

MEETING AGENDA

The City Council/Successor Agency of the City of Firebaugh Vol. No.14/10-27

Location of Meeting: Andrew Firebaugh Community Center
1655 13th Street, Firebaugh, CA 93622
Date/Time: October 27, 2014/7:00 p.m.

CALL TO ORDER

ROLL CALL

Mayor Chris DeFrancesco
Mayor Pro Tem Craig Knight
Council Member Marcia Sablan
Council Member Freddy Valdez
Council Member Brady Jenkins

PLEDGE OF ALLEGIANCE

PUBLIC COMMENT

Per municipal code Ord. 2-2.1 "No business shall be brought before the city council without having first been referred to the city manager for scheduling on the council agenda." At this time any member of the public may address the Council on items of interest to the public that are within the jurisdiction of the City Council, which are not already on the agenda this evening. You will be permitted a single visit to the podium to state your comments & concerns. Please be brief, to the point, and limit your comments to three (3) minutes. No action or discussion shall be taken on any item not appearing on the agenda, except that Council members may briefly respond to statements made, or questions posed, by members of the public, if they so desire. Concerns, questions, or complaints will be referred to the City Manager's office.

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 September 15, 2014.**
- 2. WARRANT REGISTER – Period starting September 1, and ending on September 30, 2014.**

September, 2014	General Warrants	#31060 - #31193	\$ 314,346.74
	Payroll Warrants	#64613 - #64767	\$ 359,023.46
TOTAL			\$ 673,370.20

NEW BUSINESS

- 3. THE CITY COUNCIL OF THE CITY OF FIREBAUGH TO DISCUSS CONCERN OF RODEO GROUNDS RENTAL - NOISE ISSUE.**

Recommended Action: City Council receives comments and takes action.

- 4. RESOLUTION NO. 14-43 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH OPPOSING PROPOSITION 47.**

Recommended Action: City Council receives comments and approves Res. No. 14-43.

- 5. RESOLUTION NO. 14-44 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH APPROVING THE NINTH AMENDMENT TO FRESNO COUNCIL GOVERNMENTS' JOINT POWERS AGREEMENT.**

Recommended Action: City Council receives comments and approves Res. No. 14-44.

6. RESOLUTION NO. 14-45 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH ESTABLISHING A LIGHTING USE FEE TO BE CHARGED FOR THE CITY MALDONADO PARK FACILITY.

Recommended Action: City Council receives comments and approves Res. No. 14-45.

7. RESOLUTION NO. 14-46 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH REVISING FEES TO BE CHARGED FOR THE USE OF CITY FACILITIES.

Recommended Action: City Council receives comments and approves Res. No. 14-46.

8. RESOLUTION NO. 14-47 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH AUTHORIZING ACCEPTANCE OF THE BEE HIVE DRIVE AND HELM CANAL ROAD WATERLINE IMPROVEMENTS AUTHORIZING THE CITY CLERK TO RECORD A NOTICE OF COMPLETION WITH FRESNO COUNTY AND AUTHORIZING THE CITY MANAGER TO RELEASE PAYMENT AND PERFORMANCE BONDS AND TO MAKE FINAL PAYMENT OF RETENTION MONIES TO ROLFE CONSTRUCTION.

Recommended Action: City Council receives comments and approves Res. No. 14-47.

9. RESOLUTION NO. 14-48 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH AUTHORIZING ACCEPTANCE OF THE SANITARY SEWER MANHOLE REPLACEMENT AND MAIN SEWER LIFT STATION RECOATING AUTHORIZING THE CITY CLERK TO RECORD A NOTICE OF COMPLETION WITH FRESNO COUNTY AND AUTHORIZING THE CITY MANAGER TO RELEASE PAYMENT AND PERFORMANCE BONDS AND TO MAKE FINAL PAYMENT OF RETENTION MONIES TO ROLFE CONSTRUCTION.

Recommended Action: City Council receives comments and approves Res. No. 14-48.

10. RESOLUTION NO. 14-49 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH AUTHORIZING ACCEPTANCE OF THE WATER TANK REFINISHING AUTHORIZING THE CITY CLERK TO RECORD A NOTICE OF COMPLETION WITH FRESNO COUNTY AND AUTHORIZING THE CITY MANAGER TO RELEASE PAYMENT AND PERFORMANCE BONDS AND TO MAKE FINAL PAYMENT OF RETENTION MONIES TO MARKO CONSTRUCTION GROUP, INC.

Recommended Action: City Council receives comments and approves Res. No. 14-49.

11. RESOLUTION NO. 14-50 - A RESOLUTION OF THE FIREBAUGH CITY COUNCIL APPROVING CHANGES IN THE WAGES AND BENEFITS FOR THE NON-REPRESENTED EMPLOYEES OF THE CITY.

Recommended Action: City Council receives comments and approves Res. No. 14-50.

12. RESOLUTION NO. 14-51 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH APPROVING AGREEMENT BETWEEN THE CITY OF FIREBAUGH AND MADERA COUNTY FOR AUTOMATIC/MUTUAL AID.

Recommended Action: City Council receives comments and approves Res. No. 14-51.

13. RESOLUTION NO. 14-52 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH APPROVING A DEFERRAL OF PAYMENT FOR REQUIRED FEES FOR THE FILING OF TENTATIVE OR PARCEL MAPS AND FINAL MAPS RELATED TO THE DEL RIO PROPERTIES.

Recommended Action: City Council receives comments and approves Res. No. 14-52.

14. THE CITY COUNCIL OF THE CITY OF FIREBAUGH TO CONSIDER AND DISCUSS CHANGING FROM ONE TO TWO COUNCIL MEETINGS A MONTH.

Recommended Action: City Council receives comments and takes action.

SUCCESSOR AGENCY MATTERS:

15. EXTEND DEADLINE FOR PROPOSALS FOR PURCHASE AND DEVELOPMENT OF THE “N” STREET PROPERTIES.

Recommended Action: Successor Agency receives comments and takes action.

CLOSED SESSION

16. Government Code Section 54956.9

CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

Significant Exposure to Litigation Pursuant to Paragraph (2) of Subdivision (d) of Section 54956.9 - 1 case

17. Government Code Section 54957.6

CONFERENCE WITH LABOR NEGOTIATORS: ALL UNREPRESENTED EMPLOYEES:

City Negotiator: City Manager

Employee Organizations: All unrepresented positions

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, October 24, 2014 at 5:00 p.m. by Rita Lozano, Deputy City Clerk.

MEETING MINUTES

The City Council/Successor Agency of the City of Firebaugh
Vol. No. 14/09-15

Location of Meeting: Andrew Firebaugh Community Center
1655 13th Street, Firebaugh, CA 93622
Date/Time: September 15, 2014/7:00 p.m.

CALL TO ORDER Meeting called to order by Mayor Pro Tem Knight at 7:00 p.m.

ROLL CALL

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

ABSENT: Mayor Chris DeFrancesco

OTHERS: City Attorney Jenell Von Bindsbergen; City Manager, Kenneth McDonald; Police Chief Elsa Lopez; Public Works Director, Ben Gallegos; Finance Director, Pio Martin; Deputy City Clerk, Rita Lozano; Fire Chief John Borboa; David & Mary Van Pelt, Mitch Keys, Ester Orellana, Rainbow Orellana, Julian Orellana, Gilbert Coelho, Jacob Gonzalez, Ismael Herrera and others.

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

PRESENTATION

- Speaker: Brandi L. Orth, Fresno County Clerk/Registrar of Voters provide information regarding changes for the next Election on November 4th. She reported, 62% vote by mail, Tuesday, September 23rd is National Voter Registration Day and advised the public to update addresses and signatures because they may have changed since the time a voter had original registered. October 12th is the deadline to register, if you have any questions or concerns, please feel free to call 600-VOTE.
- Wanda Breshears, 1759 Thacher Drive, addressed the noise nuisances from the music at events held at the rodeo grounds and inquired on how the council is taking action to correct this matter. She also recommended cancelling other concerts after the already scheduled events for October. The following individuals also stated their concerns: McBee, Chris Cardella, Gilbert Coelho, Dennis Jameson, Rainbow and Andre. Council Member Jenkins that Council hears the concerns of the residents but recommended not cancelling all future events but limiting the number of events throughout the year.

PUBLIC COMMENT:

Ismael Herrera provided a brief introduction of himself and announce his candidacy for Fresno County Board of Education, District 1 in the upcoming election. Ismael attended Firebaugh Elementary Schools, then attended Fresno State alumnus and continued his education and received a Bachelor of Arts in sociology and Chicano/Latino studies from University of California, Irvine along with a Master of Arts in education policy and management from Harvard Graduate School of Education.

CONSENT CALENDAR

1. APPROVAL OF MINUTES – The City Council meeting on August 18, 2014.
2. APPROVAL OF MINUTES – The City Council meeting on August 21, 2014.
3. APPROVAL OF MINUTES – The City Council meeting on August 26, 2014.

4. WARRANT REGISTER – Period starting August 1, and ending on August 31, 2014.

August, 2014	General Warrants	#30925 - #31059	\$ 820,674.11
	Payroll Warrants	#64489 - #64612	\$ 254,908.06
TOTAL			\$ 1,075,582.17

Motion to approve consent calendar items by Council Member Jenkins, seconded by Council Member Sablan; motion passes by 4-0 vote.

NEW BUSINESS**5. THE CITY COUNCIL OF THE CITY OF FIREBAUGH TO APPROVE A SPECIAL MEETING ON OCTOBER 27TH TO RESCHEDULE THE REGULAR COUNCIL MEETING OF OCTOBER 20TH.**

Motion to approve rescheduling of October Council meeting by Council Member Jenkins, seconded by Council Member Sablan; motion passes by 4-0 vote.

6. RESOLUTION NO. 14-41 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH AUTHORIZING THE EXPENDITURE OF COPS FUNDING AND THE ALLOCATION OF FUNDING FOR THE PROPOSED PROJECTS.

Motion to approve Res. No. 14-41 by Council Member Sablan, seconded by Council Member Jenkins; motion passes by 4-0 vote.

7. 12-CDBG-8387 WELL PROJECT – ESTIMATED COST UPDATE.

Motion to approve reallocation of funds for 12-CDBG-8387 Grant by Council Member Jenkins, seconded by Council Member Sablan; motion passes by 4-0 vote.

8. UPDATE DISCUSSION/ACTION ON AUGUST 14, 2014 LETTER FROM CALTRANS AERONAUTICS.

Motion to approve recommended action by Council Member Jenkins, seconded by Council Member Sablan; motion passes by 4-0 vote.

SUCCESSOR AGENCY MATTERS:**9. RESOLUTION NO. 14-42 - A RESOLUTION OF THE SUCCESSOR AGENCY TO THE FIREBAUGH REDEVELOPMENT AGENCY APPROVING THE RECOGNIZED OBLIGATION PAYMENT SCHEDULE FOR JANUARY THROUGH JUNE 2015 AND AUTHORIZING ITS TRANSMITTAL.**

Motion to approve Res. No. 14-42 by Member Jenkins, seconded by Member Sablan; motion passes by 4-0 vote.

**Motion to enter into closed session, motion passes by 4-0 vote at 7:50 p.m.*

CLOSED SESSION**10. Government Code Section 54956.9****CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION**

Significant Exposure to Litigation Pursuant to Paragraph (2) of Subdivision (d) of Section 54956.9 - 2 cases

**Motion to enter into open session, motion passes by 4-0 vote at 8:24 p.m.*

ANNOUNCEMENT AFTER CLOSED SESSION – No Action taken

ADJOURNMENT - *Motion to adjourn by Council Member Jenkins, seconded by Council Member Valdez; motion passes by 4-0 vote at 8:32 p.m.*



REPORT TO CITY COUNCIL
— MEMORANDUM —

AGENDA ITEM NO: _____

COUNCIL MEETING DATE: OCTOBER 27, 2014

SUBJECT: Warrant Register Dated: OCTOBER 27, 2014

RECOMMENDATION:

In accordance with Section 37202 of the Government Code of the State of California there is presented herewith a summary of the demands against the City of Firebaugh covering obligations to be paid during the period of:

SEPTEMBER 01, 2014 – SEPTEMBER 30, 2014

Each demand has been audited and I hereby certify to their accuracy and that there are sufficient funds for their payment as of this date.

