

REVISED MEETING AGENDA

The City Council/Successor Agency of the City of Firebaugh

Vol. No.16/07-18

Location of Meeting: **Andrew Firebaugh Community Center**
1655 13th Street, Firebaugh, CA 93622
Date/Time: **July 18, 2016/6:00 p.m.**

CALL TO ORDER

ROLL CALL

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

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

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

PLEDGE OF ALLEGIANCE

PUBLIC COMMENT

PRESENTATION

- Daniel Freitas of AG-STAK working with the Fresno Office of Community and Economic Development to construct a community kitchen at Maldonado Park.
- Buxton Presentation by Lisa McCay

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 Special meeting on June 20, 2016.

2. WARRANT REGISTER – Period starting June 1, and ending on June 30, 2016.

June 2016	General Warrants	#33609 - #33767	\$ 259,573.50
	Payroll Warrants	#67013 - #67123	\$ 231,279.94
TOTAL			\$ 490,853.44

3. THE CITY COUNCIL OF THE CITY OF FIREBAUGH TO DISCUSS AND AWARD AGREEMENT TO MEGGIN BORANIAN FOR ATTORNEY CONSULTING SERVICES.

Recommended Action: City Council receives public comment & approves award.

4. RESOLUTION NO. 16-32 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH APPROVING A STEP INCREASE TO BEN GALLEGOS AS ACTING CITY MANAGER.

Recommended Action: City Council receives public comment & approves Res. No. 16-32.

PUBLIC HEARING

5. **ORDINANCE NO. 16-02 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH ENACTING CHAPTER 8.8 OF THE FIREBAUGH MUNICIPAL CODE RELATING TO IMPACT FEES FOR DEVELOPMENT PROJECTS – FIRST READING.**

Recommended Action: City Council receives public comment & waive first reading.

6. **RESOLUTION NO. 16-25 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH ESTABLISHING AND IMPOSING IMPACT FEES FOR DEVELOPMENT PROJECTS.**

Recommended Action: City Council receives public comment & approves Res. No. 16-25.

7. **ORDINANCE NO. 16-03 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH AMENDING CHAPTER 22.5 OF THE FIREBAUGH MUNICIPAL CODE TO IMPOSE A 5% UTILITY USERS TAX ON WIRELESS TELECOMMUNICATION SERVICES – FIRST READING.**

Recommended Action: City Council receives public comment & waive first reading.

8. **RESOLUTION NO. 16-26 - RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH ORDERING A MEASURE ON THE ELECTION BALLOT, REQUESTING COUNTY ELECTIONS TO CONDUCT THE ELECTION, AND REQUESTING CONSOLIDATION OF THE ELECTION.**

Recommended Action: City Council receives public comment & approves Res. No. 16-26.

9. **RESOLUTION NO. 16-28 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH CONFIRMING THE DIAGRAM AND ASSESSMENT OF ANNUAL LEVY FOR FISCAL YEAR 2016-2017 FOR LANDSCAPING AND LIGHTING DISTRICT NO. 1.**

Recommended Action: City Council receives public comment & approves Res. No. 16-28.

NEW BUSINESS

10. **MRS. MARIA RIOS APPEAL TO THE CITY COUNCIL OF THE CITY OF FIREBAUGH REGARDING THE DETERMINATION OF THE CITY MANAGER ON THE VICIOUS DOG HEARING.**

Recommended Action: Council receives public comment & takes action.

11. **THE CITY COUNCIL OF THE CITY OF FIREBAUGH TO DISCUSS AND CONSIDER APPROVAL OF \$50,000 OF BOND PROCEED FUNDING TO PAY FOR THE BUXTON REPORT.**

Recommended Action: Council receives public comment & takes action.

12. **THE CITY COUNCIL OF THE CITY OF FIREBAUGH TO DISCUSS AND CONSIDER REQUEST FOR WAIVER OF FEES FOR USE OF ANDREW FIREBAUGH COMMUNITY CENTER BY FHS FOOTBALL BOOSTERS FOR KICK OFF DINNER FUNDRAISING EVENT.**

Recommended Action: Council receives public comment & takes action.

13. **RESOLUTION NO. 16-27 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH SUBMITTING A CLAIM FOR TRANSPORTATION DEVELOPMENT ACT (TDA) FUNDS CONTINUING FROM THE 2016-2017 FISCAL YEAR, THEREBY COINCIDING WITH THE FRESNO COUNCIL OF GOVERNMENTS POLICY BOARD APPROVAL OF TDA FUNDS APPORTIONMENT AND TDA CLAIMS PROCESS.**

Recommended Action: City Council receives public comment & approves Res. No. 16-27.

14. **RESOLUTION NO. 16-29 - A RESOLUTION APPROVING AND ADOPTING A REPORT OF CHARGES FOR SEWER SERVICES AND FACILITIES, PLUS DELINQUENCIES, IF ANY, IN THE EASTSIDE ACRES/EASTSIDE COURT AREA OF MADERA COUNTY SERVED BY THE CITY OF FIREBAUGH, FOR FISCAL YEAR 2016-2017. MAKING FINAL DETERMINATION AS TO ALL OF SAID CHARGES AND AUTHORIZING AND DIRECTING THE CITY CLERK TO FILE A COPY OF SAID REPORT WITH THE COUNTY AUDITOR OF MADERA COUNTY, FOR ENTRY OF THE AMOUNTS OF SAID CHARGES, AGAINST THE RESPECTIVE LOTS OR PARCELS OF LAND AS THEY APPEAR ON ASSESSMENT ROLL FOR THE FISCAL YEAR 2016-17.**

Recommended Action: City Council receives public comment & approves Res. No. 16-29.

15. **RESOLUTION NO. 16-30 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH ACCEPTING BID AND AWARDED CONTRACT TO CAL VALLEY CONSTRUCTION FOR POSO CANAL TRAIL AND PEDESTRIAN IMPROVEMENTS AT 3 LOCATIONS CML-5224(015) & CML-5224(019).**

Recommended Action: City Council receives public comment & approves Res. No. 16-30.

16. **RESOLUTION NO. 16-31 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH ACCEPTING BID AND AWARDED CONTRACT TO CAL VALLEY CONSTRUCTION FOR WATERLINE REPLACEMENT & RIVER LANE AND CARDELLA STREET PAVEMENT REHABILITATION.**

Recommended Action: City Council receives public comment & approves Res. No. 16-31.

STAFF REPORTS

PUBLIC COMMENT ON CLOSED SESSION ITEM ONLY

CLOSED SESSION

17. **Potential Litigation Government Code Section 54956.9**

One (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, July 14, 2016 at 5:00 p.m. by Rita Lozano Deputy City Clerk.




Modifier & Contractor

Step 6. Construction

Step 7. Project Closedown

9



General Contractor

1. Site plan coordination
2. Foundation construction
3. Plumbing and electrical construction
4. Container delivery
5. Container installation
6. Utility installation to container

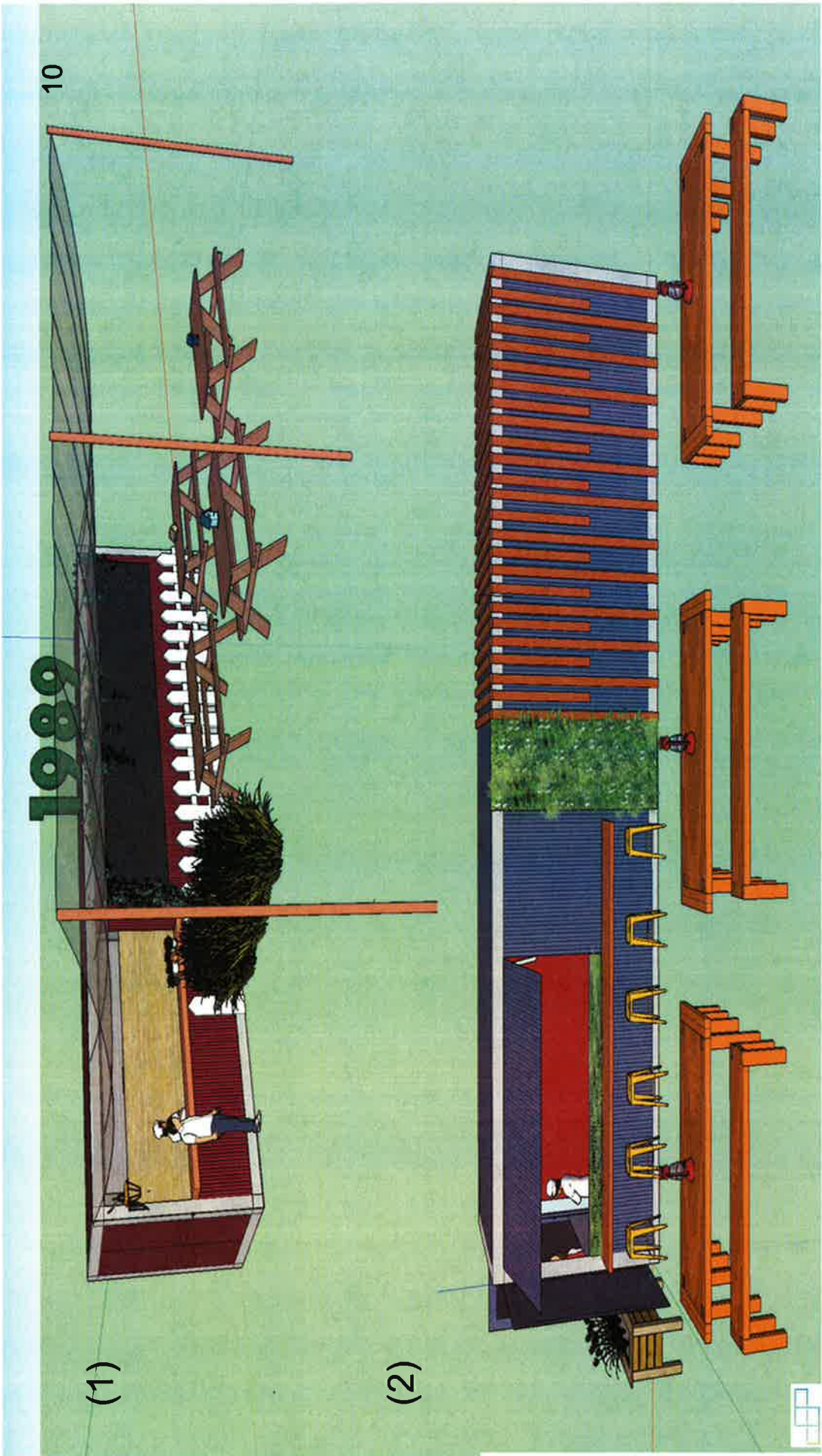


Modifier

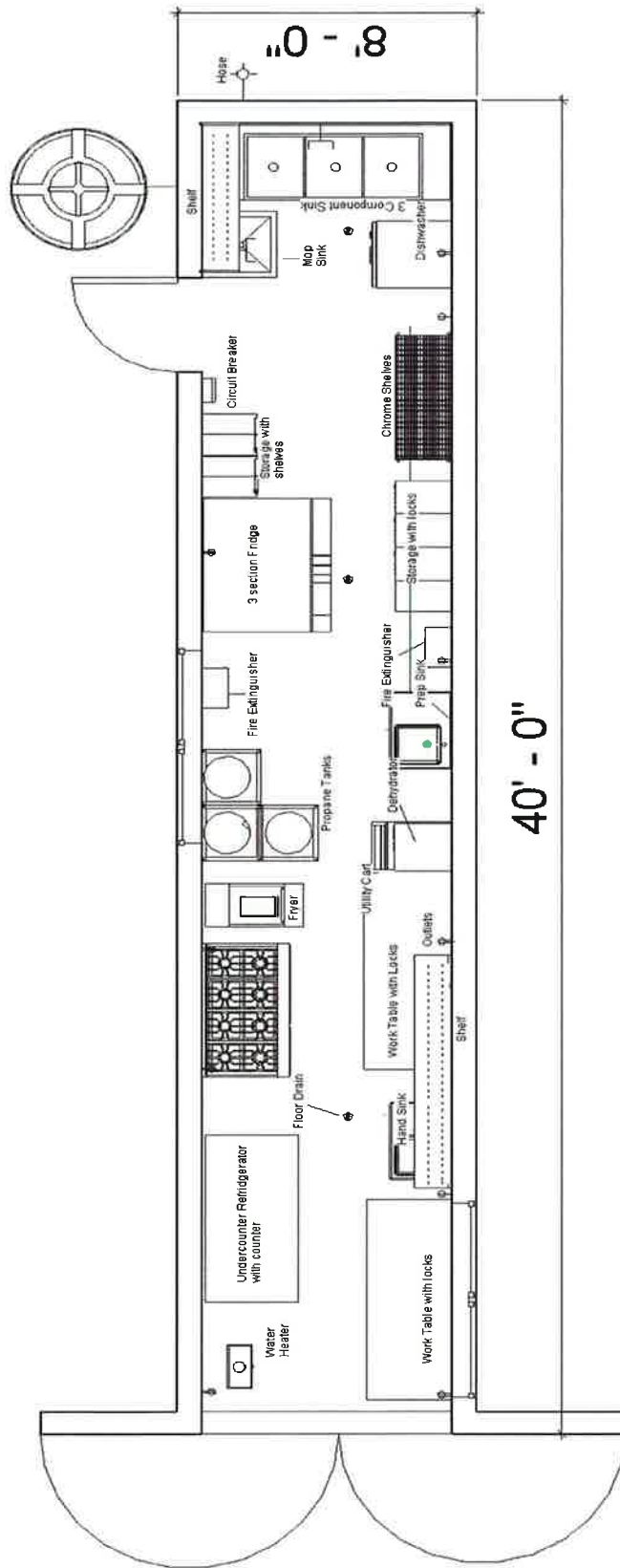
Modifies Container

1. *Modifies container product and cut sheets*
2. *Provides interior container plumbing and wiring*
3. *Provides interior kitchen equipment installation*
4. *Provides delivery of container to site*





Layout Floorplan



Assume Operation time: 10am - 9pm
Total 11 hrs/day

- Electricity: 40,000 Watts
- Propane: 19.11 lbs
- Water Tank: 150 gal
- Waste Water Tank: 170 gal

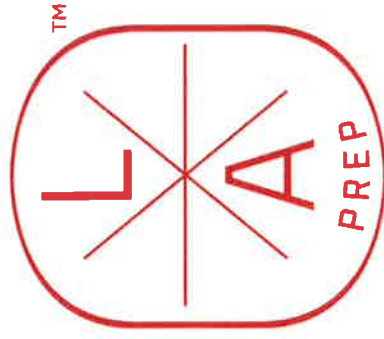


Budget Variables

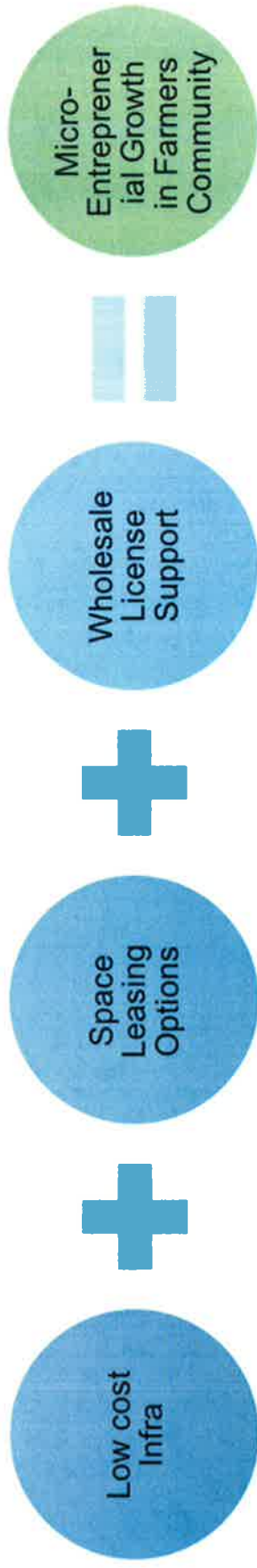
1. Construction
2. Equipment Cost
3. Design & Consultation Fees
4. Administrative Costs

Shipping Container Restaurant		Avg. Cost Sq. ft	Sq. Ft.	Cost
Mexican Cuisine Restaurant		\$390	320	\$125,000
Mexican Cuisine Restaurant		\$469	320	\$150,000
Lobster Rolls and Porchetta Restaurant		\$375	320	\$120,000
			AVG. Rest. Container Cost	\$131,667
Ground Up Restaurant		Avg. (Construction + Design + Equip)	Sq. Ft.	Cost
Avg. San Francisco Restaurant		\$(900 + 140 + 136)	320	\$376,320
Moreno, CA		\$(275 + 140 + 136)	320	\$176,320.00
			AVG. Restaurant Cost	\$276,320

+ Commercial VS Wholesale Kitchen



- Food Incubator
- 54 licensed kitchens
- Wholesale production spaces



+ ADVISORY BOARD



Chris Brown
[Leading Architect & Owner]
Architectus



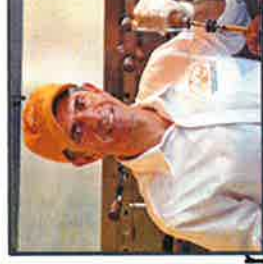
Jane Blumenfeld
[Former Deputy Director: L.A. of City Planning]
City of Los Angeles



Peter Schuerman
[Associate Vice Chancellor for Research & Economic Development]
UC Merced



Jason Lee
[Economic & Financial Analyst]
UC Merced



Francisco
[Restaurant Owner]
Pampas' Grill



+ QUESTIONS?

+ AG-STAK



Daniel Freitas
CEO



Qi Huang
Chief Operating Officer



Raymond Chiu
CFO



Kelvin Cheung
CAD Drafter/Designer

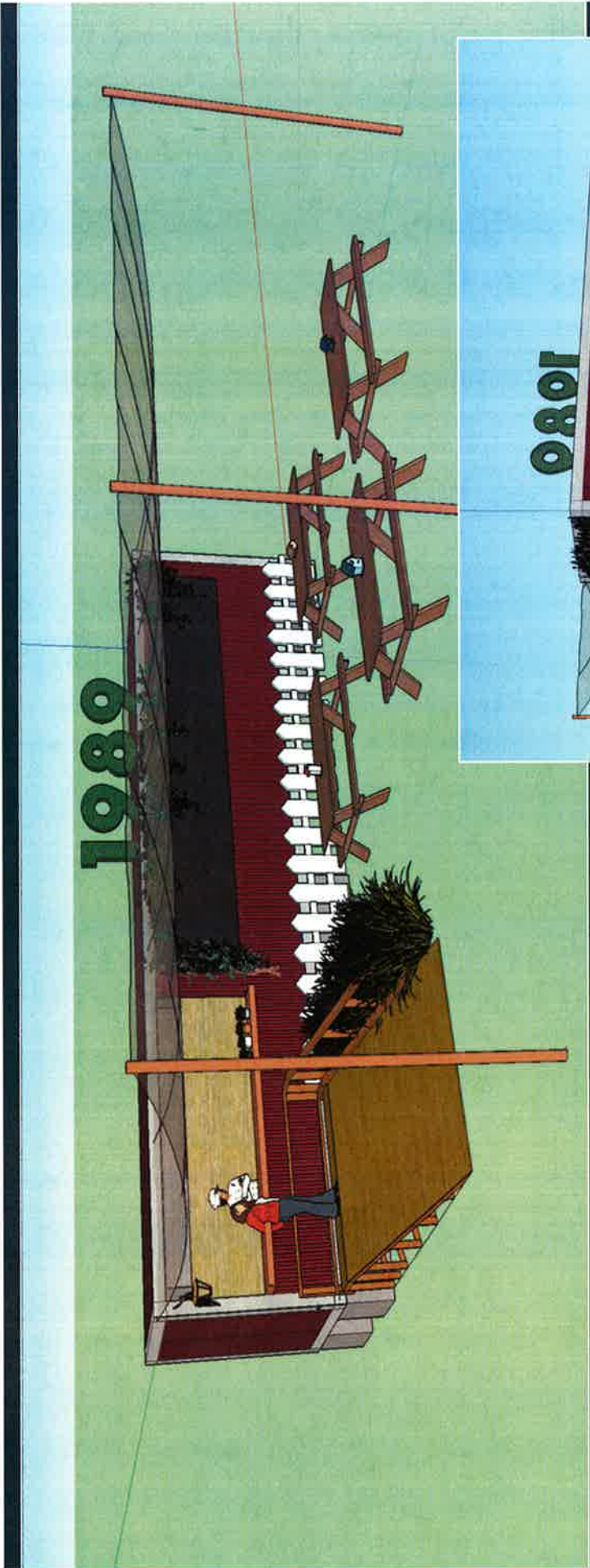
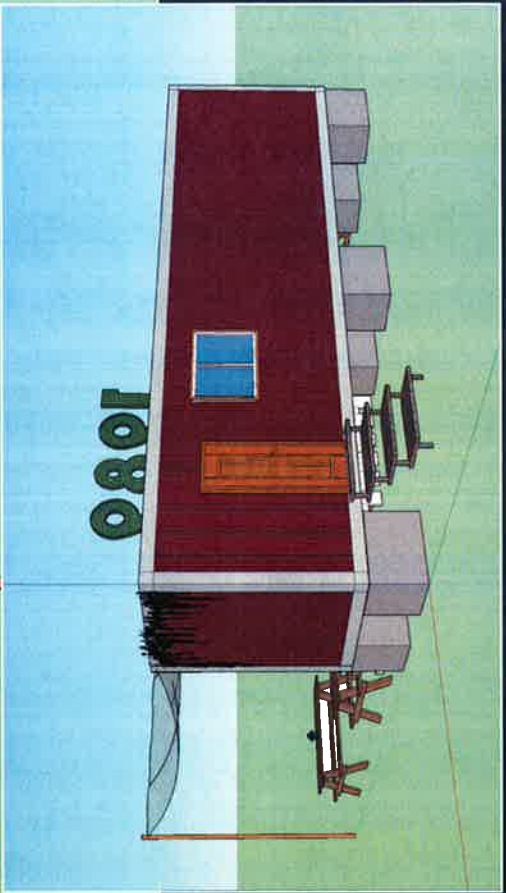


