatives, caring for the environment, large scale transformational projects, HandsOn Central California continues to respond to the critical needs of communities and their residents.

HandsOn's program, HandsOn@Work, was developed to provide businesses and their employees opportunities to network with other businesses that host volunteer programs, create custom service projects that fit company goals, interests, and budget, and provide resources and tools to track the service completed by employees as well as different areas of community impact that the business is helping to support through **HandsOn@Work.** HandsOn Central California prepares, coordinates, and executes all aspects of a businesses planned volunteer projects. HandsOn guides companies of all sizes through the often-unfamiliar territory of volunteer service project planning. Drawing on the organizations network of agency partnerships and planning expertise, HandsOn designs ongoing volunteer programs or one-time events, specifically tailored to the needs and interests of businesses and their community. HandsOn believes one of the most effective ways to connect employees is through volunteerism as it can boost employee happiness, help recruit and retain quality talent, build a strong community reputation, and it creates further opportunities for leadership training and team-building.

As a community-focused business with an emphasis on volunteerism, OTC is excited to work with HandsOn and its many partners, towards promoting community change through volunteerism. OTC would like to support HandsOn through annual donations of 120+ volunteer hours as well as working with their HandsOn@Work program to develop more meaningful volunteer programs in the City of Madera. We have faith that the organization will use our donations to continue working towards their mission to inspire, equip and mobilize residents to serve their communities.

GUIDING PRINCIPLE: A STRONG COMMUNITY AND GREAT SCHOOLS

Our vision of a strong community is one that promotes social justice, denounces institutionalized racism and provides opportunities for individuals with all sorts of backgrounds and life experiences. This starts with the community's youth, which requires support for the educational institutions and organizations that are responsible for setting them up to succeed for the rest of their lives. This continues with providing tools and skills for youth to educate themselves

throughout their adolescence and early adulthood, protecting them from violence and social injustice and creating a more equitable community overall where they have ample opportunities to thrive.

PARTNER ORGANIZATION: CALIFORNIA TEACHING FELLOWS FOUNDATION

As part of OTC's community benefits initiatives, we are going to support the California Teaching Fellows Foundation (CTFF) in their mission to inspire next-generation leaders with a passion for teaching and learning while impacting the lives of youth by providing them annual donations. CTFF was founded in 1999 at the Kremen School of Education and Human Development at Fresno State. The CTFFs approach develops exceptional educators who are inspired to be leaders in their communities and creating a brighter future for all. CTFF's teaching fellows are paid undergraduates from Central Valley Colleges or Universities who are recruited based off academic achievement and their desire to be leaders for the next generation. Teaching Fellows are trained to be instructors in K-12 after school, tutoring and summer programs, serving as mentors and role models for college success. They participate in ongoing professional development in Saturday Academy each month, which means they are continually learning and improving their skills in areas such as tutoring, classroom management, and how to creatively engage students in learning activities.

Teaching Fellows are the core of the foundation, and they are responsible for running many of the programs that CTFF is engaged in. The CTFF program partners with 26 districts to staff programs at more than 200 K-12 school sites in Madera, Fresno, Merced, and Tulare counties. CTFF offers several programs including After School in the Central Valley, California Teaching Fellows AmeriCrops, and Summer Learning. Their After School in the Central Valley program serves a combined 30,000 elementary, middle, and high school students every day. Here students work on homework and engage in two hours of enrichment activities like robotics, fashion design, breakdancing, etc.. Their AmeriCorps program delivers NASA's Aerospace Academy program in 40 high-poverty elementary schools in the Central Valley. AmeriCorps Fellows are responsible for increasing STEM knowledge, skills, and literacy of students who participate. Further, CTFF's Summer Learning program was designed to bridge the gap created by summer learning loss. Students who engage in this program experience leadership and team building, new friendships, skills development, and other creative methods that make learning fun.

We look forward to helping CTFF improve the academic success of children in the Central Valley in the form of annual donations of $10,000. OTC firmly believes that creating a meaningful impact in a community begins with the youth and CTFF's enrichment and academic success initiatives provides an avenue to directly impact the next generation of Madera residents and community contributors. We are confident that CTFF will use our annual donations to continue supporting their mission to inspire next-generation leaders with a passion for teaching and learning while impacting the lives of youth.

PARTNERSHIP: MADERA COALITION FOR COMMUNITY JUSTICE

The Madera Coalition for Community Justice (MCCJ) is primarily focused on educating and assisting low-income residents of Madera County by working together to obtain appropriate and sufficient food, clothing, healthcare, educational and employment opportunities along with other fundamental needs. Through the core tenets of "educate, organize empower" they strive to equip all Madera County residents in need with whatever they need to improve and sustain a high quality of life. MCCJ has countless programs that are available for both youth and adults have wide-ranging public benefits, including:

Food Share Programs: Collaboration with the Madera County Food Bank (who we will also be supporting in our Community Benefits and Investments Plan) to distribute free food and drinks to those in need.

Environmental Justice Programs: All kinds of events to get youth involved in fighting climate change such as tree planting, water conservation, energy education, museum Trips and more.

Madera Youth Leaders Program: a group of teenagers and young adults between the ages of 13-21years from Madera working toward positive change in their community. Their main goal is to o inspire and lead other youth in projects that give back to the community, to provide youth with the training, resources, knowledge, and experiences needed to educate the community and impact their own future and the future of Madera.

Community Help and Awareness of Natural Gas and Electricity services (CHANGES) program: Provides limited English proficient (LEP) people with natural gas and electricity (energy) education and assistance in the language of their choice. Services include education and assistance in understanding and managing energy bills. It includes assistance to help people negotiate payment arrangements and avoid disconnection, or assist them in re-connection of their service. It helps them sign up for consumer assistance programs and financial assistance, and helps them receive adjustments or corrections to their bills.

Parents as Leaders Program: The program employs a strategy to strengthen the relationship between the school district and parents to develop community leaders, give parents the tools to help their children improve academic performance, promote higher education and facilitate parent engagement. The program also provides extensive skills training to parents by building their knowledge base and leadership development to allow them to actively participate at school site activities and equipping them to become advocates for quality education. The leadership development aspect of the program focuses on both education and community issues with emphasis on how the education system and local government work and empower them to maximize the academic success of their children through hands-on learning and activities in the school and community.

Oracle Program: Focused on developing and evaluating strategies to increase testing and reduce COVID-19 infection rates in target areas.

Community Garden: Open to the Public Monday-Thursday 8am-5pm to provide a place where community members can grow their own food and learn about regenerative agriculture.

Youth Street Art Project: Harnessing the power to build pride in neighborhoods while expressing the world view of community members, where they come from, what they do and how they connect to each other throughout Madera.

These are just some of the primary programs offered by MCCJ and there are many more both currently being offered and under development. We anticipate that some programs are more established and better funded than others, but we have begun preliminary conversations with MCCJ officials to determine their greatest areas of need. We are still donating $5,000 and 50 volunteer hours to each of the aforementioned programs as an initial contribution, but our developing relationship with MCCJ will allow us to make more targeted donations over time.

COMPREHENSIVE FOCUS ON SOCIAL EQUITY

OTC's Community Benefits and Investments Plan maintains an emphasis on social equity. All community benefit activities are conducted to improve socioeconomic outcomes for members of disenfranchised and targeted communities within Madera and Madera County. We view social equity as a principle that embodies the actions we take to address discrimination, injustice, and inequality. We recognize our platform as a licensed operator in the cannabis industry as an opportunity to improve socioeconomic outcomes for those negatively impacted by decades of cannabis prohibition and offset the harm sustained by the War on Drugs in the communities in which we operate. OTC is committed to using its position of influence to provide opportunities for vulnerable populations and enhance the quality of life for Madera residents that fall into this category. We believe it is essential to understand the history of cannabis so that we can meaningfully empower and enrich communities that have been disproportionately impacted by cannabis prohibition or excluded from cannabis business ownership or employment. We also want to challenge the traditional social and political hierarchies in the professional sector and build the local cannabis industry into a landscape of opportunity for these individuals. Our shared commitment to social justice has been thoughtfully integrated in our business since its inception, creating a culture in which equity, diversity, and empowerment are fundamental principles that guide our actions as individuals and as a company. Norman Yousif, owner of OTC, is involved in several social equity projects in Los Angeles, one of which involves co-ownership of four equity businesses in Los Angeles with industry pioneers and champions of social equity Kika Keith, Moises Estrada,

Madison Shockley, and Joey Evans. OTC's Los Angeles projects have afforded Norman the opportunity to build connections with a constellation of cannabis brands, retail spaces, and community organizations that leverage the power of cannabis to transform lives and shape culture. OTC will use these additional resources to help achieve all our social equity goals, especially with respect to our hiring and training efforts in Madera.

PARTNER ORGANIZATION: SOCIAL EQUITY OWNERS AND WORKERS ASSOCIATION

Social equity Programs are designed to support equal opportunity in the industry by making legal cannabis business employment opportunities more accessible to low-income individuals and communities impacted by the criminalization of cannabis. Barriers that Social Equity candidates face include limited access to educational resources, inexperience in the job searching process, disqualification from consideration for employment based on previous convictions, lack of knowledge in preparing materials like resumes and standard operating procedures as well as limited access to mentorship from industry professionals. To mitigate this issue, we are developing a Social Equity Committee that is working in collaboration with the Social Equity Owners and Workers Association (SEOWA) to source social equity candidates for our initial and ongoing rounds of hiring. We are working with Kika Keith, who is our retailer partner in Los Angeles and the founder of SEOWA, to obtain guidance and oversight with respect to elements of social equity in our organization. We are also an ongoing donor to SEOWA to bolster their resources and abilities to source these individuals. We will not waver in our commitment to social equity, and we will constantly be looking for ways to provide opportunities to individuals who qualify as equity candidates. Our relationship with SEOWA will allow us to extend their educational resources to minority individuals and those impacted by the War on Drugs throughout Madera.

PARTNER ORGANIZATION: SOCIAL EQUITY INDIVIDUAL TRAINING HUB

Through our work in Los Angeles, we have developed a relationship with the Social Equity Individual Training Hub (SEITH). This organization serves as a career center that provides job-specific training, education and other resources in a mock retail storefront setting to individuals who qualify as social equity hires for local cannabis businesses. The center's main goal is to prepare social equity candidates for long, prosperous careers in the cannabis industry and increase the size and abilities of the local cannabis industry workforce. SEITH offers educational courses that cover overarching topics such as compliance with state laws and track and trace as well as training modules that are geared more specifically to local jurisdictions. Training modules relating to compliant commercial cannabis operations may include, but are not limited to, customer check-in procedures, processing transactions, separating adult use and medical transactions, Metrc training, diversion prevention, recordkeeping, neighborhood compatibility protocols, marketing, understanding and implementing standard operating procedures, video surveillance, product deliveries, facility sanitation and various other features of working at a commercial cannabis businesses. OTC's Community Relations Officer and Social Equity Advisor are tasked with integrating SEITH into our local hiring practices and ensuring there is a consistent pipeline of equity candidates from Madera who are being educated and trained at this facility to eventually work for OTC and other cannabis businesses in the area. We believe this collaboration can substantially increase the workforce and number of high paying jobs for Madera residents and those who have unfortunate experience of being disproportionately impacted by the War on Drugs.

EQUITY INITATIVE: EXPUNGEMENT CLINICS

We intend to work with Madera Law Center (MLC) a local Madera organization that specializes in community services, community health services, post-conviction relief, and more. We will support MLC's post-conviction relief efforts through sponsoring and volunteering for their expungement clinics. During the clinics, individuals get the chance to meet with attorneys to discuss whether their conviction qualifies as well as what steps need to be taken to clear their records. MLC's expungement clinics provide individuals with the opportunity to eliminate qualifying convictions from their records which helps remove barriers necessary to get their lives back on track. Individuals with a clean record have increased chances of securing employment, loans and housing which help increase stability and reduce recidivism something that benefits not just themselves but the community as a whole. In addition to working with MLC to organize and sponsor expungement clinics, OTC intends to build a program to source employees and promote job opportunities to qualifying individuals who have been victims of the war on drugs; our participation in the expungement clinics will also serve as a direct pipeline for potential employees.

