

## MEETING AGENDA

### The City Council/Successor Agency of the City of Firebaugh Vol. No.16/04-04

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**Location of Meeting:** Andrew Firebaugh Community Center  
1655 13<sup>th</sup> Street, Firebaugh, CA 93622  
**Date/Time:** April 4, 2016/6:00 p.m.

#### CALL TO ORDER

#### ROLL CALL

Mayor Freddy Valdez  
Mayor Pro Tem Brady Jenkins  
Council Member Craig Knight  
Council Member Marcia Sablan  
Council Member Felipe Perez

*In compliance with the Americans with Disabilities Act, if you need special assistance to access the Andrew Firebaugh Community Center to participate at this meeting, please contact the Deputy City Clerk at (559) 659-2043. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to the Andrew Firebaugh Community Center.*

*Any writing or documents provided to a majority of the City Council regarding any item on this agenda will be made available for public inspection at City Hall, in the Deputy City Clerk's office, during normal business hours.*

#### PLEDGE OF ALLEGIANCE

#### PUBLIC COMMENT

#### PRESENTATION

- Swearing-In of Reserve Officer Maurice Rubio
- Nathan Perez/Nick Hasan of David Taussig & Associates will present an update on the Impact Fee Study.
- Power Point Presentation from City Planner Karl Schoettler regarding the Housing Element 2035.

#### CONSENT CALENDAR

Items listed on the calendar are considered routine and are acted upon by one motion unless any Council member requests separate action. Typical items include minutes, claims, adoption of ordinances previously introduced and discussed, execution of agreements and other similar items.

1. APPROVAL OF MINUTES – The City Council meeting on March 21, 2016.

#### NEW BUSINESS

2. THE CITY COUNCIL OF THE CITY OF FIREBAUGH TO DISCUSSION AND CONSIDER REDUCTION OR WAIVER OF PLANNING FEES FOR POSSIBLE DEVELOPMENT OF 1459 14<sup>th</sup> St (APN 008-132-17) AND 1388 "O" St (APN 008-132-16) FROM THE VASQUEZ FAMILY.

**Recommended Action:** City Council receives comments and appoints representatives.

3. **RESOLUTION NO. 16-08 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH APPOINTING BEN GALLEGOS AS ACTING CITY MANAGER.**

**Recommended Action:** City Council receives comments and approves Res. No. 16-08.

4. **RESOLUTION NO. 16-09 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH SUPPORTING AB1012 - A STATE LAW TO SECURE THE EFFICIENCY OF TRANSPORTATION FUNDING AND IMPLEMENTING A TIMELY USE OF THE FEDERAL/STATE FUNDING UNDER THE FEDERAL SURFACE TRANSPORTATION ACT FOR THE FOLLOWING PROJECTS: 8<sup>TH</sup> STREET RECONSTRUCTION; "O" STREET RECONSTRUCTION.**

**Recommended Action:** City Council receives comments and approves Res. No. 16-09.

5. **THE CITY COUNCIL OF THE CITY OF FIREBAUGH TO APPROVE A CLAIM REJECTION FOR GENERAL LIABILITY CLAIM OF MARITZA RODRIGUEZ.**

**Recommended Action:** City Council receives comments and reject liability claim.

**CLOSED SESSION**

6. **Government Code Section 54957.**

PUBLIC EMPLOYEE EMPLOYMENT: City Attorney.

7. **Pending litigation Government Code Section 54956.9**

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to paragraph (2) or (3) of subdivision (d) of Section 54956.9: - one case.

**ANNOUNCEMENT AFTER CLOSED SESSION**

**ADJOURNMENT**

**Certification of posting the Agenda**

I declare under penalty of perjury that I am employed by the City of Firebaugh and that I posted this agenda on the bulletin boards at City Hall, March 31, 2016 at 5:00 p.m. by Ben Gallegos, Interim City Manager.

