

MEETING AGENDA

The City Council/Successor Agency of the City of Firebaugh

Vol. No.14/11-17

Location of Meeting: Andrew Firebaugh Community Center
1655 13th Street, Firebaugh, CA 93622

Date/Time: November 17, 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

PRESENTATION

Senator Vidak & Senator Berryhill to present the City of Firebaugh a Resolution in Celebration of their Centennial.

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 October 27, 2014.

2. WARRANT REGISTER – Period starting October 1, and ending on October 31, 2014.

October, 2014	General Warrants	#31194 - #31301	\$ 249,252.00
	Payroll Warrants	#64768 - #64868	\$ 242,126.91
TOTAL			\$ 491,378.91

NEW BUSINESS

3. THE CITY COUNCIL OF THE CITY OF FIREBAUGH APPROVING THE MEMORANDUM OF UNDERSTANDING BETWEEN THE FRESNO COUNTY RURAL TRANSIT AGENCY AND THE CITY OF FIREBAUGH POLICE DEPARTMENT) FOR SAFETY AND SECURITY SERVICES FOR THE PERIOD OF JULY 1, 2014 – JUNE 30, 2015.

Recommended Action: City Council receives comments and approves MOU.

4. 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.

5. 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.

6. RESOLUTION NO. 14-53 - RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH ACCEPTING BID AND AWARDING CONTRACT TO DON BERRY CONSTRUCTION, INC. FOR 16TH STREET, O STREET, AND Q STREET REHABILITATION STPL-5224(020).

Recommended Action: City Council receives comments and approves Res. No. 14-53.

7. RESOLUTION NO. 14-54 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH AMENDING ITS CONFLICT OF INTEREST CODE.

Recommended Action: City Council receives comments and approves Res. No. 14-54.

SUCCESSOR AGENCY MATTERS:

8. RESOLUTION NO. 14-55 - RESOLUTION OF THE SUCCESSOR AGENCY TO CITY OF FIREBAUGH REDEVELOPMENT AGENCY RECOMMENDING A PROPOSAL TO THE OVERSIGHT BOARD FOR PURCHASE AND DEVELOPMENT OF THE "N" STREET PROPERTIES.

Recommended Action: Successor Agency receives comments and approves Res. No. 14-55.

CLOSED SESSION

9. 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

10. 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, November 13, 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. 14/10-27

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 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

ABSENT: Mayor Chris DeFrancesco, Council Member Marcia Sablan

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; Wanda Breshears, Chris Cardella, Deanna McBee Mitch Keys, Ester Orellana, Rainbow Orellana, Julian Orellana, Gilbert Coelho, Jacob Gonzalez, John Baltierra and others.

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

PUBLIC COMMENT: Deanna McBee, 1522 "O" Street reported of a lot of heavy truck (big rig) traffic in her residential neighborhood. John Baltierra, 1538 "P" Street, Centennial was a success, and inquired about the building next to Rebecchi, if it was able to be used as a "Welcome Center" and have volunteers running it but have the City pay for utilities.

CONSENT CALENDAR

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

Motion to approve consent calendar items by Council Member Jenkins, seconded by Council Member Valdez; motion passes by 3-0 vote.

NEW BUSINESS

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

Motion to suspend all events at the Rodeo grounds until January, during, at which time a committee will be formed to come up with some solutions for this issue and bring back to Council for approval by Council Member Jenkins, seconded by Council Member Valdez; motion passes by 3-0 vote.

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

Motion to approve Resolution No. 14-43 by Council Member Jenkins, seconded by Council Member Valdez; motion passes by 3-0 vote.

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.

Motion to approve Resolution No. 14-44 by Council Member Jenkins, seconded by Council Member Valdez; motion passes by 3-0 vote.

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.

Motion to approve Resolution No. 14-45 by Council Member Jenkins, seconded by Council Member Valdez; motion passes by 3-0 vote.

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.

Motion to approve Resolution No. 14-46 by Council Member Jenkins, seconded by Council Member Valdez; motion passes by 3-0 vote.

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.

Motion to accept Resolution No. 14-47 by Council Member Jenkins, seconded by Council Member Valdez; motion passes by 3-0 vote.

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.

Motion to accept Resolution No. 14-48 by Council Member Jenkins, seconded by Council Member Valdez; motion passes by 3-0 vote.

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.

Motion to accept Resolution No. 14-49 by Council Member Jenkins, seconded by Council Member Valdez; motion passes by 3-0 vote.

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.

Motion to table Resolution No. 14-50 by Council Member Jenkins, seconded by Council Member Valdez; motion passes by 3-0 vote.

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.

Motion to approve Resolution No. 14-51 by Council Member Jenkins, seconded by Council Member Valdez; motion passes by 3-0 vote.

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.

Motion to table Resolution No. 14-52 by Council Member Jenkins, seconded by Council Member Valdez; motion passes by 3-0 vote.

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

Motion to table this item by Council Member Jenkins, seconded by Council Member Valdez; motion passes by 3-0 vote.

SUCCESSOR AGENCY MATTERS:

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

Motion to approve extension deadline by Council Member Jenkins, seconded by Council Member Valdez; motion passes by 3-0 vote.

**Motion to enter into closed session by Council Member Knight, seconded by Council Member Valdez; motion passes by 3-0 vote at 8:05 p.m.*

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

**Motion to enter into open session, motion passes by 3-0 vote at 8:57 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 3-0 vote at 9:03 p.m.



REPORT TO CITY COUNCIL
— MEMORANDUM —

AGENDA ITEM NO: _____

COUNCIL MEETING DATE: NOVEMBER 17, 2014

SUBJECT: Warrant Register Dated: NOVEMBER 17, 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:

OCTOBER 01, 2014 – OCTOBER 31, 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	# 31194 – # 31301	\$ 249,252.00
PAYROLL WARRANTS.....	# 64768 – # 64868	242,126.91