PARTNER ORGANIZATION: OPERATION EVAC

Operation EVAC is a target organization for our community outreach and financial assistance. The "EVAC" portion of this organization's name stands for Educating Veterans About Cannabis. Founder Ryan Miller served the Marine Corps from 1998-2002 as a network systems engineer primarily in Okinawa, Japan. Constantly deployed, Ryan served in Brunei, Bali, Indonesia, Malaysia, Singapore, Philippines, Hong Kong, Thailand, Australia, and Korea twice. Two meritorious promotions, Battalion Marine of the Quarter, the Navy Achievement Medal, Microsoft Certified Systems Engineer, Cisco Certified Network Associate, and Naval Shellback are among his accomplishments earned on active-duty. Following an honorable discharge, Ryan discovered cannabis through employment at the Berkley Patients Group in the San Francisco Bay Area. He immediately saw the healing power of cannabis and understood how powerful of a tool it could be to help veterans as they work through Post Traumatic Stress Disorder, Anxiety and various other mental health conditions along with reintegration back into the workforce. Currently Operation EVAC organizes support groups, educational sessions and other events for veterans where they can learn about cannabis, health and wellness. The organization also provides workforce development and support for veteran employees of cannabis businesses. We are making a one-time donation of $10,000 to Operation EVAC as a way to support hosting support groups for the organization at our Madera location. We are also working with founder Ryan Miller to determine ways we can strategize to hire and support veterans from the organization's network in the form of a workforce development agreement. This promotes the acceptance and understanding of individuals with different life and work experiences relating to the military while also enhancing their socioeconomic status. We are committed to not only providing work opportunities to veterans but also helping them stabilize their lives after returning from active duty.

PARTNER ORGANIZATION: COURT APPOINTED SPECIAL ADVOCATES (CASA) OF FRESNO & MADERA COUNTIES

Since 1996, CASA (Court Appointed Special Advocates) of Fresno and Madera Counties has served foster youth in the Fresno and Madera regions with Judge Soukup's original goal in mind: to be a voice for our community's most at-risk children. This has been tirelessly executed with the help of dedicated men and women, from advocates to social workers, attorneys, foster parents, therapists, doctors, teachers, and the myriad of other individuals responsible for the care of the foster youth. Today, CASA of Fresno and Madera Counties employs a full-time staff and is supporting and equipping more than 210 volunteer advocates as they annually serve 331 of the 2,500 abused and neglected children in foster care in Fresno and Madera Counties.

The children at CASA are assigned by judges and are typically individuals who are deemed most at risk, having experienced abuse or neglect, and needing the Court's protection. CASA is unique in that they normally assign one CASA volunteer to one child so that the volunteer can build a deeper relationship with the child and gain a better understanding of the child's needs and interests. The volunteers act as a stable and reliable support system while children go through the court system and many of these relationships last years. The stable support provided to CASA's children is vital for their proper development and performance in other aspects of life. CASA volunteers/advocates also work alongside caseworkers or social workers to ensure the judge has the best information, and that the child receives all the services and support they need. CASA hosts several fundraising events throughout the year and the money gained throughout these events is used to fund CASA's ongoing operations and services. These events also offer CASA the opportunity to mingle with the community's residents and offer more insight into what CASA is all about. Some of CASA's fundraising events include the Granville Home of Hope Raffle, CASA Crab Feed and Virtual Auction, and Central Valley Chef Cook Off to Support CASA to name a few. CASA also hosts a dinner event called the Voices of Hope, which was designed to honor their advocates and the work they perform at CASA. This event also acts as an introduction to CASA for newly sworn in advocates and is a perfect time for them to connect with experienced CASA volunteers and staff.

OTC is excited about the opportunity to support CASA in their mission to recruit, train, and support volunteers to advocate for the best interest of abused and neglected children in the foster care system. We would like to offer support through yearly donations, engaging in their fundraising events, and engaging in some of the various

volunteer opportunities that they host. We believe this is the best form of support that we can provide CASA and we are confident that they will use our donations to continue to provide support for at risk children going through the foster care system in Madera.

COMMUNITY EVENT: EDUCATIONAL WORKSHOPS ON CANNABIS

We look forward to building relationships with Madera's local businesses and residents through cannabis education and community stewardship. We bring extensive value to the community by expanding access to free, quality educational materials and resources to those seeking to enhance their personal wellness through cannabis. OTC utilizes free cannabis educational workshops, seminars, milestone celebrations and other events that cater to clientele looking to expand their knowledge on cannabis' health and wellness attributes. Our workshop subject-matter includes cannabis-specific topics surrounding responsible and informed usage guidelines such as: Warning Signs of Abuse/Misuse; Dosing & Usage: Consumption Methods and the Conscientious Smoker; Cannabinoids & Terpenes: Benefits, Effects, and Interaction; Topicals & Pain Relief: Cannabis and Pain Management; and others. We also plan on holding events which explore health and wellness topics related to mindfulness and wellbeing such as Yoga; Body Consciousness; Meditation; Natural Healing; Exercise & Nutrition; and others. We will also feature vendor/brand partners in our workshops to discuss a vast array of important topics such as Sustainability in Cannabis Cultivation, Sun + Earth Certification, Women-Owned Business Leadership, Social Equity and various other important topics that frame our industry. We plan to rent out a public space or, if appropriate for the event, utilize our parking lot to organize events centered on wellbeing where like-minded businesses are invited to come out and share their practices with local businesses and the community. OTC's educational events are a no cost community resource event where participants can learn about, engage with, and build community through the medium of cannabis health services and overall personal wellness. We host cannabis-specific events that promote communal discussion surrounding retail cannabis businesses' impact on the community while providing exposure to the citizens of Madera.

GUIDING PRINCIPLE: A SAFE, HEALTHY ENVIRONMENT

A healthy, safe environment is one where community members have consistent access to fresh food, are provided with ample opportunity for physical activity and are insulated from the devastating impacts of climate change by intelligent choices involving the use of community resources. OTC has investigated organizations who share our core values of access to fresh food, sustainability, environmental consciousness and the importance of combatting climate change for the community's overall wellness. The following organizations will garner our support on an ongoing basis in a variety of different formats.

PARTNER ORGANIZATION: GRID ALTERNATIVES CENTRAL VALLEY

We have vetted and selected GRID Alternatives Central Valley as an organization that we would like to support through our Community Benefits and Investments Plan in Madera. GRID Alternatives believes that a rapid, equitable transition to a world powered by renewable energy will benefit everyone. Since their inception in 2011, they have been helping families of all income levels save tens of thousands of dollars in energy costs over their systems lifetime. GRID Alternatives has installed more than 10MW of locally generated, clean and renewable energy, benefitting families, for the environment and the community. Their system reduces household electricity costs by up to 90% by providing free solar electricity systems at no cost. Their projects also help job seekers be competitive in the emerging renewables industry by a number of hands-on job training opportunities each month at no-cost to the participants. This includes:

- **Installation Training Programs:** installation training programs that offer opportunities for skill development and employment opportunities,
- **SolarCorps Fellowships:** include one-year placements on a GRID Alternatives team to develop skills and experience in various aspects of the industry
- **Solar Futures:** a K-12 education program offering classroom curriculum and hands on training for youth,
- **National Women in Solar Program:** provides pathways to technical careers for women, highlights women of color in the industry and provides national leadership on solar workforce diversity to build a diverse, equitable and inclusive solar industry
- **Troops to Solar:** connects veterans to solar industry jobs and provides training in the industry

Renewable energy can drive economic growth and environmental benefits in communities most impacted by underemployment, pollution, and climate change. GRID Alternatives is a national leader in helping economic and environmental justice communities nationwide get clean, affordable renewable energy, transportation, and jobs. Internationally, their energy access work is lighting up off-grid communities in Nepal, Nicaragua, and Mexico.

OTC is committed to supporting GRID Alternatives throughout all of their ventures mentioned above. We are working with leadership at GRID Alternatives to determine their most significant needs to continue to run and further develop these programs. We are prioritizing financial contributions to the Troops to Solar program as a way of supporting veterans throughout all community benefits initiatives, but each of these programs is beneficial to Madera residents and they will garner our continued support over time. GRID Alternatives mission is aligned with addressing Madera's challenges such as sustainability and addressing climate change impacts, so we view our support of this contribution as a substantial effort towards reducing greenhouse gas emissions in Madera and surrounding communities in Madera County.

PARTNER ORGANIZATION: MADERA COUNTY FOOD BANK

OTC has chosen to support Madera County's Food Bank (MCFB) because of their network and the resultant infrastructure for serving those in need. Not only do we have complete confidence in MCFB's ability to deploy our charitable contributions into tangible assistance to those in need, but we also chose Food Share because of the numerous programs and events they host, which create a variety of volunteer opportunities. The Community Assistance Program is a monthly distribution of free fresh produce and/or products to the Citizens of Madera County. MCFB also provides an Emergency Food Program which was designed to help families in need of emergency food. This program provides emergency food boxes to approximately 1,800 individuals a month and the contents include essential items such as protein, vegetables, grain, iron, starch, and fruit. Similarly, their Emergency Food Assistance Program, a California Department of Social Services program, provides food boxes to eligible individuals and households at no cost. The MCFB has two programs tailored to serving Senior residents 55 years and older. First, they have their Senior Nutrition and Produce Program (SNAPP) which runs from April-October and was designed to provide fresh fruits and vegetables to individuals 55 years and older at an extremely low cost. They also have a Senior Brown Bag Program that is run exclusively through the program that makes a monthly delivery of essential food to the individual's residence. This program costs $24/year and is open to all residents 55 years of age and older. The MCFB services the entire city of Madera, Cowchilla, Fairmead, and all of the Mountain areas including Richmond, Coarsegold, Oakhurst, and North Fork. Currently, MCFB has 36 food distribution sites throughout Madera County and they all strive to serve the individuals and families in need throughout the County. OTC is proud to sponsor Madera County Food Bank by covering the costs for 400 individuals, which amasses to a donation of $10,000 in program sponsorships for Madera community members. In addition to charitable contributions as described above, we are eager to share with our employees the volunteer opportunities created by the various programs operated under MCFB.

G.7 COMMUNITY BENEFITS AND INVESTMENTS SUMMARY (3 YR PROJECTIONS)



OTC is committed to becoming an integrated member of the Madera community and hopes to provide continued support to local non-profit and community organizations in the form of charitable contributions and volunteer service. Our management team will be available to field any public concerns about our operations and will do their best to resolve any issues in a timely and professional manner. We look forward to the possibility of bringing new business opportunities to the City of Madera as well as to contributing to local community service initiatives. OTC's community-focused approach has been a large part of our success in the other jurisdictions in which we operate. OTC looks forward to the opportunity of applying that same community-first approach to the City of Madera. Our commitment to the community has led us to vet over a dozen locally based nonprofits and

we are confident that by teaming up with these organizations, OTC will be able to make a real contribution to the Madera community and its residents. OTC believes that food services, safe places for the abused, guidance for at risk youth, housing assistance, education, and other critical services and programs put resources where they are needed most. OTC is committed to hiring locally for all our service needs, as described above. OTC intends to hire locally to fulfill the dispensary's positions, and we also intend to take good care of our staff through generous compensation packages, as described in the Labor, Diversity, and Inclusion Plan. We are eager to host community events and educational workshops in order to introduce ourselves to the community and to provide cost-free educational materials and presentations. The initial investments outlined in this plan amass over $120,000 and 240+ volunteer hours allocated to our partner organizations within our first year of operations, and we continue to build on these investments over time (See below).



RETAIL NM, LLC
(dba: Nectar)

NECTAR



COMMUNITY BENEFITS & INVESTMENTS PLAN



Nectar is focused on serving the community in which we operate, and each community has its own unique sense of identity and history. Madera's diverse cultural history, character, and sense of place speak for themselves, and we look forward to working with the Madera community to conscientiously integrate our proposed distribution and retail business into the City's existing social fabric. Nectar Markets (Nectar) has developed a Community Benefits and Investments Plan that outlines strategic initiatives, company policies and outreach efforts to enrich the quality of life for individuals in Madera. Nectar's community benefit efforts include: (1) engaging in sponsorship of community events; (2) collaborating with City officials and local entities on ways to enhance Madera's current quality of life; (3) donating resources and funds to youth programs; and (4) partnering with local organizations that facilitate opportunities and equity for residents. Internal policies and procedures of our Community Benefit Plan include developing a network of business reciprocity and increasing local expenditures, hiring locally, working with local vendors to source equipment, supplies and services and maintaining beneficial relations with employees.

NECTAR CARES™

Nectar CARES is a community outreach program introduced in 2020 to raise funds for donation to community-focused nonprofits and organizations working to improve the quality of life for members of the community.

