

SPECIAL MEETING AGENDA
The City Council/Successor Agency of the City of Firebaugh
Vol. No.17/01-23

Location of Meeting: Andrew Firebaugh Community Center
1655 13th Street, Firebaugh, CA 93622
Date/Time: January 23, 2017/6:00 p.m.

CALL TO ORDER

ROLL CALL
Mayor Brady Jenkins
Mayor Pro Tem Felipe Perez
Council Member Marcia Sablan
Council Member Elsa Lopez
Council Member Freddy Valdez

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

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

PLEDGE OF ALLEGIANCE

PRESENTATION: Claudia Solis – Proposal for Communications Project

PUBLIC COMMENT

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 regular meeting on January 9, 2017.**
2. **WARRANT REGISTER – Period starting December 1, and ending on December 31, 2016.**

December 2016	General Warrants	#34405 - #34552	\$ 735,846.79
	Payroll Warrants	#67655 - #67754	\$ 212,395.97
TOTAL			\$ 948,242.76

PUBLIC HEARING

3. **ORDINANCE NO. 16-07 - AN ORDINANCE OF THE CITY OF FIREBAUGH ADDING A NEW SUBSECTION ENTITLED “WIRELESS TELECOMMUNICATIONS FACILITIES” TO CHAPTER 13 OF THE FIREBAUGH MUNICIPAL CODE, TO PROVIDE UNIFORM AND COMPREHENSIVE REGULATIONS AND STANDARDS, ALONG WITH PERMIT REQUIREMENTS FOR THE INSTALLATION OF WIRELESS TELECOMMUNICATIONS FACILITIES IN THE PUBLIC RIGHT-OF-WAY – SECOND READING.**

Recommended Action: Council receives public comment & takes action of Ord. No. 16-07.

4. **ORDINANCE NO. 17-01 - AN ORDINANCE OF THE CITY OF FIREBAUGH ADDING SECTION 27-2 TO CHAPTER 27 OF THE FIREBAUGH MUNICIPAL CODE PERTAINING TO SPECIAL PROVISIONS APPLICABLE TO STATE VIDEO SERVICE FRANCHISE HOLDERS – FIRST READING.**

Recommended Action: Council receives public comment & waives the first reading of Ord. No. 17-01.

NEW BUSINESS

5. **RESOLUTION NO. 17-01 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH, ACKNOWLEDGING AND APPROVING DISSOLUTION OF THE WESTSIDE CITIES CABLE TELEVISION AUTHORITY AND TERMINATION OF THE JOINT EXERCISE OF POWERS AGREEMENT BY MUTUAL AGREEMENT.**

Recommended Action: Council receives public comment & approves Res. No. 17-01.

6. **RESOLUTION NO. 17-02 - RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH ACCEPTING BID AND AWARDED CONTRACT TO ROLFE CONSTRUCTION FOR WATER MAIN REPLACEMENT 15-CDBG-10568.**

Recommended Action: Council receives public comment & approves Res. No. 17-02.

7. **THE CITY COUNCIL OF THE CITY OF FIREBAUGH TO DISCUSS AND CONSIDER REVIEW OF RESOLUTION NO 12-59 REGARDING HEALTH INSURANCE FOR COUNCIL MEMBERS.**

Recommended Action: Council receives public comment & gives staff direction.

SUCCESSOR AGENCY

STAFF REPORTS

PUBLIC COMMENT ON CLOSED SESSION ITEM ONLY

CLOSED SESSION

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 19, 2017 at 5:00 p.m. by Rita Lozano Deputy City Clerk.

Proposal for Communications Project

City of Firebaugh

Objective

Design a communications campaign to help the City of Firebaugh provide residents with information that is crucial, helpful and impactful.

Action Plan

Launch a Facebook page to highlight the successes and changes in the city, as well as news and upcoming events that are important to area citizens.

This would include information, photos and video about topics including: safety, health, employment, entertainment, etc.

Examples:

- City Council Meetings
- Safety Alerts
- Changes in City Services (due to weather, holidays, etc.)
- Employment opportunities (local hiring events and job listings)
- Information about new state laws
- Highlight local businesses (grand openings, anniversaries)
- Road Closures
- Community/Family Events (Cantaloupe Roundup, Christmas Parade, etc.)

MEETING MINUTES

The City Council/Successor Agency of the City of Firebaugh Vol. No. 17/01-09

Location of Meeting: Andrew Firebaugh Community Center
1655 13th Street, Firebaugh, CA 93622
Date/Time: January 9, 2017/6:00 p.m.

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

ROLL CALL

PRESENT: Mayor Brady Jenkins
Council Member Elsa Lopez
Council Member Freddy Valdez

ABSENT: Council Member Felipe Perez, Council Member Marcia Sablan

OTHERS: City Attorney Meggin Boranian; Acting City Manager/Public Works Director, Ben Gallegos; Finance Director, Pio Martin; Deputy City Clerk, Rita Lozano; Police Chief, Sal Raygoza; City Planner Karl Schoettler, Wanda Breshears & others.

PLEDGE OF ALLEGIANCE Council Member Valdez led pledge of Allegiance.

PRESENTATION None

PUBLIC COMMENT Laura Garcia requested a waiver for the use of the Community Center on January 12, 2017 to hold a fund raising event for the Firebaugh Falcon Cheerleaders to travel to Vegas to compete.

Motion to charge \$40 (1hour) rental fee, provide the use of tables & chairs at no cost, the refundable deposit and \$25 application processing fee is still required by Council Member Lopez, second by Council Member Valdez motion pass by 3-0 vote.

CONSENT CALENDAR

1. APPROVAL OF MINUTES – The City Council regular meeting on December 19, 2016.

Motion to approve minutes by Council Member Lopez, second by Council Member Valdez motion pass by 3-0 vote.

PUBLIC HEARING

2. ORDINANCE NO. 16-07 - AN ORDINANCE OF THE CITY OF FIREBAUGH ADDING A NEW SUBSECTION ENTITLED “WIRELESS TELECOMMUNICATIONS FACILITIES” TO CHAPTER 13 OF THE FIREBAUGH MUNICIPAL CODE, TO PROVIDE UNIFORM AND COMPREHENSIVE REGULATIONS AND STANDARDS, ALONG WITH PERMIT REQUIREMENTS FOR THE INSTALLATION OF WIRELESS TELECOMMUNICATIONS FACILITIES IN THE PUBLIC RIGHT-OF-WAY – FIRST READING – CONTINUED PUBLIC HEARING.

Open Public Hearing at 6:15 pm – No Public Comment given - Close Public Hearing @ 6:16 pm.

Motion to waive the first reading Ord No 16-07 by Council Member Valdez, second by Council Member Lopez, motion pass by 3-0 vote.

NEW BUSINESS

Motion to enter Successor Agency at 6:17 pm by Council Member Valdez, second by Council Member Lopez, motion pass by 3-0 vote.

SUCCESSOR AGENCY

3. **RESOLUTION NO. 16-47 - A RESOLUTION OF THE SUCCESSOR AGENCY OF THE FIREBAUGH REDEVELOPMENT AGENCY APPROVING A CONTRACT WITH RSG, INC. TO PROVIDE CONSULTING SERVICES TO THE SUCCESSOR AGENCY IN FISCAL YEAR 2017-18.**

Motion to approve Resolution No 16-47 by Council Member Lopez, second by Council Member Valdez motion pass by 3-0 vote.

4. **RESOLUTION NO. 16-48 - A RESOLUTION OF THE SUCCESSOR AGENCY TO THE FIREBAUGH REDEVELOPMENT AGENCY APPROVING THE RECOGNIZED OBLIGATION PAYMENT SCHEDULE FOR JULY 1, 2017 THROUGH JUNE 30, 2018 AND THE ADMINISTRATIVE BUDGET FOR JULY 1, 2017 THROUGH JUNE 30, 2018**

Motion to approve Resolution No 16-4 by Council Member Valdez, second by Council Member Lopez motion pass by 3-0 vote.

