

**MEETING AGENDA**  
**The City Council/Successor Agency of the City of Firebaugh**  
**Vol. No.15/02-02**

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<b>Location of Meeting:</b>	<b>Andrew Firebaugh Community Center</b>
	<b>1655 13<sup>th</sup> Street, Firebaugh, CA 93622</b>
<b>Date/Time:</b>	<b>February 2, 2015/6:00 p.m.</b>

**CALL TO ORDER**

<b>ROLL CALL</b>	Mayor Craig Knight
	Mayor Pro Tem Freddy Valdez
	Council Member Brady Jenkins
	Council Member Marcia Sablan
	Council Member Felipe Perez

**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.

**PRESENTATION**

Margo Lerwill Economic Development Analyst, Business Development Dept. Fresno County Economic Development Corporation to provide a presentation of the RCDI website for the City of Firebaugh.

**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 December 15, 2014.**
- 2. WARRANT REGISTER – Period starting December 1, and ending on December 31, 2014.**

December, 2014	General Warrants	#31406 - #31525	\$ 504,192.68
	Payroll Warrants	#64973 - #65086	\$ 255,002.89
<b>TOTAL</b>			<b>\$ 759,195.57</b>

## NEW BUSINESS

3. THE CITY COUNCIL OF THE CITY OF FIREBAUGH APPROVING MR. FRANK WILLIAMS AS THE CITY OF FIREBAUGH REPRESENTATIVE ON THE FRESNO WESTSIDE MOSQUITO ABATEMENT DISTRICT BOARD.

**Recommended Action:** Council receives comments and approves appointment.

4. THE CITY COUNCIL OF THE CITY OF FIREBAUGH TO ACCEPT NOTICE OF COMPLETION TO ZIM INDUSTRIES, INC. FOR WELL NO 17 DRILLING RE 12-CDBG-8387.

**Recommended Action:** Council receives public comment & accepts notice of completion.

5. RESOLUTION NO. 15-01 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH APPOINTMENT OF CITY MEMBERS TO THE SPECIAL CITY SELECTION COMMITTEE OF THE SAN JOAQUIN VALLEY AIR POLLUTION CONTROL DISTRICT GOVERNING BOARD.

**Recommended Action:** Council receives public comment & approves Res No 15-01.

6. RESOLUTION NO. 15-02 - A RESOLUTION OF THE COUNCIL OF THE CITY OF FIREBAUGH, CALIFORNIA, AUTHORIZING THE FILING OF APPLICATIONS FOR SAN JOAQUIN VALLEY AIR POLLUTION CONTROL DISTRICT FUNDS AND AUTHORIZING THE EXECUTION OF DOCUMENTS BY THE CITY MANAGER OR DESIGNEE.

**Recommended Action:** Council receives public comment & approves Res No 15-02.

7. APPROVAL FOR CITY ENGINEER TO MAP THE DEL RIO SUBDIVISION AND RECORD DOCUMENTS.

**Recommended Action:** Council receives public comment & approves.

8. THE CITY COUNCIL OF THE CITY OF FIREBAUGH TO ESTABLISH AND APPOINT AD-HOC COMMITTEE MEMBERS FOR RODEO GROUND FACILITY USE AND REGULATIONS.

**Recommended Action:** Council receives public comment & appoints members.

9. THE CITY COUNCIL OF THE CITY OF FIREBAUGH TO CONSIDER TOMATEK'S REQUEST ON WAIVER/ADJUSTMENT OF IMPACT FESS FOR CONDITIONAL USE PERMIT-CUP 2015-01.

**Recommended Action:** Council receives public comment & takes action.

## SUCCESSOR AGENCY MATTERS

10. UPDATE ON N STREET PROPERTIES AND OVERSIGHT BOARD ACTION.

**Recommended Action:** Successor Agency receives public comment, informational item only.

**11. REDEVELOPMENT DISSOLUTION CONTRACT BETWEEN THE CITY OF FIREBAUGH AND RGS FOR CONSULTING SERVICES.**

**Recommended Action:** Successor Agency receives public comment & approves agreement.

**12. RESOLUTION NO. 15-03 - A RESOLUTION OF THE SUCCESSOR AGENCY TO THE FIREBAUGH REDEVELOPMENT AGENCY APPROVING THE RECOGNIZED OBLIGATION PAYMENT SCHEDULE FOR JULY THROUGH DECEMBER 2015 AND AUTHORIZING ITS TRANSMITTAL.**

**Recommended Action:** Successor Agency receives public comment & approves Res No 15-03.

**13. RESOLUTION NO. 15-04 - A RESOLUTION OF THE SUCCESSOR AGENCY TO THE FIREBAUGH REDEVELOPMENT AGENCY APPROVING THE SUCCESSOR AGENCY'S ADMINISTRATIVE BUDGET FOR FISCAL YEAR 2015-16 PURSUANT TO HEALTH AND SAFETY CODE SECTION 34177(j).**

**Recommended Action:** Successor Agency receives public comment & approves Res No 15-04.

**CLOSED SESSION**

**14. Government Code Section 54956.9**

**CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION**

Initiation of Litigation Pursuant to Paragraph (4) or Subdivision (d) of Section 5456.9 (Deciding Whether to Initiate Litigation): - 1 case

**ANNOUNCEMENT AFTER CLOSED SESSION**

**ADJOURNMENT**

**Certification of posting the Agenda**

I declare under penalty of perjury that I am employed by the City of Firebaugh and that I posted this agenda on the bulletin boards at City Hall, January 30, 2015 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. 14/12-15

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

**CALL TO ORDER** Meeting called to order by Mayor DeFrancesco at 7:00 p.m.

## ROLL CALL

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

## **ABSENT:**

**OTHERS:** City Attorney Jenell Von Bindsbergen; City Manager, Kenneth McDonald; Police Chief Elsa Lopez; Finance Director, Pio Martin; Deputy City Clerk, Rita Lozano; Fire Chief John Borboa; City Engineer, Mario Gouveia, Wanda Breshears and others.

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

**PUBLIC COMMENT:** none

## 1. RESOLUTION NO. 14-59 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH CANVASSING AND DECLARING THE RESULTS OF THE GENERAL ELECTION HELD ON NOVEMBER 4, 2014.

*Motion to approve Res. No. 14-59 by Council Member Knight, seconded by Council Member Jenkins; motion passes by 5-0 vote.*

## REORGANIZATION

## 2. SWEARING IN OF NEW AND RE-ELECTED COUNCIL MEMBERS.

Precedes of swearing in of the new City Council Member Felipe Perez and Council Member Marcia Sablan.

## 3. REORGANIZATION OF 2015 CITY COUNCIL.

A.	Mayor	Craig Knight
B.	Mayor Pro Tem	Freddy Valdez

## PRESENTATION

Dr. Marcel Hetu introduce the new West Hills College Director of North District Center (Firebaugh) Mrs. Bertha Felix-Mata.

Stacy Robb, Director of Educational Services presented a slide show and overview on their B3 (Birth-3rd Grade) challenge grant provide through the partnership of the Firebaugh-Las Deltas Unified School District and First 5.

Mr. Ryan Jolley, CPA, presented a review of the Annual Independent Auditor's Report for the period ending June 30, 2014.

**CONSENT CALENDAR**

4. **CITY OF FIREBAUGH 2015 HOLIDAY SCHEDULE.**
5. **CITY OF FIREBAUGH 2015 COMMITTEE ASSIGNMENT AND MEETING SCHEDULE.**
6. **APPROVAL OF MINUTES – The City Council meeting on November 17, 2014.**
7. **WARRANT REGISTER – Period starting November 1, and ending on November 30, 2014.**

November, 2014	General Warrants #31302 - #31405 \$	377,566.49	
	Payroll Warrants #64869 - #64972 \$	243,712.15	
<b>TOTAL</b>			<b>\$ 621,278.64</b>

*Motion to approve consent calendar by Council Member Jenkins, seconded by Council Member Valdez; motion passes by 5-0 vote.*

**NEW BUSINESS**

8. **THE CITY COUNCIL OF THE CITY OF FIREBAUGH APPROVING THE EMERGENCY EXPENDITURE TO REPAIR A SEWER LINE IN THE ALLEY BETWEEN 10<sup>TH</sup> ST & 9<sup>TH</sup> ST.**

*Motion to approve emergency expenditure at the estimated amount by Council Member Valdez, seconded by Council Member Jenkins; motion passes by 3-0 vote. Knight and Sablan – abstain.*

9. **RESOLUTION NO. 14-56 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH CHANGING THE SCHEDULE FOR REGULAR CITY COUNCIL MEETINGS.**

*Motion to approve Res. No. 14-56, and hold Council Meeting at 6:00 pm on the 1<sup>st</sup> & 3<sup>rd</sup> Monday of each month by Council Member Sablan, seconded by Council Member Jenkins; motion passes by 5-0 vote.*

10. **RESOLUTION NO. 14-57 - A RESOLUTION OF THE CITY OF COUNCIL OF THE CITY OF FIREBAUGH TO SUPPORT H.R. 5781 "THE CALIFORNIA EMERGENCY DROUGHT RELIEF ACT OF 2014.**

*Motion to approve Res. No. 14-57 by Council Member Sablan, seconded by Council Member Jenkins; motion passes by 5-0 vote.*

11. **THE CITY COUNCIL OF THE CITY OF FIREBAUGH APPROVING BUDGET ADJUSTMENT FOR LEAGUE OF CALIFORNIA CITIES: NEW MAYOR & COUNCIL MEMBER 2015 CONFERENCE.**

*Motion to approve budget amendment to allow five Council Members to attend League of Cities Conference on January 14<sup>th</sup> -16<sup>th</sup> in Sacramento, should they wish by Council Member Jenkins, seconded by Council Member Sablan; motion passes by 5-0 vote.*

12. **THE CITY COUNCIL OF THE CITY OF FIREBAUGH APPROVING ADVERTISEMENT FOR AD-HOC RODEO GROUNDS RENTAL COMMITTEE.**

*Council Member Sablan nominated Mayor Knight and Mayor Pro Tem Valdez to service on the committee to represent the Council.*

*Motion to approve the nomination by Council Member Sablan, seconded by Council Member Perez; motion passes by 5-0 vote.*

*Motion approve and direct staff to proceed the advertisement and translate the information to Spanish, deadline is January 26<sup>th</sup>. Applications will be submitted to Council for selection on February 2<sup>nd</sup> by Council Member Jenkins, seconded by Council Member Sablan; motion passes by 5-0 vote.*

**13. THE CITY COUNCIL OF THE CITY OF FIREBAUGH ACCEPTING BID AND AWARDING CONTRACT FOR WELL NO. 17 EQUIPPING CONTRACT.**

*Motion to accept and award bid to Steve Dovali Construction by Council Member Sablan, seconded by Council Member Valdez; motion passes by 5-0 vote.*

**14. THE CITY COUNCIL OF THE CITY OF FIREBAUGH APPROVING THE CLOSURE OF CITY HALL ON FRIDAY, DECEMBER 26, 2014 AND FRIDAY, JANUARY 2, 2015.**

*Motion to close City Hall on Dec 26 & Jan 2 by Council Member Jenkins, seconded by Council Member Valdez; motion passes by 5-0 vote.*

**15. THE CITY COUNCIL OF THE CITY OF FIREBAUGH APPROVING THE REQUEST FOR PROPOSALS FOR AUDITING SERVICES.**

*Motion to approve RFP by Council Member Sablan, seconded by Council Member Jenkins; motion passes by 5-0 vote.*

**16. EMPLOYMENT SEPARATION AGREEMENT, SETTLEMENT AGREEMENT AND GENERAL RELEASE.**

*Motion to approve separation agreement by Council Member Sablan, seconded by Council Member Valdez; motion passes by 5-0 vote.*

**17. LAS DELTAS WATER PROJECT UPDATE.**

*Consensus of the Council to give direction to the City Manager to continue working with Las Deltas Water District to try to find a resolution.*

**SUCCESSOR AGENCY MATTERS**

**18. RESOLUTION NO. 14-58 – A RESOLUTION OF THE SUCCESSOR AGENCY TO CITY OF FIREBAUGH REDEVELOPMENT AGENCY MAKING A RECOMMENDATION TO THE OVERSIGHT AS TO HOW TO PROCEED WITH THE DISPOSITION OF THE N STREET PROPERTIES.**

*Motion to approve Res. No. 14-58 by Council Member Sablan, seconded by Council Member Perez; motion passes by 4-1 vote; Knight – no.*

*\*Motion to enter into closed session, motion passes by 5-0 vote at 8:55 p.m.*

**CLOSED SESSION**

**19. Government Code Section 54956.9**

**CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION**

Initiation of Litigation Pursuant to Paragraph (4) or Subdivision (d) of Section 5456.9 (Deciding Whether to Initiate Litigation): - 1 case

*\*Motion to enter into open session, motion passes by 5-0 vote at 9:08 p.m.*

**ANNOUNCEMENT AFTER CLOSED SESSION**

*Motion to move forward with the initiation of litigation to obtain the debt owed by Pacific Ag should the party not reach an agreement by the end of this week, by Council Member Valdez, seconded by Council Member Jenkins; motion passes by 5-0 vote.*

**ADJOURNMENT - Motion to adjourn by Council Member Valdez, seconded by Council Member Perez; motion passes by 3-0 vote at 9:10 p.m.**



# — REPORT TO CITY COUNCIL — — **MEMORANDUM** —

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

**COUNCIL MEETING DATE: FEBRUARY 02, 2015**

**SUBJECT: Warrant Register Dated: FEBRUARY 02, 2015**

**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:

DECEMBER 01, 2014 – DECEMBER 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 .....	# 31406 – # 31525	\$ 504,192.68
PAYROLL WARRANTS.....	# 64973 - #65086	<u>\$ 255,002.89</u>
TOTAL WARRANTS.....		<b>\$ 759,195.57</b>