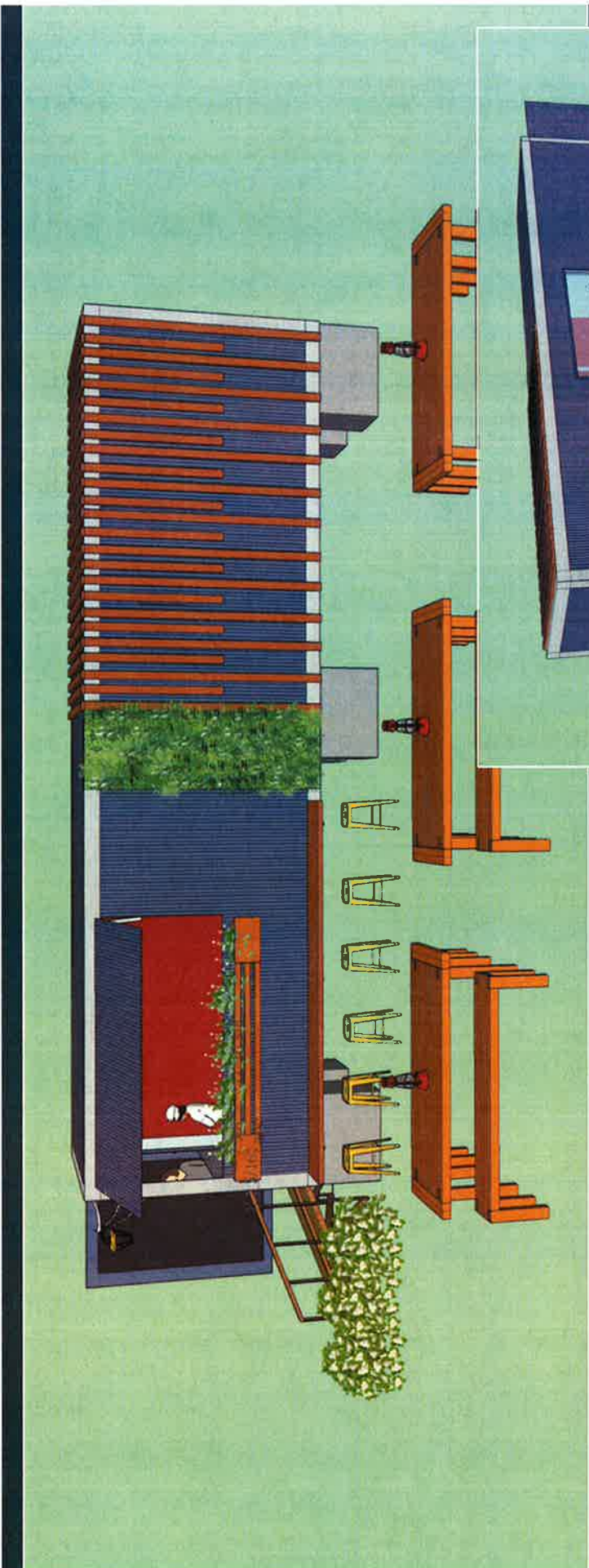
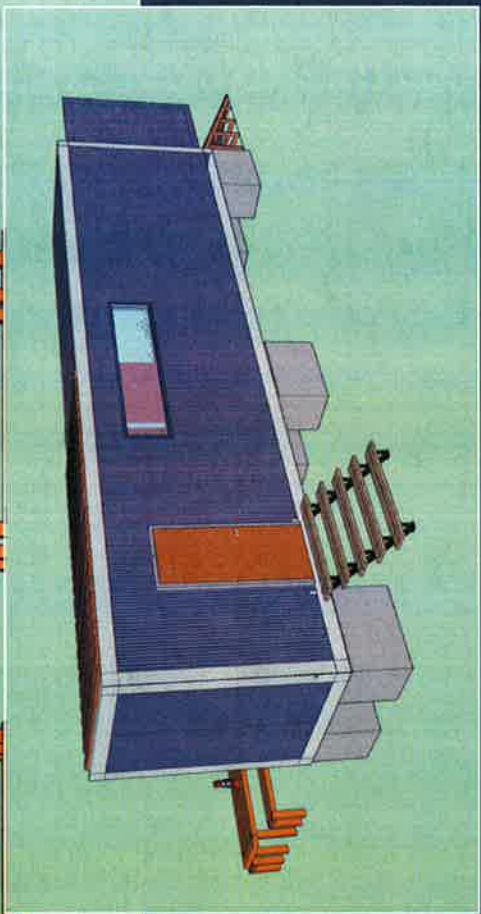
Chris Reps
Building Engineer

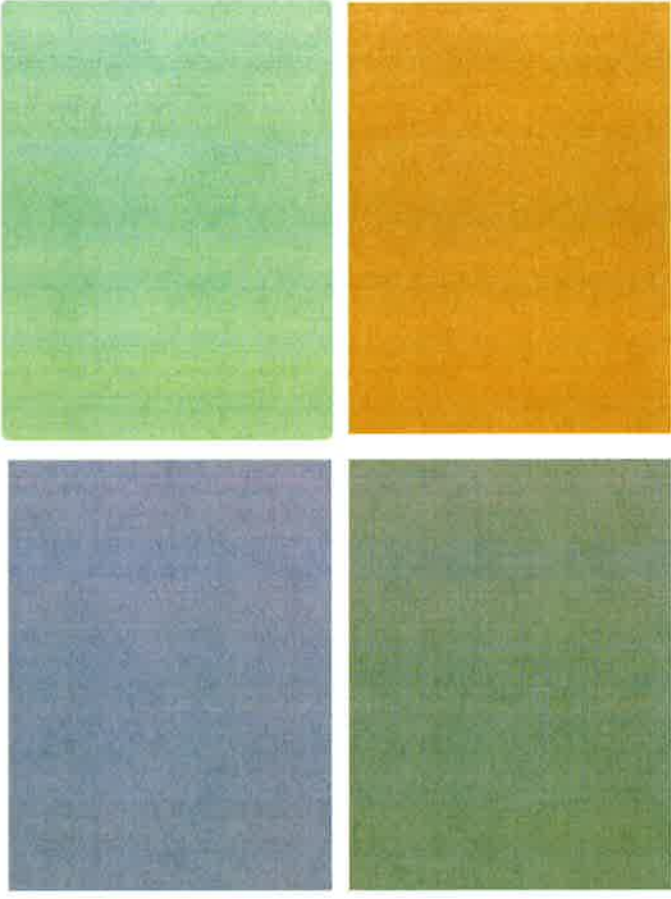


Sovanarry Phy
Building Operation Manager









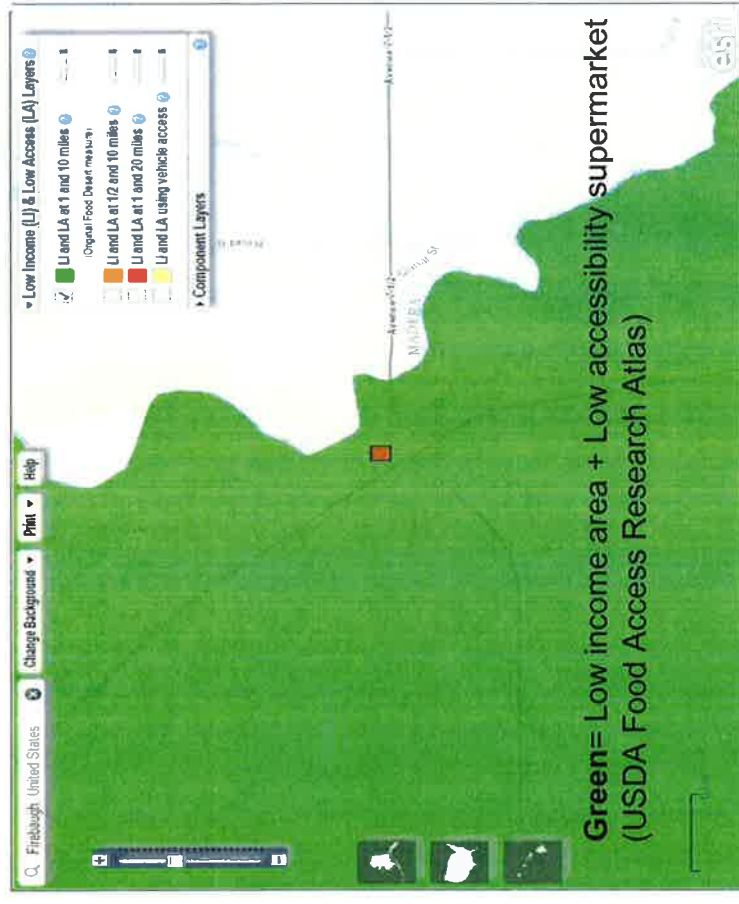
Slide 1

- 2** Delete
Sovanarry Phy,
- 3** Condense "integrate appropriate professional slide" with this one (slide 19 & 17)
Sovanarry Phy,
- 4** Moved towards the top
Sovanarry Phy,
- 5** Make it cleaner
Sovanarry Phy,
- 6** Variable and fixed cost
Sovanarry Phy,
- 7** Simplify & combine with equipment layout
Sovanarry Phy,
- 8** Better pics of container
Sovanarry Phy,
- 9** Delete
Sovanarry Phy,
- 10** condense slide 4& 5
Sovanarry Phy,
- 11** I don't think we would need this. we can just mentioning quickly of the codes and regulations we are considering
Sovanarry Phy,

+ Goals for a Central Valley City

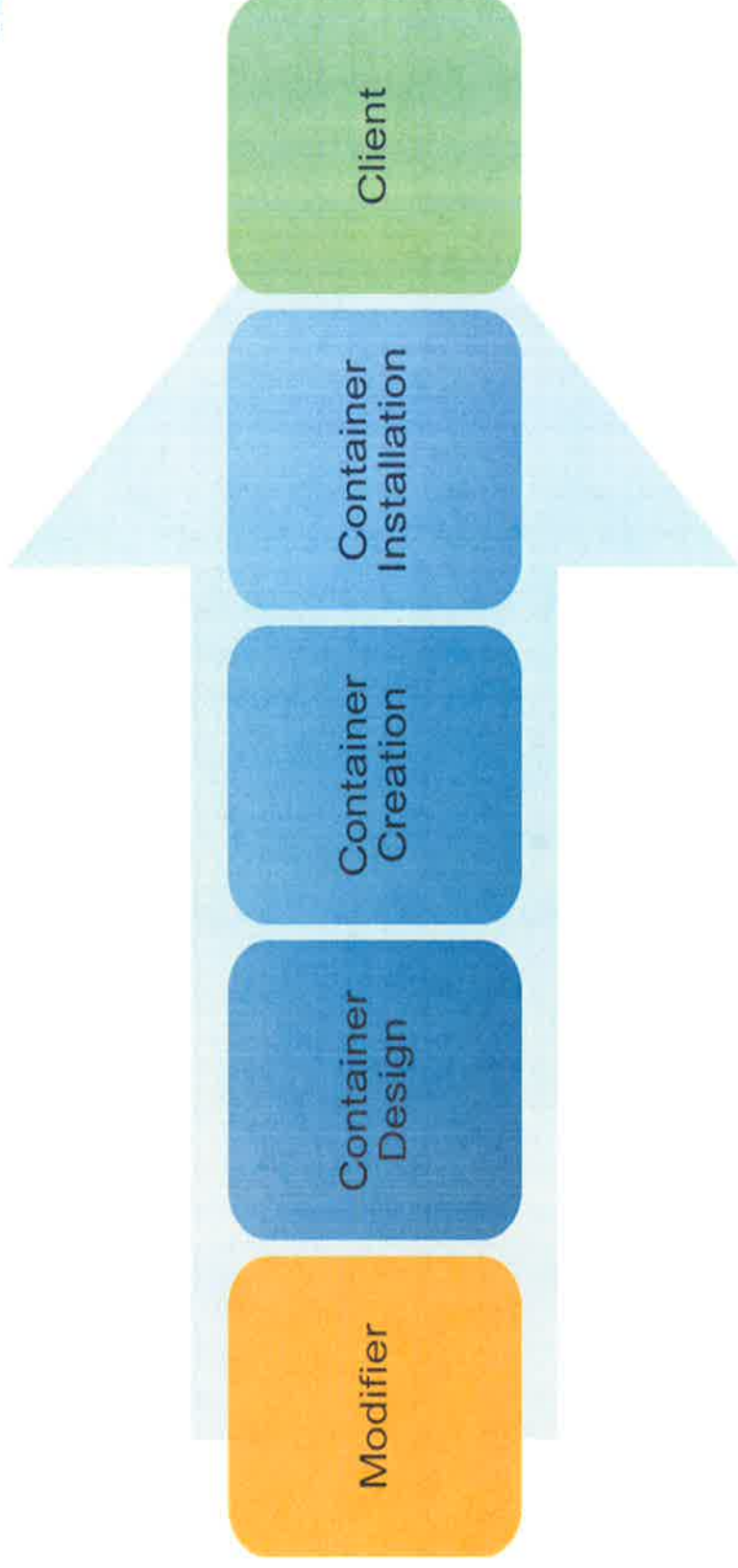
- Develop low cost infrastructure
- Influence micro-entrepreneur
- Motivate farmers/ chefs to create package good & serve low cost meals

2



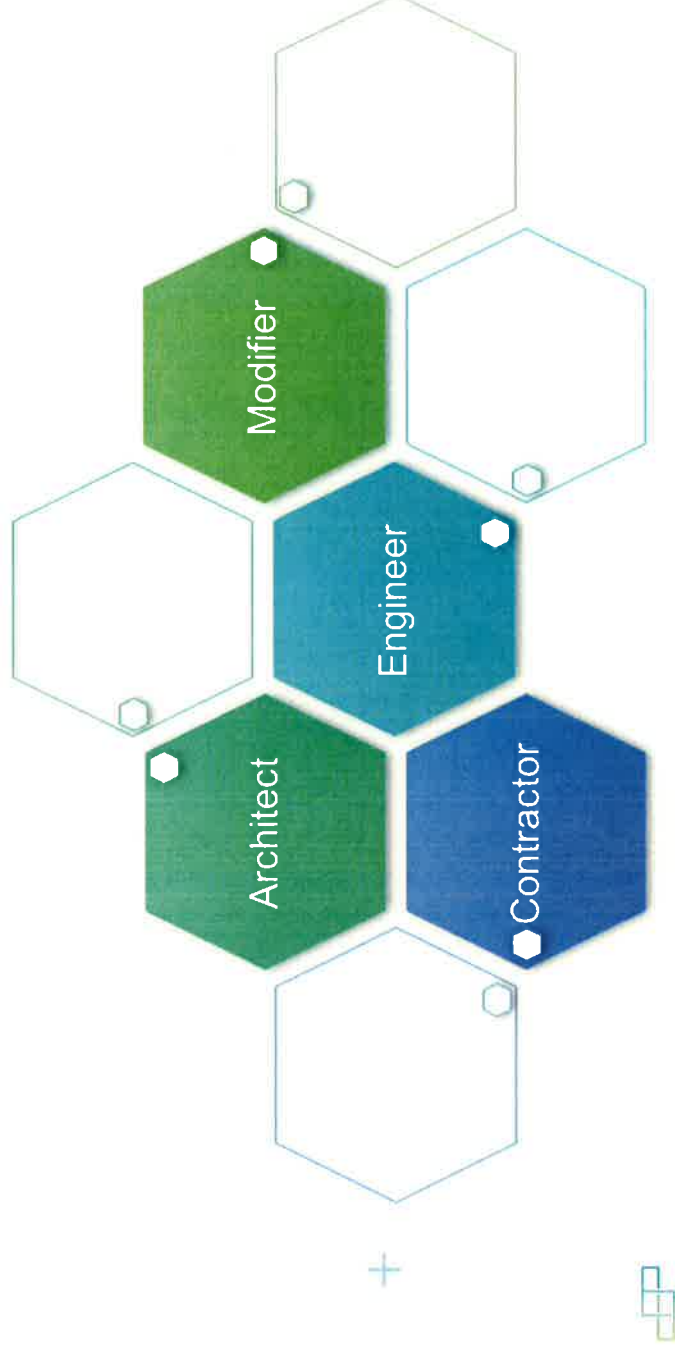
+ Procedure

- **Simplify** the transactions of custom container buildings



Manage & Assemble

- **Manage & Assemble-** design build process/ team that targets low cost infrastructure development



Slide 4

- 1 Add 1. Modifier 2. Client
Sovanary Phy,

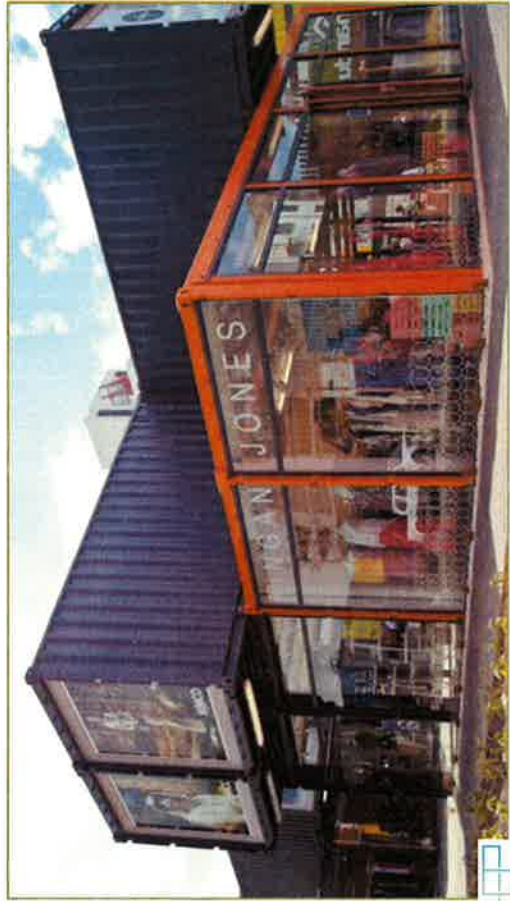
+ Current Projects



[The Yard]

Located: San Francisco, Giant
Parking Lot

Host: Food, drinks, eating area



[Downtown Area]

Located: ChristChurch, New
Zealand

Host: Shopping and eating area

Maldonado Park

- Community Garden
- Various Chefs
- Weekly Farmers Market

1. Pre-Design

2. Schematic
Design

3. Design
Development

4.
Construction
Documents

5. Submittal
Approval

6.
Construction

7. Project
Closedown



6



+ Client & Ag-Stak

Step 1: Pre Design

- Project Scope
- Analyzing Site
- Budget & Cost

Step 2: Schematic Design

- Building Design Draft
- Equipment List
- Client Approval






Architect & Engineer

Step 3. Design Development

Step 4. Construction Documents

Step 5. Submittal Approval





Engineer

1. Structural designs & calculations
2. Stamp/ produce foundation documents
3. Electrical & plumbing regulation
4. Utility calculations
5. Scaling Equipment



Architect

1. Create aesthic design
2. Hire needed engineers
3. Design utility site plant
4. Draft modification documents
5. Stamp/produce construction documents
6. submit plans to city department



Attached is the investment and services document as well as a sample staff report for Monday's meeting. I look forward to seeing you and working with you. Thanks!

Objectives:

1. Recruit new retailers and restaurants
2. Retain existing retailers and restaurants
3. Understand current retail and restaurant economic condition

Retail Recruitment and Retention Solution: Your Community Profile

Our solution is a total marketing strategy that enables community leaders to understand the consumer profile of their residents and to identify specific retailers and restaurants who seek a market with household purchasing habits just like yours. This solution provides you with the ability to actively pursue identified retailers, making a compelling case for their expansion to Firebaugh by utilizing custom marketing packages that Buxton will create for you. You will have access to the same analytical information and insights retailers depend on today to make site selection decisions. This knowledge will provide you with instant credibility and the ability to differentiate your community.

Step 1 – Research Your Community

Buxton uses over 250 consumer and business databases that are updated regularly and compares your potential sites to the universe of all competing sites operating in the U.S. We define your current retail situation and those in any neighboring communities that impact your retail environment.

Step 2 – Define and Evaluate Your Trade Area

Customers shop by convenience, measuring distance based on time, not mileage. We will conduct a custom drive-time analysis to determine your trade area using our proprietary methodology and knowledge of individual retail clients' actual trade areas. Your drive-time trade area will be provided to you as a map that accurately depicts your consumer shopping patterns.

Step 3 – Profile Your Trade Area's Residential Customers

Your community profile will analyze every household in your drive-time trade area. Based on more than 7,500 categories of lifestyles, purchase behaviors, and media reading and viewing habits (psychographics), the households in your trade area are assessed to gain an understanding of the types of retailers that would be attracted to your site.

Step 4 – We Match Retailers and Restaurants to Market Potential

Buxton will match the consumer profile of your community's trade area against the customer profiles of 5,000+ retailers in our proprietary database. We will identify the similarity between the two profiles analyzed using Buxton's proprietary retail matching algorithm to determine if your site presents an attractive opportunity for each retailer. We then qualify the list of matched results to verify that a retailer is currently operating or expanding, that they operate in similar sites, and that your site affords adequate buffer from competition and cannibalization to be realistically considered.

Step 5 – We Create Marketing Packages

Buxton will assemble individualized marketing packages for up to twenty (20) targeted retailers. We will notify each retailer's key real estate decision maker, informing them that they have been qualified by Buxton as a potential viable fit for your site and should expect to be contacted by a representative of the city.