Motion to close Successor Agency at 6:20 pm by Council Member Valdez, second by Council Member Lopez, motion pass by 3-0 vote.

STAFF REPORTS

- **Police Chief, Sal Raygoza** – Will be providing a power point on Prop 64 and the new marijuana laws at a future meeting. Received a call from a representative of the Friant Dam, they are getting 20,000 cubic feet & releasing 6,000 cubic feet per day but will most likely increase to 10,000 cubic feet.
- **Finance Director, Pio Martin** – Wi-Fi just started working at the Community Center, VNS finished installation at the Senior Center this morning, but are still working at the Water site. Received a draft of the audit, there were a few mistakes I reported to him, he hasn't responded to me yet, the numbers are all correct just some typos.
- **Deputy City Clerk, Rita Lozano** – All Council Members leaving and assuming council positions and serving on committees with COG must complete form 700. Sent emails requesting dates available for ethics training & to schedule a joint meeting with the school board, I haven't received any responses.
- **City Planner, Karl Schoettler** – Bike Transportation Plan will be presented next month to the Council, Public Hearing is required.
- **Public Works Director, Ben Gallegos** – Helped the City of Mendota with our equipment, contacted Buxton to try and get new businesses, the audit looks good. Las Deltas Water District wanted to review the water/sewer rate study. Had a meeting with Mario and Contractor regarding projects, the deadlines have been passed. Will have bids for the CDBG Water Main Project on 11th, hoping they are low so we can transfer additional funding for the certified kitchen at the Senior Center.
- **City Attorney, Meggin Boranian** – Will update on new laws via a memo. Prepared a performance bond for Gateway project regarding the covered parking stalls to be installed by March 2017.
- **Council Member Valdez** – Meet with Arambula regarding the lack of land for housing and the courthouse purchase. Proteus will have job training to help the community.

PUBLIC COMMENT ON CLOSED SESSION ITEM ONLY: None

Motion to enter closed session at 6:42 pm by Council Member Valdez, second by Council Member Lopez, motion pass by 3-0 vote.

CLOSED SESSION

5. REAL ESTATE NEGOTIATION – Pursuant to Government Code Section #54956.8

Owner or Designative Rep. City Negotiator Ben Gallegos APN: 007-062-19

Motion to enter open session at 7:04 pm, motion pass by 4-0 vote.

ANNOUNCEMENT AFTER CLOSED SESSION: *No Action Taken.*

ADJOURNMENT - *Motion to adjourn by Councilmember Valdez, second by Councilmember Lopez; motion passes by 3-0 vote at 7:05 p.m.*



REPORT TO CITY COUNCIL
— MEMORANDUM —

AGENDA ITEM NO: _____

COUNCIL MEETING DATE: January 23, 2016

SUBJECT: Warrant Register Dated: December 1, 2016 - December 31, 2016

RECOMMENDATION:

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

DECEMBER 01, 2016 – DECEMBER 31, 2016

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	# 34405 – #34552	<u>\$ 735,846.79</u>
PAYROLL WARRANTS.....	# 67695 – #67754	<u>\$ 212,395.97</u>
TOTAL WARRANTS.....		\$ 948,242.76

CITY OF FIREBAUGH ACCOUNTS PAYABLE
WARRANTS DECEMBER 1, 2016 - DECEMBER 31, 2016

<u>Check Number</u>	<u>Check Date</u>	<u>Name</u>	<u>Net Amount</u>	<u>Description</u>
33772	12/16/2016	ADAMS ASHBY GROUP, LLC	\$ (1,440.00)	Ck# 033772 Reversed
34405	12/1/2016	CITY OF FIREBAUGH	\$ 34,617.88	UNITED SEC BANK-PAYROLL M
34406	12/2/2016	A & J AUTO BODY	\$ 1,200.00	PD-K9 FORD EXPLORER PAINT
34407	12/2/2016	AT&T	\$ 409.05	WATER OPER TELEPHONE
34408	12/2/2016	CAL VALLEY CONSTRUCTION,	\$ 132,492.70	PYMT#1-WATERLINE REPLACE
			\$ 70,869.51	PEDESTRIAN IMPROVEMENTS
			\$ 5,035.00	POSO CANAL TRAIL CML-5224
		Check Total:	\$ 208,397.21	
34409	12/2/2016	CORBIN WILLITS SYSTEMS	\$ 1,020.18	ADMINISTRATION C/W MONTHLY
34410	12/2/2016	COUNTY OF FRESNO	\$ 1,599.81	PORTION OF CO OF FRESNO
34411	12/2/2016	DISH	\$ 38.34	SENIOR CENTER CABLE
34412	12/2/2016	DONALD R. REYNOLDS, CPA	\$ 2,500.00	THIRD PROGRESS BILLING
34413	12/2/2016	EPPLER TRUCK SALES	\$ 105.00	STREET CLEANER-REPLACED S
34414	12/2/2016	EXCEL SIGN COMPANY	\$ 554.31	DECALS NEW K9 CAR
34415	12/2/2016	FIREBAUGH ROTARY CLUB	\$ 350.00	RODEO GROUNDS DEPOSIT
34416	12/2/2016	FRESNO-MADERA AREA AGENC	\$ 53.04	10/16 SITE SUPPLIES & NON
34417	12/2/2016	GALLS, LLC	\$ 40.03	PD-CROSSFIRE SPRAY
34418	12/2/2016	GOODALL TRUCKING, INC.	\$ 974.03	NEW WATER AND SEWER
34419	12/2/2016	GRAND FLOW	\$ 687.07	UTILITY LASER REMINDER NO
34420	12/2/2016	HINDERLITER, deLLAMAS	\$ 728.26	AUDIT SERVICES-SALES TAX
34421	12/2/2016	JRM CONSTRUCTION	\$ 1,500.00	GATE REPAIR-REMOVE DAMAGE
34422	12/2/2016	KUSSMAUL ELECTRONICS CO.	\$ 906.55	FD-AUTO CHARGE 1000 SUPER
34423	12/2/2016	RODDY A. LAKE	\$ 294.19	POLICE HEALTH INS
34424	12/2/2016	MANUEL'S SMALL ENGINE REP	\$ 135.07	PW-CHAINSHAW REPAIR
34425	12/2/2016	MARIA MARTINEZ	\$ 150.00	A/F HALL CLEANING REFUND