Nectar is an ally for social equity businesses. While not qualifying as a social equity applicant, the Company looks forward to the opportunity to work alongside these businesses and looks to incorporate social equity products into the retail supply chain and inventory. With the introduction of the Nectar CARES program in California, we look forward to expanding our philanthropic and community-oriented mindset to each community that we serve. Nectar will work alongside the city, local nonprofits, and other community-centric organizations to ensure that Nectar is doing its part to add value to the community beyond the walls of our retail establishment. Recently, Nectar was recognized by the Portland Business Journal as number ten on the 2020 Philanthropy Awards List for the Company's outreach initiatives prior to launch of the Nectar CARES program. Nectar is excited to continue to develop the Nectar CARES program and offer added value to the community. More Detail on the Nectar CARES Program, its history and its goals are provided below.

Nectar is committed to becoming an integral member of the Madera community. We are joining the Chamber of Commerce and have outlined our Community Benefits and Investments Plan to feature a heavy emphasis on supporting a vast array of local organizations and their respective causes. Nectar has selected these organizations and together we look forward to improving the surrounding community's social equity and quality of life through preservation and enhancement of the city's local environment and resources. Nectar is steadfast in its commitment to serving Madera and being stewards, participants and partners of the local business community. Our team's community-focused approach has been a large part of our success across our 30+ current retail locations and we look forward to applying that same community-first approach to the City of Madera.

GOALS

The Community Benefits and Investments Plan has been designed in congruence with Madera's 2009 General Plan and the 2025 General Plan Vision to address the most significant needs of the community within a reasonable timeframe. We have carefully evaluated the guiding principles of the 2009 General Plan and 2025General Plan Vision, and our Community Benefits and Investments Plan is designed to help the city and local organizations to accomplish the following goals:

1) **A Well-Planned City**: The physical aspects of Madera's growth. Affordable housing, balancing residential, commercial and agricultural needs and providing efficient services are significant concerns for a rapidly growing community. Open communications between the community and City/County government and within those governments are vital to a healthy city.
2) **Good Jobs and Economic Opportunities**: good jobs, a well-trained, well-paid workforce and a broad spectrum of business opportunities. The vision underscores the need to attract commercial and retail businesses and to encourage residents to buy locally.



3) **A Strong Community and Great Schools**: Development of leadership, expansion of educational opportunities, support for the arts and recognition of the Madera's unique culture. Support for Madera's youth in education, after-school programs and sports activities reflects the community's desire to create a caring environment in which to raise a family.
4) **A Safe, Healthy Environment:** Protecting Madera's natural resources, enjoy a secure community and provide healthy educational and recreational activities. The Vision recognizes the need for Madera's parks and open spaces to be convenient and well-maintained. This statement also emphasizes excellent health care and related services for all community members.

Nectar commits to maintaining these community benefits goals throughout our business activities and evaluating the city's needs over time to ensure synchronicity with the city's community goals. We look forward to helping improve health and socioeconomic outcomes in Madera through a multi-faceted approach of sponsoring community events, in-kind donations to charitable organizations, promoting the city's historical, cultural and social fabric, local sourcing practices and various other initiatives.

NECTAR CARES PROGRAM

To ensure leadership, consistency, organization and transparency throughout all of our community benefits initiatives, we have created a 501(c)(3) non-profit organization called the Nectar C.A.R.E.S Program. This organization is being developed as an arm of Nectar's overall business that is specifically dedicated to all the community benefits initiatives we plan to execute. Through our experience as a licensed operator in Oregon, we have found that it is most efficient to have a team of dedicated individuals and respective resources allocated to this aspect of our business with oversight from ownership and management rather than a collaborative effort between personnel in various areas of operations. We have thus created this non-profit organization as a way to consolidate our community benefits efforts and associated resources for the purpose of efficacy and efficiency.

The Nectar C.A.R.E.S Program controls all of our community benefits initiatives and our Community Relations Officer is working to establish relationships with local organizations and really understand the needs of the communities we serve. Program leaders have regular meetings with ownership and management and are expected to provide detailed reports of their progress throughout actualization of the Community Benefits and Investments Plan. Ownership and management periodically audit the performance of the Nectar C.A.R.E.S Program to ensure all goals are being met within designated timeframes. The Nectar C.A.R.E.S Program leaders are expected to communicate any problems or delays that they experience to ownership and management immediately, and there is a collaborative effort executed to mitigate any of these issues.

Nectar Culture Committee Mission Statement

We believe that employee and customer satisfaction starts with creating a supportive and inclusive environment where everyone feels welcome. Nectar CARES gives our employees the opportunity to make a difference in their community and workplace *through the following guiding principles:*

C – Community Development
A – Active Lifestyles
R – Representation & Inclusion
E – Environmental Sustainability
S – Social Justice

The Nectar CARES program has been a remarkable success in Oregon, with large cash and volunteer hour donations to local community centric organizations. Some highlights of this proven community engagement model's implementation include substantial fundraising of nearly $1 million for the ACLU Oregon, the Wounded Warriors Project, the Oregon Justice Resource Center, and Don't Shoot PDX. In 2021 alone, we were able to partner with the NuLeaf Projects' NuProfessional Network, which is a recruiting platform that supports vulnerable populations as they look to enter the cannabis industry. Nectar was one of the first businesses in Oregon to join this platform. Additionally, Nectar began conducting local trash cleanup events in collaboration with local 501(c)(3), Solve Oregon. To round out

the year, Nectar partnered with Last Prisoner Project on their Holiday Letter Writing campaigns to bring cheer to those who are incarcerated for cannabis offenses.

In 2022 thus far, the Nectar C.A.R.E.S committee has conducted street cleanups in Southeast Portland alongside nonprofit, Solve Oregon. Other groups Nectar is supporting this year include Special Olympics Oregon's Polar Plunge, Hunger Free Oregon, and the Transition Project in supporting houseless individuals. We are focused on enhancing and diversifying our support of the ACLU, the Wounded Warrior Project and Last Prisoner Project in Oregon and also determining how to support these organizations in California throughout 2022. We are confident that the Nectar C.A.R.E.S Program will be an integral component of our profile of businesses moving forward and we are excited to translate this successful community engagement program into our California operations.

C – COMMUNITY DEVELOPMENT

The support outlined in our Community Benefits and Investment Plan extends beyond local non-profit and charitable organizations to the City of Madera directly. We have carefully researched the current initiatives that the City is executing along with organizations that make Madera a better place to live and work and have determined how to best align our Community Benefits and Investments Plan with these initiatives.

FINANCIAL SUPPORT: CITY OF MADERA GENERAL PLAN UPDATE

While compiling the application materials and speaking with attendees of city meetings it has come to our attention that the City's current General Plan's latest version is from 2009 and despite the Vision 2025 component, the General Plan is in need of a comprehensive update. Nectar would like to support the Vision 2025 efforts and the Madera General Plan in the form of a $10,000 donation and the provision of any information, community data, volunteer hours or any other form of support. This initiative is aimed at providing a comprehensive update to the City's General Plan along with any additional updated documentation that the City is trying to compile. Today, Madera faces a very different set of conditions and challenges than when the current General Plan was adopted over 10 years ago. The development of a new plan will allow the city to address some of the more current issues the community faces as a result of the ever-changing cultural landscape of Madera. The initiative provides community members many opportunities to participate and share their ideas during the General Plan Update process; these including meetings with community groups, online surveys, community workshops, community pop-up events, planning and commission study sessions, and city council study sessions. As part of our effort to support of this initiative we will have our Community Relations Officer (CRO) attend meetings, study sessions, workshops and pop-up events to join in on the General Plan Update process and discuss ways in which Nectar can assist the initiative be it through monetary contributions or volunteer service. Our CRO's involvement in the initiative's activities will also give Nectar a better understanding of where they should focus their future charitable efforts to best serve Madera's vision for the future.

PARTNER ORGANIZATION: HANDS ON CENTRAL CALIFORNIA

HandsOn Central California has been a leader in the development, implementation, deployment, and sustainability of volunteer initiatives in the Central Valley for 70 years. The organization was founded by a group of community leaders who saw the value of volunteerism as a tool for community change. Their robust portfolio includes managing volunteer programs, training, events, and initiatives across Merced, Mariposa, Stanislaus, Madera, Fresno, Tulare and Kings counties. HandsOn Central California's services combine to offer a wide array of opportunities that mobilize our community to help "be the change" in as many ways as possible. HandsOn is able to accomplish this through partnerships with other organizations working together to bring about long-lasting change in the community. From motivating children to discover and learn, serving hot meals to low-income families, providing support for physical and mental health initiatives, caring for the environment, large scale transformational projects, HandsOn Central California continues to respond to the critical needs of communities and their residents.

HandsOn's program, HandsOn@Work, was developed to provide businesses and their employees opportunities to network with other businesses with volunteer programs, create custom service projects that fit company goals, interests, and budget, and provide resources and tools to track the service completed by employees as well as different areas of community impact that the business is helping to support through HandsOn@Work. HandsOn Central California prepares, coordinates, and executes all aspects of a businesses planned volunteer projects. HandsOn guides companies

of all sizes through the often-unfamiliar territory of volunteer service project planning. Drawing on the organization's network of agency partnerships and planning expertise, HandsOn designs ongoing volunteer programs or one-time events, specifically tailored to the needs and interests of businesses. HandsOn believes one of the most effective ways to connect employees is through volunteerism as it can boost employee happiness, help recruit and retain quality talent, build a strong community reputation, and it creates further opportunities for leadership training and team-building.

As a community-focused business with an emphasis on volunteerism, Nectar is excited about the opportunity to work with HandsOn and its many partners, towards promoting community in Madera change through volunteerism. Nectar would like to support HandsOn through annual donations of 100+ volunteer hours as well as working with their HandsOn@Work program to develop more meaningful volunteer programs in the City of Madera. We have faith that the organization will use our donations to continue working towards their mission to inspire, equip and mobilize residents to serve their communities.

HandsOn CENTRAL CALIFORNIA

PARTNER ORGANIZATION: CALIFORNIA TEACHING FELLOWS FOUNDATION

CALIFORNIA Teaching Fellows FOUNDATION

As part of Nectar's community benefits initiative, we are going to support the California Teaching Fellows Foundation (CTFF) in their mission to inspire next-generation leaders with a passion for teaching and learning while impacting the lives of youth by providing them annual donations. CTFF was founded in 1999 at the Kremen School of Education and Human Development at Fresno State. The CTFFs approach develops exceptional educators who are inspired to be leaders in their communities and creating a brighter future for all. CTFF's teaching fellows are paid undergraduates from Central Valley Colleges or Universities who are recruited based off academic achievement and their desire to be leaders for the next generation. Teaching Fellows are trained to be instructors in K-12 after school, tutoring and summer programs, serving as mentors and role models for college success. They participate in ongoing professional development in Saturday Academy each month, which means they are continually learning and improving their skills in areas such as tutoring, classroom management, and how to creatively engage students in learning activities. Teaching Fellows are the core of the foundation, and they are responsible for running many of the programs that CTFF is engaged in. The CTFF program partners with 26 districts to staff programs at more than 200 K-12 school sites in Madera, Fresno, Merced, and Tulare counties. CTFF offers several programs including After School in the Central Valley, California Teaching Fellows AmeriCrops, and Summer Learning. Their After School in the Central Valley program serves a combined 30,000 elementary, middle, and high school students every day. Here students work on homework and engage in two hours of enrichment activities like robotics, fashion design, breakdancing, etc.. Their AmeriCorps program delivers NASA's Aerospace Academy program in 40 high-poverty elementary schools in the Central Valley. AmeriCorps Fellows are responsible for increasing STEM knowledge, skills, and literacy of students who participate. Further, CTFF's Summer Learning program is designed to bridge the gap created by summer learning loss. Students who engage in this program experience leadership and team building, new friendships, skills development, and other creative methods that make learning fun.

We look forward to helping CTFF improve academic success of children in the Central Valley through annual donations of $10,000. Nectar believes creating a meaningful impact begins with the youth and CTFF's enrichment and academic success initiatives provide an avenue to directly impact the next generation of Madera residents and community contributors. We are confident CTFF will use our annual donations to continue supporting their mission to inspire next-generation leaders with a passion for teaching and learning while impacting the lives of youth.

A – ACTIVE LIFESTYLES

Physical activity and community exploration are core values of the Nectar C.A.R.E.S Program because of their important role in preventing chronic disease and enhancing quality of life. An active lifestyle is one that promotes physiological and mental health and allows individuals to take control of their own wellness. We support organizations that provide opportunities, infrastructure or any other necessary features of an active lifestyle.