Your marketing packages will be delivered to you in SCOUT and include a:

1. Map of the retail site and trade area
2. Map of the retailer's potential customers
3. Retailer match report that compares the site's trade area characteristics and consumer profile with the retailer's sites in similar trade areas

Solution Deliverables:

- SCOUT Touch access
- Drive time trade area maps
- Retail site assessment
- Retailer specific marketing packages (for up to twenty (20) retailers)
- Mobile tablet device at completion with pre-loaded findings

Community ID: Investment and Services

1. Drive time trade area of your market factoring in competition, traffic counts, topographical issues, accurate density and cannibalization analysis for retail close in proximity.
2. Retail Site Assessment of 3-4 sites including all customer data and data sources of over 250 (Experian, Visa, Cash, Reward Card, Media, ECT)
3. Retail Match List- retailers that fit the customer base, are expanding, have store locations in markets similar, fit square footage, access, meet specific site requirements and space available
4. Pursuit packages- the Specific retailer that fits- That retailer's business model for expansion compared to your opportunity showcasing that as a fit and Site Score which is how we confirm locations for our 2500 retailers. Allow you to speak the retailers language
5. Local Business Retention and Expansion: The Consumer Propensity Report (CPR) shows the lifestyle, product, and psychographic likelihood indices for the consumers within the trade area being analyzed. Major retail, restaurant, grocery, and consumer packaged goods firms use this very same information to drive marketing and merchandising decisions. Information is provided for 32 major categories with more than 4,800 total line items.
6. Retail Leakage/Supply Analysis
The Retail Leakage/Supply Analysis provides an estimate of retail dollars flowing in or out of the trade area
7. Scout-ongoing analytic portal for both retail expansion and industrial expansion efforts-labor pull data, average commute times, healthcare data sets, and much more updated regularly for no shelf life of your data) Scout allows you to generate on the fly reports at any geography on:
 - Demographics,
 - Psychographic profiles,
 - Retail supply and demand estimates,
 - Consumer propensities
 - Custom variable reporting – allowing you to access and manipulate:
 - Additional demographic indicators including five year projections and historical census tabulations for 1990, 2000 and 2010)

- Business data (employees, land use, industrial divisions, occupation, establishments)
 - Current year and five year estimates on consumer expenditure, details and summarization, for average consumer expenditures and total expenditures by product.
 - Retail potential and consumer expenditure estimates by store type, calculated overall and per household
 - Current year estimates on crime by ten categories
 - Demographic Dimensions summarizing populations by sixteen socio-economic and ethnic clusters
 - Environmental Risk Index summarizing frequency and severity across five categories of natural disasters
 - Financial estimates on assets, debt, debt type, and net worth
 - Geographic identifiers such as calculation of area in square miles for each geography selected for analysis
 - Foreclosure estimates
 - Mosaic segmentation distributions by households and population across adult population, workforce, households, Mosaic Groups, by Population, dominant cluster analysis
 - Current year and five year estimates on occupation/employment
8. Scout training and 24/7 scout support team-you will be trained on usage of Scout and have access to support for questions. Up to 4 users can be selected
 9. ICSC support and training-Use of booth space at the conference as well as Buxton staff and equipment
 10. Work with local development community-in an effort to assist with your success, Buxton will also provide data and tools at the City's request to the local developers and brokers. We will work with them to understand the tools and how to best present the offering on behalf of the city and trade area being marketed to potential retailers.
 11. Buxton will evaluate average price per square foot for the region in order to assist property owners with a realistic approach to selling and leasing available land.
 12. Press release- our marketing team will announce your efforts on our website and in newsletter that goes out to our retail clients for traction and positive publicity- City to approve and make quotes

13. Travel cost to the City for necessary meetings with shareholders, and for final report to Council for summary of findings
14. 5 person team assigned for the 12-36 month timeline of Account Manager, IT, GIS, Data and Research, and Vice President
15. Contact to the retailers- we will provide contact info and reach out on behalf of City to initially engage retailers for contact and follow up to market analysis.

**CITY COUNCIL OF THE CITY OF MCFARLAND
MCFARLAND SUCCESSOR AGENCY
MCFARLAND PUBLIC FINANCE AUTHORITY
MCFARLAND IMPROVEMENT AUTHORITY
MCFARLAND PARKING AUTHORITY**

REGULAR MEETING– 6:00 P.M.

PLEASE NOTE: The City of McFarland City Council Chambers complies with the provisions of the Americans with Disabilities Act (ADA). Anyone needing special assistance please contact the City Hall at (661) 792-3091, at least one business day prior the meeting so that we may accommodate you.

LOCATION OF MEETING: McFarland Veterans Community Center
103 W. Sherwood Ave
McFarland, Ca 93250

DATE/TIME: July 9, 2015 at 6:00 P.M.

ROLL CALL: Mayor / Chairman Manuel Cantu Jr.
Mayor Pro Tem / Chairman Stephen McFarland
Council Member / Boardmember Russell Coker
Council Member / Boardmember Vidal Santillano
Council Member / Boardmember Rafael Melendez

REGULAR MEETING: – 6:00 P.M.

INVOCATION:

PLEDGE OF ALLEGIANCE:

PRESENTATIONS AND PROCLAMATIONS:

None

PUBLIC COMMENTS: This portion of the meeting is reserved for persons to address the Council/Board members on any matter not on this agenda but under the jurisdiction of the Council/Board members. Council/Board members may respond briefly to statements made or questions posed. They may ask a question for clarification; make a referral to staff for factual information or request staff to report back to the Council/ Board members at a later meeting.

SPEAKERS ARE LIMITED TO TWO MINUTES. PLEASE STATE YOUR NAME AND ADDRESS FOR THE RECORD PRIOR TO MAKING A PRESENTATION. FIFTEEN MINUTES TOTAL TIME WILL BE ALLOWED FOR ANY ONE SUBJECT. If your business requires time, submit your items to the City Manager for the next meeting agenda. Thank you.

CONSENT AGENDA/OPPORTUNITY FOR PUBLIC COMMENT:

All items listed as consent items are considered to be routine and noncontroversial by City staff and will be approved by one motion if no member of the City Council or public wishes to comment or ask questions. If comment or discussion is desired by anyone, the item will be removed from the consent agenda and will be considered in the listed sequence with an opportunity for any member of the City Council or public to address the concerns of the item before action are taken.

CONSENT CALENDAR:

1. **Approval Of Warrants** – List of warrants in the amount of \$1,098,448.06 from June 9, 2015 through July 6, 2015 and the pre-issued payroll in the amount of \$128,581.65 for June, 2015.
2. **Approval of Minutes of Regular And / Or Special Council Meeting** – held on June 11, 2015.
3. **Request by City Attorney to Attend the Annual Conference** – The annual conference of the League of California Cities is scheduled for September 30, through October 2 in San Jose. The City Attorney's department of the League will hold two days of conferences involving municipal matters. The registration fee is \$500 if paid before August 5. The hotel rooms next to the convention center are \$185 a night – consider authorizing payment of 1/3 of the registration and one night's lodging in the amount of \$230 for the City Attorney to attend the Conference.

Attachment(s): None

Recommendation(s): Staff recommends City Council approve City's Attorney request.

4. **Report and Discussion and Possible approval to contract with Urban Futures for services related to bond disclosures.** The City issued Bonds for the Water and Sewer Enterprise Funds in 2010. Each year the City is required to disseminate disclosure documents to the Municipal Market. The disclosure reports inform the bond purchasers about the financial condition of the Enterprise Funds, as-well-as, making the City compliant.

Finally, the disclosure reports are sent to all of the rating agencies (S&P, Moody's, and Fitch) to ensure that the City's credit rating is protected.

Attachment(s): Staff Report, Agreement

Recommended Action(s): Staff recommends approval of the contract with Urban Futures, Inc., for the preparation of mandatory bond disclosure reports, and to authorize Mayor Cantu to execute the agreement.

END OF CONSENT CALENDER

PUBLIC HEARING

5. **Report, Public Hearing and Approval, RE: A amendment to the City of McFarland Impact Fees as it relates to Government Impact Fees** - In 2006 the City of McFarland conducted numerous studies to establish the type and amount of impact fees that all new development shall be required to pay. One of the fees that was established was the Government Impact Fee and the purpose of this fee was to cover the costs for expanding City Hall, the Community Center and Library Facilities.

After this fee was established it was determined that it should be expanded to include the maintenance of any existing City owned signs and the construction and maintenance of any other City owned signs.

Attachment(s): Staff Report, Resolution 2015-0234

Recommendation(s): Staff recommends the City Council conduct the required public hearing and approved the Resolution 2015-0234.

6. Monthly staff report to the City Council

- a. Administration
- b. Planning Department
- c. Public Works Department

ADMINISTRATIVE MATTERS:

7. **Report and Discussion, RE: Pertains to garage conversions.** - City staff has been approached by homeowners who are seeking to convert their existing garages into living spaces. As a result of the discussion at the City Council meeting, City Staff was directed to review the building permits records for all the houses on Cliff Avenue to determine what houses have converted garages and if the conversions were permitted.

Attachment(s): Staff Report, Permit Research

Recommendation(s): Staff recommends the City Council give direction to Staff.

8. **Report and Discussion and possible approval of the City of McFarland to contract with Buxton** - Staff met with Buxton's Vice President, Lisa McCay at the International Council of Shopping Centers (ICSC) conference in Las Vegas. Buxton is well established with 1000's of retailers, and is well respected in the retail community. Buxton will supplement staff and the Kern EDC, and will become another branch of the City of McFarland's economic development plan.

Attachment(s): Staff Report, Agreement.

Recommended Action(s): City Staff recommends that City Council approves the contract with Buxton, and authorize the Mayor to execute the agreement. The contract is for 3 years at \$50,000 a year.

Correspondence

None

Oral Reports from City Council on Committee / Special District Meetings

Delano Mosquito Abatement District (DMAD) – Councilmember Coker

Kern County Association of Cities (KCAC) – (Vice-President) – Councilmember Melendez

Kern Council of Governments (KCOG) – Mayor Cantu or Alternate Member Mayor Pro-Tem McFarland

Tri-Agency: Mayor Cantu or Alternate Member Councilmember Santillano

Kern Economics Development Corp. (KEDC) – Mr. John Wooner, City Manager

MAYOR AND COUNCIL MEMBERS STATEMENTS:

On their own initiative, Council members may make a brief announcement or a brief report on their own activities. In addition, Council members may ask a question of staff or the public for clarification on any matter, provide a reference to staff or other resources for factual information. Or request staff to report back to the City Council at a later meeting concerning any matter. Furthermore, the City Council, or any member thereof, may take action to direct staff to place a matter of business on a future agenda.

CLOSED SESSION:

1. Approval of the June 11, 2015 closed session minutes.
2. Conference with labor negotiator (mayor), unrepresented employee, and public employee evaluation per Government Code Sections 54957 and 54957.6.
3. Conference with real property negotiator (city manager) re price and terms of payment/lease for real property located at APN 201-030-01, 200-070-11, and 201-060-42 and E. Perkins Avenue per Government Code Section 54956.8.

ADJOURNMENT

BUSINESS ANALYTICS SOLE SOURCE STATEMENT

Our Retail Recruitment solution is a total marketing strategy that enables community leaders to immediately implement a retail development program. It provides the same analytical information retailers depend on today to make site selection decisions so that you will have a compelling case as to why your city/community/site can support new store and restaurant locations and expansions. Additionally, Retail Recruitment identifies specific retailers who seek a market with household purchasing habits just like yours, and we provide custom marketing packages targeted to that specific retailer.

Retail Recruitment goes beyond a plan. It allows you to be proactive and take the initiative rather than waiting and hoping something happens.

Unique Proprietary Analytic Methodologies Developed Across Key Industries

Over time Buxton's unique and proprietary core analytic methodologies have evolved to answer increasingly complex business and operational questions in the retail, restaurant, grocery, healthcare, business to business, and consumer packaged goods industries. Buxton's retail recruitment clients have benefited from this ongoing evolution and take advantage of the same caliber of tools and analytical solutions that have proven invaluable to our site selection clients as foundations upon which multi-million dollar decisions are made.

Exclusive Access to Best in Class Data through Strategic Partnerships

The effectiveness of Buxton's unique and proprietary analytic methodologies is further extended by Buxton's ability to build and maintain an expansive data warehouse of consumer and business data. Buxton is engaged in an agreement with the one of the largest credit card companies in the world. Buxton's customer analytics have the ability to incorporate aggregated and de-identified data to help you enhance your location and customer intelligence. In total Buxton blends information from over 250 data sources into this data warehouse. The core of this data warehouse is comprised of a real time point-level household file on over 113 million U.S. households with coverage on up to eight individuals within each household. This household level data set is completely updated every eight weeks and is made exclusively available to Buxton for the purposes of market planning and marketing services through Buxton's partnership with Experian, the world's leading provider of consumer level data.

Holistic Solutions – Providing organizational leadership with insights for timely, sustainable, and effective decision making:

- **Retail Recruitment** – Buxton has in place proven tools for retail recruitment and business retention and expansion. Buxton provides a targeted marketing system specifically designed as a retail development program to complement and expand traditional efforts. To date Buxton has modeled the trade areas of over 5,000 national and regional retail chains as part of the ongoing effort to help our clients recruit, to date, over 30 million square feet of retail, restaurant, and grocery, and other business space.

- **Business Retention and Expansion** – Buxton provides localized consumer analytics on service and brand affinity for over 5,000 retail and service line items. These consumer insights are implemented by the existing businesses to improve their performance.
- **Traveler Profile** – For clients with marketable traveler assets Buxton's customer analytics capabilities prove to be a valuable force multiplier to drive more value from those assets. Buxton offers the ability to profile your travelers to align your businesses to their consumer preferences.

Benefits of Partnering with Buxton

Based on the unique capabilities detailed above, there are no known competitors that can give you the level of services, depth of research and technical expertise provided by Buxton. With Buxton's Retail Recruitment Solution you have immediate access to:

- **Retail Industry Expertise.** Gain a competitive position by working with professionals who have years of retail management experience plus current insights into your community and site selection processes and trends.
- **Community Development Best Practices.** Expand and sharpen your business development focus by incorporating best practices discovered by Buxton through daily work with local governments across the nation.
- **Proprietary Systems.** Gather useful information by having Buxton's technology specialists analyze your trade area accessing data stored on Buxton's in-house databases.
- **Personalized Content.** Advance your business recruitment program by receiving personal guidance from our staff and ongoing insight into key industry topics via our monthly e-newsletter, webcasts and other interactive tools.
- **Long-Term Partnership.** As a Buxton client and partner you have unlimited access to our staff to help optimize your marketing efforts.



**Lisa Hill-McCay, Vice President of Sales
Retail Recruitment**
ctaylor@buxtonco.com



**Cody Howell, Senior Vice President
Retail Recruitment**
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MEETING MINUTES

The City Council/Successor Agency of the City of Firebaugh
Vol. No. 16/06-20

Location of Meeting: Andrew Firebaugh Community Center
1655 13th Street, Firebaugh, CA 93622
Date/Time: June 20, 2016/5:00 p.m.

CALL TO ORDER Meeting called to order by Mayor Valdez at 5:03 p.m.

ROLL CALL

PRESENT: Mayor Freddy Valdez
Mayor Pro Tem Brady Jenkins
Council Member Felipe Perez

ABSENT: Council Member Marcia Sablan, Council Member Craig Knight

OTHERS: City Attorney Roy Santos; Acting City Manager/Public Works Director, Ben Gallegos; Deputy City Clerk, Rita Lozano; Police Chief, Sal Raygoza; Fire Chief, John Borboa; City Engineer, Mario Gouveia; City Planner Karl Schoettler and others.

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

Motion to enter closed session by Council Member Jenkins, Second by Council Member Perez, motion pass by 3-0 vote at 5:04 p.m.

CLOSED SESSION

1. Government Code Section 54957

PUBLIC EMPLOYEE EMPLOYMENT: City Attorney.

2. Government Code Section 54957

PUBLIC EMPLOYEE EVALUATION: Acting City Manager.

Motion to enter open session; pass by 3-0 vote at 6:36 p.m.

ANNOUNCEMENT AFTER CLOSED SESSION:

Council voted and agreed to the terms with Meggin Boranian for Attorney Services. Mayor Thanked Mr. Santos for his hard work and services with the City.

Council gave the Acting City Manager Gallegos a positive evaluation with a step increase, and further direction to be taken.

PUBLIC COMMENT: Miguel Flores 1585 Welty, at last month's council meeting the council stated they would look for grants to install for PG & E utility service lines in the Del Rio area and asked for an update. Mayor Valdez informed the city is looking at a possible construction project in that area which would shorten the distance of the length of the needed line installation if the project were constructed. Some individuals in the Del Rio area stated they would prefer on the existing propane service instead of a gas line, so a study will be completed to see what most residents in the area would prefer. City Manager Gallegos is trying to schedule an appointment with PG&E representatives to discuss both concerns.

Maris Rios reported a problem she felt in the community on the determination made during a Hearing held at City Hall regarding her pet. She disagreed with the decision made and wanted to speak to council regarding the matter. Deputy Clerk informed, according to the City Municipal Code, Mrs. Rios may file an appeal, and she must submit in writing, her protest and submit to the Deputy Clerk at City hall before it can be place agenda for Council's review and action.

PRESENTATION

- Buxton Presentation by Lisa McCay – Mrs. McCay could not attend to due to a family emergency. Item tabled.
- City Planner Karl Schoettler presented the draft Zoning Ordinance. Current parts of the zoning ordinance is over 30 year's old and required update. The updated ordinance addresses the following: Ensuring the ordinance is legally sound and consistent with State zoning laws: Incorporating smart-growth and form-based zoning standards and mechanisms to make future neighborhoods more walkable and livable. Clarifying and simplifying complicated planning permit processes. Revising, updating and clarifying permitted use lists in each zone district. Updating definitions and terminology. Eliminate unused zone districts, such as R-2-A and R-3-A, etc. Updating and clarifying standards pertaining to specific issues like fencing, parking, landscaping, accessory uses and structures, etc. Making the Ordinance more user-friendly through the addition of graphic illustrations of complex zoning standards, as well as providing flow charts for permit processes. Establishing an up-to-date and legally sound adult businesses ordinance. Eliminating unneeded and repetitious sections of the Zoning Ordinance. Incorporating requirements of the recently adopted Housing Element. Correcting other problem issues identified by staff, Commission, etc. Improving formatting for better readability

CONSENT CALENDAR

3. APPROVAL OF MINUTES – The City Council Special meeting on June 6, 2016.

4. WARRANT REGISTER – Period starting May 1, and ending on May 31, 2016.

May 2016	General Warrants	#33489 - #33608	\$ 301,984.27
	Payroll Warrants	#66912 - #67012	\$ 282,896.60
TOTAL			\$ 584,896.60

Motion to approve consent calendar by Council Member Jenkins, second by Council Member Perez, motion pass by 3-0 vote.

NEW BUSINESS

5. THE CITY COUNCIL OF THE CITY OF FIREBAUGH TO DISCUSS AND CONSIDER APPROVAL OF AN AGREEMENT BETWEEN THE CITY OF FIREBAUGH AND LAS DELTAS UNIFIED SCHOOL DISTRICT FOR A RESOURCE OFFICER.

Motion to approve MOU with the School District by Council Member Jenkins, second by Council Member Perez, motion pass by 3-0 vote.

6. RESOLUTION NO. 16-20 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH TO EXTEND THE CONSULTING AGREEMENT WITH GOUVEIA ENGINEERING, INC. AND AUTHORIZING THE CITY MANAGER TO EXECUTE AMENDMENT NO. 2.

Motion to approve Resolution No 16-20 by Council Member Jenkins, second by Council Member Perez, motion pass by 3-0 vote.

7. RESOLUTION NO. 16-21 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH CONCERNING MEASURE C EXTENSION LOCAL TRANSPORTATION PURPOSE PASS-THROUGH AND PROGRAM FUNDS ANNUAL ALLOCATION FOR FY 2016/2017.

Motion to approve Resolution No 16-21 by Council Member Jenkins, second by Council Member Perez, motion pass by 3-0 vote.

8. RESOLUTION NO. 16-22 - A RESOLUTION OF INTENTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH TO ORDER ASSESSMENTS DISTRICT NO. 1.

Motion to approve Resolution No 16-22 by Council Member Jenkins, second by Council Member Perez, motion pass by 3-0 vote.

9. RESOLUTION NO. 16-23 - RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH ADOPTING THE SELF EVALUATION PURSUANT TO THE AMERICANS WITH DISABILITIES ACT OF 1990 (TITLES I & II), THE REHABILITATION ACT OF 1973 (TITLE V), AND THE CALIFORNIA CODE OF REGULATIONS TITLE 24 (PART 2).

Motion to approve Resolution No 16-23 by Council Member Jenkins, second by Council Member Perez, motion pass by 3-0 vote.

10. RESOLUTION NO. 16-24 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH AUTHORIZING THE CITY MANAGER TO EXECUTE AMENDMENT NO 3. TO MID-VALLEY DISPOSAL AGREEMENT FOR WASTE DISPOSAL AND FOR COLLECTION OF RECYCLABLE MATERIALS.

Motion to approve Resolution No 16-24 by Council Member Jenkins, second by Council Member Perez, motion pass by 3-0 vote.

11. THE CITY COUNCIL OF THE CITY OF FIREBAUGH TO DISCUSS AND CONSIDER ORDINANCE AMENDMENT TO IMPOSE A UTILITY USERS TAX ON WIRELESS TELECOMMUNICATION SERVICES.

Consensus of the Council is for staff to move forward with the Cell Phone Utility User's Tax for November 3, 2016 election.

Motion to enter to Successor Agency matter by Council Member Jenkins, second by Council Member Perez, motion pass by 3-0 vote.

SUCCESSOR AGENCY

12. THE SUCCESSOR AGENCY TO THE CITY OF FIREBAUGH REDEVELOPMENT AGENCY TO THE OVERSIGHT BOARD TO DISCUSS AND CONSIDER OPTIONS FOR 1458 11TH STREET.

Consensus of the Council giving staff direction to make an offer of \$5,000 bid to purchase parcel at 1458 11th St.

STAFF REPORTS

- Police Chief Raygoza – Police Department received notice of awarded of 1 million for the relocation to the courthouse.
- Mario Gouveia, City Engineer – Pre-bid meeting will be held for the trail project and pipeline project.
- City Attorney Santos – Stated it has been a pleasure serving the City and Community of Firebaugh.
- Public Works Director, Ben Gallegos – Working on several projects, a site plan to present to planning commission on July 11th, interns from PG&E/Boys & Girls Club will start at city hall tomorrow. Would like to see more support to represent Firebaugh at next year's Boys & Girls Club fund raising event. River Partners will be coming to clean the river. Received the greenlight on funding from the awarded CDBG grant to begin code enforcement. RFQ will be going out seeking an Architect to start design of the Senior Center rehab.

ADJOURNMENT - Motion to adjourn by Council Member Jenkins, second by Council Member Perez; motion passes by 3-0 vote at 7:39 p.m.



