

# **COUNCIL MEETING AGENDA**

## **The City Council/Successor Agency of the City of Firebaugh**

**Vol. No.18/03-05**

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**Location of Meeting:** **Andrew Firebaugh Community Center**  
**1655 13<sup>th</sup> Street, Firebaugh, CA 93622**

**Date/Time:** **March 5, 2018/6:00 p.m.**

### **CALL TO ORDER**

**ROLL CALL**

Mayor Felipe Pérez  
Mayor Pro Tem Marcia Sablan  
Council Member Elsa Lopez  
Council Member Freddy Valdez  
Council Member Brady Jenkins

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**

- Lake Joallen Subdivision PowerPoint Presentation by Robert Bruch.

### **CONSENT CALENDAR**

Items listed on the calendar are considered routine and are acted upon by one motion unless any Council member requests separate action. Typical items include minutes, claims, adoption of ordinances previously introduced and discussed, execution of agreements and other similar items.

1. **APPROVAL OF MINUTES – The City Council regular meeting on February 21, 2018.**

### **NEW BUSINESS**

2. **THE CITY COUNCIL OF THE CITY OF FIREBAUGH TO DISCUSS POTENTIAL APARTMENTS IN AN AREA DESIGNATED FOR COMMERCIAL DEVELOPMENT.**

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

3. **RESOLUTION NO. 18-13 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH SUPPORTING THE REDUCING CRIME AND KEEPING CALIFORNIA SAFE ACT OF 2018.**

**Recommended Action:** Council receives public comment & approves Res. No. 18-13.

4. **RESOLUTION NO. 18-14 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH STATING ITS INTENTION TO BE REIMBURSED FOR EXPENDITURES INCURRED AHEAD OF THE APPROVAL OF THE DISBURSEMENT OF CWSRF CONSTRUCTION FUNDS FROM THE STATE WATER RESOURCES CONTROL BOARD.**

**Recommended Action:** Council receives public comment & approves Res. No. 18-14.

**STAFF REPORTS**

**PUBLIC COMMENT ON CLOSED SESSION ITEM ONLY**

**CLOSED SESSION**

**ANNOUNCEMENT AFTER CLOSED SESSION**

**ADJOURNMENT**

**Certification of posting the Agenda**

I declare under penalty of perjury that I am employed by the City of Firebaugh and that I posted this agenda on the bulletin boards at City Hall, March 1, 2018 at 5:00 p.m. by Rita Lozano Deputy City Clerk.

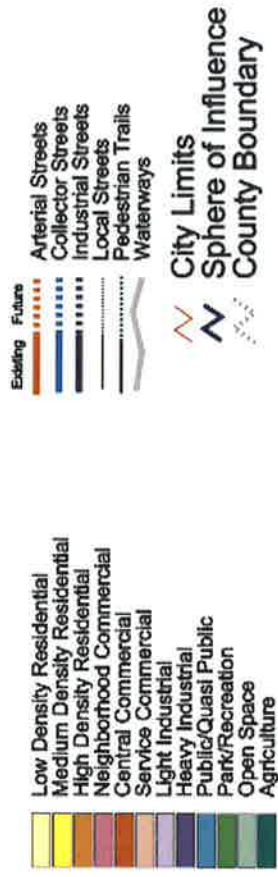
# Camp Champion: City of Firebaugh

Smart Growth & Alignment with 2030 General Plan and Beyond  
**2018 Lake Joallan Subdivision - Veteran Inspired Community**  
**Submitted by: USS Cal Builders and Delta Vector USA LLC**

1



## Interpretive 2030 Firebaugh General Plan - Proposed Land Use Map with Circulation and Open Space Features



## Master Planned – Smart Growth

Veteran Inspired Community  
Multiple Phase Development



### Lake Joallen Subdivision

Green LEED Housing & Solar Power

Economic Development & City Tax Benefits

Growth Management (Phases: 1-4)

Dog Park, Community Garden, Home Finding Center

Camp Champion Club House (Veteran Inspired)

Pool, Gym, Workout Classes for Seniors & Adults

Warrior Built Foundation: Recreation and Vocation for Veterans

Walking Trails / Bike Trails / Informative Platforms on Ecology

Grey Water Reclamation / Lakeshore Improvement

Directional Signage and Firebaugh Welcome Signs

Docks, Doc Pods, Paddle Boards & Paddle Boats

Agricultural Education, GreenHouse Food Generation

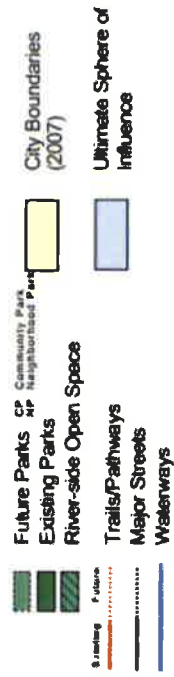
Infrastructure: Streets, Sidewalks, Storm Water Biowales

WIFI Free Community, Ecosystems, Drought Resistant Plants



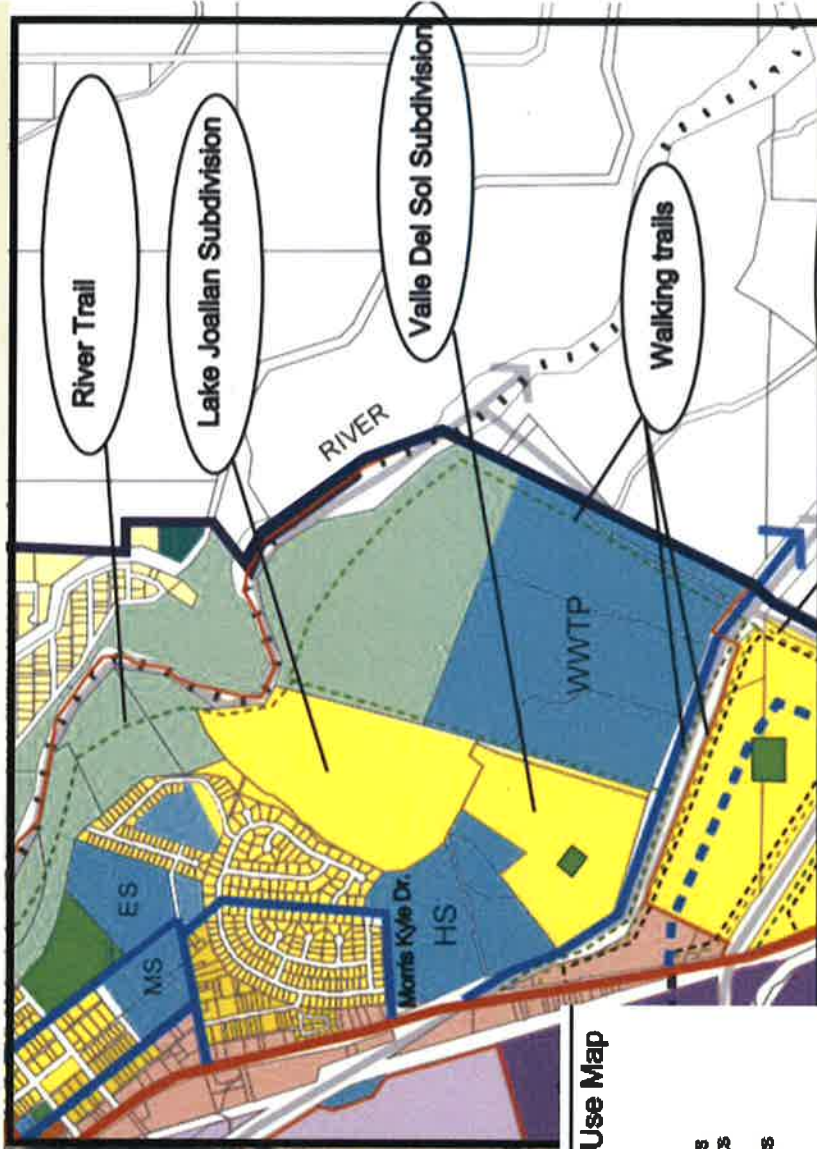
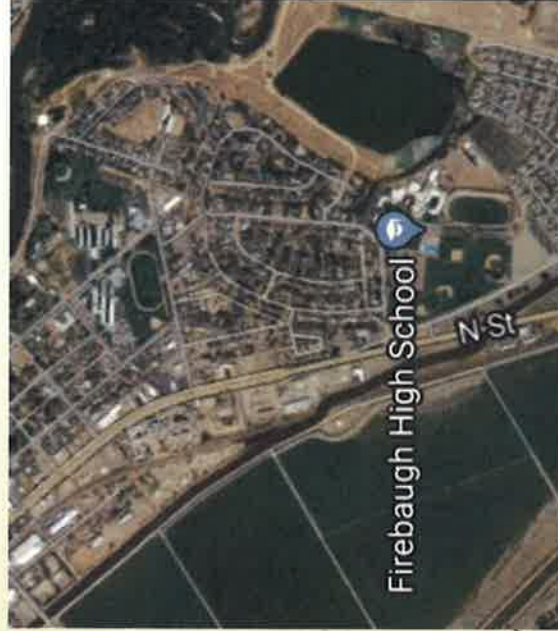
## Phase 1: Interpretive Wild Life Trail Along San Joaquin River