PARTNER ORGANIZATION: MADERA UNITED FC

Nectar believes that leading an active lifestyle has a profound impact on child development and cognitive skills. Accordingly, we have identified the Madera United Football Club (MUFC) as one of the organizations that we would like to support through our community benefits initiative. MUFC is a competitive soccer club located in the City of Madera that has several teams in which girls and boys of varying age groups can participate. Over the years, their teams have brought home several regional and state championships. The teams meet three times a week which consists of two open practices and a scrimmage night. The club puts heavy emphasis on engaging with the community and both their practices and scrimmage night are open to the public and the public is encouraged to attend. The weekly scrimmage night acts as the clubs fundraising event and gives the public an opportunity to support the club and see them in action. The MUFC players are not just member of a team, they are also members of the community. In the off-season, the club works with local charities to bring sports and hope to underserved children in Madera. The clubs emphasis on community engagement further supported Nectars decision to provide assistance to the MUFC. We would like to support the MUFC by matching donations up to $7,500 annually that are made to the organization as part of their weekly scrimmage games based on the organization's alignment with our core value of maintaining an active lifestyle. We are confident these donations will be put to good use whether that be sponsoring a child, buying uniforms and gear, helping to pay for travel expenses, or contributing to the Club's local charity efforts.

PARTNER: ORGANIZATION: CITY OF MADERA ADULT AND YOUTH SPORTS

Our commitment to enhancing health and wellness opportunities for Madera's adults and youth is exemplified by donations to sports organizations that provide diverse recreation activities. The Community Relations Officer is tasked with evaluating local sports programs to determine which could best serve members of families that have been socioeconomically disadvantaged. Based on these evaluations of equity opportunity and financial need, Nectar is making an annual donation of $10,000 to be split among one or more of the following sports organizations: Madera's Youth Soccer League, National and American League, Tiny Tikes, Youth Basketball League, as well as Madera's Adult Basketball, Football, Soccer, and Softball Leagues. We have chosen the above leagues due to the benefits that they have on youth and adult's health and wellness, as well as for the abundant volunteer opportunities that they provide. Nectar is excited to coordinate with Adam Romero the Youth & Adult Sports Coordinator to see if there are any other ways that we can provide support to these leagues over time.

PARTNER ORGANIZATION: MADERA COUNTY FIRE TRUCK PULL EVENT

Madera County's Firetruck Pull Event is an event put on by the Madera Chamber of Commerce Tourism Alliance as a fundraising event for Madera County's Special Olympics. This event is unique in that it is only open to local law enforcement and public service agencies in Madera. The event consists of 8-man teams that are required to pull a 55,000lb firetruck a predetermined distance and the team with the fastest pull is named the Fire Truck Pull Champions. Each pulling team receives sponsors from local businesses and the donations are used to help fund the Special Olympics





of Madera County (SOMC). SOMC is dedicated to enriching the lives of children and adults with intellectual and developmental disabilities through sports, education, and athlete health. We have vast experience working with Special Olympics committees on Oregon, where we have matched all donations for various programs, most notably the Polar

Plunge. We plan to use our existing relationships with the Special Olympics at the national level to transition our support of the organization into California through events like the Fire Truck Pull Event and other Chamber of Commerce events. The average cost to send an athlete to compete in each sport is around $300 and the average athlete competes in 3 different sports in a given Special Olympics Event. SOMC is proud to offer free training and competitions for over 50 Special Olympic Athletes. Nectar is excited about the opportunity to be a sponsor and donate to the next Fire Truck Pull Event. Nectar has agreed to a one-time donation of $7,500 to the Fire Truck Pull Event in hopes of covering the costs of roughly 25 athletes to attend the Special Olympics. We will also allocate volunteer hours for the day of the event to ensure the Madera Chamber of Commerce Tourism Alliance has all the personnel and resources they need to conduct the event. SOMC relies on events like the Fire Truck Pull and the support, compassion, and generosity from individuals, organizations, small businesses, and corporations to continue to offer these sports and services free of charge. With our assistance, we can help fund a community-driven event that brings community members together and advances the SOMC's ability to prepare their athletes for annual competitions for years to come.

R – REPRESENTATION AND INCLUSION

Nectar prides itself on diversity and inclusion in our workforce and our clientele, and we embrace diversity as a source of innovation, creativity and competitive advantage. We want the City of Madera to have that same advantage and to ensure a local environment that provides opportunities for individuals with all kinds of backgrounds, ethnicities, life experiences and more to thrive. Our Community Benefits and Investments Plan has a significant component of increasing representation and inclusion, as well as for providing opportunities to underrepresented populations throughout Madera using the following initiatives and organizational partnerships.

COMMUNITY EVENT: HUSTLE HARD RETREAT FOR WOMEN WHO MEAN BUSINESS



Empowering Women in Cannabis is a key proponent of our company's culture and the directives of the Nectar C.A.R.E.S program. In 2018, Nectar partnered with Cannabis Lawyer and founder of the Oregon Cannabis Association, Amy Margolis and the organization called the The Initiative, a cannabis accelerator program specifically for women cannabis entrepreneurs and executives, to host the Hustle Hard Retreat "For Women Who Mean Business" at Brasada Ranch in Bend, OR. This retreat was an accelerator program for Women in Cannabis to network, hear presentations from women who have built successful businesses in the industry, learn how to fundraise, negotiate deals, learn business basics, corporate governance, marketing, and regulatory operations needed to be successful in Cannabis. Nectar sponsored meals for one of the three days and sent multiple women from both the administrative and retail side of Nectar to attend. In addition to supporting this event, Nectar supported The Initiative with a $50,000 donation in 2020. Along with support for *The Initiative* and The Hustle Hard retreat, Nectar promoted its female leaders with a publication in the *Portland Monthly "Women who Move the City 2020"* series. This publication featured interviews with female leaders across the Nectar organization, featuring members from Retail, compliance, Human Resources, management and Marketing. Nectar is actively looking for a legal partner and an organizational partner to replicate these events and donations in California, starting with Madera. We will also support our partner organizations financially over time to accomplish their own goals outside of partnership events with Nectar. These events have significant implications for business development and empowering women to rise to prominence in the cannabis industry. Nectar has many passionate and driven women leaders throughout the organization and will continue to support women in cannabis and the greater workforce in an effort to further purport our core values of representation and inclusion.

PARTNER ORGANIZATION: OPERATION EVAC

Operation EVAC is a target organization for our community outreach and financial assistance. The "EVAC" portion of this organization's name stands for Educating Veterans About Cannabis. Founder Ryan Miller served the Marine Corps from 1998-2002 as a network systems engineer primarily in Okinawa, Japan. Constantly deployed, Ryan served in Brunei, Bali, Indonesia, Malaysia, Singapore, Philippines, Hong Kong, Thailand, Australia, and Korea

twice. Two meritorious promotions, Battalion Marine of the Quarter, the Navy Achievement Medal, Microsoft Certified Systems Engineer, Cisco Certified Network Associate, and Naval Shellback are among his accomplishments earned on active duty. Following an honorable discharge, Ryan discovered cannabis through employment at the Berkley Patients Group in the San Francisco Bay Area. He immediately saw the healing power of cannabis and understood how powerful of a tool it could be to help veterans as they work through Post Traumatic Stress Disorder, Anxiety and various other mental health conditions along with reintegration back into the workforce. Currently Operation EVAC organizes support groups, educational sessions and other events for veterans where they can learn about cannabis, health and wellness. The organization also provides workforce development and support for veteran employees of cannabis businesses. We are making a one-time donation of $10,000 to Operation EVAC as well as working to host support groups for the organization at our Madera location. We are also working with founder Ryan Miller to determine ways we can strategize to hire and support veterans from the organization's network in the form of a workforce development agreement. This promotes the acceptance and understanding of individuals with different life and work experiences relating to the military while also enhancing their socioeconomic status. We are committed to not only providing work opportunities to veterans but also helping them stabilize their lives after returning from active duty.

PARTNER ORGANIZATION: CENTRAL VALLEY VETERANS

The Central Valley Veterans (CVV) is a 501(c)(3) that strives to respond to the emergency needs of local (Madera) veterans, service members, and their families to fill in gaps that aren't fulfilled by other veterans' organizations due to program restrictions. Examples of the CVV service are showcased in the organization sponsored holiday meal delivery service to. Veterans and the "*To the Mat*" scholarship project which was created in memory of Mat Conway, U.S. Army Veteran and father of 2. Mr. Conway after being honorably discharged for medical reasons was a student at the University of Phoenix -Fresno, studying to be a School Counselor. In this pursuit, Conway made friends and formed a study group with five other students. Conway would create schedules for projects assigned to the group and would hold everyone accountable. Sadly, days before their final class, Mr. Conway passed away. In Mr. Conway's honor the CVV developed the "To the Mat" scholarship program to support active duty, guard, reserve, and veteran children. Nectar would love to support both the holiday meal delivery program and the "To the Mat" Scholarship program. The Company will host a volunteer event in which employees and community members can sign up to participate in the home delivery drive. The CVV would gain increased community awareness and outreach through the reach of a Nectar retail storefront, ultimately contributing to success in the holiday meal delivery program. For the "To the Mat" program, the Company will host a Nectar CARES campaign in which a portion of the revenue will be a direct donation to the fund, allowing the CVV to donate more to a deserving child of a veteran in Madera.

COMMUNITY EVENT: LADY BUDS DOCUMENTARY VIEWING

Lady Buds is a documentary that tells the story of six courageous women who come out of the shadows of the cannabis underground and enter the newly legal market. The documentary follows cannabis pioneers Chiah Rodriques, Sue Taylor, Felicia Carbajal, Karyn Wagner, Pearl Moon and Dr. Joyce Centofanti through the trials and tribulations of getting their farms and businesses local and state licensing. This film celebrates these women and their dedication to the plant even in the face of corporate takeover and natural disaster that threatens their livelihood. The film was recently featured at the prominent international documentary film festival Hot Docs 2021 and received significant praise as a groundbreaking film for both women and the cannabis industry. We are planning a community-wide film viewing of



Lady Buds hosted either at our store or at an alternate location provided by one of our local partners once the film becomes available via streaming service or DVD. This community-wide film viewing will take place soon after our Nectar Open House as one of our first community events as a new business in Madera. This film exemplifies our commitment to women leaders in the cannabis industry and to the arts while celebrating the cannabis industry's roots in California and giving the community an opportunity to see one of the most innovative documentary films about the industry released to date.

COMMUNITY EVENT: EDUCATIONAL WORKSHOPS ON CANNABIS

A primary focus of the C.A.R.E.S. program is building relationships with Madera's local businesses and residents through cannabis education and community stewardship. We bring extensive value to the community by expanding access to free, quality educational materials and resources to those seeking to enhance their wellness through cannabis.

In 2019, Nectar partnered with Oregon Health & Sciences University (OHSU) to bring the community a half-day physician education course "Clinical Cannabis for the Health Care Provider". This event course explored the pharmacology, uses, benefits, and risks of clinical cannabis for patients through presentations made by expert clinician scientists. Two of our national level employees, Michelle Karlebach and Myisha DeSimone, have recently appeared on local Portland news broadcasts, *The Living Well Show* on Tualatin Valley Community Television to present cannabis knowledge to the viewers of *The Living Well Show* and the community of Portland. In addition to an education around the history of cannabis, terpene profiles, and tips and suggestions for first-time consumers, Karlebach and DeSimone answered questions from staff and the community. Karlebach is no stranger to community education around cannabis. She has done multiple sessions at senior homes in the Portland Metropolitan Area. These courses serve as a crash course on cannabis, in which attendees are taught about the history of cannabis, titration, suggested dosage, products that match their lifestyle, and methods for creating an underwhelming first cannabis experience as opposed to an overwhelming one. Additionally, Nectar developed resources for attendees that provide additional information around dosage, terpenes, and questions to ask your doctor if they are considering cannabis usage. These cannabis education workshops have received positive feedback from the community and recognition from the National Council of Aging.

Nectar values cannabis education and the science behind the plant and has seen the proven success of these workshops come to fruition in Oregon. We are now planning the roll out of our educational workshops as we expand into California, and we have targeted Madera for the implementation of our initial workshops and other educational programs. Nectar utilizes free cannabis educational workshops, seminars, milestone celebrations and other events that cater to clientele looking to expand their knowledge on cannabis' health and wellness attributes. Our workshop subject-matter includes cannabis-specific topics surrounding responsible and informed usage guidelines such as: Warning Signs of Abuse/Misuse; Dosing & Usage: Consumption Methods and the Conscientious Smoker; Cannabinoids & Terpenes: Benefits, Effects, and Interaction; Topicals & Pain Relief: Cannabis and Pain Management; and others. We also plan on holding events which explore health and wellness topics related to mindfulness and wellbeing such as Yoga; Body Consciousness; Meditation; Natural Healing; Exercise & Nutrition; and others. We will also feature vendor/brand partners in our workshops to discuss a vast array of important topics such as Sustainability in Cannabis Cultivation, Sun + Earth Certification, Women-Owned Business Leadership, Social Equity and various other important topics that frame our industry. We plan to rent out a public space or, if appropriate for the event, utilize our parking lot to organize events centered on wellbeing where like-minded businesses are invited to come out and share their practices with local businesses and the community. Nectar's educational events are a no cost community resource event where participants can learn about, engage with, and build community through the medium of cannabis health services and overall personal wellness. We host cannabis-specific events that promote communal discussion surrounding retail cannabis businesses' impact on the community while providing exposure to the citizens of Madera.