REPORT TO CITY COUNCIL
— MEMORANDUM —

AGENDA ITEM NO: _____

COUNCIL MEETING DATE: July 18, 2016

SUBJECT: Warrant Register Dated: June 1, 2016 - June 30, 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:

JUNE 01, 2016 – JUNE 30, 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	# 33609 – #33767	<u>\$ 259,573.50</u>
PAYROLL WARRANTS.....	# 67050 – #67123	<u>\$ 231,279.94</u>

TOTAL WARRANTS..... **\$ 490,853.44**

CITY OF FIREBAUGH ACCOUNTS PAYABLE
WARRANTS JUNE 1, 2016 - JUNE 30, 2016

<u>Check</u> <u>Number</u>	<u>Check</u> <u>Date</u>	<u>Name</u>	<u>Net</u> <u>Amount</u>	<u>Description</u>
33609	6/3/2016	ALERT-O-LITE, INC.	\$ 355.02	ASPHALT PATCH/DIAMOND
33610	6/3/2016	APEX VALLEY ROOFING, INC.	\$ 7,480.00	PAL BUILDING ROOF
33611	6/3/2016	AT&T MOBILITY	\$ 368.70	#287249191200 POLICE DEPT
33612	6/3/2016	BIG G'S AUTOMOTIVE CENTER	\$ 14.06	PD-HEADLIGHT
33613	6/3/2016	JOHN BORBOA	\$ 1,666.66	FIRE OTHER SERVICES
33614	6/3/2016	CALIFORNIA POLICE CHIEFS	\$ 331.00	2016/2017 ANNUAL CPCA
33615	6/3/2016	COLLINS & SCHOETTLER	\$ 5,760.00	PLANNING CONSULTING MAY 2
33616	6/3/2016	CUMMINS PACIFIC	\$ 1,592.55	FD-CHECK ENGINE LIGHT
			\$ 807.49	GENARATOR REPAIR
		Check Total:	\$ 2,400.04	
33617	6/3/2016	CVR & ASSOCIATES, INC.	\$ 4,659.38	BLDG & INSPEC INSPECTION
33618	6/3/2016	DEPARTMENT OF JUSTICE	\$ 140.00	APRIL 2016 BLOOD ALCOHOL
33619	6/3/2016	EPPLER TOWING & TRANSPORT	\$ 600.00	FD-2 POLICE CARS TOWED
33620	6/3/2016	FIREBAUGH HARDWARE COMPAN	\$ 10.80	DUNKLE FENCE
			\$ 37.87	PD-HOSE
		Check Total:	\$ 48.67	
33621	6/3/2016	FRESNO CITY COLLEGE	\$ 74.00	PD REGISTRATION-FERNANDO
			\$ 57.00	PD REGISTRATION-GERARDO V
		Check Total:	\$ 131.00	
33622	6/3/2016	FRESNO-MADERA AREA AGENCY	\$ 24.01	4/16 NON USDA QUALIFIED MEAL
33623	6/3/2016	RODDY A. LAKE	\$ 294.19	POLICE HEALTH INS
33624	6/3/2016	MADERA HONDA SUZUKI	\$ 152.42	2005 HONDA MAINTENANCE

CITY OF FIREBAUGH ACCOUNTS PAYABLE**WARRANTS JUNE 1, 2016 - JUNE 30, 2016**

33625	6/3/2016 MANUELS TIRE SERVICE, INC	\$	111.59	SILVERADO-USED TIRE
		\$	16.27	PW-RADIAL PATCH
		\$	29.21	REPAIR FLAT-TUBE
		\$	<u>280.58</u>	TUBE
	Check Total:	\$	437.65	
33626	6/3/2016 MID-VALLEY DISPOSAL	\$	63.63	1800 HELM CANAL RD
		\$	<u>26,339.42</u>	DISPOSAL SERVICES FOR MAY
	Check Total:	\$	26,403.05	
33627	6/3/2016 NAPA AUTO PARTS - FIREBAU	\$	6.77	PD#11-OIL FILTER
		\$	9.40	SHOP TOOL-WRENCH
		\$	74.52	PD#14-PUMP
		\$	(30.09)	PD#14- CREDIT
		\$	13.14	SHOP OIL
		\$	22.73	FD-RATCHET
		\$	6.77	PW#2-OIL FILTER
		\$	8.31	PW#2-AIR FILTER
		\$	70.34	FD-SAG
		\$	198.28	SIGNAL SWITCH
		\$	39.47	WINDSHIELD WIPER
		\$	676.40	PD#11-CONTROL MODULE
		\$	5.47	PD#3-RADIATOR CAP
		\$	<u>(216.45)</u>	PD#11-CREDIT CORE
	Check Total:	\$	885.06	
33628	6/3/2016 N&S TRACTOR - DOS PALOS	\$	88.09	RHINO MOWER-PARTS
33629	6/3/2016 CALIF PUBLIC EMPLOYEES RE	\$	5,700.00	ANNUAL UNFUNDED ACCRUED
		\$	<u>9,892.00</u>	ANNUAL UNFUNDED ACCRUED
	Check Total:	\$	15,592.00	
33630	6/3/2016 PETTY CASH	\$	75.61	REPLINISH PETTY CASH ACCT
33631	6/3/2016 PRODUCTIVITY PLUS ACCT DE	\$	88.09	TRACTOR-SHOW WEAR PLATE
33632	6/3/2016 SUN'S INTERNATIONAL CORP	\$	42.21	PAPER TOWELS
		\$	<u>57.36</u>	BATHROOM TISSUE-COMM. CTR
	Check Total:	\$	99.57	
33633	6/3/2016 TELSTAR	\$	1,694.01	WATER PLANT-SQD MODULE

CITY OF FIREBAUGH ACCOUNTS PAYABLE

WARRANTS JUNE 1, 2016 - JUNE 30, 2016

33634	6/3/2016 TELEPACIFIC COMMUNICATION	\$	1,549.40	ALL DEPTS-TELEPHONE/INTERNET
33635	6/3/2016 THARP'S FARM SUPPLY	\$	1.62	CURTIS KEY
		\$	23.14	MASTERLOCK
		\$	15.87	TRUCK #10-FLUID
		\$	32.45	MISSION COMMUNICATIONS
		\$	33.73	SEWER LINE-CLAMPS
		\$	42.73	DUNKLE PARK-THINNER GAL
		\$	21.66	REPAIR SEWER LINE-PARTS
		\$	34.74	DUNKLE CANOPY-PAINT
		\$	6.01	TRUCK #7-STAINLESS HAND
		\$	4.06	PLAY GROUND N ST-SHARPIE
		\$	4.66	PW#15-SEAL PLUG
		\$	34.19	TRUCK#32/SITE 1&2-PVC GLU
		\$	60.69	JOCKY PUMP-SITE #2
		\$	25.32	VALLE DE PAZ TIMERS-BATTERY
		\$	57.67	DUNKLE PARK-CHAIN FOR LIGHT
		\$	11.98	VALLE DE PAZ TIMERS-BATTE
		\$	6.06	PW#15-KEY RING
		\$	20.02	MALDONADO PARK-BLADE
		\$	10.25	TRAILER BALL
		\$	28.51	DUNKLE CANOPY-SPONGE
		\$	7.56	PUSH BROOM
		\$	3.89	DUNKLE PARK-BOX NAIL
		\$	6.48	DART GUN-CARTRIDGE
		\$	18.34	TRUCK#4-MILL BASTARD
		\$	7.02	PD-HALOGEN BULB
		\$	11.98	BATTERY
		\$	9.15	STREET LIGHT-PHOTOELECTRIC
		\$	20.45	SITE#2-SCH 80
		\$	2.27	BACK HOW-HAIR PIN
		\$	5.90	DUNKLE PARK-TIE WIRE
		\$	154.31	DUNKLE PARK-CHAIN/DRINKIN
		\$	12.10	DUNKLE PARK LIGHTS-PAINT
		\$	11.23	TRUCK#4-MILL BASTARD
		\$	11.98	SENIOR CENTER LOCK
		\$	4.16	TRUCK#12-LINE LEVEL
		\$	10.45	CITY SHOP WATER COOLER
		\$	53.51	WATER SITE #1-PARTS
		\$	32.45	WATER METER-MASTER LOCK
		\$	102.02	DUNKLE LIGHT-JACK CHAIN
		\$	31.62	TRUCK#10-FIX LEAK YIP&R
		\$	35.47	DUNKLE PARK ENCLOSED AREA

CITY OF FIREBAUGH ACCOUNTS PAYABLE**WARRANTS JUNE 1, 2016 - JUNE 30, 2016**

33635	6/3/2016 THARP'S FARM SUPPLY	\$	11.83	BP#1-HEAT SHRINK/COPPER
		\$	9.09	PW#26-EXTENSION SPRING
		\$	15.51	SHOP SUPPLY-CIRCUIT TESTER
	Check Total:	\$	1,064.13	
33636	6/3/2016 THOMASON TRACTOR COMPANY	\$	4.78	PW#26-GASKET
		\$	8.24	WEED EATER-FILTER
		\$	1.72	PW#26-ZTRAK
		\$	7.55	LAWN MOWER-SPRING
		\$	1.81	PW#25-SEAL
		\$	670.71	DISC-PARTS
	Check Total:	\$	694.81	
33637	6/3/2016 USA BLUEBOOK	\$	661.91	JOCKEY PUMP CHECK VALVE
33638	6/3/2016 U.S. BANK EQUIPMENT FINAN	\$	480.05	RNT/LEASE EQUIP
33639	6/3/2016 U.S. POSTMASTER	\$	790.03	UTILITY BILLING POSTAGE J
33640	6/3/2016 VALLEY NETWORK SOLUTIONS	\$	1,158.10	MONTHLY MONITORING JUNE 2
		\$	992.50	MONTHLY MONITORING JULY 2
		\$	29.10	MAILBOX CONFIGURED NANCY
	Check Total:	\$	2,179.70	
33641	6/3/2016 WEST SIDE DRUG STORE	\$	12.05	FD-BAND AID GAUZE PAD
33642	6/3/2016 WOLFE COMMUNICATIONS	\$	442.51	FD-UNIFICATION GI PAGER
33643	6/3/2016 SALVADOR AGUIRRE	\$	6.15	MQ CUSTOMER REFUND
33644	6/3/2016 LLC BOARDWALK CA	\$	103.52	MQ CUSTOMER REFUND
33645	6/3/2016 ELIZABETH HANEY	\$	10.33	MQ CUSTOMER REFUND
33646	6/3/2016 DANTINI APARTMENTS	\$	128.85	MQ CUSTOMER REFUND
33647	6/3/2016 KJ WORLDWIDE INVESTMENTS	\$	29.65	MQ CUSTOMER REFUND
33648	6/3/2016 BLANCA (CUTS&TIPS) ORNELA	\$	43.90	MQ CUSTOMER REFUND
33649	6/3/2016 LILIANA VALDOVINOS	\$	69.96	MQ CUSTOMER REFUND
33650	6/7/2016 CITY OF FIREBAUGH	\$	88,292.03	UNITED SEC BANK-PAYROLL
33651	6/10/2016 ADAMS ASHBY GROUP, LLC	\$	2,460.00	GENERAL ADMINISTRATION

CITY OF FIREBAUGH ACCOUNTS PAYABLE
WARRANTS JUNE 1, 2016 - JUNE 30, 2016

33652	6/10/2016 AGRI-VALLEY IRRIGATION	\$	105.95	WELL#11-BATTERY PACK
		\$	21.63	VALLE DE PAZ-EQUIP
		\$	11.06	TRUCK #12-CEMENT GRAY
		\$	32.08	DUNKLE PARK PLAY GROUND
		\$	9.82	CITY HALL-PIPE AC DRAIN
		\$	18.34	DUNKLE PARK ENCLOSED AREA
		\$	35.48	DUNKLE PARK-EQUIP
		\$	7.84	DUNKLE PARK-ADAPTER MALE
		\$	121.98	REPAIR-8TH & P ST
		\$	91.69	DUNKLE PARK ENCLOSED AREA
		\$	13.31	RODEO GROUNDS PARK-HAND S
		\$	3.72	DUNKLE PARK-NIPPLE POLY
		\$	105.63	PARKERS PARK BACK FLOW
		\$	6.73	PARKERS PARK BACK FLOW
		\$	22.92	DUNKLE PARK ENCLOSED AREA
		\$	48.14	DUNKLE PARK-SPRINKLER
	Check Total:	\$	656.32	
33653	6/10/2016 AT&T	\$	565.09	PD-PHONE REPAIR 559 911 7
33654	6/10/2016 AUTOZONE COMMERCIAL (1379	\$	15.82	HINGE PIN & BRUSING KIT
		\$	(15.82)	PW#34-DOOR HINGE
		\$	42.19	DOOR HINGE
		\$	5.99	PW#7-LONG LIFE MINI
		\$	44.31	PD#3-BLOWER MOTOR
		\$	3.19	SHOP TOOL-SOCKET
		\$	6.54	PW#4-DISC BRAKE
		\$	32.59	PD#14-DURALAST DISC KIT
		\$	30.29	PW#37-DURALAST
		\$	6.71	PW SPRAY RIG
		\$	217.22	PD-DUAL FAN ASSEMBLY
	Check Total:	\$	389.03	
33655	6/10/2016 BOUND TREE MEDICAL, LLC	\$	190.57	FD-MEDICAL SUPPLIES
		\$	94.15	FD-PULSE OXIMETER
	Check Total:	\$	284.72	
33656	6/10/2016 CALIFORNIA FIRE CHIEFS	\$	75.00	FIRE DUES/FEES
33657	6/10/2016 CITY CLERKS ASSOCIATION O	\$	90.00	RITA LOZANO-MEMBERSHIP
33658	6/10/2016 CORELOGIC SOLUTIONS, LLC.	\$	150.00	REALQUEST MONTH OF MAY 20

CITY OF FIREBAUGH ACCOUNTS PAYABLE
WARRANTS JUNE 1, 2016 - JUNE 30, 2016

33659	6/10/2016 CENTRAL VALLEY TOXICOLOGY	\$	146.00	PD-DRUG SCREEN
		\$	<u>68.00</u>	PD-DRUG SCREENS
	Check Total:	\$	214.00	
33660	6/10/2016 DEPARTMENT OF JUSTICE	\$	145.00	MAY 2016 FINGERPRINTS
33661	6/10/2016 EPPLER TRUCK SALES	\$	339.72	FD-FIRETRUCK REPAIR
33662	6/10/2016 FERGUSON ENTERPRISES, INC	\$	324.68	1000 M/HOLE CVR SAN SWR
33663	6/10/2016 FIREBAUGH AUTO REPAIR	\$	1,605.82	FD-1999 CHEVY TRUCK
33664	6/10/2016 FRESNO COUNTY TREASURER	\$	155.58	ACCESS FEES CONTRACT MAY
33665	6/10/2016 FRESNO CITY COLLEGE	\$	97.00	REGISTRATION-JUAN CASTILLO
33666	6/10/2016 FRESNO OXYGEN	\$	45.88	SHOP-SUPPLY
33667	6/10/2016 G&K SERVICES, INC.	\$	14.18	CITY HALL
		\$	84.51	CITY SHOP
		\$	16.72	COMM. CTR
		\$	10.73	WASTE WATER FACILITY
		\$	21.17	SENIOR CENTER
		\$	14.18	CITY HALL
		\$	84.51	CITY SHOP
		\$	16.72	COMM. CTR
		\$	10.73	WASTE WATER FACILITY
		\$	21.17	SENIOR CENTER
		\$	14.18	CITY HALL
		\$	84.51	CITY SHOP
		\$	16.72	COMM. CTR
		\$	10.73	WASTE WATER FACILITY
		\$	21.17	SENIOR CENTER
		\$	14.18	CITY HALL
		\$	84.51	CITY SHOP
		\$	16.72	COMM. CTR
		\$	10.73	WASTE WATER FACILITY
		\$	21.17	SENIOR CENTER
		\$	14.18	CITY HALL
		\$	84.51	CITY SHOP
		\$	16.72	COMM. CTR
		\$	10.73	WASTE WATER FACILITY

CITY OF FIREBAUGH ACCOUNTS PAYABLE**WARRANTS JUNE 1, 2016 - JUNE 30, 2016**

33667	6/10/2016 G&K SERVICES, INC.	\$	21.17	SENIOR CENTER
		\$	14.18	CITY HALL
		\$	84.51	CITY SHOP
		\$	16.72	COMM. CTR
		\$	10.73	WASTE WATER FACILITY
		\$	21.17	SENIOR CENTER
	Check Total:	\$	883.86	
33668	6/10/2016 GUTHRIE PETROLEUM, INC.	\$	1,187.03	BULK GASOLINE
		\$	846.93	BULK GASOLINE
		\$	1,120.93	BULK GASOLINE
		\$	772.20	BULK GASOLINE
		\$	1,340.20	BULK GASOLINE
	Check Total:	\$	5,267.29	
33669	6/10/2016 HCL MACHINE WORKS	\$	46.99	REPAIR BRACKET/DRILL HOLE
33670	6/10/2016 HOME DEPOT CREDIT SERVICE	\$	723.83	EQUIPMENT PARKS/SEWER
33671	6/10/2016 HUB INTERNATIONAL	\$	125.98	SPECIAL EVENT INSURANCE
		\$	125.98	SPECIAL EVENT INSURANCE
		\$	125.98	SPECIAL EVENT INSURANCE
		\$	125.98	SPECIAL EVENT INSURANCE
		\$	125.98	SPECIAL EVENT INSURANCE
		\$	125.98	SPECIAL EVENT INSURANCE
	Check Total:	\$	755.88	
33672	6/10/2016 LEAGUE OF CALIF. CITIES	\$	40.00	2012 CITY CLERK'S HANDBOOK
33673	6/10/2016 LISA POPE, CITY OF MALIBU	\$	175.00	RITA LOZANO WORKSHOP 7/7-
		\$	(175.00)	Ck# 033673 Reversed
33674	6/10/2016 ELSA LOPEZ	\$	936.60	POLICE HEALTH INS
33675	6/10/2016 MELISSA LOPEZ	\$	100.00	A/F HALL CLEANING DEPOSIT
33676	6/10/2016 MUNICIPAL MAINTENANCE	\$	116.55	MULTI FLOW CONTROL VALVE
33677	6/10/2016 OFFICE DEPOT	\$	61.53	ADMINISTRATION OFFICE SUPPLY
33678	6/10/2016 PACIFIC GAS & ELECTRIC	\$	85.69	#5868421949-4 PARKS
		\$	19.44	3228327255-0 FIRE DEPT
	Check Total:	\$	105.13	
33679	6/10/2016 QUINN COMPANY, INC.	\$	5.64	CAT TRACTOR-PARTS

CITY OF FIREBAUGH ACCOUNTS PAYABLE

WARRANTS JUNE 1, 2016 - JUNE 30, 2016

33680	6/10/2016	QUILL CORPORATION	\$	93.47	OFFICE SUPPLIES
			\$	466.04	ALL DEPT JANITORIAL SUPPLY
		Check Total:	\$	559.51	
33681	6/10/2016	SALVADOR SANTILLAN	\$	500.00	RODEO GROUNDS CLEANING DEP
33682	6/10/2016	JOSE SANCHEZ	\$	150.00	A/F HALL CANCELLATION 6/1
33683	6/10/2016	MARIA SANTOS	\$	100.00	A/F HALL CLEANING DEPOSIT
33684	6/10/2016	SILVA FORD MADERA	\$	56.25	TRUCK#34 HINGE
			\$	230.00	PD-2009 CROWN VIC REPAIR
		Check Total:	\$	286.25	
33685	6/10/2016	SPARKLETTS	\$	79.48	POLICE DEPT
33686	6/10/2016	VERIZON WIRELESS	\$	533.41	MAY 2016 ALL DEPTS
33687	6/10/2016	WOLFE COMMUNICATIONS	\$	54.30	FD-BATTERY DOOR WITH CLIP
33688	6/10/2016	YOLANDA ZAPATA	\$	100.00	A/F HALL CLEANING DEPOSIT
33689	6/10/2016	CCAC	\$	175.00	RITA LOZANO WORKSHOP 7/7-
33690	6/17/2016	ANTHONY'S SHOP	\$	239.79	CITY SWEEPER REPAIR
33691	6/17/2016	AT&T	\$	109.26	CITY HALL 9391012022
			\$	640.96	ALL DEPTS 9391012024
			\$	139.03	COMM. CTR 9391012021
			\$	17.38	CITY HALL 9391012023
			\$	504.98	POLICE DEPT 9391012020
			\$	0.07	PHONE 9391019185
		Check Total:	\$	1,411.68	
33692	6/17/2016	BSK & ASSOCIATES, INC.	\$	1,053.50	LAB ANALYSIS
			\$	2,300.30	LAB ANALYSIS
			\$	187.00	LAB ANALYSIS
			\$	25.00	LAB ANALYSIS
			\$	25.00	LAB ANALYSIS
			\$	300.00	LAB ANALYSIS
			\$	67.50	LAB ANALYSIS
			\$	210.00	LAB ANALYSIS
			\$	25.00	LAB ANALYSIS

CITY OF FIREBAUGH ACCOUNTS PAYABLE

WARRANTS JUNE 1, 2016 - JUNE 30, 2016

33692	6/17/2016 BSK & ASSOCIATES, INC.	\$	361.00	LAB ANALYSIS
		\$	75.00	LAB ANALYSIS
		\$	215.00	LAB ANALYSIS
		\$	31.26	LAB ANALYSIS
		\$	68.76	LAB ANALYSIS
		\$	84.42	LAB ANALYSIS
		\$	67.50	LAB ANALYSIS
		\$	55.00	LAB ANALYSIS
		\$	31.26	LAB ANALYSIS
		\$	56.28	LAB ANALYSIS
	Check Total:	\$	5,238.78	
33693	6/17/2016 ABELINO CISNEROS	\$	180.00	SECURITY SERVICE MAY 21,2016
33694	6/17/2016 DEPARTMENT OF JUSTICE	\$	175.00	BLOOD ALCOHOL MAY 2016
33695	6/17/2016 DTA DAVID TAUSSIG & ASSOC	\$	16,367.00	PROFESSIONAL SERVICE THRU
33696	6/17/2016 FIREBAUGH SUPER MARKET	\$	6.45	DOG FOOD
		\$	6.48	PINESOL-MALDONADO PARK
		\$	45.97	SENIOR CENTER-CAKE
		\$	15.18	DAIRY CREAM-SENIOR CENTER
		\$	7.88	MALDONADO RESTROOM -CLEAN
		\$	4.32	SENIOR CENTER-AJAX
		\$	4.32	CAT FOOD-POUND
		\$	30.28	DOG FOOD
		\$	15.14	DOG FOOD
		\$	4.99	DOG TRUCK-TURKEY FRANKS
		\$	5.41	CITY HALL-AJAX
		\$	7.88	MALDONADO PARK RESTROOM
		\$	8.73	PD-CLEANING SUPPLIES
		\$	10.72	CHIEFS MEETING-SUPPLIES
		\$	17.69	SENIOR CENTER-DISH GEL
		\$	15.14	DOG FOOD
		\$	15.14	DOG FOOD
		\$	4.99	DOG FOOD
		\$	3.78	CITY SHOP-FABULOSO
		\$	51.65	CITY HALL-SUPPLIES
	Check Total:	\$	282.14	
33697	6/17/2016 FIREBAUGH VOLUNTEER FIRE	\$	10,500.00	FIRE DEPT-VOLUNTEER FUND