**DEVELOPMENT IMPACT FEE PROGRAM**  
**CITY OF FIREBAUGH**  
**PUBLIC FACILITIES NEEDS LIST THROUGH 2035**

	(1)	(2)	(3)	(4)	(5)	(6)
Facility Name	Total Cost for Facility	Off-setting Revenues	Net Cost to City	Percent of Cost Allocated to New Development	Cost Allocated to New Development	Policy Background or Objective
<b>A. TRAFFIC FACILITIES</b>						
1 Street Rehabilitation - River Ln., Vasquez Dr. to Cardella St.	\$720,500	\$0	\$720,500	TBD	TBD	Capital Improvement Program
2 Street Rehabilitation - "M" St., 15th St. to 8th St.	\$665,500	\$0	\$665,500	TBD	TBD	Capital Improvement Program
3 Street Rehabilitation - "J" St., Nees Ave. to 10th St.	\$541,200	\$0	\$541,200	TBD	TBD	Capital Improvement Program
4 Street Rehabilitation - "Q" St., 9th St. to 11th St.	\$539,000	\$0	\$539,000	TBD	TBD	Capital Improvement Program
5 Street Rehabilitation - Cline St., "P" St. to Zozaya St.	\$495,000	\$0	\$495,000	TBD	TBD	Capital Improvement Program
6 Street Rehabilitation - 10th St., "J" St. to Dead End	\$435,600	\$0	\$435,600	TBD	TBD	Capital Improvement Program
7 Street Rehabilitation - Rabe St., Clyde Fannon Rd. to Zozaya St.	\$422,400	\$0	\$422,400	TBD	TBD	Capital Improvement Program
8 Street Rehabilitation - 14th St., Hwy. 33 to "Q" St.	\$396,000	\$0	\$396,000	TBD	TBD	Capital Improvement Program
9 Street Rehabilitation - 8th St., Hwy. 33 to City Corp. Yard	\$396,000	\$0	\$396,000	TBD	TBD	Capital Improvement Program
10 Street Rehabilitation - Landucci Dr., Saipan Ave. to Morris Kyle Dr.	\$330,000	\$0	\$330,000	TBD	TBD	Capital Improvement Program
11 Street Rehabilitation - Dodderer St., Clyde Fannon Rd. to Zozaya St.	\$198,000	\$0	\$198,000	TBD	TBD	Capital Improvement Program
12 Street Rehabilitation - Rabe St., Clyde Fannon Rd. to Zozaya St.	\$198,000	\$0	\$198,000	TBD	TBD	Capital Improvement Program
13 Street Rehabilitation - Helm Canal Rd., Birch Dr. to South End	\$165,000	\$0	\$165,000	TBD	TBD	Capital Improvement Program
14 Street Rehabilitation - Enrico Ave., Cardella St. to Cardella St.	\$132,000	\$0	\$132,000	TBD	TBD	Capital Improvement Program
15 Street Rehabilitation - 7th St., "P" St. to Alley; Alley, 7th St. to 8th St.	\$88,500	\$0	\$88,500	TBD	TBD	Capital Improvement Program
16 Sidewalk Replacement - "O" St., 11th St. to 12th St.	\$264,000	\$0	\$264,000	TBD	TBD	Capital Improvement Program
17 Sidewalk Replacement - Saipan Ave., "O" St. to "Q" St.	\$132,000	\$0	\$132,000	TBD	TBD	Capital Improvement Program
18 Traffic Signal at Clyde Fannon Rd. and Highway 33	\$473,000	\$0	\$473,000	TBD	TBD	Capital Improvement Program
19 13th Street Bridge Repair	\$427,900	\$0	\$427,900	TBD	TBD	Capital Improvement Program
20 <i>Traffic Facilities Revenues not yet Committed</i>		(\$72,821)	(\$72,821)		TBD	
<b>TOTAL TRAFFIC FACILITIES</b>	<b>\$7,019,600</b>	<b>(\$72,821)</b>	<b>\$6,946,779</b>	<b>TBD</b>	<b>TBD</b>	
<b>B. FIRE FACILITIES</b>						
1 Fire Station Expansion	\$1,425,761	\$0	\$1,425,761	TBD	TBD	Council Objective
2 Fire Engine Replacement	\$350,000	\$0	\$350,000	TBD	TBD	Council Objective
3 <i>Fire Facilities Revenues not yet Committed</i>		(\$3,769)	(\$3,769)		TBD	
<b>TOTAL FIRE FACILITIES</b>	<b>\$1,775,761</b>	<b>(\$3,769)</b>	<b>\$1,771,992</b>	<b>TBD</b>	<b>TBD</b>	
<b>C. POLICE FACILITIES</b>						
1 Courthouse FF&E	\$1,200,000	\$0	\$1,200,000	TBD	TBD	Council Objective
2 Vehicle Replacements	\$546,000	\$0	\$546,000	TBD	TBD	Council Objective
3 Office Furniture	\$80,000	\$0	\$80,000	TBD	TBD	Council Objective
4 <i>Police Facilities Revenues not yet Committed</i>		(\$3,769)	(\$3,769)		TBD	
<b>TOTAL POLICE FACILITIES</b>	<b>\$1,826,000</b>	<b>(\$3,769)</b>	<b>\$1,822,231</b>	<b>TBD</b>	<b>TBD</b>	
<b>D. STORM DRAIN FACILITIES</b>						
1 Regional Storm Drainage Basin	\$1,672,000	\$0	\$1,672,000	TBD	TBD	Capital Improvement Program
2 Storm Drain Lift Station Rehabilitation	\$671,000	\$0	\$671,000	TBD	TBD	Capital Improvement Program
3 Catch Basin Rehabilitation	\$396,000	\$0	\$396,000	TBD	TBD	Capital Improvement Program
4 <i>Storm Drain Facilities Revenues not yet Committed</i>		(\$19,616)	(\$19,616)		TBD	
<b>TOTAL STORM DRAIN FACILITIES</b>	<b>\$2,739,000</b>	<b>(\$19,616)</b>	<b>\$2,719,384</b>	<b>TBD</b>	<b>TBD</b>	