## Parks and Open Space Strategic Alignment



**Collins & Schoettler**  
PLANNING CONSULTANTS

# General Plan (GP) Proposed Land Use Strategic Alignment with City of Firebaugh and GP

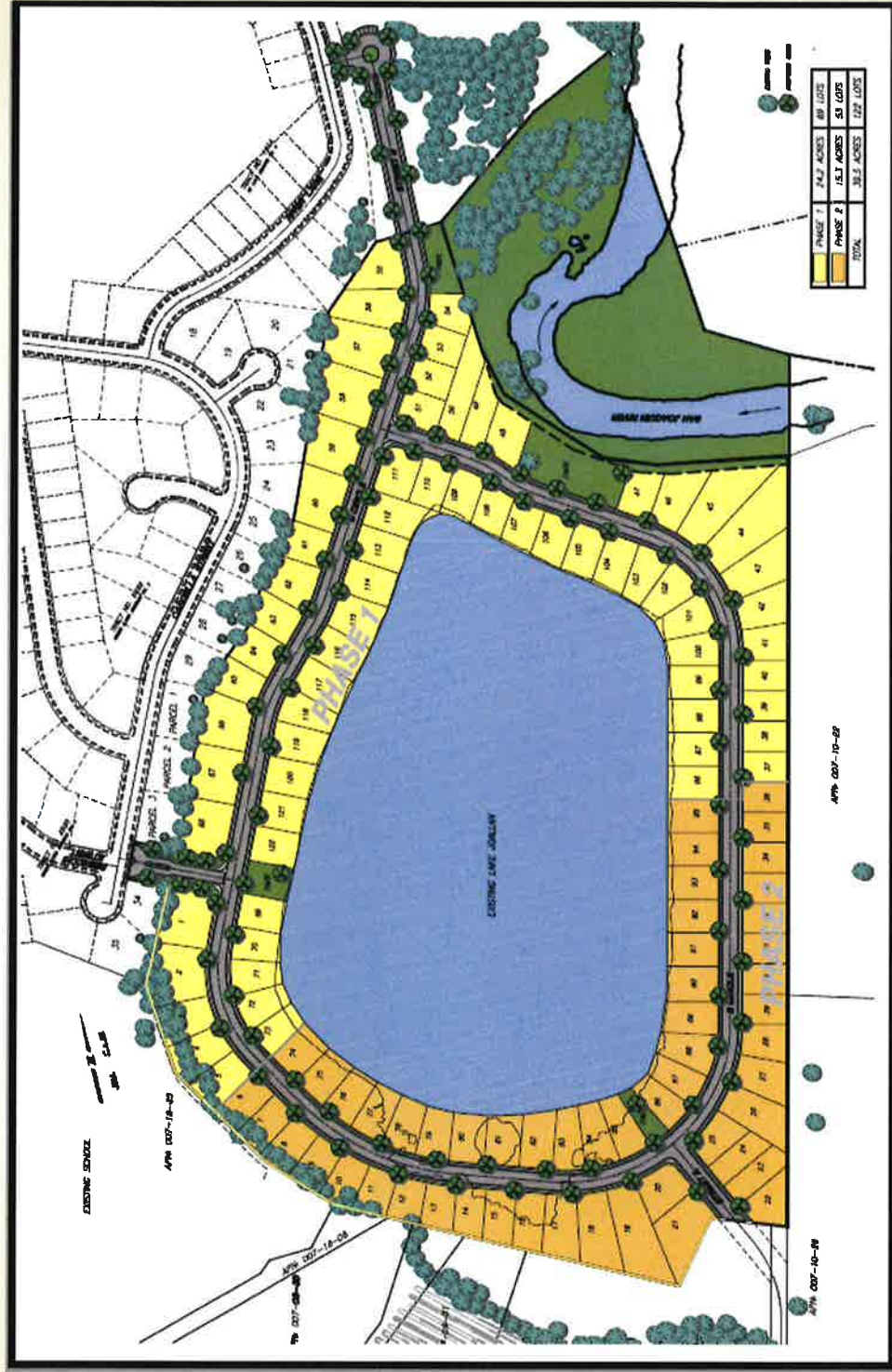


**Interpretive 2030 Firebaugh General Plan - Proposed Land Use Map  
with Circulation and Open Space Features**





# Lake Joallen Subdivision

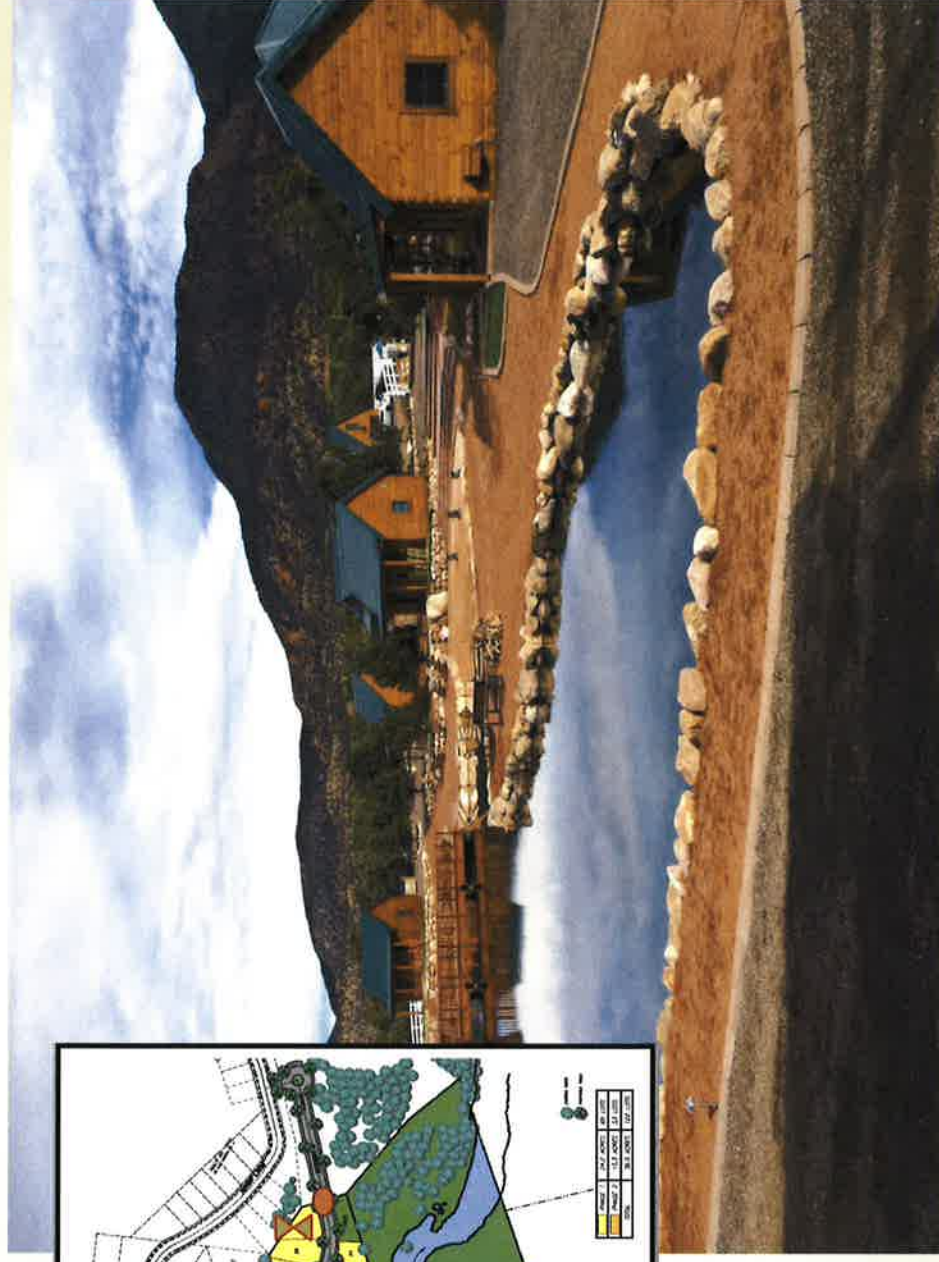


## Phase 1: Lake Improvements Green Infrastructure: French Drain, Permeable Rocks, Grey Water Collection

Roads, Roundabouts, Sidewalks, Sewers, Utilities, Rain Garden, Drought Resistant Plants, Trees

Dog Park, Community Garden, Security Cameras and WIFI Free Zone

6



Low Impact Development (LID)  
Green Infrastructure  
Porous Pavement System  
Biowales & Bioretention



## Master Planned and Veteran Inspired Community

Phase 1: Camp Champion Clubhouse, Center of Excellence  
Recreation: Gym, Pool, Kayaking, Paddle boarding with Lake access  
Dock and Dock Pad for Fishing, Kayaking, and Paddle Boarding



Picture from Holmstead Ranch, Utah



Phase 1 Smart Growth: Innovative Vertical Farming, Economic Development  
Community Garden – Crop Selection – Production Estimates – Small Business Dev.



Large & Small Leafy Green Vegetables, Herbs





Veteran Strategic Veteran Partner: Warrior Built Foundation  
 Create Trail Head and Optimize San Joaquin River eBiking, Interpretive Walking Tours