IT IS HEREBY RECOMMENDED THE CITY COUNCIL
APPROVE THE REGISTER OF DEMANDS AS FOLLOWS:

GENERAL WARRANTS	# 31060 – # 31193	\$ 314,346.74
PAYROLL WARRANTS	# 64613 - # 64767	<u>\$ 359,023.46</u>
TOTAL WARRANTS.....		\$ 673,370.20

WARRANTS FOR SEPTEMBER 2014

CK#	CK DATE	Vendor Name	AMOUNT	INVOICE DESCRIPTION
31060	9/3/2014	JOHN BORBOA	\$ 769.20	FIRE-STIPEND -40 HRS.X 19.23 - 08/16/14 - 08/29/14
31061	9/3/2014	CITY OF FIREBAUGH	\$ 143,965.44	UNITED SEC BANK- P/E 08/29/2014 - REG PAYROLL & MED, DENTAL & VISION INS.
31062	9/5/2014	AGRI-VALLEY IRRIGATION	\$ 343.64	PARKS OPERATIONAL SUPPLIES & REPAIR EQUIPMENT
31063	9/5/2014	ARCTIC GLACIER, INC.	\$ 819.80	HARVEST FESTIVAL BULK ICE
31064	9/5/2014	AT&T MOBILITY	\$ 283.82	POLICE DEPARTMENT - MOBILE INTERNET ACCESS
31065	9/5/2014	AT&T	\$ 92.35	CALNET DSL
31066	9/5/2014	BACKFLOW DISTRIBUTORS, INC.	\$ 834.79	SEWER EQUIPMENT
31067	9/5/2014	BSK & ASSOCIATES, INC.	\$ 55.00	SEWER LAB ANALYSIS
31068	9/5/2014	ENTENMANN-ROVIN CO.	\$ 148.33	POLICE DEPARTMENT OPERATIONAL SUPPLIES
31069	9/5/2014	EWING IRRIGATION PRODUCTS	\$ 215.97	PARKS SUPPLIES/REPAIR EQUIP. MALDONADO PARK
31070	9/5/2014	FIREBAUGH SUPER MARKET	\$ 20.76	SENIOR CENTER SUPPLIES
31071	9/5/2014	FIREBAUGH HARDWARE CO.	\$ 25.94	PARKS SUPPLIES - FACILITY MAINT.
31072	9/5/2014	MANUELS TIRE SERVICE	\$ 284.92	PUBLIC WORKS VEHICLE TIRE REPAIR AND PARKS -MOWER REPAIR
31073	9/5/2014	MENDOTA LAND COMPANY	\$ 6,179.77	UUT REFUND JAN-OCT 2013
31074	9/5/2014	PECK'S PRINTERY	\$ 2,040.04	OFFICE SUPPLIES - ENVELOPES
31075	9/5/2014	RENO'S MEGA MART	\$ 2,466.40	UUT REFUND DEC 2012 THUR AUG 2013
31076	9/5/2014	THOMASON TRACTOR CO.	\$ 31.15	PARKS REPAIR EQUIPMENT
31077	9/5/2014	TORO PETROLEUM CORP.	\$ 1,830.51	BULK DIESEL FUEL GENERATOR POND#10 SEWER TOMATEK
31078	9/5/2014	U.S. BANK EQUIPMENT FINANCE,	\$ 455.07	CANON COPIER RENTAL AND OVERAGES

31079	9/5/2014	U.S. POSTMASTER	\$ 816.96	SEPTEMBER 2014 - UTILITY BILLING
31080	9/5/2014	WESTERN EXTERMINATOR CO.	\$ 238.50	PEST CONTROL - ALL DEPT.
31081	9/17/2014	CITY OF FIREBAUGH	\$ 105,588.16	UNITED SEC BANK - PAYROLL ACCT. P/E 09/12/14
31082	9/17/2014	ACME ROTARY BROOM SERVICE	\$ 894.15	Sts & Rds St Sweeper Repr PW40
31083	9/17/2014	AG & INDUSTRIAL SUPPLY	\$ 62.62	SEWER SUPPLIES 5LB BAG OF RAGS
31084	9/17/2014	AGRI-VALLEY IRRIGATION	\$ 112.30	WASTE WATER PLANT OFFICE REPAIR SUPPLIES
31085	9/17/2014	MARIA ALVAREZ	\$ 100.00	REFUND CLEANING DEPOSIT - A.F. COMM.CENTER/QUINCEN
31086	9/17/2014	AT&T	\$ 1,406.28	COMMUNITY PHONE/DSL SERVICE
31087	9/17/2014	AUTOZONE COMMERCIAL (13798	\$ 375.40	PD REPAIR/MAINTINANCE UNIT#8 BATTERY TERMINALS
31088	9/17/2014	BSK & ASSOCIATES, INC.	\$ 287.54	SEWER LAB ANALYSIS TOMATEK PONDS
31090	9/17/2014	ABELINO CISNEROS	\$ 144.00	SECURITY SERVICE - JUNE 2014 - VFW HALL /WEDDING
31092	9/17/2014	CORELOGIC SOLUTIONS, LLC.	\$ 170.00	REAL QUEST FEES FOR AUGUST 2014
31093	9/17/2014	CVR & ASSOCIATES, INC.	\$ 1,886.88	BLDG & INSPECTION FOR AUGUST 2014
31094	9/17/2014	DONAGHY SALES, LLC.	\$ 5,013.60	HARVEST FESTIVAL- BEER SALES SUPPLIES
31095	9/17/2014	ELECTRIC DRIVES, INC.	\$ 289.75	WATER OPERATOR REPAIR EQUIPMENT
31096	9/17/2014	FIREBAUGH HARDWARE COMPAN	\$ 32.46	COMMUNITY CENTER REPAIR SUPPLIES FOR STEPS
31097	9/17/2014	FIREBAUGH BUSINESS ASSOCIATI	\$ 3,141.02	25% BEER SALES FOR 2014 HARVEST FESTIVAL
31098	9/17/2014	THE FRESNO BEE	\$ 373.00	ADVERTISEMENT FOR POLICE OFFICER
31099	9/17/2014	FRESNO OXYGEN	\$ 45.88	PUBLIC WORKS SHOP WELDING/OXYGEN CLYINDER REFILL
31100	9/17/2014	G&K SERVICES, INC.	\$ 165.54	SENIOR CENTER OPERATIONAL SUPPLIES
31101	9/17/2014	GOLDEN STATE FLOW	\$ 5,699.91	WATER OPERATIONAL EQUIPMENT WATER METERS

31102	9/17/2014	GOODALL TRUCKING, INC.	\$ 1,839.83	SEWER LINE REPAIR SUPPLIES
31103	9/17/2014	GRAND FLOW	\$ 99.79	SOLID WASTE OFFICE SUPPLIES & AP CHECK SUPPLY
31104	9/17/2014	GUTHRIE PETROLEUM, INC.	\$ 4,198.35	BULK UNLEADED GASOLINE
31105	9/17/2014	HARDWARE	\$ 259.68	STREET REPAIR SUPPLIES STOP SIGN
31106	9/17/2014	RYAN HORVATH	\$ 50.00	REFUND CLEAN. DEP.- MALDONADO PRK CONCESSION STAND
31107	9/17/2014	THE J.P. COOKE CO.	\$ 105.05	PUBLIC WORKS ANIMAL CONTROL DOG LICENSE
31108	9/17/2014	JOSE R. MARTINEZ	\$ 7,900.00	INSTALLED PARKING CANOPY
31109	9/17/2014	KENNEDY / JENKS	\$ 9,420.00	PROFESSIONAL SERVICES - WELL NO.7 LABOR/MANAGEMENT
31110	9/17/2014	KER WEST, INC. DBA	\$ 61.00	HELP WANTED AD - WASTE WATER OPERATOR
31111	9/17/2014	RODDY A. LAKE	\$ 248.67	POLICE / HEALTH INSURANCE REIMB. - SEPT. 2014
31112	9/17/2014	RONALD J. MANFREDI	\$ 720.00	MEETINGS AND CONFERENCES AUG 2014
31113	9/17/2014	MID-VALLEY DISPOSAL	\$ 25,386.89	REFUSE SERVICE FOR AUGUST 2014
31114	9/17/2014	MISSION COMMUNICATIONS, LLC	\$ 4,037.40	ONE YEAR M110 SERVICE RENEWAL/PUMPS/SEWER
31115	9/17/2014	OFFICE DEPOT, INC.	\$ 41.00	CITY HALL SUPPLIES - REAMS OF BLUE PAPER FOR FLYERS
31116	9/17/2014	PITNEY BOWES INC.	\$ 467.24	POSTAGE MACHINE SUPPLIES-INK AND POSTAGE STRIPS
31117	9/17/2014	QUILL CORPORATION	\$ 77.23	CITY HALL OFFICE SUPPLIES/PAPER/RUBBER BANDS/POST
31118	9/17/2014	STAPLES BUSINESS ADVANTAGE	\$ 70.30	CITY HALL OFFICE SUPPLIES WITE- OUT/SHARPS CALCULATOR
31119	9/17/2014	THARP'S FARM SUPPLY	\$ 63.32	POLICE DEPT NEW CAR REPAIR/MAINTINANCE SUPPLIES
31120	9/17/2014	THOMASON TRACTOR CO.	\$ 57.85	PARKS REPAIR SUPPLIES FOR LAWNMOWER
31121	9/17/2014	TIFCO INDUSTRIES	\$ 172.76	PUBLIC WORKS OPERATIONAL SUPPLIES COTTON GLOVES
31122	9/17/2014	TRIANGLE ROCK PRODUCTS	\$ 275.97	COMMUNITY CENTER AC UNIT REPAIR SUPPLIES

31123	9/17/2014	UNITED RENTALS (NORTH AMERI	\$ 1,423.70	SEWER LINE REPAIR RENTAL EQUIPMENT ROAD PLATES
31124	9/17/2014	UNIVAR USA INC	\$ 5,500.82	WATER OPERATIONAL CHEMICALS
31125	9/17/2014	USA BLUEBOOK	\$ 1,629.74	WATER OPERATIONAL SUPPLIES/CHLORINE TEST KITS
31126	9/17/2014	VALLEY NETWORK SOLUTIONS	\$ 2,001.67	SERVER AND COMPUTER UPGRADES
31127	9/17/2014	HEATH, SHELLY	\$ 4.08	MQ CUSTOMER REFUND FOR HEA0003
31128	9/17/2014	JOHN BORBOA	\$ 769.20	FIRE DEPT. - STIPEND - 40/HR X 19.23 - SEPT 12,14
31129	9/19/2014	RAFAEL ARREOLA	\$ 150.00	REFUND CLEANING DEPOSIT - RODEO GROUNDS
31130	9/19/2014	ABELINO CISNEROS	\$ 180.00	SECURITY SERVICE - 07/09/14 VFW HALL - QUINCENERA
31131	9/19/2014	COLLINS & SCHOETTLER	\$ 2,380.00	PROFESSIONAL SERVICES AUGUST2014/LAS DELTAS
31132	9/19/2014	COOK'S COMMUNICATIONS	\$ 214.29	PD - NOISE CANCELLING MIC FOR 90 SERIES MOBILES
31133	9/19/2014	DEPARTMENT OF JUSTICE	\$ 207.00	POLICE DEPT. BLOOD ALCOHOL ANALYSIS
31134	9/19/2014	CASHIER- MS 4A DEPARTMENT O	\$ 120.00	A. CHAVARRIA QAL RENEWAL LICENSE PUBLIC WORKS
31135	9/19/2014	FIREBAUGH HARDWARE COMPAN	\$ 19.46	POLICE DEPARTMENT SUPPLIES/BAGS
31136	9/19/2014	FIREBAUGH CENTENNIAL	\$ 10,845.00	SALES OF CENTENNIAL TICKETS AT CITY HALL
31137	9/19/2014	FRESNO COUNTY TREASURER	\$ 156.18	POLICE DEPT. RMS/JMS/CAD ACCESS AUGUST 2014
31138	9/19/2014	FRESNO PUMP SUPPLY	\$ 2,924.74	SEAL FOR PUMPS WATER/OPERATIONAL REPAIR EQUIP.
31139	9/19/2014	PABLO GONZALEZ	\$ 100.00	REFUND CLEANING DEPOSIT - A.F. COMM CENTER
31140	9/19/2014	K B ELECTRIC	\$ 1,156.31	STREET LIGHT REPAIR - SERVER & COM- PUTER UPGRADES ELECTRICAL WORK
31141	9/19/2014	LOZANO SMITH, LLP	\$ 11,397.49	PROFESSIONAL LEGAL SERVICES
31142	9/19/2014	PG&E CFM/PPC DEPARTMENT	\$ 783.39	ELECTRIC AGREEMENT NEW WELL #17 FEE
31143	9/19/2014	THE RADAR SHOP, INC.	\$ 330.00	ON SITE RADAR RE-CERTIFICATIONS W/ACCURACY CERTS

31144	9/19/2014	SIMMONS HEATING and AIR CON	\$ 10,000.00	COMMUNITY CENTER - NEW AC INSTALLATION
31145	9/19/2014	VERIZON WIRELESS	\$ 494.40	CITY WIRELESS CELL PHONES
31146	9/24/2014	AT&T	\$ 1,299.90	PHONE SERVICE
31147	9/24/2014	AUTOZONE COMMERCIAL (13798	\$ 551.00	REPAIR SUPPLIES PUBLIC WORKS VEHICLE36
31148	9/24/2014	JOHN BORBOA	\$ 113.57	REIMBURSE -PURCHASE DURACELL QUANTUM BATTERIES
31149	9/24/2014	BSK & ASSOCIATES, INC.	\$ 497.54	WATER & SEWER LAB ANALYSIS
31150	9/24/2014	CHEVRON & TEXCO CARD SERVICE	\$ 625.31	MONTHLY GAS SERVICE
31151	9/24/2014	CENTRAL VALLEY TOXICOLOGY, IN	\$ 184.00	POLICE DEPT. LAB ANALYSIS
31152	9/24/2014	FEDEX	\$ 38.27	ADM - FED-EX SHIPPING CHARGE
31153	9/24/2014	FIREBAUGH SUPER MARKET	\$ 85.63	SENIOR CENTER GRO SUPPLIES & CENTENNIAL PARADE OP SUPPLIES
31154	9/24/2014	FIRST BANKCARD	\$ 4,867.82	CREDIT CARD PAYMENTS - CITY MANAGER, FIRE DEPT, PW & POL DEPT.
31155	9/24/2014	FIREBAUGH HARDWARE COMPAN	\$ 12.95	CENTENNIAL OPERATIONAL SUPPLIES NAILS
31156	9/24/2014	FRESNO COUNTY AUDITOR'S OFF	\$ 59.50	POLICE PARKING VIOLATIONS
31157	9/24/2014	G&K SERVICES, INC.	\$ 345.38	SHOP UNIFORMS - JANITORIAL & OPERATING SUPPLIES FOR ALL DEPTS
31158	9/24/2014	GOODALL TRUCKING, INC.	\$ 568.18	BASE ROCK/PARKS/REPAIR WATER LINE SUPPLIES
31159	9/24/2014	HARDWARE	\$ 422.02	PAINT/REPAIR/MAINTINANCE/FAST DRY YELLOW
31160	9/24/2014	JIM BRISCO ENTERPRISES, INC.	\$ 1,500.00	SEWER ANALYSIS TOMATEK PONDS
31161	9/24/2014	PACIFIC GAS & ELECTRIC	\$ 223.05	PG&E SERVICES FOR PARKER PARK/PARKS DEPT.
31162	9/24/2014	PITNEY BOWES GLOBAL FINANCL	\$ 405.85	POSTAGE MACHINE LEASE PAYMENT
31163	9/24/2014	LORENA RAMIREZ	\$ 175.00	ENC AREA RENTAL FEE REIMBURSEMENT - EVENT CANCELED
31164	9/24/2014	RON'S AUTO REPAIR	\$ 400.00	POLICE - PREPARE & INSTALL DECALS ON POLICE UNITS 7 & 8