**DEVELOPMENT IMPACT FEE PROGRAM  
CITY OF FIREBAUGH  
PUBLIC FACILITIES NEEDS LIST THROUGH 2035**

	(1)	(2)	(3)	(4)	(5)	(6)
Facility Name	Total Cost for Facility	Off-setting Revenues	Net Cost to City	Percent of Cost Allocated to New Development	Cost Allocated to New Development	Policy Background or Objective
<b>E. WASTE WATER COLLECTION, TREATMENT, AND DISPOSAL FACILITIES</b>						
1 Pipeline Replacement - Force Main	\$2,387,000	\$0	\$2,387,000	TBD	TBD	Capital Improvement Program
2 Pipeline Replacement - Downtown Alleys	\$1,188,000	\$0	\$1,188,000	TBD	TBD	Capital Improvement Program
3 Pipeline Replacement - Allardt Drive, Mendoza Drive	\$866,800	\$0	\$866,800	TBD	TBD	Capital Improvement Program
4 Pipeline Replacement - M Street	\$473,000	\$0	\$473,000	TBD	TBD	Capital Improvement Program
5 Pipeline Replacement - Highway 33	\$271,700	\$0	\$271,700	TBD	TBD	Capital Improvement Program
6 Manhole Replacement Program	\$264,000	\$0	\$264,000	TBD	TBD	Capital Improvement Program
7 <i>Waste Water Collection, Treatment, and Disposal Revenues not yet Committed</i>		(\$451)	(\$451)		TBD	
<b>TOTAL WASTE WATER COLLECTION, TREATMENT, AND DISPOSAL FACILITIES</b>	<b>\$5,450,500</b>	<b>(\$451)</b>	<b>\$5,450,049</b>	<b>TBD</b>	<b>TBD</b>	
<b>F. WATER SUPPLY AND HOLDING FACILITIES</b>						
1 HUD Tank, Booster Pump Station, Piping Replacement	\$836,000	\$0	\$836,000	TBD	TBD	Capital Improvement Program
2 Pipes Replacement	\$825,000	\$0	\$825,000	TBD	TBD	Capital Improvement Program
3 16" Water Line from 8th Street to Diaz Street	\$770,000	\$0	\$770,000	TBD	TBD	Capital Improvement Program
4 6" Water Line Replacement	\$643,500	\$0	\$643,500	TBD	TBD	Capital Improvement Program
5 Water Main to Connect Treatment Plants	\$590,000	\$0	\$590,000	TBD	TBD	Capital Improvement Program
6 Valve and Fire Hydrant Replacement	\$264,000	\$0	\$264,000	TBD	TBD	Capital Improvement Program
7 Industrial Meter/MXU Installation	\$220,000	\$0	\$220,000	TBD	TBD	Capital Improvement Program
8 Improve Water Treatment Site No. 1 Access Road	\$198,000	\$0	\$198,000	TBD	TBD	Capital Improvement Program
9 Water Treatment Plant Filters	\$165,000	\$0	\$165,000	TBD	TBD	Capital Improvement Program
10 Water Plant Recycling Pond Expansion	\$143,000	\$0	\$143,000	TBD	TBD	Capital Improvement Program
11 <i>Water Supply and Holding Revenues not yet Committed</i>		(\$3,696)	(\$3,696)		TBD	
<b>TOTAL WATER SUPPLY AND HOLDING FACILITIES</b>	<b>\$4,654,500</b>	<b>(\$3,696)</b>	<b>\$4,650,804</b>	<b>TBD</b>	<b>TBD</b>	
<b>G. PARKS AND RECREATION FACILITIES</b>						
1 River Park	\$4,027,000	\$0	\$4,027,000	TBD	TBD	Capital Improvement Program
2 Maldonado Park - Phase 3	\$3,509,000	\$0	\$3,509,000	TBD	TBD	Capital Improvement Program
3 Maldonado Park - Lighting for Ball Fields	\$660,000	\$0	\$660,000	TBD	TBD	Capital Improvement Program
4 Dunkle Park - Decorative Lighting	\$330,000	\$0	\$330,000	TBD	TBD	Capital Improvement Program
5 <i>Parks and Recreation Revenues not yet Committed</i>		(\$81,016)	(\$81,016)		TBD	
<b>TOTAL PARKS AND RECREATION FACILITIES</b>	<b>\$8,526,000</b>	<b>(\$81,016)</b>	<b>\$8,444,984</b>	<b>TBD</b>	<b>TBD</b>	
<b>TOTAL ALL FACILITIES</b>	<b>\$31,991,361</b>	<b>(\$185,138)</b>	<b>\$31,806,223</b>	<b>TBD</b>	<b>TBD</b>	

[1] 2016 Needs List, Working Document.

## MEETING MINUTES

The City Council/Successor Agency of the City of Firebaugh  
Vol. No. 16/03-21

**Location of Meeting:** Andrew Firebaugh Community Center  
1655 13<sup>th</sup> Street, Firebaugh, CA 93622  
**Date/Time:** March 21, 2016/6:00 p.m.

**CALL TO ORDER** Meeting called to order by Mayor Valdez at 6:00 p.m.

### ROLL CALL

**PRESENT:** Mayor Freddy Valdez  
Mayor Pro Tem Brady Jenkins  
Council Member Felipe Perez  
Council Member Craig Knight  
Council Member Marcia Sablan

### ABSENT:

**OTHERS:** City Attorney Roy Santos; Police Chief, Sal Raygoza; Interim City Manager/Public Works Director, Ben Gallegos; Deputy City Clerk, Rita Lozano; Finance Director, Pio Martin; Fire Chief, John Borboa, Maria Rios, Diana Gonzalez, David & Mary Van Pelt Espi Velazco and others.

**PLEDGE OF ALLEGIANCE:** Council Member Sablan led pledge of Allegiance.

### PUBLIC COMMENT

Esperanza Velazco provide an update regarding the Outdoor Market, it will begin on Thursday, April 14, 2016 through October 27, 2016. Maria Rios is in charge with assistance from Guadalupe and seven other volunteers. Currently, 10-12 vendors are set to participate. Rules will be handed out in English and Spanish, set up time is 3:00 pm, opening operational time is 5:00 pm, closing and cleanup time at 9:00 pm. Police Department will do patrol checks and the organization is requesting the use of the storage room only, at the Maldonado Park.

Diana Gonzalez advised she was speaking on her behalf and on behalf of the residents living at the San Joaquin Villa Apartments, who are currently having issues with the conditions at the facility and Home Owners Associations (HOA). Residents living at the apartment complex have heard that contractors may begin construction on the vacant lots and there is no parking available for the people that live there now. The streets are so narrow that the street sweeper, garbage truck or the Fire truck cannot enter the complex. The Home Owners Associations has been as issue, too. They are asking the residents for increase fees and residents are refusing to pay because the HOA is not complying with the agreement. During the HOA suspension, they stop collecting fees, but are now requesting back payment on all fees that were not collect at that time. HOA fees were originally be collected through a separate bill, mailed to residents and are now stating they will place fees on property taxes through in lieu. City responded that no building permits have been issues and has not received any word of new construction.