## WARRANTS FOR DECEMBER 2014

CK#	CK DATE	Vendor Name	AMOUNT	INVOICE DESCRIPTION
31360	12/11/2014	CDPH-OCP	\$ (100.00)	Ck# 031360 Reversed
31406	12/2/2014	CITY OF FIREBAUGH	\$ 39,832.03	UNITED SEC BANK- P/R -ME /MEDICAL - DENTAL& VISION INS.
31407	12/5/2014	AGRI-VALLEY IRRIGATION	\$ 507.68	SEWER/ WELL #2/ PARTS FOR FACILITY REPAIRS
31408	12/5/2014	ALERT-O-LITE, INC.	\$ 366.88	PW -PAINT & MATERIAL FOR ROAD REPAIRS
31409	12/5/2014	ARTCO AR TECHNOLOGIES	\$ 50.00	MONTHLY WEB HOSTING & MAINT. - DECEMBER 2014
31410	12/5/2014	AT&T MOBILITY	\$ 283.82	POLICE DEPT. - MOBILE INTERNET SERVICE
31411	12/5/2014	AT&T	\$ 92.06	CITY HALL DSL
31412	12/5/2014	AT&T	\$ 239.97	WTR TREATMT PLANT-PHONE SERVIC
31413	12/5/2014	AUTOZONE COMMERCIAL	\$ 80.49	PD - PW - PARTS VEHICLE REPAIR
31414	12/5/2014	BIG G'S AUTOMOTIVE CTR	\$ 853.27	PW -09 FORD F350-REPAIR/SERVICE COMPRESSOR AC UNIT VEH/SHOP SUPPLY
31415	12/5/2014	BOUND TREE MEDICAL, LLC	\$ 560.84	FIRE DEPT. - SAFETY MEDICAL SUPPLIES
31416	12/5/2014	CITY OF FRESNO - POLICE DEPART	\$ 976.00	CLASS - POST PERISHABLE SKILLS - 01/6-8/15 - FOR 4 OFFICERS
31417	12/5/2014	CLASS C SOLUTIONS GROUP	\$ 1,182.36	ALL DEPTS - JANITORIAL SUPPLIES
31418	12/5/2014	COLLINS & SCHOETTLER	\$ 2,960.00	PLANNING CONSULTING - NOVEMBER 2014
31419	12/5/2014	CORBIN WILLITS SYSTEMS	\$ 822.17	Administration C/W Servic
31420	12/5/2014	CRA PAYMENT CENTER	\$ 1,042.19	PW - CASE 580L BACKHOE - EQUIP REPAIR
31421	12/5/2014	CUMMINS PACIFIC	\$ 1,195.53	FIRE DEPT. - PARTS & LABOR FOR E-150 EQUIP REPAIR
31422	12/5/2014	CVR & ASSOCIATES, INC.	\$ 1,181.82	BLDG & INSPECTION FOR MONTH OF NOVEMBER 2014
31423	12/5/2014	EWING IRRIGATION PRODUCTS	\$ 109.13	PARKER PARK - GRASS SEED
31424	12/5/2014	FRESNO COUNTY TREASURER	\$ 156.18	POLICE - ACCESS FEES



31425	12/5/2014	FRESNO COUNTY AUDITOR	\$ 100.00	POLICE PARKING FEES
31426	12/5/2014	FRESNO CITY COLLEGE	\$ 95.00	POLICE DEPT - REGISTRATION - V. PATLAN
31427	12/5/2014	FRESNO-MADERA AREA AGENCY	\$ 58.31	SENIOR SENIOR - MEAL PROGRAM
31428	12/5/2014	FRESNO TRUCK CENTER	\$ 31.81	FD - VEH REPAIR - SWITCH - LAMP
31429	12/5/2014	GALLS, LLC	\$ 207.11	POLICE DEPT. - OPERATING SUPPLIES - TEST BOX
31430	12/5/2014	GOODALL TRUCKING, INC.	\$ 579.00	PW - WATER LINE REPAIR
31431	12/5/2014	GOUVEIA ENGINEERING, INC.	\$ 74,479.26	ENGINEERING - PROFESSIONAL SERVICES
31432	12/5/2014	GRAND FLOW	\$ 100.51	ADM - 1 BX - LASER PAYROLL ACCT - BLANK BL STOCK
31433	12/5/2014	GUTHRIE PETROLEUM, INC.	\$ 3,987.72	BULK UNLEADED GASOLINE
31434	12/5/2014	HCL MACHINE WORKS	\$ 252.57	FIRE DEPT. - REPAIR LIGHT BRACKET BAR - PW - EQUIP REPAIR
31435	12/5/2014	RODDY A. LAKE	\$ 248.67	HEALTH INS. REIMBURSEMENT - DEC 2014
31436	12/5/2014	LOZANO SMITH, LLP	\$ 4,116.49	PROFESSIONAL LEGAL SERVICE
31437	12/5/2014	MANUELS TIRE SERVICE	\$ 52.27	FIRE DEPT. - TIRE WHEEL BALANCE -C-150 CHEV - PW - RADIAL PATCH
31438	12/5/2014	MID-VALLEY DISPOSAL	\$ 2,846.25	OCT 2014 ARREARS & TRASH SERVICES
31439	12/5/2014	NAPA AUTO PARTS - FIREBA	\$ 417.14	PD & PW - VEHICLE PARTS & SERVICE
31440	12/5/2014	OFFICE DEPOT, INC.	\$ 129.84	OFFICE OPERATING SUPPLIES
31441	12/5/2014	PACIFIC GAS & ELECTRIC	\$ 52,330.69	ALL DEPTS. - POWER SERVICE
31442	12/5/2014	PEREZ SMOG & LUBE	\$ 50.00	PD - SMOG CHECK CERT
31443	12/5/2014	PITNEY BOWES #8000-9090-0	\$ 520.99	POSTAGE METER REFILL
31444	12/5/2014	PIZZA FACTORY	\$ 50.00	PD - K-9 TRAINING - LUNCH FOR OFFICERS
31445	12/5/2014	PLAYSET PARTS	\$ 104.85	DUNKLE PARK - BASIC COMMERCIAL BELT SEAT
31446	12/5/2014	ISABEL SALDIVAR	\$ 535.00	XMAS PARADE EXP/TAMALE CONTEST PRIZES & DJ SERVICE

31447	12/5/2014	STAPLES BUSINESS ADVANTAGE	\$ 118.33	POLICE DEPT. - OFFICE OPERATING SUPPLIES
31448	12/5/2014	THARP'S FARM SUPPLY	\$ 2,308.34	ALL DEPTS. -TOOLS, PARTS, MATERIAL - VEHICLE, & FACILITY REPAIRS & MAINTENANCE
31449	12/5/2014	U.S. BANK EQUIPMENT FINANCE, INC.	\$ 475.36	CANON COPIER LEASE & OVERAGE
31450	12/5/2014	U.S. POSTMASTER	\$ 814.08	UTILITY BILLING POSTAGE FOR DECEMBER 2014
31451	12/5/2014	WEST SIDE DRUG STORE	\$ 71.46	FIRE & POLICE DEPT. - BATTERIE/MEDICAL SUPPLIES
31452	12/5/2014	ZEE MEDICAL SERVICE CO.	\$ 189.15	PW - CITY HALL & SENIOR CTR. - FIRST AID SUPPLIES
31453	12/5/2014	SANTILLAN, DANIEL	\$ 17.16	MQ CUSTOMER REFUND FOR SAN0101
31454	12/5/2014	BRENDA AISPURO	\$ 150.00	REC#5250 -REFUND CLEANING DEPOSIT - AF COMM CNTR
31455	12/5/2014	MID-VALLEY DISPOSAL	\$ 25,308.32	PAYMENT FOR REFUSE SERVICE - NOVEMBER 2014
31456	12/9/2014	JOHN BORBOA	\$ 769.20	FIRE DEPT. -STIPEND -W/E 12/05/2014 - 40/HR X 19.23
31457	12/9/2014	CITY OF FIREBAUGH	\$ 103,011.55	UNITED SEC BANK PAYROLL A/C - P/E 12/05/2014
31459	12/10/2014	JOHN ECHANIZ	\$ 900.00	PD - 2014 UNIFORM ALLOWANCE PAYOUT
31460	12/10/2014	ELSA LOPEZ	\$ 900.00	PD - 2014 UNIFORM ALLOWANCE PAYOUT.
31461	12/10/2014	MAGDA MARTINEZ	\$ 900.00	PD - 2014 UNIFORM ALLOWANCE PAYOUT
31462	12/10/2014	FERNANDO MARTINEZ	\$ 150.00	PD - 2014 NOV-DEC - UNIFORM ALLOWANCE PAYOUT
31463	12/10/2014	BRETT M. MILLER	\$ 900.00	PD - 2014 UNIFORM ALLOWANCE PAYOUT
31464	12/10/2014	VINCENT M. PATLAN	\$ 900.00	PD - 2014 UNIFORM ALLOWANCE PAYOUT
31465	12/10/2014	SALVADOR RAYGOZA	\$ 900.00	PD - 2014 UNIFORM ALLOWANCE PAYOUT
31466	12/10/2014	ADRIAN SANTOYO	\$ 900.00	PD - 2014 UNIFORM ALLOWANCE PAYOUT
31467	12/10/2014	RAQUEL TABARES	\$ 780.00	PD DISPATCH - 2014 UNIFORM ALLOWANCE PAYOUT
31468	12/10/2014	GERARDO VACA	\$ 900.00	PD - 2014 UNIFORM ALLOWANCE PAYOUT

31469	12/10/2014	JUAN C. CASTILLO	\$ 900.00	PD - 2014 UNIFORM ALLOWANCE PAYOUT
31470	12/10/2014	FERNANDO CAMPA	\$ 900.00	PD -2014 UNIFORM ALLOWANCE PAYOUT
31471	12/11/2014	ADAMS ASHBY GROUP, LLC	\$ 7,050.00	12-CDBG-8387 - PROFESSIONAL SERVICE
31472	12/11/2014	MARIA BUSTAMANTE	\$ 40.00	REFUND FOOD BOOTH FEE/NO PARTICIPATN IN XMAS EVENT
31473	12/11/2014	CORONADO CONSTRUCTION CO.	\$ 2,108.00	RIVERLANE - INSTALL CURB, GUTTER & SIDEWALK
31474	12/11/2014	CDPH-OCP	\$ 80.00	WATER TREATMENT OPERATOR - EXAM & RE-EXAM GR-1 - J. LARA
31475	12/11/2014	HUB INTERNATIONAL/ CA INSURANC	\$ 755.88	SPECIAL EVENT INSURANCE - NOVEMBER 2014
31476	12/11/2014	KENNEDY / JENKS	\$ 4,720.00	PROFESSIONAL SERVICE - WELL #7
31477	12/11/2014	MARKO CONSTRUCTION GROUP, INC.	\$ 5,825.00	WATER TANK REFINISHING - RETENTION PAYMENT
31478	12/11/2014	ROLFE CONSTRUCTION CO	\$ 17,623.32	BEE HIVE/HELM CANAL RD - SEWER MANHOLE REPL & MAIN SEWER & RETENTION PAYMENT
31479	12/11/2014	ROSENOW SPEVACEK GROUP, INC.	\$ 5,190.00	SA CONSULT SERVICES 14/15
31480	12/11/2014	SWRCB ACCOUNTING OFFICE	\$ 24,833.00	INDEX #235465-ANNUAL PERMIT FEE - TOMATEK WWTR FAC
31481	12/11/2014	VALLEY NETWORK SOLUTIONS	\$ 3,594.52	MONTHLY NETCARE SUPPORT SERVICES FOR JULY & NOVEMBER 2014
31482	12/12/2014	CORELOGIC SOLUTIONS, LLC.	\$ 150.00	REALQUEST FEES - FOR NOVEMBER 2014
31483	12/12/2014	DELL BUSINESS CREDIT	\$ 156.92	PD - DUAL BLACK TONER CARTRIDGE
31484	12/12/2014	FIRST BANKCARD	\$ 458.37	FIRE DEPT - PUBLIC WORKS - CREDIT CARD PAYMENT
31485	12/12/2014	FRESNO OXYGEN	\$ 44.40	SHOP - OXYGEN CYLINDERS
31486	12/12/2014	GARY V. BUFKIN	\$ 750.00	COMPUTER CONSULTING SERVICES
31487	12/12/2014	GOUVEIA ENGINEERING, INC.	\$ 32,155.68	ENGINEERING - PROFESSIONAL SERVICES
31488	12/12/2014	KER WEST, INC. DBA	\$ 1,485.00	ADS -LEGAL NOTICES - BIDS
31489	12/12/2014	MIGUEL'S PLUMBING SERVICE	\$ 1,032.31	CITY HALL & FIRE DEPT. - FACILITY REPAIRS