31165	9/24/2014	SPARKLETTS	\$ 91.96	PUBLIC WORKS SHOP DRINKING WATER
31166	9/24/2014	TELSTAR	\$ 1,050.00	SEWER/TROUBLESHOOTING ROSEMOUNT FLOW METER
31167	9/24/2014	THOMASON TRACTOR COMPANY	\$ 390.67	VEHICLE MAINTINANCE/REPAIR PW#25 PARTS/EQUIP.
31168	9/24/2014	UNIVAR USA INC	\$ 2,070.05	WATER OPERATIONAL CHEMICALS
31169	9/24/2014	ZEE MEDICAL SERVICE CO.	\$ 214.70	FIRST AID REFILL/PUBLIC WORKS SHOP & CITY HALL
31170	9/30/2014	ADAMS ASHBY GROUP, LLC	\$ 4,012.50	PROFESSIONAL SERVICES - CARDIEL PROJECT
31171	9/30/2014	AGRI-VALLEY IRRIGATION	\$ 3.49	POLICE DEPT. SHOOTING RANGE SUPPLIES
31172	9/30/2014	AT&T	\$ 266.72	WASTE WATER TREATMENT FACILITY TELEPHONE
31173	9/30/2014	AUTOZONE COMMERCIAL (13798	\$ 42.62	POLICE DEPT/REPAIR SUPPLIES/PART/UNIT #3
31174	9/30/2014	CORBIN WILLITS SYSTEMS	\$ 952.18	CITY HALL C/W SERVICES MONTHLY CONTRACT FEE
31175	9/30/2014	CSJVRMA	\$ 47,873.00	2014/15 QUARTER DEPOSIT /WORKER COMP./LIABILITY
31176	9/30/2014	D & L HEATING & COOLING	\$ 255.00	AC REPAIR/DUNKLE PARK/MAINTINANCE AND REPAIR
31177	9/30/2014	FasTrak VIOLATION PROCESSING	\$ 30.00	TOLL FEE MISSED DURING TRAINING/POLICE DEPT.
31178	9/30/2014	CITY OF FIREBAUGH	\$ 109,469.86	UNITED SEC BANK -PAYROLL ACCT. - P/E 09/26/14
31179	9/30/2014	GOUVEIA ENGINEERING, INC.	\$ 20,688.53	ENGINEERING PROFESSIONAL SERVICES
31180	9/30/2014	GRAINGER, INC.	\$ 594.16	WATER BOOSTER PUMP/EQUIPMENT/SUPPLIES
31181	9/30/2014	HERITAGE K9	\$ 3,800.00	POLICE DEPT./TRAINING COURSE OFFICER SANTOYO
31182	9/30/2014	JMP BUSINESS SYSTEMS, INC.	\$ 1,080.00	MAINTINANCE CONTRACT INSERTER MACHINE
31183	9/30/2014	NAPA AUTO PARTS - FIREBAUGH	\$ 28.76	POLICE DEPT/VEHICLE REPAIR/MAINTINANCE UNIT#4
31184	9/30/2014	PACIFIC GAS & ELECTRIC	\$ 70,495.15	PGE SERVICES FOR ALL DEPTS
31185	9/30/2014	PAPA	\$ 45.00	PAPA MEMBERSHIP DUES/PUBLIC WORKS/WATER/ B. GALLEGOS

[illegible]



STAFF REPORT

TO: City Council
FROM: Kenneth McDonald, City Manager *KM*
DATE: October 27, 2014
SUBJECT: Rodeo Grounds Rentals – Noise Issue

RECOMMENDATION:

The first decision that Council should make is whether we will continue with outdoor concerts and the noise issue. If the Council action is to discontinue the loud music/announcing then no further action is required. If Council desires to continue the events, then decide whether the current practice of two events per month and no limitation to the noise generated can be regulated to some lesser number of events and noise limitations. Staff would recommend a committee of two council members, promoters, and interested parties, meet to discuss solutions to the noise problems, but allow the functions to continue based on Council determined criteria.

HISTORY / DISCUSSION:

The Rodeo Grounds has been rented over the years for different events. At the last few Council Meetings, residents have approached Council with concerns over excessive noise from certain events that had loud amplified announcers and music that prevented there outdoor enjoyment.

The remaining events allowed in September are behind us and no future events or rental of the rodeo grounds have been authorized and will not until specific council direction has been provided.

Several solutions were discussed during the previous Council meeting, namely designing and building a sound system that would work for this venue only to prevent sound from disturbing the neighbors. The second suggestion is to reduce the number of events from two per month, with a first come first serve reservation method, to one per month and select the best proposal for an annual event promoter. This method should allow more consistency between events and allow more control by the City. There was also discussion regarding discontinuing events until a better solution could be found.

FISCAL IMPACT:

Varied costs depending on the solution proposed.



REPORT TO CITY COUNCIL **– MEMORANDUM –**

AGENDA ITEM NO. ____

COUNCIL MEETING DATE: October 27, 2014

SUBJECT: RECOMMENDATION OF ADOPTION OF RESOLUTION OPPOSING PROPOSITION 47.

SUBMITTED: Elsa Lopez, Chief of Police

APPROVED: Kenneth McDonald, City Manager

RECOMMENDATION:

Staff recommends adoption of Resolution No. 14-43, Opposing Proposition 47.

BACKGROUND:

On June 26, 2014 Proposition 47 "Reduced Penalties for Some Crimes" was certified for the November 4, 2014 ballot after supporters for the proposition acquired the required amount of signatures. This initiative, if it is approved by the state voters, would reduce the classification of most "non-serious and nonviolent property and drug crimes" from a felony to a misdemeanor. In essence this proposition, would require misdemeanor sentencing instead of felony for Shoplifting, where the value of property stolen does not exceed \$950, Grand theft, where the value of the stolen property does not exceed \$950, Receiving stolen property, where the value of the property does not exceed \$950, Forgery, where the value of forged check, bond or bill does not exceed \$950, Writing a bad check, where the value of the check does not exceed \$950, and Personal use of most illegal drugs.

Specifically the initiative would:

- Mandate misdemeanors instead of felonies for "non-serious, nonviolent crimes," unless the defendant has prior convictions for murder, rape, certain sex offenses or certain gun crimes. A list of crimes that would be affected by the penalty reduction is listed below.
- Permit re-sentencing for anyone currently serving a prison sentence for any of the offenses that the initiative reduces to misdemeanors. About 10,000 inmates would be eligible for resentencing, according to Lenore Anderson of Californians for Safety and Justice.
- Require a "thorough review" of criminal history and risk assessment of any individuals before re-sentencing to ensure that they do not pose a risk to the public.
- Create a Safe Neighborhoods and Schools Fund. The fund would receive appropriations based on savings accrued by the state during the fiscal year, as compared to the previous fiscal year, due to the initiative's implementation. Estimates range from \$150 million to \$250 million per year.
- Distribute funds from the Safe Neighborhoods and Schools Fund as follows: 25 percent to the

Department of Education, 10 percent to the Victim Compensation and Government Claims Board and 65 percent to the Board of State and Community Correction

Although, the title “The Safe Neighborhoods and Schools Act” seems to benefit our communities, the title is misleading. Reducing the listed felony crimes to misdemeanors will do nothing to protect our communities, but will in turn decriminalize certain crimes and will not be a solution to California’s overcrowded criminal justice system. This proposition is poorly drafted and opens the door for the early release of up to 10,000 felons from state prisons, all of whom have committed serious and/or violent crimes.

This proposition not only reduces the penalty for personal drug possession, it also decreases the penalty for the possession of predatory “date rape” drugs such as rohypnol, ketamine, and GHB. This will give sexual predators in possession of date rape drugs with a “get out of jail free” card regardless of how many times a predator is caught with date rape drugs. However, when it comes to simple drug possession, California is already committed to rehabilitation, including treatment and not incarceration as a result of Proposition 36 passed in 2010.

Proposition 47 would redefine grand theft in such a way that any theft, including the theft of a firearm, would only be considered a felony if the value of the object is \$950 or more. This would basically eliminate the automatic felony prosecution for stealing a gun. This proposition would deteriorate years of California policymaking aimed at reducing gun violence.

Law Enforcement leaders and crime victim advocates overwhelmingly oppose Proposition 47. Those in opposition include the California District Attorneys Association, California Coalition Against Sexual Assault, California Police Chiefs Association, California State Sheriff’s Association, Crime Victims United, California Police Officers Association, and the California Retailers Association.

Staff recommends that Council adopts a resolution formally opposing Proposition 47 to make clear to the Firebaugh Community that Firebaugh leaders want to remain tough on crime. I have attached both the supported and opposed opinions for your review.

FISCAL IMPACT

There is no fiscal impact associated with adoption of this Resolution.

Submitted by,

Elsa Lopez, Chief of Police

Californians for Safe Neighborhoods and Schools summarized their initiative as follows:

- “ **Stops wasting prison space on low-level nonviolent crimes:** Changes the lowest level nonviolent drug possession and petty theft crimes from felonies to simple misdemeanors. It authorizes resentencing for anyone who is incarcerated for these offenses and poses no threat to public safety. These changes apply to juveniles as well as adults.
- Keeps rapists, murderers and child molesters in prison:** Maintains the current law for registered sex offenders and anyone with prior convictions for rape, murder or child molestation.

Stops government waste and redirects hundreds of millions from prison spending to K-12 and treatment: California counties will save hundreds of millions annually and state prison reductions will generate between \$750 million to \$1.25 billion in savings over the next five years alone. Those savings will be shifted into K-12 school programs (25%), victim services (10%) and mental health and drug treatment (65%).

Protects public safety: Focuses law enforcement resources on violent and serious crimes, and directs savings to programs that stop the cycle of crime. Prisoners may only be released if they demonstrate that they are no longer a threat to public safety.

Reduces the collateral consequences of felony convictions for low-level crime: Reduces the barriers that many with felony convictions for low-level nonviolent crimes face to becoming stable and productive citizens, such as employment, housing and access to assistance programs and professional trades. [6]

Alliance for a Safer California issued a list of "facts" detailing why one should oppose Proposition 47. The following is an excerpt from the list:

- “ **Prop 47 will release dangerous inmates.** Felons with prior convictions for armed robbery, kidnapping, car jacking, child abuse, residential burglary, arson, assault with a deadly weapon, and many other serious crimes are still eligible for early release under Prop 47...

Prop 47 is completely unnecessary. Prop 47's backers say their goal is to keep low-level offenders out of prison. What they don't say is that California law already requires this...

Prop 47 rewrites our laws to benefit criminals. Prop 47 is a lengthy piece of legislation with many hidden provisions. Some of the not-so-obvious things Prop 47 will do are:

- Change crimes like purse and phone snatching -- where thieves grab expensive property right off your body -- into petty theft, the same as stealing a candy bar.
- Make possession of "date rape" drugs a misdemeanor.
- Prevent many commercial burglars from being charged with a felony as long as they strike during work hours -- when it's most dangerous for employees.
- Make stealing a handgun -- which is often done to commit violent crimes -- a misdemeanor in almost all cases.
- Reduce sentences for muggers, burglars, cocaine and heroin dealers, and other dangerous criminals who pled guilty to lesser offenses like grand theft or possession.
- Make receiving property obtained through extortion a misdemeanor (up to \$950).
- Make stealing horses and other animals a misdemeanor in many cases.

Prop 47 will hurt consumers. Professional retail thieves, commercial burglars, and identity thieves cost California consumers and businesses millions of dollars every year. Prop 47 slashes penalties for these crimes.

Law enforcement leaders and crime victim advocates overwhelmingly oppose Prop 47. Prop 47 is opposed by every major law enforcement and victim advocate organization in California, including the California District Attorneys Association, California Coalition Against Sexual Assault, California Police Chiefs Association, California State Sheriffs Association, and Crime Victims United. [6]

RESOLUTION NO. 14-43

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH OPPOSING
PROPOSITION 47**

WHEREAS, Proposition 47 has qualified for the November 4, 2014 Statewide General Election;
and,

WHEREAS, the proponents of this measure concede that Proposition 47 will make up to 10,000 felons eligible for early release; and,

WHEREAS, with the implementation of Public Safety Realignment in 2011, which altered sentencing policy by shifting all newly convicted non-violent, non-serious, non-sex offenders to county supervision, there is currently a significantly diminished population of non-violent offenders in California's prisons, and there is a legitimate question as to how many of the 10,000 inmates eligible for early release could be classified as high-risk for committing subsequent violent offenses; and,

WHEREAS, Proposition 47 contains provisions re-classifying a host of felony offenses or felony/misdemeanor offenses as simple misdemeanors, representing sweeping sentencing reform that would be better accomplished through the state legislative process; and,

WHEREAS, Proposition 47 would redefine grand theft in such a way that theft of a firearm would be considered a misdemeanor unless the value of the gun was greater than \$950, and the overwhelming majority of new handguns sold in California retail for significantly less than that amount; and,

WHEREAS, Proposition 47 would reduce the penalty for possession of illicit drugs, including drugs used to facilitate date-rape, to a simple misdemeanor; and,

WHEREAS, Proposition 47 may further burden our local criminal justice systems by shifting responsibility for additional categories of offenders to already overcrowded county jails; and,

NOW THEREFORE, BE IT RESOLVED that the City Council of the City of Firebaugh by the adoption of this resolution hereby opposes Proposition 47 on the November 4, 2014 ballot.

The forgoing resolution is hereby approved and adopted on this 27th day of October 2014, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

APPROVED:

ATTEST:

Chris DeFrancesco, Mayor
City of Firebaugh

Rita Lozano, Deputy City Clerk
City of Firebaugh

Wednesday, October 08, 2014

**Request for City Council/Board of Supervisors Approval of Amendment # 9 to
Fresno Council of Governments Joint Powers Agreement**

In 2013, the Fresno COG Policy Board approved a feasibility study to explore providing Transit Service to Yosemite and Sequoia-Kings Canyon National Parks. Based on this feasibility study and at the direction of the Fresno COG Policy Board, CMAQ Funding Grant Applications were prepared on behalf of Fresno COG and the City of Sanger for transit demonstration projects to the national parks. The City of Sanger is the lead agency for the Fresno-Sanger to Sequoia-Kings Canyon Transit Demonstration Project, and Fresno COG is the lead agency for the Fresno to Yosemite Transit Demonstration Project. The Policy Board awarded CMAQ funds to provide for the first two years of operations of both projects, and the Air District provided matching funds for both projects. Fresno COG was also awarded a \$100,000 planning grant from Caltrans to do the initial planning and start up marketing for the Fresno to Yosemite Transit Demonstration Project.