CITY OF FIREBAUGH ACCOUNTS PAYABLE
WARRANTS DECEMBER 1, 2016 - DECEMBER 31, 2016

<u>Check Number</u>	<u>Check Date</u>	<u>Name</u>	<u>Net Amount</u>	<u>Description</u>
34426	12/2/2016	MEGGIN BORANIAN	\$ 6,500.00	PROFESSIONAL SERVICES DEC
34427	12/2/2016	MID-VALLEY DISPOSAL	\$ 27,561.42	SERVICES PERFORMED NOV
34428	12/2/2016	OFFICE DEPOT	\$ 41.08	ADMINISTRATION OFFICE SUPPLY
34429	12/2/2016	PITNEY BOWES #8000-9090-	\$ 520.99	POSTAGE MACHINE REFILL 11
34430	12/2/2016	R.F. MacDONALD CO.	\$ 1,879.35	MALDONADO PARK STORM DRAIN
34431	12/2/2016	FLOR RODRIGUEZ	\$ 150.00	A/F HALL CLEANING DEPOSIT
34432	12/2/2016	SALEM ENGINEERING GROUP,	\$ 2,140.00	WATERLINE REPLACEMENT
			\$ 925.00	PEDESTRIAN IMPROVEMENTS
			\$ 877.50	POSO CANAL TRIAL CML-5224
			\$ 3,790.00	WATERLINE REPLACEMENT
			\$ 2,015.00	PEDESTRIAN IMPROVEMENTS
		Check Total:	\$ 9,747.50	
34433	12/2/2016	DEANNA SEAMORE	\$ 950.00	FACE PAINTERS FOR XMAS
34434	12/2/2016	SIGNMAX	\$ 227.27	CHRISTMAS PARADE SPONSORS
34435	12/2/2016	SPARKLETTS	\$ 42.62	POLICE DEPARTMENT
34436	12/2/2016	TELEPACIFIC COMMUNICATION	\$ 1,545.24	ALL DEPTS-TELEPHONE/INTERNET
34437	12/2/2016	TUCKFIELD & ASSOCIATES	\$ 7,290.00	WATER RATE STUDY
34438	12/2/2016	UNITY IT	\$ 925.00	PD-REMOTE TECHNICIAN
34439	12/2/2016	USA BLUEBOOK	\$ 2,902.47	SEWER LAB ANALYSIS
34440	12/2/2016	U.S. POSTMASTER	\$ 225.00	FIRST CLASS PRESORT RENEW
			\$ 786.32	UTILITY BILLING FOR DEC
		Check Total:	\$ 1,011.32	
34441	12/2/2016	VALLEY PETROLEUM & LIFT I	\$ 2,023.88	LIFT REPAIR/SERVICE
34442	12/2/2016	LUIS VALDEZ	\$ 50.00	WORK JACKET REIMBURSEMENT
34443	12/2/2016	SANTOS FORD	\$ 26,998.81	PW-FORD F-250 PURCHASE
			\$ 37,531.65	PW-FORD F-250 PURCHASE
			\$ 24,980.94	PW-FORD F-250 PURCHASE
		Check Total:	\$ 89,511.40	
34444	12/2/2016	WEST SIDE DRUG STORE	\$ 3.99	FD-SPRAY
34445	12/2/2016	XTREME GAMING	\$ 550.00	GAMING TRAILER FOR XMAS

CITY OF FIREBAUGH ACCOUNTS PAYABLE
WARRANTS DECEMBER 1, 2016 - DECEMBER 31, 2016

<u>Check Number</u>	<u>Check Date</u>	<u>Name</u>	<u>Net Amount</u>	<u>Description</u>
34446	12/3/2016	JO STUDIOS	\$ 1,200.00	XMAS PARADE-SETUP STAGE
34447	12/3/2016	MIGUEL SOTO	\$ 500.00	XMAS PARADE DJ 12/3/16
34448	12/6/2016	CITY OF FIREBAUGH	\$ 92,594.11	UNITED SEC BANK-PAYROLL
34449	12/6/2016	BEATRIZ BERNAL SOLANO	\$ 240.00	2016 UNIFORM ALLOWANCE
34450	12/6/2016	FERNANDO CAMPA	\$ 900.00	2016 UNIFORM ALLOWANCE
34451	12/6/2016	JUAN C. CASTILLO	\$ 900.00	2016 UNIFORM ALLOWANCE
34452	12/6/2016	MAGDA MARTINEZ	\$ 900.00	2016 UNIFORM ALLOWANCE
34453	12/6/2016	FERNANDO MARTINEZ	\$ 576.00	2016 UNIFORM ALLOWANCE
34454	12/6/2016	BRETT M. MILLER	\$ 900.00	2016 UNIFORM ALLOWANCE
34455	12/6/2016	SALVADOR RAYGOZA	\$ 900.00	2016 UNIFORM ALLOWANCE
34456	12/6/2016	RAQUEL TABARES	\$ 780.00	2016 UNIFORM ALLOWANCE
34457	12/6/2016	GERARDO VACA	\$ 900.00	2016 UNIFORM ALLOWANCE
34458	12/8/2016	ADAMS ASHBY GROUP, LLC	\$ 4,430.00	GENERAL ADMIN: 15-CDBG-10
34459	12/8/2016	AGRI-VALLEY IRRIGATION	\$ 21.01	TOMATEK-GASKET RING
			\$ 12.97	TRUCK #12-HAND SAW
			\$ 13.75	REPAIR SIDEWALK-CONCRETE
		Check Total:	\$ 47.73	
34460	12/8/2016	AT&T MOBILITY	\$ 369.85	#287249191200 POLICE DEPT
34461	12/8/2016	AUTOZONE COMMERCIAL (1379	\$ 108.21	PD-COOLING FAN CONTROL
			\$ 35.13	WINDOW LIFT
			\$ (35.13)	WINDOW LIFT
			\$ 21.09	DOOR HINGE PIN
			\$ 21.09	PW#7-DOOR HINGE PIN
			\$ 27.05	FORD SIDELESS SEAT COVER
			\$ 68.06	PW#7-WINDOW REGULATOR
			\$ (216.44)	SEAT COVER CUSTOM FRONT
			\$ 216.44	SEAT COVER CUSTOM FRONT
			\$ 15.50	PD4-FULL PEAK LONG
			\$ (216.44)	PW#10-SEAT COVER
			\$ 53.04	PW#4-ANTIFREEZE/COOLANT
			\$ 96.01	TRUCK#33-HEATER HOSE
			\$ 9.70	PD-DURALAST WIPER
			\$ 20.01	MOLDED HEATER HOSE
			\$ 20.34	PW#7-OIL FILTER
			\$ 5.17	PW#7-OIL FILER
			\$ (4.33)	PW#7-OIL FILTER
			\$ 16.22	PUTTY GRIP BLACK
			\$ 43.27	PW#7-HEAVY DUTY 2TONE
		Check Total:	\$ 303.99	

CITY OF FIREBAUGH ACCOUNTS PAYABLE
WARRANTS DECEMBER 1, 2016 - DECEMBER 31, 2016

<u>Check Number</u>	<u>Check Date</u>	<u>Name</u>	<u>Net Amount</u>	<u>Description</u>
34462	12/8/2016	MARIA AVITIA	\$ 100.00	A/F HALL CLEANING DEPOSIT
34463	12/8/2016	BIG G'S AUTOMOTIVE CENTER	\$ 779.03	PW-FORD 99 VEHICLE MAINT
34464	12/8/2016	CHEVRON & TEXCO CARD SERV	\$ 77.00	CREDIT CARD CHARGES FEES
34465	12/8/2016	COLLINS & SCHOETTLER	\$ 3,400.00	PLANNING CONSULTING NOV
34466	12/8/2016	CORELOGIC SOLUTIONS, LLC.	\$ 150.00	REALQUEST FOR NOVEMBER 2016
34467	12/8/2016	COUNTRY VETERINARY CLINIC	\$ 725.00	SEPTEMBER-NOVEMBER 2016
34468	12/8/2016	CVR & ASSOCIATES, INC.	\$ 1,766.47	BLDG & INSPEC INSPECTION
34469	12/8/2016	E POLY STAR, INC.	\$ 233.33	LD CAN LINER BLACK
34470	12/8/2016	FIREBAUGH AUTO REPAIR	\$ 355.00	PD-REPAIR PATROL CAR
34471	12/8/2016	FRESNO COUNTY TREASURER	\$ 163.08	ACCESS FEES CONTRACT NOV
34472	12/8/2016	FRESNO OXYGEN	\$ 46.80	SHOP-SUPPLIES
34473	12/8/2016	G&K SERVICES, INC.	\$ 170.60	WORK JACKERS PER MOU-ALEX
34474	12/8/2016	GOLDEN STATE FLOW	\$ 1,569.26	SMART POINT HOURLY READ
			<u>\$ 6,457.46</u>	SENSUS OMNI METER
		Check Total:	\$ 8,026.72	
34475	12/8/2016	GOODALL TRUCKING, INC.	\$ 1,245.67	BASE ROCK COLD MIX
34476	12/8/2016	GUTHRIE PETROLEUM, INC.	\$ 895.59	BULK UNLEADED GASOLINE
			\$ 549.74	BULK UNLEADED GASOLINE
			\$ 929.42	BULK UNLEADED GASOLINE
			\$ 495.60	BULK UNLEADED GASOLINE
			<u>\$ 863.93</u>	BULK DIESEL FUEL
		Check Total:	\$ 3,734.28	
34477	12/8/2016	HOME DEPOT CREDIT SERVICE	\$ 116.76	PARK SUPPLIES
			\$ 245.04	POLICE DEPT SUPPLIES
			<u>\$ 343.03</u>	PAL BUILDING SUPPLIES
		Check Total:	\$ 704.83	
34478	12/8/2016	HUB INTERNATIONAL	\$ 125.98	SPECIAL EVENT INSURANCE
34479	12/8/2016	MANUELS TIRE SERVICE, INC	\$ 639.65	PIPE HUNTER-TUBE
			<u>\$ 29.27</u>	RADIAL PATCH
		Check Total:	\$ 668.92	
34480	12/8/2016	MID-VALLEY DISPOSAL	\$ 63.98	1800 HELM CANAL
34481	12/8/2016	NAPA AUTO PARTS - FIREBAU	\$ 36.56	GP LITHIUM GRS CART
			\$ 10.11	SHOP SUPPLIES-RETAINER
			\$ 12.98	PD-ANTIFREEZE