31490	12/12/2014	PACIFIC GAS & ELECTRIC	\$ 141.46	#5868421949-4 - 4150 SPRUCE STREET - PARKER PARK - FIRE DEPT - 1264 APT
31491	12/12/2014	RENO'S MEGA MART	\$ 1,543.68	UTILITY USERS TAX REFUND - 2013
31492	12/12/2014	SPARKLETTS	\$ 42.76	PUBLIC WORKS -DRINKING WATER
31493	12/12/2014	SWRCB ACCOUNTING OFFICE	\$ 24,833.00	INDEX #235461 - ANNUAL PERMIT FEE - FIREBGH WWTF
31494	12/19/2014	ADAMS ASHBY GROUP, LLC	\$ 3,735.00	12-CDBG-8387 - ENGINEERING SERVICE
31495	12/19/2014	AG & INDUSTRIAL SUPPLY	\$ 204.28	SHOP TOOL - PW - PARTS & SUPPLIES
31496	12/19/2014	ALA 346	\$ 78.60	AMERICAN LEGION AUX COMMUNITY CALENDARS
31497	12/19/2014	ANIMAL HEALTH & SANITARY S	\$ 127.69	PW - TRIPLE TWO - FOR KENNEL
31498	12/19/2014	AT&T	\$ 659.57	ALL DEPTS - PHONE & FAX SERVICE
31499	12/19/2014	AXCES INDUSTRIAL SUPPLY	\$ 935.06	PW - SEWER CHEMICALS - CITRUS FLOATING DEGREASER
31500	12/19/2014	BRYANT L. JOLLEY	\$ 30,240.00	PROFESSIONAL AUDITING SERVICES
31501	12/19/2014	BSK & ASSOCIATES, INC.	\$ 1,537.56	WTR - SEWER LAB ANALYSIS - WWTP - 2ND ANNUAL SOIL SAMPLING 2014
31502	12/19/2014	CROP PRODUCTION SERVICES,	\$ 1,655.85	SEWER DEPT. - CHEMICALS
31503	12/19/2014	CSJVRMA	\$ 70,027.00	2014/2015 3RD QTR. LIABILITY & WORKER'S COMP INS.
31504	12/19/2014	DEPARTMENT OF JUSTICE	\$ 197.00	PD - LIVE SCAN & ALCOHOL ANALYSIS
31505	12/19/2014	DIAMOND LOCKSMITHS	\$ 183.11	PD & MALDONADO PARK - DEADBOLT - FAC REPAIR
31506	12/19/2014	ELECTRIC DRIVES, INC.	\$ 263.22	WATER SITE #2 - EQUIPMENT REPAIR
31507	12/19/2014	FIRST BANKCARD	\$ 1,521.90	POLICE & CITY MANAGER - CREDIT PAYMENT
31508	12/19/2014	FIREBAUGH CENTENNIAL	\$ 2,070.00	SALE/CENTENNIAL MAGAZINS BY CITY HALL/JUL-NOV 2014
31509	12/19/2014	TWILA GONZALES	\$ 50.00	REFUND CONCESSION STAND CLEANING DEPOSIT
31510	12/19/2014	GUEVARA'S PM ROOFING	\$ 6,000.00	ROOF INSTALLATION - CONTRACT #1

31511	12/19/2014	KTS SERVICES OF NORTHERN C	\$ 142.50	REMOTE SERVICE / TROUBLESHOOT TIME ON PHONES
31512	12/19/2014	LABOR LAW POSTERS	\$ 237.00	LABOR LAW POSTERS FOR 3 DEPTS. @ \$79.00 EACH
31513	12/19/2014	LOZANO SMITH, LLP	\$ 5,485.58	PROFESSIONAL LEGAL SERVICES
31514	12/19/2014	PIO MARTIN	\$ 654.10	REIMB/TRAVL EXPENSE/ ATTND 2014 MUNI FIN INSTITUTE
31515	12/19/2014	PACIFIC GAS & ELECTRIC	\$ 37,676.29	7355932148-1 - ALL DEPTS POWER SERVICE
31516	12/19/2014	RENO'S MEGA MART	\$ 38.04	SHOP - PROPANE
31517	12/19/2014	RON'S AUTO REPAIR	\$ 686.78	PD - 09 CROWN VICTORIA - ENGINE REPAIR
31518	12/19/2014	ROSENOW SPEVACEK GROUP	\$ 3,225.00	SA CONSULT SERVICES 14/15
31519	12/19/2014	SPARKLETTS	\$ 30.01	CITY HALL - DRINKING WATER
31520	12/19/2014	THARP'S FARM SUPPLY	\$ 1,658.53	ALL DEPTS - PARTS, TOOLS, MATERIAL FOR FACILITY & EQUIPMENT REPAIRS
31521	12/19/2014	UNIVAR USA INC	\$ 2,260.80	WATER CHEMICALS
31522	12/19/2014	VALLEY NETWORK SOLUTIONS	\$ 2,398.59	FIRE DEPT. COMPUTER REPAIR - & NET CARE SUPPORT - JAN 2015
31523	12/19/2014	VERIZON WIRELESS	\$ 825.85	ALL DEPTS. - CELL PHONES
31524	12/22/2014	JOHN BORBOA	\$ 769.20	FIRE DEPT. - STEIPEND - W/E 12/19/2014
31525	12/22/2014	CITY OF FIREBAUGH	\$ 112,159.31	UNITED SECURITY BANK PAYROLL ACCT. - P/E 12/19/14
		<b>TOTAL .....</b>	<b>\$ 759,195.57</b>	

**BOARD OF TRUSTEES**

**Robert Felker**  
Tranquillity Area  
**S. Leo Capuchino**  
City of Mendota  
**C. Rene Ram**  
Oro Loma Area  
**George Kenneson**  
Kerman Area  
**David Wakefield**  
Five Points Area  
**Eric Fontana**  
Dos Palos Area  
**Frank Williams**  
City of Firebaugh

**FRESNO WESTSIDE  
MOSQUITO ABATEMENT  
DISTRICT**

December 08, 2014

**DISTRICT MANAGER**  
**Elizabeth Ann Cline**  
fwmadmanager@sbcglobal.net

2555 "N" Street  
Firebaugh, CA 93622  
Telephone: (559) 659-2437  
Facsimile: (559) 659-2193

Assistant Manager/Biologist  
**Conlin Reis**  
Supt. of Operations  
**Chance Rowan**  
Secretary/Bookkeeper  
**Dianne Young**

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

Re: Representation on the Fresno Westside Mosquito Abatement District Board

Esteemed Council members:

The term of office of your representative on the Fresno Westside Mosquito Abatement Board of Trustees, Mr. Frank Williams, will expire on January 5, 2015. I have discussed this matter with Mr. Williams and he has informed me that he would be happy to continue to serve on the Board of Trustees of this District, if the City Council should so desire.

Mr. Williams has served on this Board since 2003 and he has been exemplary in his service to this District. I believe he will continue this level of service if you should decide to reappoint him to this Board. I have not had any other inquiries regarding this position. Thank you for your prompt attention to this matter. Please feel free to call me if you need anything further.

Sincerely,



Elizabeth Cline  
District Manager

Cc: Frank Williams

## Kennedy/Jenks Consultants

### Engineers & Scientists

10850 Gold Center Drive, Suite 350  
Rancho Cordova, CA 95670  
916-858-2700  
FAX 916-858-2754

20 November 2014

Mr. Ben Gallegos  
Public Works Director  
City of Firebaugh  
1133 P St  
Firebaugh, CA 93622

Subject: City of Firebaugh – Well No. 17 Drilling, 12-CDBG-8387  
Recommendation for Final Acceptance  
K/J 1370011\*00

Dear Ben,

This letter serves as our recommendation for Final Acceptance for the City of Firebaugh Well No. 17 Drilling Project (Project).

Kennedy/Jenks conducted the Final Inspection with the City on 18 November 2014 and found the Work to be in accordance with Contract Documents to the best of our knowledge, information, and belief, and on the basis of our observations.

We recommend the District file a Notice of Completion, designate Final Completion, make Final Payment and Accept the Work in accordance with the terms and conditions of the Contract Documents.

Should you have any questions regarding the information of this letter or the attached application for payment, please call me at (916) 858-2741.

Very truly yours,

KENNEDY/JENKS CONSULTANTS



Ryan Young, P.E.

cc: Paul Ashby, Kenneth McDonald, K/J File 1370011\*00/13.06,

# Kennedy/Jenks Consultants

## Engineers & Scientists

10850 Gold Center Drive, Suite 350  
Rancho Cordova, CA 95670  
916-858-2700  
FAX 916-858-2754

20 November 2014

Mr. Ben Gallegos  
Public Works Director  
City of Firebaugh  
1133 P St  
Firebaugh, CA 93622

Subject: City of Firebaugh – Well No. 17 Drilling, 12-CDBG-8387  
Zim Industries, Inc. Release of Retention  
K/J 1370011\*00

Dear Ben,

Zim Industries Inc. has submitted a Request for Release of Retention. We have reviewed the work completed to date and find the well drilling project to be substantially complete. We have no exceptions the Release of Retention once the Notice of Completion has been properly submitted.

The final cost of the project is the Contract Amount. Additional work did occur during development pumping and the step testing duration. This work was offset by the unused Well Abandonment line item but has exceeded the contract amount by \$345.

Please process as follows:

Total Amount to Date	\$ 172,705.00
Less Previous Payments	\$ <u>155,434.50</u>
<b>Total Payment Due</b>	<b>\$ 17,270.50</b>

We recommend coordination with Paul Ashby for any additional requirements associated with the funding sources, the filing of the Notice of Completion and associated public notice period.

Should you have any questions regarding the information of this letter or the attached application for payment, please call me at (916) 858-2741.

Very truly yours,

KENNEDY/JENKS CONSULTANTS



Ryan Young, P.E.

cc: Paul Ashby, Kenneth McDonald, K/J File 1370011\*00/13.06,



**RECORDING REQUESTED BY**AND WHEN RECORDED MAIL TO  
FOR THE BENEFIT OF

Name           City of Firebaugh  
Street  
Address       1133 P Street  
  
City &  
State         Firebaugh, CA 93622

SPACE ABOVE THIS LINE FOR RECORDER'S USE

**NOTICE OF COMPLETION**

Notice pursuant to Civil Code Section 3093, must be filed within 10 days after completion. (See reverse side for complete requirements.)

Notice is hereby given that:

1. The undersigned is owner or corporate officer of the owner of the interest or estate stated below in the property hereinafter described:
2. The full name of the owner is City of Firebaugh
3. The full address of the owner is 1133 P Street, CA, 93622
4. The nature of the interest or estate of the owner is; In fee.

No recording or filing fee: Government Code Section 6103 and 27383

(If other than fee, strike "In fee" and insert, for example, "purchaser under contract of purchase," or "lessee")

5. The full names and full addresses of all persons, if any who hold title with the undersigned as joint tenants or as tenants in common are:
- | NAMES | ADDRESSES |
|-------|-----------|
|-------|-----------|

6. A work of improvement on the property hereinafter described was completed on February 2, 2015. The work done was:  
Well No. 17 Drilling, 12-CDBG-8387

7. The name of the contractor, if any for such work of improvement Zim Industries, Inc.

November 18, 2014

(If no contractor for work of improvement as a whole, insert "none")

(Date of Contract)

8. The property on which said work of improvement was completed is in the City of Firebaugh.

County of Fresno, State of California, and is described as follows: City of Firebaugh near levee and Vasquez Drive,

9. The street address of said property is None

(If no street address has been officially assigned, insert "none".)

Dated: February 2, 2015

Verification for Individual Owner

Signature of owner or corporate officer of owner  
named in paragraph 2 or his agent  
Kenneth McDonald, City Manager

**VERIFICATION**I, the undersigned, say: I am the City Manager of Firebaugh the declarant for the foregoing

("President of", "Manager of", "A partner of", "Owner of", etc.)

Notice of Completion; I have read said notice of completion and how the contents thereof; the same is true of my own knowledge.  
I declare under penalty of perjury that the foregoing is true and correct.

Executed on February 2, 2015, at City of Firebaugh, California.

(Date of signature.)

(City where signed.)

(Personal signature of the individual who is swearing that  
the contents of the notice of completion are true.)  
Kenneth McDonald, City Manager

**RESOLUTION NO. 15-01**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH  
APPOINTMENT OF CITY MEMBERS TO THE SPECIAL CITY SELECTION  
COMMITTEE OF THE SAN JOAQUIN VALLEY AIR POLLUTION CONTROL  
DISTRICT GOVERNING BOARD**

**WHEREAS**, Health and Safety Code Section 40600.5 created a Special City Selection Committee for the appointment of city members of the San Joaquin Valley Air Pollution Control District (District) Governing Board, and

**WHEREAS**, The Special City Selection Committee has adopted procedures and a rotation schedule for making their appointments, and based upon the adopted rotation schedule a city council member representing a city with a population of less than 100,000 from Fresno County shall be appointed to the District Governing Board, and

**WHEREAS**, In selecting a nominee for appointment by the Special City Selection Committee to the District Governing Board, the City Council considered the application materials for the eligible candidates, and

**WHEREAS**, The Vote to select a nominee took place as an item on the publicly noticed agenda and was discussed during the normal city council meeting with time for public comment.

**NOW, THEREFORE, BE IT RESOLVED** that the City of Firebaugh nominates City Council Member Knight as the City of Firebaugh's representative and Council Member Valdez as an alternate to the Special City Selection Committee for appointment to the District Governing Board.

The foregoing Resolution was adopted at a regular meeting of the City Council of the City of Firebaugh on the 2<sup>nd</sup> day of February, 2015 by the following call vote:

AYES: Council Member(s)

NOES: Council Member(s)

ABSENT: Council Member(s)

ABSTAIN: Council Member(s)

**APPROVED:**

---

Craig Knight  
Mayor

**ATTEST:**

---

Rita Lozano  
Deputy City Clerk

**RESOLUTION NO. 15-02**

**A RESOLUTION OF THE COUNCIL OF THE CITY OF FIREBAUGH, CALIFORNIA,  
AUTHORIZING THE FILING OF APPLICATIONS FOR SAN JOAQUIN VALLEY AIR  
POLLUTION CONTROL DISTRICT FUNDS AND AUTHORIZING THE EXECUTION OF  
DOCUMENTS BY THE CITY MANAGER OR DESIGNEE**

**WHEREAS**, the San Joaquin Valley Air Pollution Control District (SJVAPCD) has authorized the establishment of several grant programs, including for example the Public Benefit Grant Program which provides funds for advanced transportation and transit; and

**WHEREAS**, SJVAPCD administers various grant programs and has requested applications from eligible agencies; and

**WHEREAS**, said adopted procedures established by the SJVAPCD require the applicant to certify by resolution the approval to submit applications to the SJVAPCD and execute grant documents with SJVAPCD; and

**WHEREAS**, the City desires to apply to the SJVAPCD for grant funding on an ongoing and regular basis.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FIREBAUGH HEREBY:**

**SECTION 1.** The Council approves the filing of grant applications with the San Joaquin Valley Air Pollution Control District and participation therein, consistent with constitutional and local law requirements and this resolution.