At the September 25th meeting of the Fresno COG Policy Board, an agreement was approved between Fresno COG and Yosemite Area Regional Transportation System (YARTS). This agreement is for planning activities related to the CMAQ funding award for a Fresno to Yosemite Transit Demonstration Program. Although Fresno COG has the authorization from the existing JPA to conduct the necessary planning activities in the approved agreement with YARTS, the authorization to enter into a contract with YARTS for the operation of transit services is not designated. This was identified by County Counsel as a requirement before the anticipated CMAQ program release of funding commences.

Fresno COG requests authorization through an amendment to the existing JPA so that Fresno COG may act as lead agency, apply for and receive grant funding, enter into agreements to provide funding, administration and oversight for interregional public transportation services. Fresno COG's role as lead agency for interregional public transportation services between Fresno County and the abutting counties of Tulare, Kings, Merced, and Madera shall include oversight to assure that operators of interregional public transportation services provided through agreements with Fresno COG comply with state, local and federal regulations and requirements.

All Fresno COG JPA amendments are required to go out to each of our member agencies for an individual City Council and Board of Supervisors action on the proposed JPA amendment. With this in mind, attached you will find a copy of Amendment #9 to the Fresno Council of Governments Joint Powers Agreement along with a signature page for your City Council or Board of Supervisors. If you need additional details please contact Laural Fawcett – lfawcett@fresnocog.org – 59-233-4148 ext. 223

Sincerely,



Tony Boren, Executive Director

City of Clovis
City of Coalinga
City of Firebaugh
City of Fowler
City of Fresno
City of Huron
City of Kerman
City of Kingsburg
City of Mendota
City of Orange Cove
City of Parlier
City of Reedley
City of San Joaquin
City of Sanger
City of Selma
County of Fresno

Summary: Request for City Council/Board of Supervisors Approval of Amendment # 9 to Fresno Council of Governments Joint Powers Agreement

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Fresno COG requests authorization through an amendment to the existing JPA so that Fresno COG may act as lead agency, apply for and receive grant funding, enter into agreements to provide funding, administration and oversight for interregional public transportation services. Fresno COG's role as lead agency for interregional public transportation services between Fresno County and the abutting counties of Tulare, Kings, Merced, and Madera shall include oversight to assure that operators of interregional public transportation services provided through agreements with Fresno COG comply with state, local and federal regulations and requirements.

All Fresno COG JPA amendments are required to go out to each of our member agencies for an individual City Council and Board of Supervisors action on the proposed JPA amendment.

RESOLUTION NO. 14 -44

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH APPROVING THE NINTH AMENDMENT TO FRESNO COUNCIL GOVERNMENTS' JOINT POWERS AGREEMENT

This Ninth amendment to the Fresno Council of Governments' Joint Powers Agreement is made and entered into by and between the County of Fresno, a political subdivision of the State of California, and the Cities of Fresno, Clovis, Coalinga, Firebaugh, Fowler, Kerman, Kingsburg, Mendota, Orange Cove, Parlier, Reedley, Huron, Sanger, San Joaquin, and Selma all being municipal corporations of the State of California (hereinafter collectively referred to as "the member agencies").

WHEREAS, the member agencies entered into a Joint Powers Agreement (JPA) creating the Fresno Council of Governments (FCOG) on March 25, 1976 and thereafter amended such JPA on eight separate occasions; and

WHEREAS, the Fresno Council of Governments (FCOG) and its member agencies desire to amend the FCOG JPA for a ninth time to allow FCOG to enter into agreements with other entities to operate interregional public transportation services between Fresno county and the abutting counties of Tulare, Kings, Merced, and Madera; and

NOW, THEREFORE, the member agencies agree as set forth below:

1. Chapter 2 "Power and Duties" of the JPA shall be amended to add section 2.11, which shall state in its entirety as follows:

2.11 Interregional Public Transportation Services.

The Fresno COG may act as lead agency, apply for and receive grant funding, enter into agreements to provide funding, administration and oversight for interregional public transportation services. Fresno COG's role as lead agency for interregional public transportation services between Fresno County and the abutting counties of Tulare, Kings, Merced, and Madera shall include oversight to assure that operators of interregional public transportation services provided through agreements with Fresno COG comply with state, local and federal regulations and requirements.

2. All other provisions of the FCOG JPA not in conflict with this Amendment shall remain in full force and effect.

3. This Agreement shall take effect upon its execution by Authorized Signatory of the legislative bodies of all the member agencies.

IN WITNESS WHEREOF, the member agencies hereto have caused this Ninth Amendment to the FCOG JPA to be executed by their duly authorized representatives.

The foregoing resolution was passed and adopted at a special meeting of the City Council of the City of Firebaugh on the 27th day of October 2014, by the following vote, to wit:

AYES: Council Members
NOES: Council Members
ABSTAIN: Council Members
ABSEST: Council Members

APPROVED:

ATTEST:

Chris DeFrancesco, Mayor

Rita Lozano, Deputy City Clerk



STAFF REPORT

TO: Kenneth McDonald, City Manager
FROM: Pio Martin, Finance Director
DATE: October 27, 2014
SUBJECT: Maldonado Park Use of Lights Fee

RECOMMENDATION:

Set fee for use of Maldonado Park lights at \$5.00 purchase of card key and \$5.00 per hour for use of lights.

HISTORY:

The City of Firebaugh and West Hill Community College (WHC) entered into an agreement, WHC has offered to install lights at Maldonado Park for soccer, softball and future proposed fields and in return desire to hold physical education classes at the facility. As part of the project, WHC installed a card key reader that will activate the use of lights and allow public access for a fee. The public may purchase a card key at City Hall and fill/refill the card for a desired dollar of amount of their choice.

DISCUSSION:

The fee structure proposed for the use of the soccer lights at Maldonado Park will cover operational charges and equipment maintenance fees. Wavier of fees to possible organizations

FISCAL IMPACT:

The fiscal impact will be minimal, funds obtain through the purchase of the card key and use of light will go to the General Fund, revenue account 004-3511 Maldonado Park Lights.

RESOLUTION NO. 14-45

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH
ESTABLISHING A LIGHTING USE FEE TO BE CHARGED FOR THE CITY
MALDONADO PARK FACILITY**

WHEREAS, the City owns parks and other facilities which are made available for use by the public; and

WHEREAS, the City Council has previously established fees and charges for the use of said City facilities, which are shown herewith on Exhibit "A", attached hereto; and

WHEREAS, the City Council has considered the need to revise and update the fees shown on Exhibit "A"; and

WHEREAS, the City Council has decided to revise the fees as shown on Exhibit "A" and establish the new fees to be effective on December 1, 2014.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Firebaugh as follows:

1. Effective December 1, 2014, the fees shown on Exhibit "A" shall become effective and shall be charged for the use of City facilities.

The foregoing resolution with amended fees was approved and adopted at a special meeting of the City Council of the City of Firebaugh held on the 27th day of October, 2014, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

APPROVED:

ATTEST:

Chris DeFrancesco
Mayor

Rita Lozano
Deputy City Clerk

Exhibit “A”

Light Use Fee for all City Maldonado Park Facility

**** NO ALCOHOL or MUSIC ALLOWED IN CITY PARKS
PER RESOLUTION EXCEPT IN ENCLOSED AREA!**

Maldonado Grounds:

Light Use Fee

Hourly Rate

\$ 5.00

**BEFORE THE CITY COUNCIL
OF THE
CITY OF MENDOTA, COUNTY OF FRESNO**

**A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF MENDOTA IN THE
MATTER OF SETTING THE
FEE SCHEDULE FOR THE USE OF THE
BENNY MARES SR. BASEBALL FIELD
AT ROJAS-PIERCE PARK.**

RESOLUTION NO. 14-06

WHEREAS, the City Council of the City of Mendota has the authority to set the fees for the exclusive use of city facilities as established in the Mendota Municipal Code (MMC) Section 12.20.090; and

WHEREAS, upon the formation of the City of Mendota Baseball Commission through formal action at the February 26, 2013 Regular Meeting, the City Council delegated it the authority to approve exclusive use permits solely for the use of the Benny Mares Sr. Baseball field; and

WHEREAS, the Baseball Commission adopted Resolution No. BC 13-02, recommending the City Council adopt a fee schedule attached herein as Exhibit A.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Mendota, hereby establishes the Fees for the use of the Benny Mares Sr. Baseball Field, attached as "Exhibit A".

Robert Silva, Mayor

ATTEST:

I, Matt Flood, City Clerk of the City of Mendota, do hereby certify that the foregoing resolution was duly adopted and passed by the City Council at a regular meeting of said Council, held at the Mendota City Hall on the 25th day of February, 2014, by the following vote:

AYES: 4 – Mayor Silva, Councilors Capuchino, Riofrio, and Valdez.
NOES: 0
ABSENT: 1 – Mayor Pro Tem Amador
ABSTAIN: 0

Matt Flood, City Clerk

EXHIBIT A

Fees for the Use of the Benny Mares Sr. Baseball Field

<u>Fee Type</u>	<u>Fee for Residents</u>	<u>Fee for Non-Residents</u>
Use of Field* (Private Party)	\$25.00 per half day [†]	\$50.00 per half day [†]
Use of Field* (Non-profit, Youth)	No Cost	\$25.00 per half day [†]
Cleaning and Damage Deposit (only required for private party; fully refundable)	\$100.00	\$200.00
Lights (Private Party)	\$10.00 per hour	\$10.00 per hour
Lights (Non-profit, Youth)	No Cost	\$10.00 per hour
Concession Stand (Private Party)	\$25.00 per half day [†]	\$25.00 per half day [†]
Concession Stand (Non-profit, Youth)	\$10.00 per half day [†]	\$10.00 per half day [†]

***Includes use of the scoreboard, electricity, and restrooms.**

[†]A half day is either 7:00 a.m. to 3:00 p.m. or 3:00 p.m. to 11:00 p.m. A party can rent out both half days if the whole day is needed.



PRINT

KERCKOFF PARK



Location:
15061 West "G" Street

Contact: Mark Salvador
(559) 846-4809
msalvador@cityofkerman.org

The North and South picnic shelters are available for rent for a \$35/day rental fee. Each picnic shelter includes six picnic tables and seats 48 guests.

The Baseball/Softball Field at Kerckhoff Park is available for rent for a \$75/day rental fee. Use of the field's lights is available at the cost of \$10/hour.

The Kerckhoff Park bandstand and dance area are available for rent for a \$100/day fee.

Driving Directions:

From the North — Head South on Madera Avenue as you enter Kerman. Travel approximately half a mile. Turn right (west) onto "G" Street. Park will be located at 15061 West "G" Street.

From the South — Head North on Madera Avenue as you enter Kerman. Travel approximately half a mile. Turn left (west) onto "G" Street. Park will be located at 15061 West "G" Street.

[View Larger Map](#)



STAFF REPORT

TO: Kenneth McDonald, City Manager
FROM: Pio Martin, Finance Director
DATE: October 27, 2014
SUBJECT: Andrew Firebaugh Community Center Rental Fees

RECOMMENDATION:

Review and increase fees for use of Andrew Firebaugh Community Center. See Exhibit "A".

HISTORY:

The Andrew Firebaugh Community Center previous has had no air conditioning and heating system. Recently, with the use of bond proceeds the City was able to install a new air conditioning and heating system for roughing \$30,000. The installation was performed by Simmons Heating and Air Conditioning.

DISCUSSION:

New fees proposed for the use of the Andrew Firebaugh Community Center to help offset the cost of the additional electric and gas used from the air conditioning and heating system. The rates for *Hourly Rate* and *Daily Rate* are the only fees schedule to increase for all parties.

FISCAL IMPACT:

The fiscal impact will be minor because of the offsetting cost in revenues and expenses. Any additional revenue will be placed to the Community Center Fund account number 086-3568 Facilities Rental.

RESOLUTION NO. 14-46

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH
REVISING FEES TO BE CHARGED FOR THE USE OF CITY FACILITIES**

WHEREAS, the City owns parks and other facilities which are made available for use by the public; and

WHEREAS, the City Council has previously established fees and charges for the use of said City facilities, which are shown herewith on Exhibit "A", attached hereto; and

WHEREAS, the City Council has considered the need to revise and update the fees shown on Exhibit "A"; and

WHEREAS, the City Council has decided to revise the fees as shown on Exhibit "A" and establish the new fees to be effective on December 1, 2014.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Firebaugh as follows:

1. Effective December 1, 2014, the fees shown on Exhibit "A" shall become effective and shall be charged for the use of City facilities.

The foregoing resolution with amended fees was approved and adopted at a regular meeting of the City Council of the City of Firebaugh held on the 27th day of October, 2014, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

APPROVED:

ATTEST:

Chris DeFrancesco
Mayor

Rita Lozano
Deputy City Clerk

Exhibit “A”

\$25.00 (Non-Refundable Admin) Application Fee for all City Rental Facilities Agreement

Community Center (Andrew Firebaugh)-Indoor Facility Use Fees

	<u>Bldg Hourly Rate</u>	<u>Bldg Daily Rate</u>	<u>Tables & Chairs</u>	<u>Cleaning Deposit</u>
<u>Profit/Private</u>	\$125.00	\$800.00	\$200.00	\$150.00
<u>Non-Profit</u> (outside)	\$80.00	\$550.00	\$200.00	\$150.00
<u>Local Non-profit</u>	\$40.00	\$350.00	\$200.00	\$150.00

Effective December 1, 2014, the fees above shown on Exhibit “A”

The foregoing Resolution No. 14-46 with amended fees was approved and adopted at a regular meeting of the City Council of the City of Firebaugh held on the 27th day of October, 2014, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

STAFF REPORT

AGENDA ITEM: RECOMMENDATION TO ACCEPT COMPLETION OF THE BEE HIVE DRIVE AND HELM CANAL ROAD WATERLINE IMPROVEMENTS, RECORD A NOTICE OF COMPLETION WITH FRESNO COUNTY

MEETING DATE: October 27, 2014

PREPARED BY: Mario Gouveia, City Engineer

REVIEWED BY: Kenneth McDonald, City Manager

RECOMMENDATION:

1. Accept the work as complete.
2. Authorize the City Clerk to record a Notice of Completion with Fresno County.
3. Authorize the City Manager to release Payment and Performance Bonds and to make final payment of retention monies to Rolfe Construction following the expiration of 35 days from the date of recordation of the Notice of Completion.

BACKGROUND:

The City of Firebaugh advertised the Bee Hive Drive and Helm Canal Road Waterline Improvements project on April 16, 2014 and received a total of eight bids for this project. Rolfe Construction submitted the lowest responsible bid and was awarded a contract for \$201,318.00 with an additional construction contingency of \$22,134.25.

