

MEETING AGENDA

The City Council/Successor Agency of the City of Firebaugh
Vol. No.17/09-18

Location of Meeting: Andrew Firebaugh Community Center
1655 13th Street, Firebaugh, CA 93622
Date/Time: September 18, 2017/6:00 p.m.

CALL TO ORDER

ROLL CALL

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

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

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

PLEDGE OF ALLEGIANCE

PRESENTATION

- *Marijuana Presentation by Police Chief Michael Salvador, City of Coalinga.*

PUBLIC COMMENT

CONSENT CALENDAR

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

1. APPROVAL OF MINUTES – The City Council regular meeting on August 21, 2017.

2. WARRANT REGISTER – Period starting August 1, and ending on August 31, 2017.

August 2017	General Warrants	#35464 - #35610	\$ 668,001.10
	Payroll Warrants	#68542 - #68700	<u>\$ 358,918.67</u>
TOTAL			\$ 1,026,919.77

NEW BUSINESS

3. THE CITY COUNCIL OF THE CITY OF FIREBAUGH TO CONSIDER TOMMY PHELEN OF CEN-CAL BUILDERS REQUEST OF WAIVER/ADJUSTMENT ON FESS FOR PROPOSED NEW APARTMENT COMPLEX, LOCATED AT LANDUCCI & SAIPAN.

Recommended Action:

Council receives public comment & takes action.

4. **THE CITY COUNCIL OF THE CITY OF FIREBAUGH TO REVIEW SOCIAL MEDIA INTERNET COMMUNICATIONS WITH CONSULTANT ON PROVIDED SERVICES.**

Recommended Action: Council receives public comments, Informational Item only.

5. **SECOND WORKSHOP ON CALIFORNIA'S APPROVAL OF PROP 64 – MARIJUANA (CANNABIS) LEGALIZATION INITIATIVE, WHICH ALLOWS RECREATIONAL USE (ADULTS AGE 21 & UP), ALLOWS COMMERCIAL/RESIDENTIAL CULTIVATION AND SALES WITH STATE AND LOCAL GOVERNMENTS TO PLACE REGULATIONS BY JANUARY 1, 2017.**

Recommended Action: City Council receives comments and takes action.

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, September 14, 2017 at 5:00 p.m. by Rita Lozano Deputy City Clerk.

MEETING MINUTES

The City Council/Successor Agency of the City of Firebaugh Vol. No. 17/08-21

Location of Meeting: Andrew Firebaugh Community Center
1655 13th Street, Firebaugh, CA 93622
Date/Time: August 21, 2017/6:00 p.m.

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

ROLL CALL

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

ABSENT: Council Member Marcia Sablan

OTHERS: City Attorney Meggin Boranian; Acting City Manager/Public Works Director, Ben Gallegos; Deputy City Clerk, Rita Lozano; Finance Director, Pio Martin; Police Chief, Sal Raygoza, Amanda Bosland of Fresno EDC, & others.

PLEDGE OF ALLEGIANCE *Craig Knight led pledge of Allegiance.*

INVOCATION Bill Magnusson

PRESENTATION *None*

PUBLIC COMMENT *None*

CONSENT CALENDAR

1. APPROVAL OF MINUTES – The City Council regular meeting on August 7, 2017.
2. WARRANT REGISTER – Period starting July 1, and ending on July 31, 2017.

July 2017	General Warrants	#35309 - #35463	\$ 190,278.01
Payroll Warrants	#68431 - #68541	<u>\$ 453,898.16</u>	
TOTAL			\$ 644,176.66

Motion to accept consent calendar by Council Member Valdez, second by Council Member Perez; motion pass by unanimous vote.

NEW BUSINESS

3. THE CITY COUNCIL OF THE CITY OF FIREBAUGH TO DISCUSS AND CONSIDER CITY REPRESENTATIVE ATTENDING THE INTERNATIONAL COUNCIL OF SHOPPING CENTERS (ICSC) CONVENTION IN LOS ANGELES, CA, OCTOBER 2 THRU 4, 2017.

Motion to attend with the three members to Los Angeles October 2-4, 2017 by Council Member Valdez, second by Council Member Perez; motion pass by unanimous vote.

4. WORKSHOP ON CALIFORNIA'S APPROVAL OF PROP 64 – MARIJUANA (CANNABIS) LEGALIZATION INITIATIVE, WHICH ALLOWS RECREATIONAL USE (ADULTS AGE 21 & UP), ALLOWS COMMERCIAL/RESIDENTIAL CULTIVATION AND SALES WITH STATE AND LOCAL GOVERNMENTS TO PLACE REGULATIONS BY JANUARY 1, 2017.

Mayor Jenkins stated he is not in support of dispensaries, but in support of cultivation for medical purposes to distribute or for commercial sales to other businesses not local. Council Member Valdez agreed. Police Chief Raygoza inquired how will City the receive income without taxing. Staff replied, through fees from permit charged per square footage of area for cultivation, business license and income from the employed individuals. Recommended an annual review be completed before a renewal of permit and include a contribution to a non-profit or community event/organization be required. Acting City Manager Gallegos reported some companies pay \$25 hour with benefits to employees. Council Member Lopez supported Commercial (transportation, cultivation and other medical purposes) but no dispensaries. City Attorney Boranian advised of two paths to take: 1) Medical (regulator processing allowed, 2) Recreational (must go to the voters for approval). Retired Fresno County Sheriff Ramiro Rodriguez served on the Special Unit and advised, one plant can grow 2 pounds, and indoor plants has a higher THC. If the City is going to allow cultivation, consider the tax based on the plant growth. If the City does not allow dispensaries, there will be home grow. Staff reported that a facility they visited, measures the growth of every plant and Police Department is allowed to enter the facility to monitor whenever they would like (24/7) with no restrictions. Craig Knight stated his support of jobs/employment but city needs strong enforcement and suggested the use of fees to improve the community, hire a cop or use to rehab more streets.