Phase 1.1



# Warrior Built Foundation: 501C3 Nonprofit Partner WB Vocational, Recreational Therapy for Combat Wounded Veterans



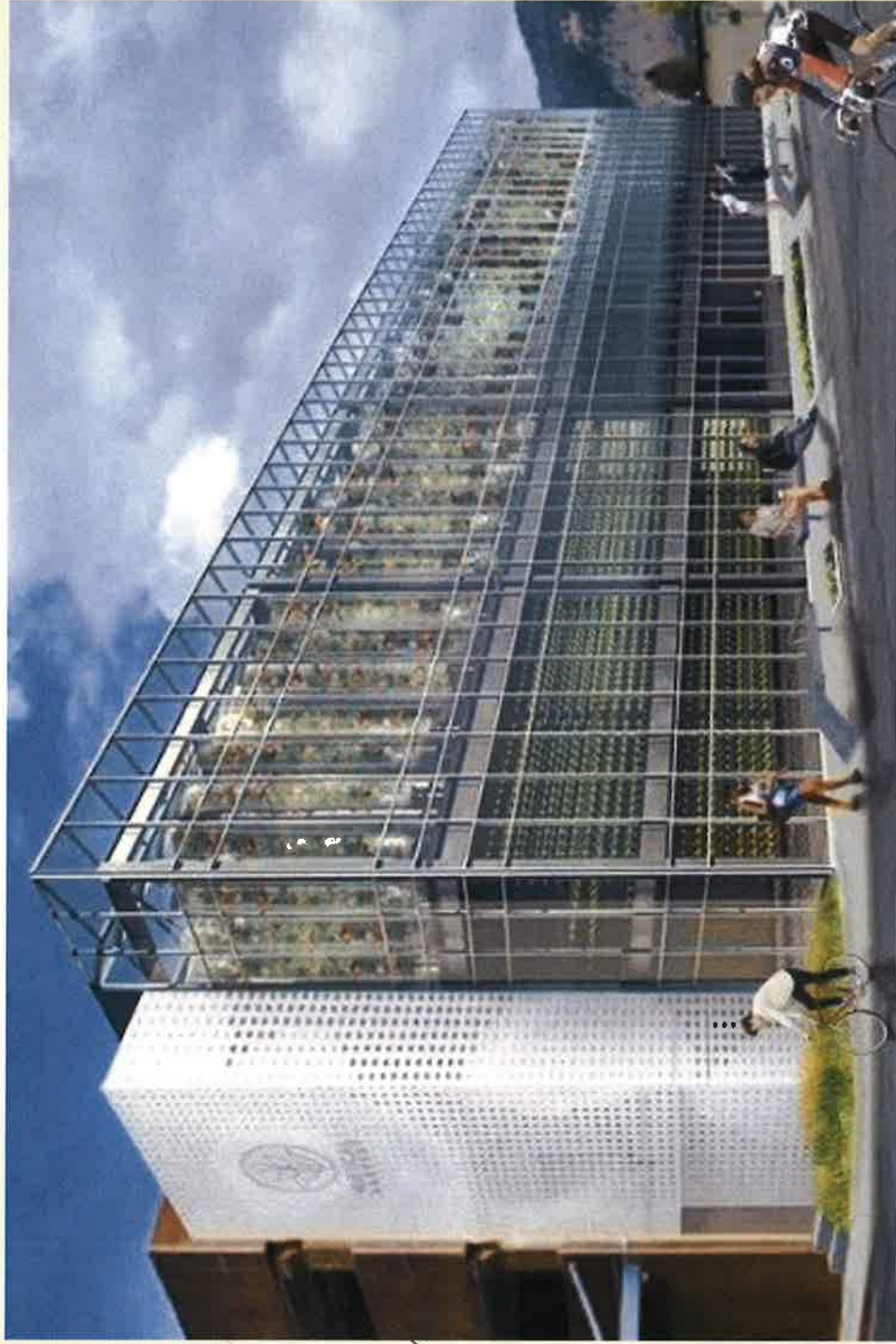
## POW PLAN OF THE WEEK



Vocational Rehabilitation: Peer to Peer Veterans, ePower, eVehicles, off-road

## Phase 1 Through Phase 4, Smart Growth: Agriculture Innovation & Vertical Farming

Firebaugh Farmers Market & Agricultural Community Partnership





## Phase 3 & Phase 4: Extending Educational Opportunities for Veterans Success (EEVOPS) FIREBAUGH



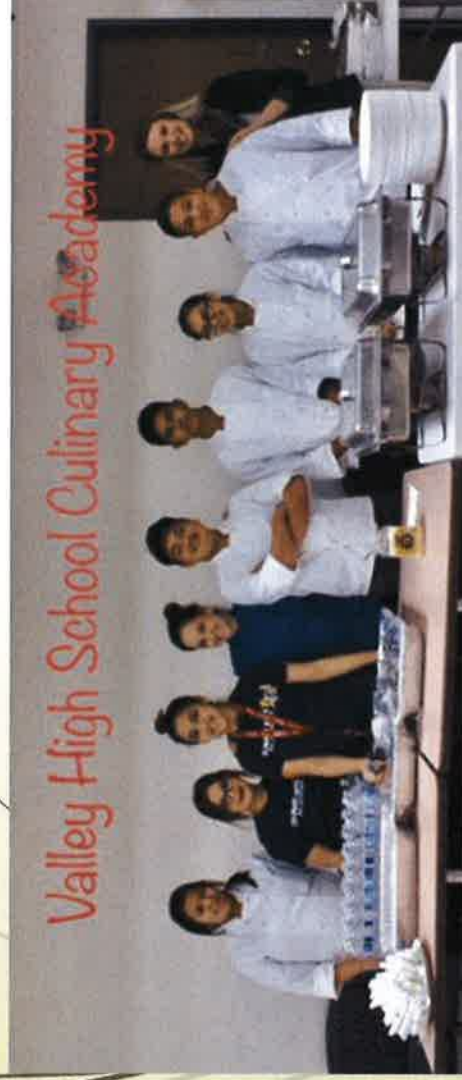
### Post Secondary Certification and Training for Veterans & Local Small Businesses

Information Technology  
Cyber Security  
System Infrastructure  
Computer Programming  
Data Base Design & Implementation  
Business Intelligence  
eVehicle  
eBicycle  
eVehicle Servicing  
eOff Road

Agriculture, Vertical Growth  
Culinary / Food Preparation  
Solar Installation

ACE: Association of Community Employment

**Ultimate Knowledge Institute &  
West Hills Community College Opportunities**

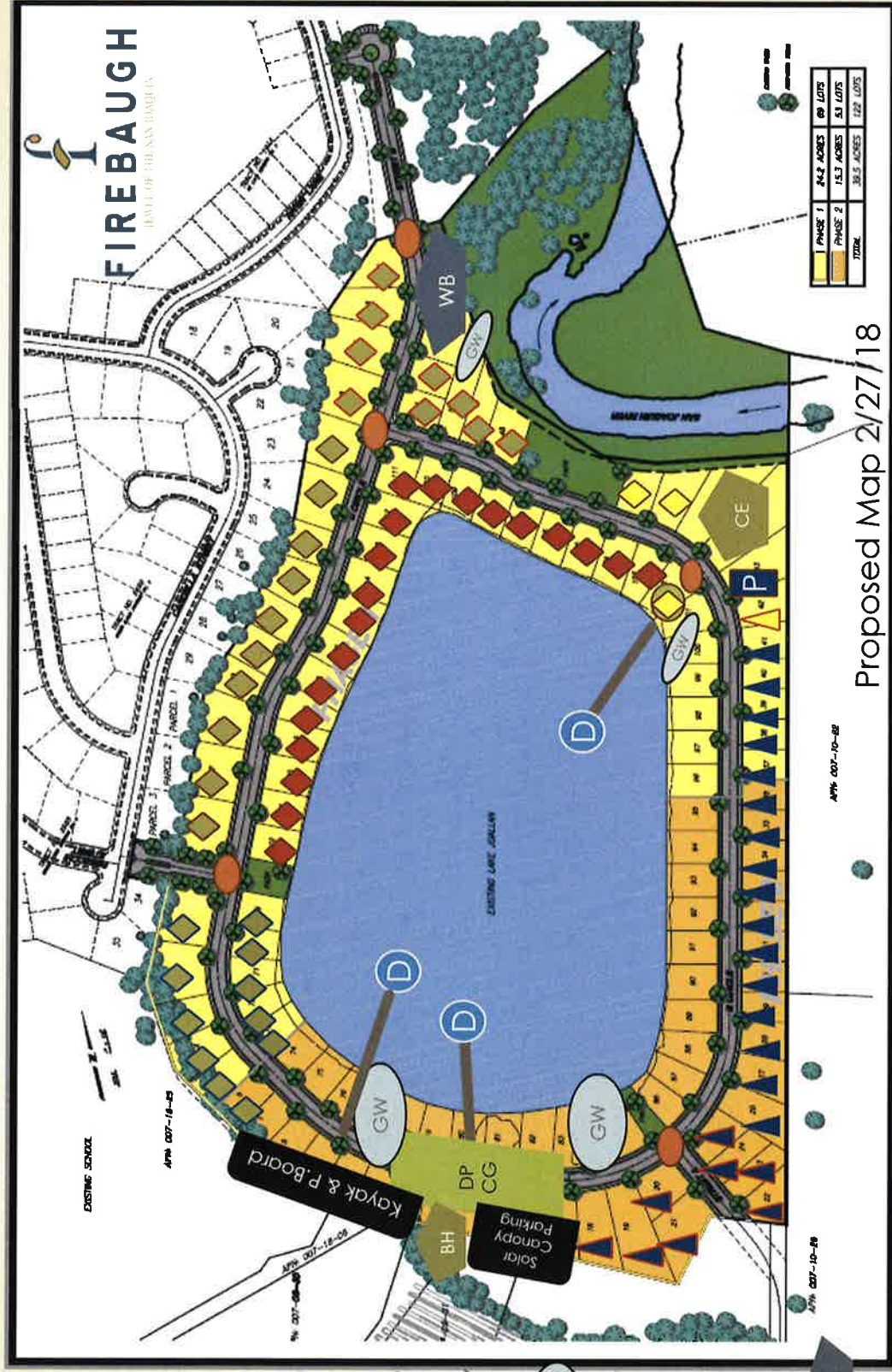




# Master Planned & Veteran Inspired, Lake Joallen Subdivision

13

- Joallen Homes
- Valor Homes
- Lake View Homes
- Lake Side Homes
- Freedom Homes
- Defender Homes
- CC Center of Excellence
- Boat House
- Grey Water Collection
- Dog Park & Community Garden
- Pool
- Warrior Built
- Round About



Proposed Map 2/27/18

## Thanks for learning more about Camp Champion: Firebaugh



Our development team is looking forward to working with the City Manager, City Planner, and City Council of Firebaugh, to create a master planned lake Joallen subdivision for residents to enjoy.

**Goal of Camp Champion:** is to be recognized as a world class provider of master planned veteran centric housing communities.

**Mission of Camp Champion:** is to provide cities with a master planned model of successful housing for veterans and previously homeless veterans; while providing a 360 degree facilitation of veteran support services including: education, vocation, inclusion, and recreation that supports living a productive, happy, and healthy lifestyle.

Our world class development and planning team is looking forward toward working with the City Council of Firebaugh. We appreciate your support and your guidance.

Best,

Robert Bruch  
Delta Vector USA LLC  
(714) 717-6617

[VethousingInfo@gmail.com](mailto:VethousingInfo@gmail.com)

## SPECIAL MEETING MINUTES

### The City Council/Successor Agency of the City of Firebaugh Vol. No. 18/02-21

**Location of Meeting:** Andrew Firebaugh Community Center  
1655 13<sup>th</sup> Street, Firebaugh, CA 93622

**Date/Time:** February 21, 2017/6:00 p.m.

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

**ROLL CALL PRESENT:** Mayor Felipe Perez  
Mayor Pro Tem Marcia Sablan  
Council Member Freddy Valdez  
Council Member Brady Jenkins

**ABSENT:** Council Member Elsa Lopez

**OTHERS:** City Attorney Meggin Boranian; City Manager/Acting Public Works Director, Ben Gallegos; Deputy City Clerk, Rita Lozano; Finance Director, Pio Martin; Police Chief, Sal Raygoza, Fire Chief, John Borboa; Donald Reynolds& others.