**SECTION 2.** The Council appoints and authorizes the City Manager or Designee as the agent for the City of Firebaugh to execute and submit all application documents, materials, certifications and so on which may be necessary in the pursuit hereof.

The foregoing Resolution was adopted at a regular meeting of the City Council of the City of Firebaugh on the 2<sup>nd</sup> day of February, 2015 by the following call vote:

AYES: Council Member(s)

NOES: Council Member(s)

ABSENT: Council Member(s)

ABSTAIN: Council Member(s)

**APPROVED:**

**ATTEST:**

---

Craig Knight  
Mayor

---

Rita Lozano  
Deputy City Clerk



## STAFF REPORT

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TO: Honorable Mayor and Council members  
FROM: Kenneth McDonald, City Manager  
DATE: February 2, 2015  
SUBJECT: Approval for City Engineer to Map the Del Rio Subdivision and Record Documents

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### **RECOMMENDATION:**

Direct the City Engineer to complete all the surveying and mapping required to map the properties in and adjacent to the Del Rio Subdivision based on the estimate of work provided.

### **HISTORY / DISCUSSION:**

The Del Rio Subdivision was annexed into the City in 2003, as part of the process, roads and utilities were to have easements and rights of way recorded at the Fresno County Surveyor's Office. This work was to be checked by the City Engineer Fred Rabe and recorded by the County. The County does have some of the legal descriptions for properties in the Del Rio Subdivision. Unfortunately, only recently was it discovered that the recording process was not fully completed which prevents title insurance and bank financing to be completed in a traditional property sale. Due to this fact, the area will be faced with severe development obstacles that each property owner will have to bear in order to sell their property.

The proposed solution to this problem will be to have the City verify and map all the properties in the Del Rio Subdivision and any adjacent properties to ensure the parcels in question are mapped on a recorded document. This will help to avoid future obstacles to developing the area.

City Staff, while researching the mapping for the Del Rio Subdivision, has found the attached Staff Report from February 2, 2004 which provides some additional background on the mapping for the Subdivision.

### **FISCAL IMPACT:**

The estimated amount to map the properties in the subdivision is \$50,000.

## Project Mapping Estimate By Task

Project Name: Del Rio Subdivision Mapping Correction					Prepared By: DGR on 1-25-15	
TASK	ALLOTTED HOURS					ESTIMATED TOTALS
	Principal Engineer	Survey Crew	Land Surveyor	Project Manager	Administrative	
	\$135	\$155	\$115	\$100	\$55	
Initial Project Scoping and Setup	4			8	4	16
Creation of the Initial Base Drawing			120	4		124
Field Survey Data Collection		140				140
Survey Data Processing	2		60	4		66
Preparation & Submittal of the Record of Survey	2		32	4	8	46
Note: All times shown are an estimate based on the current information available for the Del Rio Subdivision and it covers approximately 60 properties. As there are many unknowns associated with this project that may materialize as the mapping correction process progresses, time is expected to fluctuate up or down depending on what may be required to properly resolve these unknowns.						
Estimated Total Hours:	8	140	212	20	12	392
Estimated Fee:	\$1,080	\$21,700	\$24,380	\$2,000	\$660	\$49,820

**Staff Report to the Firebaugh City Council**  
Council Meeting Date: February 2, 2004

**Subject**

The Council will conduct a Public Hearing to Consider the Adoption of the Resolution of Public Use and Necessity for the Acquisition of Real Property and Certain Easements and Rights-of-Way in the Del Rio Annexation Area for Street Construction and Storm Water Drainage Purposes.

The Council will consider adopting Resolutions Determining that the Public Interest and Necessity require the acquisition of certain easements in, rights-of-way over, and/or ownership of 19 properties located in the Del Rio Annexation Area for public purposes, including the use of Community Development Block Grant (CDBG) monies administered by the County of Fresno, to widen and construct street improvements in this area, to construct a permanent storm water drainage basin, and to authorize Eminent Domain proceedings for the acquisition of these properties, specifically identified by the following Assessor's Parcel Numbers followed by the owners' names:

APN 007-040-01&02 (Vasquez); APN 007-110-42 (Felix); APN 007-110-43 (Teal); APN 007-110-44 (Thompson); APN 007-110-46 (Cardella); APN 007-110-47 (Vasquez); APN 007-110-50 (Vasquez); APN 007-110-32 (Cardella); APN 007-110-34 (Nunez); APN 007-110-35 (Vasquez); APN 007-110-37 (Cardella); APN 007-110-38 (Cardella); APN 007-110-56 (Gonzalez); APN 007-110-31s (Perez); APN 007-110-66 (Cabada); APN 007-110-11 (Flores); APN 007-110-12 (Medellin); APN 007-110-64 (Murphy); and APN 007-110-08 (Cota).

**Background Facts**

In 2001, the Fresno County Local Agency Formation Commission (LAFCo) received a landowner petition for approval of a reorganization consisting of the annexation of approximately 91 acres in the Del Rio area to the City of Firebaugh, and detachment from the Fresno County Fire Protection District and the Central California Irrigation District. The reorganization proposal also included dissolution of the County Service Area No. 40. On December 5, 2001, LAFCo conducted a public hearing to consider this proposal. Following the public hearing, LAFCo adopted Resolution Ro-01-14 conditionally approving the proposed reorganization and annexation of the Del Rio area by the City of Firebaugh. On February 6, 2002, after conducting the required protest hearing, LAFCo determined that the reorganization and annexation should proceed as conditionally approved. On August 4, 2003, the Firebaugh City Council passed Resolution No. 03-23 adopting the General Plan Amendment for the Del Rio area adding Mixed Use Commercial (MUC) as a land use classification for the Del Rio neighborhood. Del Rio was officially annexed by the City of Firebaugh by that LAFCo document entitled "Boundary Description, Del Rio Reorganization for the Annexation to the City of Firebaugh, Detachment from the Fresno County Fire Protection District and from the Central California Irrigation District, Dissolution of Fresno County Service Area No. 40", which boundary change

was recorded as Document #20030202000, Fresno County Recorder's Office, dated August 26, 2003.

Del Rio's Mixed Use Commercial designation allows a mixture of commercial, office and multi-family and single family uses and a mobile home park along the Highway 33 corridor between Northern City limits and 12,000 feet north of Clyde Fannon Road. This is a special designation distinct to this corridor. Special design considerations will be applied to address existing lot depth, limited access to Highway 33, potential right-of-way requirements to accommodate the future widening of Highway 33, and future connection to the balance of the City to the Northeast. Special design considerations were also established because the Del Rio neighborhood is the Northern boundary of the City, so appropriate landscaping and building design are essential to portray a positive image of Firebaugh.

Since Del Rio residents have direct vehicular access to State Route 33, the streets which are the subject of this report have historically proven to be an area of concern, because immediate State Route 33 access has the potential to create dangerous frontage and traffic hazards. The lack of pavement on many of the streets in this area are also a point of concern. Utilities are generally available throughout Del Rio including County sewer and water districts as well as electricity. Gas is available through on-site propane tanks, not natural gas. The Del Rio project initially consisted of 50 parcels including the 19 above-referenced parcels. However, the City, and Fresno County as the City's predecessor in interest, has reached agreements with the owners of 31 of these parcels for easements, rights-of-way, and/or fee acquisition. Of the remaining 19 parcels, some have title problems which will require court clearance, some have reluctant owners, others have non-resident owners with whom neither the County nor the City have been able to negotiate.

Irrigated row crop usage is in evidence both to the East, across the Helm Canal, and to the West, across State Route 33. Surface water is generally available throughout the area, constituting a relatively inexpensive water source for agricultural pursuits. Property uses within the Del Rio neighborhood are mostly single-family, detached residential or mobile homes on individual lots. Scattered retail uses are present on parcels fronting State Route 33. Some of these businesses are currently non-operational. The subject properties contain a variety of square footage and acreage amounts. All of the properties, which are not taken outright, will remain suitable for residential, retail, or light industrial uses after the proposed street and drainage improvements are constructed.

In addition to transportation improvements, this Del Rio Street and Drainage Project is necessary to minimize periodic flooding in the area. The land slopes generally away from Highway 33 into Del Rio, and storm water drainage becomes trapped between Highway 33 and the Helm Canal bank. If storm water causes too much flooding in the area, it becomes an interference with the local sewage lift station and, theoretically, with sewage treatment plant operation. Del Rio's clay soils have poor permeability, which contributes to drainage problems. The soils in the Del Rio area are composed of Tachi and Wekoda clay, poorly drained with a 1% slope. A high water table in the area compounds this problem. The proposed project is necessary to provide drainage and permanent streets in an area without either one. The area has no curbs

and gutters and the existing provisional streets are not constructed to the grades specified in the community's master drainage plan.

### **Purchase Offers**

In July of 2003, the City's predecessor in interest, the County of Fresno, commissioned an independent real estate appraiser, David P. Hamilton, MAI, Real Estate Appraiser and Consultant, 7638 N. Ingram Ave., Ste. 201, Fresno, CA 93711, telephone number (559) 435-7420, fax number (559) 435-6340, who appraised the subject street easements and ponding basin property to determine fair market values as of August 12, 2003.

Based on these appraisals, on January 13, 2004, the City mailed offer letters to the property owners to acquire the necessary easements on each of the subject properties, and to acquire the ponding basin property in fee simple absolute. Identical offers to purchase had been previously made by the County to all property owners. Thirty-one of the owners executed easement agreements through the County. Nineteen of the parcels remain uncommitted, either because their owners cannot be found, because the title is confused or because they refuse to execute the easement agreements or, in the case of the ponding basin, a conveyance agreement. The City requested that the owners respond to the offers by returning a signed copy of the offer letter. On January 13, 2004, the City also sent the 19 remaining property owners a notice letter about the public hearing scheduled for February 2, 2004. The notice letter notified all remaining property owners about the purpose of the hearing, including the Council's anticipated consideration of the adoption of Resolutions of Necessity to acquire the necessary easements and storm drainage basin property to complete the project.

### **Adoption of Resolutions of Necessity**

The Council's adoption of the Resolutions of Necessity, which have been prepared by the City Attorney's office pursuant to Code of Civil Procedure §1245.220 and §1245.230, will authorize the City Attorney's office to initiate an Eminent Domain action to acquire easements in the subject parcels and to acquire the storm drainage basin and other parcels subject to a total take in fee. To the extent that purchase agreements and deeds of easement may be negotiated and deposited into escrow prior to the date of the hearing for adoption of the Resolution of Necessity, staff will request that these properties be removed from consideration by the Council at the time of hearing. Staff and Counsel will continue to try to negotiate with the owners of record to resolve these matters outside of litigation even after these Eminent Domain actions have been filed. The Eminent Domain Law requires the Council to make the following findings before adopting the Resolutions of Necessity:

1. The public interest and necessity require the proposed project.

Widening of the subject streets and construction of street improvements including curbs and gutters in Del Rio is necessary to provide safe and adequate road conditions in this subdivision and to promote adequate storm water drainage into an adjacent ponding basin.



2. The proposed project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury.

Widening and paving the subject streets will facilitate the safe, year around traffic use in Del Rio. The installation of curbs and gutters, and the construction of an adjacent storm water drainage basin will benefit the subject properties and businesses in the area, or to be attracted to the area in part because of these improvements. The easements to be acquired will cause comparatively little private injury since all the easement areas are vacant, no occupants will require relocation, and all owners will be compensated for the value of acquired property interests and related costs to the extent required by law.

3. The subject properties (easements and ponding basin) are necessary for the proposed project.

Without the acquisition of the easements and ponding basin property, enabling the widening and reconstruction of roads in the Del Rio subdivision, and the installation of curbs and gutters and the storm water drainage basin, the area will continue to flood regularly because drainage water will continue to be trapped between State Route 33 and the Helm Canal in this area of high water table and heavy clay soil.

4. Offers to purchase the required properties (both easements and the ponding basin) have been extended pursuant to §7267.2 of the Government Code.

Written offers based on fair market value appraisal were mailed to the owners of the subject parcels on January 13, 2004, pursuant to the California Government Code.

### **Issue for Determination**

Should the Council adopt the attached Resolutions of Necessity for the acquisition of the subject properties (each identified by legal description and map in each Resolution of Necessity) for the purpose of constructing street improvements and a storm water drainage basin to relieve the flood risk and to improve traffic safety in the Del Rio Annexation Area?

### **Recommendations**

Staff recommends that the Council take the following actions:

1. Conduct a public hearing and consider all public testimony.
2. Adopt Resolutions that Public Interest and Necessity Require the Acquisition of Certain Easements and Rights-of-Way, and authorize the prosecution of Eminent Domain proceedings for such acquisitions in the Del Rio Annexation Area, which properties are more specifically identified by the following Assessor's Parcel Numbers:

APN 007-040-01&02 (Vasquez); APN 007-110-42 (Felix); APN 007-110-43 (Teal); APN 007-110-44 (Thompson); APN 007-110-46 (Cardella); APN 007-110-47 (Vasquez); APN 007-110-50 (Vasquez); APN 007-110-32 (Cardella); APN 007-110-34 (Nunez); APN 007-110-35 (Vasquez); APN 007-110-37 (Cardella); APN 007-110-38 (Cardella); APN 007-110-56 (Gonzalez); APN 007-110-31s (Perez); APN 007-110-66 (Cabada); APN 007-110-11 (Flores); APN 007-110-12 (Medellin); APN 007-110-64 (Murphy); and APN 007-110-08 (Cota).

3. Direct staff to take all necessary steps to proceed immediately to accomplish property acquisition, including Applications for Pre-Judgment Orders for Possession of the subject properties.

### **Fiscal impact**

According to the appraiser's "project summary" (attached) the appraised value for the total subject road easements and ponding basin is approximately \$232,000. The appraised value of the 19 remaining properties is \$134,796, including parcels subject to a total take for street improvements and drainage basin. CDBG funds are allocated by the County for the completion of this project. The fiscal impact also includes attorney's fees, litigation costs, and potentially defendants' litigation costs under limited circumstances.