We will continue to develop our educational outreach by providing the communities we serve with cannabis workshops and crash courses to ensure Madera's patient and recreational population is provided with ample resources and education around cannabis.



E – ENVIRONMENTAL CONSCIOUSNESS

Nectar has operated cultivation facilities throughout Oregon for the last five years and has developed a deep connection to farming and environmental stewardship. Madera's location in California's Central Valley and its significant agricultural component aligns with our organizational commitment to regenerative farming and environmental consciousness. Thus, Nectar has investigated organizations who share our core values of public health, regenerative agriculture, sustainability, environmental consciousness and the importance of combatting climate change for the community's overall wellness. Regenerative agriculture combined with improved environmental outcomes can promote public health throughout Madera, enhance the longevity of the City over time and mitigate the potential impacts of climate change. The following organizations will garner our support on an ongoing basis in a variety of different formats to help promote a safe, healthy environment throughout various communities in Madera.

PARTNER ORGANIZATION: GRID ALTERNATIVES CENTRAL VALLEY

GRID ALTERNATIVES

We have vetted and selected GRID Alternatives Central Valley as an organization that we would like to support through our Community Benefits and Investments Plan in Madera. GRID Alternatives believes that a rapid, equitable transition to a world powered by renewable energy will benefit everyone. Since their inception in 2011, they have been helping families of all income levels save tens of thousands of dollars in energy costs over their system's lifetime. GRID Alternatives has installed more than 10MW of locally generated, clean and renewable energy, benefitting families, for the environment and the community. Their system reduces household electricity costs by up to 90% by providing free solar electricity systems at no cost. Their projects also help job seekers be competitive in the emerging renewables industry by a number of hands-on job training opportunities each month at no-cost to the participants. This includes:

- **Installation Training Programs:** installation training programs that offer opportunities for skill development and employment opportunities,
- **SolarCorps Fellowships:** include one-year placements on a GRID Alternatives team to develop skills and experience in various aspects of the industry
- **Solar Futures:** a K-12 education program offering classroom curriculum and hands on training for youth,
- **National Women in Solar Program:** provides pathways to technical careers for women, highlights women of color in the industry and provides national leadership on solar workforce diversity to build a diverse, equitable and inclusive solar industry
- **Troops to Solar:** connects veterans to solar industry jobs and provides training in the industry

Renewable energy can drive economic growth and environmental benefits in communities most impacted by underemployment, pollution, and climate change. GRID Alternatives is a national leader in helping economic and environmental justice communities nationwide get clean, affordable renewable energy, transportation, and jobs. Internationally, their energy access work is lighting up off-grid communities in Nepal, Nicaragua, and Mexico.

Nectar is committed to supporting GRID Alternatives throughout all of their ventures mentioned above. In addition to an initial donation of $15,000, we are working with leadership at GRID Alternatives to determine their most significant needs to continue to run and further develop these programs. We are prioritizing financial contributions to the Troops to Solar program as a way of supporting both veterans and renewable energy throughout Madera, but each of these programs is beneficial to Madera residents and they will garner our continued support over time. GRID Alternatives mission is aligned with addressing Madera's challenges such as sustainability and addressing climate change impacts, so we view our support of this contribution as a substantial effort towards reducing greenhouse gas emissions in Madera and surrounding communities in Madera County.

PARTNER ORGANIZATION: MADERA COUNTY FARM BUREAU

We would like to make an annual donation to Madera County's Farm Bureau (MCFB) in the amount of $15,000 in an effort to celebrate and preserve the rich agricultural history of Madera the City's critical role in the Central Valley. MCFB is an organization that represents Madera farmers and ranchers and is the unified voice of agriculture in Madera.



MCFB currently has over 1,200 members including individuals of the farming community and the public who believe in the importance of supporting local farmers to feed local families and to contribute to the increased access to fresh produce nationwide. California's Central Valley is responsible for roughly 3% of the world's agricultural production, and farmers in the City of Madera and Madera County account for much of this production. The MCFB is a valuable source for local farmers as they educate the public about the importance of farming and provide numerous informational sources on topics related to agriculture, including current state and federal regulations affecting the industry. MCFB provides various services including Ag Education, where individuals have a chance to participate in different agriculture courses with UC Davis Instructors; Ag in the classroom, a program created to increase agriculture literacy through K-12 Education; FELS, an employment labor service, as well as providing training and signage material. Several of the services provided by MCFB place emphasis on teaching the community about the important relation between agriculture and quality of life. This emphasis on agricultural education is especially important in a place like Madera as it shows how much residents and the community rely on agriculture in their everyday lives.

PARTNER ORGANIZATION: CENTRAL VALLEY OPPORTUNITY CENTER

Central Valley Opportunity Center
"HELPING PEOPLE --- CHANGING LIVES"

Nectar is excited about the opportunity to work with the Central Valley Opportunity Center (CVOC) towards their mission to provide employment, skills, training, education, and emergency services to improve the quality of life for farm workers and underserved members in Central Valley communities. Central Valley Opportunity Center, Inc. is a non-profit 501(c)(3) employment training and service provider serving the California counties of Merced, Madera, Fresno and Stanislaus. CVOC operates numerous employment, educational, economic development, and social service programs in central California. Over the last twenty-five years, CVOC has operated major programs for the Department of Labor, Department of Community Service and Development, Department of Education, State of California, local government programs, and private foundations. CVOC also provides an extensive vocational training program that offers 8 courses covering everything from Basic Business Occupations to Photovoltaic Design and Installation. Courses range from 140-770 hours and provide many individuals with the knowledge, tools, and skills required to succeed in an agricultural setting. CVOC provides several more programs geared towards assisting migrant and seasonal farmworkers or displaced agriculture workers. CVOC's Migrant and Seasonal Farmworker program assist farmworkers and their dependents in obtaining permanent and higher paying employment opportunities. This program provides individuals with emergency services such as food assistance and courses geared at increasing the individual's worth in the workplace. Nectar has chosen CVOC due to their commitment to the agricultural communities and public services. Nectar would like to make an annual donation of $10,000 to CVOC so they can continue to serve the large agricultural community in Madera and beyond. Nectar hopes that by donating to CVOC and their cause that we will be able to make a positive impact on local farmers, farmworkers, and the residents of Madera.

PARTNER ORGANIZATION: MADERA COUNTY FOOD BANK

MADERA COUNTY FOOD BANK

Nectar has chosen to support Madera County's Food Bank (MCFB) because of their network and the resultant infrastructure for serving those in need. Not only do we have complete confidence in MCFB's ability to deploy our charitable contributions into tangible assistance to those in need, but we also chose Food Share because of the numerous programs and events they host, which create a variety of volunteer opportunities. The Community Assistance Program is a monthly distribution of free fresh produce and/or products to the Citizens of Madera County. MCFB also provides an Emergency Food Program which was designed to help families in need of emergency food. This program provides emergency food boxes to approximately 1,800 individuals a month and the contents include essential items such as protein, vegetables, grain, iron, starch, and fruit. Similarly, their Emergency Food Assistance Program, a

California Department of Social Services program, provides food boxes to eligible individuals and households at no cost. The MCFB has two programs tailored to serving Senior residents 55 years and older. First, they have their Senior Nutrition and Produce Program (SNAPP) which runs from April-October and was designed to provide fresh fruits and vegetables to individuals 55 years and older at an extremely low cost. They also have a Senior Brown Bag Program that is run exclusively through the program that makes a monthly delivery of essential food to the individual's residence. This program costs $24/year and is open to all residents 55 years of age and older. The MCFB services the entire city of Madera, Cowchilla, Fairmead, and all of the Mountain areas including Richmond, Coarsegold, Oakhurst, and North Fork. Currently, MCFB has 36 food distribution sites throughout Madera County and they all strive to serve the individuals and families in need throughout the County. Nectar is proud to sponsor Madera County Food Bank by covering the costs for 400 individuals, which amasses to a donation of $10,000 in program sponsorships for Madera community members. In addition to charitable contributions as described above, we are eager to share with our employees the volunteer opportunities created by the various programs operated under MCFB.

S – SOCIAL JUSTICE

Our goal is to build our platform both through responsible business operation and through tangible connections with community members who have been negatively impacted by institutionalized racism and the War on Drugs. Our work with the Last Prisoner Project in Oregon has taught us so much about social equity in the cannabis industry and beyond, and we have made it a primary goal of the Nectar C.A.R.E.S. program to improve equity outcomes in every jurisdiction in which we operate.

COMPREHENSIVE FOCUS ON SOCIAL EQUITY

Nectar's Community Benefits and Investments Plan maintains an emphasis on social equity. All community benefit activities are conducted to improve socioeconomic outcomes for members of disenfranchised and targeted communities within Madera and Madera County. We view social equity as a principle that embodies the actions we take to address discrimination, injustice, and inequality. We recognize our platform as a licensed operator in the cannabis industry as an opportunity to improve socioeconomic outcomes for those negatively impacted by decades of cannabis prohibition and offset the harm sustained by the War on Drugs in the communities in which we operate. Nectar is committed to using its position of influence to provide opportunities for vulnerable populations and enhance the quality of life for Madera residents that fall into this category. We believe it is essential to understand the history of cannabis so that we can meaningfully empower and enrich communities that have been disproportionately impacted by cannabis prohibition or excluded from cannabis business ownership or employment. We also want to challenge the traditional social and political hierarchies in the professional sector and build the local cannabis industry into a landscape of opportunity for these individuals. Our shared commitment to social justice has been thoughtfully integrated in our business since its inception, creating a culture in which equity, diversity, and empowerment are fundamental principles that guide our actions as individuals and as a company.

PARTNER ORGANIZATION: SOCIAL EQUITY OWNERS AND WORKERS ASSOCIATION

Social equity Programs are designed to support equal opportunity in the industry by making legal cannabis business employment opportunities more accessible to low-income individuals and communities impacted by the criminalization of cannabis. Barriers that Social Equity candidates face include limited access to educational resources, inexperience in the job searching process, disqualification from consideration for employment based on previous convictions, lack of knowledge in preparing materials like resumes and standard operating procedures as well as limited access to mentorship from industry professionals. To mitigate this issue, we are developing a Social Equity Committee that is working in collaboration with the Social Equity Owners and Workers Association (SEOWA) to source social equity candidates for our initial and ongoing rounds of hiring. We are working with Kika Keith, who is the founder of SEOWA, to obtain guidance and oversight with respect to elements of social equity in our organization. We are also an ongoing donor to SEOWA to bolster their resources and abilities to source these individuals. We will not waver in our commitment to social equity and we will constantly be looking for ways to provide opportunities to individuals who qualify as equity candidates.



PARTNER ORGANIZATION: SOCIAL EQUITY INDIVIDUAL TRAINING HUB

Through our work with Kika Keith and SEOWA, we have developed a relationship with the Social Equity Individual Training Hub (SEITH). This organization is developing a career center that provides job-specific training, education and other resources in a mock retail storefront setting to individuals who qualify as social equity hires for local cannabis businesses. The center's main goal is to prepare social equity candidates for long, prosperous careers in the cannabis industry and increase the size and abilities of the local cannabis industry workforce. SEITH offers educational courses that cover overarching topics such as compliance with state laws and track and trace as well as training modules that are geared more specifically to local jurisdictions. Training modules relating to compliant commercial cannabis operations may include, but are not limited to, customer check-in procedures, processing transactions, separating adult use and medical transactions, Metrc training, diversion prevention, recordkeeping, neighborhood compatibility protocols, marketing, understanding and implementing standard operating procedures, video surveillance, product deliveries, facility sanitation and various other features of working at a commercial cannabis businesses in Madera. The Community Relations Officer is tasked with integrating SEITH into our local hiring practices and ensuring there is a consistent pipeline of equity candidates from Madera who are being educated and trained at this facility to eventually work for Nectar and other cannabis businesses in the area. We believe this collaboration can substantially increase the workforce and number of high paying jobs for Madera residents and those who have had the unfortunate experience of being disproportionately impacted by the War on Drugs.