**PLEDGE OF ALLEGIANCE** Council Member Valdez led pledge of Allegiance.

**PUBLIC COMMENT** None

#### PRESENTATION

Mr. Donald Reynolds, CPA, provided a present of the Annual Independent Auditor's Report for the period ending June 30, 2017, two the biggest concerns were CalPERS GASB 68, an accounting valuation report which is an unfunded liability and charges went to enterprise fund, the impact is due to the fact that the City is in a pooled coverage with other CalPERS Agencies. The other concern was GASB No. 65, The Governmental Accounting Standards Board issued a statement affecting how governments account for refinancing long-term debt. Statement no. 23, Accounting and Financial Reporting for Refunding of Debt Reported by Proprietary Activities, concerns accounting and reporting procedures when new debt is issued and its proceeds are used to pay off old debt, so basically, GASB No. 65, is trying to show that governments are acting similar to citizens refinancing when trading old debt for new debt at a lower interest rate and recognizing the difference over a period of time rather than as a one-time event.

#### CONSENT CALENDAR

1. **APPROVAL OF MINUTES – The City Council regular meeting on February 5, 2018.**

*Motion to approve minutes with recommended amendments adding Public Comment before Supervisor Pacheco comments and adding Council Members response to his comments by Council Member Perez, second by Council Member Jenkins; motion pass by unanimous 4-0 vote.*

1. **WARRANT REGISTER – Period starting January 1, and ending on January 31, 2018.**

January 2018	General Warrants	#36169 - #36273	\$ 617,505.79
	Payroll Warrants	#69116 - #69253	\$ 299,636.83
<b>TOTAL</b>			<b>\$ 917,142.62</b>

*Motion to approve warrants with the exception of Check # 36272 – Hilda Valdez by Council Member Valdez, second by Council Member Sablan; motion pass by unanimous 4-0 vote.*

*Motion to approve Check # 36272 – Hilda Valdez by Council Member Valdez, second by Council Member Sablan; motion pass by unanimous 3-0 vote. Jenkins – Abstain.*



**NEW BUSINESS****2. THE CITY COUNCIL OF THE CITY OF FIREBAUGH TO DISCUSS POTENTIAL APARTMENTS IN AN AREA DESIGNATED FOR COMMERCIAL DEVELOPMENT.**

*Motion to direct staff to rezone parcels from C-1 to R-1 by Council Member Valdez, Second by Council Member Jenkin, motion pass by unanimous 4-0 vote.*

**3. RESOLUTION NO. 18-12 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH AUTHORIZING THE CITY MANAGER TO EXECUTE A PROGRAM DEVELOPMENT AGREEMENT WITH ENGIE SERVICES U.S., INC.**

*Motion to approve Res. No. 18-12 by Council Member Jenkins, second by Council Member Valdez; motion pass by unanimous 4-0 vote.*

**STAFF REPORTS**

- **Police Chief, Sal Raygoza** – Has been quite, except Auto Zone was robbed, many Auto Zones have been targeted in surrounding cities, the Department is working with MAGIC. The city received a “C” rating regarding tobacco retail enforcement. Cadets will be doing outreach and make sure businesses are educated and following all rules/regulations. A “C” rate sounds low but all other cities received an “F” rating. Council Member Sablan would like to push for all homes/apartments to be smoke free areas. Many law enforcement departments have received complaints about handicap parking, there is a task force, so we would like to work with them to enforce and issue citations to violators, parking plagued parking permits may be taken away. Every Officer is going through training on mental health matters, training is free and will benefit all officers but training is 40 hours, so only 2 officers will be able to attend at a time, it will be a lengthy process for all to receive the training. Two officers will attend training in Clovis on MS13 gang members, and plan to send more at a later time, also partnered up with MAGIC to come to the community to assist with training. Owner of the Pizza Factory asked about assistance with mental health individuals in town, there has been issues at his business, customers feel intimidated and no one is sure if the individual may get aggressive. Police Chief replied, feel free to report to PD, there is a mental health representative at the station. PD has offered some individuals help and approached several different ways to assist or offer services, but has not be successful. A code enforcement presentation at a future meeting.
- **Finance Director, Pio Martin** –Albert Peché will submit disclosure reports, RSG (as part of the Successor Agency) will submit and handle a funding dispute regarding the ROPS, so that the funding is not reduced. Working on Budget, proposing to present Salaries and CalPERS GASB budget in March, other funding to follow over the next few months. We are now accepting credit card payments, our 1<sup>st</sup> transaction was today for \$1000.
- **City Attorney Meggin Boranian** – Credited the Chief on a records matter, he received a request to personnel records, will have a court appearance in the future. This is the second received in two months regarding an officer.
- **City Manager, Ben Gallegos** – Met with VP of United Security to install an AMT in City Hall, only for withdrawals. Felipe and I attended meeting with Cal Builders on a VET Housing or homes project at Lake Joallen, will have a presentation at a future meeting. Another idea they would like to bring, is to construct a building for public to learn welding, drafting and other skills training, a person would \$150 to learn a trade, although there is no received certification, but they will have space to use as their own shop. Also, discussed partnering up with West Hills College or School District. Senior Center is on schedule, hoping to complete by May. Will attend ICSC Conference, a commercial developer will join us to assist in selling our community, along with EDC rep, they will develop a proposal packet and include many tax incentives that are offered in town. A big project is coming with Caltrans, lights, sidewalks, and possibly removal of medians from Clyde Fannon to Morris Kyle on HWY 33. Mayor Perez reported the City Manager is doing an awesome job, he was impressed and surprised at the information Ben was able to provide at the meeting in L.A.

**PUBLIC COMMENT ON CLOSED SESSION ITEM ONLY****CLOSED SESSION****ANNOUNCEMENT AFTER CLOSED SESSION**

**ADJOURNMENT**      *Motion adjourn by Council Members; motion passes by unanimous 4-0 vote at 7:36 p.m.*

**FIREBAUGH CITY COUNCIL**  
**STAFF REPORT**

**Date:** February 21, 2018  
**To:** Firebaugh City Council  
**From:** Karl Schoettler, Planning Consultant  
**Subject:** Regional Commercial area analysis

A developer (Tommy Phelen) has approached the City with a plan to develop apartments on several parcels along the east side of Highway 33 around the Lyon Avenue alignment (see Map 1).

Staff has some concerns, because the General Plan has designated this area for a future large-scale commercial shopping center – about 25 acres. In fact this is the only realistic location that Firebaugh has inside city limits that could accommodate a larger-scale commercial development.

Following adoption of the General Plan in 2010, this area was rezoned for commercial development (see attached zone map).

If the parcels were developed with apartments this could eliminate the City's opportunity to establish a larger shopping center.

Key aspects of the area are:

- 9 parcels (containing about 25 acres) are designated for commercial development;
- The parcels are mostly undeveloped – making it easier to assemble and develop with new uses;
- The approved El Sendero Ranch subdivision is immediately to the east (see map). When built, this project would have nearly 600 homes within walking distance.
- There will be a future collector roadway through the site, that connects Highway 33 east through El Sendero Ranch to Clyde Fannon Road. This would make it easier for all residents of north Firebaugh to get to this site, including by walking and bicycling. This roadway is designated by the General Plan and included in the El Sendero Ranch subdivision design.

Staff is not necessarily opposed to the idea of apartments being built in this area, but wanted to highlight the issue and get feedback from the City Council before allowing anything to move forward.

It's possible that some apartments could be built while at the same time reserving some of the site for commercial development. In this case a master site plan should be prepared that shows a layout that includes both apartments and commercial development.

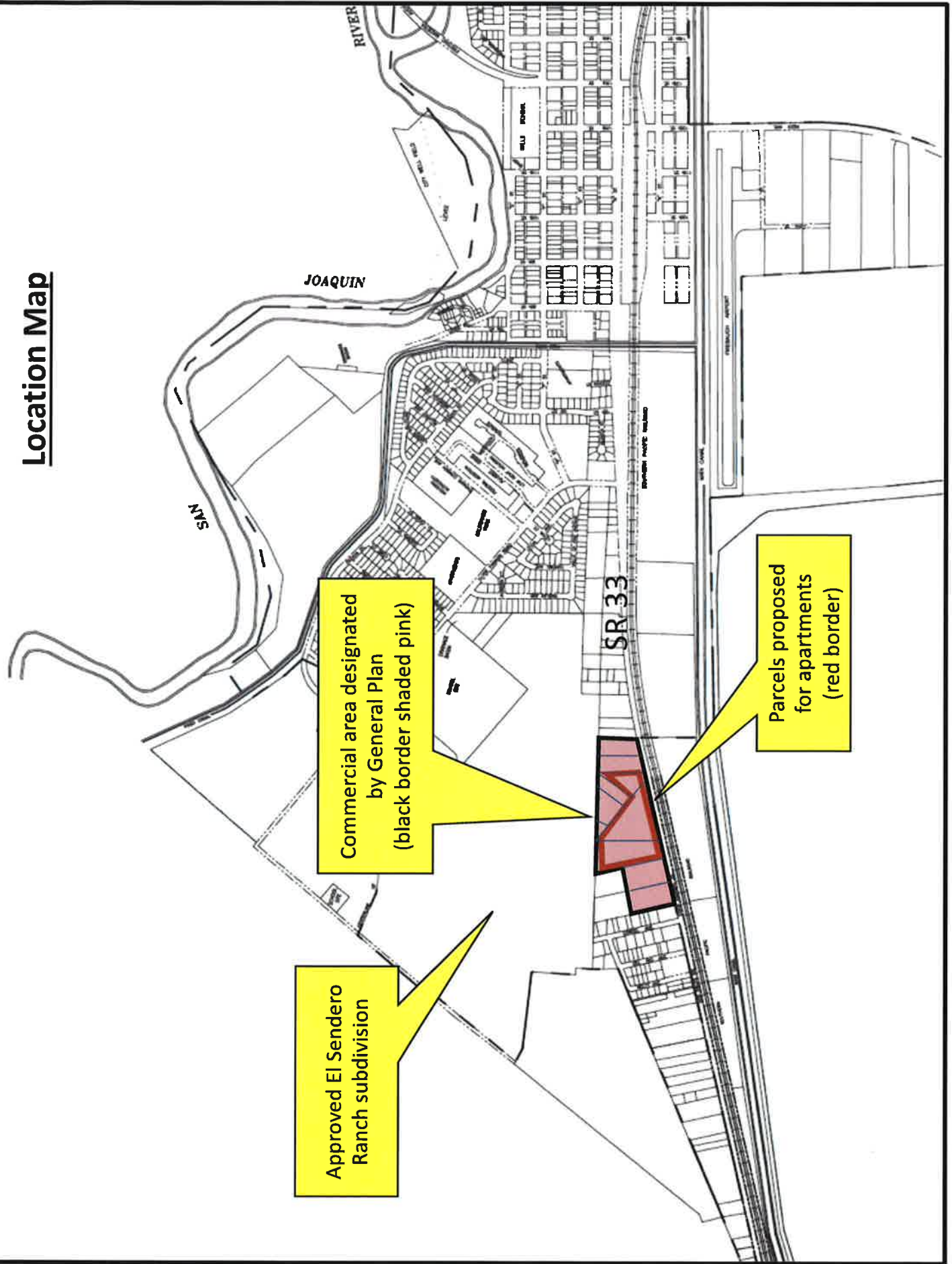
Again, staff would like some feedback from Council, in order to provide direction to staff and the developer. Several maps are attached that explain the issues.