CITY OF FIREBAUGH ACCOUNTS PAYABLE
WARRANTS DECEMBER 1, 2016 - DECEMBER 31, 2016

<u>Check Number</u>	<u>Check Date</u>	<u>Name</u>	<u>Net Amount</u>	<u>Description</u>
34481	12/8/2016	NAPA AUTO PARTS - FIREBAU	\$ 8.82	SHOP TOOL-FILE
			\$ 12.38	COMMUNITY CTR-GRAY
			\$ 2.91	PW#28-SWEEPER FLUID
			\$ 73.10	PW#28-SWEEPER
			\$ 2.02	SHOP-GRIP RIVETS
			\$ 20.62	PW#10-SUPPORT
			\$ 54.10	SHOP TOOL-MECH SET
			\$ 7.64	PW#1-OIL FILTER
			\$ 21.62	FD-E150 ACCUFIT CONVENTION
			\$ 7.20	PW#9-OIL FILTER
			\$ 15.00	PW#9-AIR FILTER
			\$ 112.54	PW#7-WINDOW SWITCH
		Check Total:	\$ 397.60	
34482	12/8/2016	PACIFIC GAS & ELECTRIC	\$ 60.11	FIRE DEPT #3228327255-0
34483	12/8/2016	PAPA	\$ 45.00	2017 PAPA MEMBERSHIP FOR
34484	12/8/2016	CALIF PUBLIC EMPLOYEES RE	\$ 6,460.98	ANNUAL UNFUNDED ACCRUED
			\$ 10,932.15	ANNUAL UNFUNDED ACCRUED
			\$ 0.37	ANNUAL UNFUNDED ACCRUED
		Check Total:	\$ 17,393.50	
34485	12/8/2016	PITNEY BOWES GLOBAL FINAN	\$ 396.96	LEASED EQUIPMENT 9/30/16-
34486	12/8/2016	RON'S AUTO REPAIR	\$ 414.90	PD#4-LABOR/REMOVE DASHBOARD
34487	12/8/2016	RSG, INC.	\$ 2,347.50	FY2016-17 SUCCESOR AGENCY
			\$ 160.00	SB341 REPORT
		Check Total:	\$ 2,507.50	
34488	12/8/2016	SPARKLETTS	\$ 25.82	PUBLIC WORKS/SHOP
34489	12/8/2016	SWRCB ACCOUNTING OFFICE	\$ 2,088.00	ANNUAL PERMIT FEE
			\$ 24,833.00	FIREBAUGH WWTF
			\$ 24,833.00	TOMATEK WASTEWATER
		Check Total:	\$ 51,754.00	
34490	12/8/2016	RAQUEL TABARES	\$ 200.00	FLYER DESIGN FOR ANNUAL
34491	12/8/2016	THARP'S FARM SUPPLY	\$ 39.33	SEWER LINE REPAIR
			\$ 17.21	PD-WINDEX
			\$ 15.17	ALLS IN BOX
			\$ 6.49	#8 KEYS CURTIS
			\$ 28.69	PD-RAT GLUE TRAP

CITY OF FIREBAUGH ACCOUNTS PAYABLE
WARRANTS DECEMBER 1, 2016 - DECEMBER 31, 2016

<u>Check Number</u>	<u>Check Date</u>	<u>Name</u>	<u>Net Amount</u>	<u>Description</u>
34491	12/8/2016	THARP'S FARM SUPPLY	\$ 7.58	PAL-MASONARY BIT
			\$ 2.91	PAL RESTROOM-PUTTY
			\$ 31.09	COMMUNITY CTR-SOAPSTONE
			\$ 4.97	REPAIR BROKEN WATER LINE
			\$ 7.52	TRUCK #12-DRILL BIT
			\$ 142.86	TURCK#10-HIP BOOT
			\$ 18.88	SHOP GAS LINE REPAIR-NIPP
			\$ 38.61	LOCK DUNKLE
			\$ 11.85	LIFT STATIONS
			\$ 12.10	SKATE PARK FENCE
			\$ 3.51	CHRISTMAS PARADE-CLAMP
			\$ 4.97	CHAINSAW
			\$ 31.28	MALDONADO PARK-ELBOW/COUPLE
			\$ 24.38	PADLOCK
			\$ 25.04	SPRAYING AND PAVING EQUIPMENT
			\$ 6.05	COMMUNITY CTR-ALMOND
			\$ 49.65	DUNKLE PARK-CLAMP
			\$ 20.01	DUNKLE PARK-GOPHER BAIT
			\$ 42.54	SEWER PLANT PONDS-RED
			\$ 16.27	GAS PUMP-MASTER LOCKS
			\$ 3.25	MALDONADO PARK-CURTIS KEY
			\$ 0.45	TOMA TEK-WIRE ROPE
			\$ 49.60	PAINT FOR GRAFITTI
			\$ 13.95	VOLTAGE TESTER
			\$ 13.03	DUNKLE PARK-COVER
			\$ 4.27	ROLLER FRAME GRAFITTI
			\$ 6.27	OUTLET COVER
			\$ (6.27)	OUTLET COVER
			\$ 8.60	GONE PRO PUMP GRAFITTI
			\$ 25.97	PRUNNING SAW
			\$ 6.34	WWTP-GRAPE KNIFE
			\$ 86.49	MALDONADO PARK-TREE PRUNNING
			\$ 5.74	PAL BUILDING-COAX STAPLE
			\$ 28.42	PD-POLY BRUSH
			\$ 2.44	WASTE WATER- THR BUSH
			\$ 3.85	PAL BUILDING-WOOD LATH
			\$ 2.81	PAL BUILDING-WHITE TOGGLE
			\$ 20.02	BLADE
			\$ 5.95	SPRAY ROUNDUP-COVERALLS
			\$ 8.33	DUNKLE PARK-CLAMP
			\$ 0.35	PAL BUILDING-TOGGLE PLATE
			\$ 13.84	MALDONADO PARK-BLUE TAPE
			\$ 54.46	SITE #2/WWTP/TRUCK #10-OI
			\$ 24.78	RESTROOMS-LATEX WHITE
			\$ 40.02	SITE#1/SITE#2-BLACK TAPE