TOTAL WARRANTS..... \$ 491,378.91

WARRANTS FOR OCTOBER 2014

CK#	CK DATE	Vendor Name	AMOUNT	INVOICE DESCRIPTION
63159	10/6/2014	EMPLOYMENT DEV. DEPT.	\$ (35.23)	Ck# 063159 Reversed
63160	10/6/2014	STATE OF CALIF. PUBLIC	\$ (495.14)	Ck# 063160 Reversed
63164	10/6/2014	UNITED SECURITY BANK	\$ (527.29)	Ck# 063164 Reversed
30721	10/23/2014	COUNTY OF FRESNO - RECORDER	\$ (17.00)	Ck# 030721 Reversed
31177	10/3/2014	FasTrak VIOLATION PROCESSING D	\$ (30.00)	Ck# 031177 Reversed
31186	10/3/2014	PECK'S PRINTERY	\$ (741.82)	Ck# 031186 Reversed
31194	10/1/2014	JOHN BORBOA	\$ 769.20	FIRE DEP - STIPEND - 40HRS - 09/13/14-09/26/14
31195	10/1/2014	CBCINNOVIS, INC.	\$ 12.65	POLICE DEPT. - BACKGROUND CHECK ON NEW OFFICER
31196	10/1/2014	CVR & ASSOCIATES, INC.	\$ 1,988.00	BUILDING & INSPECTION FOR SEPT. 2014
31197	10/1/2014	HUB INTERNATIONAL/ CA INS.	\$ 377.94	SPECIAL EVENT INSURANCE - SEPTEMBER 2014
31198	10/1/2014	JB INDUSTRIAL	\$ 173.08	PUBLIC WORKS - LATEX GLOVES
31199	10/1/2014	MARKO CONSTRUCTION GROUP	\$ 110,675.00	WATER TANK REFINISHING
31200	10/1/2014	BONMAN, MEGAN	\$ 21.99	MQ CUSTOMER REFUND FOR BON0001
31201	10/1/2014	CITY OF FIREBAUGH	\$ 40,334.20	UNITED SEC BANK -P/R ACCT.- MEDICAL, DENTAL, VISION INS.
31202	10/3/2014	FRESNO CO ECONOMIC OPPORTUNI	\$ 80.00	SENIOR CTR/BUS FEE FOR 16 PEOPLE @ 5.00 EA/FR FAIR
31203	10/3/2014	PACIFIC GAS & ELECTRIC	\$ 241.27	1080 "P" STREET -FIRE DEPT, LITES ON SPRUCE & 1264 "p" ST APT
31204	10/3/2014	ISABEL SALDIVAR	\$ 320.00	LUNCH ALLOWANCE/20.00 EA 16 SENIORS/TRIP-FRES FAIR
31205	10/3/2014	U.S. POSTMASTER	\$ 813.60	UTILITY BILLING POSTAGE FOR OCTOBER 2014

31225	10/10/2014	JUDICIAL DATA SYS. CORP.	\$ 100.00	POLICE DEPT. - PARKING FEES
31226	10/10/2014	JWC ENVIRONMENTAL LLC	\$ 352.27	PW - BAG MATERIAL REPLACEMENT
31227	10/10/2014	K B ELECTRIC	\$ 1,257.96	PORTABLE LT TOWER-REDO ALL WIRE CON GEN CONTRL BOX
31228	10/10/2014	RODDY A. LAKE	\$ 248.67	POLICE - HEALTH INS. REIMB. - OCTOBER 2014
31229	10/10/2014	MID-VALLEY DISPOSAL	\$ 27,551.77	REFUSE SERVICE FOR MONTH OF SEPTEMBER 2014
31230	10/10/2014	MIGUEL'S PLUMBING SERVICE	\$ 112.50	PW -UNPLUGGED MAIN SEWER LINE - PAL BUILDING RESTRM
31231	10/10/2014	MARIA OROZCO	\$ 150.00	REFUND CLEANING DEPOSIT - DUNKLE PRK ENC. AREA
31232	10/10/2014	PACIFIC GAS & ELECTRIC	\$ 9.85	PARKER PARK 4150 SPRUCE STREET
31233	10/10/2014	PECK'S PRINTERY	\$ 714.82	BLDG. DEPT. - INSPECTION REPORTS
31234	10/10/2014	PITNEY BOWES #8000-9090-0097	\$ 520.99	POSTAGE METER REFILL
31235	10/10/2014	JEFFREY RIPPEE	\$ 150.00	REIMBURSEMENT DEPOSIT - RECEIPT #99914 J. RIPPEE
31236	10/10/2014	ROSENOW SPEVACEK GROUP, INC.	\$ 4,076.25	SA CONSULTATION SERVICES - 14/15
31237	10/10/2014	STATE WATER RESOURCES	\$ 4,172.91	SYSTEM# 1010005 LG WTR SYSTEM FEES 7/01/13-6/30/14
31238	10/10/2014	UNIVAR USA INC	\$ 3,375.65	WATER & SEWER - CHEMICALS
31239	10/10/2014	U.S. BANK EQUIPMENT FINANCE, I	\$ 616.33	CANON COPIER LEASE & OVERAGE
31240	10/15/2014	JOHN BORBOA	\$ 769.20	FIRE DEPT -STIPEND -09/27/14-10/10/14 40HRS
31241	10/15/2014	CITY OF FIREBAUGH	\$ 103,384.78	UNITED SEC BANK -PAYROLL A/C - P/E 10/10/2014
31242	10/17/2014	COLLINS & SCHOETTLER	\$ 820.00	PLANNING & ZONING CONSULTING FOR SEPT. 2014
31243	10/17/2014	CORELOGIC SOLUTIONS, LLC.	\$ 250.00	REALQUEST FEES FOR SEPTEMBER 2014

31262	10/17/2014	TYCO INTEGRATED SECURITY LLC	\$ 478.50	QTR BILLING FOR SECURITY SYSTEM - COMM CENTER
31263	10/23/2014	COUNTY OF FRESNO - RECORDER	\$ 17.00	Ck# 031263->030721 Replacement
31264	10/24/2014	AG & INDUSTRIAL SUPPLY	\$ 232.85	PW - KENNEL DOG FOOD & PARTS & TOOLS FOR EQUIP/FAC REPAIR
31265	10/24/2014	AGRI-VALLEY IRRIGATION	\$ 1,248.77	PARKS & PW - PARTS & MATERIAL FOR WATER LINE REPAIRS
31266	10/24/2014	ALERT-O-LITE, INC.	\$ 174.68	BANNER-FOR SALE SIGN - & SWEEPER REPAIR ASPHALT PATCH
31267	10/24/2014	AT&T	\$ 231.54	5596593227 296-4 - WASTE WATER PLANT
31268	10/24/2014	AUTOZONE COMMERCIAL	\$ 158.39	PW - FIRE DEPT & SHOP TOOL & PART VEH REPAIR/MAINT
31269	10/24/2014	AXCES INDUSTRIAL SUPPLY	\$ 935.06	SEWER CHEMICALS
31270	10/24/2014	BACKFLOW DISTRIBUTORS, INC.	\$ 660.58	PW - PARTS FOR WATER LINE REPAIR
31271	10/24/2014	BIG G'S AUTOMOTIVE CENTER	\$ 466.23	PW -LABOR & PARTS - FOR VEHICLE REPAIRS
31272	10/24/2014	BROADVIEW CO-OP GIN, INC.	\$ 150.00	RECEIPT# 2549 -REFUND CLEANING DEP -A.F.COMM CENTR
31273	10/24/2014	BSK & ASSOCIATES, INC.	\$ 2,366.32	WATER & SEWER LAB ANALYSIS & TOMATEK WEEKLY ANALYSIS
31274	10/24/2014	CEN-CAL MACHINERY CO.	\$ 386.00	REPAIR EQUIPMENT - UNIT NOT MOVING
31275	10/24/2014	CORBIN WILLITS SYSTEMS	\$ 1,017.18	C/W SERVICES - MONTHLY CONTRACT FEE
31276	10/24/2014	D & L HEATING & COOLING	\$ 135.99	POLICE DEPT. - A/C FACILITY REPAIR
31277	10/24/2014	DEPT. OF TRANSPORTATION	\$ 482.37	SIGNALS & LIGHTING BILLING - JULY2014 - SEPT 2014
31278	10/24/2014	DEPARTMENT OF JUSTICE	\$ 435.00	POLICE - LIVE SCAN & BLOOD ALCOHOL ANALYSIS
31279	10/24/2014	FERGUSON ENTERPRISES, INC. 142	\$ 3,367.11	PARTS FOR WATER LINE REPAIR
31280	10/24/2014	FIREBAUGH POLICE OFFICERS	\$ 582.00	REGISTRATION DMV FEES FOR THE 2 CHP CARS