STAFF REPORTS

- **Police Chief, Sal Raygoza** – Crime is low, other cities are having gang wars, Kerman has stated they have seen MS13 members in town. Therefore, cops are on the lookout. The jail will be releasing individuals due to Prop 57.
- **Finance Director, Pio Martin** – Providing information to auditor.
- **Deputy City Clerk, Rita Lozano** – Nothing to report.
- **Public Works Director, Ben Gallegos** – Roads on the south side of town are being paved. Eight-unit project at Landucci Drive and Saipan has received 50 applications. Paving at 15th Street and Q Street. Having an issue with 1185 N Street property, the contaminated soil is estimated at \$16,000 to clean up. Will received bids for the Senior Center Rehab. Working on MOU with Fresno County to annex property and the plan to assist in the Del Rio area. Tony Chavarria will be leaving to Livingston, his last day is Aug. 31, 2017, and there is a plan in place to replacement.
- **City Attorney, Meggin Boranian** – Working on the relationship between the school and city on strategies to access funding (grants).
- **Council Member Valdez** – Inquired about the completion of the bleachers at the Dunkle Park.
- **Council Member Jenkins** – Would like to honor Clyde Fannon.

PUBLIC COMMENT ON CLOSED SESSION ITEM ONLY

CLOSED SESSION

ANNOUNCEMENT AFTER CLOSED SESSION:

ADJOURNMENT - Motion to adjourn by Councilmember Valdez, second by Councilmember Perez; motion passes by unanimous vote at 7:09 p.m.



REPORT TO CITY COUNCIL
— MEMORANDUM —

AGENDA ITEM NO: _____

COUNCIL MEETING DATE: September 18, 2017

SUBJECT: Warrant Register Dated: August 1, 2017 – August 31, 2017

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:

AUGUST 01, 2017 – AUGUST 31, 2017

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	# 35464 – #35610	<u>\$ 668,001.10</u>
PAYROLL WARRANTS.....	# 68583 – #68700	<u>\$ 358,918.67</u>

TOTAL WARRANTS..... **\$ 1,026,919.77**

**CITY OF FIREBAUGH ACCOUNTS PAYABLE
WARRANTS AUGUST 1, 2017 - AUGUST 31, 2017**

<u>Check Number</u>	<u>Check Date</u>	<u>Name</u>	<u>Net Amount</u>	<u>Description</u>
68541	8/3/2017	NGLIC	\$ (441.71)	Ck# 068541 Reversed
		Cash Account Total:	\$ (441.71)	
35464	8/1/2017	CITY OF FIREBAUGH	\$ 95,234.96	UNITED SEC BANK-PAYROLL
35465	8/3/2017	CITY OF FIREBAUGH	\$ 36,157.82	UNITED SEC BANK-P/R -ME
35466	8/3/2017	U.S. POSTMASTER	\$ 776.94	AUGUST 2017 UTILITY BILLING
35467	8/4/2017	ALERT-O-LITE, INC.	\$ 1,124.62	PW#5-BAR MOUNTS/SWITCH
35468	8/4/2017	COLLINS ELECTRICAL COMP/	\$ 3,225.88	FIREBAUGH AIRPORT-LABOR
35469	8/4/2017	K B ELECTRIC	\$ 272.22	TREE LIGHT REPAIR
			\$ 1,498.18	BRIDGE LIGHT REPAIR
			\$ 877.65	BRIDGE LIGHTS REPAIR
			\$ 243.10	REPAIR AT WASTE WATER PLANT
			\$ 264.96	POLE LIGHT REPAIR
			\$ 951.24	BRIDGE LIGHTS REPLACED
		Check Total:	\$ 4,107.35	
35470	8/4/2017	RENO'S MEGA MART	\$ 50.00	PD-GAS
			\$ 32.14	FD-GAS
			\$ 29.56	FORKLIFT-GAS
		Check Total:	\$ 111.70	
35471	8/4/2017	ROLFE CONSTRUCTION COMI	\$ 209,904.73	EMERGENCY SEWER LINE REPAIR
35472	8/4/2017	CLAUDIA SOLIS-ALCALA	\$ 180.00	FIREBAUGH FACEBOOK JUNE 2
35473	8/4/2017	AGRI-VALLEY IRRIGATION	\$ 70.15	COURTHOUSE PARK-SPRINKLER
			\$ 9.54	SCOUT PARK-COUPPING
			\$ 1.72	DEL RIO #2-WATER METER REPAIR
			\$ 2.32	APTS ON N ST-NIPPLE SCHEDULE
			\$ 46.64	SR CENTER-COUPPING/BLUE
			\$ 45.86	TRUCK #39-HAND PUMP
			\$ 28.31	RODEOGROUNDS PARK-VALVE
			\$ 33.94	MILLS SCHOOL METER-ADAPTER
			\$ 20.24	VAC TRAILER-RING CLAMP
			\$ 28.15	SITE #1-REDI MIX CONCRETE
		Check Total:	\$ 286.87	
35474	8/4/2017	ALERT-O-LITE, INC.	\$ 1,032.44	ASPHALT PATCH/BARRICADE

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<u>Check Number</u>	<u>Check Date</u>	<u>Name</u>	<u>Net Amount</u>	<u>Description</u>
35475	8/4/2017	AT&T MOBILITY	\$ 415.00	POLICE DEPT #287249191200
35476	8/4/2017	FERNANDO CAMPA	\$ 250.00	HEALTH INS. PER MOU STIPEND
35477	8/4/2017	CEDAR VETERINARY HOSPITAL	\$ 174.00	PD-BOARDING CANINE 6/30-7
			<u>\$ 116.00</u>	PD-BOARDING CANINE LARGE
		Check Total:	\$ 290.00	
35478	8/4/2017	COUNTY OF FRESNO	\$ 1,551.43	LOCAL AGENCY FORMATION CO
35479	8/4/2017	CVR & ASSOCIATES, INC.	\$ 1,408.01	BLDG & INSPEC INSPECTION
35480	8/4/2017	CWEA SSO-WDR WORKSHOPS	\$ 260.00	CERTIFICATION/MEMBERSHIP
			<u>\$ (260.00)</u>	Ck# 035480 Reversed
		Check Total:	\$ -	
35481	8/4/2017	DIXIE'S	\$ 24.00	PD-PATCHED BIKE UNIT SHIRT
35482	8/4/2017	FERGUSON ENTERPRISES, INC	\$ 2,298.27	PW-PARTS
35483	8/4/2017	HCL MACHINE WORKS	\$ 26.28	FM 1/8 X 4-CUT MATERIAL
			<u>\$ 68.77</u>	CUT MATERIAL
		Check Total:	\$ 95.05	
35484	8/4/2017	HELENA CHEMICAL COMPAN	\$ 1,155.76	DELIVERED TO WASTE WATER
35485	8/4/2017	HUB INTERNATIONAL	\$ 125.98	SPECIAL EVENT INSURANCE
			\$ 125.98	SPECIAL EVENT INSURANCE
			<u>\$ 125.98</u>	SPECIAL EVENT INSURANCE
		Check Total:	\$ 377.94	
35486	8/4/2017	RODDY A. LAKE	\$ 300.65	POLICE HEALTH INS
35487	8/4/2017	LG ELECTRIC	\$ 250.00	REINSTALL STREET LIGHT CO
35488	8/4/2017	MANUELS TIRE SERVICE, INC	\$ 22.27	DIXON MOWER-TUBE
			\$ 334.96	GEOLANDER RADIAL
			\$ 192.45	EAGLE SPORT-TIRE
			\$ 54.77	PW-RADIAL PATCH
			\$ 214.05	NEW TIRE OUTSIDE DUAL
			\$ 20.53	PD#4-RADIAL PATCH
			\$ 16.26	PD#8-RADIAL PATCH
			<u>\$ 47.39</u>	PW-USED TIRE