CITY OF FIREBAUGH ACCOUNTS PAYABLE
WARRANTS DECEMBER 1, 2016 - DECEMBER 31, 2016

<u>Check Number</u>	<u>Check Date</u>	<u>Name</u>	<u>Net Amount</u>	<u>Description</u>
34491	12/8/2016	THARP'S FARM SUPPLY	\$ 17.84	LEAK ON M ST-COUPLER/BLACK
			\$ 16.29	ROLLER COVER
			\$ 12.53	GAS PUMP-MASTER LOCK
		Check Total:	\$ 1,078.58	
34492	12/8/2016	THOMASON TRACTOR COMPAN	\$ 75.28	PW-BLADE
34493	12/8/2016	USA BLUEBOOK	\$ 59.59	SEWER LAB ANALYSIS
34494	12/8/2016	U.S. BANK EQUIPMENT FINAN	\$ 528.85	RNT/LEASE EQUIP 11/20/16
34495	12/8/2016	VALLEY NETWORK SOLUTIONS	\$ 992.50	MONTHLY MONITORING JANUARY
34496	12/16/2016	AG & INDUSTRIAL SUPPLY	\$ 13.62	CHAIN OIL
			\$ 4.28	CHAIN SAW SPARK PLUG
		Check Total:	\$ 17.90	
34497	12/16/2016	JOHN BORBOA	\$ 1,666.66	FIRE OTHER SERVICES DEC
34498	12/16/2016	BSK & ASSOCIATES, INC.	\$ 45.00	LAB ANALYSIS
			\$ 70.00	LAB ANALYSIS
			\$ 37.50	LAB ANALYSIS
			\$ 127.50	LAB ANALYSIS
			\$ 87.50	LAB ANALYSIS
			\$ 55.00	LAB ANALYSIS
			\$ 287.50	LAB ANALYSIS
			\$ 45.00	LAB ANALYSIS
			\$ 45.00	LAB ANALYSIS
			\$ 55.00	LAB ANALYSIS
			\$ 87.50	LAB ANALYSIS
			\$ 37.50	LAB ANALYSIS
			\$ 37.50	LAB ANALYSIS
			\$ 82.50	LAB ANALYSIS
			\$ 67.50	LAB ANALYSIS
			\$ 46.89	LAB ANALYSIS
			\$ 68.76	LAB ANALYSIS
			\$ 75.04	LAB ANALYSIS
		Check Total:	\$ 1,358.19	
34499	12/16/2016	FIRST BANKCARD	\$ 568.62	PD-INTOXIMETERS, INC
			\$ 113.68	PW-OFFICE OF WATER PROGRAM
			\$ 43.53	PW-MEETING IN SELMA
			\$ 29.95	PD-PEOPLE FACTS R. TABARES
			\$ 287.89	PD-INTOXIMETERS,INC
			\$ 50.00	PW-XMAS PARADE FANCY FACE

CITY OF FIREBAUGH ACCOUNTS PAYABLE
WARRANTS DECEMBER 1, 2016 - DECEMBER 31, 2016

<u>Check Number</u>	<u>Check Date</u>	<u>Name</u>	<u>Net Amount</u>	<u>Description</u>
34499	12/16/2016	FIRST BANKCARD	\$ 519.98	PW-XMAS PARADE RAFFLE GIFT
			\$ 36.66	PW-XMAS PARADE RAFFLE GIFT
			\$ 32.23	PW-XMAS PARADE ADMIT ONE
			\$ 72.72	PW-XMAS PARADE SNOW BLANK
		Check Total:	\$ 1,755.26	
34500	12/16/2016	FRESNO COUNTY AUDITOR'S O	\$ 325.00	POLICE PARKING VIOLATION
34501	12/16/2016	G&K SERVICES, INC.	\$ 15.59	CITY HALL
			\$ 98.24	CITY SHOP
			\$ 18.39	COMMUNITY CTR
			\$ 11.79	WASTE WATER FACILITY
			\$ 23.26	SENIOR CTR
			\$ 15.59	CITY HALL
			\$ 98.24	CITY SHOP
			\$ 18.39	COMMUNITY CTR
			\$ 11.79	WASTE WATER FACILITY
			\$ 23.26	SENIOR CTR
			\$ 15.59	CITY HALL
			\$ 98.24	CITY SHOP
			\$ 18.39	COMMUNITY CTR
			\$ 11.79	WASTE WATER FACILITY
			\$ 23.26	SENIOR CTR
			\$ 15.59	CITY HALL
			\$ 98.24	CITY SHOP
			\$ 18.39	COMMUNITY CTR
			\$ 11.79	WASTE WATER FACILITY
			\$ 23.26	SENIOR CTR
			\$ 15.59	CITY HALL
			\$ 98.24	CITY SHOP
			\$ 18.39	COMMUNITY CTR
			\$ 11.79	WASTE WATER FACILITY
			\$ 23.26	SENIOR CTR
			\$ 15.59	CITY HALL
			\$ 98.24	CITY SHOP
			\$ 18.39	COMMUNITY CTR
			\$ 11.79	WASTE WATER FACILITY
			\$ 23.26	SENIOR CTR
		Check Total:	\$ 669.08	
34502	12/16/2016	GOUVEIA ENGINEERING, INC.	\$ 141.75	720.14 LANDUCCI MULTI
			\$ 8,297.50	740.05-4 TASK 4 PS&E LAS DELTAS
			\$ 141.75	740.11 SGMA
			\$ 3,501.38	745.10C CML-5224(0105)POS
			\$ 3,260.97	745.19C CML-5224(019) PED
			\$ 12,113.85	745.21C RIVERLANE/CARDELLA
			\$ 850.50	760.01 AIRPORT GENERAL
			\$ 1,611.75	765.05 DEL RIO MAPPING
			\$ 535.50	775.03 LLA 2016-02 DOLLAR
			\$ 3,287.81	785.16 DOLLAR GENERAL
			\$ 1,477.88	795.14 SMALL COMMUTIES
			\$ 18,725.00	730.07 SRF WWTP IMPROVEMENT
			\$ 7,630.00	740.09 II CDBG WATER MAIN
		Check Total:	\$ 61,575.64	