[illegible]



FRESNO COUNTY RURAL TRANSIT AGENCY

2035 Tulare Street, Suite 201, Fresno, CA 93721

Phone: 559-233-6789 Fax: 559-233-9645

Webpage: www.ruraltransit.org

Safety and Security Services

Memorandum of Understanding

The Fresno County Rural Transit Agency (FCRTA) and the City of Firebaugh Police Department hereby agree to enter into this Memorandum of Understanding (MOU) for the purpose of providing safety and security services for FCRTA passengers, drivers and vehicles within the City of Firebaugh. This is in compliance with direction from the Federal Transit Administration (FTA) guidance on Safety and Security for Public Transit Operators.

The City of Firebaugh Police Department will provide the following services on any day during the week:

- A uniformed officer shall Board the stopped vehicle at a designated stop
- Make visual observations while inside vehicle
- Engage in dialogue with driver of vehicle
- Assist with any questions by passengers

FCRTA shall reimburse the City of Firebaugh Police Department for costs associated in providing these services in the amount of \$2,600.00 for the period of 7/01/14 to 6/30/15. To be renewed on an annual basis by both parties.

FCRTA

Date

City of Firebaugh

Date

A JOINT POWERS AGENCY TO PROVIDE A COORDINATED TRANSIT SYSTEM FOR RURAL FRESNO COUNTY

THE CITIES OF: COALINGA; FIREBAUGH; FOWLER; HURON; KERMAN; KINGSBURG; MENDOTA; ORANGE COVE; PARLIER; REEDLEY; SANGER; SAN JOAQUIN; SELMA; & FRESNO COUNTY

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	12.74	13.38	14.05	14.75	15.49	16.26	17.07	17.93	18.82	19.76	20.75
		Hourly										
		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	1,680.17
		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	26,498.20	27,824.16	29,215.37	30,676.14	32,209.94	33,820.44	35,511.46	37,287.04	41,108.96	43,164.40
Account Technician III	41	14.07	14.77	15.51	16.29	17.10	17.96	18.86	19.80	20.79	21.83	22.92
		Hourly										
		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	1,746.18	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	3,783.31	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	45,400.55	47,670.58
Executive Assistant/Deputy City Clerk	51	18.02	18.92	19.87	20.86	21.90	23.00	24.15	25.36	26.62	27.95	29.35
		Hourly										
		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	2,236.39	2,348.21
		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	4,845.43	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	58,146.26	61,053.58
Police Lieutenant	60	23.86	25.05	26.31	27.62	29.00	30.45	31.97	33.57	35.25	37.01	38.87
		Hourly										
		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	26.10	27.41	28.78	30.21	31.72	33.31	34.98	36.73	38.56	40.49	42.51
		Hourly										
		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	29.05	30.50	32.03	33.63	35.31	37.08	38.93	40.88	42.92	45.07	47.32
		Hourly										
		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	24.85	26.09	27.40	28.77	30.21	31.72	33.30	34.97	36.71	38.55	40.48
		Hourly										
		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		14.26	14.97	15.72	16.51	17.33	18.20	19.11	20.07	21.07	22.12	23.23
		Hourly										
		Bi-Weekly	1,140.80	1,197.84	1,257.73	1,320.82	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



STAFF REPORT

TO: City Council
FROM: Kenneth McDonald, City Manager *KM*
DATE: November 17, 2014
SUBJECT: 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.

RECOMMENDATION:

Adopt Resolution to assist in development and aide in property transfers for the Del Rio area.

HISTORY / DISCUSSION:

The Del Rio area was annexed into the city over ten years ago and currently property owners are having difficulty transferring (selling) property due to deficiencies related to property records – primarily a lack of proper legal descriptions and maps of the parcels that exist. This was further complicated when Fresno County formalized the public roads through the area, however they did not correctly redraw property boundaries for all of the parcels

Normally when an area is annexed into the City limits, the party requesting annexation prepares all the maps, surveys, etc. in order to complete the annexation and have the proper information recorded in the official records. Normally a city would verify this information and formally accept any changes of the parcels annexed into the City.

In this case historical records have not been able to be found and we are told that title companies will not allow parcel transfers (sales) until correct information is obtained - namely legal descriptions and maps of each individual lot. While we have been able to find some information there are still quite a few parcels that do not have the correct information.

The problem is that it is unknown which parcels have a problem until they try to complete a sale. Some property owners do not have the funds to pay the fees to complete the remedy (typically either a parcel map or certificate of compliance) and the city is precluded from handling private property matters (other than verifying what is needed to solve the problem).

The resolution that has been prepared is the only remedy the city can offer at this time, which is to allow the fee (for a parcel map or certificate of compliance) to be deferred and paid out of escrow or placed a lien on the property.

FISCAL IMPACT:

Very minimal impact due to fee delay is the property action is taken and the escrow or sale does not complete.

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 and maps 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, as well as permit and impact fees related to 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 in recent 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 which will 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 17th day of November, 2014, by the following 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

STAFF REPORT

TO: Firebaugh City Council

FROM: Gouveia Engineering, Inc.

DATE: November 17, 2014

SUBJECT: Bid Acceptance – City of Firebaugh 16th Street, O Street, and Street Rehabilitation STPL-5224(020)

BACKGROUND

The major work consists of pulverizing and reconstructing approximately 125,800 square feet of asphalt concrete pavement, constructing 1,520 linear feet of curb and gutter, constructing 2 alley approaches, driveway transitions, constructing a valley gutter, constructing storm drain improvements, and applying thermoplastic striping and markings on 16th Street, O Street, and Q Street in the City of Firebaugh.

The project was advertised on October 15, 2014, October 22, 2014 and October 29, 2014 and bids were opened November 5, 2014.