DISCUSSION:

The project's construction phase started in June 2014 and the major work consisted of installing approximately 2,800 linear feet of 6-inch water line, installing water valves, transferring 4 water services, reconstructing one driveway, and repairing and trench patching AC pavement.

The Contractor completed all work within the time required by the Contract Documents. Change Order No. 1 in the amount of \$31,702.80 was issued for extra concrete work and an additional hot tap and Balancing Change Order 2 in the amount of (\$16,704.50) was issued to adjust the original estimated bid quantities to agree with the final quantities actually measured during construction.

PROJECT COST SUMMARY

Contract Amount	\$ 201,318.00	
Contingency Budget	\$ 22,134.25	
Total Construction Budget	\$ 223,452.25	\$ 223,452.25
Contract Amount	\$ 201,318.00	
Change Orders	\$ 14,998.30	
Actual Construction Cost	\$ 216,316.30	\$ 216,316.30
Project Under Budget		\$ 7,135.95

Final inspection has been performed and the work has been found to be in compliance with the plans and specifications. Therefore, the work should be accepted as complete and a Notice of Completion filed. If no claims are filed within 35 days after recordation, the Payment and Performance Bond should be released; and, retention in the amount of \$10,815.82 should be paid to Rolfe Construction.

FISCAL IMPACT:

The final construction contract cost inclusive of all authorized work was \$216,316.30. Funding for this contract was through City Funds from the Water Enterprise Fund.

ATTACHMENTS:

Notice of Completion
Resolution No.

RESOLUTION NO. 14-47

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH AUTHORIZING
ACCEPTANCE OF THE BEE HIVE DRIVE AND HELM CANAL ROAD WATERLINE
IMPROVEMENTS AUTHORIZING THE CITY CLERK TO RECORD A NOTICE OF
COMPLETION WITH FRESNO COUNTY AND AUTHORIZING THE CITY MANAGER TO
RELEASE PAYMENT AND PERFORMANCE BONDS AND TO MAKE FINAL PAYMENT OF
RETENTION MONIES TO ROLFE CONSTRUCTION**

WHEREAS, Rolfe Construction has completed the work for the BEE HIVE DRIVE AND HELM CANAL ROAD WATERLINE IMPROVEMENTS; and

WHEREAS, the City Public Works Director and the City Engineer has completed a final inspection and the work has been found to be in compliance with the plans and specifications; and

WHEREAS, the City Engineer recommends acceptance of the Bee Hive Drive and Helm Canal Road Waterline Improvements; and

WHEREAS, upon approval of the final acceptance of the Project by the City Council, the City Clerk will record a Notice of Completion with Fresno County and the City Manager will release Payment and Performance Bonds and the retention monies due the Contractor following the expiration of 35 days from the date of recordation of the Notice of Completion.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Firebaugh hereby:

1. Adopts a Resolution to accept the Bee Hive Drive and Helm Canal Road Waterline Improvements as completed by Rolfe Construction.
2. Authorizes the City Clerk to record a Notice of Completion with Fresno County.
3. Authorizes the City Manager to release Payment and Performance Bonds and to make final payment of retention monies to Rolfe Construction following the expiration of 35 days from the date of recordation of the Notice of Completion.

The foregoing resolution with amended fees was approved and adopted at a special meeting of the City Council of the City of Firebaugh held on the 27th day of October, 2014, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

APPROVED:

ATTEST:

Chris DeFrancesco
Mayor

Rita Lozano
Deputy City Clerk

RECORDING REQUESTED BY:

City Clerk
City of Firebaugh

WHEN RECORDED RETURN TO:

City of Firebaugh
1133 "P" Street
Firebaugh, CA 93622

NOTICE OF COMPLETION

NOTICE IS HEREBY GIVEN:

1. That the interest of estate stated in paragraph 3 below in the real property hereinafter described is owned by the following:

NAME	STREET AND NO.	CITY	STATE
City of Firebaugh	1133 "P" Street	Firebaugh	CA

(if more than one owner of the interest stated, the name and address of each must be inserted)

2. That the full name and address of the owner of said interest or estate, if there is only one owner, and the full names and addresses of all the co-owners who own said interest or estate as joint tenants, as tenants in common or otherwise, if there is more than one owner, are set forth in the preceding paragraph.
3. That the nature of the title of said owner, or if more than one, then of said owner and co-owner is: **In Fee.**
4. That on the 25th day of August, 2014 a work of improvement on the real property hereinafter described was completed.
5. That the name of the original contractor, if any for such work of improvement was:

Rolfe Construction

(If no contractor for work of improvement as a whole, insert "No Contractor")

6. That the real property herein referred to is situated in the City of Firebaugh, County of Fresno, State of California, and is described as follows:

The major work consists of installing approximately 2,800 linear feet of 6-inch water line, installing water valves, transferring 4 water services, reconstructing one driveway, and repairing and trench patching AC pavement in the City of Firebaugh.

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

October 27, 2014

Date

By:

Signature of Owner

Kenneth McDonald

Print Name

VERIFICATION

I understand, state:

I am the person who signed the foregoing notice. I have read the above notice and know its contents, and the facts stated therein are true of my own knowledge.

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

Executed at Firebaugh, California
This 27th day of October, 2014.

City of Firebaugh

Owner

By:

Kenneth McDonald

STAFF REPORT

AGENDA ITEM: RECOMMENDATION TO ACCEPT COMPLETION OF THE SANITARY SEWER MANHOLE REPLACEMENT AND MAIN SEWER LIFT STATION RECOATING, RECORD A NOTICE OF COMPLETION WITH FRESNO COUNTY

MEETING DATE: October 27, 2014

PREPARED BY: Mario Gouveia, City Engineer

REVIEWED BY: Kenneth McDonald, City Manager

RECOMMENDATION:

1. Accept the work as complete.
2. Authorize the City Clerk to record a Notice of Completion with Fresno County.
3. Authorize the City Manager to release Payment and Performance Bonds and to make final payment of retention monies to Rolfe Construction following the expiration of 35 days from the date of recordation of the Notice of Completion.

BACKGROUND:

The City of Firebaugh advertised the Sanitary Sewer Manhole Replacement and Main Sewer Lift Station Recoating project on April 16, 2014 and received a total of two bids for this project. Rolfe Construction submitted the lowest responsible bid and was awarded a contract for \$129,280.00 with an additional construction contingency of \$12,837.40.

DISCUSSION:

The project's construction phase started in June 2014 and the major work consisted of relining the interior of the Firebaugh Main Sewer Lift Station located at the City's Corporation Yard which included temporarily bypassing the Main Sewer Lift Station, removing the existing failed liner coating from the interior concrete walls of the lift station, preparation of all surfaces to receive new coating, and application of epoxy coating to all prepared surfaces. Other work included the removal and replacement of 4 sewer manholes, removal and replacement of 224 LF of sewer main, and AC pavement patching.

The Contractor completed all work within the time required by the Contract Documents. Change Order No. 1 in the amount of \$8,100.00 was issued to perform a sewer lateral repair at the request of the City and Balancing Change Order 2 in a credit amount of (\$1,230.00) was issued to adjust the original estimated bid quantities to agree with the final quantities actually measured during construction.

PROJECT COST SUMMARY

Contract Amount	\$ 129,280.00	
Contingency Budget	\$ 12,837.40	
Total Construction Budget	\$ 142,117.40	\$ 142,117.40
Contract Amount	\$ 129,280.00	
Change Orders	\$ 6,870.00	
Actual Construction Cost	\$ 136,150.00	\$ 136,150.00
Project Under Budget		\$ 5,967.40

Final inspection has been performed and the work has been found to be in compliance with the plans and specifications. Therefore, the work should be accepted as complete and a Notice of Completion filed. If no claims are filed within 35 days after recordation, the Payment and Performance Bond should be released; and, retention in the amount of \$6,807.50 should be paid to Rolfe Construction.

FISCAL IMPACT:

The final construction contract cost inclusive of all authorized work was \$136,150.00 Funding for this contract was through City Funds from the Sewer Enterprise Fund.

ATTACHMENTS:

Notice of Completion
Resolution No.

RESOLUTION NO. 14-48

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH AUTHORIZING ACCEPTANCE OF THE SANITARY SEWER MANHOLE REPLACEMENT AND MAIN SEWER LIFT STATION RECOATING AUTHORIZING THE CITY CLERK TO RECORD A NOTICE OF COMPLETION WITH FRESNO COUNTY AND AUTHORIZING THE CITY MANAGER TO RELEASE PAYMENT AND PERFORMANCE BONDS AND TO MAKE FINAL PAYMENT OF RETENTION MONIES TO ROLFE CONSTRUCTION

WHEREAS, Rolfe Construction has completed the work for the SANITARY SEWER MANHOLE REPLACEMENT AND MAIN SEWER LIFT STATION RECOATING; and

WHEREAS, the City Public Works Director and the City Engineer have completed a final inspection and the work has been found to be in compliance with the plans and specifications; and

WHEREAS, the City Engineer recommends acceptance of the Sanitary Sewer Manhole Replacement and Main Sewer Lift Station Recoating; and

WHEREAS, upon approval of the final acceptance of the Project by the City Council, the City Clerk will record a Notice of Completion with Fresno County and the City Manager will release Payment and Performance Bonds and the retention monies due the Contractor following the expiration of 35 days from the date of recordation of the Notice of Completion.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Firebaugh hereby:

1. Adopts a Resolution to accept the Sanitary Sewer Manhole Replacement and Main Sewer Lift Station Recoating as completed by Rolfe Construction.
2. Authorizes the City Clerk to record a Notice of Completion with Fresno County.
3. Authorizes the City Manager to release Payment and Performance Bonds and to make final payment of retention monies to Rolfe Construction following the expiration of 35 days from the date of recordation of the Notice of Completion.

The foregoing resolution with amended fees was approved and adopted at a special meeting of the City Council of the City of Firebaugh held on the 27th day of October, 2014, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

APPROVED:

ATTEST:

Chris DeFrancesco
Mayor

Rita Lozano
Deputy City Clerk

RECORDING REQUESTED BY:

City Clerk
City of Firebaugh

WHEN RECORDED RETURN TO:

City of Firebaugh
1133 "P" Street
Firebaugh, CA 93622

NOTICE OF COMPLETION**NOTICE IS HEREBY GIVEN:**

1. That the interest of estate stated in paragraph 3 below in the real property hereinafter described is owned by the following:

NAME	STREET AND NO.	CITY	STATE
City of Firebaugh	1133 "P" Street	Firebaugh	CA

(if more than one owner of the interest stated, the name and address of each must be inserted)

2. That the full name and address of the owner of said interest or estate, if there is only one owner, and the full names and addresses of all the co-owners who own said interest or estate as joint tenants, as tenants in common or otherwise, if there is more than one owner, are set forth in the preceding paragraph.
3. That the nature of the title of said owner, or if more than one, then of said owner and co-owner is: **In Fee**.
4. That on the 14th day of August, 2014 a work of improvement on the real property hereinafter described was completed.
5. That the name of the original contractor, if any for such work of improvement was:

Rolfe Construction
(If no contractor for work of improvement as a whole, insert "No Contractor")

6. That the real property herein referred to is situated in the City of Firebaugh, County of Fresno, State of California, and is described as follows:

The major work consists of relining the interior of the Firebaugh Main Sewer Lift Station located at the City's Corporation Yard which will include temporarily bypassing the Main Sewer Lift Station, removing the existing failed liner coating from the interior concrete walls of the lift station, preparation of all surfaces to receive new coating, and application of epoxy coating to all prepared surfaces. Other work will include the removal and replacement of 4 sewer manholes, removal and replacement of 224 LF of sewer main, and AC pavement patching.

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

October 27, 2014

Date

By:

Signature of Owner

Kenneth McDonald

Print Name

VERIFICATION

I understand, state:

I am the person who signed the foregoing notice. I have read the above notice and know its contents, and the facts stated therein are true of my own knowledge.

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

Executed at Firebaugh, California
This 27th day of October, 2014.

City of Firebaugh

Owner

By:

Kenneth McDonald

STAFF REPORT

AGENDA ITEM: RECOMMENDATION TO ACCEPT COMPLETION OF THE WATER TANK REFINISHING, RECORD A NOTICE OF COMPLETION WITH FRESNO COUNTY

MEETING DATE: October 27, 2014

PREPARED BY: Mario Gouveia, City Engineer

REVIEWED BY: Kenneth McDonald, City Manager

RECOMMENDATION:

1. Accept the work as complete.
2. Authorize the City Clerk to record a Notice of Completion with Fresno County.
3. Authorize the City Manager to release Payment and Performance Bonds and to make final payment of retention monies to Marko Construction Group, Inc. following the expiration of 35 days from the date of recordation of the Notice of Completion.

BACKGROUND:

The City of Firebaugh advertised the Water Tank Refinishing project on July 9, 2014 and received a total of one bid for this project. Marko Construction Group Inc. submitted the lowest responsible bid and was awarded a contract for \$116,500.00.

DISCUSSION:

The project's construction phase started in August 2014 and the major work consisted of recoating the exterior of the 11th Street elevated water tank and its structural components, which includes preparation of the exterior surfaces, applying new exterior coatings, and painted lettering.

The Contractor completed all work within the time required by the Contract Documents. No change orders were issued for the construction of the project.

PROJECT COST SUMMARY

Contract Amount	\$ 110,000.00	
Total Construction Budget	\$ 110,000.00	\$ 110,000.00
Contract Amount	\$ 116,500.00	
Change Orders	\$ 0.00	
Actual Construction Cost	\$ 116,500.00	\$ 116,500.00
Project Over Budget		\$ 6,500.00

Final inspection has been performed by Ben Gallegos, Public Works Director and the work has been found to be in compliance with the plans and specifications. Therefore, the work should be accepted as complete and a Notice of Completion filed. If no claims are filed within 35 days after recordation, the Payment and Performance Bond should be released; and, retention in the amount of \$5,825.00 should be paid to Marko Construction Group Inc.

FISCAL IMPACT:

The final construction contract cost inclusive of all authorized work was \$116,500.00. Funding for this contract was through City Funds from the Water Enterprise Fund.