CITY OF FIREBAUGH ACCOUNTS PAYABLE
WARRANTS DECEMBER 1, 2016 - DECEMBER 31, 2016

<u>Check Number</u>	<u>Check Date</u>	<u>Name</u>	<u>Net Amount</u>	<u>Description</u>
34503	12/16/2016	JUDICIAL DATA SYS. CORP.	\$ 100.00	POLICE PARKING VIOLATION
34504	12/16/2016	KER WEST, INC. DBA	\$ 2,088.00	LEGAL NOTICES-LOCAL WATER
34505	12/16/2016	ELSA LOPEZ	\$ 936.60	POLICE HEALTH INS
34506	12/16/2016	LUQUIN BOUTIQUE	\$ 90.00	SENIOR CTR-FLOWERS
34507	12/16/2016	NEW ELECTRIC INC.	\$ 1,063.59	TROUBLE SHOOTING SERVICE
34508	12/16/2016	PACIFIC TENT & AWNING	\$ 576.84	NYLON FLAGS
34509	12/16/2016	QUILL CORPORATION	\$ 25.17	SENIOR CENTER SUPPLIES
			\$ 29.21	SENIOR CENTER SUPPLIES
		Check Total:	\$ 54.38	
34510	12/16/2016	SPARKLETTS	\$ 45.57	CITY HALL/SENIOR CENTER
34511	12/16/2016	SUN'S INTERNATIONAL CORP	\$ 36.36	COMMUNITY CTR/PW-PAPER ROLL
			\$ 36.36	COMMUNITY CTR-PAPER ROLL
		Check Total:	\$ 72.72	
34512	12/16/2016	TIFCO INDUSTRIES	\$ 419.58	PW-PARTS
34513	12/16/2016	RAMON VACA	\$ 150.00	A/F HALL CLEANING DEPOSIT
34514	12/16/2016	VERIZON WIRELESS	\$ 564.04	NOVEMBER 2016 ALL DEPTS
34515	12/16/2016	ADAMS ASHBY GROUP, LLC	\$ 1,440.00	Ck# 034515->033772 Repla
34516	12/20/2016	CITY OF FIREBAUGH	\$ 85,183.98	UNITED SEC BANK-PAYROLL
34517	12/21/2016	AT&T	\$ 109.71	CITY HALL INTERNET
			\$ 602.13	ALL DEPTS #9391012024
			\$ 55.45	#9391012021 COMM CTR
			\$ 501.59	#9391012020
		Check Total:	\$ 1,268.88	
34518	12/21/2016	ABELINO CISNEROS	\$ 180.00	SECURITY SERVICE 11/5/16
34519	12/21/2016	CITY AUTO GLASS	\$ 85.36	DUNKLE PLAY GROUND-CLEAR
34520	12/21/2016	CORBIN WILLITS SYSTEMS	\$ 1,020.18	ADMINISTRATION C/W SERVICE
34521	12/21/2016	DEPARTMENT OF JUSTICE	\$ 194.00	FINGERPRINTS NOVEMBER 2016
			\$ 175.00	BLOOD ALCOHOL ANALYSIS
		Check Total:	\$ 369.00	
34522	12/21/2016	DISH	\$ 38.34	SENIOR CTR CABLE

CITY OF FIREBAUGH ACCOUNTS PAYABLE
WARRANTS DECEMBER 1, 2016 - DECEMBER 31, 2016

<u>Check Number</u>	<u>Check Date</u>	<u>Name</u>	<u>Net Amount</u>	<u>Description</u>
34523	12/21/2016	FIREBAUGH SUPER MARKET	\$ 30.28	DOG FOOD
			\$ 7.88	RESTROOMS-PINESOL/BLEACH
			\$ 16.19	COMMUNITY CTR-BLEACH/FABULOS
			\$ 18.14	DOG FOOD
			\$ 17.99	SENIOR CENTER-CAKE
			\$ 10.76	SENIOR CENTER-CREAM
			\$ 32.93	SENIOR CTR/COMM CTR-BLEACH
			\$ 33.60	DOG FOOD
			\$ 30.78	COMMUNITY CTR-FABULOSO/BLEACH
			\$ 7.56	SENIOR CTR-AJAX/DISH
		Check Total:	\$ 206.11	
34524	12/21/2016	HUB INTERNATIONAL	\$ 125.98	SPECIAL EVENT INSURANCE
			\$ 125.98	SPECIAL EVENT INSURANCE
			\$ 125.98	SPECIAL EVENT INSURANCE
		Check Total:	\$ 377.94	
34525	12/21/2016	JMP OFFICE TECHNOLOGIES	\$ 480.00	CONTRACT BASE RATE CHARGE
34526	12/21/2016	ROSIE NEGRETE	\$ 100.00	A/F HALL CLEANING DEPOSIT
34527	12/21/2016	PACIFIC GAS & ELECTRIC	\$ 38,041.33	ALL DEPTS #7355932148-1
34528	12/21/2016	QUILL CORPORATION	\$ 51.94	BUILDING DEPT OFFICE SUPPLIES
34529	12/21/2016	SALEM ENGINEERING GROUP,	\$ 972.50	WATERLINE REPLACEMENT
			\$ 697.50	PEDESTRIAN IMPROVEMENTS
			\$ 925.00	POSO CANAL TRAIL CML-5224
		Check Total:	\$ 2,595.00	
34530	12/21/2016	SPARKLETTS	\$ 79.24	POLICE DEPARTMENT
34531	12/21/2016	STAPLES BUSINESS ADVANTAG	\$ 189.76	POLICE DEPT SUPPLIES
34532	12/21/2016	ZEN FIRE & SAFETY	\$ 174.01	FD-HELMET LIGHT RED
34533	12/28/2016	CITY OF FIREBAUGH	\$ 36,409.09	UNITED SEC BANK-P/R A/C
34534	12/29/2016	ALERT-O-LITE, INC.	\$ 206.88	MARKING PAINT WHITE/BLUE
34535	12/29/2016	ASHWOOD CONSTRUCTION	\$ 500.00	WATER METER DEPOSIT REIMBURSE
34536	12/29/2016	AT&T	\$ 358.76	WATER OPER TELEPHONE 5596
34537	12/29/2016	BEST UNIFORMS	\$ 21.65	CODE ENFORCEMENT BELT

CITY OF FIREBAUGH ACCOUNTS PAYABLE
WARRANTS DECEMBER 1, 2016 - DECEMBER 31, 2016

<u>Check Number</u>	<u>Check Date</u>	<u>Name</u>	<u>Net Amount</u>	<u>Description</u>
34538	12/29/2016	BIG G'S AUTOMOTIVE CENTER	\$ 15.12	PD-WIPERS
			\$ 15.00	PD-ROTOR
			<u>\$ 10.76</u>	XMAS PARADE-TIES
		Check Total:	\$ 40.88	
34539	12/29/2016	CSJVRMA	\$ 76,016.00	2016/2017 3RD QTR DEPOSIT
34540	12/29/2016	DONALD R. REYNOLDS, CPA	\$ 8,500.00	FOURTH PROGRESS BILLING
34541	12/29/2016	FRESNO-MADERA AREA AGENC	\$ 27.44	11/16 NON USDA QUALIFIED
34542	12/29/2016	GALLS, LLC	\$ 708.62	BULLET VEST FOR TABARES
			\$ 333.96	PD-DELUXE TRUNK ORGANIZER
			<u>\$ 38.64</u>	PD-ULTRA INNER DUTY BELT
		Check Total:	\$ 1,081.22	
34543	12/29/2016	GOLDEN STATE FLOW	\$ 1,925.19	REGISTER- 12" ACCUMAG
34544	12/29/2016	GUTHRIE PETROLEUM, INC.	\$ 625.00	REPAIR GAS PUMP-INVOICE 4
34545	12/29/2016	PECK'S PRINTERY	\$ 714.83	BUILDING DEPT INSPECTION
			\$ 44.48	COUNCIL MEMBERS NAME PLATE
			<u>\$ 441.56</u>	WINDOW ENVELOPES BLUE INK
		Check Total:	\$ 1,200.87	
34546	12/29/2016	PITNEY BOWES INC. #1659-2	\$ 42.31	POSTAGE MACHINE SUPPLIES
34547	12/29/2016	PITNEY BOWES #8000-9090-	\$ 520.99	POSTAGE REFILL 12/2/2016
34548	12/29/2016	QUILL CORPORATION	\$ 449.12	BUILDING DEPT-CABINET
34549	12/29/2016	SIGNMAX	\$ 323.60	STREET SIGNS
34550	12/29/2016	STAPLES BUSINESS ADVANTAG	\$ 148.17	PD-OFFICE SUPPLIES
			\$ 5.16	PD-PERMANENT MARKER
			<u>\$ 10.74</u>	PD- OFFICE SUPPLIES
		Check Total:	\$ 164.07	
34551	12/29/2016	TORO PETROLEUM CORP.	\$ 1,131.96	COMBUSTIBLE LIQUID/DIESEL
34552	12/29/2016	UNITY IT	\$ 0.50	PD TICKET#69263 TECH WORK
		UNITY IT	<u>\$ 125.00</u>	PD TICKET#78453 TECH WORK
		Check Total:	\$ 125.50	



STAFF REPORT

TO: Mayor Brady Jenkins and Council Members
FROM: Pio Martin, Finance Director
DATE: January 23, 2017
SUBJECT: Ordinance No 17-01

RECOMMENDATION:

Approve Ordinance 17-01

HISTORY:

The Cities of Dos Palos, Firebaugh, Kerman, Mendota, and San Joaquin ("Member Cities") entered a Joint Exercise of Powers Agreement (JPA Agreement) on October 29, 1981 and under the JPA Agreement, the Cities created the Westside Cities Cable Television Authority and the purpose and function of the Authority is related to cable television franchising.