DISCUSSION

A total of 4 bids were opened and read aloud at 2:00 p.m. on November 5, 2014, this being the advertised bid opening date and time. The apparent low bid was submitted by Don Berry Construction, Inc. in the amount of \$350,794.00. The Bid results were as listed:

<u>Contractor</u>	<u>Total Bid</u>
Don Berry Construction, Inc.	\$350,794.00
R.J. Berry Jr., Inc.	\$389,218.25
Avison Construction, Inc.	\$433,389.00
Rolfe Construction	\$470,870.15
Engineer's Estimate	\$539,635.00

FISCAL IMPACT

Construction of the project will be covered using a Federal Highway Administration Grant and City Funds. Improvements on “Q” and “O” Streets (\$240,701.50) will be paid for by the grant. Improvements on 16th Street (\$110,092.50) will be paid for with City Funds.

Fiscal Impact: \$110,092.50 from City Street Funds.

RECOMMENDATION

The Staff recommends that the Council accept the low bid from Don Berry Construction, Inc. for \$350,794.00 and authorize the City Manager to sign the Agreement on behalf of the City of Firebaugh.

ATTACHMENTS

Resolution

RESOLUTION NO. 14-53

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH ACCEPTING BID AND AWARDING CONTRACT TO DON BERRY CONSTRUCTION, INC. FOR 16TH STREET, O STREET, AND Q STREET REHABILITATION STPL-5224(020)

WHEREAS, the Invitation to Bid for the 16TH STREET, O STREET, AND Q STREET REHABILITATION Federal Project No.: STPL-5224(020) in the City of Firebaugh was listed in the Firebaugh News on October 15, 2014, October 22, 2014 and October 29, 2014; and

WHEREAS, the project will consist of pulverizing and reconstructing approximately 125,800 square feet of asphalt concrete pavement, constructing 1,520 linear feet of curb and gutter, constructing 2 alley approaches, driveway transitions, constructing a valley gutter, constructing storm drain improvements, and applying thermoplastic striping and markings on 16th Street, O Street, and Q Street; and

WHEREAS, the following bids for the project were publicly opened and read aloud at the Firebaugh City Hall on November 5, 2014 at 2:00 p.m.

<u>Contractor</u>	<u>Total Bid</u>
Don Berry Construction, Inc.	\$350,794.00
R.J. Berry Jr., Inc.	\$389,218.25
Avison Construction, Inc.	\$433,389.00
Rolfe Construction	\$470,870.15

WHEREAS, the City Engineer's Estimate was \$539,635.00.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF FIREBAUGH RESOLVES upon the recommendation of the City Engineer that the 16TH STREET, O STREET, AND Q STREET REHABILITATION Federal Project No.: STPL-5224(020) be awarded to: Don Berry Construction, Inc., 13701 S. Golden State Blvd, Kingsburg, CA 93631 in the amount of Three Hundred Fifty Thousand Seven Hundred Ninety-Four Dollars (\$350,794.00).

The foregoing resolution was adopted at a regular meeting of the City Council of the City of Firebaugh the 17th day of November, 2014 and passed at said meeting by the following 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



STAFF REPORT

TO: City Council
FROM: Kenneth McDonald, City Manager *KM*
DATE: November 17, 2014
SUBJECT: Council's Consideration and Approval of Resolution No. 14-54 Amending the City's Conflict of Interest Code as Required by the Political Reform Act

RECOMMENDATION:

That Council consider and approve of Resolution No. 14-54, amending the City's Conflict of Interest Code as required by California's Political Reform Act.

HISTORY / DISCUSSION:

A conflict of interest code tells public officials, government employees, and consultants ("designated employees") what financial interests they must disclose on their Statement of Economic Interest (Form 700). Financial interests include investments, business positions, income, loans, and gifts. The code requires different levels of disclosure ("disclosure categories") for the designated positions. An accurate disclosure is essential to monitor whether officials, employees, and consultants have conflicts of interest and is the basis for the transparency that California's Political Reform Act requires of public officials. Therefore, the conflict of interest code helps ensure public trust.

The Political Reform Act requires every local government agency to adopt a conflict of interest code and review that code at least every two (2) years. After a review of the previously adopted conflict of interest code, a copy of which is attached for Council's review and information, staff determined that amendments are required in order to include new designated employees, revise the titles of existing designated employees and to delete positions that no longer exist or which no longer make or participate in making governmental decisions.

FISCAL IMPACT:

None.

Firebaugh Conf Code

RESOLUTION NO. 80-29

RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF FIREBAUGH ADOPTING BY REFERENCE
STANDARD CONFLICT OF INTEREST CODE; AND
DESIGNATING EMPLOYEES AND CATEGORIES

CITY OF FIREBAUGH

WHEREAS, the Political Reform Act, Government Code Sections 81000, et seq., requires every state or local government agency to adopt and promulgate a Conflict of Interest Code; and

WHEREAS, the Fair Political Practices Commission has adopted a regulation, 2 Cal. Adm. Code Section 18730, which contains the terms of a standard model Conflict of Interest Code, which can be incorporated by reference, and which will be amended to conform to amendments in the Political Reform Act after public notice and hearings conducted by the Fair Political Practices Commission pursuant to the Administrative Procedure Act, Government Code Sections 11370, et seq.; and

WHEREAS, this body has determined that the attached Appendices A and B accurately set forth those positions which should be designated and the categories of financial interests which should be made reportable.

BE IT NOW THEREFORE RESOLVED THAT:

1. The terms of 2 Cal. Adm. Code Section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission along with the attached Appendices in which officials and employees are designated and disclosure categories are set forth, are hereby incorporated by reference and constitute the Conflict of Interest Code of the Designated Employees of the City of Firebaugh, California.

2. Pursuant to Section 4(C) of the Code, all designated employees shall file statements with the City Clerk to whom the City Council hereby delegates the authority to carry out the duties of filing office.

3. After adoption of this Resolution the City Clerk of the City of Firebaugh shall file a certified copy of this Resolution with the Fair Political Practices Commission.

* * * *

I hereby certify that the foregoing Resolution is a full, true and correct copy of a Resolution duly passed by the

City Council of the City of Firebaugh at a meeting thereof duly held on the 9th day of June, 1980, by the following vote:

AYES: COUNCILMEMBERS: Cline, Leyva, Howard, Fannon, Tucci

NOES: COUNCILMEMBERS: none

ABSENT: COUNCILMEMBERS: none

Leora Mae Shumake
City Clerk

APPENDIX "A"

DESIGNATED EMPLOYEES

<u>EMPLOYEE POSITION</u>	<u>DISCLOSURE CATEGORIES</u>
City Clerk	1, 2, 3, 4, 5, 6, 7
Assistant to the City Manager	1, 2, 3, 4, 5, 6, 7
Police Chief	1, 2, 3, 4, 5, 6, 7
City Attorney	1, 2, 3, 4, 5, 6

APPENDIX "B"

General Provisions

When a designated employee is required to disclose investments and sources of income, he need only disclose investments in business entities and sources of income which do business in the jurisdiction, plan to do business in the jurisdiction or have done business in the jurisdiction within the past two years. In addition to other activities, a business entity is doing business within the jurisdiction if it owns real property within the jurisdiction. When a designated employee is required to disclose interests in real property, he need only disclose real property which is located in whole or in part within or not more than two miles outside the boundaries of the jurisdiction or within two miles of any land owned or used by the local government agency.