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35488	8/4/2017	MANUELS TIRE SERVICE, INC	\$ 902.68	
35489	8/4/2017	MEGGIN BORANIAN	\$ 6,000.00	MONTHLY RETAINER FOR AUGUST
35490	8/4/2017	MID-VALLEY DISPOSAL	\$ 27,541.48	SERVICES PERFORMED DURING
35491	8/4/2017	MICHAEL MOLINA	\$ 100.00	REIMBURSEMENT WORK BOOTS
35492	8/4/2017	RICARDO MONAY	\$ 250.00	HEALTH INS. STIPEND PER MOU
35493	8/4/2017	MOORE TWINING ASSOCIATE	\$ 2,725.00	PROFESSIONAL SERVICES
35494	8/4/2017	NAPA AUTO PARTS - FIREBAL	\$ 51.78	TRUCK #41-DIESEL FLUID
			\$ 3.50	SHOP TOOL-LIGHT BULB
			\$ 43.21	PD#11-GEAR
			\$ 10.35	PW#6-SPREADER 3 PACK
			\$ 25.24	PW#12-GRAY SEA/FT BLACK
			\$ 45.33	PD-WIPER BLADE
			\$ 6.19	PW#12-FT BLAC
			\$ 11.39	LIGHT TOWER-ENGINE FLUSH
			\$ 23.11	LIGHT TOWER-AIR FILTER
			\$ 243.86	CAT WHEEL ENGINE-BATTERY
			\$ 6.19	PW#12-FT BLAC
			\$ 29.48	PW#8-TRANFLU QT
			\$ 6.11	SITE#2-RADIATOR CAP
		Check Total:	\$ 505.74	
35495	8/4/2017	NORTHSTAR CHEMICAL	\$ 2,095.62	SODIUM HYPOCHLORITE
			\$ 2,729.75	SODIUM HYPOCHLORITE
		Check Total:	\$ 4,825.37	
35496	8/4/2017	PECK'S PRINTERY	\$ 1,174.77	BLUE ENVELOPES WITH WINDOW
35497	8/4/2017	CALIF PUBLIC EMPLOYEES RI	\$ 7,569.51	UNFUNDED ACCRUED LIABILITY
			\$ 12,442.11	UNFUNDED ACCRUED LIABILITY
			\$ 0.51	ACTUARIAL VALUATIONFOR
		Check Total:	\$ 20,012.13	
35498	8/4/2017	PITNEY BOWES #8000-9090-	\$ 520.99	POSTAGE REFILL
35499	8/4/2017	QUINN COMPANY, INC.	\$ 55.79	TRACTOR-CAB FILTER
			\$ 103.65	TRACTOR-AIR FILTER
		Check Total:	\$ 159.44	

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<u>Check Number</u>	<u>Check Date</u>	<u>Name</u>	<u>Net Amount</u>	<u>Description</u>
35500	8/4/2017	QUILL CORPORATION	\$ 145.08	RITA-OFFICE SUPPLIES
			\$ 44.76	RITA-INKJET PRINTER EXTRA
			\$ 58.28	RITA-LOGITECH WIRELESS
			\$ 486.89	CITY HALL OFFICE SUPPLIES
			<u>\$ 161.93</u>	COMMUNITY CTR-GP SOFPULL
		Check Total:	\$ 896.94	
35501	8/4/2017	LINDA RAMOS	\$ 250.00	HEALTH INS. STIPEND, PER MOU
35502	8/4/2017	SPARKLETTS	\$ 90.60	POLICE DEPT
35503	8/4/2017	SURVEILLANCE INTEGRATIO	\$ 4,826.39	CAMERA AT DUNKLE PARK INS
35504	8/4/2017	TECH MASTER MANAGEMEN	\$ 150.00	PEST CONTROL-SR CTR,PW,CITY HALL
35505	8/4/2017	TPX COMMUNICATIONS	\$ 1,570.59	ALL DEPTS TELEPHONE & INTERNET
35506	8/4/2017	THARP'S FARM SUPPLY	\$ 23.70	SITE#2 BOOSTER PUMP-PUSH
			\$ 18.55	GLOSS ALMOND SPRAY PAINT
			\$ 16.19	BAR & CHAIN OIL GALLON
			\$ 25.31	BOLTS FOR DEL RIO #1-CAPS
			\$ 2.16	FLAT WASHER
			\$ 6.61	BACKHOE-FLATWASHER/NIPPLE
			\$ 37.32	MALDONADO PARK-SCREW/NIPPLE
			\$ 14.12	L
			\$ 1.86	CAPS FOR PIPES @ DEL RIO
			\$ 176.76	PD-FACILITY REPAIR
			\$ 6.48	PD-OFFICE KEYS
			\$ 4.84	DUNKLE PARK-PIPE BUSHING
			\$ 32.80	FD-HEAT SHRINK/SPLIT LOOM
			\$ 1.03	SITE #2-NIPPLE
			\$ 19.31	FD-SHRINK
			\$ 3.40	SPLASH PARK-LITHIUM
			\$ 24.10	DUNKLE CANOPY-HOOK/SASH
			\$ 5.83	BUSHINGS FOR HUD TANK
			\$ 30.00	HUD TANK PRESSURE GAUGE
			\$ 15.22	PD#14-HOOK
			\$ 13.58	SHOP SUPPLIES
			\$ 6.41	SITE #1-HOSE CLAMPS
			\$ 25.74	COMMUNITY CTR-PUTTY KNIFE
			\$ 1.72	COMMUNITY CTR-HOSE WASHER
			\$ 1.62	CURTIS KEYS
			\$ 43.79	TRUCK #10/#5-REFECTOR/AA