SOCIAL JUSTICE INITATIVE: EXPUNGEMENT CLINICS

As a continuation of our work with the Oregon Justice Resource Center, we intend to work with Madera Law Center (MLC) a local Madera organization that specializes in community services, community health services, post-conviction relief, and more. We will support MLC's post-conviction relief efforts through sponsoring and volunteering for their expungement clinics. During the clinics, individuals get the chance to meet with attorneys to discuss whether their conviction qualifies as well as what steps need to be taken to clear their records. MLC's expungement clinics provide individuals with the opportunity to eliminate qualifying convictions from their records which helps remove barriers necessary to get their lives back on track. Individuals with a clean record have increased chances of securing employment, loans and housing which help increase stability and reduce recidivism something that benefits not just themselves but the community as a whole. In addition to working with MLC to organize and sponsor expungement clinics, Nectar intends to build a program to source employees and promote job opportunities to qualifying individuals who have been victims of the war on drugs; our participation in the expungement clinics will also serve as a direct pipeline for potential employees.

COMMUNITY BENEFITS AND INVESTMENTS SUMMARY

Nectar is committed to becoming an integrated member of the Madera community and hopes to provide continued support to local non-profit and community organizations in the form of charitable contributions and volunteer service. The initial investments outlined in this plan amass over **$100,000** and **200+ volunteer hours** allocated to our partner organizations, and we continue to build on these investments over time. Our management team will be available to field any public concerns about our operations and will do their best to resolve any issues in a timely and professional manner. We look forward to the possibility of bringing new business opportunities to the City of Madera as well as to contributing to local community service initiatives. Nectar's community-focused approach has been a large part of our success in the other jurisdictions in which we operate. Nectar looks forward to the opportunity of applying that same community-first approach to the City of Madera. Nectar intends to hire locally to fulfill the retailer's positions, and we also intend to take good care of our staff through generous compensation packages, as described in the Labor, Diversity, Equity and Inclusion Plan. We are eager to host community events and educational workshops in order to introduce ourselves to the community and to provide cost-free educational materials and presentations. Our commitment to the community has led us to vet over a dozen locally based nonprofits and we are confident that by teaming up with these organizations, Nectar will be able to make a real contribution to the Madera community and its residents

NMG CA 1, LLC
(dba: BaM Body and Mind)



SECTION G
COMMUNITY BENEFITS AND INVESTMENT PLAN



BaM BODY and MIND

The Perfect Balance™

1410 Country Club Dr.
Suites 120-122
Madera, California
93638

Standard Retail Commercial Cannabis Permit Application

NMG CA 1, LLC

Stephen 'Trip' Hoffman
2625 N. Green Valley Pkwy,
Suite 150
Henderson, NV 89014
(303) 396-5921
triphoffman@bodyandmind.com

www.BodyandMind.com

Section G. Community Benefits and Investments Plan



Community Oriented and Results Driven

Body and Mind submits the following Community Benefits and Investment Plan that we believe addresses the growing needs of the Madera community. Our plan is based on our assessment of the city and community through our engagement with residents, meeting with community leaders and business owners, and researching the disparities that exist in the city. We took our findings and merged them with our company culture of enhancing social responsibility, offering equal opportunities, battling inequities, and boosting community investment. Because each community is unique and has its own concerns and priorities, we believe joining our research results and company culture allows us to act in a fashion that will deliver optimal results.

Over the course of six years, Body and Mind's success was not by accident or by chance. Apart from our strong business acumen and amazing employees, our success has been built upon our decision to listen and act in our communities. We have established professional values as a company that require us to be a pillar in our community(ies) – a force of good – that brings solutions to the challenges our communities face. We consider our communities an extension of our company that drives our passions and achievements, which is why we assembled a unique community engagement plan centered around the City of Madera. As a successful marijuana business, we strive to improve the lives

of our customers, employees, and communities through outreach, volunteerism, philanthropy, and hiring, while producing an economic benefit to the city, community, and residents. Our mission is simple: positively impact our community.

At each of our retail locations, we derived our investment plans based on the community that far exceeded any community development requirements established by local or state governments. To enhance social responsibility, increase diversity, and battle social inequities, we established incubator programs that provide qualified social equity candidates opportunities to work in the cannabis industry and learn from industry experts on dispensary operations, compliance, inventory management, and more. To date, many of our social equity incubator program participants have been promoted and continue to succeed in our company, thriving in an environment that encourages equal opportunity and advancement. To boost community investment, we established and implemented employee development programs that focus on developing and managing volunteer programs focused on the surrounding communities, such as community cleanups, event volunteering, and more. We also continue to sponsor non-profit organization fundraisers, where we donate a portion of sales each month to non-profit organizations that are hand-picked by our employees and customers. These are just some examples.

Community Benefit Agreement

Body and Mind is very familiar with entering Community Benefit Agreements ("CBA") with local jurisdictions. We are fully committed to entering a CBA with the City of Madera that details our community commitments, in-kind donations, sponsorship and financial support of community events, education plans, food, toys, clothing, and book drives, engagement with local artists, support for local businesses, and social equity incubator initiatives.

Community Benefits and Investments Advisory Board

Body and Mind takes pride in the work we do and the communities we benefit and invest in. We have established a Madera Community Benefits and Investments Advisory Board (the "Board") to meet and discuss how to invest in the community and oversee how funds are dispersed. Our board will regularly meet and consult with community leaders to determine how best to assist the community, whether through volunteering, fundraising, social equity issues, targeted workplace development, or collaborating with minority and women organizations. The Board will be made up of the Chief Operating Officer, Director of Compliance, Community Liaison, Corporate Operations Manager, General Manager, and one staff member.

Community Outreach and Education Plans

Volunteer Events



Community cleanup events have been some of our

most successful methods of community engagement. Because we understand sections of beaches and riverfronts have been negatively affected by pollution and waste, we created a cleanup program that focuses on parks, beaches, and other public areas. If approved for a license, our facility will sit near the middle of the city, offering us easy access and extensive opportunities to easily cleanup areas affected by tourism and industrial waste. Because of our proximity, we feel a sense of duty to regularly hold cleanup events in public parks, industrial and sales areas, dog parks, and major streets. Not only will our employees conduct, participate, and advertise these events, but we will solicit the help from community volunteers to join our efforts to combat pollution and maintain the integrity of areas in and around the City of Madera.

Direct Aid to Non-Profits



Sometimes the best way to reach the community is through local investment, so we created a promotion that will raise money for local non-profit organizations in the City of Madera. Our investment plan includes donating every month a percentage of sales towards transitional housing shelters, children's hospitals, community centers, first-responders, animal shelters, and other local organizations. To date, we have made monetary donations to multiple non-profit organizations in the City of Madera. We believe in investing in our neighborhoods and raising the bar for local non-profits because these organizations play a vital role in lifting those in need of assistance. These programs will not only prove to be beneficial to the local community, but our customers will be thrilled to know that a portion of our sales will go to a cause that matters to them.

In addition to the $1,500 we recently donated to local non-profits, we have identified the following City of Madera non-profit organizations that we will provide direct aid to:

4-H Youth Development, Madera County
145 Tozer St. Suite 103
Madera, CA 93638

Madera County Food Bank
225 S Pine St.,
Madera, CA 93637

Hope House
117 N R St
Madera, CA 93637

Madera County Child Abuse Prevention Council
1675 E Olive Ave
Madera, CA 93638

Heartland Training Center
323 N E St
Madera, CA 93638

Madera Coalition for Community Justice
219 S D St
Madera, CA 936387

Big Brothers, Big Sisters
2300 W Industrial Ave.
Madera, CA 93637

Community Action Partnership, Madera County
1225 Gill Ave
Madera, CA 93637

The Salvation Army Family Center of Madera
121 Dwyer St
Madera, CA 93637

Habitat for Humanity

4991 East McKinley Avenue, Suite 123
Fresno, CA 93727

United Way, Madera County

1901 Howard Rd
Madera, CA 93637

Madera Rescue

332 Elm St
Madera, CA 93638

Direct Aid to the City of Madera

In addition to local taxes generated by the dispensary, we will also commit to donating five percent (5%) of our total gross sales to the City or its assignees. We believe in supporting our local jurisdictions by funding public recreational areas, parks, playgrounds, improvements, events, and activities. We will make this donation every quarter.

Direct Donations to Non-Profits in Madera

To date, we have donated $1,500 to the following organizations. We believe it is important to develop and build relationships with local nonprofit organizations to support our community investment plan and the resident of the City of Madera.

Madera County Food Bank

We have made an initial donation of $500 to the Madera County Food Bank. After meeting with their team, we have developed a plan to regularly make donations, hold fundraisers, and collect food donations. We are excited to partner with the Madera County Food Bank and continue supporting their thriving programs to the fulfill the needs of the Madera community.

Habitat for Humanity

We have made an initial donation of $500 to the Habitat for Humanity, specifically to support the "Act of Kindness" division that is providing aid to a senior resident of Madera who requires repairs and ADA upgrades to their residential home. After meeting with the interim CEO, we have developed a plan to support their work in the City of Madera, which includes regular donations, rallying other businesses to support the organization to ensure their work in Madera continues, and supporting residents that seek help from Habitat for Humanity.

Community Action Partnership, Madera County

We have made an initial donation of $500 to the Community Action Partnership of Madera County, a nonprofit organization that provides support to those in need of emergency shelter, financial assistance, crises intervention, child development resources, shelter, transportation, and more. We look forward to working with the Community Action Partnership of Madera County to regularly provide support in the form of monetary donations and fundraising.



May 23, 2022

Jayme Rivard
The Reef
1900 Fremont Boulevard
Seaside, CA 93955

Dear Mr. Rivard,

On behalf of by the Food Bank for Monterey County, I would like to thank you for your generous donations during 2020.

Total 2020 Donations: $10,000.00

As we continue to address this unprecedented level of need, we could not have done this without you. Thanks to your generous gifts, we were able to quadruple services in response to the COVID crisis, and provide our friends and neighbors in need not only with food, but with dignity and hope as well.

Kind Regards,

Melissa Kendrick
Executive Director

To satisfy IRS requirements, I confirm that you received no goods or services in exchange for your donation. Our Tax ID Number is 77-0270228.



Partner Colorado Credit Union
PO Box 1346, Arvada, CO 80001-1346
(303) 422-6221
(800) 367-2474

2141

DEP NEVADA INC
376 E WARM SPRINGS RD STE 190
LAS VEGAS, NV 89119

5/17/2022

PAY TO THE ORDER OF Madera County Food Bank $ **500.00

Five Hundred and 00/100********** DOLLARS

Madera County Food Bank
225 S. Pine St, Ste 101
Madera CA 93637

MEMO

Photo Safe Deposit® Details on Back.



Partner Colorado Credit Union
PO Box 1346, Arvada, CO 80001-1346
(303) 422-6221
(800) 367-2474

2161

DEP NEVADA INC
376 E WARM SPRINGS RD STE 190
LAS VEGAS, NV 89119

6/10/2022

PAY TO THE ORDER OF Habitat for Humanity Greater Fresno Area $ **500.00

Five Hundred and 00/100********** DOLLARS

Habitat for Humanity Greater Fresno Area
4991 E. McKinley Ave Suite 123
Fresno, CA 93727

MEMO Madera repair

AUTHORIZED SIGNATURE

Photo Safe Deposit® Details on Back.



Partner Colorado Credit Union
PO Box 1346, Arvada, CO 80001-1346
(303) 422-6221
(800) 367-2474

2160

DEP NEVADA INC
376 E WARM SPRINGS RD STE 190
LAS VEGAS, NV 89119

6/10/2022

PAY TO THE ORDER OF Community Action Partnership MaderaCounty $ **500.00

Five Hundred and 00/100********** DOLLARS

Community Action Partnership MaderaCounty
1225 Gill Avenue
Madera, CA 93637

MEMO

AUTHORIZED SIGNATURE

Photo Safe Deposit® Details on Back.

Supporting After-School Programs

We believe that youth consumption of cannabis is one of the most dangerous risks to this industry and are committed to establishing robust measures to ensure we mitigate exposure and these risks. As part of this effort, we will act as a silent partner with local public schools and public parks to help build after-school programs and promote a positive sense of self for youth through cognitive, social, physical, and creative development in an environment that is safe and nurturing. We will work directly with these after-school-programs to identify the best way to provide support, whether in the form of volunteering, donating supplies, fundraising, consulting, or financial donations.