David Van Pelt stated he received a call from a disabled citizen asking about ADA funding provided through Measure C. Mr. Van Pelt stated, as a member of the board, there is very little funding available through Measure C and then, inquired, "What the city is doing about ADA regulations and what requirements or changes are being made to comply?" Staff replied that some curbs have been changed throughout the city to meet ADA compliance, as funding becomes available. A study is also being completed, that will help plan on how to address/provide additional access entries to meet ADA regulations throughout the city. Business are private owners and therefore are responsible for access to their buildings.

**PRESENTATION**

- *Presentation from Mid Valley regarding the 4<sup>th</sup> Quarter Commercial Site Visit and provided information on the new law AB1826, the school will be the city's' biggest generator of food recycling. City of Firebaugh and Fresno County has implemented a new recycling program, sharps drop off bins were placed at the Police Department and Senior Center. Additional drop off recycling bins for items such as batteries and light bulbs at the city shop. Educational presentations were offered at the Mills School to inform kids about recycling and they have increased their recycling efforts.*
- *Mr. Donald Reynolds, CPA, provided a review of the Annual Independent Auditor's Report for the period ending June 30, 2015.*

**CONSENT CALENDAR**

1. **APPROVAL OF MINUTES – The City Council meeting on March 7, 2016.**
2. **WARRANT REGISTER – Period starting February 1, and ending on February 29, 2016.**

February 2016	General Warrants	#33127 - #33240	\$ 224,548.25
	Payroll Warrants	#66559 - #66660	\$ 310,905.34
<b>TOTAL</b>			<b>\$ 535,453.59</b>

*Motion to approve consent calendar by Council Member Knight, Second by Council Member Jenkins, motion passes by 5-0 vote.*

**NEW BUSINESS**

3. **THE CITY COUNCIL OF THE CITY OF FIREBAUGH TO DISCUSSION AND CONSIDER APPOINTING TWO COUNCILMEMBERS TO THE WEST COUNTY SOLID WASTE COMMITTEE.**

*Motion to appoint Mayor Valdez as primary representative and Interim City Manager Ben Gallegos as alternate representative by Council Member Knight, Second by Council Member Jenkins, motion passes by 5-0 vote.*

4. **THE CITY COUNCIL OF THE CITY OF FIREBAUGH TO DISCUSSION AND CONSIDER POSSIBLE APPROVAL OF THE FACILITY RENTAL AGREEMENT AND REQUEST OF WAIVER/REDUCTION OF FEES FOR THE ANDREW FIREBAUGH COMMUNITY CENTER AND RODEO GROUNDS BY SAN JOAQUIN RIVER PARKWAY TRUST FOR A RIVER CAMP EVENT. RENTAL DATES: JUNE 30, JULY 7-8, JULY 11-15, JULY 18-22, JULY 25-29 AND AUGUST 1-5, 2016.**

*Motion to waive rental fees, representatives to Interim City Manager Ben Gallegos and lock the community center on Fridays by Council Member Knight, Second by Council Member Sablan, motion passes by 5-0 vote.*

5. **THE CITY COUNCIL OF THE CITY OF FIREBAUGH TO DISCUSSION AND CONSIDER POSSIBLE APPROVAL THE JOINT EXERCISE OF POWERS AGREEMENT RELATING TO THE CALIFORNIA MUNICIPAL FINANCE AUTHORITY RELATED TO THE RECENTLY APPROVED RESOLUTION NO. 15-44 - PACE PROGRAM.**

*Motion to approve the Joint Powers Agreement for the PACE program by Council Member Knight, Second by Council Member Sablan, motion passes by 5-0 vote.*

6. **THE CITY COUNCIL OF THE CITY OF FIREBAUGH TO DISCUSSION AND CONSIDER POSSIBLE APPROVAL THE REAL PROPERTY - GROUND LAND LEASE AGREEMENT FOR CITY OWNED PARKING LOT AT GIANT BURGER.**

*Motion to approve land lease of city property near Giant Burger to Omar Perez and Gabriella Castaneda by Council Member Knight, Second by Council Member Jenkins, motion passes by 5-0 vote.*

***Motion to enter closed session by Council Member Jenkins, Second by Council Member Sablan, motion passes by 5-0 vote at 6:56 p.m.***

# **CLOSED SESSION**

## **7. GOVERNMENT CODE SECTION 54957**

PUBLIC EMPLOYEE APPOINTMENT/EMPLOYMENT: City Manager

## **8. GOVERNMENT CODE SECTION 54957.6**

CONFERENCE WITH LABOR NEGOTIATORS: UNREPRESENTED EMPLOYEES

City Negotiator: City Attorney

Employee Organizations: Unrepresented Employee – City Manager

## **9. Government Code Section 54957**

PUBLIC EMPLOYEE EMPLOYMENT: City Attorney.

***Motion to enter open session, passes by 5-0 vote at 8:01 p.m.***

**ANNOUNCEMENT AFTER CLOSED SESSION:** No Action Taken.

# **STAFF REPORTS**

- **Public Works Director, Ben Gallegos** – The Vac Truck was delivered and we have been using it since we received. Received a call about us cleaning the river and informed them we were cleaning because it was fire hazard, they responded that the fire chief does not have jurisdiction over the river. Charging station application has been approved and will be installed soon. The city will be loose the Proteus program employees starting April 1, 2016, but the city still has employees from the welfare to work program. EOC will be installing shade structures at their bus stop locations in town.
- **Finance Director Martin** – The city received \$142,000 grant reimbursement check from the 2013 Las Deltas Water District project. If Council or staff still have any questions after the Auditor's presentation email questions to Pio. Council city cell phones are in and have been programed; council members will need to sign a document before they are released.
- **Police Chief Raygoza** – Will apply for a grant to fund a new hybrid car, the city's share is \$40,000 per Vehicle, working with Pio and Ben on budget for the funding. Working with the Governor, who has committed to helping us get the requested funding, for relocation to the Courthouse.
- **Fire Chief, John Borboa** – Michael Molina was appointed as Asst. Fire Chief by a majority vote of the fire department, effective April 1, 2016.