CITY OF FIREBAUGH ACCOUNTS PAYABLE
WARRANTS AUGUST 1, 2017 - AUGUST 31, 2017

<u>Check</u> <u>Number</u>	<u>Check</u> <u>Date</u>	<u>Name</u>	<u>Net</u> <u>Amount</u>	<u>Description</u>
35506	8/4/2017	THARP'S FARM SUPPLY	\$ 23.50	PW#12-DRILL BIT
			\$ 15.44	PD-STAPLES/IDENTIFIERS
			\$ 17.07	HITCH LOCK
			\$ 96.04	RODEO PARK-PIPE COUPLING
			\$ 67.96	LEAK ZOZAYA REPAIR-COUPLE
			\$ 30.76	PARK RESTROOMS-BLEACH/TOW
			\$ 1.62	PD-CURTIS KEYS
			\$ 112.35	SHOP TOOL-GRINDER
			\$ 4.80	WWTP-BUSH
			\$ 62.71	SENIOR CENTER-PIPE SEALANT
			\$ 12.99	LIGHT TOWER-OIL FILTER
			\$ 1.62	COMMUNITY CTR-SCREW
			\$ 9.29	COMMUNITY CTR-MILL BASTARD
			\$ 58.31	TOMA TEK POND #10-ROPE
			\$ 9.29	PARKS-CONCRETE PATCH
			\$ 1.94	WWTP-CAPSCREW/BUSHING
			\$ 3.51	TOMA TEK POND #10-PIPE
			\$ 23.14	PW#40-RIBBED BELT
			\$ 12.31	DUNKLE PARK-POLY ROPE
			\$ 23.17	DOG KENNEL-ROPE HOOK/SCREW
			\$ 3.30	BARREL BELT
			\$ 9.65	SITE #1-NIPPLE
			\$ 21.25	DOG KENNEL-HEX NUT/CAPSCREW
			\$ 21.58	SENIOR CTR-FLUIDMASTER
			\$ 45.43	MILLS SCHOOL METER-CAP SCREW
			\$ 31.15	MILLS METER-ELBOW
			\$ 22.15	SITE #1/#2-HOSE CLAMPS
			\$ 122.82	VAC TRAILER-SOAP NOZZLE
			\$ 9.47	DUNKLE PARK-HOSE WASHER
			\$ 32.37	RODEO GROUNDS-MASTER LOCK
			\$ 25.37	DUNKLE PARK-MASTER LOCK
			\$ 11.00	WATER TANK-NYLON COUPLER
		Check Total:	\$ 1,501.81	
35507	8/4/2017	THOMASON TRACTOR COMP/	\$ 51.31	LAWN EQUIP-OIL
			\$ 89.65	MOWER BLADE/PLUG/CHAIN
			\$ 62.71	BLADE
			\$ (60.31)	MOWER BLADE RETURN
			\$ 64.76	AUTOCUT
			\$ 40.07	LAWN MOWER-V BELT
		Check Total:	\$ 248.19	
35508	8/4/2017	UNDERGROUND SERVICE ALI	\$ 346.08	CA ANNUAL % OF TICKETS

**CITY OF FIREBAUGH ACCOUNTS PAYABLE
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35509	8/4/2017	U.S. BANK EQUIPMENT FINAN	\$ 630.14	RNT/LEASE 7/20/17-8/20/17
35510	8/4/2017	WEST SIDE DRUG STORE	\$ 8.44	PD-ENVELOPES
			\$ 2.48	FD-HEFTY DRINK CUPS
		Check Total:	\$ 10.92	
35511	8/4/2017	WOLFE COMMUNICATIONS	\$ 247.49	FD-STANDARD CHARGER/PROGRAM
35512	8/4/2017	TUCKER CARRILLO-ZAZUETA	\$ 250.00	HEALTH INS. STIPEND PER MOU
35513	8/10/2017	AG & INDUSTRIAL SUPPLY	\$ 19.39	PARKS-WEED EATER STRING
			\$ 52.13	PW#8/SHOP-PARTS
		Check Total:	\$ 71.52	
35514	8/10/2017	ANTHONY'S SHOP	\$ 508.69	CAT WHEEL ENGINE OVERHAUL
35515	8/10/2017	RAFAEL ARREOLA	\$ 150.00	ENCLOSED AREA CLEANING DEPOSIT
35516	8/10/2017	AT&T	\$ 109.84	ALL DEPTS INTERNET #93910
			\$ 601.36	TELEPHONE ALL DEPTS #9391
			\$ 499.77	PD INTERNET #9391012020
		Check Total:	\$ 1,210.97	
35517	8/10/2017	AUTOZONE COMMERCIAL (13	\$ 6.99	LONG LIFE BULBS
			\$ 14.94	POLICE UNIT#11-WHEEL NUT
			\$ 8.40	PROELITE CAR WASH GALLON
			\$ 13.97	SHOP-HAND CLEANER
			\$ 38.11	PW#36-RADIATOR STOP LEAK
			\$ 43.30	FD-CAR CHARGER/WALL USB
			\$ 13.80	PW#29-SEMI GLOSS
			\$ 15.76	PW#29-MASK TAPE
			\$ 58.11	TRUCK #5/#3-ULTRASHIELD
			\$ 7.04	WWTP-WAX CAR WASH
			\$ 81.57	IGNITION LOCK-PW#38 TRUCK
			\$ 72.33	PW#38-IGNITION LOCK
			\$ (81.57)	PW#38-IGNITION LOCK
			\$ 81.57	PW#38-IGNITION LOCK
			\$ 34.02	DURALAST-PW37
			\$ 85.88	PD#6-AIR FLOW SENSOR
			\$ (85.88)	PD#6-AIR FLOW SENSOR
			\$ (81.57)	PW#38-IGNITION LOCK RETURN
		Check Total:	\$ 326.77	