**Attachments**

- Project Location Map
- Aerial photo map
- El Sendero Ranch subdivision superimposed on city map

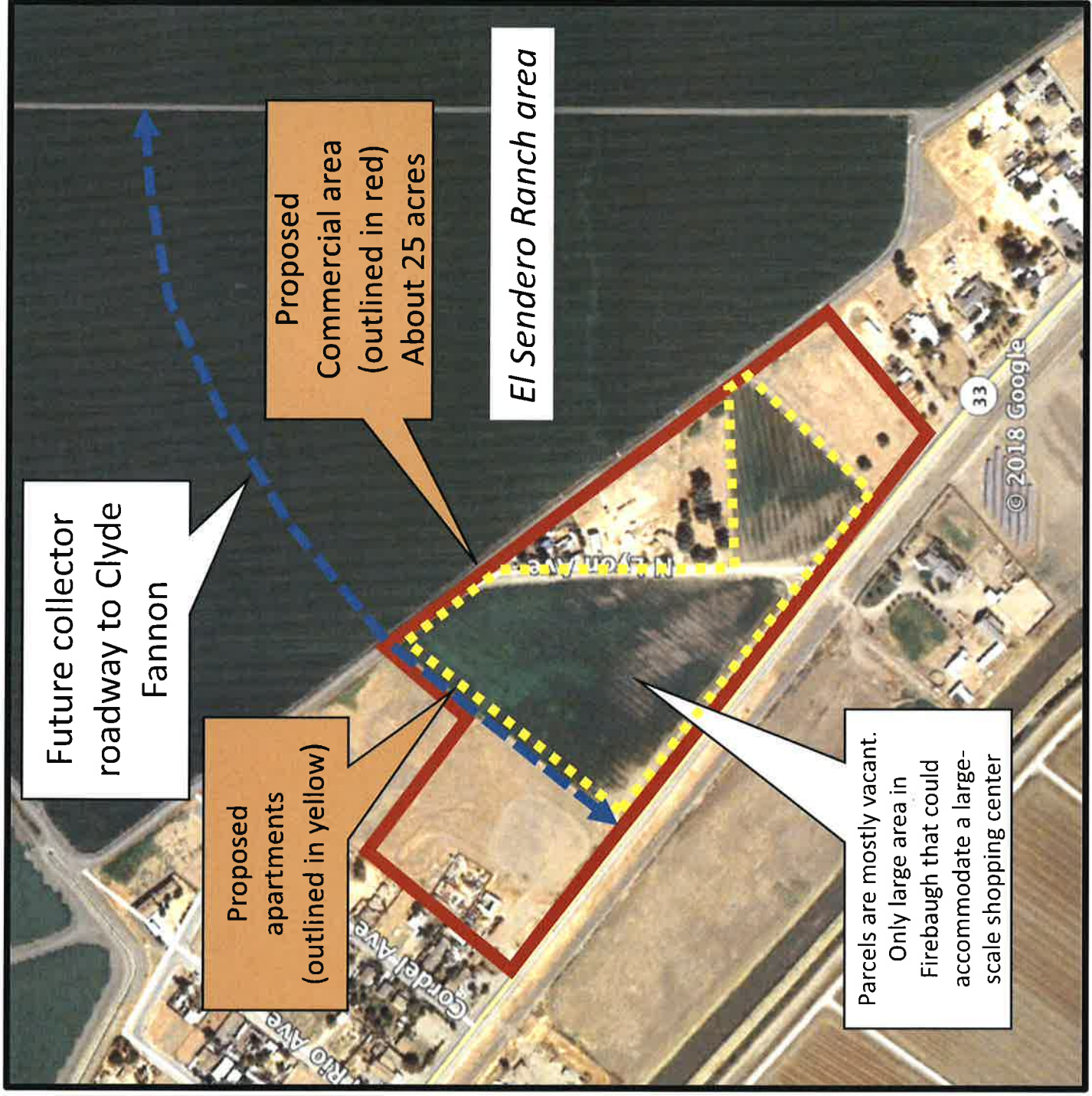


## Location Map



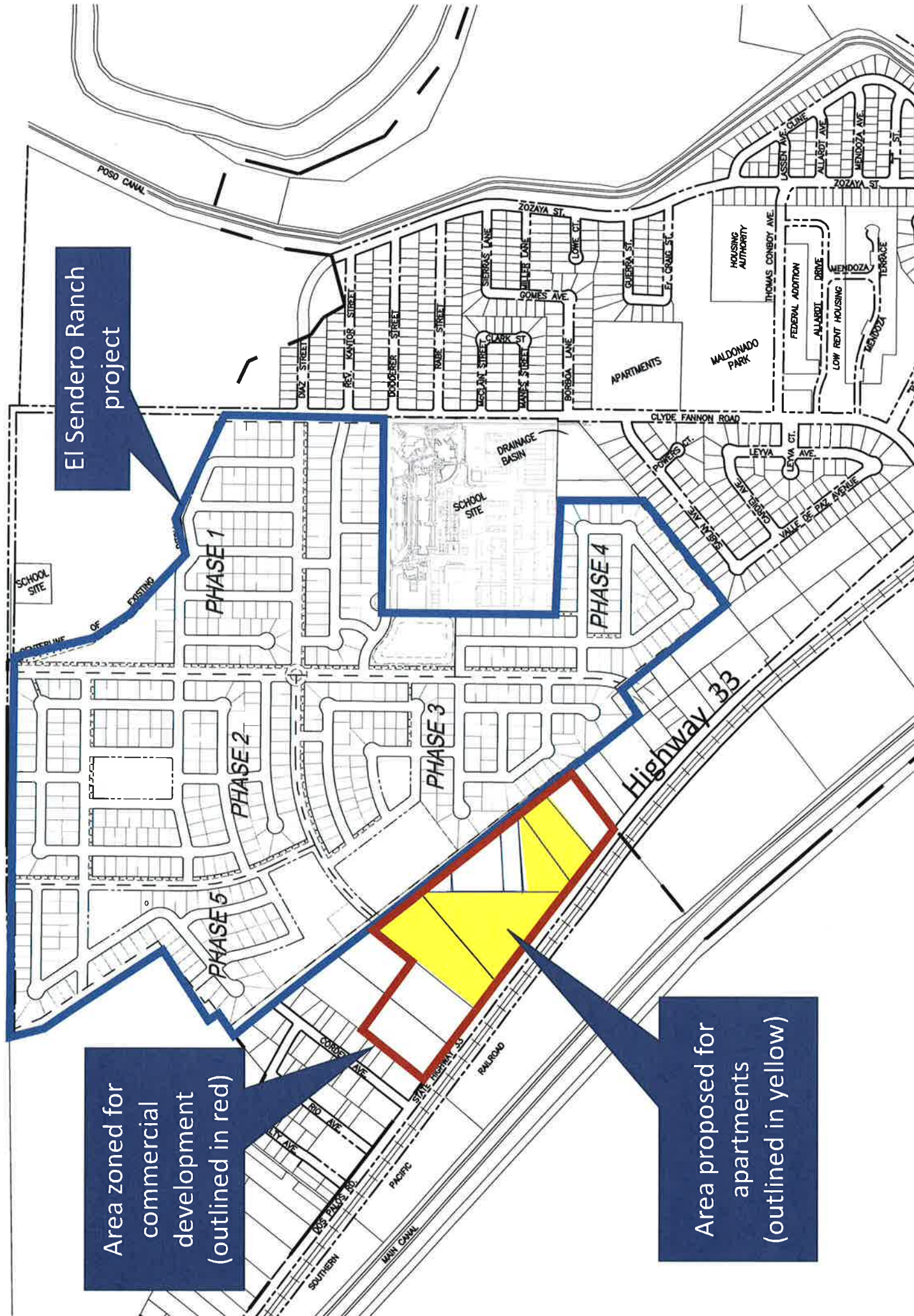
## Del Rio Commercial area

- Designated in the 2030 Firebaugh General Plan as a good location for future large-scale commercial development. Virtually the only place available for Firebaugh to have this.
- About 25 acres
- Parcels are all zoned C-1 (Neighborhood Commercial)
- Parcels are mostly undeveloped
- Future collector roadway connects this site (and Highway 33) through El Sendero Ranch to Clyde Fannon Road
- Nearly 600 homes will be developed adjacent to the site in El Sendero Ranch. Residents could walk to this site for shopping.