Designated employees shall disclose their financial interest pursuant to the appropriate disclosure category as indicated in Appendix A.

- Category 1: All investments and sources of income.
- Category 2: All interests in real property.
- Category 3: All investments, interests in real property and sources of income subject to the regulatory, permit or licensing authority of the department.
- Category 4: Investments in business entities and sources of income which engage in land development, construction or the acquisition or sale of real property.
- Category 5: Interests in real property located within two miles of any land owned or used by the City of Firebaugh.
- Category 6: Investments in business entities and sources of income of the type which, within the past two years, have contracted with the City of Firebaugh to provide services, supplies, materials, machinery or equipment.
- Category 7: Investments in business entities and sources of income of the type which, within the past two years, have contracted with the designated employee's department to provide services, supplies, materials, machinery or equipment.

RESOLUTION NO. 14-54

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH AMENDING ITS CONFLICT OF INTEREST CODE

WHEREAS, the Political Reform Act, Government Code Sections 87300-87313, requires each public agency in California to adopt a conflict of interest code; and

WHEREAS, the City Council of the City of Firebaugh has previously adopted a local conflict of interest code; and

WHEREAS, the Fair Political Practices Commission ("FPPC") amends the conflict of interest code terms on a regular basis in accordance with the Political Reform Act found at Government Code Sections 81000 et seq.; and

WHEREAS, post and future amendments to the Political Reform Act and implementing regulations may require conforming amendments to be made to the City's conflict of interest code; and

WHEREAS, a regulation adopted by the FPPC, 2 CCR 18730, provides that incorporating by reference of the terms of that regulation, along with an agency-specific appendix designating positions and disclosure categories shall constitute the adoption and amendment of a conflict of interest code in conformance with Government Code section 87300 and 87306; and

WHEREAS, the City of Firebaugh has recently reviewed its positions, and the duties of each position, and has determined that changes to the current conflict of interest code are necessary; and

WHEREAS, this resolution and appendix shall become effective immediately; and

WHEREAS, any earlier resolutions, exhibits, or appendices containing the City's Conflict of Interest Code or designations shall be rescinded and superseded by this resolution; and

WHEREAS, all persons holding designated positions shall file statements of economic interests as required by law, including those designated positions listed in Government Code Section 87200.

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

1. Adopts this amendment to the City's Conflict of Interest Code, including the attached Appendix of Designated Employees and Disclosure Categories.

Passed and adopted at a Regular Meeting of the City Council of the City of Firebaugh held on November 17, 2014 by the following 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

APPENDIX OF DESIGNATED EMPLOYEES AND DISCLOSURE CATEGORIES

<u>Position</u>	<u>Disclosure Category</u>
City Council Member	1, 2, 3, 4, 5, 6, 7
City Manager	1, 2, 3, 4, 5, 6, 7
City Attorney	1, 2, 3, 4, 5, 6, 7
Planning Commission Members	1, 2, 3, 4, 5, 6, 7
City Clerk	1, 2, 3, 4, 5, 6, 7
Executive Administrative Assistant / Deputy City Clerk	1, 2, 3, 4, 5, 6, 7
Police Chief	1, 2, 3, 4, 5, 6, 7
Fire Chief	1, 2, 3, 4, 5, 6, 7
Finance Director	1, 2, 3, 4, 5, 6, 7
Planning Consultant	3, 4, 5, 6, 7
Public Works Director	2, 3, 4, 7
City Engineer	3, 4, 5, 7
Building Inspector	3, 4, 5, 7



STAFF REPORT

TO: Successor Agency
FROM: Kenneth McDonald, City Manager *KM*
DATE: November 14, 2014
SUBJECT: Select the Proposal for Purchase and Development of the N Street Properties

RECOMMENDATION:

Select a proposal for purchase and development of the N Street Properties and transmit proposals and recommendation to the Oversight Board for final selection.

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 a 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 ("RFP") to solicit offers and plans to purchase and redevelop the N Street Properties (see Attachment 1). Successor Agency Staff received and evaluated two proposals submitted in response to the RFP. Staff scored both proposals based on the rating system delineated in the RFP and has selected its top bidder.

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 - 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 or to pay for enforceable obligations. To adhere to the Property Disposition Procedures, previously 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 an RFP on August 1, 2014. The RFP was posted on the City's website and a banner sign was erected to advertise the properties for sale. Originally, the deadline for proposals was September 8, 2014, which was subsequently extended to November 5, 2014 to allow more time for responses.

The Successor Agency received two offers to purchase the N Street Properties. Each proposal was evaluated and scored based on the criteria outlined in the RFP. A summary of the proposals, the scoring, and general observations are included below. The full proposals are included as Attachment 2 and the Score Sheets as Attachment 3.

Perez Proposal

The Perez family currently leases and operates the existing Giant Burger restaurant. They are offering to purchase both properties for \$140,000. Giant Burger would relocate to the former Taco Bell property, and the parcel currently utilized by Giant Burger would be converted into another restaurant to expand the dining options for the community. Up to \$160,000 would be put towards upgrades and improvements including a new roof, parking upgrades, installing HVAC energy efficiency features, and conducting exterior repairs. The upgrades will be a welcome investment in the community; however, the amount of total investment is unlikely to have a significant effect on property values. The entire project would be complete within about one to one and a half years.

Successor Agency Staff gave the Perez proposal 48 out of 100 points.

Hamran/Mana Proposal

Hamran/Mana offers to purchase the properties for \$100,000. Giant Burger would be rehabilitated and would remain on its current parcel. The other parcel would be converted to a Coin-Op laundry facility. Hamran/Mana will pledge up to \$90,000 in improvements along with \$100,000 in Coin-Op equipment/machines. Like the Perez proposal, the amount of total investment is unlikely to have a large effect on property values. While the buyer proposes to close escrow within 30 days, a renovation schedule was not included with the proposal.

Successor Agency Staff gave the Hamran/Mana 34 out of 100 points for their development proposal.

Successor Agency Selection

The Perez proposal scored higher than the Hamran/Mana proposal because while the total financial investment in the properties was similar, the overall benefit to the community was greater with the Perez proposal. Two upgraded restaurants would better serve the community and generate more sales tax revenue for the City and property tax revenue for the taxing entities than a restaurant and Coin-Op laundry. In addition, the Perez family is a long-time business owner in the Firebaugh community and supporting local businesses is a great way to encourage local economic investment. The Successor Agency now has an opportunity to review both proposals and decide which, if any, to recommend to the Oversight Board. This recommendation and both proposals will be submitted to the Oversight Board meeting on November 20, 2014 for final selection.