Under State law effective January 1, 2007, the California Public Utilities Commission (PUC) has the sole authority to grant State franchises to provide video service. Pursuant to this State law, the City has certain rights and responsibilities with respect to state franchise holders, which include the receipt of a franchise fee and a fee for public, educational and government (PEG) purposes, and the authority to establish and enforce penalties for violations of customer service rules. The City retains authority to regulate the City's current cable franchise in accordance with Chapter 27 and the cable franchise currently in effect until such time as the cable franchisee no longer holds a City franchise or is no longer operating under a current or expired City franchise.

On November 5th 2015, the member Cities adopted at a special meeting of the Westside Cable Television Authority meeting to approve the termination of the JPA Agreement known as the "Joint Exercise of Powers Agreement to Provide Cable Television Service for the Cities of Dos Palos, Firebaugh, Kerman, Mendota and San Joaquin."

DISCUSSION:

FISCAL IMPACT:

None, City of Firebaugh will continue to receive franchise ranging from \$24,000 to \$25,000 per fiscal year.

ORDINANCE NO. 17-01

AN ORDINANCE OF THE CITY OF FIREBAUGH ADDING SECTION 27-2 TO CHAPTER 27 OF THE FIREBAUGH MUNICIPAL CODE PERTAINING TO SPECIAL PROVISIONS APPLICABLE TO STATE VIDEO SERVICE FRANCHISE HOLDERS

The City Council of the City of Firebaugh does hereby ordain as follows:

SECTION 1. Chapter 27- FRANCHISES of the City of Firebaugh Municipal Code is hereby amended to add Section 27-2 to read as follows:

Section 27-2 Special Provisions Applicable to State Video Service Franchise Holders

27-2.1 Purpose and authority.

27-2.2 Definitions.

27-2.3 Franchise fee.

27-2.4 PEG fee.

27-2.5 Audit authority.

27-2.6 Customer Service Penalties Under State Franchises.

27-2.7 City Response to State Franchise Applications.

27-2.8 PEG Channel Capacity and Interconnectivity.

27-2.9 Extension of Existing City Franchise.

27-2.1 Purpose and Authority.

Under State law effective January 1, 2007, the California Public Utilities Commission (PUC) has the sole authority to grant State franchises to provide video service. Pursuant to this State law, the City has certain rights and responsibilities with respect to state franchise holders, which include the receipt of a franchise fee and a fee for public, educational and government (PEG) purposes, and the authority to establish and enforce penalties for violations of customer service rules. The City retains authority to regulate the City's current cable franchise in accordance with Chapter 27 and the cable franchise currently in effect until such time as the cable franchisee no longer holds a City franchise or is no longer operating under a current or expired City franchise.

27-2.2 Definitions.

For the purposes of this Article, the following words shall have the following meanings.

- a. "Gross revenue" shall have the meaning ascribed that term in Section 5860 of the California Public Utilities Code.
- b. "Holders" shall have the meaning ascribed that term in Section 5830 of the California Public Utilities Code.
- c. "State franchise" shall have the meaning ascribed that term in Section 5830 of the California Public Utilities Code.
- d. "Video service" shall have the meaning ascribed that term in Section 5830 of the California Public Utilities Code.

27-2.3 Franchise fee.

For any State franchise holder operating within the boundaries of the City, there shall be a fee paid to the City equal to five percent (5%) of the gross revenue of the State franchise holder.

27-2.4 PEG fee.

For any State franchise holder operating within the boundaries of the City, there shall be a fee paid to the City equal to one percent (1%) of the gross revenue of that state franchise holder, which fee shall be used by the City for PEG purposes consistent with State and Federal law.

27-2.5 Audit authority.

Not more than once annually, the City Manager or his or her designee may examine and perform an audit of the business records of a state franchise holder to ensure compliance with Sections 27.2.3 and 27.2.4.

27-2.6 Customer Service Penalties Under State Franchises.

- a. Applicable Law. Any State franchise holder shall comply with all applicable State and Federal customer service and protection standards pertaining to the provision of video service.
- b. Penalties for Violation. The City Manager or his or her designee shall monitor the compliance of the state franchise holders with respect to state and federal customer service and protection standards. The City Manager shall provide the State franchise holders written notice of any material breaches of applicable customer service standards, and will allow the State franchise holder thirty (30) days from the receipt of the notice to remedy the specified material breach. Material breaches not remedied within the thirty (30) day time period will be subject to the following penalties to be imposed by the City:
 1. For the first occurrence of violation, a fine of Five Hundred Dollars (\$500.00) shall be imposed for each day the violation remains in effect, not to exceed One Thousand Five Hundred Dollars (\$1,500.00) for each violation.
 2. For each violation of the same nature within twelve (12) months, a fine of One Thousand Dollars (\$1,000.00) shall be imposed for each day the violation remains in effect, not to exceed Three Thousand Dollars (\$3,000.00) for each violation.
 3. For a third or further violation of the same nature within twelve (12) months, a fine of Two Thousand Five Hundred Dollars (\$2,500.00) shall be imposed for each day the violation remains in effect, not to exceed Seven Thousand Five Hundred Dollars (\$7,500.00) for each violation.
- b. Appeal Procedure. A state franchise holder may appeal a penalty assessed by the City Manager to the City Council within thirty (30) days of the assessment. The City Council shall hear all evidence and relevant testimony and may uphold, modify, or vacate the penalty. The City Council's decision regarding the imposition of a penalty pursuant to this section shall be final. In the absence of any appeal, the imposition of the penalty shall be deemed final thirty (30) days after the assessment.

27-2.7 City Response to State Franchise Applications.

a. Applicants for the State franchises within boundaries of the City must concurrently provide copies to the City of any application or amendments to applications filed with the California Public Utilities Commissioner (PUC). One complete copy must be provided to the City Manager.

b. Within thirty (30) days of receipt, the City Manager will provide appropriate comments to the PUC regarding an application or an amendment to an application for a State franchise.

27-2.8 PEG Channel Capacity and Interconnectivity

State franchisees shall provide the PEG channels required by California Public Utilities Code Section 5870 and satisfy the interconnectivity provisions of that section.

27-2.9 Extension of Existing City Franchise.

Any entity providing video service under an expired franchise with the City on March 1, 2017, shall hereby have the terms of its franchise with the City extended on the same terms and conditions until a State franchise is issued. Any extension made pursuant to this section does not preclude the City from further modifications, renewals, extensions or termination of that franchise with the City. A State franchise shall be mandatory for any entity whose franchise has expired and for any entity that has a City franchise after a State franchise is granted for another entity.

SECTION 2. Effective Date.

This ordinance shall go into effect and be in full force and operation from and after thirty (30) days after its final passage and adoption.