# Map with El Sendero Ranch project shown



El Sendero Ranch project

Area zoned for commercial development (outlined in red)

Area proposed for apartments (outlined in yellow)



# Firebaugh City Council

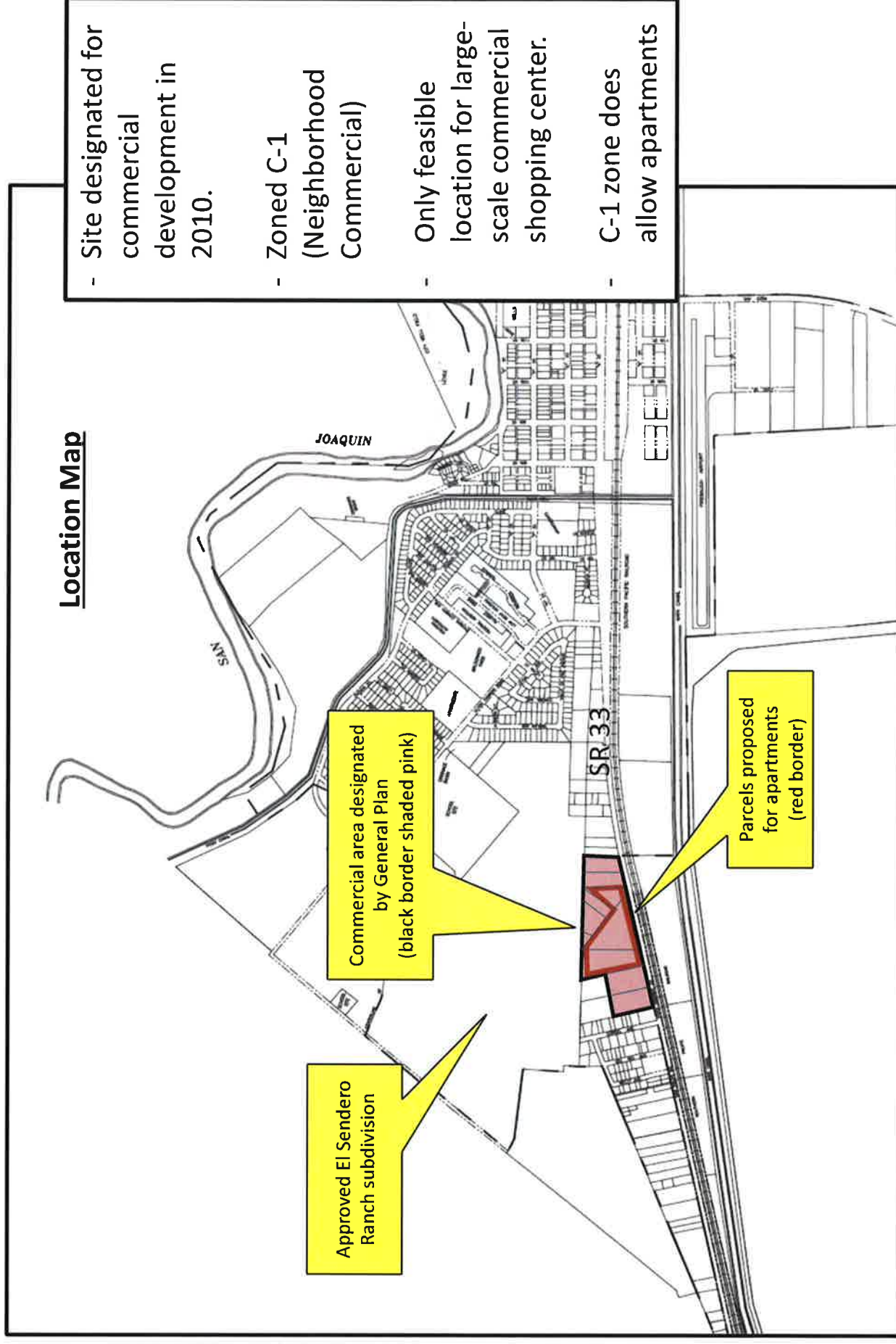
February 21, 2018





## North Firebaugh Apartments/Commercial zoning issue

## Potential apartment project

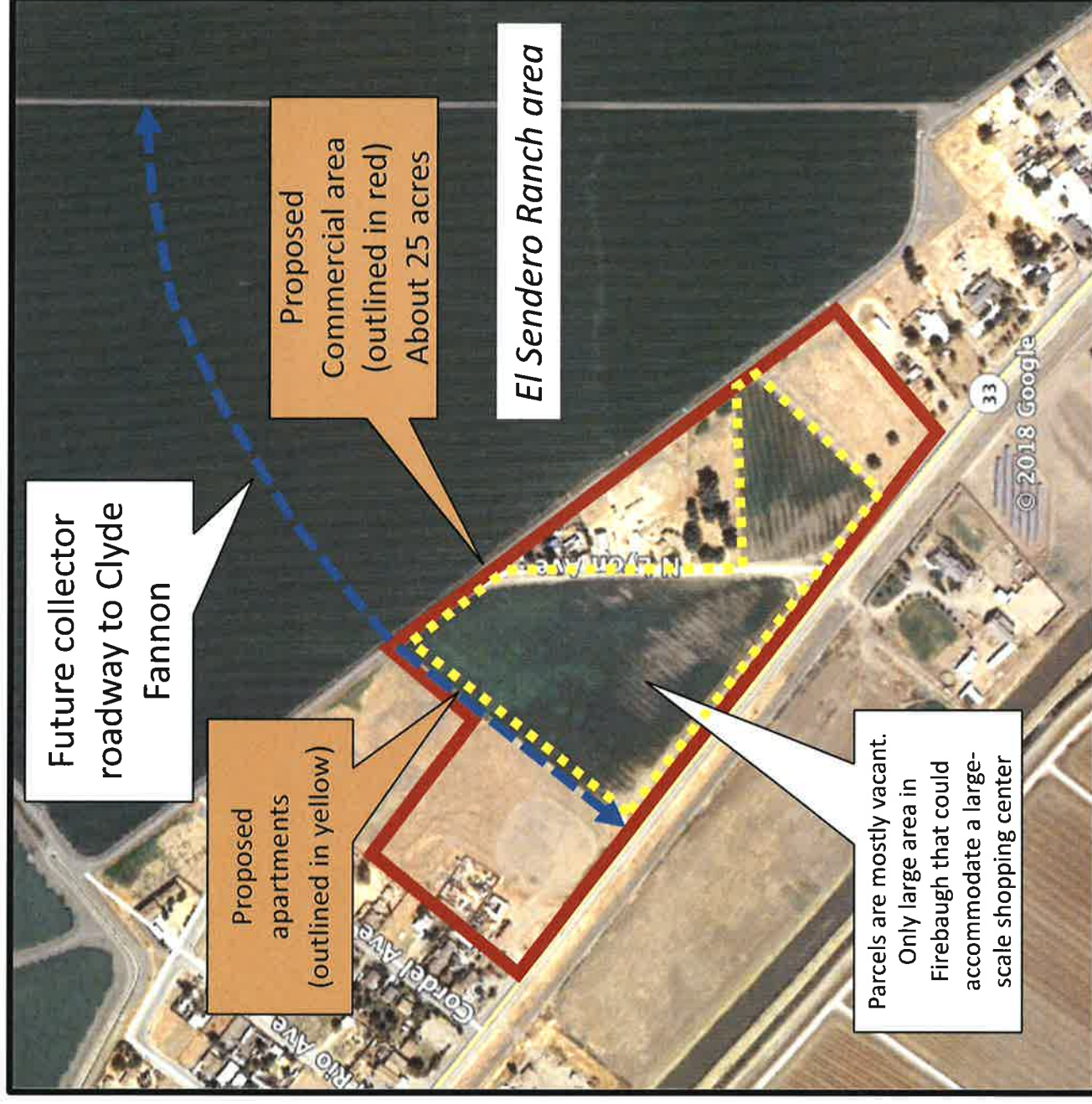




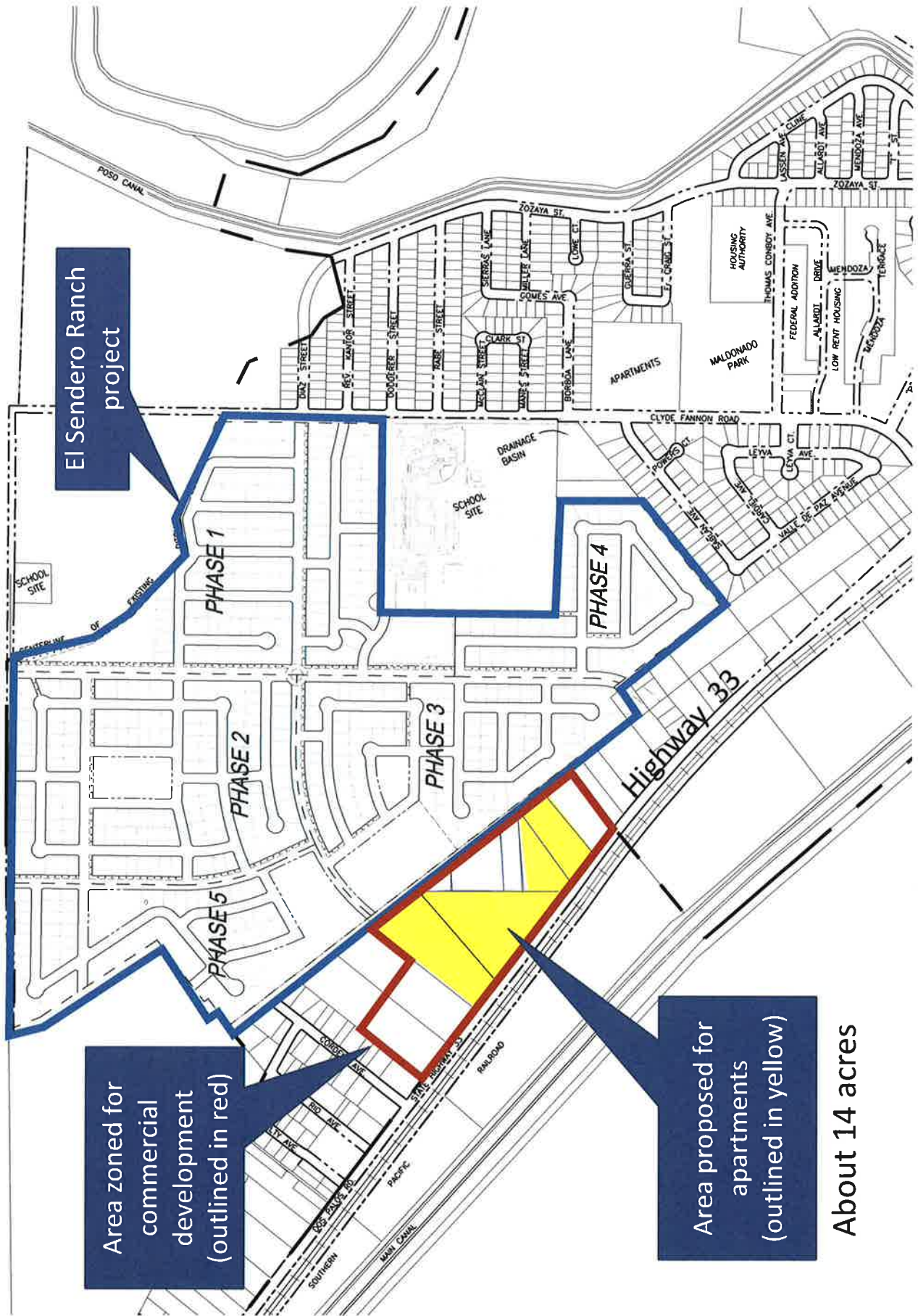
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- Future collector roadway connects this site (and Highway 33) through El Sendero Ranch to Clyde Fannon Road
- Nearly 600 homes will be developed adjacent to the site in El Sendero Ranch. Residents could walk to this site for shopping.