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.

ATTACHMENTS:

- Attachment 1 – Request for Proposals
- Attachment 2 – Proposals submitted to Successor Agency Staff
- Attachment 3 – Scoring Sheets for Proposals
- Attachment 4 – Resolution Recommending a Proposal to the Oversight Board

RESOLUTION NO. 14-55

A RESOLUTION OF THE SUCCESSOR AGENCY TO CITY OF FIREBAUGH REDEVELOPMENT AGENCY RECOMMENDING A PROPOSAL TO THE OVERSIGHT BOARD FOR PURCHASE AND DEVELOPMENT OF THE "N" STREET PROPERTIES

WHEREAS, the City of Firebaugh has elected to serve as the Successor Agency to the former Firebaugh Redevelopment Agency ("Successor Agency") pursuant to Assembly Bill x1 26 ("AB x1 26" or the "Dissolution Act") as codified in the California Health & Safety Code ("H&SC"); and

WHEREAS, among the duties of successor agencies under the Dissolution Act is the preparation of a long-range property management plan that addresses the disposition and use of the real properties of the former redevelopment agency for consideration by a local oversight board and California Department of Finance ("DOF"); and

WHEREAS, the Long-Range Property Management Plan for the Firebaugh Successor Agency was approved by the Oversight Board on September 19, 2013 and by DOF on February 10, 2014; and

WHEREAS, the Long-Range Property Management Plan identified two properties located on "N" Street known as Assessor Parcel Numbers 008-080-42 and 008-140-35 (collectively the "N Street Properties") as assets of the Successor Agency that the Successor Agency wishes to sell; and

WHEREAS, the Successor Agency drafted and issued a Request for Proposals ("RFP") on August 1, 2014 pursuant to the Property Disposition Procedures to solicit offers and plans for the disposition and development of the N Street Properties; and

WHEREAS, the Successor Agency received two proposals in response to the RFP; and

WHEREAS, Successor Agency Staff reviewed the proposals and scored them using the criteria detailed in the RFP. The Perez proposal received the highest score; and

WHEREAS, the Successor Agency Board now has the opportunity to review the proposals and recommend a proposal to the Oversight Board; and

WHEREAS, the Oversight Board can choose to concur with the Successor Agency's analysis and recommendation and authorize the Successor Agency to accept an offer and enter into a Purchase and Sale Agreement. Or the Oversight Board can return the proposals to the Successor Agency for additional review.

NOW, THEREFORE, THE SUCCESSOR AGENCY DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. Recitals. The Successor Agency finds and determines that the foregoing recitals are true and correct.

Section 2. Proposal Recommendation. The Successor Agency recommends the Oversight Board accept the following proposal:

PASSED, APPROVED AND ADOPTED at a regular meeting of the Successor Agency, on the 17th day of November, 2014, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAINED:

CHAIRPERSON

ATTEST:

RITA LOZANO, DEPUTY CITY CLERK

APPROVED AS TO FORM:

DALE BACIGALUPI
SUCCESSOR AGENCY COUNSEL

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 WEDNESDAY, NOVEMBER 5, 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:

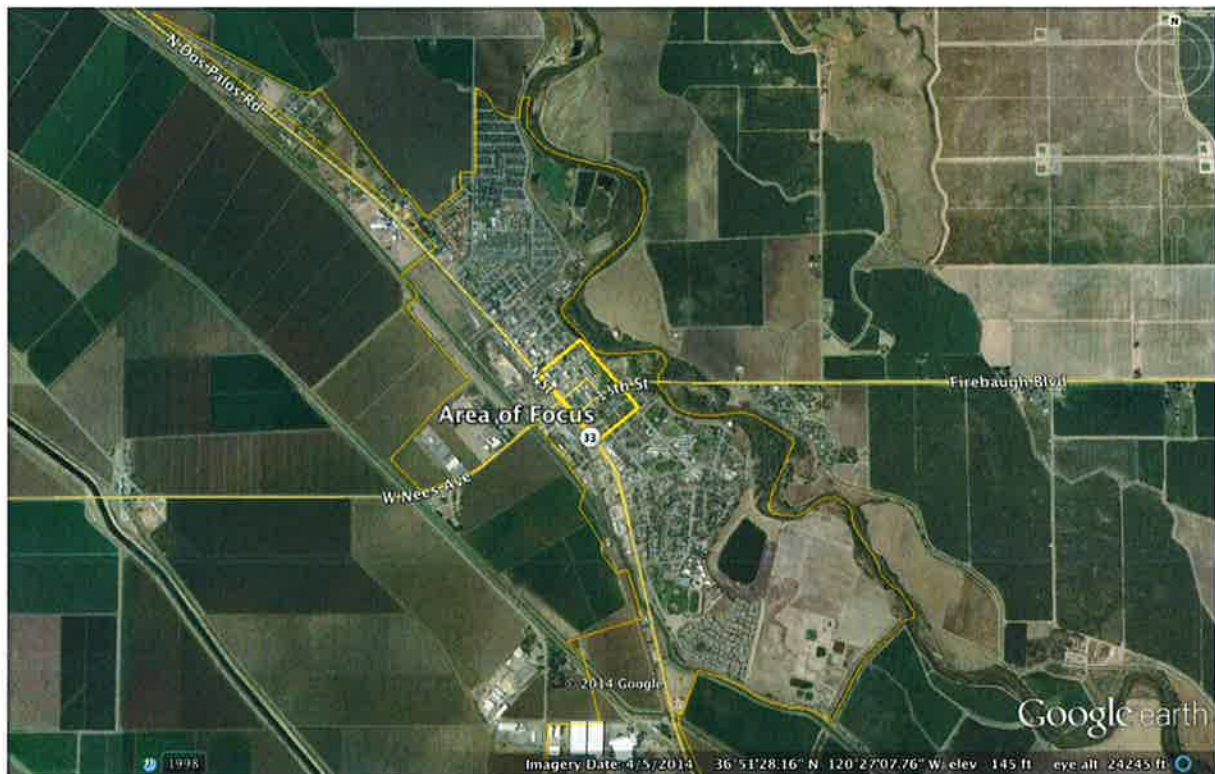
Tara Matthews
Successor Agency Consultant
Rosenow Spevacek Group Inc.
309 West 4th St
Santa Ana, CA 92701
Phone: 714-316-2111
Email: tmattthews@webrsg.com

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 1, 2014
Submittals Due	November 5, 2014
Review of Submittals	November 2014
Oversight Board Approval	November 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.