## STAFF REPORT

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TO: City Council  
FROM: Kenneth McDonald, City Manager  
DATE: February 2, 2015  
SUBJECT: Ad-Hoc Rodeo Grounds Rental Committee selection

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### **RECOMMENDATION:**

Staff would recommend a committee of consisting of two council members and four public members, with two of the public members from the business community or promoters that are positively impacted by the events and two members of the public that are negatively impacted by the events. The purpose of the committee will be to discuss solutions to the noise problems and recommendations on the number and date of events to allow the functions to continue and provide a committee recommendation to the full Council to take action on future rentals of the Rodeo Grounds.

### **HISTORY / DISCUSSION:**

The Rodeo Grounds has been rented over the years for different events. At the Council Meeting on October 27, 2014, it was decided to form a committee to propose solutions for the Rodeo Grounds Rental, after residents approached Council with concerns over excessive noise. All future events or rental of the rodeo grounds were not authorized until specific council direction has been provided. In addition, an Ad-Hoc Committee with one purpose and Council membership at no more than two, will allow the committee meetings to be held without the need for agendas and minutes, allowing more flexibility and saving staff expenses with a permanent or regular committee.

Several solutions were discussed during previous Council meetings, namely designing and building a sound system that would work for this venue, 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.

Council advertised acceptance of applications to be considered for appointment to the Ad-Hoc Rodeo Grounds Rental Committee be received by January 27, 2015. The following attached applications were accepted through January 28, 2015.

### **FISCAL IMPACT:**

Varied costs depending on the solution proposed.



## City of Firebaugh

1133 "P" Street, Firebaugh, Ca 93622

Fax (559) 659-3412

Telephone (559) 659-2043

### Nominee Application for City Commission or Committee

I hereby request that I be considered as a nominee for the following City Commission or Committee:

Planning Commission \_\_\_\_\_ Community Service & Recreation Committee X

Economic Development Committee \_\_\_\_\_ Other – Ad Hoc Committee \_\_\_\_\_

Name Carla Delgado  
Address 527 P St  
City Firebaugh State CA Zip 93622  
Home Phone (559) 847-8005 Business Phone ( ) \_\_\_\_\_  
Employed By Macys Position BA

I have been a registered voter in the City of Firebaugh for \_\_\_\_\_ years.

I have been a resident of Firebaugh for 20 years. (There is no residency requirement.)

Are you a citizen of the United States? Yes \_\_\_\_\_ No X

Have you ever been convicted of a felony? Yes \_\_\_\_\_ No X

(If your answer is "yes," please explain the nature of the felony conviction on a separate sheet of paper and attach to this form.)

Please state your education backgrounds: graduated Firebaugh High School  
and attended some College at UC Santa Barbara.

Please list any organizations of which you are a member and any offices you have held in those organizations: Firebaugh Business Assoc. member/Treasurer



## Nominee Application for City Commission or Committee

Please list any appointed public boards or commission on which you have served, and  
chairmanship or office held: N/A

Do you believe your experience (personal, education, professional) applies to your effectively  
servicing to this Commission/Committee? If so, please explain: Yes, my experience  
in working with volunteers and different organization  
helps me to work with others in a professional  
manner towards civic issues concerning public activities

Do you have any personal goals or objectives that might be achieved by serving on this  
Commission/Committee? If so, explain: Yes, my personal objective  
is to live and engage in a community that  
is healthy and prosperous. A community that is diverse  
and tolerant.

References (optional): Felipe Perez = 559-210-4832

Elsa Lopez = 559-694-1514

Ran Gallegos = 559-694-6166

Signed

Carla Delgado

Date

1/26/15

**Please return your completed application to the  
City of Firebaugh  
1133 "P" Street  
Firebaugh, CA 93622**



## City of Firebaugh

1133 "P" Street, Firebaugh, Ca 93622

Fax (559) 659-3412

Telephone (559) 659-2043

### Nominee Application for City Commission or Committee

I hereby request that I be considered as a nominee for the following City Commission or Committee:

Planning Commission \_\_\_\_ Community Service & Recreation Committee \_\_\_\_

Economic Development Committee \_\_\_\_ Other – Ad Hoc Committee X

Name David Van Pelt  
Address 1401 Q  
City Firebaugh State Ca Zip 93622  
Home Phone (559) 659-1363 Business Phone (559) 630-1274 cell  
Employed By Retired Position \_\_\_\_\_

I have been a registered voter in the City of Firebaugh for 47 years.

I have been a resident of Firebaugh for 47 years. (There is no residency requirement.)

Are you a citizen of the United States? Yes X No \_\_\_\_

Have you ever been convicted of a felony? Yes \_\_\_\_ No X

(If your answer is "yes," please explain the nature of the felony conviction on a separate sheet of paper and attach to this form.)

Please state your education backgrounds: High School -  
Some College  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Please list any organizations of which you are a member and any offices you have held in those organizations: Lions -  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



## Nominee Application for City Commission or Committee

Please list any appointed public boards or commission on which you have served, and chairmanship or office held: FUSD Trustee —

Planning Commission, Measure C oversight  
Committee

Do you believe your experience (personal, education, professional) applies to your effectively servicing to this Commission/Committee? If so, please explain: yes — I live

Very close to the Rodeo grounds

Do you have any personal goals or objectives that might be achieved by serving on this Commission/Committee? If so, explain: To find a working

solution for all concerned

References (optional): \_\_\_\_\_

Signed

David Van Relt

Date

1-26-15

**Please return your completed application to the  
City of Firebaugh  
1133 "P" Street  
Firebaugh, CA 93622**



## City of Firebaugh

1133 "P" Street, Firebaugh, Ca 93622

Fax (559) 659-3412

Telephone (559) 659-2043

### Nominee Application for City Commission or Committee

I hereby request that I be considered as a nominee for the following City Commission or Committee: For the Rodeo Grounds Concert Noise Pollution Issue.

Planning Commission ☒ Community Service & Recreation Committee ☒

Economic Development Committee ☐

Name Denise Tharp - Jameson  
Address 1432 a st.  
City Firebaugh CA 93622  
Home Phone (559) 801-8075 Business Phone (559) 659-1479  
Employed By Country Charm Flowers Position Owner

I have been a registered voter in the City of Firebaugh for 12 years.

I have been a resident of Firebaugh for 30 years. (There is no residency requirement.)

Are you a citizen of the United States? Yes ☒ No ☐

Have you ever been convicted of a felony? Yes ☐ No ☒

(If your answer is "yes," please explain the nature of the felony conviction on a separate sheet of paper and attach to this form.)

Please state your education backgrounds: Bachelor Degree Fresno State 2008  
+ technical school

Please list any organizations of which you are a member and any offices you have held in those organizations: Chamber of Commerce





## Nominee Application for City Commission or Committee

Please list any appointed public boards or commission on which you have served, and chairmanship or office held: N/A

Do you believe your experience (personal, education, professional) applies to your effectively servicing to this Commission/Committee? If so, please explain: Yes, being a citizen  
and business owner, and with a college degree  
all apply here

Do you have any personal goals or objectives that might be achieved by serving on this Commission/Committee? If so, explain: NO - just improvement of  
city

References (optional): Esther Orrellana, Ted Crockett, Patricia  
Tharp

Signed Denise James Date 12/11/14

**Please return your completed application to the  
City of Firebaugh  
1133 "P" Street  
Firebaugh, CA 93622**



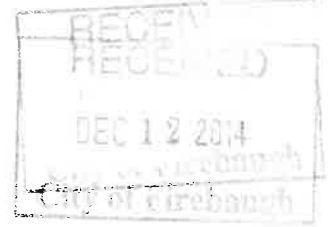
## City of Firebaugh

1133 "P" Street, Firebaugh, Ca 93622

Fax (559) 659-3412

Telephone (559) 659-2043

### Nominee Application for City Commission or Committee



I hereby request that I be considered as a nominee for the following City Commission or Committee: For the Rodeo Grounds Concert Noise Pollution Issue.

Planning Commission\_\_\_\_ Community Service & Recreation Committee\_\_\_\_

Economic Development Committee\_\_\_\_

Name Daniel Thorp  
Address 4300 Oak Street  
City Firebaugh State CA Zip 93622  
Home Phone (559) 659-1748 Business Phone (559) 659-3997  
Employed By Thorp's Farm Supply Position Manager

I have been a registered voter in the City of Firebaugh for 16 years.

I have been a resident of Firebaugh for 34 years. (There is no residency requirement.)

Are you a citizen of the United States? Yes X No \_\_\_\_

Have you ever been convicted of a felony? Yes \_\_\_\_ No X

(If your answer is "yes," please explain the nature of the felony conviction on a separate sheet of paper and attach to this form.)

Please state your education backgrounds: Some College

Please list any organizations of which you are a member and any offices you have held in those organizations: None



## Nominee Application for City Commission or Committee

Please list any appointed public boards or commission on which you have served, and chairmanship or office held: None

Do you believe your experience (personal, education, professional) applies to your effectively servicing to this Commission/Committee? If so, please explain: Yes I am a member of this community that does not want to see it fall apart because of the actions of a few.

Do you have any personal goals or objectives that might be achieved by serving on this Commission/Committee? If so, explain: Only to better my community.

References (optional):

Signed

Date

12/10/14

**Please return your completed application to the  
City of Firebaugh  
1133 "P" Street  
Firebaugh, CA 93622**



## City of Firebaugh

1133 "P" Street, Firebaugh, Ca 93622

Fax (559) 659-3412

Telephone (559) 659-2043

### Nominee Application for City Commission or Committee

I hereby request that I be considered as a nominee for the following City Commission or Committee: For the Rodeo Grounds Concert Noise Pollution Issue.

Planning Commission\_\_\_\_ Community Service & Recreation Committee\_\_\_\_

Economic Development Committee\_\_\_\_

Name WANDA Breshears  
Address 1759 Thatcher  
City Firebaugh State Ca. Zip 93622  
Home Phone (559) 246-0039 Business Phone ( ) \_\_\_\_\_  
Employed By retired Position \_\_\_\_\_

I have been a registered voter in the City of Firebaugh for 40 years.

I have been a resident of Firebaugh for 35 years. (There is no residency requirement.)

Are you a citizen of the United States? Yes ☒ No \_\_\_\_\_

Have you ever been convicted of a felony? Yes \_\_\_\_\_ No ☒

(If your answer is "yes," please explain the nature of the felony conviction on a separate sheet of paper and attach to this form.)

Please state your education backgrounds: \_\_\_\_\_

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Please list any organizations of which you are a member and any offices you have held in those organizations: \_\_\_\_\_

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## Nominee Application for City Commission or Committee

Please list any appointed public boards or commission on which you have served, and  
chairmanship or office held: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

Do you believe your experience (personal, education, professional) applies to your effectively  
servicing to this Commission/Committee? If so, please explain: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Do you have any personal goals or objectives that might be achieved by serving on this  
Commission/Committee? If so, explain: yes \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

References (optional): \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

Signed Wanda Breshears Date 12-9-14

**Please return your completed application to the  
City of Firebaugh  
1133 "P" Street  
Firebaugh, CA 93622**



## City of Firebaugh

1133 "P" Street, Firebaugh, Ca 93622

Fax (559) 659-3412

Telephone (559) 659-2043

### Nominee Application for City Commission or Committee

I hereby request that I be considered as a nominee for the following City Commission or Committee: For the Rodeo Grounds Concert Noise Pollution Issue,

Planning Commission\_\_\_\_ Community Service & Recreation Committee\_\_\_\_

Economic Development Committee\_\_\_\_

Name Mark Fickett  
Address 2035 Landucci Drive  
City Firebaugh State CA Zip 93622  
Home Phone (~~559~~) 659-8422 Business Phone (~~559~~) 659-3931  
Employed By Self Position partner

I have been a registered voter in the City of Firebaugh for 32 years.

I have been a resident of Firebaugh for 32 years. (There is no residency requirement.)

Are you a citizen of the United States? Yes ☒ No ☐

Have you ever been convicted of a felony? Yes ☐ No ☒

(If your answer is "yes," please explain the nature of the felony conviction on a separate sheet of paper and attach to this form.)

Please state your education backgrounds: Some college

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Please list any organizations of which you are a member and any offices you have held in those organizations: Firebaugh City Planning Commission

San Luis Water District commissioner, Firebaugh  
Rotary

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## Nominee Application for City Commission or Committee

Please list any appointed public boards or commission on which you have served, and  
chairmanship or office held: Firebaugh Planning Commission Chairman

Do you believe your experience (personal, education, professional) applies to your effectively  
servicing to this Commission/Committee? If so, please explain: I have led and

been a member of organizations and groups. I have  
always been able to approach the challenges with  
an open mind and keep heads cool.

Do you have any personal goals or objectives that might be achieved by serving on this  
Commission/Committee? If so, explain: to come to a reasonable

solution to the noise problems at rodeo grounds and  
allow for all groups to enjoy this wonderful asset.

References (optional): \_\_\_\_\_

Signed \_\_\_\_\_

Date 12/10/14

**Please return your completed application to the  
City of Firebaugh  
1133 "P" Street  
Firebaugh, CA 93622**



## City of Firebaugh

1133 "P" Street, Firebaugh, Ca 93622

Fax (559) 659-3412

Telephone (559) 659-2043

### Nominee Application for City Commission or Committee

I hereby request that I be considered as a nominee for the following City Commission or Committee: For the Rodeo Grounds Concert Noise Pollution Issue.

Planning Commission\_\_\_\_ Community Service & Recreation Committee\_\_\_\_

Economic Development Committee\_\_\_\_

Name Ted Crockett  
Address 2145 E Cardella  
City Firebaugh State Ca Zip 93622  
Home Phone ( ) 659 3093 Business Phone ( ) \_\_\_\_\_  
Employed By Wayne Gowens Position Foreman

I have been a registered voter in the City of Firebaugh for 14 years.

I have been a resident of Firebaugh for 14 years. (There is no residency requirement.)