**ADJOURNMENT - *Motion to adjourn by Council Member Knight, second by Council Member Jenkins; motion passes by 5-0 vote at 8:08 p.m.***



## REPORT TO CITY COUNCIL

# MEMORANDUM

AGENDA ITEM NO: \_\_\_\_\_

COUNCIL MEETING DATE: APRIL 4, 2016

**SUBJECT:** Building comments and Fees for Vasquez Project - Two Parcels/Projects

**BACKGROUND:** The Vasquez Family submitted a request for a waiver of fees regarding this proposed project. The Building Department has listed the following: fees, requirements and comments needed for these projects.

Building Department comments and required inspections for proposed project at 1388 O Street:

1. A structural analysis of the building by a qualified engineer is required. His results will determine, and must specify the condition of the structure and specify any/all repairs, required to support the proposed project. All repairs must properly be labeled on a set of plans.
2. It will be required, that the Water Main be inspected to verify proper sizing to accommodate the required fire sprinklers.

The following zoning fees apply, to this proposed project at 1388 O Street:

Conditional Use Permit:	\$ 960.00
Variance:	<u>\$ 700.00</u>
<b>Total Due:</b>	<b>\$1,660.00</b>

**Mr. Vasquez has paid the Conditional Use Permit fee (\$960.00) for 1388 O Street.**

Building Department comments for the proposed project at 1459 14<sup>th</sup> Street:

1. A required, soils investigation report must be completed for the lot. The results of the investigation will determine if any foundation upgrades will be needed to support the structure design of both projects at the locations of 1459 14<sup>th</sup> Street and 1388 O Street.
2. It will be required, that the Water Main be inspected to verify proper sizing to accommodate the required fire sprinklers.

The following zoning fees apply to the proposed project at 1459 14<sup>th</sup> Street:

General Plan Amendment:	\$1,250.00
Zone Change:	<u>\$1,025.00</u>
<b>Total Due:</b>	<b>\$2,275.00</b>

**Mr. Vasquez has paid the Zone Change fee (\$1025.00) for 1459 14<sup>th</sup> Street.**

**FISCAL IMPACT:** Any fees waived for the applicant that are incurred by the City Planner or City Engineer must be paid by the city, consultant fees are not waived.



To Whom It May Concern,

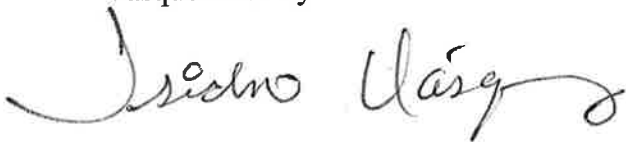
We are trying to develop and renovate two lots that are located next to each other. The first lot is located on 1459 14<sup>th</sup> Street, which is a single residence home. The lot is 50 feet by 60 feet and was built a long time ago. For this location, we are trying to demolish it in order to build a new single family residence. This lot requires a zone change, variance for parking, and a general plan amendment that leads to \$3000 in fees.

The second lot is located on 1388 O Street, which use to be an old church. The lot is 80 feet by 50 feet. At this location, we are trying to renovate and build a two apartment complex and parking. For parking, we are tearing about one third of the church to make two car ports. This lot also needs the same requirements as the single residence home and a conditional permit, which leads to another \$3000 in fees.

In total the costs amount to about \$6000, without doing any construction. However, these fees are only to see if we can build, but it is not a guarantee. If the city can help in waiving some or all of the fees, it will be greatly appreciated. By helping waive some or all fees, we will be able to speed up the process, buy better quality materials, and pay the workers. We would like to thank you for taking the time to read this letter.

Sincerely,

Vasquez Family

A handwritten signature in dark ink, appearing to read "Isidro Vasquez", with a stylized flourish at the end.

**RESOLUTION NO. 16-08**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH APPOINTING  
BEN GALLEGOS AS ACTING CITY MANAGER**

The City of Firebaugh hereby brings forth a resolution appointing Ben Gallegos, Public Works Director, as acting City Manager to serve the City of Firebaugh pursuant to the Firebaugh Municipal Code and consistent with the following:

**WHEREAS**, the City of Firebaugh is authorized by the laws of the State of California and Firebaugh Municipal Code to appoint an acting City Manager, whom shall have all of the power and authority that is vested in the City Manager; and

**WHEREAS**, in December of 2015 Kenneth McDonald resigned his position as City Manager of the City of Firebaugh; and

**WHEREAS**, since December of 2015, Ben Gallegos has served as the interim City Manager of the City;

**WHEREAS**, the City of Firebaugh desires Ben Gallegos, a current City employee, to continue to serve as acting City Manager in accordance with the following terms:

- (1) Mr. Gallegos shall have all of the powers and authority vested in the City Manager;
- (2) Mr. Gallegos shall perform the duties prescribed in the Firebaugh Municipal Code and under California law for a City Manager;
- (3) Mr. Gallegos shall also perform such additional duties as may be assigned by the City Council;
- (4) Mr. Gallegos shall continue to serve as the Public Works Director for the City;
- (5) Mr. Gallegos shall serve as acting City Manager for a period of one (1) year beginning on January 1, 2016, and ending on January 1, 2017, unless replaced at an earlier time by request of either Mr. Gallegos or the City of Firebaugh;
- (6) The City shall pay Mr. Gallegos a salary of \$114,000.00 annually (\$9,500.00 per month) for so long as he serves as acting City Manager;
- (7) Mr. Gallegos shall receive a performance evaluation at six (6) months from the effective date of his appointment, or more often as may be requested by the City Council or Mr. Gallegos;
- (8) The City shall continue to pay for all licenses and certificates necessary for Mr. Gallegos to continue serving as the Public Works Director;
- (9) During the term of Mr. Gallegos' appointment, upon approval of a majority of the City Council, he is authorized to utilize a consultant or consultants to aid in the performance of his duties as City Manager;
- (10) Termination or expiration of the acting City Manager appointment shall have no impact on Mr. Gallegos' employment as Public Works Director, and
- (11) Mr. Gallegos shall return to his position as the Public Works Director for the City of Firebaugh and his annual salary shall return to the amount applicable as the Public Works Director.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF FIREBAUGH, CALIFORNIA** that the City of Firebaugh hereby appointments Ben Gallegos as acting

City Manager consistent with the provisions set forth above and that the Deputy City Clerk take appropriate actions to ensure such appointment complies with all requirements of California Law and the Firebaugh Municipal Code.

**BE IT FURTHER RESOLVED**, that Mr. Gallegos' annual salary as acting City Manager shall be effective beginning on January 1, 2016.

\* \* \* \* \*

The foregoing Resolution was approved and adopted at a regular meeting of the City Council of the City of Firebaugh held on the 4<sup>st</sup> day of April, 2016, by the following vote:

AYES: Council Member(s)

NOES: Council Member(s)

ABSENT: Council Member(s)

ABSTAIN: Council Member(s)

**APPROVED:**

**ATTEST:**

\_\_\_\_\_  
Freddy Mayor  
Mayor

\_\_\_\_\_  
Rita Lozano  
Deputy City Clerk

Approved as to Legal Form:

CITY ATTORNEY

By \_\_\_\_\_  
Roy C. Santos

**RESOLUTION NO. 16-09**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH SUPPORTING AB1012  
A STATE LAW TO SECURE THE EFFICIENCY OF TRANSPORTATION FUNDING  
AND IMPLEMENTING A TIMELY USE OF THE FEDERAL/STATE FUNDING UNDER THE  
FEDERAL SURFACE TRANSPORTATION ACT FOR THE FOLLOWING PROJECTS;  
8<sup>TH</sup> STREET RECONSTRUCTION;  
“O” STREET RECONSTRUCTION**

**WHEREAS**, AB 1012 has been enacted into State Law in part to provide for the “timely use” of State and Federal funding; and

**WHEREAS**, the City of Firebaugh is able to apply for and receive Federal and State funding under the Regional Surface Transportation Program;

**WHEREAS**, the City of Firebaugh desires to ensure that its projects are delivered in a timely manner to preclude the Fresno Region from losing those funds for non-delivery; and

**WHEREAS**, it is understood by the City of Firebaugh that failure for not meeting project delivery dates for any phase of a project may jeopardize federal or state funding to the Region; and

**WHEREAS**, the City of Firebaugh must demonstrate dedicated and available local matching funds; and

**NOW, THEREFORE, BE IT RESOLVED** that the Firebaugh City Council hereby agrees to ensure that all project delivery deadlines for all project phases will be met or exceeded.

**BE IT FURTHER RESOLVED**, that failure to meet project delivery deadlines may be deemed as sufficient cause for the Fresno Council of Governments Policy Board to terminate an agency’s project and reprogram Federal/State funds as deemed necessary.

**BE IT FURTHER RESOLVED**, that the City of Firebaugh City Council does direct its management and engineering staffs to ensure all projects are carried out in a timely manner as per the requirements of AB 1012 and the directive of the City of Firebaugh City Council.

The foregoing Resolution was approved and adopted at a regular meeting of the City Council of the City of Firebaugh held on the 4<sup>th</sup> day of April, 2016, by the following vote:

AYES: Council Member(s)  
NOES: Council Member(s)  
ABSENT: Council Member(s)  
ABSTAIN: Council Member(s)

**APPROVED:**

**ATTEST:**

\_\_\_\_\_  
Freddy Mayor  
Mayor

\_\_\_\_\_  
Rita Lozano  
Deputy City Clerk

I hereby certify that the foregoing is a true copy of a resolution of the City Council of the City of Firebaugh duly adopted at a regular meeting thereof held on the 4<sup>th</sup> day of April 2016.

City Manager consistent with the provisions set forth above and that the Deputy City Clerk take appropriate actions to ensure such appointment complies with all requirements of California Law and the Firebaugh Municipal Code.

**BE IT FURTHER RESOLVED**, that Mr. Gallegos' annual salary as acting City Manager shall be effective beginning on January 1, 2016.

\* \* \* \* \*

The foregoing Resolution was approved and adopted at a regular meeting of the City Council of the City of Firebaugh held on the 4<sup>st</sup> day of April, 2016, by the following vote:

AYES: Council Member(s)

NOES: Council Member(s)

ABSENT: Council Member(s)

ABSTAIN: Council Member(s)

**APPROVED:**

**ATTEST:**

\_\_\_\_\_  
Freddy Mayor  
Mayor

\_\_\_\_\_  
Rita Lozano  
Deputy City Clerk

Approved as to Legal Form:

CITY ATTORNEY

By \_\_\_\_\_  
Roy C. Santos



REPORT TO CITY COUNCIL

**MEMORANDUM**

AGENDA ITEM NO: \_\_\_\_\_

COUNCIL MEETING DATE: APRIL 4, 2016

**SUBJECT: Claim Rejection for General Liability Claim of Maritza Rodriguez**

**BACKGROUND:**

Maritza Rodriguez filed a claim for damages with the city on February 4, 2016, in Mrs. Rodriguez claim, she alleging loss and requesting reimbursement for expenses for distress, wasted food, rental time fee and insurance fee; because her guest, friends and family were not allowed entrance into the Community Center. Claimant is seeking reimbursement of \$1,186.00, \$1,151.00 for rental fee plus \$35 for event insurance fee.