The foregoing Ordinance No. 17-01 was introduced at a special meeting of the City Council of the City of Firebaugh on the 23rd day of January, 2017, and was passed and adopted at a regular meeting of the City Council on the _____ day of February, 2017, by the following vote:

AYES

NOES:

ABSTAIN:

ABSENT:

APPROVED:

ATTEST:

Brady Jenkins, Mayor

Rita Lozano, Deputy City Clerk

RESOLUTION NO. 17-01

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH,
ACKNOWLEDGING AND APPROVING DISSOLUTION OF THE WESTSIDE CITIES CABLE
TELEVISION AUTHORITY AND TERMINATION OF THE JOINT EXERCISE OF POWERS
AGREEMENT BY MUTUAL AGREEMENT**

WHEREAS, the Cities of Dos Palos, Firebaugh, Kerman, Mendota, and San Joaquin (“Member Cities”) entered into a Joint Exercise of Powers Agreement (JPA Agreement) on October 29, 1981; and

WHEREAS, the Cities created Westside Cities Cable Television Authority under the Joint Powers Agreement (JPA), for the purpose and function of the Authority to establish cable television franchising; and

WHEREAS, the State legislature adopted the Digital Infrastructure and Video Competition Act (“DIVCA”) in 2007; and

WHEREAS, under DIVCA local entities such as the Westside Cities Cable Television Authority no longer have the legal authority to negotiate or issue cable franchises as there is now a statewide franchise under the Public Utilities Commission; and

WHEREAS, based on the foregoing recitals the purpose and function of the Authority is obsolete and under Section 12 of the JPA Agreement provide that the JPA may be terminated upon consent of all the parties; and

WHEREAS, the Cities consented to and approved the termination of the JPA and dissolution of the Westside Cities Cable Television Authority on November 5, 2015.

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

1. Acknowledges and approves the dissolution of the Westside Cities Cable Television Authority and termination of the JPA by mutual agreement, as stated in Resolution 15-01, which is attached and incorporated herein by this reference.
2. Acknowledges and approves the division of all assets among the parties to the Agreement in a ration equal to that of the total contribution received.
3. Acknowledges and approves that effective with the quarter beginning October 1, 2015, all funds payable for franchise fees shall no longer be mailed to the Westside Cities Cable Television Authority at Firebaugh City Hall, but instead, all respective funds payable for franchise fees shall be remitted to the individual Member Cities based on the fees due to each City.
4. This resolution shall be effective upon adoption.

The foregoing Resolution was approved and adopted at a regular meeting of the City Council of the City of Firebaugh held on the 23rd day of January, 2017, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

APPROVED:

ATTEST:

Brady Jenkins, Mayor

Rita Lozano, Deputy City Clerk

STAFF REPORT

TO: Firebaugh City Council
FROM: Gouveia Engineering, Inc.
DATE: January 23, 2017
SUBJECT: Bid Acceptance – City of Firebaugh Water Main Replacement 15-CDBG-10568

BACKGROUND

The City of Firebaugh was awarded a Community Development Block Grant (CDBG) in the amount of \$1,123,442.00 for the Water Main Replacement project.

The major work consists of installing approximately 4,481 linear feet of waterline, transferring 66 existing water services, relocating 14 water services, installing 13 water valves, replacing 5 fire hydrants, and pulverizing and reconstructing approximately 138,870 square feet of asphalt concrete pavement at various locations in the City of Firebaugh.

The project was advertised on December 7, 2016, December 14, 2016, December 21, 2016, and December 28, 2016, and bids were opened January 11, 2017.

DISCUSSION

A total of 8 bids were opened and read aloud at 2:00 p.m. on January 11, 2017, this being the advertised bid opening date and time. The low bid was submitted by Rolfe Construction, in the amount of \$884,983.00. The Bid results were as listed:

<u>Contractor</u>	<u>Total Bid</u>
Rolfe Construction	\$884,983.00
Todd Companies	\$923,011.80
Agee Construction Corp.	\$944,727.00
Haydon Construction, Inc.	\$950,425.00
Brough Construction	\$1,079,983.00
Taylor Backhoe Service	\$1,087,331.50
Dawson-Mauldin Const.	\$1,394,784.00
Bill Nelson GEC, Inc.	\$1,514,698.00
Engineer's Estimate	\$1,131,231.00

FISCAL IMPACT

Construction of the project will be covered using Community Development Block Grant 15-CDBG-10568.

RECOMMENDATION

Staff recommends that the Council accept the low bid from Rolfe Construction for \$884,983.00 and authorize the Acting City Manager to sign the Agreement on behalf of the City of Firebaugh.

ATTACHMENTS

1. Resolution 2017 -

RESOLUTION NO. 17-02

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH
ACCEPTING BID AND AWARDING CONTRACT TO ROLFE CONSTRUCTION
FOR WATER MAIN REPLACEMENT 15-CDBG-10568**

WHEREAS, the Invitation to Bid for the WATER MAIN REPLACEMENT 15-CDBG-10568 in the City of Firebaugh was listed in the Firebaugh-Mendota Journal on December 7, 2016, December 14, 2016, December 21, 2016, and December 28, 2016; and

WHEREAS, the project will consist of installing approximately 4,481 linear feet of waterline, transferring 66 existing water services, relocating 14 water services, installing 13 water valves, replacing 5 fire hydrants, and pulverizing and reconstructing approximately 138,870 square feet of asphalt concrete pavement at various locations in the City of Firebaugh; and

WHEREAS, the following bids for the project were publicly opened and read aloud at the Firebaugh City Hall on January 11, 2017 at 2:00 p.m.

<u>Contractor</u>	<u>Total Bid</u>
Rolfe Construction	\$884,983.00
Todd Companies	\$923,011.80
Agee Construction Corp.	\$944,727.00
Haydon Construction, Inc.	\$950,425.00
Brough Construction	\$1,079,983.00
Taylor Backhoe Service	\$1,087,331.50
Dawson-Mauldin Const.	\$1,394,784.00
Bill Nelson GEC, Inc.	\$1,514,698.00

WHEREAS, the City Engineer's Estimate was \$1,131,231.00.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF FIREBAUGH RESOLVES upon the recommendation of the City Engineer that the WATER MAIN REPLACEMENT 15-CDBG-10568 be awarded to Rolfe Construction, 3573 Southern Pacific Avenue, Atwater, CA 95301 in the amount of Eight Hundred Eighty-Four Thousand, Nine Hundred Eighty-Three Dollars (\$884,983.00).

The foregoing Resolution was approved and adopted at a regular meeting of the City Council of the City of Firebaugh held on the 23rd day of January, 2017, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

APPROVED:

ATTEST:

Brady Jenkins, Mayor

Rita Lozano, Deputy City Clerk

RESOLUTION NO. 12-59

**A RESOLUTION OF THE CITY OF FIREBAUGH ADOPTING A POLICY
AUTHORIZING THE CITY TO PAY FOR COUNCILMEMBERS' HEALTH
BENEFITS ONLY WHEN THERE IS A SURPLUS IN THE GENERAL FUND**

WHEREAS, the City has, at various times, provided health care insurance for its council members; and

WHEREAS, due to current budget constraints, the City Council decided to stop providing health care benefits to council members; and

WHEREAS, the Council desires to adopt a policy regarding offering city-funded health care benefits to council members.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED that the governing body of the City of Firebaugh hereby orders that city-funded health care benefits shall not be provided to council members during any period where there is not a surplus in the general fund. In any fiscal year where the Council adopts a budget containing a surplus in the general fund, the Council may consider including city-funded health care benefits for council members in that budget.

The foregoing resolution was approved and adopted at a regular meeting of the City Council of the City of Firebaugh held on the 17th day of September, 2012, by the following vote:

AYES: Lowe, Sablan, Lake

NOES: Marquez

ABSTAIN:

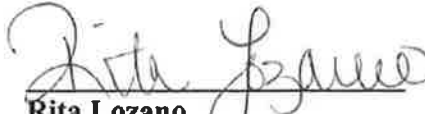
ABSENT: DeFrancesco

APPROVED:



Rod Lake
Mayor

ATTEST:



Rita Lozano
Deputy City Clerk