Are you a citizen of the United States? Yes ☒ No \_\_\_\_\_

Have you ever been convicted of a felony? Yes \_\_\_\_\_ No ☒

(If your answer is "yes," please explain the nature of the felony conviction on a separate sheet of paper and attach to this form.)

Please state your education backgrounds: AS Degree (Merced)

Please list any organizations of which you are a member and any offices you have held in those organizations: \_\_\_\_\_





## Nominee Application for City Commission or Committee

Please list any appointed public boards or commission on which you have served, and  
chairmanship or office held: \_\_\_\_\_

Do you believe your experience (personal, education, professional) applies to your effectively  
servicing to this Commission/Committee? If so, please explain: \_\_\_\_\_

Methodist Trustee

Do you have any personal goals or objectives that might be achieved by serving on this  
Commission/Committee? If so, explain: \_\_\_\_\_

Better community

References (optional): \_\_\_\_\_

Signed

Zed Lockett

Date

12-8-14

**Please return your completed application to the  
City of Firebaugh  
1133 "P" Street  
Firebaugh, CA 93622**



## City of Firebaugh

1133 "P" Street, Firebaugh, Ca 93622

Fax (559) 659-3412

Telephone (559) 659-2043

### Nominee Application for City Commission or Committee

I hereby request that I be considered as a nominee for the following City Commission or Committee:

Planning Commission\_\_\_\_ Community Service & Recreation Committee +

Economic Development Committee\_\_\_\_

Name SILVIA RENTERIA

Address 1413 O STREET

City FIREBAUGH State CA Zip 93622

Home Phone (559) 871-9952 Business Phone (559) 655-2014

Employed By MENDOTA UNIFIED Position SECRETARY  
SCHOOL DISTRICT

I have been a registered voter in the City of Firebaugh for 5 years.

I have been a resident of Firebaugh for 7 years. (There is no residency requirement.)

Are you a citizen of the United States? Yes + No\_\_\_\_

Have you ever been convicted of a felony? Yes\_\_\_\_ No\_\_\_\_

(If your answer is "yes," please explain the nature of the felony conviction on a separate sheet of paper and attach to this form.)

Please state your education backgrounds: Graduated and recieved High School Diploma 1995, Graduated From SAN JOAQUIN VALLEY College with ASSOCIATED SCIENCE DEGREE 2008.

Please list any organizations of which you are a member and any offices you have held in those organizations: FIREBAUGH PAL, MIGRANT PARENTS CLUB, SECRETARY



## Nominee Application for City Commission or Committee

Please list any appointed public boards or commission on which you have served, and chairmanship or office held: A.E. Mills School - School Site  
Council.

Do you believe your experience (personal, education, professional) applies to your effectively servicing to this Commission/Committee? If so, please explain: No

Do you have any personal goals or objectives that might be achieved by serving on this Commission/Committee? If so, explain: My goal is to assist in establishing  
guidelines. For City owned facilities which are available for  
rental; and also to gain ~~and~~ learning experience in public  
hearing for future Committee involvement.

References (optional):

Signed

Date

01-23-2015

**Please return your completed application to the  
City of Firebaugh  
1133 "P" Street  
Firebaugh, CA 93622**



## STAFF REPORT

---

TO: City Council  
 FROM: Kenneth McDonald, City Manager  
 DATE: February 2, 2015  
 SUBJECT: The City Council of The City of Firebaugh To Consider Toma-Tek's Request on Waiver/Adjustment of Impact Fees for Conditional Use Permit- CUP 2015-01

---

### **RECOMMENDATION:**

Council to provide Staff direction regarding waiver or adjustment of impact fees.

### **HISTORY / DISCUSSION:**

Toma-Tek completed the warehouse addition last spring with hopes of adding additional storage space to their facility, but to their disappointment were forced to accommodate new storage standards. Namely that the volume of material had to be reduced significantly to prevent storage damage to the product. In addition, this new storage standard effected all their existing warehouses onsite. TomaTek has requested a reduction to the impact fees for this new 2015 project similar to the waiver granted last year. City Staff has calculated their Development Impact Fees for the project and evaluated the previous waiver that was granted last February 2014. The following fees were established based on Exhibit A of the City's impact fee study, followed by the previous waiver granted last February:

IMPACT FEE	Established Fee	Previous Waiver Granted
Storm Drain Fee	\$52,744.80	\$13,186.20
Traffic Fee	\$32,703.66	\$32,703.66
Public Safety Fee	\$7,462.50	\$7,462.50
Parks and Recreation Fee	<u>\$85,800.00</u>	<u>\$42,900.00</u>
Total Development Impact Fees	\$178,710.96	\$96,252.36

Staff would recommend additional waivers both due to the limited impacts incurred and as a development incentive for our largest business customer. This consideration is also made due to the significant contribution, TomaTek has made from the new voter approved Utility Users Tax that allowed the General Fund to restore the previous deficits that existed. The following is a brief discussion of the additional fee waivers requested by Toma-Tek.

#### Storm Drain Fee

Toma-Tek's letter correctly states that all of Tomatek's storm water runoff is collected and disposed of on Toma-Tek's site and in cases of heavy rainfall the onsite disposal is discharged to the City's industrial wastewater treatment plant at TomaTek's expense under our current operating agreement.

Staff suggests that the Council consider waiving the fee due to the fact that the storm detention system is onsite or will have the industrial treatment system utilized with 100% of the cost borne by Toma-Tek for all expenses incurred to transport the additional water during heavy rainfall.

### Traffic Fee

Construction of this large warehouse has a growth inducing potential that may result in additional traffic to transport product stored in the warehouse. Although Toma-Tek's CUP application for the warehouse states that no additional employees will be hired, the expansive facility has the potential to accommodate a significant number of new employees.

Staff suggests that the Council consider reducing the fee to 50% of the calculated amount, or \$16,351.83, due to the alternative of building additional warehouse is offsite storage which would increase traffic.

### Parks and Recreation Fee

The nexus for establishing this fee hinges on whether or not employment will increase. As previously mentioned, the large size of the proposed warehouse has the potential to accommodate a significant number of new employees.

Staff suggests that the Council consider reducing the fee to 25% of the calculated amount, or \$21,450.

### **FISCAL IMPACT:**

Reduction or waiving of development impact fees calculated as follows:

IMPACT FEE	Established Fee	Previous Waiver	Recommended
Storm Drain Fee	\$52,744.80	\$13,186.20	\$0.00
Traffic Fee	\$32,703.66	\$32,703.66	\$16,351.83
Public Safety Fee	\$7,462.50	\$7,462.50	\$7,462.50
Parks and Recreation Fee	<u>\$85,800.00</u>	<u>\$42,900.00</u>	<u>\$21,450.00</u>
Total Development Impact Fees	\$178,710.96	\$96,252.36	\$45,264.33

*Neil Jones*

## THE NEIL JONES FOOD COMPANY

*Processors of "Finest Quality" California Tomatoes, Fruits, Concentrates and Custom Sauce Blends.*

www.neiljonesfoodcompany.com

December 19, 2014

Ken McDonald, City Manager  
City of Firebaugh  
1133 P Street  
Firebaugh, CA 93622-2547

RE: Request for Waiver of Impact Fees – Proposed 260,000 Sq. Ft. Warehouse

Dear Ken:

During our meeting this past Tuesday, December 16<sup>th</sup>, VP of Operations Steve Arnoldy and I described the purpose for constructing another warehouse at TomaTek. Essentially, additional storage space is required for our finished product due to new storage requirements that we implemented within all of our warehouses. Unfortunately, with our stacking pattern of finished product, side boards and cases were being damaged to the bottom levels due to weight exceedances which resulted in increased labor and materials to re-case and re-palletize this finished product. To correct this problem, we changed the stacking pattern of product in all warehouses but with the adverse effect of being unable to store the volume of finished product in the existing warehouses including the new warehouse built earlier this year. As such, we now require additional storage space.

In addition to the above, we also reviewed with you the costs associated in doing business with the City of Firebaugh. Year to date, we have spent over \$131,000 for wastewater management, \$578,000 in utility water costs and \$195,950 in utility users tax. This utility users tax as you know was a result of a special election which dramatically increased the utility tax on TomaTek.

The Company is faced with a decision to continue leasing warehouse space off-site or construct a new warehouse before the 2015 season. It is our desire to construct a new 260,000 sq. ft. warehouse at TomaTek which will help us to be more competitive in our business market. However, we respectfully request that the City of Firebaugh waive certain Impact Fees.

Please let this letter serve as a formal request to waive Impact Fees associated with a proposed 260,000 sq. ft. warehouse we would like to construct at our TomaTek facility.

The basis of our request is found in Resolution NO. 04-44 "A Resolution of the City Council of the City of Firebaugh Establishing and Imposing Impact Fees for Development Projects" adopted on August 30, 2004. Specifically, on page 4 and under #10 of the Resolution, it states the following: **"Any person subject to a fee required by this resolution may apply in writing to the City Council for a reduction, adjustment, or waiver of that fee based upon the absence of a reasonable relationship between the impact of that person's commercial, industrial or residential development project on demands on various infrastructure types in the City of Firebaugh."**

**TOMATEK**

**SAN BENITO**

**EarthPure**

**PACIFIC BREEZE**

**OREGON TRAIL**

**OLD CALIFORNIA**

**Darknet Punch**



- 
- ☐ Corporate: PO Box 30 • Vancouver, WA 98666 • Phone: 800.543.4356 • Acct. Fax: 360.696.0050 • Sales Fax: 360.696.3411
  - ☐ San Benito Foods - Plant Operations: PO Box 100 • Hollister, CA 95024 • Phone: 831.637.4434 • Fax: 831.635.9020
  - ☐ TomaTek - Plant Operations: PO Box 8 • Firebaugh, CA 93622 • Phone: 559.659.1601 • Fax: 559.659.1231
  - ☐ Northwest Packing - Plant Operations: PO Box 30 • Vancouver, WA 98666 • Phone: 360.696.4356 • Fax: 360.696.4472

*Neil Jones*

## THE NEIL JONES FOOD COMPANY

*Processors of "Finest Quality" California Tomatoes, Fruits, Concentrates and Custom Sauce Blends.*

[www.neiljonesfoodcompany.com](http://www.neiljonesfoodcompany.com)

The company strongly asserts that there is no reasonable relationship between the impact of our proposed 260,000 sq. ft. warehouse and the following development impact fees:

- Storm Drain Fee
- Traffic Fee
- Parks & Recreation Fee

The company does not object to any building and/or permit fees associated with the new warehouse and or the Public Safety Impact Fee. The basis for our request for waiving above stated impact fees are as follows:

### **Storm Drain Fee**

All of our storm water runoff is collected and disposed of in our emergency pond and in periods where there is heavy rainfall discharged to the City's Industrial Wastewater Treatment Plant. TomaTek incurs all costs associated with the transport of storm water to the City Wastewater Treatment Plant. Again, there is no impact or demand on City infrastructure that would merit an impact fee.

### **Traffic Fee**

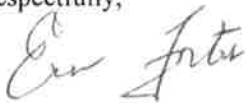
As with the 240,000 sq. ft. warehouse that was constructed earlier this year, TomaTek does not anticipate hiring any new employees that will result in increased traffic on the roads in the City of Firebaugh. In addition, traffic will be decreased as we will not be required to have trucks transport finished product to and from leased warehouses. Again, we do not see an impact or demand on City infrastructure that would merit an impact fee.

### **Parks and Recreation Fee**

The basis for this development impact fee is on hiring new employees. Again, TomaTek does not anticipate hiring any new employees that will result in the need for the City of Firebaugh to assess this impact fee.

Thank you for your consideration. If you have any questions, please do not hesitate to contact me on my cell phone at 831-206-2446.

Respectfully,



Eric Fortes  
Corporate Director - Environmental Health & Safety

Cc Steve Arnoldy, VP of Operations

**TOMATEK**

**NORTHWEST PACKING CO.**

**SAN BENITO**



**EarthPure**



**PACIFIC BREEZE**



**OREGON TRAIL**



**OLD CALIFORNIA**



**Perfect Punch**



- 
- Corporate: PO Box 30 • Vancouver, WA 98666 • Phone: 800.543.4356 • Acct. Fax: 360.696.0050 • Sales Fax: 360.696.3411
  - San Benito Foods - Plant Operations: PO Box 100 • Hollister, CA 95024 • Phone: 831.637.4434 • Fax: 831.635.9020
  - TomaTek - Plant Operations: PO Box 8 • Firebaugh, CA 93622 • Phone: 559.659.1601 • Fax: 559.659.1231
  - Northwest Packing - Plant Operations: PO Box 30 • Vancouver, WA 98666 • Phone: 360.696.4356 • Fax: 360.696.4472



## STAFF REPORT

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TO: Successor Agency to the Firebaugh Redevelopment Agency  
FROM: Kenneth McDonald, City Manager  
DATE: February 2, 2015  
SUBJECT: Update on N Street Properties and Oversight Board action

---

### **RECOMMENDATION:**

Staff would recommend direction or schedule a special meeting to discuss the Appraisal Report when available to take action to present to the Oversight Board for approval.

### **HISTORY / DISCUSSION:**

The Council on December 15, 2014, acting as the Successor Agency to the Firebaugh Redevelopment Agency (SA), had approved the sale of the N Street properties to the number one ranked proposal and presented the action to the Oversight Board on December 18 for ratification.

The Oversight Board was not able to approve the proposal and had requested more information before a majority of the members present would vote in favor of selling as proposed.

The appraisal report was ordered from the lowest quoted amount previously provided to Council. As of the date of the agenda preparation no report was complete and the latest estimate was February 6, 2015.

### **FISCAL IMPACT:**

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





## STAFF REPORT

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TO: Honorable Mayor and Councilmembers  
 FROM: Kenneth McDonald, City Manager  
 DATE: February 2, 2015  
 SUBJECT: Redevelopment Dissolution Consulting Services

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### **RECOMMENDATIONS**

Approve the attached Proposal for Consulting Services from RSG relating to Successor Agency matters and enter into the contract subject to Oversight Board approval.