Purchase and Development of Properties at 1284 & 1320 N Street

Jose O. Perez & Silvia Castaneda-Perez, Current Operator/owners of Giant Burger

PURCHASE:

Purchase 1284 N Street property \$70,000

Purchase 1320 N Street property \$70,000

Total purchase price \$140,000

Along with a pledge to make improvements of \$50,000-80,000 for each property completed in two phases. This would make the investment in the community equal to \$240,000 to \$300,000.

PROJECT:

Desire to purchase the property and relocate Giant Burger to expand the business by offering a drive-thru window and more square footage for customers and food preparation/storage. The plans to improve the properties will be completed in two phases. The first phase will be to improve and modernize the vacant property and relocate the Giant Burger when completed in an estimated 6-9 months. Phase two will be to improve and modernize the property that has been lacking for required maintenance over the last few years. Namely roof, parking lot, HVAC and exterior repairs, which should be completed in six months after Phase 1.

Pre-Approved by Chase Bank, letter attached financing the purchase and improvements pledged.

Economic Benefits:

Plan to hire 4-5 full time positions along with 3-4 part time positions, in addition to assisting in securing solid restaurant businesses again at both of these locations.

Site 2 with phase 1 would bring a drive thru to Giant Burger and offer more options for customers to choose from, along with more capacity in the restaurant and parking to enjoy their food. Site 1 will eventually be remodeled to the most energy efficient way possible.

Site 1 on phase 2 will be renovated to fit a normal average restaurant's needs and to be occupied by a restaurant that would benefit the city's choices for food.

Giant Burger is a restaurant that has grown and been with the city of Firebaugh for over 20 years, our goal is to expand the great need of the city by offering more ways for our community to enjoy their meals daily in and out of the restaurant.

PROPOSAL TO PURCHASE COMMERCIAL REAL ESTATE

Date: September 30, 2014

Mr. Kenneth McDonald
City Manager, City of Firebaugh
1133 P Street
Firebaugh, CA 93622-2547

**RE: Development of Commercial Properties located at:
1284 N Street, Firebaugh, CA 93622 and 1320 N Street, Firebaugh, CA 93622**

Dear Sir,

This letter constitutes a proposal to purchase by Hamdi Hamran and Mutahar Mana ("Buyers"), for the real properties as noted above (the "Property") from the City of Firebaugh or an affiliate ("Seller") in response to the RFP (Request for Proposals) tendered by the Seller and for approval by the Oversight Board and DOF under the following terms and conditions:

1. TOTAL PURCHASE PRICE FOR BOTH PROPERTIES: One Hundred Thousand Dollars (\$100,000.00)
2. BUYERS WILL PAY THEIR OWN COSTS – ie; Buyers closing costs, Appraisals (if required), Recording the Deeds conveying the Property into Buyer and Business Permits. Supporting information is listed within this proposal.
3. CLOSING DATE OR CONTINGENCIES TO BE MET PRIOR TO CLOSING: Buyers intend on closing within 30 days or sooner after approval of the proposal by the Oversight Board and DOF.
4. SOURCES OF FUNDS: Buyers are both current successful business owners in the City of Corcoran and have attached their individual business bank account information, business tax information, business licenses/permits and credit reports for review by the Oversight Board and DOF.
5. PROOF OF BUSINESS OWNERSHIP: Buyers have extensive knowledge and experience owning and operating businesses. Hamdi Hamran owns Super Drive-In located at 1300 Whitley Avenue, Corcoran, CA. The business has been running for 10 years. Mutahar Mana owns Square Deal Market located at 636 Dairy Avenue, Corcoran,

CA. The business has been running for 14 years. Buyers have attached copies of their current business licenses for review and consideration by the Oversight Board and DOF.

6. **INTENTIONS OF INVESTMENT:** The Buyers understand the subject properties are offered strictly on an “as is” basis and intend on investing significant finances for property improvements (ie; repairing/replacing roofs, resurfacing/restriping parking lots, replacing/repairing windows, painting the structures and installing new business equipment). The following reflects the future investment plans for each business:

a. 1284 N STREET, FIREBAUGH, CA:

- i. The Buyers intend on maintaining the business as a hamburger stand.
- ii. The Buyers intend on employing 10 people to operate the facility and agree to retain all current employees as they are familiar with the people of the community and operating the business.
- iii. The Buyers will invest \$30,000.00 - \$50,000.00 to remodel the business and install new equipment and/or furnishing, if necessary.
- iv. The Buyers will set business hours from 5:00 a.m. – 10:00 p.m. Monday through Sunday in order to serve breakfast, lunch and dinner.

b. 1320 N STREET, FIREBAUGH, CA:

- i. The Buyers intend on converting the building into a COIN-OP Laundry facility.
- ii. The Buyers will employ 2 people to clean and monitor the business.
- iii. The Buyers intend on installing an automated alarm system that enable the business to open and be available for the public without the necessity of relying on an employee to be on-site.
- iv. The Buyers will set business hours from 7:00 a.m. – 8:00 p.m. in the summer months and 7:00 a.m. – 7:00 p.m. in the winter months.
- v. The Buyers will invest \$40,000.00 to fix the roof and remodel. The Buyers intend on investing an additional \$100,000.00 for commercial washers and dryers, a coin-op machine and laundry supply machines.

7. **ADVERTISING:** The Buyers intend on advertising in the Firebaugh News & Announcements, mass mail Flyers and utilize Social Media to capture the attention of the local and surrounding communities.

8. **ECONOMIC BENEFITS:** The Buyers believe improving and maintaining the hamburger business and its employees; along with opening up a laundry coin-op facility will improve the overall economic and business value of Firebaugh. The improvements will increase the property value in the City of Firebaugh with respect to each business. The businesses will increase revenue for the City and increase tax revenue for the City, State and Federal governments.

9. The acceptance or rejection of any proposal is at the sole discretion of the Seller. None of the terms of this proposal shall be binding until both parties have executed a Purchase and Sale Agreement. After the close of the offering and the selection of the successful proposal a Purchase and Sale Agreement will be prepared by the Seller to include the details of the successful proposal.
10. NOTWITHSTANDING LOCAL CUSTOM OR NORM, with reference to the Closing, Buyers shall pay the cost of recording the Deed(s) conveying the Property into Buyer; any reimbursement due Seller on the current year's prorated taxes; Buyer's own Attorney fees (if necessary) and all escrow and their closing fees charged by the Title Company or Escrow Company, if any. With reference to the Closing, Seller shall pay (or adjust closing statement for) the cost of any unpaid real estate taxes prorated through the closing date, their closing costs, satisfy and remove any property liens in order to give a free and clear title and Seller's own attorney's fees (if necessary).
11. Seller shall provide Buyers with a full disclosure of any known property violations or property defects or liens on both properties prior to sale.
12. Buyers represent themselves and expect due diligence on the Sellers behalf with respect to them.
13. Buyers make this proposal with the right to terminate discussions and negotiations with the Seller at any time.