CITY OF FIREBAUGH ACCOUNTS PAYABLE**WARRANTS JUNE 1, 2016 - JUNE 30, 2016**

33698	6/17/2016 FIRST BANKCARD	\$	87.66	PURCHASE FOR CARNY BEER
		\$	79.76	PW-LOCKING LID
		\$	28.86	PW-CONNECTOR KIT
		\$	115.26	PW-ENCLOSED AREA PLAYGROUD
		\$	32.42	PW-MALDONADO PARK/DUNKLE
	Check Total:	\$	343.96	
33699	6/17/2016 FRESNO CO SHERIFF-CORONER	\$	880.00	2016 FSO DEPUTY SKILLS
33700	6/17/2016 GOUVEIA ENGINEERING, INC.	\$	110.25	710.03 DBE PLAN-ADA
		\$	758.63	710.10 ADA SELF-EVALUATION
		\$	141.75	720.01 PLANNING GENERAL
		\$	332.44	720.08 SJ RIVER FLOOD
		\$	318.94	725.01 PUBLIC WORKS GENERAL
		\$	7,700.00	730.07 SRF WWTP IMPROVEMENT
		\$	6,180.00	740.05-4 TASK 4 PS&E LAS
		\$	1,617.00	740.08D 2015 WATERLINE REPAIR
		\$	141.75	745.02 HWY 33 BEAUTIFICATION
		\$	2,901.25	745.10D DESIGN POSO CANAL
		\$	63.75	745.19D CMAQ PEDESTRIAN
		\$	3,241.88	745.21D RIVERLANE/CARDELLA
		\$	337.31	760.01 AIRPORT GENERAL
		\$	84.00	760.04 A.C.I.P / CAAP
		\$	283.50	795.01 GRANT-FUNDING
	Check Total:	\$	24,212.45	
33701	6/17/2016 GRAINGER, INC.	\$	117.67	MALDONADO PARK-SCREWDRIVE
33702	6/17/2016 KER WEST, INC. DBA	\$	81.00	LEGAL NOTICE-PUBLIC NOTICE
		\$	126.00	LEGAL NOTICES-NOTICE PUBLIC
	Check Total:	\$	207.00	
33703	6/17/2016 PACIFIC GAS & ELECTRIC	\$	51,200.24	ALL DEPTS 7355932148-1
33704	6/17/2016 PACIFIC TENT & AWNING	\$	421.71	NYLON FLAGS
33705	6/17/2016 QUILL CORPORATION	\$	39.21	OFFICE SUPPLIES
		\$	44.77	OFFICE SUPPLIES
	Check Total:	\$	83.98	

CITY OF FIREBAUGH ACCOUNTS PAYABLE**WARRANTS JUNE 1, 2016 - JUNE 30, 2016**

33706	6/17/2016 RSG, INC.	\$	1,676.25	SUCCESSOR AGENCY CONSULTING
		\$	<u>515.00</u>	GROCERY STORE MARKET STUD
	Check Total:	\$	2,191.25	
33707	6/17/2016 USA BLUEBOOK	\$	622.27	VAL-MATIC SILENT CHECK VALVE
33708	6/17/2016 VALLEY NETWORK SOLUTIONS	\$	457.50	SYMANTEC EMAIL PROTECT
33709	6/20/2016 NEAL OKIN	\$	3,750.00	MUSIC PERFORMER CARNIVAL
33710	6/21/2016 CITY OF FIREBAUGH	\$	103,847.44	UNITED SEC BANK-PAYROLL
33711	6/23/2016 AG & INDUSTRIAL SUPPLY	\$	25.15	VAC TRAILER-PARTS
33712	6/23/2016 AT&T	\$	335.82	559 659-3227 296 WATER OPEARTOR
33713	6/23/2016 CALIF WATER ENVIRONMENT A	\$	257.00	CERTIFICATION/MEMBERSHIP
33714	6/23/2016 CORBIN WILLITS SYSTEMS	\$	1,020.18	ADMINISTRATION C/W SERVICE
33715	6/23/2016 DISH	\$	38.31	SENIOR CENTER CABLE
33716	6/23/2016 EPPLER TRUCK SALES	\$	360.64	STREET CLEANER-REPAIR
33717	6/23/2016 FRESNO COUNTY AUDITOR'S O	\$	69.00	POLICE PARKING VIOLATION
33718	6/23/2016 KER WEST, INC. DBA	\$	2,280.00	LEGAL ADVERTISING NOTICE
		\$	<u>414.00</u>	NOTICE TO BIDDERS-WATERLINE
	Check Total:	\$	2,694.00	
33719	6/23/2016 MCC CONTROL SYSTEMS	\$	937.50	TROUBLESHOOT LEVEL TRANSM
33720	6/23/2016 PACIFIC GAS & ELECTRIC	\$	2,501.90	8132925706-7 WELL #17
33721	6/23/2016 PACIFIC TENT & AWNING	\$	421.71	FLAGS
		\$	(421.71)	Ck# 033721 Reversed
33722	6/23/2016 JESUS PALACIOS	\$	170.00	FEE REIMBURESEMENT CERTIF
33723	6/23/2016 PETTY CASH	\$	8.00	DONUTS-DEVELOPERS MEETING
		\$	2.81	FAMILY DOLLAR NAPKINS
		\$	3.39	FB SUPERMARKET-SPOONS
		\$	<u>2.16</u>	FB DISCOUNT-SUPPLY DEVELOP
	Check Total:	\$	16.36	
33724	6/23/2016 PITNEY BOWES GLOBAL FINAN	\$	405.84	POSTAGE MACHINE LEASE
33725	6/23/2016 QUINN COMPANY, INC.	\$	276.25	CHALLENGER-REPAIR

CITY OF FIREBAUGH ACCOUNTS PAYABLE**WARRANTS JUNE 1, 2016 - JUNE 30, 2016**

33726	6/23/2016	QUILL CORPORATION	\$	110.57	CLEANING SUPPLIES/TOILET
			\$	356.20	CLEANING SUPPLIES/TOILET
			\$	114.92	CLEANING SUPPLIES
			\$	129.86	COMMUNITY CTR CLEANING
		Check Total:	\$	711.55	
33727	6/23/2016	JOHN SANCHEZ	\$	70.00	WORK BOOTS REIMBURSEMENT
33728	6/23/2016	SALVADOR SANTILLAN	\$	500.00	RODEO GROUNDS CLEANING DEP
33729	6/23/2016	CRISTINA SANCHEZ	\$	100.00	A/F HALL CLEANING DEPOSIT
33730	6/23/2016	SPARKLETTTS	\$	95.22	PUBLIC WORKS/SHOP
33731	6/23/2016	SUN'S INTERNATIONAL CORP	\$	28.14	PARK/CITY SHOP-PAPER TOWL
33732	6/23/2016	TELSTAR	\$	5,692.00	WTP BOOSTER PUMP VFD
33733	6/23/2016	TIFCO INDUSTRIES	\$	466.43	EQUIPMENT PURCHASE
33734	6/23/2016	VALLEY POWER SYSTEMS NORT	\$	7,137.10	FD-PUMP REPAIR
33735	6/23/2016	WESTERN EXTERMINATOR CO.	\$	36.50	8000 HELM CANAL
			\$	67.00	CITY HALL
			\$	45.25	401 THOMAS CONBOY
			\$	34.00	1666 11TH STL
			\$	57.00	COMMUNITY CENTER 1655 13TH
		Check Total:	\$	239.75	
33736	6/23/2016	ZEE MEDICAL SERVICE CO.	\$	36.87	PUBLIC WORKS DEPT
33737	6/30/2016	CITY OF FIREBAUGH	\$	39,140.47	UNITED SEC BANK-PAYROLL
33738	6/30/2016	BIG G'S AUTOMOTIVE CENTER	\$	97.34	PW#37-PADS/ROTOR
33739	6/30/2016	CALIF WATER ENVIRONMENT A	\$	86.00	CERTIFICATION RENEWAL
33740	6/30/2016	FERNANDO CAMPA	\$	45.00	SEARCH AND SEIZURE REIMB
33741	6/30/2016	ABELINO CISNEROS	\$	180.00	SECURITY SERVICE-6/18/16
33742	6/30/2016	CITY AUTO GLASS	\$	1,079.52	PAL BUILDING-WINDOW REPAIR
33743	6/30/2016	COUNTRY VETERINARY CLINIC	\$	790.00	APRIL-JUNE2016 SERVICES

CITY OF FIREBAUGH ACCOUNTS PAYABLE

WARRANTS JUNE 1, 2016 - JUNE 30, 2016

33744	6/30/2016 CUMULUS FRESNO-KMGV	\$	1,200.00	ADVERTISING CAMPAIGN
33745	6/30/2016 EPPLER TOWING & TRANSPORT	\$	75.00	FD- CHEVY 2010
33746	6/30/2016 FRESNO-MADERA AREA AGENCY	\$	35.38	5/16 NON USDA QUALIFIED
33747	6/30/2016 INLAND POTABLE SERVICES,	\$	3,000.00	POTABLE WATER TANK EPOXY
33748	6/30/2016 IAPE	\$	325.00	FERNANDO CAMPA-TRAINIGN
33749	6/30/2016 RITA LOZANO	\$	286.34	NUTS&BOLTS 2016-CLERKS
33750	6/30/2016 LOZANO SMITH, LLP	\$	1,093.30	GENERAL LEGAL MATTERS
		\$	1,100.00	RETAINER THRU MAY 31, 2016
		\$	352.00	SUCCESSOR AGENCY THRU MAY
	Check Total:	\$	2,545.30	
33751	6/30/2016 JOSUE RAFAEL MARQUEZ	\$	40.00	ADVISEMENT TO APPLICANT
33752	6/30/2016 MID-VALLEY DISPOSAL	\$	63.63	1800 HELM CANAL RD
33753	6/30/2016 NASCO MODESTO	\$	207.07	POLE KETCHALL STAIN
33754	6/30/2016 NORTHSTAR CHEMICAL	\$	1,163.74	SODIUM HYPOCHLORITE BULK
		\$	1,721.26	SODIUM HYPOCHLORITE BULK
	Check Total:	\$	2,885.00	
33755	6/30/2016 N&S TRACTOR - DOS PALOS	\$	13.48	PW#20-BACKHOE
33756	6/30/2016 OFFICE DEPOT	\$	106.36	ADMINISTRATION OFFICE SUP
33757	6/30/2016 PEREZ SMOG & LUBE	\$	50.00	PW#10-SMOG TEST
33758	6/30/2016 PITNEY BOWES #8000-9090-	\$	520.99	JUNE 2016 POSTAGE REFILL
33759	6/30/2016 QUILL CORPORATION	\$	179.24	OFFICE SUPPLIES
		\$	9.24	OFFICE SUPPLIES
	Check Total:	\$	188.48	
33760	6/30/2016 SPARKLETTTS	\$	94.26	CITY HALL
33761	6/30/2016 SUN'S INTERNATIONAL CORP	\$	17.32	PAPER ROLL TOWELS
33762	6/30/2016 USA BLUEBOOK	\$	574.11	SEWER LAB ANALYSIS
33763	6/30/2016 USC FOUNDATION (USC FCCCH	\$	120.00	WATER PURVEYOR MEMBERSHIP

CITY OF FIREBAUGH ACCOUNTS PAYABLE
WARRANTS JUNE 1, 2016 - JUNE 30, 2016

33764	6/30/2016	LUIS VALDEZ	\$	70.00	WOOK BOOT FOR LUIS VALDEZ
33765	6/30/2016	WEST SIDE DRUG STORE	\$	7.50	PD-PADDED ENVELOPES
33766	6/30/2016	WESTERN AG & TURF	\$	1,139.13	MALDONADO PARK-ESP MODULA
33767	6/30/2016	WOLFE COMMUNICATIONS	\$	3,429.54	FD-UNIFICATION PAGER

Cash Account Total: \$ 490,853.44

Total Disbursements: \$ 490,853.44

CITY ATTORNEY LEGAL SERVICES AGREEMENT

THIS AGREEMENT, made this ____ day of July, 2016, is made between the CITY OF FIREBAUGH, hereinafter referred to as "CLIENT", and MEGGIN BORANIAN, Attorney at Law, hereinafter referred to as "ATTORNEY".

RECITALS

WHEREAS, CLIENT is a California Municipal corporation, duly formed and represented; and,

WHEREAS, CLIENT requires the services of a City Attorney; and,

WHEREAS, ATTORNEY has the necessary education, experience, skills and expertise to serve as the City Attorney; and,

WHEREAS, said CLIENT employs ATTORNEY to represent the CLIENT in all matters as the designated City Attorney, who is responsible for the legal representation of the CLIENT.

NOW THEREFORE the parties mutually agree to the terms, covenants and conditions set forth below.

AGREEMENT

1. Services

ATTORNEY is empowered and agrees to perform all services as ATTORNEY that she deems proper, necessary and/or appropriate. ATTORNEY shall provide City Attorney legal services to CLIENT called for under this Agreement, keep CLIENT informed of progress and developments, and respond promptly to CLIENT'S inquiries and communications. The specific services are listed below in the Scope of Work.

2. Scope of Work

2.1 Non-litigation and General Legal Services

These shall generally include the following services: attendance at two (2) regularly-scheduled monthly City Council meetings; attendance at up to two (2) special meetings with City Council and/or staff; on-call telephone and email response to general legal questions; attendance at telephonic City Council Meeting Agenda preparation meetings with staff; preparation of legal documents (i.e. resolutions, ordinances, and contracts) and preparation of legal opinions related to the above legal services. These services shall be performed under the Non-Litigation and General Legal Services rate, as outlined in Sub-Section 5.1.

2.2 Litigation and Special Legal Services

These shall generally include services outside of Non-Litigation and General Legal Services, above,, including but not limited to litigation, contested personnel/employment/labor/ union matters, , mediation, administrative hearings, coordination with outside litigation counsel, and special projects, such as review and revision of Personnel Rules. These services shall be performed under the Litigation and Special Legal Services rate, as outlined in Sub-Section 5.2.

2.3 General Scope Provisions

ATTORNEY is responsible for providing all reasonable and necessary facilities, equipment, books, supplies and secretarial services, as necessary to carry out and provide the required legal services. ATTORNEY is specifically designated as the City Attorney, David A. Fike is designated as the Assistant Attorney, unless the parties agree otherwise, and ATTORNEY may provide other attorneys to represent CLIENT as needed.

In order to maintain peak efficiency and effectiveness as City Attorney, CLIENT may require attendance by ATTORNEY at continuing legal education seminars, including but not limited to, one (1) League of California Cities Conference per year. If so, CLIENT shall pre-approve the associated costs and attendance at those legal education seminars, and reimburse ATTORNEY for all expenses relating to such seminars, including travel, lodging, registration, and other fees.

3. Term

This Agreement is effective July 1, 2016, upon approval of CLIENT, and shall remain effective until modified and/or terminated, as provided in this Agreement.

4. Performance Evaluation

4.1 CLIENT may review and evaluate the performance of ATTORNEY at least once annually commencing one year from the effective date of this Agreement. Said review and evaluation shall be in accordance with specific criteria developed jointly by CLIENT and ATTORNEY. Said criteria may be modified as CLIENT may from time to time determine, in consultation with ATTORNEY. Further, CLIENT shall provide ATTORNEY with a written summary of its evaluation and provide an adequate opportunity for ATTORNEY to review and discuss it with CLIENT

4.2 Annually, commencing on the effective date of this Agreement, CLIENT and ATTORNEY may define in writing such goals and performance objectives that they jointly determine necessary for their continued successful professional relationships.

5. Billing and Rates

5.1 Non-Litigation and General Legal Services Rate

The monthly retainer fee for these services shall be in the amount of \$6,500.00. This retainer fee shall also include, but not be limited to, duplication costs, word processing costs, travel, long-distance telephone and telecommunication costs, postage/mail costs, facsimile transmissions, electronic mail and other costs customarily made as part of the performance of legal services by ATTORNEY, as described in Sub-Section 2.1. Billing for the retainer fee shall be made at the first of each month in advance, with payment of the same due and payable by the first City Council Meeting of each month.

5.2 Litigation and Special Legal Services Rate

For all costs and the services outside of the retainer, as described in Sub-Section 2.2, an hourly rate of one hundred ninety five dollars (\$195) per hour shall be charged, plus actual costs. Such billings shall be in a minimum of one-tenth (1/10) hour increments and shall be billed monthly in arrears, payable on or before the 15th of each month.

5.3 Billing Provisions

Actual costs shall be billed without markup and shall only be for litigation-related expenses, other expenses allowed by this Agreement or specifically authorized by the City Manager. Any allowable gas and mileage expenses shall be billed at the then current IRS rate. CLIENT is informed that these costs are not set by law, but rather are negotiable between the ATTORNEY and CLIENT.

6. Other Representation

CLIENT is informed that the Rules of Professional Conduct of the State Bar of California require the CLIENT's informed written consent before an attorney may begin or continue to represent the CLIENT when the ATTORNEY may begin or continue to represent another client that may have or had a relationship with another party interested in the subject matter of the ATTORNEY's proposed representation of the CLIENT. As long as ATTORNEY's services for CLIENT continue under this Agreement, ATTORNEY will not agree to provide legal services for any such party without CLIENT's prior written consent.

7. Client Commitments

CLIENT will be truthful and cooperative with ATTORNEY, keep ATTORNEY reasonably informed of developments and of CLIENT's address, telephone number, and whereabouts and timely make any payments required by this Agreement.

8. Termination

8.1 CLIENT Termination

CLIENT may discharge ATTORNEY by providing thirty (30) days written notice. Unless specifically agreed by ATTORNEY and CLIENT, ATTORNEY will provide no further services and advance no further costs on CLIENT's behalf after receipt of the notice.

8.2 ATTORNEY Termination

ATTORNEY may withdraw, as permitted under the Rules of Professional Conduct of the State Bar of California, by providing thirty (30) days written notice. The circumstances under which the rules permit such withdrawal include, but are not limited to: (a) the client consents; (b) the client's conduct renders it unreasonably difficult for the attorney to carry out the employment effectively; or (c) the client fails to pay attorney's fees or costs as required by his or her agreement with the attorney. Notwithstanding ATTORNEY's withdrawal, CLIENT will be obligated to pay ATTORNEY reasonable attorney's fees for all services provided and to reimburse ATTORNEY in full for costs advanced.

8.3 CLIENT Papers and Property

At the termination of services under this Agreement, ATTORNEY will release promptly to CLIENT on request all of CLIENT'S papers and property (subject to any protective order or non-disclosure agreement). "CLIENT'S papers and property" include correspondence, deposition transcripts, exhibits, experts' reports, legal documents, physical evidence, and other items reasonably necessary to CLIENT'S representation, whether CLIENT has paid for them or not.

9. Insurance

ATTORNEY shall maintain errors and omissions and/or legal malpractice insurance in the amount of one million dollars (\$1,000,000), applicable to the services to be rendered under this Agreement; proof of which shall be provided to the City Manager, along with that of current automobile insurance.

10. Assignment

ATTORNEY shall not assign any of her obligations imposed pursuant to the provisions of this Agreement without the prior written consent of the CLIENT.

11. Non-Waiver

It is expressly agreed that the CLIENT'S failure to terminate this Agreement for any violation or failure to perform by ATTORNEY shall not be construed as a waiver of any provisions herein.

12. Notices

Notices pursuant to this Agreement shall be in writing, and shall be given by personal service upon the party to be notified, or by United States Postal Service or its lawful successor, postage prepaid, addressed as follows:

To CLIENT:

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

To ATTORNEY:

Meggin Boranian, Attorney at Law
401 Clovis Avenue, Ste. 208
Clovis, CA 93612

13. Governing Law and Venue

It is understood and agreed by the parties hereto, that the laws of the State of California shall govern the rights, obligations, duties and liabilities of the parties to this Agreement. In the event of litigation related to this Agreement, venue shall be the state courts located in Fresno County.

14. Binding Effect of Agreement

This Agreement shall be binding upon the parties hereto and upon all of their lawful successors in interest.

15. Entirety

The parties agree that this Agreement represents the full and entire Agreement between the parties hereto with respect to the matters covered herein.

16. Survivability

If any provision of this Agreement is held in whole or in part to be unenforceable for any reason, the remainder of that provision and of the entire Agreement will be severable and remain in effect.

17. Authority

Each of the representatives signing this Agreement represents that he or she is duly authorized to enter into this Agreement on behalf of the party or entity for which he or she is signing.

18. Modification

This Agreement may be modified by subsequent agreement of the parties only by instrument in writing signed by both parties.

19. Dispute Resolution

If a dispute arises between ATTORNEY and CLIENT regarding attorney's fees under this Agreement and ATTORNEY files suit in any court other than small claims court, CLIENT will have the right to stay that suit by timely electing to arbitrate the dispute under Business and Professions Code section 6200-6206, in which event ATTORNEY must submit the matter to such arbitration.

IN WITNESS WHEREOF, the parties have hereunto set their hands.

CITY OF FIREBAUGH,
a municipal corporation

MEGGIN BORANIAN,
Attorney at Law

By: _____
Freddy Valdez, Mayor

By: _____
Meggin Boranian

Date: _____

Date: _____

ATTEST:

By: _____
Rita Lozano, Deputy City Clerk

RESOLUTION NO. 16-32

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH APPROVING A STEP INCREASE TO BEN GALLEGOS AS ACTING CITY MANAGER

WHEREAS, the City of Firebaugh hereby brings forth a resolution approving a step increase to Ben Gallegos, as acting City Manager pursuant to a satisfactory evaluation;

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

WHEREAS, the City Council of the City of Firebaugh appointed Ben Gallegos to served as the acting City Manager of the City, effective January 1, 2016,

WHEREAS, the City of Firebaugh desire to enter into an agreement with Ben Gallegos, a current City employee, to continue to serve as acting City Manager in accordance with the following terms as of January 1, 2016:

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

WHEREAS, Ben Gallegos has served as acting City Manager for 6 month and received a satisfactory evaluation at a regular Council Meeting on June 20, 2016, and;

WHEREAS, the City Council of the City of Firebaugh approved a salary step increase from Step 6 to Step 7 of the City Managers pay scale equaling \$118,000.00 annually (\$9,833.33 per month).

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF FIREBAUGH, CALIFORNIA that the City of Firebaugh hereby approves a salary step increase to Ben Gallegos as acting City Manager from Step 6 to Step 7, effective July 2, 2016..

* * * * *

The foregoing Resolution was approved and adopted at a regular meeting of the City Council of the City of Firebaugh held on the 18st day of July, 2016, by the following vote:

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

APPROVED:

ATTEST:

Freddy Valdez
Mayor

Rita Lozano
Deputy City Clerk

Approved as to Legal Form:

CITY ATTORNEY

By _____
Meggin Boranian

ORDINANCE NO. 16-02

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH ENACTING CHAPTER 8.8 OF THE FIREBAUGH MUNICIPAL CODE RELATING TO IMPACT FEES FOR DEVELOPMENT PROJECTS

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

SECTION 1: Chapter 8.8 is added to the Firebaugh Municipal Code, to read as follows:

“CHAPTER 8.8 - IMPACT FEES”

SECTION:

- 8.8-1: Authority to Impose and Charge Development Impact Fees
- 8.8-2: Content of Resolutions
- 8.8-3: Government Code Compliance

8.8-1: AUTHORITY TO IMPOSE AND CHARGE DEVELOPMENT IMPACT FEES: The City Council of the City of Firebaugh is hereby granted authority to establish and charge development impact fees as a condition of approval of a development project for the purpose of defraying the costs of public facilities (including public improvements, public services and community amenities) related to development projects. Development impact fees may be established and charged to pay for the cost of development of streets and thoroughfares, law enforcement facilities and equipment, fire facilities and equipment, general city facilities, wastewater collection facilities, water supply and holding facilities, water distribution facilities, and parks and recreation facilities.