### **BACKGROUND**

As previously discussed, the dissolution of the Firebaugh Redevelopment Agency is complex and arduous. Staff requires financial and management consulting services to help deal with the numerous deadlines and requirements of ABx1 26 and AB 1484 and any new legislation that comes into effect.

#### ***Redevelopment Dissolution Consulting Services***

The City of Firebaugh and the Successor Agency to the Firebaugh Redevelopment Agency have been working with Rosenow Spevacek Group, Inc. ("RSG") to provide consulting services related to the dissolution of the former Firebaugh Redevelopment Agency since 2011. To date, RSG has assisted with:

- Operational startup activities to create the Successor Agency, Housing Successor Entity, and Oversight Board
- Recognized Obligation Payment Schedules (ROPS) covering six month periods from January 2012 to the present
- The Successor Agency's Administrative Budget for Fiscal Years 2012-13, 2013-14, 2014-15, and 2015-16
- Ten-Year Cash Flow Analyses to aid preparation of the ROPS and inform other planning activities
- City Loan Agreements to cover shortfalls in prior ROPS periods
- Due Diligence Review advisory services
- Property and asset disposition services including the Long Range Property Management Plan
- Review and analysis of contracts, agreements, and other documents
- Documents and presentations for City Council, Successor Agency, and Oversight Board Meetings
- Documents and presentations for meetings with State and County agencies
- Correspondence with State, County, and other agencies as needed
- General project advisory and management Services

- Legislative tracking, analysis, and advice
- Other services as needed

A new contract for administrative services is proposed in a not-to-exceed amount of \$50,000 to continue providing consulting services in FY 2015-16. RSG will consult on all activities required by the Dissolution Act, which may include but are not limited to:

- Financial Planning and Transition Services, including preparation of Recognized Obligation Payment Schedules (ROPS), Administrative Budgets, and Cash Flows
- Asset Disposition Strategic Planning, including preparation of transfer documents for Successor Agency assets
- General Financial Advisory Services
- Project Advisory Services
- Project Management Services
- Meeting, Agenda, Staff Report Assistance for the City Council, Successor Agency, and Oversight Board
- Meeting Preparation and Attendance with State, County and other agencies as required
- Taxing Entity Consultations
- Monitoring of Legal Requirements and Agreements
- Legislative Analysis
- Others Services as Designated

The fee stated in the proposal matches the amount approved by the Successor Agency and Oversight Board in the FY 2015-16 Administrative Budget. Costs for services will be paid on a monthly basis as they accrue on a time and material basis by the Successor Agency out of the administrative cost allowance, which will be placed on ROPS 15-16A and 15-16B.

### **FISCAL IMPACT**

The costs associated with the 2015-16 RSG Contract for Consulting Services will be paid out of the Fiscal Year 2015-16 Administrative Allowance of \$250,000. The Successor Agency has reduced its internal costs in recent ROPS cycles so it is anticipated that there will be sufficient Administrative Allowance to cover the costs of the RSG Contract.

Enclosures

1. Consulting Services Proposal from RSG dated January 26, 2015.



**BETTER COMMUNITIES. BOLDER FUTURES.**

**ROSENOW SPEVACEK GROUP INC.  
309 WEST 4TH STREET  
SANTA ANA, CALIFORNIA  
92701-4502**

**T 714 541 4585  
F 714 541 1175  
E INFO@WEBRSG.COM  
WEBRSG.COM**

**Via Electronic Mail**

January 26, 2015

Mr. Kenneth McDonald  
City Manager  
CITY OF FIREBAUGH  
1133 "P" St.  
Firebaugh, CA 93622

## **PROPOSAL FOR SUCCESSOR AGENCY ADMINISTRATIVE CONSULTING SERVICES**

Dear Mr. McDonald:

RSG is pleased to present this proposed scope of work and budget to provide the Successor Agency to the Redevelopment Agency of the City of Firebaugh ("Successor Agency") administrative consulting services for the 2015-16 fiscal year. RSG has been working with the Successor Agency since the beginning of the dissolution of the Firebaugh Redevelopment Agency in 2011. With RSG's assistance, the Successor Agency has overcome many hurdles and has fulfilled numerous state reporting requirements. RSG would like to continue to serve the Successor Agency in its capacity as Administrative Consultants and see the Successor Agency through to the end of this arduous process.

### **SCOPE OF SERVICES**

The proposed Scope of Services is based upon our experience with the Successor Agency and upcoming tasks that we have identified. RSG is happy to discuss modifications to the scope as needed to satisfy the City's needs. RSG has identified the following tasks:

#### **Task 1: Budget and Cash Flow Work**

The Successor Agency has faced many challenges throughout the dissolution process, not the least of which has been budget shortfalls during Recognized Obligation Payment Schedule periods. RSG will continue to maintain a working cash flow model for the Successor Agency to anticipate any future budget shortfalls. In addition, RSG will assist the Successor Agency in working to close any budget gaps by employing the variety of methods outlined in AB 1484.

#### **Task 2: Complete ROPS 15-16B and 16-17A and accompanying Administrative Budgets**

The Successor Agency must submit a Recognized Obligation Payment Schedule ("ROPS") to the Oversight Board and Department of Finance every six months. RSG will assist the Successor Agency in completing the two ROPS that will be addressed during the 2015-16 fiscal year. Should an issue arise during the Department of Finance's review of the ROPS, RSG would assist the Successor Agency in drafting a Meet and Confer request and is available to attend the meeting. The Successor Agency must submit an annual administrative budget supporting the use of the \$250,000 annual administrative allowance allowed by law. RSG will

**FISCAL HEALTH  
ECONOMIC DEVELOPMENT  
REAL ESTATE, HOUSING  
AND HEALTHY COMMUNITIES**

Mr. Kenneth McDonald  
City Manager  
CITY OF FIREBAUGH  
January 26, 2015  
Page 2

assist the Successor Agency in preparing the annual administrative budget for fiscal year 2016-17, which will be submitted along with ROPS 16-17A.

**Task 3: Help the Successor Agency Navigate New Legislation**

In the 2015-16 Budget Proposal, the Governor called for legislative changes to the Dissolution process. RSG will keep abreast of these changes and help the Successor Agency adapt and adjust their processes as needed. One example is the proposal to change the ROPS process from bi-annual to annual. Should this change occur, RSG will help the Successor Agency in drafting their first annual ROPS.

**Task 4: Assist the Successor Agency with Property Disposition**

With an approved Long-Range Property Management Plan, the Successor Agency must now work to dispose of all properties it proposed to sell. While specific services associated with property disposition such as brokerage services or the cost of conducting appraisals can be listed on the ROPS outside the Administrative Budget, RSG's continued guidance through this complex process will be paid for through its general contract.

**Task 5: Transition to a Single County Oversight Board**

At this point in time, all local Oversight Boards will be dissolved in favor of one countywide Oversight Board starting on July 1, 2016. This transition may be difficult and RSG will support the Successor Agency through this shift.

**Task 6: Attend Meetings as Necessary**

RSG will make a staff member available to the Successor Agency should they need assistance at any Successor Agency or Oversight Board meetings.

**Task 7: Additional Administrative Services as Needed**

RSG will assist the Successor Agency with any additional administrative tasks as they arise.

**TIMELINE**

RSG will begin this portion of its contract with the Successor Agency July 1, 2015 and will conclude June 30, 2016.

**PROJECT TEAM**

Ms. Tara Matthews, Partner will be the principal in charge of this engagement. Jane Carlson, Associate will be the Project Manager, and will be assisted by additional staff as needed.

**FEE PROPOSAL**

We will provide these services on a time-and-materials basis, with a not to exceed amount of \$50,000. The fee matches the amount shown on the FY 2015-16 Administrative Budget. RSG does not charge clients for mileage (except direct costs related to field surveys), parking, standard telephone/fax expenses, general postage or incidental copies. However, we do charge for messenger services, overnight shipping/express mail costs and teleconferencing services. We also charge for copies of reports, documents, notices, and support material in excess of five (5) copies. These costs are charged back at the actual expense plus a 10% surcharge.

Mr. Kenneth McDonald  
City Manager  
CITY OF FIREBAUGH  
January 26, 2015  
Page 3

RSG issues monthly invoices payable upon receipt, unless otherwise agreed upon in advance. Invoices identify tasks completed to date, hours expended and the hourly rate.

HOURLY BILLING RATES:

Principal/Director	\$ 210
Senior Associate	165
Associate	150
Senior Analyst	125
Analyst	115
Research Assistant	100
Technician	75
Clerical	60
Reimbursable Expenses	Cost plus 10%

We appreciate the opportunity to submit our proposal to the City and Successor Agency, and look forward to working with you again. If you have any questions, please do not hesitate to contact me at 714.316.2111.

Sincerely,  
ROSENOW SPEVACEK GROUP, INC.



Tara Matthews  
Principal



## STAFF REPORT

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TO: Successor Agency to the Firebaugh Redevelopment Agency  
 FROM: Kenneth McDonald, City Manager  
 DATE: February 2, 2015  
 SUBJECT: RECOGNIZED OBLIGATION PAYMENT SCHEDULE (ROPS) 15-16A

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### **RECOMMENDATION**

1. Adopt a resolution of the Successor Agency to the Firebaugh Redevelopment Agency approving the Recognized Obligation Payment Schedule 2015-16A (ROPS) for the July 1, 2015 through December 31, 2015 period.
2. Adopt a Resolution of the Successor Agency to the Firebaugh Redevelopment Agency approving the Annual Administrative Budget for FY 2015-16

### **BACKGROUND**

On December 29, 2011, the California Supreme Court issued its decision in CRA v. Matosantos, upholding AB 1X 26, which dissolves all redevelopment agencies in California, and overturning AB 1X 27, the “voluntary alternative redevelopment program.” With the voluntary redevelopment program provided for in AB 1X 27 having been ruled unconstitutional by the Court, all California redevelopment agencies were dissolved on February 1, 2012. As of February 1, 2012, redevelopment agencies throughout the State ceased to exist. Successor Agencies are responsible for winding down the affairs of their respective now-dissolved redevelopment agencies. The City is acting as the Successor Agency to manage and curtail the operation of the dissolved Firebaugh Redevelopment Agency.

### **ANALYSIS**

#### **Recognized Obligation Payment Schedule**

Health and Safety Code Section (HSC) 34177(l) requires the Successor Agency to prepare a ROPS showing all the obligations of the former Redevelopment Agency and the sources of funds for the repayments. According to the recently adopted Health and Safety Code Section 34177(m), the seventh ROPS covering the period July 1, 2015 through December 31, 2015 must be approved by the Oversight Board and sent to the Department of Finance (DOF) and County Auditor-Controller no fewer than 90 days before the date of property tax distribution, by March 3<sup>rd</sup>, 2015.

The Successor Agency is requesting a total of \$328,225 of RPTTF to fund ROPS obligations. The obligations listed on the ROPS include funding for:

- 2014 Refunding Bond Debt Service

- Bond Disclosure Fees
- Successor Agency Employee Costs (Administrative costs detailed in the Administrative Budget)
- Property Disposition Costs

#### Administrative Budget

HSC Section 34177(j) requires the Successor Agency to prepare an Administrative Budget and submit it to the Oversight Board for approval. The Administrative Budget includes the proposed administrative expenditures, including the reclassified items per DOF, for Fiscal 2015-16. The Successor Agency anticipates needing the entire \$250,000 minimum annual administrative allocation described in HSC Section 34171 (b). The Successor Agency will request \$125,000 for the 2015-16A ROPS period and \$125,000 for the 2015-16B ROPS period.

#### **FISCAL IMPACT**

Adoption and transmittal of the ROPS is necessary to receive money from the Redevelopment Property Tax Trust Fund to fund the Successor Agency's financial obligations from July 1, 2015 through December 31, 2015.

#### **ATTACHMENTS**

Attachment 1: Resolution approving the ROPS 2015-16A

Attachment 2: Resolution approving Administrative Budget

## **RESOLUTION NO. 15-03**

### **A RESOLUTION OF THE SUCCESSOR AGENCY TO THE FIREBAUGH REDEVELOPMENT AGENCY APPROVING THE RECOGNIZED OBLIGATION PAYMENT SCHEDULE FOR JULY THROUGH DECEMBER 2015 AND AUTHORIZING ITS TRANSMITTAL**

**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 recognized obligation payment schedule ("ROPS") for the ensuing six-month period for consideration by a local oversight board and California Department of Finance ("DOF") for purposes of administering the wind-down of financial obligations of the former Redevelopment Agency; and

**WHEREAS**, as amended by Assembly Bill 1484 ("AB 1484"), the Dissolution Act requires that the proposed ROPS be transmitted to the local oversight board, county auditor-controller, county executive officer, and DOF, after which time the oversight board may approve and transmit the adopted ROPS to DOF and the county auditor-controller for their consideration; and

**WHEREAS**, the proposed ROPS for the six-month period from July 1, 2015 through December 31, 2015, attached hereto as Exhibit "A" has been prepared by staff and consultants consistent with the provisions of the Dissolution Act and in the format made available by DOF; and

**WHEREAS**, the Successor Agency desires to approve the ROPS and transmit it to various parties as required by the Dissolution Act and AB 1484.

### **NOW, THEREFORE, THE SUCCESSOR AGENCY TO THE FIREBAUGH REDEVELOPMENT AGENCY DOES HEREBY RESOLVE AS FOLLOWS:**

**Section 1.     Recitals.** The Recitals set forth above are true and correct and incorporated herein by reference.

**Section 2.     Approval of ROPS.** The Successor Agency hereby approves and adopts the ROPS covering the period July 2, 2015 through December 31, 2015, in substantially the form attached hereto as Exhibit A, as required by the Dissolution Act and AB 1484.

**Section 3.     Posting; Transmittal to Appropriate Agencies.** The City Manager is hereby authorized and directed to post of copy of the ROPS on the City's website and transmit a



copy of the ROPS to the Oversight Board for their approval and to the offices of the Fresno County Auditor-Controller, the Fresno County Executive Officer, and the State Controller's Office.