Mrs. Rodriguez rented the city facility May 30, 2015 for her daughter's quincenera and the Rodeo Grounds was rented for the following day on May 31, 2016 for another event. The organizations holding the event the next day left an animal at the facility prior to their rental date and it got loose, for safety reason Mrs. Rodriguez and guest were not allowed entrance to the center during this time. Mrs. Rodriguez claim was submitted to our Insurance Provider, who informed the city to reply with "Notice of Return, Without Action, of a Claim Required to be filed within Six Months" of incident. By law, a claim must be presented within six months after the incident/accident occurred (see Section 901 and 911.2 of Government Code.) for this reason; the recommendation to Council is to reject this claim.

**RECOMMENDATION: Reject the General Liability Claim filed by Maritza Rodriguez.**

## **Staff Report     City of Firebaugh Public works Department**

**To:** Mayor Freddy Valdez and City Council Member

**From:** Ben Gallegos, Public Works Director

**Date:** April 4, 2016 Council Meeting

### **Water/Waste Water**

The operation department has been working on the following:

1. Day to day operations and maintenance of treatment plants.
2. Testing backflow assemblies.
3. Inspecting and cleaning sewer lines.
4. Installing filter media on both water sites vessels.
5. Assisting with water line repairs.
6. Responding to sewer plugs.

### **Streets**

The Street Department has been working on the following:

1. The PW crew continue performing street pot hole repairs.
2. Continue preventative maintenance in the City's storm drain system.
3. Help with the installation of the bus stop shelter on Highway 33.

### **Parks**

The Crew has been working on the following:

1. They continue to respond to dog call; four dogs were taken to Country Veterinary and one dog was adopted.
2. Continue painting of the canopy at Dunkle Park.
3. Finishing removal of all the dead brush along the river.

### **City Projects:**



## FIREBAUGH POLICE DEPARTMENT

# Memo

**To:** Honorable Mayor Freddy Valdez and Council Members  
**From:** Salvador Raygoza, Police Chief  
**cc:** Ben Gallegos, Interim City Manager  
**Date:** 04/01/2016  
**Re:** Staff Report

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### **MONTHLY CRIME ANALYSIS:**

During the month of March 2016, the department took 69 reports that can be classified as crime reports, incident reports, and traffic accidents. The majority of the reports taken were non-criminal and can be classified as incident reports. Officers issued 43 citations and one (1) vehicle accident was reported.

I have attached a monthly statistical report with a 2-year crime comparison and calls for service coming into our dispatch center. The calls for service are generated by citizens telephoning dispatch or officers doing self-initiated activity. I have included an area for code enforcement statistics.

*These stats are based on the City of Firebaugh and do not reflect any information pertaining to the City of Mendota or its police department.*

### **SIGNIFICANT CASES**

On March 2, 2016, a high school student was arrested for being under the influence of several serious narcotics, while on school grounds. The student made some statements that concerned school staff, one being that the student may have access to a handgun. The information received alleges that a handgun recovered during a vehicle stop, a couple of weeks ago, may have been the one belonging to the student. A search warrant was obtained,



in order to conduct a search of the student's home. The search of the home resulted in locating no other narcotics or firearms.

On March 3, 2016, Officers investigated a residential burglary on Cline Street. Victim was gone for several weeks on vacation. Victim located several electronic devices stolen from the home. Officers are investigating case and believe the suspects live in the area.

On March 9, 2016, officers checked an occupied SUV in the 1500 block Del Rio. They contacted a female and male who both reside in the City of Dos Palos. During the officer's investigation, he located a shaved key, which are commonly used by burglars to open older vehicle and steal them. Both individuals were photographed, identified, and released pending further investigation.

On March 18, 2016, officers investigated a commercial burglary at the TomaTek plant. The general manager reported several tools stolen, including a white Ford F150. The burglary was committed while the plant was running and security present. This case is still under investigation.

On March 21, 2016, officers conducted a vehicle check in the 1500 block of Del Rio. Upon further investigation, the officer located two adult males and a female occupying the vehicle, who are out of Mendota. All individuals have criminal records and are on probation. A small plastic baggy of Methamphetamines was located on one of the subjects. The individual was arrested and later transported to Fresno County Jail.

On March 22, 2016, Dispatch received several calls of a white Nissan pickup breaking traction and speeding on the south end of the city. Officers responded and locate vehicle, after several different callers reported same vehicle driving recklessly. The driver was subsequently arrested for driving under the influence of alcohol and resisting arrest.

### **INFORMATION:**

On February 27, 2016, I assigned Officer Santoyo and Officer F. Martinez to participate in the Firebaugh Migrant Annual Mini Conference. We set up an information booth and gave out lots of drug, gang, and identity theft information to people attending. They also, presented a Power Point presentation on Substance Abuse. These types of events always allow parents the opportunity to ask questions to a police officer.

On March 2, 2016, I assigned Officer Santoyo and Officer Moreno to participate at the Bailey School Book Reading to Kids program.

On March 18, 2016, I assigned Officer Campa attend and participate at the Baily School Health Fair. He set up an information booth, and was able to hand out books and pamphlets to those who attended.

**PERSONNEL:**

The department's personnel strength stands at 18, including 10 sworn officers, 4 full time dispatchers, 2 reserve officers and 2 part-time dispatchers.

We posted the vacant full-time dispatcher position and only received one application. Linda Ramos, who is currently employed by the city as a part-time dispatcher, submitted the application.