## Key Aspects of Site



Map with El Sendero Ranch project shown



About 14 acres

## Staff seeking direction from City Council

### Options:

1. Maintain entire 25-acre area for commercial development
2. Allow some apartment development, but not 14 acres
3. Allow entire 14 acres for apartments
4. Other action





# An Initiative for Public Safety

## VIOLENT CRIME

**What is a 'violent crime'? For California's new parole law, the definition is murky — and it matters** *(Los Angeles Times)*

- Expands the list of violent crimes for which early release is not an option
- Under current law, rape of an unconscious person, trafficking a child for sex, assault of a peace officer, felony domestic violence and other similar crimes are not classified as "violent felonies" — making criminals convicted of these crimes eligible for early release

## DNA COLLECTION

**California's DNA database gets fewer hits due to Prop. 47 (KCRA)**

- Reinstates DNA collection for certain crimes that were reduced to misdemeanors as part of Proposition 47
- Multiple studies have shown that DNA collected from theft and drug crimes has helped solve other violent crimes, including robbery, rape and murder. Since passage of Prop. 47, cold case hits have dropped over 2,000, with more than 450 of those hits connected to violent crimes

## SERIAL THEFT

**An explosion of California property crimes  
— due to Prop. 47** (*San Francisco Chronicle*)

- Revises the theft threshold by adding a felony for serial theft — when a person is caught for the 3rd time stealing with a value of \$250
- Prop. 47 changed the dollar threshold for theft to be considered a felony — from \$450 to \$950. As a result, there has been an explosion of serial theft and an inability of law enforcement to prosecute these crimes effectively. Theft has increased by 12% to 25%, with losses of a billion dollars since the law was passed.

## PAROLE VIOLATIONS

**Suspect in Whittier police officer shooting death  
arrested 5 times in last 7 months** (*Whittier Daily News*)

- Requires the Board of Parole Hearings to consider an inmate's entire criminal history when deciding parole, not just his most recent commitment offense; and requires a mandatory hearing to determine whether parole should be revoked for any parolee who violates the terms of his parole for the third time
- AB 109 bases parole solely on an offender's commitment offense, resulting in the release of inmates with serious and violent criminal histories. Moreover, parolees who repeatedly violate the terms of their parole currently face few consequences, allowing them to remain on the street

# Keep California Safe

For more information, please visit [www.keepcalsafe.org](http://www.keepcalsafe.org).

Paid for by Keep California Safe, a Project of the California Public Safety Partnership Issues Committee  
Committee major funding from  
Los Angeles Deputy Sheriffs  
Peace Officers Research Association of California  
Los Angeles Police Protective League



## **Sell a child for sex in California. Get out of prison early.**

The following crimes are not considered "violent" under current California law, allowing inmates convicted of these crimes to be released from prison early. Our initiative stops early release by making these crimes violent.

- Human trafficking of a child
- Abducting a minor for prostitution
- Rape by intoxication
- Rape of an unconscious person
- Felony sexual penetration, sodomy, or oral copulation when drugs are used or the victim is unconscious
- Drive by shooting, or shooting on foot, at an inhabited dwelling or vehicle
- Assault with a firearm
- Felony domestic violence
- Felony assault with a deadly weapon
- Serial arson
- Solicitation to commit murder
- Assault with caustic chemicals
- Assault by a caregiver on a child under 8 that could result in death or coma
- Felony assault using force likely to produce great bodily injury
- False imprisonment/taking a hostage when avoiding arrest or to use as a shield
- Assaulting a police officer, with or without a firearm
- Exploding a bomb to injure people
- Felony hate crime
- Any felony where a deadly weapon is used
- Felony use of force or threats against a witness or victim of a crime
- Felony elder or dependent adult abuse
- Conspiracy to commit any of the above offenses

## **Keep California Safe**

For more information, please visit [www.keepealsafe.org](http://www.keepealsafe.org).

Paid for by Keep California Safe, a Project of the California Public Safety Partnership Issues Committee  
Committee major funding from  
Los Angeles Deputy Sheriffs  
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PAUL KARL ANDERSON

## TOOK A HOSTAGE WHILE ROBBING A BANK

**Crime not “violent” under CA law,  
so eligible for early prison release.**

Paul Karl Anderson robbed a bank using a weapon and then held a hostage while fleeing federal marshals. But under California law, false imprisonment, taking a hostage when avoiding arrest, and any felony where a dangerous or deadly weapon is used are not classified as violent crimes, making Anderson eligible for early prison release.

The **“Reducing Crime and Keeping California Safe Act”** makes violent crimes “violent” to stop early release.

To learn more or sign a petition, visit **[KeepCALsafe.org](http://KeepCALsafe.org)**.

# Keep California Safe

Paid for by Keep California Safe, a Project of the California Public Safety Partnership Issues Committee  
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RAFAEL CRUZ MORENO

## BEAT HIS GIRLFRIEND

**Crime not “violent” under CA law,  
so eligible for early prison release.**



While on probation for domestic violence, Rafael Cruz Moreno beat his girlfriend, then tried to stab her in the stomach. But under California law, domestic violence and assault with a deadly weapon are not classified as violent crimes, making Moreno eligible for early prison release.

The **“Reducing Crime and Keeping California Safe Act”** makes violent crimes “violent” to stop early release.

To learn more or sign a petition, visit **[KeepCALsafe.org](http://KeepCALsafe.org)**.

# Keep California Safe

Paid for by Keep California Safe, a Project of the California Public Safety Partnership Issues Committee  
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## **RESOLUTION NO. 18-13**

### **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH SUPPORTING THE REDUCING CRIME AND KEEPING CALIFORNIA SAFE ACT OF 2018.**

**WHEREAS**, protecting every person in our state, including our most vulnerable children, from violent crime is of the utmost importance. Murderers, rapists, child molesters and other violent criminals should not be released early from prison; and

**WHEREAS**, since 2014, California has had a larger increase in violent crime than the rest of the United States. Since 2013, violent crime in Los Angeles has increased 69.5%. Violent crime in Sacramento rose faster during the first six months of 2015 than in any of the 25 largest U.S. cities tracked by the FBI; and

**WHEREAS**, The FBI Preliminary Semiannual Uniform Crime Report for 2017, which tracks crimes committed during the first six months of the past year in U. S. cities with populations over 100,000, indicates that last year violent crime increased again in most of California's largest cities.

**WHEREAS**, recent changes to parole laws allowed the early release of dangerous criminals by the law's failure to define certain crimes as "violent." These changes allowed individuals convicted of sex trafficking of children, rape of an unconscious person, felony assault with a deadly weapon, battery on a police officer or firefighter, and felony domestic violence to be considered "nonviolent offenders."; and

**WHEREAS**, as a result, these so-called "non -violent" offenders are eligible for early release from prison after serving only a fraction of the sentence ordered by a judge; and

**WHEREAS**, violent offenders are also being allowed to remain free in our communities even when they commit new crimes and violate the terms of their post release community supervision, like the gang member charged with the murder of Whittier Police Officer, Keith Boyer; and

**WHEREAS**, this measure reforms the law so felons who violate the terms of their release can be brought back to court and held accountable for such violations; and

**WHEREAS**, nothing in this act is intended to create additional "strike" offenses which would increase the state prison population, nor is it intended to affect the ability of the California Department of Corrections and Rehabilitation to award educational and merit credits; and

**WHEREAS**, recent changes to California law allow individuals who steal repeatedly to face few consequences, regardless of their criminal record or how many times they steal; and

**WHEREAS**, as a result, between 2014 and 2016, California had the 2nd highest increase in theft and property crimes in the United States, while most states have seen a steady decline. According to the California Department of Justice, the value of property stolen in 2015 was \$2.5 billion with an increase of 13 percent since 2014, the largest single-year increase in at least ten years; and

**WHEREAS**, grocery store operators around the state have seen unprecedented increases in the amount of losses associated with shoplifting in their stores, with some reporting up to 150% increases in these losses from 2012 to present, with the largest jumps occurring since 2014; and



**WHEREAS**, shoplifting incidents have started to escalate in such a manner that have endangered innocent customers and employees; and

**WHEREAS**, individuals who repeatedly steal often do so to support their drug habit. Recent changes to California law have reduced judges' ability to order individuals convicted of repeated theft crimes in to effective drug treatment programs; and

**WHEREAS**, California needs stronger laws for those who are repeatedly convicted of theft related crimes, which will encourage those who repeatedly steal to support their drug problem to enter into existing drug treatment programs. This measure enacts such reforms; and

**WHEREAS**, collecting DNA from criminals is essential to solving violent crimes. Over 450 violent crimes including murder, rape and robbery have gone unsolved because DNA is being collected from fewer criminals; and

**WHEREAS**, DNA collected in 2015 from a convicted child molester solved the rape-murders of two six-year-old boys that occurred three decades ago in Los Angeles County. DNA collected in 2016 from an individual caught driving a stolen car solved the 2012 San Francisco Bay Area rape/murder of an 83-year-old woman; and

**WHEREAS**, recent changes to California law unintentionally eliminated DNA collection for theft and drug crimes. This measure restores DNA collection from persons convicted for such offenses; and

**WHEREAS**, permitting collection of more DNA samples will help identify suspects, clear the innocent and free the wrongly convicted, and

**WHEREAS**, this measure does not affect existing legal safeguards that protect the privacy of individuals by allowing for the removal of their DNA profile if they are not charged with a crime, are acquitted or are found innocent.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Firebaugh hereby supports the Reducing Crime and Keeping California Safe Act of 2018.