8.8-2: CONTENT OF RESOLUTIONS: In enacting resolutions establishing and imposing such impact fees, the City Council shall set forth the specific amount of the fee, describe the benefit and impact area on which the development impact fee is imposed, list the specific public improvements to be financed, describe the estimated cost of facilities, describe the reasonable relationship between the fees and the various types of developments, and set forth the time for payment. The City Council may further provide in such resolution that specific limitations will apply to reductions, adjustments, waivers, or deferrals of development impact fees and the City Council may, in such resolution, set forth such specific limitations.

8.8-3: GOVERNMENT CODE COMPLIANCE: Such resolutions shall be adopted in accordance with the provisions of chapter 5 of division 1 of title 7 of the California Government Code (commencing with section 66000).”

SECTION 2: This Ordinance shall take effect sixty (60) days after its adoption and before the expiration of fifteen (15) days after its adoption shall be published once in a newspaper of general circulation, published in the City of Firebaugh.

The foregoing Ordinance was introduced at a regular meeting of the City Council of the City of Firebaugh held on the 18th day of July 2016, and was passed and adopted at a regular meeting held on the 1st day of August, 2016, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

APPROVED:

ATTEST:

Freddy Valdez, Mayor

Rita Lozano, Deputy City Clerk

RESOLUTION NO. 16-25

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH ESTABLISHING AND IMPOSING IMPACT FEES FOR DEVELOPMENT PROJECTS

WHEREAS, by Ordinance No. 16-02, adopted on August ____, 2016, the City Council (the “City Council”) of the City of Firebaugh (the “City”) granted authority to establish and charge development and impact fees as a condition of approval of development projects for the purpose of defraying the costs of public facilities (including public improvements, public services and community amenities) related to development projects; and

WHEREAS, pursuant to the State Mitigation Fee Act (Government Code Sections 66000 et. seq.) such development impact fees may be established and charged to pay for the cost of development of public facilities, including but not limited to streets and thoroughfares, law enforcement facilities and equipment, fire facilities and equipment, general City facilities, storm drainage facilities, wastewater treatment facilities, wastewater collection facilities, water supply and holding facilities, water distribution facilities, and parks and recreation facilities; and

WHEREAS, in Ordinance No. 16-02, the City Council provided both that in enacting resolutions establishing and imposing such impact fees the City Council shall set forth the specific amount of the fee, describe the benefit and impact areas on which the development impact fee is imposed, list the specific public improvements to be financed, describe the estimated cost of the facilities, describe the reasonable relationship between the fees and the various types of developments, and set forth the time for payment, and that the City Council may further provide in such resolution that specific limitations will apply to reductions, adjustments, waivers, or deferrals of development impact fees and further that the City Council may, in such resolution, set forth such specific limitations; and

WHEREAS, David Taussig & Associates has prepared a report dated May 26, 2016, (Report) which analyzes the impacts of contemplated future development on existing public facilities in the City, along with an analysis of the need for new public facilities and improvements required by new development, and said Report sets forth the relationship between new development, the needed facilities and their estimated costs; and

WHEREAS, City Staff has reviewed the service provisions and development impact cost portions of said Report, thereby independently verifying and validating said Report; and

WHEREAS, the aforesaid David Taussig & Associates (as well as all material supplementary thereto, and all background data referenced in the Report), and a copy of Ordinance 16-02 were available for public inspection and review at the City Clerk’s office of the City for a period of at least ten (10) days prior to the public hearings on this resolution, the Report and the impact fees; and mailed notice was given at least fourteen (14) days prior to said hearing to any interested person who filed a written request (if any) with the City for mailed notice of the public hearing; and

WHEREAS, said public hearing was also noticed pursuant to and in compliance with Government Code Section 6062a, and was held as part of a regularly scheduled meeting of the City Council; and

WHEREAS, said public hearing on adoption of this resolution, the Report and the impact fees referred to by the Firebaugh City Council will hold a public hearing at 1655 13th St., Firebaugh, California on Monday, July 18, 2016 at 6:00 pm, at which all interested were given an opportunity to be heard; and

WHEREAS, the City Council has duly considered all oral and written testimony presented at or prior to the hearing a Public. This resolution and staff report has been available for review at City Hall, 1133 P St, Firebaugh, CA 93622 and/or considered all received call (559) 659-2043 from 8am-4pm.

NOW THEREFORE, in accordance with the provisions of Ordinance No. 16-02 and Government Code Sections 66000, et. seq., and based on all the evidence in the record, the City Council of the City of Firebaugh resolves, finds and determines as follows:

1. All provisions set forth above are true and correct and are hereby incorporated herein by reference as findings. The David Taussig & Associates Report incorporated herein by reference.
2. The purpose of the fees set forth herein is to finance expanded or new public facilities to reduce the impacts on public facilities caused by new development.
3. The City Council hereby adopts and approves the previously mentioned David Taussig & Associates Report, following the public hearing on the matter and the same is incorporated herein, and the City Council further finds that new development in the City will generate additional demands on public facilities throughout the City, and will contribute to the impact upon public facilities.
4. Establishing and imposing updated development impact fees as described in the David Taussig & Associates Report is necessary and proper to defray the cost of development of public facilities related to development projects, including without limitation, streets and thoroughfares, law enforcement facilities and equipment, fire facilities and equipment, general City facilities, storm drainage facilities, wastewater treatment facilities, wastewater collection facilities, water supply and holding facilities, water distribution facilities, and parks and recreation facilities in and for the City.
5. The specific amount of each updated development impact fee, the description of all the benefit and impact area on which each development impact fee is imposed, the listing of the specific public improvements to be financed by each such fee, the description of the estimated cost of the facilities, the description of the reasonable relationship between the fees and the various types of developments, and the time for payment set forth in the David Taussig & Associates Report and below in this resolution on which they will be imposed, are proper and necessary and, as all the information and data upon which the fees are based is correct and accurate.
6. The specific amount of development impact fees are hereby updated, modified and imposed and are based upon the impact costs by land use as set forth in the table below:

**CITY OF FIREBAUGH
DEVELOPMENT IMPACT FEE SUMMARY**

City of Firebaugh Development Impact Fees per Unit (Residential) / per 1,000 Building Square Feet (Non-Residential)									
	Traffic	Fire	Police	Storm Drain	Waste Water	Water	Parks & Rec.	Admin.	Total Fees
Single Family Residential	\$1,007	\$951	\$740	\$895	\$1,847	\$1,571	\$4,133	\$334	\$11,479
Multi-Family Residential	\$584	\$761	\$592	\$716	\$1,477	\$1,257	\$3,607	\$261	\$8,955
Retail	\$3,755	\$479	\$373	\$451	\$960	\$791	\$2,081	\$266	\$9,126
Office	\$3,755	\$359	\$279	\$338	\$697	\$593	\$1,561	\$228	\$7,811
Institutional	\$1,878	\$180	\$140	\$169	\$349	\$297	NA	\$90	\$3,102
Industrial	\$977	\$120	\$93	\$113	\$232	\$198	\$520	\$68	\$2,320

7. The benefit and impact areas on which the development impact fees are imposed are as described in the Report and annexations to the City after the adoption of said documents. The amount of each fee specified in Paragraph 6 does not exceed the reasonable cost of providing the public facility for which the fee is imposed.
8. That facts and evidence in the record also establish that there is a reasonable relationship between the need for the described public facilities and the impacts of the types of development described hereinabove, for which the corresponding fee is charged, and also, there is a reasonable relationship between the fee's use and the type of development for which the fee is charged, as these reasonable relationships or nexuses are in more detail described in the David Taussig & Associates Report.
9. Payment of the impact fees established and imposed by this resolution shall be made at the time of issuance of a building permit for any work of improvement, or at such earlier date as allowed by State law, provided, however, that an applicant for a building permit for a residential development may request that payment be deferred until the date of final inspection or the date the certificate of occupancy is issued, whichever occurs first. Said request shall be approved when the property owner signs a contract, approved by the City Attorney, relating to the payment of the deferred fees. The contract shall be recorded on the title to the subject property, shall be a lien on such property, and shall be binding on the owner and all successors in interest to the property.
10. The fees set forth herein are consistent with the City's General Plan and the City Council has considered the effects of the fees with respect to the City's housing needs (as established in the Housing Element of the General Plan) and the regional housing needs.
11. Pursuant to California Government Code Section 66017, the fees adopted and approved by this resolution shall be in full force and effect and shall be collected beginning sixty (60) days from and after its adoption, and shall further, apply to any developments heretofore approved by the City Planning Commission or City Council.

The foregoing resolution was approved and adopted by the City Council of the City of Firebaugh, on the 18th day of July 2016, by the following votes:

AYES: Board Members
NOES: Board Members
ABSENT: Board Members
ABSTAIN: Board Members

APPROVED:

Freddy Valdez, Mayor

ATTEST:

Rita Lozano, Deputy City Clerk

ORDINANCE NO. 16-03

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH AMENDING CHAPTER 22.5 OF THE FIREBAUGH MUNICIPAL CODE TO IMPOSE A 5% UTILITY USERS TAX ON WIRELESS TELECOMMUNICATION SERVICES

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

Section 1. That section 22.5-1 of the Firebaugh Municipal Code, entitled "Definitions," is amended to add a new subsection "j." to read as follows:

"j. 'Telephone communication services' shall mean and include the transmission, conveyance, or routing of voice, data, audio, video, or any other information or signals to a point, or between, or among points, whether or not such information is transmitted through interconnected service with the public switched network, whatever the technology used, whether such transmission, conveyance or routing occurs by wire, cable, fiber-optic, light wave, laser, microwave, radio wave (including, but not limited to, cellular service, commercial mobile service, all communications service (PCS), specialized mobile radio (SMR), and other types of all wireless service--see 47 USCA § 332(e)(7)(C)(i)---regardless of radio spectrum used), switching facilities, satellite or any other technology now existing or developed after the adoption of the ordinance codified in this chapter, and includes, without limitation, fiber optic, coaxial cable, and wireless. The term 'telephone communication services' includes such transmission, conveyance, or routing in which computer processing applications are used to act on the form, code or protocol of the content for purposes of transmission, conveyance or routing without regard to whether such services are referred to as voice over internet protocol (VoIP) services or are classified by the Federal Communications Commission as enhanced or value added, and includes video and/or data services that are functionally integrated with telecommunications services. 'Telephone communication services' include, but are not limited to, the following services regardless of the manner or basis on which such services are calculated or billed: central office and custom calling features (including but not limited to call waiting, call forwarding, caller identification and three-way calling), local number portability, text messaging, ancillary telecommunication services, prepaid and post-paid telecommunications services (including but not limited to prepaid calling cards); mobile telecommunications service; private telecommunication service; paging service; 800 service (or any other toll-free numbers designated by the Federal Communications Commission); and value-added non-voice data service. For purposes of this section, 'private telecommunication service' means any dedicated telephone communications service that entitles a user to exclusive or priority use of communications channels. 'Telephone communication service' does not include: internet access services to the extent they are exempt from taxation under the Internet Tax Freedom Act, 47 U.S.C. 151 note; video programming services; and digital downloads, such as downloads of books, music, ringtones, games and similar digital products."

Section 2. That section 22.5-1 of the Firebaugh Municipal Code, entitled "Definitions," is amended to add a new subsection "k." to read as follows:

"k. 'Ancillary telephone communication services' shall mean services that are associated with or incidental to the provision, use or enjoyment of telephone communication services including, but not limited to, the following:

1. Services that link two or more participants of an audio or video conference call, including the provision of a telephone number.
2. Services that separately state information pertaining to individual calls on a customer's billing statement.
3. Services that provide telephone number information, and/or address information.

4. Services offered in connection with one or more telephone communications services, which offer advanced calling features that allow customers to identify callers and to manage multiple calls and call connections.
5. Services that enable customers to store, send or receive recorded messages.”

Section 3. That section 22.5-3A is added to Firebaugh Municipal Code, entitled to read as follows:

“22.5-3A Wireless Communication users’ tax.

a. This section shall not apply to services subject to tax under section 22.5-3 and is not intended to create a double tax on any telephone services. With regard to rate payers and services not subject to tax pursuant to section 22.5-3, there is hereby imposed a tax upon every rate payer other than a telephone corporation who uses any international, interstate and/or intrastate telephone communication services in the City. Interstate calls shall include calls to and from the District of Columbia or any U.S. territory. The tax imposed by this section shall be at the rate of five percent (5%) of the charges made for such telephone communication services. The telephone communication services supplier or its billing agent shall collect the tax from the service user. To the extent allowed by federal and state law, the tax on telephone communication services is intended to, and does, apply to all charges within the city’s tax jurisdiction, such as charges billed to a telephone account having a situs in the city as permitted by the Mobile Telecommunications Sourcing Act of 2000, 4 U.S.C. § 116 et seq. There are rebuttable presumptions that telephone communication services billed to a billing or service address in the city are used, in whole or in part, within the city’s boundaries, and those such services are subject to taxation under this chapter. There is also a rebuttable presumption that telephone communication services sold within the city that are not billed to a billing address or provided to a primary physical location are used, in whole or in part, within the city’s boundaries and that such services are subject to taxation under this chapter.

b. The following shall be exempt from the tax imposed by this section:

1. Charges for services paid for by inserting coins in coin-operated telephones; except that where such coin-operated telephone service is furnished for a guaranteed amount, the amounts paid under such guarantee, plus any fixed monthly or other periodic charge shall be included in the base for computing the amount of tax due; nor shall the term “telephone communication services” include land mobile services or maritime mobile services as defined in § 2.1 of Title 47 of the Code of Federal Regulations, as such section existed on October 1, 1967.

c. The tax on telephone communication services imposed by this section shall be collected from the service user by the service supplier. The amount of tax collected in one month shall be remitted to the tax administrator on or before the last day of the following month; and must be received by the tax administrator on or before that date.

d. As used in this section, the term “charges” shall include the value of any other services, credits, property of every kind or nature, or other consideration provided by the service user in exchange for the telephone communication services if a non-taxable service and a taxable service are billed together under a single charge, the entire charge shall be deemed taxable unless the service supplier identifies non-taxable charges by verifiable data reflected in its books and records that are kept in the regular course of business and consistently with generally accepted accounting principles. The service supplier has the burden of proving the proper apportionment of taxable and non-taxable charges.

e. As used in this section, the term “charges” shall not include charges for any type of service or equipment furnished by a service supplier subject to public utility regulation during any period in which the same or similar services or equipment are also available for sale or lease from s other than a service supplier subject to public utility regulation.

f. To prevent actual multi-jurisdictional taxation of telephone communication services subject to tax under this section, any service user, upon proof to the tax administrator that the service user has previously paid the same tax in another American jurisdiction on such telephone communication services, shall be allowed a credit against the tax imposed to the extent of the amount of such tax legally imposed in such other American jurisdiction; provided, however, the amount of credit shall not exceed the tax owed to the city under this section.

g. The tax administrator may, from time to time, issue and disseminate to telephone communication service suppliers, which are subject to the tax collection requirements of this chapter administrative determinations identifying those telephone communication services that are subject to the tax of subsection (a) above. The administrative determinations shall implement the intent of the city council that the telephone users' tax be imposed on any rate payer who initiates or receives high-quality voice communications without regard to the type or kind of transmission media or technology that exists on the date the amendments to this section became effective or which may be developed in the future. Such administrative rulings shall be consistent with legal nexus and laws pertaining to telephone communications services and shall not impose a new tax, revise an existing tax methodology, or increase an existing tax, except as allowed by California Government Code § 53750(h)(2) and (h)(3) or other law. The tax administrator may consider statewide interpretive rules and guidelines promulgated by any government agency or association of government agencies as a factor in determining the intent of voters adopting this section. To the extent that the tax administrator determines that the tax imposed under this section shall not be collected in full for any period of time, such an administrative determination falls within the tax administrator's discretion to settle disputes. The tax administrator's exercise of discretion under this chapter does not constitute a change in taxing methodology for purposes of Government Code § 53750(h), and the city does not waive or abrogate its right to collect the telephone users' tax in full as a result of issuing such administrative determinations and may suspend such determination and recommence collection of the tax without additional voter approval. The administrative determination shall be consistent with and shall not impose a new tax or increase an existing tax without voter approval.

h.1. For purposes of imposing a tax or establishing a duty to collect and remit a tax under this section, "substantial nexus" and "minimum contacts" shall be construed broadly in favor of the imposition, collection and/or remittance of the utility users tax to the fullest extent permitted by state and federal law, and as that law may change from time to time. Any telephone communication service (including VoIP) used by a with a service address in the city, which service is capable of terminating a call to another on the general telephone network, shall be subject to a rebuttable presumption that "substantial nexus" exists or "minimum contacts" exist for purposes of imposing a tax or establishing a duty to collect and remit a tax under this chapter.

2. A service supplier shall be deemed to have sufficient activity in the city to be obligated to collect and remit the tax imposed by this chapter if it does any of the following: maintains or has within the city, directly or through an agent or subsidiary, a place of business of any nature; solicits business in the city by employees, independent contractors, resellers, agents or other representatives; solicits business in the city by means of advertising that is broadcast or relayed from a transmitter within the city or distributed from a location within the city; or advertises in newspapers or other periodicals printed and published within the city or through materials distributed in the city by means other than the United States mail.

Section 4. That section 22.5-14 is added to Firebaugh Municipal Code, entitled to read as follows:

"22.5-14 Effect of state and federal authorization.

To the extent that the city's authorization to impose or collect any tax imposed under this chapter is expanded or limited as a result of changes in state or federal law, no amendment or modification of this chapter shall be required to conform the tax to those changes, and the tax shall be imposed and collected to the full extent of the city's authorization up to the full amount of the tax imposed under this chapter."

Section 5. Amendment of Ordinance.

Chapter 22.5 of the Firebaugh Municipal Code as amended by this Ordinance may be repealed or amended by the City Council without a vote of the people except as follows: as required by Proposition 218, any amendment to that chapter that increases the amount or rate of tax beyond the levels authorized by this Ordinance may not take effect unless approved by a vote of the people. The City Council may impose the taxes authorized by that chapter in any amount or rate which does not exceed the rate approved by the voters of the City.

Section 6. Severability.

If any section, sentence, clause, phrase, or portion of this Ordinance is held to be invalid or unenforceable by a court of competent jurisdiction for any reason, the remaining sections, sentences, clauses, phrases, or portions of this ordinance shall nonetheless remain in full force and effect. The People of the City of Firebaugh hereby declare that they would have adopted each section, sentence, clause, phrase, or portion of this Ordinance, irrespective of the fact that any one or more sections, sentences, clauses, phrases, or portions of this Ordinance be declared invalid or unenforceable and, to that end, the provisions of this Ordinance are severable.

Section 7. Majority Approval; Effective Date; Execution.

This Ordinance shall be effective only if approved by a majority of the voters voting thereon and shall go into effect ten (10) days after the vote is declared by the City Council. The City Clerk is hereby authorized to attest to the adoption of this Ordinance where indicated below.

The foregoing Ordinance No. 16-03 was introduced at a regular meeting of the City Council of the City of Firebaugh on the 18th day of July, 2016, and was passed and adopted at a regular meeting of the City Council on the 1st day of August, 2016, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

APPROVED:

Mayor
City of Firebaugh

ATTEST:

City Clerk
City of Firebaugh



COUNTY OF FRESNO
COUNTY CLERK / REGISTRAR OF VOTERS
BRANDI L. ORTH

Date: June 28, 2016

Date of Election: November 2016

Name of Entity: City of Firebaugh (1 Measure)

Low: \$3,500 to High: \$6,000

28 1/4 pages in sample ballot

2,544 number of registered voters

52 entities that are going to election

YES County is involved as an entity in the election

Assumption: Text of Measure would be similar to Measure B from July 23, 2013 Election.

Note: This is an estimate only based on our best calculation and specific assumptions that may or may not, in fact, be true at the time of the election. The actual cost of the election could vary greatly if the particular election or issue is treated differently than our assumptions used at this time. For example, if your request is for a measure to be put on the ballot, keep in mind that if more text appears in the sample ballot than was quoted above, the cost will increase.

RESOLUTION NO. 16-26

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH ORDERING A MEASURE ON THE ELECTION BALLOT, REQUESTING COUNTY ELECTIONS TO CONDUCT THE ELECTION, AND REQUESTING CONSOLIDATION OF THE ELECTION

WHEREAS, pursuant to Elections Code Section 10002, the governing body of any city or district may by resolution request the Board of Supervisors of the county to permit the county elections official to render specified services to the city or district relating to the conduct of an election; and

WHEREAS, the resolution of the governing body of the city or district shall specify the services requested; and

WHEREAS, pursuant to Elections Code Section 10002, the city or district shall reimburse the county in full for the services performed upon presentation of a bill to the city or district; and

WHEREAS, pursuant to Elections Code Section 10400, whenever two or more elections, including bond elections, of any legislative or congressional district, public district, city, county, or other political subdivision are called to be held on the same day, in the same territory, or in territory that is in part the same, they may be consolidated upon the order of the governing body or bodies or officer or officers calling the elections; and

WHEREAS, pursuant to Elections Code Section 10400, such election for cities and special districts may be either completely or partially consolidated; and

WHEREAS, pursuant to Elections Code Section 10403, whenever an election called by a district, city or other political subdivision for the submission of any question, proposition, or office to be filled is to be consolidated with a statewide election, and the question, proposition, or office to be filled is to appear upon the same ballot as that provided for that statewide election, the district, city or other political subdivision shall, at least 88 days prior to the date of the election, file with the board of supervisors, and a copy with the elections official, a resolution of its governing board requesting the consolidation, and setting forth the exact form of any question, proposition, or office to be voted upon at the election, as it is to appear on the ballot. Upon such request, the Board of Supervisors may order the consolidation; and

WHEREAS, the resolution requesting the consolidation shall be adopted and filed at the same time as the adoption of the ordinance, resolution, or order calling the election; and

WHEREAS, various district, county, state and other political subdivision elections may be or have been called to be held on November 8, 2016; and

WHEREAS, the City desires to adopt Ordinance No. 16-03 to impose a 5% utility user's tax on wireless telecommunication services, subject to a simple majority (50% plus 1) voter approval, as required by Cal. Const., art. XIII C, § 2(b); and

WHEREAS, by Resolution 16-26, the City Council declared by unanimous vote that a fiscal emergency exists in the City of Firebaugh pursuant to Article XIII C § 2(b) of the California Constitution which requires an election to approve a tax to be consolidated with a regularly scheduled general election for members of the governing body of the local government, except in cases of emergency declared by a unanimous vote of the governing body; and

WHEREAS, the City Attorney shall prepare an impartial analysis of the Measure.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED that the governing body of the City of Firebaugh hereby orders a traditional General election be called and consolidated with any and all elections also called to be held on November 3, 2016 insofar as said elections are to be held in the same territory or in territory that is in part the same as the territory of the County of Fresno, requests the Board of Supervisors of the County of Fresno to order such consolidation under Elections Code Section 10401 and 10403.