ATTACHMENTS:

Notice of Completion
Resolution No. 14-49

RESOLUTION NO. 14-49

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH AUTHORIZING ACCEPTANCE OF THE WATER TANK REFINISHING AUTHORIZING THE CITY CLERK TO RECORD A NOTICE OF COMPLETION WITH FRESNO COUNTY AND AUTHORIZING THE CITY MANAGER TO RELEASE PAYMENT AND PERFORMANCE BONDS AND TO MAKE FINAL PAYMENT OF RETENTION MONIES TO MARKO CONSTRUCTION GROUP, INC.

WHEREAS, Marko Construction Group Inc. has completed the work for the WATER TANK REFINISHING; and

WHEREAS, the City Public Works Director has completed a final inspection and the work has been found to be in compliance with the plans and specifications; and

WHEREAS, the City Engineer recommends acceptance of the Water Tank Refinishing; and

WHEREAS, upon approval of the final acceptance of the Project by the City Council, the City Clerk will record a Notice of Completion with Fresno County and the City Manager will release Payment and Performance Bonds and the retention monies due the Contractor following the expiration of 35 days from the date of recordation of the Notice of Completion.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Firebaugh hereby:

1. Adopts a Resolution to accept the Water Tank Refinishing as completed by Marko Construction Inc.
2. Authorizes the City Clerk to record a Notice of Completion with Fresno County.
3. Authorizes the City Manager to release Payment and Performance Bonds and to make final payment of retention monies to Rolfe Construction following the expiration of 35 days from the date of recordation of the Notice of Completion.

The foregoing resolution with amended fees was approved and adopted at a special meeting of the City Council of the City of Firebaugh held on the 27th day of October, 2014, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

APPROVED:

ATTEST:

Chris DeFrancesco
Mayor

Rita Lozano
Deputy City Clerk

RECORDING REQUESTED BY:

City Clerk
City of Firebaugh

WHEN RECORDED RETURN TO:

City of Firebaugh
1133 "P" Street
Firebaugh, CA 93622

NOTICE OF COMPLETION

NOTICE IS HEREBY GIVEN:

1. That the interest of estate stated in paragraph 3 below in the real property hereinafter described is owned by the following:

NAME	STREET AND NO.	CITY	STATE
City of Firebaugh	1133 "P" Street	Firebaugh	CA

(if more than one owner of the interest stated, the name and address of each must be inserted)

2. That the full name and address of the owner of said interest or estate, if there is only one owner, and the full names and addresses of all the co-owners who own said interest or estate as joint tenants, as tenants in common or otherwise, if there is more than one owner, are set forth in the preceding paragraph.
3. That the nature of the title of said owner, or if more than one, then of said owner and co-owner is: **In Fee.**
4. That on the 15th day of September, 2014 a work of improvement on the real property hereinafter described was completed.
5. That the name of the original contractor, if any for such work of improvement was:

Marko Construction Group, Inc.

(If no contractor for work of improvement as a whole, insert "No Contractor")

6. That the real property herein referred to is situated in the City of Firebaugh, County of Fresno, State of California, and is described as follows:

The major work consisted of recoating the exterior of the 11th Street elevated water tank and its structural components, which includes preparation of the exterior surfaces, applying new exterior coatings, and painted lettering.

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

October 27, 2014

Date

By:

Signature of Owner

Kenneth McDonald

Print Name

VERIFICATION

I understand, state:

I am the person who signed the foregoing notice. I have read the above notice and know its contents, and the facts stated therein are true of my own knowledge.

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

Executed at Firebaugh, California
This 27th day of October, 2014.

City of Firebaugh

Owner

By:

Kenneth McDonald

RESOLUTION NO. 14-50

A RESOLUTION OF THE FIREBAUGH CITY COUNCIL APPROVING CHANGES IN THE WAGES AND BENEFITS FOR THE NON-REPRESENTED EMPLOYEES OF THE CITY

WHEREAS, the City of Firebaugh, through its City Manager proposes changes to the wages and benefits of non-represented employees of the City; and

WHEREAS, the City Council now desires to formally approve those changes reflection in “Exhibit A”, attached to the resolution; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Firebaugh that the terms of “Exhibit A” are hereby approved for non-represented employees of the City.

Passed and adopted at a Regular Meeting of the City Council of the City of Firebaugh held on October 27, 2014 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

APPROVED:

Chris DeFrancesco, Mayor

ATTEST:

Rita Lozano, City Clerk

EXHIBIT A

NEW WAGES AND BENEFITS FOR NON-REPRESENTED EMPLOYEES OF THE CITY OF FIREBAUGH

COMPENSATION:

Wages:

City will create Two (2) new Salary Steps @ 5% increase each for a total of 10%. However, no employee will be advanced until he/she is eligible, per annual anniversary date, to move to next step.

Salary Schedules will be phased-in over three (3) fiscal years. Two (2) new Salary Steps will be developed at 5% increase for each for a total of 10%. Steps will be phased in as follows: On the eligible employee's anniversary date beginning January 1, 2015 (Step 10) and same on January 1, 2017 (Step 11).

APPLIES TO ALL THE ABOVE: Step increase will apply only when Employee is eligible to move to Next Salary Step (i.e. employee must be on Step 9 to advance to Step 10 and then to the next step on applicable anniversary date). The new salary schedule **DOES NOT** advance any employees' pay immediately nor do they increase pay as Steps may be adjusted. City may create additional salary schedules for post July 1, 2014 hires that will eliminate Step 1 and create a 10 Step Salary Schedule with Steps 9 and 10 becoming the two (2) new additional steps.

Longevity Pay:

Longevity Pay as described in the City Personnel Handbook is replace as outlined below. However, no employee who is currently receiving Longevity Pay will be reduced in pay.

At the 10, 15, 20, 25, etc. year employment anniversary dates employee will be given a "one-time" lump sum cash equivalent of 7.5% of that employee's existing base (step salary schedule) salary. Therefore, even if employee is currently receiving Longevity Pay for 5, 10, etc. years service, he/she will be eligible for the One-Time, Lump-Sum payment for the next available 10, 15, 20, 25, etc. year anniversary date that occurs.

EMPLOYEES WHO REACH ANNIVERSARY MILESTONE IN CALENDAR YEAR 2014 WILL NOT EARN PREVIOUS AMOUNT OF 5%. AFTER SEPTEMBER 15, 2014 CURRENT EMPLOYEES WILL RECEIVE 7.5% LUMP SUM AS DESCRIBED ABOVE.

Employees hired after July 1, 2014 are not eligible to earn Longevity Pay.

MEDICAL BENEFITS:

Current Employee

Medical Benefits: The premium paid by the employer is dependant upon a number of factors, including but not limited to, the medical rate and coverage selection. The employer will pay, up to but not more than 80% of the difference between the premium cost less the

PEMHCA. The premium cost may change annually resulting in necessary adjustments for both employer and employee contributions. Below is an example of the coverage cost for the 2015 Calendar year as known at this time.

Current Employees

COVERAGE	MED RATE (monthly)	PEMHCA Contribution (monthly)	City Pay (monthly)	Employee Pay (monthly)	Additional Information
Single	\$449.10	\$350	\$99.10	N/A	Employee Cost/Single Coverage: Limited to city contribution of \$449.10 towards single coverage plan. Applicable to most economical (least expensive) Plan for 2015 (United Healthcare Alliance HMO, subject to change each year).
2-Party	\$899.20	\$350	\$438.56	\$109.64	Employee Cost for 2 - Party Coverage: Limited to 20% of the Max. Additional Benefit $\$548.20 \times 20\% = \$109.64/\text{mo.}$ Applicable to most economical (least expensive) Plan in 2015 (United Healthcare Alliance HMO, subject to change each year).
Family	\$1,167.66	\$350	\$654.13	\$163.53	Employee Cost/Family Coverage: Limited to 20% of the Max. Additional Benefit $\$817.66 \times 20\% = \$163.53/\text{mo.}$ Applicable to most economical (least expensive) Plan in 2015 (United Healthcare Alliance HMO, subject to change each year).

The PEMHCA \$ amount references the City's Contribution for Retirees, but also indicates the starting point from which to calculate the City's full contributions to the medical insurance premium. (PEMHCA of \$347.77 is rounded up to \$350/mo. For ease of calculation)

In all three (3) Coverage examples above, the \$350/mo. amount is the only constant, fixed amount. All others \$ figures are subject to change.

Dental/Vision Coverage:

Single Coverage - No contribution by employee.

For Dependent Coverage employee will pay 10% of monthly premium.

The City reserves the right to change carrier/provider without prior notice.

Retirees:

Retirees are defined as an employee who has worked in the City for at least 20 years of continuous service prior to their date of retirement, has retired in good standing and who has actually retired. Good standing does not include, but is not limited to, an employee who has been terminated or resigns in lieu of termination. Retiree benefits are subject to change at anytime and there should be no expectation of retirement benefits.

Current Employees Who Retire after November 30, 2014:

“Unequal Contribution” Method of HealthCare Premium Payments for Retirees

The City will use the “unequal contribution” method for medical care premium payments for annuitants (retirees after November 30, 2014), as permitted under Govt. Code section 22892. Under this method the City is required annually to increase the total monthly annuitant health care contribution to equal an amount not less than the number of years the City has been in the PEMHCA program multiplied by five percent (5%) of the current monthly employer contribution for active employees until the time the City’s Contribution for annuitant equals the City’s PEMHCA contribution paid for active (Retirees before November 30, 2014) employees (\$347.77/mo.) is reached.

PEMHCA Amount \$227.50/mo. for those retiring after November 30, 2014 (percent increases 5% or \$17.50 annually of new CITY PEMHCA \$ Contribution).

SICK LEAVE CONVERSION FOR MEDICAL PREMIUM

In order for an employee to qualify for Sick Leave Conversion to Medical Premium the employee must meet all of the following:

1. Hired Before June 30, 2014.
2. The employee has been covered by City selected medical insurance program for payment provided by the City for a continuous 5-year period immediately preceding such retirement; and the employee has been eligible to accumulate unused sick leave credit hours.
3. Have accumulated 1,000 hours of sick leave
4. Only if employee reaches this standard Employee may use 500 hours of time at current value and apply towards premium. Otherwise, employee may use 100% of accumulated sick leave to apply to CalPers “Time in Service Credit”.

Current Retirees: (Retirement Prior to November 30, 2014):

NO CHANGE - City will continue at the current City level of PEMHCA contribution (\$347.77/mo.) towards their Medical Coverage. Applies to all whom have retired before November 30, 2014.

Future Employees: (hired after July 1, 2014)

Medical Benefits: Medical Insurance Employee Premium Contribution.

- a) Employee Only: (1 party) City pays the 80% of the difference between the premium of most economical Plan in 2015 (United Healthcare Alliance HMO) less the PEMHCA contribution offered by the City.
- b) 2 Party: 50% of the difference between the Premium less PEMHCA contribution offered by the City.
- c) 3-Party (FAMILY) 50% of difference between the Premiums less PEMHCA contribution offered by the City.
- d) All other rules and restrictions apply as outline in current employees above.

Employees Hired After July 1, 2014

COVERAGE	MED RATE (monthly)	PEMHCA Contribution (monthly)	City Pay (monthly)	Employee Pay (monthly)	Additional Information
Single	\$449.10	\$350	\$79.28	\$19.82	Employee Cost/Single Coverage: Limited to 20% of the Max. Additional Benefit $\$99.10 \times 20\% = \$19.82/\text{mo.}$ Applicable to most economical Plan in 2015 (United Healthcare Alliance HMO, subject to change each year).
2-Party	\$898.20	\$350	\$274.10	\$274.10	Employee Cost for 2 - Party Coverage: Limited to 50% of the Max. Additional Benefit $\$548.20 \times 50\% = \$274.10/\text{mo.}$ Applicable to most economical Plan in 2015 (United Healthcare Alliance HMO, subject to change each year).
Family	\$1,167.66	\$350	\$408.83	\$408.83	Employee Cost for 2 - Party Coverage: Limited to 50% of the Max. Additional Benefit $\$817.66 \times 50\% = \$408.83/\text{mo.}$ Applicable to most economical Plan in 2015 (United Healthcare Alliance HMO, subject to change each year).

Dental/Vision Coverage: All levels of coverage, employee will pay 10% of premium.

PEMHCA – Employee Retirement Coverage: Employee must have 20 yrs. of continuous service prior to being eligible for City/PEMHCA contribution to retiree health insurance premium coverage. If employee meets this criterion all other provisions will apply.

SICK LEAVE CONVERSION FOR MEDICAL PREMIUM

Sick Leave conversion will NOT apply. Employees hired after July 1, 2014 may NOT convert sick leave hours to dollars for medical premiums. Employee may convert all unused sick-leave to "time in service credit" as noted above.

OTHER BENEFITS:

Holidays

Holidays listed below will be observed until otherwise decided by the Council. The City shall have the right to require the employees to work on holidays to be compensated at two times the regular rate of pay.

- New Year's Day
- Martin Luther King's Birthday
- Presidents Day
- Friday before Easter (1/2 day)
- Memorial Day
- Independence Day
- Labor Day (1st Monday in September)
- Columbus Day
- Veteran's Day
- Thanksgiving Day
- Friday after Thanksgiving
- Christmas Eve (1/2 day)
- Christmas Day
- New Year's Eve (1/2 day)

Vacation

Unrepresented Employees, unless individually contracted with the City wherein the contract will control, shall earn vacation credits at the following rate:

One to five years of service:	10 working days per annum.
Six years through ten years:	12 working days per annum
Eleven years through fifteen years:	15 working days per annum.
Sixteen years through twenty years:	18 working days per annum.
Over twenty years:	22 working days per annum.

The Cap or maximum vacation hours allowed to accumulate shall be as follows:

MAXIMUM CARRYOVER

1-5 years of service:	160/hrs.
6 to 10 years of service:	192/hrs.
11 to 15 years of service:	228/hrs.
16 to 20 years of service:	260/hrs.
20 yrs. plus of service:	280/hrs.

Employees will be given until Dec. 31, 2015 to reduce their vacation hours to meet these new limits. At that time hours on the books will be cashed-out to 90% of the above amounts. After Jan. 1, 2016 employees will not earn additional vacation hours after they have reached the maximum hours as indicated above, until the hours are reduced to allow for additional accrual.