CITY OF FIREBAUGH ACCOUNTS PAYABLE
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<u>Check</u> <u>Number</u>	<u>Check</u> <u>Date</u>	<u>Name</u>	<u>Net</u> <u>Amount</u>	<u>Description</u>
35518	8/10/2017	CORELOGIC SOLUTIONS, LLC	\$ 180.00	REALQUEST JULY 2017
35519	8/10/2017	DORITY INS. & FINANCIAL S	\$ 3,841.00	AIRPORT OWNERS & OPERATOR
35520	8/10/2017	FENCE FACTORY ATASCADEI	\$ 1,615.52	CANTALOUPE ROUND UP-FENCE
35521	8/10/2017	FIREBAUGH FOOTBALL BOOS	\$ 150.00	A/F HALL CLEANING DEPOSIT
35522	8/10/2017	FIREBAUGH HARDWARE COM	\$ 10.66	BATHROOMS PHOTO CELL-CAP
			\$ 21.58	SITE#1/#2-NETTING
			\$ 4.95	DON PEPE HOUSE-CONCRETE
			\$ 14.84	DON PEPE-CONCRETE
			\$ 73.73	DON PEPE HOUSE-EMERGENCY REPAIR
			\$ 69.97	DON PEPE HOUSE-RAPAIR FENCE
			\$ 30.15	PARKERS PARK-SPRING POP UP
			\$ 32.35	DUNKLE PARK-DRAIN OPENER
			\$ 43.70	DUNKLE PARK-HOSE WASH MAC
		Check Total:	\$ 301.93	
35523	8/10/2017	FRESNO OXYGEN	\$ 48.36	SHOP-PARTS
35524	8/10/2017	G&K SERVICES, INC.	\$ 18.66	CITY HALL
			\$ 88.88	CITY SHOP
			\$ 18.39	COMMUNITY CENTER
			\$ 11.79	WASTE WATER FACILITY
			\$ 23.26	SENIOR CENTER
			\$ 20.54	CITY HALL
			\$ 96.67	CITY SHOP
			\$ 20.23	COMMUNITY CENTER
			\$ 12.97	WASTEWATER FACILITY
			\$ 25.58	SENIOR CENTER
			\$ 20.54	CITY HALL
			\$ 96.67	CITY SHOP
			\$ 20.23	COMMUNITY CENTER
			\$ 12.97	WASTE WATER FACILITY
			\$ 25.58	SENIOR CENTER
			\$ 20.54	CITY HALL
			\$ 96.67	CITY SHOP
			\$ 20.23	COMMUNITY CENTER
			\$ 12.97	WASTE WATER FACILITY
			\$ 25.58	SENIOR CENTER
			\$ 20.54	CITY HALL
			\$ 96.67	CITY SHOP

**CITY OF FIREBAUGH ACCOUNTS PAYABLE
WARRANTS AUGUST 1, 2017 - AUGUST 31, 2017**

<u>Check Number</u>	<u>Check Date</u>	<u>Name</u>	<u>Net Amount</u>	<u>Description</u>
35524	8/10/2017	G&K SERVICES, INC.	\$ 20.23	COMMUNITY CENTER
			\$ 12.97	WASTE WATER FACILITY
			<u>\$ 25.58</u>	SENIOR CENTER
		Check Total:	\$ 864.94	
35525	8/10/2017	GUTHRIE PETROLEUM, INC.	\$ 1,205.55	BULK UNLEADED GASOLINE
			\$ 970.05	BULK UNLEADED GASOLINE
			\$ 1,196.61	BULK UNLEADED GASOLINE
			\$ 1,029.34	BULK UNLEADED GASOLINE
			\$ 843.31	BULK DIESEL FUEL
			<u>\$ 1,581.08</u>	BULK UNLEADED GASOLINE
		Check Total:	\$ 6,825.94	
35526	8/10/2017	HOME DEPOT CREDIT SERVIC	\$ 159.73	PAINT BANDSTAND DUNKLE PARK
			\$ 148.45	CANTALOUPE ROUND UP FOOD
			<u>\$ 181.06</u>	EMERGENCY SEWER LINE REPAIR
		Check Total:	\$ 489.24	
35527	8/10/2017	PACIFIC GAS & ELECTRIC	\$ 25.82	FIRE DEPT #3228327255-0
35528	8/10/2017	PACHECO VETERINARY HOSF	\$ 159.00	MAY 2017 EUTHANASIA COST
35529	8/10/2017	RAIN FOR RENT	\$ 2,376.31	RENTAL SERVICES/MOTOR REPAIR
35530	8/10/2017	RENO'S MEGA MART	\$ 49.90	PD-GASUBE
			<u>\$ 31.56</u>	FORKLIFT-PROPANE
		Check Total:	\$ 81.46	
35531	8/10/2017	SAN JOAQUIN VALLEY	\$ 264.00	17/18 ANNUAL PERMITS
35532	8/10/2017	SUN'S INTERNATIONAL CORP	\$ 115.53	PAPERROLL TOWELS AND TOILET
35533	8/10/2017	SURVEILLANCE INTEGRATIO	\$ 1,528.75	CAMERA INSTALLATION MAINT
35534	8/10/2017	TORO PETROLEUM CORP.	\$ 63.60	ALLIANCE CJ4/CA OIL RECYCLE
35535	8/10/2017	VERIZON WIRELESS	\$ 852.29	JUKY 2017 ALL DEPTS
35536	8/15/2017	CITY OF FIREBAUGH	\$ 92,220.50	UNITED SEC BANK-PAYROLL
35537	8/16/2017	EMPLOYMENT DEVELOPMEN	\$ 3,452.00	BENEFIT CHARGES
35538	8/16/2017	ADAMS ASHBY GROUP, LLC	\$ 1,910.00	GENERAL ADMIN-15-CDBG-10568