BE IT FURTHER RESOLVED AND ORDERED that said governing body hereby requests the Board of Supervisors to permit the Fresno County Elections Department to provide any and all services necessary for conducting the election and agrees to pay for said services, and

BE IT RESOLVED AND ORDERED that the Fresno County Elections Department shall conduct the election for the following MEASURE, designated as Measure “_____”, to be voted on at the November 8, 2016 general election:

Measure to be voted on:

Measure “_____” Ballot Question:

“Shall an ordinance be adopted to amend the City's Utility Users Tax in order to impose a 5% utility user's tax on wireless telecommunication technologies such as wireless and voice over internet services?

Yes [] No []”

BE IT FURTHER RESOLVED AND ORDERED that the Fresno County Elections Department is requested to print the attached measure text exactly as filed or indicated on the filed document in the Voter's Information Pamphlet section of the Sample Ballot for the November 8, 2016 election. Cost of printing and distribution of the measure text will be paid for by the City of Firebaugh.

The foregoing resolution was approved and adopted at a regular meeting of the City Council of the City of Firebaugh held on the 18th day of July, 2016, by the following vote:

AYES: Council Members
NOES: Council Members
ABSTAIN: Council Members
ABSENT: Council Members

APPROVED:

ATTEST:

Freddy Valdez
Mayor

Rita Lozano
Deputy City Clerk

RESOLUTION NO. 16-28

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH CONFIRMING THE DIAGRAM AND ASSESSMENT OF ANNUAL LEVY FOR FISCAL YEAR 2016-2017 FOR LANDSCAPING AND LIGHTING DISTRICT NO. 1

WHEREAS, pursuant to the Landscaping and Lighting Act of 1972 (Streets & Highways Code ' 22500 *et seq.*) (the "Act"), the City Council of the City of Firebaugh declared its intention to form, conducted all proceedings to form and did form Landscaping and Lighting Maintenance District No. 1 of the City of Firebaugh (the "District"), and has thereafter levied and collected the first assessment and subsequent annual assessments for maintenance and operation of landscaping, street lighting and other permanent improvements which constitute a portion of the public street, sidewalk and drainage systems within the District (collectively, the "Improvements") and which provide direct special benefits to the various parcels assessed over and above benefits conferred on the public at large; and

WHEREAS, the City Engineer has prepared and filed with the City Clerk a report entitled "Engineer's Report of the City of Firebaugh Landscape and Lighting Maintenance District No. 1, 2016-2017," dated June 20, 2016 (the "Annual Levy Report"), to which reference is hereby made, which Annual Levy Report contains a description of the existing Improvements in the District, the boundaries of the District and any zones therein, and the general location and proposed assessments on the assessable lots and parcels of land within the District; and

WHEREAS, the City Engineer also has prepared and filed with the City Clerk maps of the boundaries of the District; and

WHEREAS, on June 20, 2016, the City Council adopted Resolution No. 16-22, "A RESOLUTION OF INTENTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH TO LEVY AND COLLECT THE ANNUAL ASSESSMENTS DISTRICT NO. 1 (*Pursuant to the Landscaping and Lighting Act of 1972*), whereby the City Council declared its intention to levy and collect the annual assessments for operation and maintenance of the Improvements within the District for the 2016-2017 fiscal year; and

WHEREAS, the amount of the assessments proposed in the Annual Levy Report for the 2016-2017 fiscal year, except those assessments on the lots and parcels of land within Zone A (Tract No. 5529), are the same or less than the amount of the District assessments in all previous fiscal years; and

WHEREAS, the assessments on the lots and parcels within Zone A (Tract No. 5529) were proposed to increase by the change in the Consumer Price Index-U for the San Francisco Bay area as of December 2007 (the "CPI") over the December 2007 base year CPI, not to exceed three percent, as previously approved by a majority vote of the owners of the lots and parcels in Zone A voting in a land owner ballot proceeding on the issue of the assessment conducted on August 6, 2007, in accordance with Article XIIIID of the California Constitution and Section 53753 of the California Government Code; therefore, the proposed assessments on the lots and parcels in Zone A for fiscal year 2016-2017 are not deemed increased for purpose of these proposed annual assessment proceedings; and

WHEREAS, the proceeds of the assessments to be levied on the lots and parcels in the District will be used exclusively to finance the expenses for operation and maintenance of the Improvements for the 2016-2017 fiscal year, which operation and maintenance will provide direct special benefits to the various lots and parcels in the District, over and above the benefits conferred on the public at large; and

WHEREAS, the amount of the assessment on each lot or parcel in the District is proportional to and no greater than the special benefits conferred on such lot or parcel from operation and maintenance of the Improvements described in the Annual Levy Report; and

WHEREAS, after notice by publication of the Resolution of Intention as required by the Act, the City Council conducted a public hearing and heard and considered all objections and protests to proposed assessments on all lots and parcels within the District for fiscal year 2016-2017;

THEREFORE, the City Council of the City of Firebaugh resolves finds and determines as follows:

1. The recitals, findings and determinations in the Resolution of Intention are hereby restated and confirmed. The recitals in the Resolution of Intention and in this resolution, above, are true and correct.

2. The map of the boundaries of the District, prepared by the City Engineer, is hereby approved.

3. The territories within the District, whose boundaries are set forth in the Annual Levy Report, are the territories directly and specially benefited, over and above the benefits conferred on the public at large, from operation and maintenance of the Improvements described in the Annual Levy Report.

4. The hearing on the annual levy of assessments in the District for fiscal year 2016-2017 was noticed and held in accordance with law.

5. The Annual Levy Report, including the diagram of the District and the assessment of the estimated costs of operation and maintenance of the Improvements contained in the Annual Levy Report, and each and every part of the Annual Levy Report, are finally adopted, confirmed and approved.

6. The assessment diagram showing the District and the lots and parcels of land within the District, all as contained in the Annual Levy Report, is finally approved and confirmed as the diagram of the lots and parcels within the District to be assessed to pay the costs of operation and maintenance of the Improvements described in the Annual Levy Report.

7. The assessment of the total amount of the costs and the individual assessments thereof on the lots and parcels within the District, in proportion to the direct special benefits to be conferred on each such lot or parcel from operation and maintenance of the Improvements, and of the expenses incidental thereto, as set forth in the Annual Levy Report, is finally approved and confirmed as the annual assessment for the 2016-2017 fiscal year to pay such costs.

8. The levy of the annual assessments within the District for fiscal year 2016-2017, as described in the Resolution of Intention and the Annual Levy Report, is hereby ordered.

9. The City Clerk is authorized and directed to file the diagram of the District and assessments therein, as approved and confirmed by the Council, with the Fresno County Auditor-Controller Treasurer-Tax Collector immediately after adoption of this resolution.

10. This resolution shall take effect immediately upon adoption.

* * * * *

CERTIFICATION

The undersigned Mayor of the City of Firebaugh (the "City"), certifies that the foregoing resolution was adopted by the City Council of the City at a meeting thereof held on July 18, 2016, by the following vote:

AYES: COUNCIL MEMBERS
NOES: COUNCIL MEMBERS
ABSTAIN: COUNCIL MEMBERS
ABSENT: COUNCIL MEMBERS

APPROVED:

ATTEST:

Freddy Valdez, Mayor
City of Firebaugh

Rita Lozano, Deputy City Clerk
City of Firebaugh

6-4 VICIOUS DOGS.

6-4.1 Vicious Dog Defined.

Any dog, except one assisting a peace officer engaged in law enforcement duties, which demonstrates any of the following behavior, is presumed vicious:

- a. An attack, which requires a defensive action by any person to prevent bodily injury or property damage when such person is conducting himself or herself peacefully and lawfully.
- b. An attack, which results in property damage or in an injury to a person when such a person is conducting himself or herself peacefully and lawfully.
- d. Any behavior, which constitutes a threat of bodily harm to a person when such a person is conducting himself or herself peacefully and lawfully.
(Ord. #87-9, S1)

6-4.2 Investigation.

Any incident reported to the Firebaugh Police Department concerning a vicious dog may be investigated by the chief of police, or his designee. If, based on the investigation, the chief of police concludes that there is probable cause to believe that the dog is vicious, he shall so certify in writing to the person owning or controlling the dog within ten (10) days following completion of the investigation. Thereafter a hearing shall be held pursuant to subsections 6-4.4, 6-4.5 and 6-4.6 below. (Ord. #87-9, S1)

6-4.6 Hearing-Findings; Public Nuisance.

- a. If, after the hearing, or the report of the hearing officer, the city manager upholds the findings of the chief of police that the dog is vicious, he or she shall so specify in writing together with the reasons therefor. Any dog found to be vicious is hereby deemed to be a public nuisance and shall be, pursuant to the order of the city manager, humanely destroyed, removed from the city, or be otherwise abated by appropriate order of the city manager, including, but not limited to, those conditions specified in paragraph b. of this subsection 6-4.6.
- b. Without limiting the city manager's authority under paragraph (a), the city manager may order a dog determined to be vicious to be released to the owner or other person responsible for controlling the dog subject to such conditions as the city manager deems necessary to abate the vicious dog, including but not limited to any or all of the following:
 1. Leash and muzzle. No person shall permit a vicious dog to go outside its kennel or pen unless such dog is securely leashed with a leash no longer than four (4) feet in length. No person shall permit a vicious dog to be kept on a chain, rope or other type of leash outside its kennel or pen unless a person is in physical control of the leash. A vicious dog on a leash outside its kennel or pen, must be muzzled by a muzzling device, sufficient to prevent such dog from biting persons or other animals.
 2. Confinement. A vicious dog shall be kept securely confined indoors or in a securely enclosed and locked pen, kennel or other structure, except when leashed and muzzled as above provided.
 7. Reporting. The owner, keeper or harbinger of a vicious dog shall, within ten (10) days after the following incidents, report the following information in writing to the chief of police or his designee:
 - (a) Death or removal from the city of the dog;
 - (b) The new address of the dog owner, keeper or harbinger, if such owner, keeper or harbinger moves within the city limits;

If the city manager orders such conditional release, no person shall keep, possess, maintain or harbor within the city limits the dog covered by the order, except in full compliance with all conditions stated in the order. (Ord. #87-9, S1; Ord. #01-05, S3)

6-4.7 Appeals.

The city council shall hold a hearing on the appeal at its regularly scheduled meeting first occurring after the filing of the notice of appeal. The city council shall consider only the evidence received by the city manager, and may affirm, reverse or modify the order of the city manager. No new evidence shall be received. The decision of the city council shall be final.
(Ord. #87-9, S1)

Narrative

SOURCE:

On Friday, May 13th, 2016, at approximately 2031, I was on patrol in full uniform and operating a marked Firebaugh Police Department patrol vehicle. On this date and time, I was dispatched to 1544 N St Space #106, in regards to male individual reporting that a dog had just bitten his son.

INVESTIGATION:

I arrived on scene approximately one (1) minute from the time I was made aware of the incident in question. Upon arrival, I was flagged down by a male individual, who identified himself as the reporting party in this matter. The male individual quickly directed me towards his son. I was able to observe the young boy who was sobbing. At this time, I estimated him to be approximately ten (10) years of age. The young boy proceeded to lift his shirt and show me his back. At this point, I was able to locate a small laceration approximately two (2) inches in diameter on the center of his back. The wound was red but was not bleeding. It was apparent that the skin had been broken. Given the severity of the injury, which the boy sustained, I proceeded to advise dispatch to advise Fire and EMS to reduce to code 2. Firebaugh Fire Department arrived on scene approximately two (2) minutes after I did. Upon their arrival, they quickly advised dispatch to cancel EMS. Firebaugh Fire proceeded to tend to the young boys injuries. At this time, I proceeded to locate a witness.

WITNESS STATEMENT:

A female who identified herself by her State issued California Driver's License and proceeded to recount what events had transpired which subsequently lead to the young boy being bitten by the dog. She stated that one of the dog's multiple owners frequently taunts some of the young children who live in the area. She stated that he normally does this for his own personal entertainment. She advised that during today's incident, the victim in this matter saw the dog. Upon observing the dog, he ran away from it. The young boy in making this motion got the attention of the suspected dog which ultimately chased after him. The dog caught up to the fleeing boy and bit his back. The Female, stated that she observed the owner of the dog standing near it initially, and once the dog took off in pursuit, the owner made no attempt to stop the dog. The individual then, stated that the dog was at no point on a leash and frequently roams the neighborhood.

INVESTIGATION:

I proceeded to make contact with the owner who identified herself as Maria Rios-Ortiz, DOB: 02-08-1977. She stated that she observed the entire incident. In obtaining her statement, it was determined that it was consistent with the information provided by the reporting individual, the witness in this matter. Rios-Ortiz stated that she believed the reason her dog attacked the victim, was due to him constantly teasing it, whenever the dog is chained up. I concluded by obtaining her personal information for the completion of the report. She was subsequently advised that her dog was going to be picked-up and quarantined. She cooperated fully with the investigation of the case.

I continued by making contact with the now treated young boy who identified himself. He appeared to be in good spirits after being checked and cleared by Firebaugh Fire. I also made contact with his father who identified himself by his state issued California Driver's License. I was able to obtain all the necessary information for the completion of the report.

Upon completion of my investigation, I returned to Rios-Ortiz and advised her that I was going to be issuing her a Firebaugh Police Department Citation for violations of FMC 6-1.3 owners duty to control dog, and FMC 6-4.1(b) Vicious Dog. Her citation was mailed.

The rabies control report form was completed and faxed to the Fresno County Department of Public Health, Environmental health Division (see attached).

CITY OF FIREBAUGH



FRESNO COUNTY, CALIFORNIA

1133 "P" STREET
FIREBAUGH, CALIFORNIA 93622-2547
(559) 659-2043
FAX (559) 659-3412

June 22, 2016

Maria Rios-Ortiz
1544 "N" Street, Space #106
Firebaugh, CA 93622

Re: Notification of Vicious Dog Hearing Findings (Police Report # 160000453.1)

Dear Mrs. Maria Rios-Ortiz:

Thank you for your testimony on 25th day of May 2016. Based on the testimony given by you and other witnesses and by the other party along with information provided by the police department I find your dog to be vicious.

I'm ordering you to relocate the dog out of City limits. If you fail to do so, dog will be picked up and taken to dog shelter. You have a two week period to comply with this order as the date above.

You have violated the following Firebaugh Municipal Codes (FMC): FMC 6-1.2, FMC 6-1.3, FMC 6-4.1, and FMC 6-5.1 Violations.

The evidence presented such as photos, testimony and my research leads me to hereby declare the dog vicious, which constitutes a public nuisance.

My decision can be appealed to the city council by filing a notice of appeal with the City Clerk within ten (10) days of the above date.

Thank you in advance for your understanding. Should you have any questions please feel free to contact me at (559)659-2043.

Sincerely,

Benjamin Gallegos
City Manager

Violations

6-1 LICENSING AND REGULATION OF DOGS.

6-1.2 Licensing of Dogs.

- a. License requirement and fees. The owner or custodian of any dog over the age of four (4) months shall procure a city dog license and pay therefor an annual license fee as established by resolution of the city council for each dog which is not spayed or neutered and an annual license fee as established by resolution of the city council for each dog which is spayed or neutered. The license fee shall be due and payable on January 1 or July 1 annually. The amount of such license shall be paid to the city clerk and upon payment thereof, the city clerk shall issue a metal tag with the number and year of the issuance thereof and the words "City of Firebaugh" plainly inscribed thereon, and shall enter in a register kept by him for that purpose the name and address of the owner of the dog licensed or the person to whom such license is issued, a description of such dog, the number of the tag, and the date of its issuance. Duplicate metal tags may be issued upon payment as established by resolution of the city council for each duplicate tag so issued. Any person failing to procure and pay for such license within thirty (30) days of the date when it is due shall pay an additional fee as established by resolution of the city council as a penalty for such delinquency.
- b. Proof of neutering or spaying. Before a city dog license may be issued for the lower annual license fee for a dog which has been spayed or neutered, the owner or custodian of such dog shall provide evidence that the dog has been spayed or neutered. Such evidence shall be a certificate signed by a doctor of veterinary medicine, on his letterhead stationery.
- c. Attachment of tags. The dog license tag issued to any person upon the payment of the license fee herein provided shall be securely attached to a collar or harness on such dog; provided, however, that such tag need not be attached to any dog in the dwelling house of the owner or custodian or in an enclosed yard adjacent thereto. The pound master shall impound any dog not on the premises of the owner and not bearing a dog license tag from the city.

6-1.3 Owner's Duty to Control Dogs.

- a. Dogs at large. It shall be unlawful for any person owning or having charge of, care of, or control of any dog to permit or allow the same to run at large within the city upon any street, or other public place, or upon any private property without the consent of the owner thereof.
- b. Leash requirement. It shall be unlawful for any person owning or having charge of, care of or control of any dog to permit or allow same to be within the city upon any street, or other public place, or upon any private property, without the consent of the owner thereof, unless the dog is upon and secured to a cord, chain or leash and the length of such cord, chain or leash is no more than eight (8) feet in length, and the end thereof is secured to a person.
- c. Restraint of females. It is unlawful for the owner of any female dog to cause to permit the same to stray or run at large off the premises of the owner or in any public place while in heat, and it shall be the duty of any officer to take up and impound such female dog whether licensed or unlicensed which is found running at large in violation of this section. The dog may be redeemed only after the expiration of a period of ten (10) days from the date of such impounding and then only upon the payment of a redemption fee of ten (\$10.00) dollars.

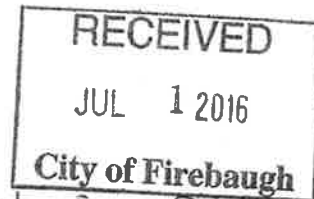
6-5 VACCINATION OF DOGS.

6-5.1 Annual Vaccination Required.

It shall be unlawful for any person owning, having an interest in, harboring, or having the care, charge, custody, or possession of a dog to allow or permit such dog to go on the public streets in any manner, or to go free and run at large in or upon any place in the city, unless such dog has been vaccinated with canine rabies vaccine - one injection or approved method - within a period of twelve (12) months. This vaccination shall be performed by a licensed veterinarian approved by the board of health. The persons vaccinating the dog shall issue certificates of vaccination on blanks furnished by the city. (Ord. #355, S7)

My name is Maria Rios my address is 1544 N St SP16 Firebaugh CA.

The reason for which I asked for the appeal for the dog is because I do not agree with the decision that the City Manager made. It's because they want to show the dog is mean and that is not it the dog is playful that is why I do not believe the decision made was just for us because the dog is like part of the family that is how we see it.



My nombre es Maria Rios
mi dirección es
1544 N St sp 16 firebaugh CA

El motivo por el cual pedi
la apelación por lo del perro
es porque no estoy de acuerdo
con la dección que tomo
el city manager es porque
quieren acer pasar al perro
como un perro bravo y no es
asi el perro es jugueton
por eso no creo que aya
cido una decición Justa
para no so tros porque el
perro es como una parte
de la familia asi lo vemos

Maria Rios





To whom it may concern:

Thank you for the opportunity to speak about the Firebaugh Football Boosters Kick Off Dinner fundraising event. Here's a little background information on what we're doing.

We are a newly established nonprofit boosters club, looking to work together with Coach Kelly and his staff, to provide the athletes with a rewarding experience both on and off the field. Starting a new football program always meets you with many challenges. One of those challenges being funding for the program to provide the proper safety equipment for the players, and the proper technology for the coaches to be able to view and critique films for the games.

Coach Kelly has expressed his desire to expose these young athletes to various opportunities throughout the season. For example: taking the team to Pismo Beach for a Lineman Competition & Passing League Tournament. He would also like to incorporate team dinners into the schedule on Wednesdays and Friday evenings during the season. This will encourage fellowship with one another, and positive interaction with parents and members of the community.

We are planning to earn some of these funds by hosting a Football Kick Off dinner and silent auction for the community. We are asking that the funds be waived for this year's event, given that we are newly established, and looking to create a solid foundation for our organization.

The event will be held on August 20, 2016, time to be determined. We would like this to be an uplifting experience for the entire community. Thank you for taking the time to read this request. If you require any additional information, please don't hesitate to contact me at the information listed below.

Ashleigh W. Kelly, FHS Football Boosters Secretary
(559) 347-4339

CITY OF FIREBAUGH



FRESNO COUNTY, CALIFORNIA

1133 "P" STREET
FIREBAUGH, CALIFORNIA 93622-2547
(559) 659-2043
FAX (559) 659-3412

FACILITIES RENTAL AGREEMENT- A.F. COMMUNITY BUILDING

In order to pursue with your request, it is important that you read and fill out this form completely.
Failure to do so may result in a delay on your request.