Supporting City Sponsored Events



The City of Madera sponsors many events throughout the year. We have set aside a budget to help sponsor and support local events, such as Concerts in the Park, Eggstravaganza, Fiesta in the Park, Fright Night, Movies in the Park, National Night Out, and Pomegranate Festival. We will also devote time and resources to recreational events and activities, such as adult and youth sports, after school programs, aquatics and swimming lessons, drop-in recreation, recreation and fitness programs, and senior activities. Working closely with the city, we will also provide volunteer hours for city service projects, such as painting, trash pickup, tree/brush trimming, river cleanup, and other labor-intensive tasks that may be unique to a site.

Food, Toys, Books, and Clothing Drives



At other locations, we have been successful in collecting food, toys, books, and clothing throughout the year and providing those items to those in need. In City of Madera, as we build our company, hire employees, and work with community leaders, we will continually hold food, toy, and clothing drives and donate those items to reputable, reliable local organizations. During these drives, we will establish a donation box at the facility for individuals to donate canned/box goods, unwrapped toys, and lightly used clothing to a local cause. At the end of each collection period, the items will be collected, transported, and donated to local organizations. As a company, it is very important to us that we give back however we can and include our employees, managers, and neighboring businesses in those efforts.

PEAK Educational Events



We believe in reaching the community through education and discussion by holding events in person and online at organizations based and connected locally, which include homeowner associations, community centers, non-profits, and other private institutions. To do this in the City of Madera, we will engage local organizations to hold public events to present information about marijuana and substance abuse.

These presentations will be called, "PEAK" events, an acronym that stands for *Public Education, Awareness, and Knowledge*. In today's world of expanding marijuana products and substance abuse issues, we believe it is important that the public is kept abreast of the various strains, product choices, correct dosing, and methods of administration. As marijuana becomes more and more mainstream, we consider it our obligation to educate the public about this relatively new and growing industry. Some of the topics that we will cover during the PEAK events focus on health, compliance, and safety. Some of the topics center on the risks and side effects associated with marijuana and prevention, symptoms, and reporting accidental ingestions. These PEAK events will include substance abuse and adverse events and information about SAMHSA, Madera County Behavioral Health Services, local rehabilitation clinics, and California Poison Control Center.

Targeted Workplace Development

City of Madera BaM Job Fair

Upon license approval, we will advertise a "BaM Job Fair" in the City of Madera to recruit and hire qualified employees and identify social equity incubator candidates. Since we pay some of the highest wages in the industry and offer full time benefits, we anticipate a strong showing at the job fair. During the job fair, prospective employees will have an opportunity to submit their resume, meet with the General Manager, and discuss the position and their professional goals and aspirations. The job fair will focus on recruiting employees who live in and around the City of Madera.

Economic Opportunity for the Underrepresented

We will partner with local coalitions and organizations that focus on providing economic opportunities to low-income residents, minorities, women, and other underrepresented groups, with a specific goal to recruit, train, and staff our dispenary. These coalitions and organizations, such as Madera Coalition for Community Justice, have proven track records of promulgating job opportunities to underrepresented communities. We will provide these organizations any and all pertinent company and position information to be displayed on their platforms. We will look to promote our positions in accordance with the standard practices of these organizations and work with each one to further develop our social incubator program. We believe that these local initiatives will align nicely with our company-wide commitment to improving economic opportunities for low-income residents, minorities, and women.

Social Equity Incubator Program



Another part of our community support efforts involves promoting and encouraging residents in the City of Madera who have been disproportionately impacted by marijuana prohibition to participate in the marijuana industry. The core of our social equity efforts will be to increase access to the industry and provide training for qualified individuals. We will seek exceptional candidates who qualify for social equity status and hire, train, and mentor them. We will attend conferences, trade shows, and industry events, and meet with community leaders to find, interview, and hire qualified individuals. Our goal is to ensure individuals who have been disproportionately impacted by marijuana prohibition will have an opportunity to participate in the industry and positively impact their communities.

Once a social equity candidate is identified, they will move through an interview and review process, which includes meeting with the General Manager and Chief Operating Officer to discuss their professional goals, experience, and availability. Once the candidate is hired and on boarded, the qualified employee will learn from the ground-on-up and move through multiple positions at the facility to learn about marijuana operations. Overtime, the qualified employee will learn all aspects of the operation. The General Manager will regularly meet with the employee to review standard operating procedures, training sessions, discuss professional goals, and evaluate performance.

Economic Development

Supporting Madera Businesses

Supporting the community also involves supporting local businesses in the City of Madera. Our goal is to spread prosperity through the local community by spending no less than 50% of our non-cannabis operational dollars on local businesses. We have identified the following locally owned businesses that we intend to engage:

Construction
MGeneral Manager Construction –
18896 Farallon Rd., Madera, CA 93638

Plumbing and Handyperson
Garza Plumbing and Building –
26829 Merril Ave, Madera, CA 93639

Landscaping
Drew's All-Season Landscaping –
1701 West 4th Street, Madera, CA 93637

Information Technology
Computer Technologies –
1501 Howard Rd., Madera, CA 93637

Cleaning Services
A Clean Slate –
1188 Seneca Dr., Madera, CA 93637

Upholstery Cleaning
Chem-Dry of Madera –
517 Willis Ave., Madera, CA 93637

Employee Lunches
Mojo's Catering Services and Restaurant –
1016 S Pine St., Madera, CA 93637

Equipment Rentals

United Rentals –
750 Madera Ave., Madera, CA 93637

Hosting Local Artists



Local artists are often struggling to find outlets and venues to host and sell their art. In the City of Madera, we will regularly host local artists to display and sell artwork and other creative products in our dispensary. We want to provide a medium for local artists to combine their art and talents in a friendly setting for both serious collectors and casual customers to view and purchase. To do this, we will recruit artists locally and partner with Madera County Arts Council, a local non-profit organization committed to showcasing and supporting local artists. Our gallery may include paintings, sculptures, jewelry, photography, furniture, pottery, glass, drawings, and more. All proceeds from any art sales will go directly to the artist.

Customer Education Plan

Educating Customers

Educating our customers as necessary is very important in our mission to provide a safe, supportive environment to customers. At our proposed dispensary, we will provide customers with free cannabis education materials upon purchase, including information-graphics, brochures, pamphlets, and cards, and hold free events at its dispensary to train employees and educate customers about cannabis and products. Content will include the dispensary hours of operation, address, and telephone number, state and federal laws, the risks associated with consuming cannabis products, proper storage, information about cannabis devices, types of strains, customer limits, and online ordering options. We have prepared cannabis literature for customers that provide information about conditions, types of strains (indica, sativa, hybrid, etc.), methods of approved administration, proper ways to consume cannabis, legal places to consume, state and federal laws, possession limits, the signs and symptoms of substance abuse, and cannabinoid profiles.

Public Presentations

Given our experience in the cannabis industry and the contacts we have established in the State of California, our officers and advisors will engage local organizations to present information about cannabis and substance abuse. We are experienced speaking and presenting information to the public during community events, career fairs, community council meetings, and sponsored educational courses with a focus on regulation and compliance. We believe in educating the community about the types of strains, unprocessed and processed products, marijuana consumption, state and federal laws, changes in the industry, testing and labeling, science behind marijuana, and substance abuse, so customers can make good decisions when selecting and consuming marijuana. All events will be thoroughly reviewed by the Director of Compliance to ensure it is compliant with California law, including advertising rules to ensure the event is not located near any sensitive use areas or where minors gather.

Identifying Substance Abuse

Our employee training program provides extensive training on how to identify and address possible substance abuse or diversion by a customer. If the

employee suspects that a customer may have negative health or safety consequences, or if the customer is exhibiting signs of potential abuse or diversion, the employee will consult with the manager in charge before refusing service to ensure proper assessment. If the manager in charge agrees with the employee, service will be denied, the customer or caregiver will be told the reason, and they'll be given education materials about substance abuse and adverse events and the toll-free telephone numbers for SAMHA, California Department of Public Health, local rehabilitation clinics, and California Poison Control Center.

Risks and Side Effects Associated with Cannabis

All employees will be trained to understand risks of using cannabis including the following specific conditions.

Respiratory problems: Cannabis smoke has many of the same irritating and lung-damaging properties as tobacco smoke. Long-term abuse may lead to a chronic cough and lung infections.

Cardiovascular risk: Cannabis ingestion can increase the heart rate for several hours, increasing the risk of heart attack or stroke. Especially at risk are those with pre-existing heart conditions.

Mental health effects: Long-term cannabis abuse can decrease performance on memory-related tasks, reduce motivation and interest in everyday activities. Cannabis abuse can also intensify symptoms in users with schizophrenia

Child development: Cannabis use during pregnancy can affect the development of the fetus' brain and has been linked to behavioral problems in babies.

Psychological Dependence: Like most drug abuse, individuals who use cannabis for long periods of time can develop a psychological dependence on it.

Preventing Accidental Ingestion

All employees will be educated on safe consumption and handling that includes the following topics:

Keep out of Reach: Always keep cannabis and devices out of sight and reach from children and pets.

Labeling: Before taking any cannabis, read and ensure you understand all the information on the label.

Packaging: Always store product in its original packaging to prevent ingesting the wrong product and to ensure expiration, dosage, and warning information are accurate.

Expiration Dates: Check all expiration dates.

Expired Products: Dispose of expired or outdated products and discard damaged containers, old supplies, and old devices.

Disposal: The safest and most effective way to dispose of unwanted or expired medications is to drop it off at a licensed, cannabis dispensary that participates in a cannabis disposal program.

Inventory: Regularly take inventory and restock products that are low or missing.

Storage: Always store marijuana and marijuana devices in a cool, dark place, away from other people. Consider purchasing and using a secure lockbox sold by the dispensary.

First Aid Supplies: Keep basic first aid supplies on hand, in case of emergencies. Supplies include assorted bandages, adhesive tape, gauze rolls and pads, antiseptic wipes, mouth-to-mouth barrier device, antibiotic ointment, hydrocortisone cream, calamine lotion, medical exam gloves, tweezers, thermometer, scissors, and safety pins.

Emergency Contact: Have emergency contact information and a list of allergies and medications for each family member readily available.

Emergency Response: Consider enrolling in a CPR course.

Symptoms of Accidental Ingestion

We will also provide education to all employees regarding some of the symptoms of improper cannabis consumption.

Neurologic: Drowsiness, fatigue, weakness, dizziness, ataxia (loss of bodily movement), headache, agitation, anxiety, giddiness, altered mood, numbness, tingling, muscle twitching, and chills.

Gastrointestinal: Altered taste, increased appetite, dry mouth and throat, mouth irritation, nausea, vomiting, loss of appetite.

Cardiopulmonary: Shortness of breath and palpitations.

Integumentary: Excessive sweating, itching, burning eyes, itching eyes.

Other Customer Education and Support Materials

We will train our employees to provide education, safety and support materials that contain the following helpful information:

Limits: Limitations on the right to possess and use cannabis.

Safety: Safe techniques for the proper use of cannabis and cannabis devices.

Dangers: Prohibition against, and dangers associated with, cannabis extractions and usage.

Consumption: Alternative methods and forms of consumption or inhalation by which one can use cannabis.

Adverse Reactions: Instruction for customers and caregivers with cannabis related inquiries or reports of adverse reactions to the toll-free telephone line.

Substance Abuse: Signs and symptoms of substance abuse and opportunities to participate in substance abuse programs.

Safe Storage: Proper, safe storage of cannabis is critical to maintaining the integrity and desired effect of the product. Customers should carefully consider where they will store their cannabis. The following recommendations will be considered:

Safety: Keep all cannabis devices out of the reach of children. Make sure all labels remain on the medication, so that it is clear it is medication. It is recommended to store marijuana in a locked box or room, out of sight.

Keep out of Light: The ideal location to keep cannabis is in a dark place.

Keep it Cool: Excessive heat can negatively affect the quality and effectiveness of cannabis.

Limit Oxygen Exposure: At the time of purchase, customers should minimize how much cannabis is exposed to air. The best solution is to keep it in its original packaging and container, sealed to avoid exposure.

Humidity: Humidity between 30% and 50% is ideal for storing cannabis.

Touching: Every time a customer touches unpackaged cannabis, the product effectiveness may be changed.

Reporting Accidental Ingestions

California Poison Control Center: CPCC is a 24-hour resource for any type of poisonous crisis. Its staff is comprised of certified and highly educated professionals to help people prevent and recover from accidental ingestion of marijuana. Our

employees will be trained to provide the information to customers to report accidental ingestion of marijuana; CPCC is available at (800) 222-1222. The customer will be provided with a list of information to have ready for the operator that answers.