**CITY OF FIREBAUGH ACCOUNTS PAYABLE
WARRANTS AUGUST 1, 2017 - AUGUST 31, 2017**

<u>Check Number</u>	<u>Check Date</u>	<u>Name</u>	<u>Net Amount</u>	<u>Description</u>
35538	8/16/2017	ADAMS ASHBY GROUP, LLC	\$ 3,360.00	LABOR COMPLIANCE-15-CDBG-10568
		Check Total:	\$ 5,270.00	
35539	8/16/2017	AG & INDUSTRIAL SUPPLY	\$ 1,818.76	WATER METER BOX & LID
35540	8/16/2017	ARCTIC GLACIER, U.S.A. IN	\$ 902.13	2017 CANTALOUPE ROUND UP
35541	8/16/2017	SANDRA BONILLA	\$ 150.00	A/F HALL CLEANING DEPOSIT
35542	8/16/2017	BSK & ASSOCIATES, INC.	\$ 68.76	LAB ANALYSIS
			\$ 109.39	LAB ANALYSIS
			\$ 37.50	LAB ANALYSIS
			\$ 37.50	LAB ANALYSIS
			\$ 207.50	LAB ANALYSIS
			\$ 162.50	LAB ANALYSIS
			\$ 67.50	LAB ANALYSIS
			\$ 337.50	LAB ANALYSIS
			\$ 37.50	LAB ANALYSIS
			\$ 55.00	LAB ANALYSIS
			\$ 87.50	LAB ANALYSIS
			\$ 50.00	LAB ANALYSIS
			\$ 218.78	LAB ANALYSIS
			\$ 68.76	LAB ANALYSIS
			\$ 84.42	LAB ANALYSIS
			\$ 84.42	LAB ANALYSIS
			\$ 68.76	LAB ANALYSIS
			\$ 37.50	LAB ANALYSIS
			\$ 180.00	LAB ANALYSIS
			\$ 37.50	LAB ANALYSIS
			\$ 335.00	LAB ANALYSIS
		Check Total:	\$ 2,373.29	
35543	8/16/2017	CALIF WATER ENVIRONMEN]	\$ 165.00	CERTIFICATION APP. M. MOLINA
35544	8/16/2017	ERIKA CASTILLO	\$ 44.95	CPR/BLS CERTIFICATION
			\$ 9.99	FOOD HANDLERS CERTIFICATION
		Check Total:	\$ 54.94	
35545	8/16/2017	ANTHONY C. CHAVARRIA	\$ 100.00	WORK BOOTS REIMBURSEMENT
35546	8/16/2017	DEPARTMENT OF JUSTICE	\$ 160.00	FINGERPRINT JULY 2017
			\$ 245.00	BLOOD ALCOHOL ANALYSIS JULY
		Check Total:	\$ 405.00	

CITY OF FIREBAUGH ACCOUNTS PAYABLE
WARRANTS AUGUST 1, 2017 - AUGUST 31, 2017

<u>Check</u> <u>Number</u>	<u>Check</u> <u>Date</u>	<u>Name</u>	<u>Net</u> <u>Amount</u>	<u>Description</u>
35547	8/16/2017	DONAGHY SALES, LLC.	\$ 7,723.10	2017 CANTALOUPE ROUNDUP BEER
			\$ 60.00	2017 CANTALOUPE ROUNDUP CUPS
			\$ (3,167.15)	2017 CANTALOUPE ROUNDUP BEER
			\$ (60.00)	2017 CANTALOUPE ROUNDUP CUPS
		Check Total:	\$ 4,555.95	
35548	8/16/2017	DSS CORPORATION	\$ 1,590.00	PD-MAINTENANCE AGREEMENT
35549	8/16/2017	EPPLER TRUCK SALES	\$ 207.77	FD-INSTALLED AIR COMPRESS
35550	8/16/2017	FIRST BANKCARD	\$ 50.00	PW-ICSC MEMBERSHIP DUE FEE
			\$ 25.87	PW-DICKS SPORTING GOODS PARK
			\$ 36.91	PW-CANTALOUPE ROUNDUP
			\$ 525.00	PW-LEAGUE OF CITIES-FREDDY
			\$ 15.12	PW-FAMILY DOLLAR BEER BOOTH
			\$ 37.77	PW-FIREBAUGH WIRELESS BEN
			\$ 525.00	PW-LEAGUE OF CITIES BRADY
			\$ 525.00	PW-LEAGUE OF CITIES BEN
		Check Total:	\$ 1,740.67	
35551	8/16/2017	FRESNO COUNTY TREASURER	\$ 164.04	ACCESS FEES JULY 2017
35552	8/16/2017	HINDERLITER, deLLAMAS	\$ 403.61	AUDIT SERVICES-SALES TAX
35553	8/16/2017	METRO UNIFORM	\$ 38.66	PD-BICYCLE PATROL
35554	8/16/2017	POLICE ACTIVITIES LEAGUE	\$ 3,783.01	2017 CANTALOUPE ROUNDUP
35555	8/16/2017	PUBLIC SECTOR EXCELLENCE	\$ 445.00	CUSTOMER TRAINING VISALIA
35556	8/16/2017	THE RADAR SHOP, INC.	\$ 516.42	PD-RECERTIFIED RADAR UNIT
35557	8/16/2017	CLAUDIA SOLIS-ALCALA	\$ 120.00	FIREBAUGH FACEBOOK FOR JULY
35558	8/16/2017	SPARKLETT'S	\$ 122.89	PUBLIC WORKS/SHOP
35559	8/16/2017	STEEL SOURCE CONSTRUCTION	\$ 11,679.54	MX WATER QUALITY SAMPLER
35560	8/16/2017	UNITED RENTALS (NORTH AM)	\$ 1,855.91	GENERATOR 70-84 KVA
35561	8/16/2017	VALLEY NETWORK SOLUTIONS	\$ 992.50	MONITORING FOR JULY 2017
35562	8/24/2017	CITY OF VISALIA	\$ 40.00	BEN/PIO LEAGUE OF CITIES