NAME OF APPLICANT (nombre): FHS FOOTBALL BOOSTERS		ADDRESS (dirección): 1976 MORRIS KYLE DR	
HOME PHONE (teléfono): _____	WORK PHONE (trabajo): _____	RENTAL PURPOSE? (actividad): FUNDRAISER KICK OFF DINNER / DANCE	
DATE OF RENTAL (fecha): AUGUST 20, 2016		HOURS THAT FACILITY WILL BE RENTED? (horas de renta): From: 400 <input type="checkbox"/> am / <input checked="" type="checkbox"/> pm To: 1200 <input checked="" type="checkbox"/> am / <input type="checkbox"/> pm	
HOW MANY PEOPLE WILL BE ATTENDING? (cantidad de gente): 200		PERSON IN CHARGE, INCLUDE TELEPHONE:	
WILL ALCOHOL BE SERVED? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO		TIMES THAT ALCOHOL WILL BE SERVED (horas de alcohol): <input type="checkbox"/> N/a	
IS AN "ABC" LICENSE REQUIRED? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO		From: 500 <input type="checkbox"/> am / <input checked="" type="checkbox"/> pm To: 1200 <input checked="" type="checkbox"/> am / <input type="checkbox"/> pm	
NUMBER OF OFFICERS TO BE DETERMINED BY POLICE DEPARTMENT (\$32.60 PER HOUR/PER OFFICER)			

- | | | |
|--|--|--|
| <input type="checkbox"/> \$800.00 Daily | <input type="checkbox"/> \$500.00 Non-Profit | <input type="checkbox"/> \$350.00 Local Non-Profit |
| <input type="checkbox"/> \$125.00 Hourly | <input type="checkbox"/> \$80.00 Non-Profit Hourly | <input type="checkbox"/> \$40.00 Local Non-Profit Hourly |
| <input checked="" type="checkbox"/> \$100.00 Chair Rentals | <input checked="" type="checkbox"/> \$100.00 Table Rentals | |

- a. WILL YOU USE A P.A. SYSTEM? ☐ YES ☒ NO
- b. WILL YOU HAVE MUSIC? ☒ YES ☐ NO ----->IF **YES**, CONTINUE TO SECTION "c"
- c. SPECIFY TYPE OF MUSIC: ☐ HOME STEREO OR PORTABLE STEREO
☒ DEE-JAY (DJ) / DISC JOCKEY ☒ LIVE BAND

UNLESS PRIOR ARRANGEMENTS ARE MADE

Applicant agrees and understands that the City is not an insurer and that the insurance concerning personal injury (including death,) and real or personal property loss or damage in, about or on the premises shall be obtained by the applicant. That the amounts charged by the City are not sufficient to warrant or guarantee that no loss, damage, claim or liability will occur or that increased loss, damage, claims or liability will not occur. Applicant does hereby for him/her/itself and all parties claiming under him/her/it release and discharge the City of Firebaugh from and against all said losses, damages, claims or liability.

1. Agreed upon Rental and deposits Fee as listed above in accordance with Regulations.
2. Due to insurance requirements. NO City Employee will be allowed to donate time to supervise Activities.
3. Staff will inspect facilities after clean-up and deposits will be returned with the next scheduled Bills Payable approval (30-45 days.)
4. **\$1,000,000 Insurance Required for City Facilities.**
5. Smoking is NOT permitted inside any City of Firebaugh building.
6. Cancellation: Renter shall notify City no later than thirty (30) days before its scheduled use of the A/F Hall, of its intent to cancel such use, except as provided herein. If RENTER fails to provide such notice, City shall retain RENTER'S fee for use of the A/F Hall. City shall return RENTER'S deposit for use of the A/F Hall in the event of cancellation.
7. **All activities must shut down one half (1/2) hour early, as per the time listed above in hours of rental. Please initial** *JK*

FAC01	APPLICATION PROCESSING FEE NON REFUNDABLE	\$ 25.00
FAC03	CLEANING DEPOSIT - REFUNDABLE	\$ 150.00
RMA01	INSURANCE (\$125.98)	\$
FAC01	RENTAL FEE TABLE/CHAIRS (200.00)	\$
FAC01	RENTAL FEE IS NON REFUNDABLE	\$
PD002 5% / PD003	SECURITY REQUIRED _____ X \$32.60 per hour	\$
	TOTAL DUE:	\$
	TOTAL PAID:	\$

APPLICANT'S SIGNATURE: *[Signature]*

DATE: **7/11/16**

RESOLUTION NO. 16-27

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH
SUBMITTING A CLAIM FOR TRANSPORTATION DEVELOPMENT ACT (TDA) FUNDS
CONTINUING FROM THE 2016-2017 FISCAL YEAR, THEREBY COINCIDING WITH THE
FRESNO COUNCIL OF GOVERNMENTS POLICY BOARD APPROVAL OF TDA FUNDS
APPORTIONMENT AND TDA CLAIMS PROCESS**

WHEREAS, the City of Firebaugh hereby submits a TDA Funding Claim for the Local Transportation Fund, and State Transit Assistance Fund of Fresno County continuing from fiscal year 2016-2017; and thereafter

WHEREAS, the Fresno COG has the authority to review claims and allocate such funds in accordance with the Transportation Development Act of 1971 and Chapter 3 of Title 21 of the California Administrative Code; and

WHEREAS, the Fresno COG encourages inter-jurisdictional coordination of transportation needs and increased coordination of transportation implementation plans.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Firebaugh hereby requests that the Fresno COG allocate the amounts approved by resolution by the Fresno COG Policy Board, from the Local Transportation Fund, and State Transit Assistance Fund to the named applicant for fiscal year 2016-2017; and thereafter for the purposes allowed under Articles 3, 4.5 and 8 of the Transportation Development Act of 1971, as identified in the attached claim and which is in accordance with the adopted Regional Transportation Plan.

BE IT FURTHER RESOLVED, that the City Council of the City of Firebaugh hereby requests that of the City's total Transportation Fund Apportionment for fiscal year 2016-2017; and thereafter, in the amount approved by resolution by the Fresno COG Policy Board, be allocated from the Local Transportation Fund to the Fresno COG for the purpose of conducting Regional Transportation Planning.

BE IT FURTHER RESOLVED, that the City Council of the City of Firebaugh hereby requests that of the City's total Transportation Fund Apportionment for fiscal year 2016-2017; and thereafter, in the amount approved by resolution by the Fresno COG Policy Board, be allocated to the Fresno County Rural Transit Agency for the purpose of conducting a transportation program consistent with the adopted Regional Transportation Plan.

BE IT FURTHER RESOLVED that the named applicant further agrees to provide the Fresno COG with such information as may be necessary to support its annual transportation claim.

The foregoing resolution was duly adopted by the Firebaugh City Council at a regular meeting held on the 18th day of July 2016, by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

ATTEST:

Freddy Valdez
Mayor

Rita Lozano
Deputy City Clerk

Enter Date: **6/28/2016**Claimant Name: **City of Firebaugh****TRANSPORTATION FUNDING CLAIM DETAIL FOR FISCAL YEAR: 2016/17**

PURPOSE		AMOUNT	SUBTOTAL
1. Bicycle & Pedestrian Facilities:			
	Article 3:	\$ 5,781.00	
	Article 8a:		
	Audit Exceptions (General Fund Payback);		
	Unexpended Funds, Held by Claimant:		
			\$ 5,781.00
2. Regional Transportation Planning:			
		\$ 8,073.00	\$ 8,073.00
3. Public Transportation			
	State Transit Assistance Funds (STA):	\$ -	
	Other:		
			\$ -
4. Community Transit Service CTSA, Article 4.5:			
		\$ 13,682.00	\$ 13,682.00
5. Streets & Roads:			
	Article 8a:	\$ 232,872.00	
	Unexpended Funds, Held by Claimant:		
			\$ 232,872.00
6. To Be Claimed By:			
	Fresno County Rural Transit Agency LTF:	\$ 28,154.00	
	Fresno County Rural Transit Agency STA:	\$ 32,777.00	
	Other:	\$ -	
			\$ 60,931.00
7. Reserve in Fund Pending Further Claiming			
			\$ -
GRAND TOTAL			\$ 321,339.00
Claim Total Must Agree With Total on First Page			\$ 321,339.00
Minus Non Transit Claims			\$ 82,686.00
GRAND TOTAL PAYABLE TO CLAIMANT			\$ 238,653.00

Allocation instructions and payment by the Fresno County Auditor-Controller to the applicant is subject to such monies being available for distribution, and to the provisions that such monies will be used only in accordance with the rules and regulations of the Transportation Development Act.

Enter Date: **6/28/2016**Claimant Name: **City of Firebaugh****TRANSPORTATION FUNDING CLAIM DETAIL FOR FISCAL YEAR: 2016/17**

PURPOSE		AMOUNT	SUBTOTAL
1. Bicycle & Pedestrian Facilities:			
	Article 3:	\$ 5,781.00	
	Article 8a:		
	Audit Exceptions (General Fund Payback);		
	Unexpended Funds, Held by Claimant:		
			\$ 5,781.00
2. Regional Transportation Planning:			
		\$ 8,073.00	\$ 8,073.00
3. Public Transportation State Transit Assistance Funds (STA):			
		\$ -	
	Other:		
			\$ -
4. Community Transit Service CTSA, Article 4.5:			
		\$ 13,682.00	\$ 13,682.00
5. Streets & Roads:			
	Article 8a:	\$ 232,872.00	
	Unexpended Funds, Held by Claimant:		
			\$ 232,872.00
6. To Be Claimed By:			
	Fresno County Rural Transit Agency LTF:	\$ 28,154.00	
	Fresno County Rural Transit Agency STA:	\$ 32,777.00	
	Other:	\$ -	
			\$ 60,931.00
7. Reserve in Fund Pending Further Claiming			
			\$ -
GRAND TOTAL			\$ 321,339.00
Claim Total Must Agree With Total on First Page			\$ 321,339.00
Minus Non Transit Claims			\$ 82,686.00
GRAND TOTAL PAYABLE TO CLAIMANT			\$ 238,653.00

Allocation instructions and payment by the Fresno County Auditor-Controller to the applicant is subject to such monies being available for distribution, and to the provisions that such monies will be used only in accordance with the rules and regulations of the Transportation Development Act.

Enter Date: **6/28/2016**Claimant Name: **City of Firebaugh****BICYCLE AND PEDESTRIAN FACILITIES FOR FISCAL YEAR: 2016/17**

Two percent (2%) of the claimant's Local Transportation Fund apportionment must be spent on bicycle and pedestrian facilities (PUC 99233.3 and 99234); such claims are to be filed as Article 3. Claims for projects in excess of 2% may be filed as Article 8a (PUC 99400(a)). If other funding is to be used with Local Transportation Funds to implement projects, such funding should be shown on the claim form.

PROJECT TITLE & BRIEF DESCRIPTION	PROJECT COST
1. Various Bicycle & Pedestrian Facilities throughout the claimant's jurisdiction:	\$ 5,781.00
AND/OR:	
Other - describe briefly if applicable:	\$ -
Other - describe briefly if applicable:	\$ -
Other - describe briefly if applicable:	\$ -
TOTAL PROJECT COSTS	\$ 5,781.00

STREETS AND ROADS CLAIM FOR FISCAL YEAR: 2016/17

Local Transportation Funds coming to claimants within Fresno County may be used for streets and roads improvements and maintenance pursuant to Article 8 (PUC 99400), but only after Fresno COG makes a finding that public transportation needs within the claimant's jurisdiction are reasonably met by satisfying the service requirements set forth by the Regional Transportation Plan (PUC 99401.5).

PROJECT TITLE & BRIEF DESCRIPTION	PROJECT COST
1. Development, Construction & Maintenance Facilities throughout the claimant's jurisdiction:	\$ 232,872.00
AND/OR:	
Other - describe briefly if applicable:	\$ -
Other - describe briefly if applicable:	\$ -
Other - describe briefly if applicable:	\$ -
TOTAL PROJECT COSTS	\$ 232,872.00

Enter Date: 6/28/2016

Claimant Name: City of Firebaugh

CONTINGENCY PROJECT LISTING FOR FISCAL YEAR: 2016/17

CHECK ALL THAT APPLY (Enter "X" in yellow box)

BICYCLE AND PEDESTRIAN FACILITIES

☒ Article 3

PUBLIC TRANSPORTATION

☒ Article 4

STREETS & ROADS


☒ Article 8a

STANDARD ASSURANCES FOR CLAIMANTS

CLAIMANT ASSURANCES: (initial yellow box all that apply)

- ☒ A. Claimant certifies that it has submitted a satisfactory, independent fiscal audit, with required certification statement, to the RTPA and to the State Controller, pursuant to PUC 99245 and 21 Cal. Code of Regulations Section 6664 for the prior fiscal year (project year minus two). Claimant assures that this audit requirement will be completed for the current fiscal year (project year minus one).
- ☒ B. Claimant certifies that it has submitted a State Controller Report to the RTPA and to the State Controller, pursuant to PUC 99243.

The undersigned hereby certifies that the above statements are true and correct.
Please print and sign after completing form

Authorized Signature: 
Name/Title: Pio Martin, Finance Director
Date: 6/28/2016

RESOLUTION NO. 16-29

A RESOLUTION APPROVING AND ADOPTING A REPORT OF CHARGES FOR SEWER SERVICES AND FACILITIES, PLUS DELINQUENCIES, IF ANY, IN THE EASTSIDE ACRES/EASTSIDE COURT AREA OF MADERA COUNTY SERVED BY THE CITY OF FIREBAUGH, FOR FISCAL YEAR 2016-2017. MAKING FINAL DETERMINATION AS TO ALL OF SAID CHARGES AND AUTHORIZING AND DIRECTING THE CITY CLERK TO FILE A COPY OF SAID REPORT WITH THE COUNTY AUDITOR OF MADERA COUNTY, FOR ENTRY OF THE AMOUNTS OF SAID CHARGES, AGAINST THE RESPECTIVE LOTS OR PARCELS OF LAND AS THEY APPEAR ON ASSESSMENT ROLL FOR THE FISCAL YEAR 2016-17

WHEREAS, pursuant to Section 5473 of the Health and Safety Code of the State of California, the Firebaugh City Council adopted Resolution No. 11-43, on the 21st day of November, 2011, electing to have charges for sewer service to Eastside Acres/Eastside Court Area of Madera County which is served by the City of Firebaugh sewer service: fees, plus outstanding delinquencies, if any, collected in fiscal year 2016-17 on the tax roll together with general taxes; and

WHEREAS, a written report has been filed with the City Clerk containing a description of each parcel of real property receiving such service and facilities, the amount of charge for each such parcel and current delinquencies, if any, to be collected during the fiscal year 2016-2017; and

WHEREAS, pursuant to Sections 5473.1 and 5473.2 of the Health and Safety Code, the City Clerk has caused notice of the filing of said report, and notified of a time and place for hearing, thereon to be published pursuant to Section 6066 of Government Code and has caused a notice in writing of the filing of said report to be mailed to each person to whom any parcel or parcels of real property described in said report is assessed at the address shown on the last equalized assessment roll; and

WHEREAS, at the time stated in said notice, to wit: Monday, July 18, 2016 at the hour of 6:00 P.M. or as soon thereafter as the matter could be heard, the City Council has heard and considered all objections or protest, if any, to said report referred to in said notice and is prepared to adopt the same.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FIREBAUGH AS FOLLOWS:

1. After notice and public hearing, upon the matter of the adoption by the City Council, of a written report, containing a description of each parcel of real property in the unincorporated territory of Madera County, also known as "Eastside Acres/Eastside Court" Area, receiving sewer services and facilities, together with the amount of charges for each such parcel. Including current delinquencies, if any, the City Council hereby finds and determines that protest to said report were not made by owners of a majority of separate parcels of property described in said report and further finds that such report be hereby adopted; the Council, further determines that each charge as described in said report should be confirmed, adopted and shall be final.
2. The City Clerk is hereby authorized and directed to forthwith file with the Auditor of Madera County; a copy of said report with a statement endorsed on the report over his/her signature that the report has been finally adopted by the City Council of the City of Firebaugh, and that the Auditor shall enter the amounts of the charges against the respective lots or parcels of land as they appear on the current assessment roll, for collection on the assessment roll during the fiscal year 2016-2017.

The foregoing resolution was approved and adopted by the City Council of the City of Firebaugh, at a regular meeting held on the 18th day of July 2016, by the following votes:

AYES: Council Member(s)

NOES: Council Member(s)

ABSTAIN: Council Member(s)

ABSENT: Council Member(s)

APPROVED:

ATTEST:

Freddy Valdez
Mayor

Rita Lozano
Deputy City Clerk

STAFF REPORT

TO: Firebaugh City Council
FROM: Gouveia Engineering, Inc.
DATE: July 18, 2016
SUBJECT: Bid Acceptance – City of Firebaugh Poso Canal Trail and Pedestrian Improvements at 3 Locations CML-5224(015) & CML-5224(019)

BACKGROUND

The major work consists of constructing approximately 1,500 linear feet of asphalt concrete trail, trailhead facilities, 1,400 linear feet of sidewalk, and miscellaneous concrete improvement at various locations in the City of Firebaugh.

The project was advertised on June 1, 2016, June 8, 2016, and June 15, 2016, and bids were opened July 6, 2016.

DISCUSSION

A total of two bids were opened and read aloud at 2:00 p.m. on July 6, 2016, this being the advertised bid opening date and time. Cal Valley Construction submitted the lowest bid, in the amount of \$429,787.00. The Bid results were as listed:

<u>Contractor</u>	<u>Total Bid</u>
Cal Valley Construction	\$429,787.00
Rolfe Construction	\$432,252.00
Engineer's Estimate	\$419,301.00

FISCAL IMPACT

Construction of the project will be 100% funded by two CMAQ grants. The construction contract for the Poso Canal Trail portion of work is \$178,246.00 and the construction contract for the Improvements at three Locations is \$251,541.00. The total construction contract amount is \$429,787.00.

Fiscal Impact: No fiscal impact.

RECOMMENDATION

Staff recommends that the Council accept the low bid from Cal Valley Construction for \$429,787.00 and authorize the City Manager to sign the Agreement on behalf of the City of Firebaugh.

RESOLUTION NO. 16-30

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH ACCEPTING BID AND
AWARDING CONTRACT TO CAL VALLEY CONSTRUCTION FOR POSO CANAL TRAIL AND
PEDESTRIAN IMPROVEMENTS AT 3 LOCATIONS CML-5224(015) & CML-5224(019)**

WHEREAS, the Invitation to Bid for the POSO CANAL TRAIL AND PEDESTRIAN IMPROVEMENTS AT 3 LOCATIONS CML-5224(015) & CML-5224(019) in the City of Firebaugh was listed in the Firebaugh-Mendota Journal on June 1, 2016, June 8, 2016 and June 15, 2016; and

WHEREAS, the project will consist of constructing approximately 1,500 linear feet of asphalt concrete trail, trail head facilities, 1,400 linear feet of sidewalk, and miscellaneous concrete improvement 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 July 6, 2016 at 2:00 p.m.

<u>Contractor</u>	<u>Total Bid</u>
Cal Valley Construction	\$429,787.00
Rolfe Construction	\$432,252.00

WHEREAS, the City Engineer's Estimate was \$419,301.00.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF FIREBAUGH RESOLVES upon the recommendation of the City Engineer that the POSO CANAL TRAIL AND PEDESTRIAN IMPROVEMENTS AT 3 LOCATIONS CML-5224(015) & CML-5224(019) be awarded to Cal Valley Construction, 62758 W. Bullard Avenue, Fresno, CA 93722 in the amount of Four Hundred Twenty-Nine Thousand, Seven Hundred Eighty-Seven Dollars (\$429,787.00).

The foregoing resolution was adopted at a regular meeting of the City Council of the City of Firebaugh the 18th day of July, 2016 and passed at said meeting by the following vote:

AYES:

NOTES:

ABSENT:

ABSTAIN:

APPROVED:

APPROVED:

Freddy Valdez, Mayor

Rita Lozano, Deputy City Clerk

CERTIFIED:

I, Rita Lozano, Deputy City Clerk of the City of Firebaugh, do hereby certify that the foregoing resolution was duly adopted and passed by the City Council at a regular meeting of said City Council, held at the Firebaugh Council Chambers on July 18, 2016, by the following vote:

Rita Lozano, Deputy City Clerk

STAFF REPORT

TO: Firebaugh City Council
FROM: Gouveia Engineering, Inc.
DATE: July 18, 2016
SUBJECT: Bid Acceptance – City of Firebaugh Waterline Replacement & River Lane and Cardella Street Pavement Rehabilitation

BACKGROUND

The major work consists of pulverizing and reconstructing approximately 135,750 square feet of asphalt concrete pavement, installing 840 linear feet of waterline, transferring 26 water services, constructing a sewer manhole, replacing concrete curb and gutter, driveways, and sidewalk at various locations in the City of Firebaugh

The project was advertised on June 15, 2016, June 22, 2016 and June 29, 2016 and bids were opened July 6, 2016.

DISCUSSION

A total of 4 bids were opened and read aloud at 2:30 p.m. on July 6, 2016, this being the advertised bid opening date and time. The low bid was submitted by Cal Valley Construction, in the amount of \$581,637.50. The Bid results were as listed:

<u>Contractor</u>	<u>Total Bid</u>
Cal Valley Construction	\$581,637.50
Rolfe Construction	\$627,425.00
Agee Construction Corp.	\$632,619.00
Avison Construction	\$661,002.00
Engineer's Estimate	\$639,167.00

FISCAL IMPACT

Construction of the project will be covered using City Street Funds, Water Funds, and Sewer Funds.

RECOMMENDATION

The Staff recommends that the Council accept the low bid from Cal Valley Construction for \$581,637.50 and authorize the City Manager to sign the Agreement on behalf of the City of Firebaugh.

RESOLUTION NO. 16-31

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH ACCEPTING BID AND
AWARDING CONTRACT TO CAL VALLEY CONSTRUCTION FOR WATERLINE
REPLACEMENT & RIVER LANE AND CARDELLA STREET PAVEMENT REHABILITATION**

WHEREAS, the Invitation to Bid for the WATERLINE REPLACEMENT & RIVER LANE AND CARDELLA STREET PAVEMENT REHABILITATION in the City of Firebaugh was listed in the Firebaugh-Mendota Journal on June 15, 2016, June 22, 2016 and June 29, 2016; and

WHEREAS, the project will consist of pulverizing and reconstructing approximately 135,750 square feet of asphalt concrete pavement, installing 840 linear feet of waterline, transferring 26 water services, constructing a sewer manhole, replacing concrete curb and gutter, driveways, and sidewalk 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 July 6, 2016 at 2:30 p.m.

<u>Contractor</u>	<u>Total Bid</u>
Cal Valley Construction	\$581,637.50
Rolfe Construction	\$627,425.00
Agee Construction	\$632,619.00
Avison Construction	\$661,002.00

WHEREAS, the City Engineer's Estimate was \$639,167.00.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF FIREBAUGH RESOLVES upon the recommendation of the City Engineer that the WATERLINE REPLACEMENT & RIVER LANE AND CARDELLA STREET PAVEMENT REHABILITATION be awarded to: Cal Valley Construction, 6271 W. Bullard Avenue Fresno, CA 93722 in the amount of Five Hundred Eighty-One Thousand, Six Hundred Thirty-Seven Dollars and Fifty Cents (\$581,637.50).

The foregoing resolution was adopted at a regular meeting of the City Council of the City of Firebaugh the 18th day of July, 2016 and passed at said meeting by the following vote:

AYES:

NOTES:

ABSENT:

ABSTAIN:

APPROVED:

APPROVED:

Freddy Valdez, Mayor

Rita Lozano, Deputy City Clerk

CERTIFIED:

I, Rita Lozano, Deputy City Clerk of the City of Firebaugh, do hereby certify that the foregoing resolution was duly adopted and passed by the City Council at a regular meeting of said City Council, held at the Firebaugh Council Chambers on July 18, 2016, by the following vote:

Rita Lozano, Deputy City Clerk