CITY OF FIREBAUGH NON-UNION EMPLOYEES

Resolution No. 14-50

Salary Schedule January 1, 2015 - June 30, 2017

January 2015 January 2017

Position	Range	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9	Step 10	Step 11
Account Technician II/Build. Clerk	37	Hourly	12.74	13.38	14.05	14.75	15.49	16.26	17.07	17.93	18.82	20.75
		Bi-Weekly	1,019.20	1,070.16	1,123.67	1,179.85	1,238.84	1,300.79	1,365.83	1,434.12	1,505.82	1,660.17
		Monthly	2,208.22	2,318.64	2,434.57	2,556.30	2,684.11	2,818.32	2,959.23	3,107.19	3,262.55	3,596.96
		Annual	26,499.20	27,824.16	29,215.37	30,676.14	32,209.94	33,820.44	35,511.46	37,287.04	39,151.39	43,164.40
Account Technician III	41	Hourly	14.07	14.77	15.51	16.29	17.10	17.96	18.86	19.80	20.79	22.92
		Bi-Weekly	1,125.60	1,181.88	1,240.97	1,303.02	1,368.17	1,436.58	1,508.41	1,583.83	1,663.02	1,833.48
		Monthly	2,438.75	2,560.69	2,688.73	2,823.16	2,964.32	3,112.54	3,268.16	3,431.57	3,603.15	3,972.47
		Annual	29,265.60	30,728.88	32,265.32	33,878.59	35,572.52	37,351.15	39,218.70	41,179.64	43,238.62	47,670.58
Executive Assistant/Deputy City Clerk	51	Hourly	18.02	18.92	19.87	20.86	21.90	23.00	24.15	25.36	26.62	29.35
		Bi-Weekly	1,441.60	1,513.68	1,589.36	1,668.83	1,752.27	1,839.89	1,931.88	2,028.48	2,129.90	2,346.21
		Monthly	3,123.41	3,279.58	3,443.56	3,615.73	3,796.52	3,986.35	4,185.66	4,394.95	4,614.69	5,087.70
		Annual	37,481.60	39,355.68	41,323.46	43,389.64	45,559.12	47,837.08	50,228.93	52,740.38	55,377.39	61,053.58
Police Lieutenant	60	Hourly	23.86	25.05	26.31	27.62	29.00	30.45	31.97	33.57	35.25	38.87
		Bi-Weekly	1,908.80	2,004.24	2,104.45	2,209.67	2,320.16	2,436.17	2,557.97	2,685.87	2,820.17	3,109.23
		Monthly	4,135.65	4,342.44	4,559.56	4,787.54	5,026.91	5,278.26	5,542.17	5,819.28	6,110.24	6,736.54
		Annual	49,628.80	52,110.24	54,715.75	57,451.54	60,324.12	63,340.32	66,507.34	69,832.71	73,324.34	80,840.09
Public Works Director	66	Hourly	26.10	27.41	28.78	30.21	31.72	33.31	34.98	36.73	38.56	42.51
		Bi-Weekly	2,088.00	2,192.40	2,302.02	2,417.12	2,537.98	2,664.88	2,798.12	2,938.03	3,084.93	3,401.13
		Monthly	4,523.91	4,750.11	4,987.61	5,236.99	5,498.84	5,773.79	6,062.48	6,365.60	6,683.88	7,368.98
		Annual	54,288.00	57,002.40	59,852.52	62,845.15	65,987.40	69,286.77	72,751.11	76,388.67	80,208.10	88,429.43
Police Chief	68	Hourly	29.05	30.50	32.03	33.63	35.31	37.08	38.93	40.88	42.92	47.32
		Bi-Weekly	2,324.00	2,440.20	2,562.21	2,690.32	2,824.84	2,966.08	3,114.38	3,270.10	3,433.61	3,785.55
		Monthly	5,035.24	5,287.00	5,551.35	5,828.92	6,120.36	6,426.38	6,747.70	7,085.08	7,439.34	8,201.87
		Annual	60,424.00	63,445.20	66,617.46	69,948.33	73,445.75	77,118.04	80,973.94	85,022.64	89,273.77	98,424.33
Finance Director	64	Hourly	24.85	26.09	27.40	28.77	30.21	31.72	33.30	34.97	36.71	40.48
		Bi-Weekly	1,988.00	2,087.40	2,191.77	2,301.36	2,416.43	2,537.25	2,664.11	2,797.32	2,937.18	3,238.24
		Monthly	4,307.25	4,522.61	4,748.74	4,986.18	5,235.49	5,497.26	5,772.13	6,060.73	6,363.77	7,016.06
		Annual	51,688.00	54,272.40	56,986.02	59,835.32	62,827.09	65,968.44	69,266.86	72,730.21	76,366.72	84,194.31
Senior Center/Recreation Coordinator		Hourly	14.26	14.97	15.72	16.51	17.33	18.20	19.11	20.07	21.07	23.23
		Bi-Weekly	1,140.80	1,197.84	1,257.73	1,320.62	1,386.65	1,455.98	1,528.78	1,605.22	1,685.48	1,858.24
		Monthly	2,471.69	2,595.27	2,725.03	2,861.29	3,004.35	3,154.57	3,312.30	3,477.91	3,651.81	4,026.12
		Annual	29,660.80	31,143.84	32,701.03	34,336.08	36,052.89	37,855.53	39,748.31	41,735.72	43,822.51	48,314.32

RESOLUTION NO. 14-51

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH APPROVING
AGREEMENT BETWEEN THE CITY OF FIREBAUGH AND MADERA COUNTY FOR
AUTOMATIC/MUTUAL AID**

WHEREAS, the City Council of the City of Firebaugh has previously approved an agreement between the Firebaugh Fire department and Madera County Fire Department for automatic mutual aid; and

WHEREAS, an amendment to the agreement between the Madera County and City of Firebaugh which would jointly provide fire protection, emergency medical services, to maximize delivery of services by responding units necessary to protect life or property; and

WHEREAS, beginning January 1, 2014, Madera County agrees to pay City of Firebaugh \$8,100.00 for all Automatic Aid responses per this amended agreement for the 2013 calendar year; and

WHEREAS, the amendment calls for Madera County to pay an annual fee to the City of Firebaugh based on the prior four (4) year average that the Firebaugh Fire Department responds into aid area of Madera County; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Firebaugh as follows:

1. Approve the amendment to the agreement between the City of Firebaugh and Madera County for automatic mutual aid.
2. Madera County and City of Firebaugh would jointly provide fire protection and emergency medical services.
3. Beginning January 1, 2014, County agrees to pay City Firebaugh \$8,100.00 for all Automatic Aid responses per this agreement for the 2014 calendar year.
4. Madera County to pay an annual fee to the City of Firebaugh based on the prior four (4) year average that the Firebaugh Fire Department responds into aid area of Madera.
5. The agreement attached hereto and incorporated herein as Exhibit "A", are hereby approved.

The foregoing Resolution was adopted at a regular meeting of the City Council of the City of Firebaugh on the 27th day of October, 2014 by the following call vote:

AYES: Council Member(s)

NOES: Council Member(s)

ABSENT: Council Member(s)

ABSTAIN: Council Member(s)

APPROVED:

ATTEST:

Chris DeFrancesco
Mayor

Rita Lozano
Deputy City Clerk

MADERA COUNTY CONTRACT NO. _____
(Agreement with City of Firebaugh – Mutual Aid in Emergencies)

This Agreement is entered into this _____ day of _____, 2014,
by and between the COUNTY OF MADERA, a political subdivision of the State of
California (hereinafter "COUNTY"), and the CITY OF FIREBAUGH, a California
municipal corporation (hereinafter "FIREBAUGH").

RECITALS

A. The parties entered into Madera County Contract No. 8805-C-2009
whereby COUNTY and FIREBAUGH would jointly provide fire protection, emergency
medical services and to maximize the delivery of fire protection and emergency medical
services by responding units necessary to protect life or property.

B. Contract No. 8805-C-2009 was most recently amended on July 16, 2013
as Contract No. 9911-C-2013.

C. The parties again wish to amend the contract as follows:

AGREEMENT

1. Section 2 "FIREBAUGH'S DUTIES," subsection 2.03, of Madera County
Contract No. 8805-C-2009 is amended to read in its entirety as follows:

"2.03 Beginning January 1, 2014, COUNTY agrees to pay
FIREBAUGH Eight Thousand One Hundred Dollars
(\$8,100.00) for all Automatic Aid responses per this
Agreement provided by FIREBAUGH for the 2014 calendar
year. This reimbursement amount is based on a Two
Hundred Dollars (\$200.00) call rate multiplied by the average
number of responses per year over the previous four years.
The amount will be adjusted again for future calendar years,
but each calendar year's adjustment shall be based on the
previous four years' response average. This agreement will
be reviewed annually during the month of December to
insure fairness to both COUNTY and FIREBAUGH."

2. Except as provided in this Amendment, all other terms and conditions of Madera County Contract No. 8805-C-2009 shall remain in full force and effect.

* * * * *

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed as of the day and year first above-written.

CITY OF FIREBAUGH

COUNTY OF MADERA

By: _____
Mayor

Chairman, Board of Supervisors

ATTEST:

ATTEST:

Clerk, City of Firebaugh

Clerk, Board of Supervisors

Approved as to Legal Form:
CITY OF FIREBAUGH ATTORNEY

Approved as to Legal Form:
COUNTY COUNSEL

By: _____

By: *J. Gerecke*

ACCOUNT NUMBER(S)

RESOLUTION NO. 14-52

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH APPROVING A DEFERRAL OF PAYMENT FOR REQUIRED FEES FOR THE FILING OF TENTATIVE OR PARCEL MAPS AND FINAL MAPS RELATED TO THE DEL RIO PROPERTIES

WHEREAS, on September, 2003, the City of Firebaugh ("City") annexed certain real properties more commonly known as the Del Rio Properties ("Properties") and particularly described in Exhibit "A" attached hereto; and

WHEREAS, the legal descriptions recorded at the time of annexation do not accurately reflect the Properties; and

WHEREAS, the record-title owners of said Properties may wish to file an amended or corrected tentative parcel map to cure the inaccurate legal descriptions of the Properties prior to sale or may wish to pull permits prior to permanent improvements of the Properties; and

WHEREAS, the City currently charges fees for the filing of tentative parcel maps and final parcel maps in the amount of Nine Hundred Fifty Dollars (\$950.00) and Five Hundred Fifty Dollars (\$550.00), respectively, and permit and impact fees of development of Properties; and

WHEREAS, the City of Firebaugh wishes to promote growth and development of this area and the City;

WHEREAS, the City of Firebaugh has little to no economic development within the last 11 years;

WHEREAS, the City currently experiences higher than average unemployment and lower job/housing balances;

WHEREAS, the City wishes to allow a deferral of the payment of required fees for the filing of tentative or parcel maps and final parcel maps or permits for said Properties until the close of escrow or an application is made for permanent improvements thereon.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Firebaugh as follows:

1. Any and all fees associated with the filing of tentative or parcel maps for the Properties more particularly described in Exhibit "A" can be deferred until the earlier of either of the following:

a. The close of escrow of one or more of the Properties; or

b. The pulling of permits for permanent improvements to one or more of the Properties.

2. Upon the request for deferral, such deferral will be documented by means of a recorded agreement between the City and the particular property owner providing the City with a lien on the subject Properties and then will become a condition of approval for the final map.

3. The City Clerk shall cause copies of each such recordable agreement to be recorded with the County Recorder for each of the subject Properties.

4. Nothing in this Resolution shall be construed to waive any such fees nor affect any legal right or remedy between the City and the owners of said real properties.

The foregoing resolution was approved and adopted at a regular meeting of the City Council of the City of Firebaugh held on the 27th day of October, 2014, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Chris DeFrancesco, Mayor
City of Firebaugh

ATTEST:

Rita Lozano, Deputy City Clerk



STAFF REPORT

TO: Successor Agency
FROM: Kenneth McDonald, City Manager
DATE: October 27, 2014
SUBJECT: Extend deadline for Proposals for Purchase and Development of the N Street Properties

RECOMMENDATION:

Extend the deadline for proposals for purchase and development of the N Street Properties to 11/5/2014 for evaluation and recommendation to the Oversight Board for final selection at the next Successor Agency meeting on 11/17/2014.

BACKGROUND AND OVERVIEW:

Assembly Bill ("AB") x1 26, amended by AB 1484 and codified in the California Health & Safety Code ("H&SC") requires successor agencies to prepare a Long-Range Property Management Plan ("LRPMP") that addresses the disposition and use of the real properties of the former redevelopment agency. The Firebaugh Successor Agency ("Successor Agency") prepared an LRPMP, which was approved by the Oversight Board on September 19, 2013 and by the Department of Finance ("DOF") on February 10, 2014. In the LRPMP, the Successor Agency identified two adjacent properties on N Street to be sold. Successor Agency Staff issued a Request for Proposals to solicit offers and plans to purchase and redevelop the N Street Properties with a deadline of September 8, 2014.

ANALYSIS:

The N Street Properties, also known as Assessor's Parcel Numbers 008-080-42 (Giant Burger - 1284 N Street) and 008-140-35 (former Taco Bell/Carnitas Oretaga - 1320 N St), were listed on the Successor Agency's LRPMP as properties to be sold. The proceeds from that sale would go to the taxing entities. The Successor Agency received two offers to purchase the N Street Properties after the LRPMP was approved by DOF. However, in order to fulfill their obligations under the Property Disposition Procedures, which were approved by the Successor Agency Board and Oversight Board, and to give all interested parties a fair opportunity to purchase and redevelop the N Street Properties, the Successor Agency issued a Request for Proposals (RFP). The RFP was posted on the City's website and a banner sign was erected to advertise the properties for sale. Successor Agency Staff received on October 1st and 20th two proposals submitted in response to the RFP. Staff scored both proposals based on the rating system delineated in the RFP. AT the time of staff review we have had an additional inquiry into the property. Our concern is that we might not allow all parties to fairly prepare a proposal to the Successor Agency or call into question any decision or action. Due to the fact that the next Oversight Board meeting will follow the next council meeting. We thought it prudent to request an extension on the current RFP to 11/5/2014 to allow additional proposals to be evaluated and keep the proposals received confidential until the 11/17 council agenda is posted.

FISCAL IMPACT:

Proceeds from the sale of the N Street Properties will be distributed to the taxing entities through the Recognized Obligation Payment Schedule Process.