**CITY OF FIREBAUGH ACCOUNTS PAYABLE
WARRANTS AUGUST 1, 2017 - AUGUST 31, 2017**

<u>Check Number</u>	<u>Check Date</u>	<u>Name</u>	<u>Net Amount</u>	<u>Description</u>
35563	8/25/2017	ACME ROTARY BROOM SERV	\$ 1,851.02	12-ELGIN GUTTER BROOMS
35564	8/25/2017	AIRSPACE MONITORING SYST	\$ 464.04	FD-MONITOR W/LCD W/SNIFFEL
35565	8/25/2017	BEST UNIFORMS	\$ 858.40	PD-J. ZARAGOZA BODY ARMOR
35566	8/25/2017	JOHN BORBOA	\$ 1,666.66	FIRE OTHER SERVICES
35567	8/25/2017	CHEVRON & TEXCO CARD SE	\$ 61.96	FD-GAS/NO GAS KEY AVAILABLE
35568	8/25/2017	CORBIN WILLITS SYSTEMS	\$ 1,020.18	ADMINISTRATION C/W SERVICE
35569	8/25/2017	D & L REFRIGERATION, LLC	\$ 225.00	PD-AC MAINTENANCE
35570	8/25/2017	DISH	\$ 50.30	SENIOR CENTER CABLE
35571	8/25/2017	FERGUSON ENTERPRISES, INC	\$ 1,030.06	PW-PARTS
35572	8/25/2017	FIREBAUGH FFA	\$ 150.00	A/F HALL CLEANING DEPOSIT
35573	8/25/2017	FIRST BANKCARD	\$ 118.76	PD-AMAZON PORTABLE EXTERN
			\$ 13.38	PD-BLACK COILED TELEPHONE
			\$ 43.23	PD-SETTLEMENTONE SCREENING
			\$ 31.26	PD-COSTCO CANTALOUPE ROUND UP
			\$ 68.01	PD-SMART N FINAL CANTALOUPE
			\$ 14.98	PD-AMAZON PROTECTIVE CASE
			\$ 61.78	PD-AMAZON WALL UNIT
			\$ 189.92	PD-AMAZON POWER STRIP SUR
			\$ 19.94	PD-AMAZON REPLACEMENT HANDLE
			\$ 47.80	PD-AMAZON BLUE RAFFLE TIC
			\$ 477.20	PD-COSTCO CANTALOUPE ROUND UP
			\$ 267.49	PD-HOME DEPOT CANTALOUPE
			\$ 129.52	PD-KIRKLANDS CANTALOUPE
			\$ 215.93	PD-BIG 5 QUICKSHADES
			\$ 117.54	PD-TARGET FRAME CANTALOUPE
			\$ 21.99	PD-COSTCO CANTALOUPE ROUND UP
			\$ 157.21	PD-MICHAELS CANTALOUPE ROUND
		Check Total:	\$ 1,995.94	
35574	8/25/2017	GOUVEIA ENGINEERING, INC.	\$ 141.75	705.08 MONUMENT PRESERVATION
			\$ 191.63	710.03 DBE PLAN-ADA COMPLIANCE
			\$ 44.63	710.11 DIR REPORTING
			\$ 232.31	720.01 PLANNING GENERAL

CITY OF FIREBAUGH ACCOUNTS PAYABLE
WARRANTS AUGUST 1, 2017 - AUGUST 31, 2017

<u>Check</u> <u>Number</u>	<u>Check</u> <u>Date</u>	<u>Name</u>	<u>Net</u> <u>Amount</u>	<u>Description</u>
35574	8/25/2017	GOUVEIA ENGINEERING, INC.	\$ 2,249.63	720.07 REGIONAL TRANSPORT
			\$ 70.88	720.17 BURGER KING
			\$ 141.75	720.18 9974 N. DOS PALOS
			\$ 595.88	725.01 PUBLIC WORKS GENERAL
			\$ 6,912.50	740.05-4 TASK 4 PS&E LAS
			\$ 19,862.06	740.09 III CDBG WATER MAIAINTENANCE
			\$ 496.13	740.11 SGMA
			\$ 483.00	745.02 HWY 33 BEAUTIFICATION
			\$ 21.25	745.10C CML-5224(015) POSO CANAL
			\$ 21.25	745.19C CML-5224(019) PEDESTRIAN
			\$ 208.69	745.21C RIVERLANE/CARDELLA
			\$ 653.63	745.22 TRAIL REHAB/PED
			\$ 44.63	775.03 LLA 2016-02 DOLLAR
			\$ 107.63	785.16 DOLLAR GENERAL
			\$ 1,476.56	785.18 LANDUCCI 8 UNIT CO
			\$ 448.88	790.02 CITYWIDE ASSESSMENT
			\$ 425.25	795.13 SJ RIVER PROJECT A
			\$ 1,156.31	795.14 SMALL COMMUNITIES
			<u>\$ 3,870.00</u>	730.07 SRF WWTP IMPROVEMENT
		Check Total:	\$ 39,856.23	
35575	8/25/2017	KER WEST, INC. DBA	\$ 1,260.00	LEGAL ADVERTISING 8/2,8/9
35576	8/25/2017	KTS SERVICES OF NORTHERN	\$ 1,591.50	SHORTEL SUPPORT-INSTALLATION
35577	8/25/2017	LEAGUE OF CALIF. CITIES	\$ 25.00	DIVISION MEETING 8/10/17
35578	8/25/2017	MANUEL'S SMALL ENGINE RE	\$ 70.96	FD-WATER OVS FLOTO PUMP REPAIR
35579	8/25/2017	NOAH MARQUEZ	\$ 100.00	WORK BOOTS REIMBURSEMENT
35580	8/25/2017	MID-VALLEY DISPOSAL	\$ 362.00	8000 HELM CANAL
35581	8/25/2017	NORTHSTAR CHEMICAL	\$ 2,112.31	SODIUM HYPOCHLORITE BULK
35582	8/25/2017	PACIFIC GAS & ELECTRIC	\$ 68,094.51	ALL DEPTS #7355932148-1
35583	8/25/2017	QUILL CORPORATION	\$ 136.05	TOILET PAPER-CITY HALL
			\$ 22.99	SENIOR CENTER-PHONE CORD
			<u>\$ 116.61</u>	BATHROOM TISSUE-PD/CITY HALL
		Check Total:	\$ 275.65	