Linda has been with our department for several years. She first came to our department as a police cadet, and quickly moved up the ranks to captain. Though the cadet program she quickly learned the department's policies and procedures, including receiving dispatch training. In 2014, she began working as a part-time dispatcher where she covered shifts while two of our full-time dispatchers were out on maternity leave. Linda attended the Dispatch Academy and is a P.O.S.T. Certified Dispatcher. She has an AA in Criminology, and is currently attending Fresno State to achieve her Bachelors. Linda was offered a full-time position with the City of Selma; however choose to stay locally after being offered the position left vacant by Karla Garcia.

I recently received notification from Lester Esparza advising he was resigning, and accepting a Reserve Deputy position with Madera County Sheriff Department. Lester was a reserve officer with our department, was highly certified in different areas of law enforcement, and is recognized as a certified Instructor by P.O.S.T.

The department currently has three (3) applicants going through the background process, for reserve. It has become more difficult to attract Reserves, when every agency in Fresno and throughout the state are hiring full time officers. I am hopeful to have the reserve program back up to full staff before our annual festival.



## Monthly Crime Statistic Comparison Report 2016/2015

Presented By Chief Salvador Raygoza

### City of Firebaugh

Offenses Part One Crimes	Jan-16	Jan-15	Feb-16	Feb-15	Mar-16	Mar-15	Apr-16	Apr-15
Murder	0	0	0	0	0	0		
Rape	0	0	0	0	0	0		
Robbery	0	0	0	0	0	0		
Aggravated Assault	2	4	4	1	1	2		
Simple Assault	3	5	5	2	4	4		
<b>Total Violent Crimes</b>	<b>5</b>	<b>9</b>	<b>9</b>	<b>3</b>	<b>5</b>	<b>6</b>		

Offenses Part Two Crimes								
Burglary	1	5	2	4	3	3		
Larceny Auto Theft	4	1	1	1	3	0		
Larceny Stolen Property	6	5	6	5	6	4		
Vandalism	11	3	7	5	5	4		
Sex Offense	0	1	1	1	0	1		
Narcotics Violation	6	4	8	3	3	4		
Runaways	1	1	1	1	0	1		
Other Felonies	3	5	2	3	3	3		
Other Misdemeanors	12	11	9	8	10	11		
Incident Reports	18	16	14	13	23	18		
<b>Totals</b>	<b>62</b>	<b>52</b>	<b>51</b>	<b>44</b>	<b>56</b>	<b>49</b>		
	<b>2016</b>	<b>2015</b>	<b>2016</b>	<b>2015</b>	<b>2016</b>	<b>2015</b>	<b>2016</b>	<b>2015</b>

DUI Arrests	3	7	9	5	4	7		
Warrant Arrests	12	11	10	3	12	5		
Traffic Citation	72	104	77	93	39	103		
Municipal Code Citations	0	5	4	4	5	8		
Municipal Code Cases	1	2	0	0	3	2		
Dog Bites	0	0	1	0	1	1		
Calls for Service Public	224	256	226	236	237	298		
Officer Initiated Calls	571	574	560	434	461	557		

Attached statistics are for crime analysis by Firebaugh Police Administration and public information.  
Data can not be compared to UCR data, due to these values subject to change for up two years.



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TO: Mayor Freddy Valdez and Council Members  
FROM: Pio Martin, Finance Director  
DATE: April 04, 2016  
SUBJECT: Staff Report

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- Budget:
  - Starting to work on the fiscal year 2016 – 2017 budget. *Requesting City Council to submit their Wants and Needs for next year.* Information may be sent to me via e-mail to [pmartin@ci.firebaugh.ca.us](mailto:pmartin@ci.firebaugh.ca.us).

			Year-to-Date Budget as of February 2016	Year-to-Date Actual as of February 2016	Pct. (%)
Fund 004	General Fund	Revenue	1,699,064.00	1,671,913.12	98%
		Expenses	1,589,280.00	1,506,713.16	95%
Fund 006	Public Safety 1/2 Cents Tax	Revenue	9,348.00	7,694.47	82%
		Expenses	9,332.00	17,387.07	186%
Fund 008	Law Enforcement (COPS)	Revenue	70,870.00	64,720.10	91%
		Expenses	70,863.00	82,744.11	117%
Fund 061	Special Events	Revenue	61,474.00	105,049.35	171%
		Expenses	58,405.00	83,271.52	143%
Fund 086	Community Center	Revenue	33,332.00	16,199.02	49%
		Expenses	32,870.00	27,352.65	83%

The table above is a snapshot of where the City is for both revenues and expenses for funds considered as General Fund monies as of February 2016. Staff will be presenting Council a preliminary budget for fiscal year 2016 – 2017 of the general fund within the coming weeks.

**FIREBAUGH FIRE DEPARTMENT**  
**CALL HISTORY**  
**Jan-16**

Emergency y Medical Services	33
Motor Vehicle Accident	4
Vehicle Vs Pedestrian	1
Structure Fire	1
False Alarm	1

**FRESNO COUNTY**

Emergency Medical Services	3
Motor Vehicle Accident	1
Structure Fire	1

**MADERA COUNTY**

Motor Vehicle Accident	1
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<b>TOTAL CALLS FOR SERVICE - JANUARY 2016</b>	<b>46</b>
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**FIREBAUGH FIRE DEPARTMENT  
CALL HISTORY  
Feb-16**

Emergency y Medical Services	52
Motor Vehicle Accident	1
Vehicle Vs Pedestrian	1
Structure Fire	
False Alarm	1
Debris Fire	1

**FRESNO COUNTY**

Emergency Medical Services	4
Debris Fire	2
Structure Fire	1
False Alarm	1

<b>TOTAL CALLS FOR SERVICE - FEBRUARY 2016</b>	<b>64</b>
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