ATTACHMENT: Request for Proposals posted on website

REQUEST FOR PROPOSALS

FIREBAUGH PROPERTY PURCHASE AND REDEVELOPMENT

1284 AND 1320 N STREET

**SUCCESSOR AGENCY
CITY OF FIREBAUGH
1133 "P" ST.
FIREBAUGH, CA 93622**

**CONTACT:
KENNETH MCDONALD
CITY MANAGER
PHONE: (559) 659-2043
EMAIL: CITYMANAGER@CI.FIREBAUGH.CA.US**

1284 AND 1320 N STREET RFP

INTRODUCTION

The Firebaugh Successor Agency ("Agency") is inviting proposals from a qualified Bidder(s) ("Bidder") to purchase and redevelop two properties located in the City of Firebaugh on the corner of N Street and 13th Street ("Sites") (shown in Exhibit 1 on following page). Site 1 is located at 1284 N Street and is approximately 0.44 acres ("Site 1"). Site 2 is located at 1320 N Street and is approximately 0.45 acres ("Site 2"). The Agency will accept proposals from qualified Bidders that include purchase and redevelopment of either one or both of the Sites.

The former Redevelopment Agency of the City of Firebaugh owned the properties until the Redevelopment Agency was dissolved pursuant to Assembly Billx1 26 (ABx1 26"). The Agency is now responsible for disposing of the properties, which were included in the Agency's Long Range Property Management Plan ("LRPMP").

DUE DATE

PROPOSALS (1 COPY – MAILED OR EMAILED) ARE DUE BY MONDAY, SEPTEMBER 8, 2014 AT 5 PM

ALL PROPOSALS SHALL BE ADDRESSED TO:

Kenneth McDonald
City Manager
City of Firebaugh
1133 "P" St.
Firebaugh, CA 93622
Email: citymanager@ci.firebaugh.ca.us

QUESTIONS

Questions regarding this RFP and/or the improvements shall be submitted in writing to:

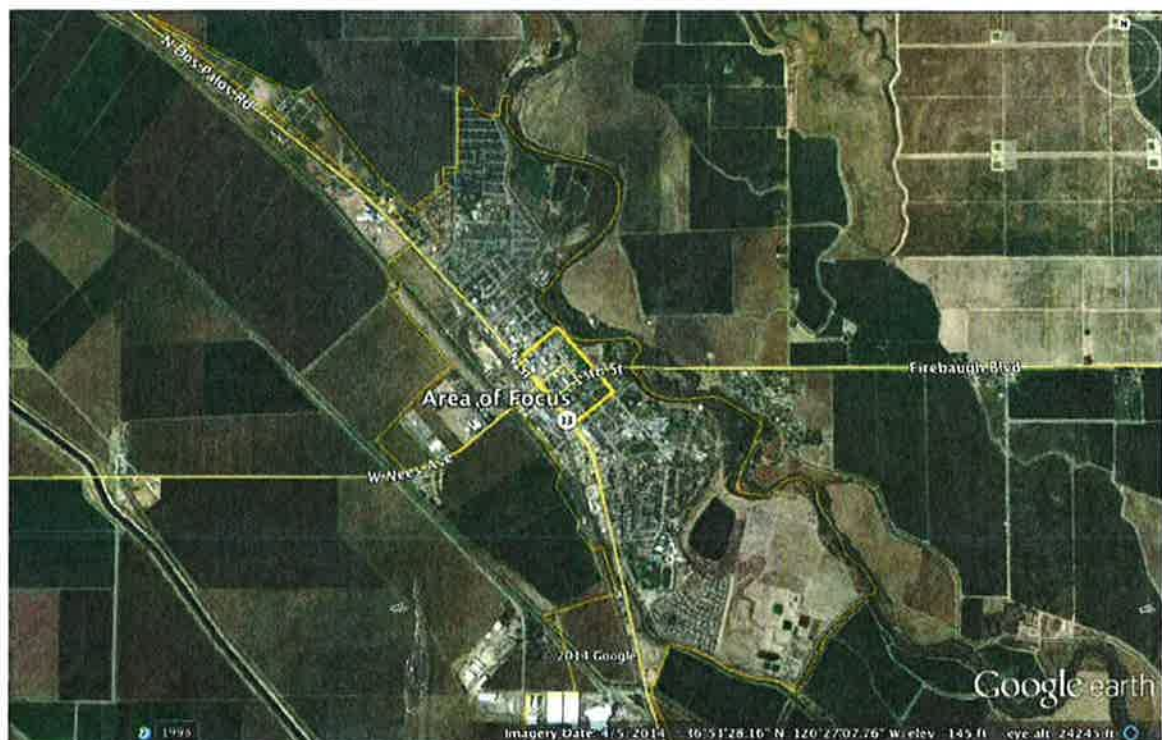
Tara Matthews
Successor Agency Consultant
Rosenow Spevacek Group Inc.
309 West 4th St
Santa Ana, CA 92701
Phone: 714-316-2111
Email: tmatthews@webrsg.com

EXHIBIT 1

Project Sites



Location Map



PROJECT REQUIREMENTS

The Agency is seeking proposals to from Bidders to purchase and redevelop either one or both Sites into a project that ideally satisfies the following criteria (not listed in any particular order):

- 1) Provides an economic benefit to the City, Taxing Entities, and the Community;
- 2) Conforms with the City's 2030 General Plan;
- 3) Demonstrates good quality design and project concept;
- 4) Generates employment opportunities;
- 5) Demonstrates a high probably of completion in a expeditious timeframe; and
- 6) Has a minimal environmental impact.

BACKGROUND

Located in Fresno County, Firebaugh is a small, agricultural town approximately 43 miles west of the City of Fresno off Highway 33 and 18 miles east of Interstate 5. It is approximately 150 miles southeast of San Francisco and 305 miles north of Los Angeles. According to State Department of Finance ("DOF") estimates, the City had a total of 7,777 residents and 1,768 housing units as of January 1, 2013.

The City is a general law city incorporated on December 17, 1914 and has grown from ferry crossing to a small agriculture based city. Before the railroad, the San Joaquin River was the major thoroughfare to upstream communities. The San Joaquin River played a major role in the settling of the Central Valley and Firebaugh is one of the oldest historical towns on the west side.

The Sites are located within the former Firebaugh Redevelopment Project Area and were owned by the Redevelopment Agency. ABx1 26 amended by AB 1484 (collectively the "Dissolution Law") and codified in the California Health & Safety Code ("H&SC") dissolved redevelopment agencies in California as of February 1, 2012. Pursuant to Dissolution Law, all non-housing properties owned by the Redevelopment Agency transferred to the Successor Agency. The Successor Agency addressed the disposition of the subject properties in its LRPMP, which was approved by DOF on February 10, 2014. The Successor Agency is now seeking a qualified Bidder to purchase and redevelop either one or both Sites. This should be done expeditiously and in a manner aimed at maximizing the value for the taxing entities, the Agency, and the City.

The former Redevelopment Agency purchased both properties on March 28, 2011. Site 1 consists of Assessor Parcel Number 008-080-42 and Site 2 consists of Assessor Parcel Number 008-140-35. As detailed in a Memorandum of Understanding executed by the former Redevelopment Agency on March 15, 2012, the Sites were both purchased "for the purpose of establishing one or more retail outlets located on "N"

street in the City of Firebaugh, for the purpose of creating jobs, enhancing economic development, enhancing sales tax growth, and eliminating blighting influences...". The Redevelopment Agency planned to consolidate the two Sites, eliminate the right-of-way between them, and attract a national retailer to the centralized location.

Site 1 currently contains a small commercial building that is being leased by a restaurant tenant. If you would like more information about the current tenant or lease, please contact Tara Matthews at 714-316-2111. Site 2 contains a small vacant commercial building. Given the central location and frontage along the main thoroughfare through the City, the properties are currently underutilized. An ideal proposal would redevelop the site(s) and maximize its/their potential.

The Sites are both zoned "Service Commercial", which allows for a mix of retail and service-oriented commercial uses. New development is required to connect to City water, sewer and storm drain facilities. Should the City Engineer deem it necessary, a new development could be required to install paved streets, curbs, gutters, sidewalks, street lamps and other facilities as needed. Development designated as Service Commercial should have landscaping, off-street parking, all visible equipment and storage areas must be fenced and screened from public view, signs will be regulated and new uses or extensive expansion of existing uses will require site plan review or a conditional use permit.

Please see the table below for a summary of site characteristics:

SITE 1

Address	1284 N Street
APN	008-080-42
Land Area	0.44 Acres
Zoning	Service Commercial
Current Occupancy	Leased by a restaurant

SITE 2

Address	1320 N Street
APN	008-140-35
Land Area	0.45 Acres
Zoning	Service Commercial
Current Occupancy	Vacant

MATERIALS TO SUBMIT

The prospective Bidder shall submit 1 mailed or emailed copy of their Proposal to the Agency.

Kenneth McDonald
City Manager
City of Firebaugh
1133 "P" St.
Firebaugh, CA 93622
Email: citymanager@ci.firebaugh.ca.us

The Agency reserves the right to reject any and all Proposals.

All submittals must include the following sections in the order enumerated below:

1. DESCRIPTION OF THE PROPOSED PROJECT

The Bidder shall provide the following information:

- a. Provide a description of proposed use(s) for either site or both Sites, including a general description of the overall design concept.
- b. Identify your vision for the Site(s) and why it would be a good fit in the City of Firebaugh.
- c. Identify the desired tenant(s) for the Project (ie. small commercial tenants, large national retailer, etc).
- d. Identify any potentially significant environmental impacts that might be expected from construction of the Project, or that the completed Project would have on the surrounding community.
- e. Provide a description of how the Project conforms to the requirements, intent, goals and objectives of the City's General Plan, zoning, and other applicable federal, state and local laws, codes and regulations.

2. PURCHASE PRICE AND FINANCIAL ASSISTANCE

The Bidder shall provide the following information:

- a. A purchase price offer and information supporting the offer.
Note: Per Dissolution Law, the property must be sold for fair market value.
- b. Identify the Bidder's financial capacity to undertake the project and ability to obtain financing both construction and permanent, and readiness to proceed.
- c. The estimated cost, if any, of City financial involvement, including the provision of City public services, subsidies, or public improvements required if the proposal is accepted.

3. TIMEFRAME

Completing the property sale and seeing the proposed Project come to fruition in a timely manner is especially important to the Agency. The Bidder shall provide the following information:

- a. Any proposed alterations to the terms and conditions of sale, including the timeframe for closing.
- b. The schedule for completion of the Project.

4. EXPLANATION OF ECONOMIC BENEFITS

Submittals to this RFP must demonstrate that the proposed Project will provide economic benefits to the City, the taxing entities, and the community in the short-term and long-term. The Bidder shall provide the following information:

- a. An estimate or explanation of the short-term and long-term economic benefits to the City, the taxing entities, and the community that can be reasonably expected to be achieved should the Project be selected.
- b. The employment opportunities that can be reasonably expected to result from the implementation of the proposal.

SELECTION PROCESS

All statements submitted in response to this RFP will be reviewed and evaluated by Agency Staff, the Agency Board, and the Oversight Board. Agency Staff and the Agency Board can make proposal recommendations to the Oversight Board. After Oversight Board approval, DOF must also approve the sale of the subject property prior to property disposition.

The selection process and Oversight Board approval is expected to take approximately three to four months as outlined below. DOF will also need time for review following Oversight Board approval. Please note the schedule may be altered at the Agency's discretion.

Activity	Date
RFP Issued	August 18, 2014
Submittals Due	September 28, 2014
Review of Submittals	September 2014
Oversight Board Approval	October 2014

SELECTION CRITERIA

Proposals will be evaluated on completeness, the proposed Project, the purchase price and need for financial assistance, timeframe for purchase and Project completion, conformity with the General Plan, and the economic benefits. The evaluation criteria and point scale are as follows:

Item	Criteria	Points
1	Completeness and conformity to the Request for Proposals (RFP)	5
2	The Proposed Project	20

	<ul style="list-style-type: none"> Proposed use and overall design concept Good fit for City End-user for the project Environmental impacts How well the Project conforms to the City's General Plan, zoning, and other applicable federal, state and local laws, codes and regulations. 	
3	Purchase Price and Financial Assistance: <ul style="list-style-type: none"> Purchase price Financial capacity of Bidder City financial involvement 	30
4	Timeframe: <ul style="list-style-type: none"> Timeframe for closing The schedule for completion 	15
6	Economic Benefits: <ul style="list-style-type: none"> Short-term and long-term economic benefits to the City, the taxing entities, and the community. Employment opportunities generated 	30
	TOTAL POINTS	100

SCOPE OF WORK & BIDDER RESPONSIBILITIES

Once approved by the Oversight Board and DOF, the Bidder will be responsible for purchasing the Site and implementing their proposed Project. A general description of the Bidder's responsibilities includes, but is not limited to, the list below:

- *Enter into Purchase and Sale Agreement.* Bidder will work with Agency and City staff and advisors to agree upon a final purchase price and define the terms and conditions of the sale and enter into a Purchase and Sale Agreement.
- *Refine Project.* Bidder will work with City and Agency staff to refine the proposed Project to ensure it meets the City and Agency's standards and expectations.
- *Construct Development.* The Bidder will construct the approved Project detailed in the Purchase and Sale Agreement. The selected Bidder will be required to

comply with the California Government Code and all City codes, permits, and fees and all Federal and State requirements.

AGENCY RIGHTS AND OPTIONS

This solicitation does not commit the Agency to award a contract, to pay any cost incurred with preparation of the proposal, or to procure or contract for services or supplies. The Agency reserves the right to accept or reject any or all submittals received in response to this request, to negotiate with any qualified source, request additional documentation, or cancel in whole or part this process in its sole and absolute discretion. Subsequent to negotiations, prospective consultants may be required to submit revisions to their proposals. All person or entities responding to the Request for Proposals should note that any contract pursuant to this solicitation is dependent upon the recommendation of the Agency Board and approval by the Oversight Board and DOF.

The Agency reserves the right to postpone selection for its own convenience, to withdraw this Request for Proposals at any time, and to reject any and all submittals without indicating any reason for such rejection. As a function of the Request for Proposals process, the Agency reserves the right to remedy any technical errors in the response to the Request for Proposals and modify the published scope of services. The Agency reserves the right to request that specific personnel with specific expertise be added to the team, if the Agency determines that specific expertise is lacking in the project team. Proposals and other information will not be returned.

The Agency reserves the right to abandon the Request for Proposals process and/or change its procurement process for the contract at any time if it is determined that abandonment and/or change would be in the Agency's best interest.

The Agency will not be liable to any contractor for any costs or damage arising out of its response to the Request for Proposals.