The foregoing Resolution was approved and adopted at special meeting of the City Council of the City of Firebaugh held on the 5<sup>th</sup> day of March, 2018, by the following vote:

**AYES:**

**NOES:**

**ABSTAIN:**

**ABSENT:**

**APPROVED:**

**ATTEST:**

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**Felipe Perez, Mayor**

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**Rita Lozano, Deputy City Clerk**

## STAFF REPORT

**AGENDA ITEM:** Adopt one updated Resolution required by the State Water Resources Control Board as part of the CWSRF application. Adopt a Resolution rescinding the previous resolution.

**MEETING DATE:** February 19, 2018

**PREPARED BY:** Alfonso Manrique, PE – Gouveia Engineering

**REVIEWED BY:** Ben Gallegos, City Manager

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### **RECOMMENDATION:**

City Council to adopt a resolution required by the State Water Resources Control Board (SWRCB) as part of the Clean Water State Revolving Fund (CWSRF) Application. Resolution No. 17-11 will need to be rescinded.

### **BACKGROUND:**

The City is applying to the SWRCB CWSRF to fund the construction of Improvements at the WWTP. Upon review of the City's finances, the SWRCB has determined a loan component will be required beyond the maximum grant amount requested. The SWRCB requires that the applicant's Governing Board adopt an updated expenditure reimbursement resolution. The resolution is as follows:

- ❖ A Resolution stating the Council's intention to be reimbursed for expenditures incurred ahead of the approval of the disbursement of CWSRF construction funds.

### **DISCUSSION:**

The adoption of this resolution is a requirement to complete the CWSRF Construction application. Once the application is submitted the SWRCB will determine the project's eligibility for funding.

Once approved, the SWRCB will begin drafting a financing agreement. SWRCB staff have indicated the project will qualify for the maximum grant amount of \$5.6 million for construction funding. However, the remainder of the project cost (\$1,238,000) will require a loan component. The City will reimburse the SWRCB using net revenues from the sewer fund.

### **FISCAL IMPACT:**

The adoption of this Resolution will set the maximum principal amount of the project loan to \$1,238,000.

### **ATTACHMENTS:**

1. Resolution No. 18-14 - Titled: *"A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH STATING ITS INTENTION TO BE REIMBURSED FOR EXPENDITURES INCURRED AHEAD OF THE APPROVAL OF THE DISBURSEMENT OF CWSRF CONSTRUCTION FUNDS FROM THE STATE WATER RESOURCES CONTROL BOARD."*

## **RESOLUTION NO. 18-14**

### **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH STATING ITS INTENTION TO BE REIMBURSED FOR EXPENDITURES INCURRED AHEAD OF THE APPROVAL OF THE DISBURSEMENT OF CWSRF CONSTRUCTION FUNDS FROM THE STATE WATER RESOURCES CONTROL BOARD.**

**WHEREAS**, the City of Firebaugh (the "Agency") desires to finance the costs of constructing and/or reconstructing certain public facilities and improvements relating to its water and wastewater system including certain treatment facilities, pipelines and other infrastructure (the "Project"); and

**WHEREAS**, the Agency intends to finance the construction and/or reconstruction of the Project or portions of the Project with moneys ("Project Funds") provided by the State of California, acting by and through the State Water Resources Control Board (State Water Board); and

**WHEREAS**, the State Water Board may fund the Project Funds with proceeds from the sale of obligations the interest upon which is excluded from gross income for federal income tax purposes (the "Obligations"), and

**WHEREAS**, prior to either the issuance of the Obligations or the approval by the State Water Board of the Project Funds the Agency desires to incur certain capital expenditures (the "Expenditures") with respect to the Project from available moneys of the Agency; and

**WHEREAS**, the Agency has determined that those moneys to be advanced on and after the date hereof to pay the Expenditures are available only for a temporary period and it is necessary to reimburse the Agency for the Expenditures from the proceeds of the Obligations; and

**WHEREAS**, the previously adopted Resolution 17-11 is rescinded.

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

**SECTION 1.** The Agency hereby states its intention and reasonably expects to reimburse Expenditures paid prior to the issuance of the Obligations or the approval by the State Water Board of the Project Funds.

**SECTION 2.** The reasonably expected maximum principal amount of the Project Funds is \$1,238,000.

**SECTION 3.** This resolution is being adopted no later than 60 days after the date on which the Agency will expend moneys for the construction portion of the Project costs to be reimbursed with Project Funds.

**SECTION 4.** Each Agency expenditure will be of a type properly chargeable to a capital account under general federal income tax principles.

**SECTION 5.** To the best of our knowledge, this Agency is not aware of the previous adoption of official intents by the Agency that have been made as a matter of course for the purpose of reimbursing expenditures and for which tax-exempt obligations have not been issued.



**SECTION 6.** This resolution is adopted as official intent of the Agency in order to comply with Treasury Regulation §1.150-2 and any other regulations of the Internal Revenue Service relating to the qualification for reimbursement of Project costs.

**SECTION 7.** All the recitals in this Resolution are true and correct and this Agency so finds, determines and represents.

This foregoing resolution is hereby approved and adopted at a regular meeting of the City Council of the City of Firebaugh held on the 5<sup>th</sup> day of March, 2018, by the following vote:

**AYES:**

**NOES:**

**ABSTAIN:**

**ABSENT:**

**APPROVED:**

**ATTEST:**

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Felipe Pérez, Mayor

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Rita Lozano, Deputy City Clerk

**ATTEST:**

I, Rita Lozano, do hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the City Council of the City of Firebaugh this 5<sup>th</sup> day of March, 2018.



## FIREBAUGH POLICE DEPARTMENT

# Memo

**To:** Honorable Mayor Felipe Perez and Council Members  
**From:** Salvador Raygoza, Police Chief  
**cc:** Ben Gallegos, City Manager  
**Date:** 02/28/2018  
**Re:** Staff Report

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### MONTHLY CRIME ANALYSIS:

Violent crimes are down, but I have noticed a slight increase in property crimes. Officers have been contacting known career criminals from other communities who are coming into the city and committing crimes. In the month of January and February, there has been an increase in DUI and narcotic arrests compared to last year.

During the month of January and February 2018, officers took a total of 165 police reports, which can be classified as crime reports, incident reports, and traffic accidents. The majority of reports taken by this department are incident reports and non-criminal. Officers issued 196 traffic citations and investigated 4 traffic accidents during the month.

This last two months our dispatch center was busy with 455 phone calls requesting police services and 2,371 radio generated self-initiated calls by officers. For the last two months, the busiest days for the dispatch center were Tuesdays and Sundays. These statistics are solely for the City of Firebaugh and does not include telephone calls, nor radio traffic for the City of Mendota.

### SIGNIFICANT CASES:

1. On January 2, 2018 Officer Molina, stopped a vehicle in the 9600 block of North Dos Palos Road for a minor violation. During his investigation, it was discovered the driver had a no bail warrant out Fresno. As the officer returned to make contact, the driver put the vehicle

into gear and left the stop to avoid arrest. The driver led officers on a pursuit around a dirt field on the north end of town and back into town where he became lost and turned into a privately owned area with only one exit. The driver quickly exited his vehicle and fled on foot. After a short foot pursuit, the suspect threw himself on the ground and gave up. The suspect, who resides in the City of Dos Palos, was taken into custody, booked, and transported to county jail.

2. Monday, February 13, 2018 at approximately 0413 hours Officer Monay was dispatched to AutoZone (900 N Street) regarding a possible commercial burglary. On his arrival, he discovered the front glass door was shattered. Through investigation it was determined subjects, dressed in dark clothing, gained entry threw the front door, of the business, and removed 5 Optima brand and 2 Innova brand vehicle scanner. This case is related to several commercial burglaries that have occurred in Los Banos, Dos Palos, Mendota, Madera, Kerman, Kingsburg and Fresno. Officers are following up on leads and we are hopeful that an arrest will follow.

#### **PERSONNEL:**

The department's personnel strength stands at 23, including 11 sworn officers, 4 full time dispatchers, 7 reserve officers and 1 part-time dispatchers.

We are currently accepting applications for part-time dispatcher. I want to build an eligibility list of qualified applicants to hire two more part-time dispatchers.



# MARCH 2018

## FACILITY RENTALS

### A/F Community Building

3/3/18 80<sup>TH</sup> Birthday Party  
3/10/18 FFA Casino Night  
3/17/18 Children's Corner Dinner/Dance  
Every Wednesday 5pm to 7pm Salvation Army Dinner Distribution

### Council Chambers Room

Council Meeting 1<sup>st</sup> and 3<sup>rd</sup> Monday of Every Month at 6:00pm  
Planning Meeting 2<sup>nd</sup> Monday of Every Month at 6:00pm  
Oversight Board Meeting 3<sup>rd</sup> Thursday of Every Month at 11a.m

### Back East Room Community Building

Temporarily Senior Center 9:30am to 1:30pm

### Rodeo Grounds

### Dunkle Park Enclosed Area

3/3/18 Birthday Party  
3/31/18 Family Easter Party

### Dunkle Park

### Maldonado Park

3/16/18 Head Start Picnic Day Use Canopy A & B 10am-12noon  
12/01/17-Current Youth Soccer Team Practice