HERBZ, LLC

SECTION G: COMMUNITY BENEFITS AND INVESTMENTS PLAN

Herbz is pleased to propose an annual direct monetary donation directly to the Madera Unified School District. The annual donation will be in the amount of 1% of Herbz annual gross receipts. As noted in the 3 year Pro Forma, we estimate that 1% gross receipts will be $27,375.00 in year 1, $41,151.87 in year 2, and $54,750.00 in year 3. Our intention with this contribution is to make a commitment that we can keep and not over promise. In this manner our contribution to the Madera Unified School District will steadily grow as does our business.

Each employee will receive 24 hours paid time off annually towards company approved volunteer activities. The cleanup of parks and the community will be approved volunteer activities and we will encourage our employees to help beautify our parks and public facilities. We will reach out to the Beautification Committee which meets every month. Through direct communication with the Committee we can direct employees to use their paid volunteer hours towards programs and projects to enhance the aesthetic appearance of the community. We will also contact the City of Madera Parks & Community Services Department to see how we can best provide in-kind donations and volunteer services to beautify and restore local facilities, parks, and fields.

Herbz will benefit the community by providing meaningful employment and business partnership opportunities. Herbz will seek to hire half its staff from those communities that have been harmed by cannabis criminalization and the other half from Madera's veteran community, with 100% local hiring. We will provide a living wage and community benefits. To the extent possible, Herbz will use exclusively Madera business for goods and services.

Sadek knows the community very well as a resident since 2007. He has donated to several causes in the City before. He will provide valuable insight as to where and how Herbz can best contribute to the City of Madera and provide creative community benefits for as long as we are operational. One of Sadek's goals is to help create more facilities where people can access Narcan. In this way, we can directly help save lives in our community that are being lost due to the national drug epidemic

HBF2, INC
(dba: Hazy Bulldog Farms)

Type 10 Storefront Retail with Delivery

324 S Gateway Drive
Madera, CA 93637
APN: 010-163-004

Applicant: Hazy Bulldog Farms
For: City of Madera

Community Benefits and Investment Plan



begreenlegal

SECTION G - COMMUNITY BENEFITS AND INVESTMENT PLAN

As owners of small community businesses across the state of California, we are excited about the opportunity to serve the needs of cannabis customers in Madera. Cannabis products can improve quality of life as both a source of relief and enjoyment in both medical and adult recreational customers. As part of our research into locating a business in the City of Madera, we found the following important statistics. According to recent census data, the City of Madera is home to 65,575 people and of this population, 78% are Hispanic, 14% are White, and the next largest group are Black at 4%. The median age for residents in Madera is 28 years old. The median income for Madera households was $49,275. This average income level puts 21% of families in poverty in Madera. The central goal of our business is to provide high quality cannabis products and services at a reasonable points and support economic growth and community development throughout the city. Our community benefits plan will support existing non-profit community service institutions, youth sports, local educational opportunities, the development of entrepreneurs, and a well-trained cannabis workforce. We want to be a valuable community partner and will commit our time and resources to help support the local community.

NON-PROFIT INCORPORATION AND REVENUE DONATION

We are committed to the City of Madera and understand that processing of applications takes resources. To provide a transparent and accountable method of delivering resources to the community, we intend to establish a non-profit corporation that would provide a vehicle for Hazy Bulldog Farms to donate a minimum of 2% of its gross revenue to the non-profit for providing programming and funding to youth organizations, non-profits, and educational institutions in Madera. The specific programs that this non-profit will support as listed in the sections below. Our non-profit will be trustworthy and accountable and will be managed by community volunteers and regularly audited. To find volunteer board members, we would put out advertisements and social media posts to recruit volunteers from the local community. We would require a statement of interest in being a board member, conduct interviews with these applicants, and select three board members from the pool of applicants. In addition, the non-profit would submit an annual report of its activities and programs for the city to review.

COMMUNITY CONTRIBUTIONS

One of our goals as a City of Madera business partner will be to give back to the community as we grow and prosper. We have identified the following local organizations and non-profit groups that we intend to support through volunteer efforts and monetary contributions if the city deems acceptable. In addition, we anticipate creating two annual scholarship funds for young entrepreneurs.

MADERA COUNTY FOODBANK

The Madera County Foodbank is an important community institution that focuses on providing food for individuals and families. We intend to volunteer and participate in the Foodbanks' two annual food give-a-aways at Thanksgiving and Christmas. We may run canned food drives during this time and provide incentives for our customers to donate food through a discount program during the holidays. Our incentive program will be $1.00 off the customer's purchase order per nonperishable food item up to $5.00 per customer per visit. We will also become a platinum level sponsor of the Madera County Foodbank by providing a $2,000 donation.

AAUW OF MADERA

The Madera California branch of the AAUW has provided local women opportunities for community service and educational enrichment. This important program aims to encourage and support young women in our community. We will also donate $2,000 dollars to this non-profit annually in to help advance equity for women and girls.

MADERA LODGE NO 1918 BENEVOLENT AND PROTECTIVE ORDER OF ELKS-

We would like to support the local Madera Elks Lodge. As a local chapter of a major national philanthropic organization, there are several national programs that we would like to support locally, including the Elks National Drug Awareness Program, which is operated by volunteers to eliminate the use and abuse of illegal drugs with a focus on providing kids with a drug free environment. In addition, we would like to participate in the local Madera version of the veteran's support programs. The national chapter works on rehabilitation through adaptive sports programs and therapy kits. Veterans support holds a special part in our heart and lives as our founder is a veteran and Courtney Muzio's father is a disabled veteran. We value the sacrifice and service that these members of our community have made the decision to protect and serve our nation. We will donate $2,000 to local Elks Lodge to help promote youth awareness of illegal drugs and to help our veterans.

MADERA YOUTH SOCCER LEAGUE & MADERA NATIONAL LITTLE LEAGUE:

As athletes ourselves, sports have always played an important role in our lives growing up and we have passed on our love and passion to sports to our young children. Representing our local community sports teams was a great honor in our childhood and we would love to give back to youth sports within the Madera community. Youth sports provide children opportunities to develop leadership skills, teamwork and healthy active habits. To provide support for spaces that provide facilities and equipment for our children to develop, we would like to donate and become un-named league sponsors for both the Madera Youth Soccer League and Madera National Little League. We will donate $1,000 to the soccer league and become a home run level sponsor by donating $2,000 to the baseball little league.

ANNUAL ENTREPRENEUR SCHOLARSHIP:

In addition to supporting existing community programs, we would like to support the community in a unique way by providing the remaining of the 2% of gross receipts towards two scholarship programs that would be awarded in February of each year. As small local business owners in multiple communities around the state, we want to provide much needed resources and opportunities to young entrepreneurs as well as other career-oriented individuals within the community who have limited opportunities for higher education, trade schools, or upward mobility. The first scholarship for young adults and entrepreneurs would focus on supporting individuals interested in starting new careers or businesses that require resources such as higher learning, additional skills, or start-up capital. Applicants would be required to submit an essay of 500-1,000 words to tell us why the concept of higher education is important and how that student would implement their goals in a particular field of study. Funds would be provided to youth who can demonstrate an ability to excel in their endeavors but have not been provided the resources needed to pursue their dreams by either attending a college or starting their own business. Additionally, we will establish a second scholarship fund that will provide financial resources to individuals in Madera County who are interested in starting a cannabis career or business but have no experience or the means to do so. The scholarship fund will specifically target online training that is easy to complete at home. We have preliminarily vetted two

such resource companies that would accomplish this goal, including Oaksterdam University or Cannabis Training University. The fund will also assist with purchasing laptops and internet access to ensure these individuals can complete the training.

PUBLIC OUTREACH AND EDUCATION COORDINATION

Our volunteer board of directors will be responsible for selecting and hiring a public outreach and educational coordinator for the non-profit who will directly work with school administrators, police officers, and rehabilitation centers to vet the most supportive educational programs for students as well as to provide training and resources such as speakers, video and print materials which have been proven to make a difference. Topics covered in these training sessions will undoubtedly include honest and potentially frightening discussions and evidence of the potential harmful effects of using cannabis to early, or too much. It has been proven that the approach of demonizing cannabis and its use is not effective with this age group, and we intend to help shape this discussion as well as redefining the role of cannabis use in our society at large. We believe that responsibly administered cannabis can be highly beneficial to a community with a balanced and healthy outlook, and we intend to show how responsible use of cannabis can assist with many of the pains and challenges that accompany us in adulthood.

FLEXIBLE PROGRAMS TO MEET THE NEEDS OF THE COMMUNITY

We recognize that any educational outreach program must be flexible to meet the needs of the community and comply with local rules and regulation. As part of this, we would require the local outreach coordinator to connect with local leaders in the school district, police force, and other community service-oriented groups to solicit ideas for effective outreach that would meet the needs of the community. From these meetings we would design appropriate educational programs that address potential restrictions of different organizations within the community. In addition, to the development of flexible programs we also intend to target the following community groups.

STUDENT EDUCATION AND OUTREACH

Hazy Bulldog Farms specifically wishes to focus our outreach and support efforts on two special groups in Madera, these groups include both students and youth organizations in need of education and assistance. Our public outreach and educational coordinator will actively work to engage with local schools. Where it concerns students, we want to focus most of our outreach efforts and contributions on supporting children of late-middle school and early high school ages. As parents ourselves, recognize that this is a time in life where social pressures and environmental influences make a serious and lasting impact on the youth of the community. As these children move toward adulthood, they face many challenging decisions about how to conduct themselves, many times coming face to face with questionable activities and environments. How and why, they make the choices they decide on in those moments has a great deal to do with the care and support they are receiving from their parents, teachers, supportive adults in their lives, and the community at large.

To truly make outreach plausible and effective, we must recognize as a community that cannabis has become a part of popular culture. It is seen and referred to in the technical environments frequented by youth, such as social media, music and entertainment streams, many times as a positive or "cool" habit to adopt. As we accept this reality, we also accept that Hazy Bulldog Farms and the extended community cannot simply preach abstinence and expect positive results. It is imperative that we teach from a place of honesty and transparency about the consequences of use, including over-use of cannabis and its effects on

developing brains. We believe that properly trained professionals will be needed to inform students of the realities of cannabis use and how it should be used in a safe and appropriate way by adults 21 and over. To affect this reality, Hazy Bulldog Farms will be sharing its time, resources, and special education programs liberally as both a function of public outreach, and direct administration through the school system as allowed.

FAMILIES AND YOUTH ORGANIZATION OUTREACH

Our focus on educational institutions alone is not exclusive to our outreach mission. We understand that schools are limited in terms of time and resources and must abide by a specific set of regulations that may limit the types of programs available in the classroom or assembly setting. Our outreach anticipates this limitation in its desire to additionally supply resources directly to families and youth organizations outside of the school setting who are struggling with defining the role of cannabis in their lives and understanding the impact that its use may have on their familial group. To meet this desire, we intend to:

- Promote and provide visibility to commonly accepted and proven tools such as articles, videos, training, and educational opportunities, in the form of links on our website, information in our newsletters and in additional ways as we interact with the community at large
- Target coming of age cannabis users with webinars, podcasts, videos, and other written materials that can help educate and properly orient them to the safe, effective use of cannabis
- Provide materials and outreach to parents that helps them understand how to best educate and inform their children about the benefits and risks of cannabis use in a responsible and effective manner
- Create and share content across our website and other platforms that assists with the goal of shaping and molding the outlook on cannabis use in society at large to engender more respect and responsible use of the remedy

POST INTERACTION COMMUNITY SURVEYS

Hazy Bulldog intends to track the effectiveness of the non-profit's programs by providing post interaction surveys to staff, community groups, and audience members to provide metrics for improvement of educational programs and outreach. In addition, the results of these surveys will also be used as data points for an annual report that the non-profit will provide to the City of Madera each year.

LOCAL BUSINESS SUPPORT

As business owners in the city of Sonora, we know how important it is to hire locally and support locally businesses. We will continue this trend by prioritizing hiring local contractors to improve our facility for the new cannabis store and purchasing cannabis products from local wholesalers in Madera County. We additionally will require vehicles, gasoline and other auto products, maintenance, insurance, and food services for our in-store and delivery staff to be locally purchased. As we anticipate employing up to 44 staff by year 3, we will be a major local job creator and indirectly contributing to all the services, products, rent, and mortgage payments those people will be paying in the city and surrounding communities. Finally, we anticipate purchasing electric vehicles for our delivery fleet as part of our plan to have an entirely electric fleet within 5 years and will source them from local suppliers.