Submitted by:

Buyer(s): HAMDI HAMRAN
1300 Weekly Avenue
Corcoran, CA 93212
(559) 241-4814

MUTAHAR MANA
636 Dairy Avenue
Corcoran, CA 93212
(559) 572-1699

*This document was prepared by Quality Legal Typing Services, Inc. who has no business interest in the properties listed above and who is not an Attorney, Real Estate Broker or Agent.

Property: N Street Commercial Properties, Firebaugh, CA

Bidder: Perez

Item	Criteria	Possible Points	Points Awarded	Notes
1	Completeness and conformity to the Request for Proposals (RFP)	5	2	Addresses some of the RFP requirements but lacked detail in many areas
2	<p>The Proposed Project</p> <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.	20	10	<p>The bidders are proposing to relocate Giant Burger to the other site and replace the Giant Burger site with another restaurant that will expand the City's choices for food. They are proposing to invest some money to improve and modernize, specifically roof, parking, HVAC energy efficiency features, and exterior repairs.</p> <p>Rehabilitation of the existing sites will help boost property values but the amount dedicated for investment is not significant for the type of rehabilitation necessary for a large increase in value. Though not evaluated in the proposal, environmental impacts from the proposed project seem minimal. However, a full environmental impact review process is suggested. The proposed use conforms to the General Plan.</p>

				<p>This project may not be ideal for the City due to the lack of investment in the property and it does not generate a significant boost to property tax revenue. Two operating restaurants will boost sales tax revenue to the City. However, helping an existing business owner is a great benefit to the City.</p>
3	<p>Purchase Price and Financial Assistance:</p> <ul style="list-style-type: none"> • Purchase price • Financial capacity of Bidder • City financial involvement 	30	14	<p>The offer price is \$140,000 for both sites. The PMP indicated a combined value of \$311,500 for both properties and an appraisal supporting the bidders offer should be obtained. It would be difficult to support the value offered when presenting to the OB and DOF. It appears that the offer is very low for the subject property. Planned renovations are expected to only cost \$160k, which is a very small investment in the community and possibly unrealistic given the existing condition of the structures.</p> <p>The bidder has been preapproved for financing from Chase bank and has not requested that City pay for any costs at this point.</p>
4	<p>Timeframe:</p> <ul style="list-style-type: none"> • Timeframe for closing • The schedule for completion 	15	12	<p>The bidders intends to complete renovation of the two sites in two phases. Phase 1 includes</p>

				<p>improvements to the vacant site in preparation of relocating Giant Burger to that location. It is anticipated that this activity will take 6-9 months to complete. Phase 2 will be completed 6 months after Phase 1 is completed. This schedule is favorable to the City and taxing entities by illustrating a commitment to move expeditiously with improvements.</p> <p>The bidders did not provide a timeframe for closing, but based on the activities to date with the pre-approval process with Chase bank it is anticipated that closing would occur in a timely fashion.</p>
5	<p>Economic Benefits:</p> <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	10	<p>The bidders intend to restore both sites back to operating restaurants. Giant Burger will relocate to the site that allows for drive-thru capabilities. The Giant burger location will employ 4-5 full-time employees and 3-4 part-time employees. Giant Burger has been in the City for over 20 years and is looking forward to the opportunity to expand their business. The bidders are not certain of the anticipated employees to be employed at the "new" restaurant. In addition, the offer price and the</p>

				investment amount are very little and would not create a significant boost to the City or the affected taxing entities.
	TOTAL POINTS	100	48	

Property: N Street Commercial Properties, Firebaugh, CA

Bidder: Hamran/Mana

Item	Criteria	Possible Points	Points Awarded	Notes
1	Completeness and conformity to the Request for Proposals (RFP)	5	4	Addressed the majority of the RFP requirements but lacked detail in some areas
2	<p>The Proposed Project</p> <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.	20	7	<p>The bidders are proposing to keep Giant Burger in place and to put a coin operated laundry mat on the other site. They are proposing to invest some money in rehabilitation, renovation, and equipment upgrades/installation on both sites. Rehabilitation of the existing sites will help boost property values but the amount dedicated for investment is not significant for the type of rehabilitation necessary for a large increase in value. Though not evaluated in the proposal, environmental impacts from the proposed project seem minimal. However, a full environmental impact review process is suggested. The proposed use conforms to the General Plan.</p> <p>This project may not be ideal for the City due to the lack of investment in the property and it does not</p>

				generate a significant boost to sales and property tax revenue.
3	<p>Purchase Price and Financial Assistance:</p> <ul style="list-style-type: none"> • Purchase price • financial capacity of Bidder • City financial involvement 	30	12	<p>The offer price is \$100,000 for both sites. The PMP indicated a combined value of \$311,500 for both properties and an appraisal supporting the bidders offer should be obtained. It would be difficult to the support the value offered when presenting to the OB and DOF. It appears that the offer is very low for the subject property. Planned renovations are expected to only cost \$190k for renovation and equipment upgrades/installation, which is a very small investment in the community and possibly unrealistic given the existing condition of the structures.</p> <p>The bidder provided substantial documentation illustrating financial capacity to fund the project and there are very minimal costs that would be incurred by the City.</p>
4	<p>Timeframe:</p> <ul style="list-style-type: none"> • Timeframe for closing • The schedule for completion 	15	7	<p>The bidders intends to close escrow within 30 days of receiving DOF approval. However, a renovation schedule was not provided in the proposal.</p>
5	<p>Economic Benefits:</p> <ul style="list-style-type: none"> • Short-term and long-term economic benefits to the 	30	4	<p>The bidders intend to keep Giant Burger as it is and employ 10 people on that</p>

	<p>City, the taxing entities, and the community.</p> <ul style="list-style-type: none"> • Employment opportunities generated 			<p>site. In addition, the coin operated laundry mat will employ 2 people. This seems like a minimal increase to job creation in the City. In addition, the offer price and the investment amount are very little and would not create a significant boost to the City or the affected taxing entities.</p>
	TOTAL POINTS	100	34	

2014 TENTATIVE CHRISTMAS PARADE ITINIERARY

1ST YEAR TAMALES CONTEST, LIVE CHRISTMAS MUSIC, FOOD AND CRAFTS BOOTHS!

12:00PM-8:00PM	FOOD & CRAFTS BOOTH OPEN
12:00PM	BINGO BEGINS
2:00PM	TAMALE TURN IN FOR TAMALE CONTEST
3:00PM	RAFFLE BRACLETS WILL BE HANDED OUT (1 PER PERSON)
4:00PM	RAFFLE BEGINS
4:30PM-5:30PM	PARADE CHECK IN
5:30PM	LIGHTING OF THE CHRISTMAS TREE FOLLOWED BY NATIONAL ANTHEM
6:00PM	CHRISTMAS ELECTRIC LIGHT PARADE BEGINS