**PASSED, APPROVED AND ADOPTED** at a regular meeting of the Successor Agency, on the 2<sup>nd</sup> day of February, 2015, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAINED:

\_\_\_\_\_  
CHAIRPERSON

ATTEST:

\_\_\_\_\_  
RITA LOZANO, DEPUTY CITY CLERK

APPROVED AS TO FORM:

\_\_\_\_\_  
DALE BACIGALUPI  
SUCCESSOR AGENCY COUNSEL

STATE OF CALIFORNIA    )  
COUNTY OF FRESNO        ) ss.  
CITY OF FIREBAUGH        )

I, RITA LOZANO, hereby certify that I am the duly appointed City Clerk of the City of Firebaugh and that the foregoing resolution was duly adopted at a regular meeting of the Successor Agency held on the 2<sup>nd</sup> day of February, 2015

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

# **Recognized Obligation Payment Schedule (ROPS 15-16A) - Summary**

Filed for the July 1, 2015 through December 31, 2015 Period

**Name of Successor Agency:** Firebaugh  
**Name of County:** Fresno

<b>Current Period Requested Funding for Outstanding Debt or Obligation</b>		<b>Six-Month Total</b>
<b>Enforceable Obligations Funded with Non-Redevelopment Property Tax Trust Fund (RPTTF) Funding</b>		
<b>A Sources (B+C+D):</b>		<b>\$ 686,952</b>
B Bond Proceeds Funding (ROPS Detail)	686,952	
C Reserve Balance Funding (ROPS Detail)	-	
D Other Funding (ROPS Detail)	-	
<b>E Enforceable Obligations Funded with RPTTF Funding (F+G):</b>		<b>\$ 328,225</b>
F Non-Administrative Costs (ROPS Detail)	203,225	
G Administrative Costs (ROPS Detail)	125,000	
<b>H Current Period Enforceable Obligations (A+E):</b>		<b>\$ 1,015,177</b>

<b>Successor Agency Self-Reported Prior Period Adjustment to Current Period RPTTF Requested Funding</b>		
I Enforceable Obligations funded with RPTTF (E):	328,225	
J Less Prior Period Adjustment (Report of Prior Period Adjustments Column S)	(228,590)	
<b>K Adjusted Current Period RPTTF Requested Funding (I-J)</b>		<b>\$ 99,635</b>

<b>County Auditor Controller Reported Prior Period Adjustment to Current Period RPTTF Requested Funding</b>		
L Enforceable Obligations funded with RPTTF (E):	328,225	
M Less Prior Period Adjustment (Report of Prior Period Adjustments Column AA)	-	
<b>N Adjusted Current Period RPTTF Requested Funding (L-M)</b>		<b>328,225</b>

Certification of Oversight Board Chairman:  
Pursuant to Section 34177 (m) of the Health and Safety code, I  
hereby certify that the above is a true and accurate Recognized  
Obligation Payment Schedule for the above named agency.

_____ Name	_____ Title
/s/ _____ Signature	_____ Date

**Recognized Obligation Payment Schedule (ROPS 15-16A) - ROPS Detail**  
**July 1, 2015 through December 31, 2015**  
(Report Amounts in Whole Dollars)

A	B	C	D	E	F	G	H	I	J	K				L	M	N	O	P
Item #	Project Name / Debt Obligation	Obligation Type	Contract/Agreement Execution Date	Contract/Agreement Termination Date	Payee	Description/Project Scope	Project Area	Total Outstanding Debt or Obligation	Refined	Funding Source				Non-Admin	Admin	Six-Month Total		
										Non-Redevelopment Property Tax Trust Fund (Non-RPTTF)			RPTTF					
										Bond Proceeds	Reserve Balance	Other Funds						
1	Successor Agency Administrative Budget	Admin Costs	2/1/2012	6/1/2036	Employees of Successor Agency, Contracted Consultants, and Operations	Delayed in Successor Agency Administrative Budget	Freibaugh Project Area, Freibaugh 86 Avenue Project, Dai Rio	\$ 11,879,162 5,125,000	N	\$ 686,952	\$ -	\$ -	\$ 203,225	\$ 125,000	\$ 125,000	\$ 1,015,177	\$ 125,000	
17	Property Disposition Costs	Property Dispositions	1/1/2015	6/30/2015	Various Vendors	Funding for costs associated with disposing of all former RQA properties held by the Successor Agency including competing the Long Range Property Management Plan	Freibaugh Project Area, Freibaugh 86 Avenue Project, Dai Rio	45,000	N							45,000	\$ 45,000	
19	Infrastructure Improvement Projects	Improvement/Infrastructure	1/1/2014	6/30/2014	Various Vendors	Infrastructure improvement projects to be funded with existing bond proceeds	Freibaugh Project Area, Freibaugh 86 Avenue Project, Dai Rio	686,952	N	686,952						-	\$ 686,952	
22	2014 Refunding Bonds Series A	Refunding Bonds Issued After 6/27/12	5/30/2014	12/1/2035	Western Alliance Bank	Refunding of 2005 TABs	Freibaugh Project Area, Freibaugh 86 Avenue Project, Dai Rio	3,493,424	N							78,402	\$ 78,402	
23	2014 Refunding Bonds Series B	Refunding Bonds Issued After 6/27/12	5/30/2014	12/1/2035	Western Alliance Bank	Refunding of 2005 TABs	Freibaugh Project Area, Freibaugh 86 Avenue Project, Dai Rio	2,478,786	N							77,323	\$ 77,323	
24	Continuing Disclosure Services	Professional Services	6/16/2014	12/1/2035	A.M. Peck & Associates LLC	Continuing disclosure services associated with the 2014 refunding bonds	Freibaugh Project Area, Freibaugh 86 Avenue Project, Dai Rio	50,000	N							2,500	\$ 2,500	

## Recognized Obligation Payment Schedule (ROPS 15-16A) - Report of Cash Balances

(Report Amounts in Whole Dollars)

Pursuant to Health and Safety Code section 34177 (l), Redevelopment Property Tax Trust Fund (RPTTF) may be listed as a source of payment on the ROPS, but only to the extent no other funding source is available or when payment from property tax revenues is required by an enforceable obligation. For tips on how to complete the Report of Cash Balances Form, see <https://rad.dof.ca.gov/rad-sa/pdf/CashBalanceAgencyTipsSheet.pdf>.

A	B	C	D	E	F	G	H	I
		Fund Sources						
		Bond Proceeds		Reserve Balance		Other	RPTTF	
		Bonds Issued on or before 12/31/10	Bonds Issued on or after 01/01/11	Prior ROPS period balances and DDR RPTTF balances retained	Prior ROPS RPTTF distributed as reserve for future period(s)	Rent, Grants, Interest, Etc.	Non-Admin and Admin	Comments
Cash Balance Information by ROPS Period								
ROPS 14-15A Actuals (07/01/14 - 12/31/14)								
1	Beginning Available Cash Balance (Actual 07/01/14)	2,427,863			18,181	705	41,073	
2	Revenue/Income (Actual 12/31/14) RPTTF amounts should tie to the ROPS 14-15A distribution from the County Auditor-Controller during June 2014	183				7,200	449,036	
3	Expenditures for ROPS 14-15A Enforceable Obligations (Actual 12/31/14) RPTTF amounts, H3 plus H4 should equal total reported actual expenditures in the Report of PPA, Columns L and Q	107,416			18,181	7,905	257,025	
4	Retention of Available Cash Balance (Actual 12/31/14) RPTTF amount retained should only include the amounts distributed as reserve for future period(s)	544,298						
5	ROPS 14-15A RPTTF Prior Period Adjustment RPTTF amount should tie to the self-reported ROPS 14-15A PPA in the Report of PPA, Column S	No entry required						228,590
6	Ending Actual Available Cash Balance C to G = (1 + 2 - 3 - 4), H = (1 + 2 - 3 - 4 - 5)	\$ 1,776,332	\$ -	\$ -	\$ -	\$ -	\$ 4,494	
ROPS 14-15B Estimate (01/01/15 - 06/30/15)								
7	Beginning Available Cash Balance (Actual 01/01/15) (C, D, E, G = 4 + 6, F = H4 + F4 + F6, and H = 5 + 6)	\$ 2,320,630	\$ -	\$ -	\$ -	\$ -	\$ 233,084	
8	Revenue/Income (Estimate 06/30/15) RPTTF amounts should tie to the ROPS 14-15B distribution from the County Auditor-Controller during January 2015						272,151	
9	Expenditures for ROPS 14-15B Enforceable Obligations (Estimate 06/30/15)	1,089,380					313,224	
10	Retention of Available Cash Balance (Estimate 06/30/15) RPTTF amount retained should only include the amounts distributed as reserve for future period(s)							
11	Ending Estimated Available Cash Balance (7 + 8 - 9 - 10)	\$ 1,231,250	\$ -	\$ -	\$ -	\$ -	\$ 192,011	

**Recognized Obligation Payment Schedule (ROPS 15-16A) - Notes**

July 1, 2015 through December 30, 2015

Item #	Notes/Comments
19	This item represents the remaining bond proceed balance. The Successor Agency's bond proceed expenditure plan was approved during the ROPS 13-14B cycle, and the Agency is continuing to follow that plan.

## RESOLUTION NO. 15-04

### A RESOLUTION OF THE SUCCESSOR AGENCY TO THE FIREBAUGH REDEVELOPMENT AGENCY APPROVING THE SUCCESSOR AGENCY'S ADMINISTRATIVE BUDGET FOR FISCAL YEAR 2015-16 PURSUANT TO HEALTH AND SAFETY CODE SECTION 34177(j)

**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**, Section 34177(j) of the Dissolution Act requires the Successor Agency to prepare a proposed administrative budget and submit it to the Oversight Board for approval; and

**WHEREAS**, pursuant to Section 34177(j), the Successor Agency's "Administrative Budget" is to include all of the following: (a) estimated amounts of the Successor Agency's administrative costs for the up-coming six-month fiscal period; (b) the proposed sources of payment for the costs identified in (a); and (c) proposals for arrangements for administrative and operations services provided by the city serving as Successor Agency; and

**WHEREAS**, the Successor Agency desires to approve the proposed Fiscal Year 2015-16 Administrative Budget for the periods July 1, 2015 to December 31, 2015 and January 1, 2016 to June 30, 2016; and

**WHEREAS**, the Administrative Budget, when and as approved by the Oversight Board, will be provided to the County of Fresno Auditor-Controller pursuant to Section 34177(k) so that the Successor Agency's estimated administrative costs in the approved Administrative Budget will be paid from property tax revenues deposited into the Redevelopment Property Tax Trust Fund for each applicable six-month period.

**NOW, THEREFORE, THE SUCCESSOR AGENCY TO THE FIREBAUGH REDEVELOPMENT AGENCY DOES HEREBY RESOLVE AS FOLLOWS:**

**Section 1.     Recitals.** The Recitals set forth above are true and correct and incorporated herein by reference.

**Section 2.     Approval of Administrative Budget.** The Successor Agency hereby approves the Fiscal Year 2015-16 Administrative Budget for the period July 1, 2015 to December 31, 2015 and for the period January 1, 2016 to June 30, 2016 submitted herewith as Exhibit A, which is incorporated herein by this reference.

**Section 3.     Posting; Transmittal to Appropriate Agencies.** The City Manager is hereby authorized and directed to transmit a copy of the Administrative Budget to the Oversight Board for their approval.

**PASSED, APPROVED AND ADOPTED** at a regular meeting of the Successor Agency,  
on the 2<sup>nd</sup> day of February, 2015, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAINED:

\_\_\_\_\_  
CHAIRPERSON

ATTEST:

\_\_\_\_\_  
RITA LOZANO, DEPUTY CITY CLERK

APPROVED AS TO FORM:

\_\_\_\_\_  
DALE BACIGALUPI  
SUCCESSOR AGENCY COUNSEL

STATE OF CALIFORNIA     )  
COUNTY OF FRESNO         ) ss.  
CITY OF FIREBAUGH         )

I, RITA LOZANO, hereby certify that I am the duly appointed City Clerk of the City of Firebaugh and that the foregoing resolution was duly adopted at a regular meeting of the Successor Agency held on the 2<sup>nd</sup> day of February, 2015

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

**EXHIBIT A**

**ADMINISTRATIVE BUDGET FOR FISCAL YEAR 2015-16**



# **FIREBAUGH SUCCESSOR AGENCY ADMINISTRATIVE BUDGET (FISCAL YEAR 2015-16)**

## **External Consultants**

Attorney Costs	\$	20,000
Annual Audit	\$	6,000
Consultant Costs	\$	50,000

## **Successor Agency Expenses**

Successor Agency rent and utilities	\$	76,000
Successor Agency supplies	\$	7,500
Successor Agency equipment	\$	500
Successor Agency publications	\$	500
Salaries and Benefits	\$	500
Internet hosting	\$	140,000
IT support	\$	500
Travel expenses/seminars	\$	1,000
Risk management/Insurance	\$	500
	\$	7,000
	\$	158,000

## **Oversight Board Expenses**

Legal Costs	\$	15,000
Materials	\$	1,000
	\$	16,000

## **Estimated Grand Total**

	\$	250,000
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## **FY 2015-16 Administrative Activities**

County correspondence/coordination	Successor Agency Staff, RSG, Legal Counsel
State correspondence/coordination	Successor Agency Staff, RSG, Legal Counsel
Prepare ROPS	Successor Agency Staff, RSG, Legal Counsel
Prepare admin budget	Successor Agency Staff, RSG, Legal Counsel
Oversight Board staff support	Successor Agency Staff, RSG, Legal Counsel
Management of dissolution activities	Successor Agency Staff, RSG, Legal Counsel
Disclosure Services	Successor Agency Staff, RSG, Legal Counsel
Annual Audit	A.M. Peche
Manage/monitor finances	Bryant Jolley
Agendas/minutes/Brown Act records assistance	Successor Agency Staff, RSG
	Successor Agency Staff