**CITY OF FIREBAUGH ACCOUNTS PAYABLE
WARRANTS AUGUST 1, 2017 - AUGUST 31, 2017**

<u>Check Number</u>	<u>Check Date</u>	<u>Name</u>	<u>Net Amount</u>	<u>Description</u>
35584	8/25/2017	SPARKLETT'S	\$ 134.12	CITY HALL/SENIOR CENTER
35585	8/25/2017	TECH MASTER MANAGEMEN	\$ 150.00	PEST CONTROL ALL DEPTS
35586	8/25/2017	TIFCO INDUSTRIES	\$ 128.61	PW-PLATED LOCK/FLAT WASHER
35587	8/25/2017	WESTERN EXTERMINATOR CO	\$ 47.25	401 THOMAS CONBOY
			\$ 38.00	8000 HELM CANAL RD
			\$ 70.00	1133 P ST
			\$ 47.25	401 THOMAS CONBOY
			<u>\$ 59.50</u>	1655 13TH ST
		Check Total:	\$ 262.00	
35588	8/25/2017	WESTAMERICA BANK	\$ 100.00	CASH ORDER FOR SECOND CASH BOX
35589	8/25/2017	ZEE MEDICAL SERVICE CO.	\$ 130.17	PUBLIC WORKS MEDICAL SUPPLY
			\$ 29.35	CITY HALL MEDICAL SUPPLIES
			\$ 76.48	WASTE WATER PLANT MEDICAL
			<u>\$ 58.68</u>	SENIOR CENTER
		Check Total:	\$ 294.68	
35590	8/29/2017	CITY OF FIREBAUGH	\$ 90,132.06	UNITED SEC BANK-PAYROLL A
35591	8/30/2017	CITY OF FIREBAUGH	\$ 9,451.46	UNITED SEC BANK-PAYROLL A
35592	8/30/2017	AT&T MOBILITY	\$ 416.80	POLICE DEPT #287249191200
35593	8/30/2017	AT&T	\$ 286.89	WATER OPER TELEPHONE
35594	8/30/2017	BLUE FLAME	\$ 196.41	LUNCH MEETING WITH CONGRESS
35595	8/30/2017	CALIFORNIA POLICE CHIEFS	\$ 198.00	S.RAYGOZA/M.MARTINEZ-TECH
35596	8/30/2017	EPPLER TRUCK SALES	\$ 1,097.27	FD-REPLACED COMPRESSOR
35597	8/30/2017	FIREBAUGH SUPER MARKET	\$ 9.58	PW-WATER
			\$ 8.31	PW-RESTROOMS CLEANING SUPPLIES
			\$ 28.12	DOG KENNEL-DOG FOOD
			\$ 16.22	DOG FOOD
			\$ 12.58	PD-WATER FOR OFFICERS AT
			\$ 4.06	DOG TRUCK-HOT DOGS
			\$ 8.31	CLEANING SUPPLIES RESTROOM
			\$ 8.99	LUNCH MEETING WITH CONGRESS

CITY OF FIREBAUGH ACCOUNTS PAYABLE
WARRANTS AUGUST 1, 2017 - AUGUST 31, 2017

<u>Check</u> <u>Number</u>	<u>Check</u> <u>Date</u>	<u>Name</u>	<u>Net</u> <u>Amount</u>	<u>Description</u>
35597	8/30/2017	FIREBAUGH SUPER MARKET	\$ 16.22	DOG FOOD
			\$ 15.18	SENIOR CENTER-CREAMER
			\$ 51.34	DOG FOOD
			\$ 12.95	SENIOR CENTER NAPKINS
			\$ 0.99	PD-HOT DOGS CODE ENFORCEMENT
			\$ 11.02	CITY COUNCIL MEETING-SODA
			\$ 16.22	DOG FOOD
			\$ 30.86	COMMUNITY CTR-CLEANING SUPPLY
			\$ 32.45	DOG FOOD
			\$ 13.70	COMMUNITY CTR-CLEANING SUPPLY
			\$ 15.87	PW-WATER
			\$ 12.38	PW-WATER
			\$ 19.85	COMMUNITY CTR-BLEACH/AJAX
			\$ 4.29	SENIOR CENTER-COFFEEMATE
			\$ 26.08	SENIOR CENTER/COMMUNITY CTR
			\$ 32.45	DOG FOOD
			<u>\$ 54.79</u>	DOG FOOD
Check Total:			\$ 462.81	
35598	8/30/2017	FRESNO-MADERA AREA AGEI	\$ 24.64	7/17 NON USDA QUALIFIED MEAL
35599	8/30/2017	CAROL LAKE	\$ 150.00	DUNKLE PARK ENCLOSED AREA
35600	8/30/2017	NATIONAL TRAINING CONCEI	\$ 315.00	PD-LETHAL INSTRUCTOR COURSE
35601	8/30/2017	PITNEY BOWES #8000-9090-	\$ 520.99	POSTAGE REFILL 8/2/17
35602	8/30/2017	PRODUCTIVITY PLUS ACCT D	\$ 155.12	N&S TRACTOR FLAIL MOWER
35603	8/30/2017	ROLFE CONSTRUCTION COME	\$ 117,355.87	FIREBAUGH-WATER MAIN REPLACE
			<u>\$ 49,973.42</u>	FIREBAUGH-WATER MAIN REPLACE
Check Total:			\$ 167,329.29	
35604	8/30/2017	SPARKLETTS	\$ 83.74	POLICE DEPARTMENT
35605	8/30/2017	SUN'S INTERNATIONAL CORP	\$ 18.14	JUMBO ROLL PAPER-PARKS
			<u>\$ 18.14</u>	PAPER ROLL TOWELS-SENIOR
Check Total:			\$ 36.28	
35606	8/30/2017	TECH MASTER MANAGEMEN	\$ 40.00	PD-PEST CONTROL
35607	8/30/2017	TPX COMMUNICATIONS	\$ 1,569.68	ALL DEPTS-TELEPHONE & INTERNET

**CITY OF FIREBAUGH ACCOUNTS PAYABLE
WARRANTS AUGUST 1, 2017 - AUGUST 31, 2017**

<u>Check Number</u>	<u>Check Date</u>	<u>Name</u>	<u>Net Amount</u>	<u>Description</u>
35608	8/30/2017	TONER PLUS	\$ 824.93	PD-DELL TONER
35609	8/30/2017	WESTAMERICA BANK	\$ 200.00	SENIOR CTR CANDY PURCHASE FOR VENDING MACHINE-BINGO MONEY
35610	8/30/2017	CITY OF FIREBAUGH	\$ 35,721.87	UNITED SEC BANK-PAYROLL -

City of Firebaugh

1133 "P" Street, Firebaugh, Ca 93622

Fax (559) 659-3412

Telephone (559) 659-2043

**AGENDA ITEM REQUEST FORM**

- (1) DATE OF MEETING REQUESTED: Sept 18th, 2017
- (2) REQUESTED BY: Tommy Phelen (3) DATE OF REQUEST: 9-12-17
- (4) ADDRESS: 3497 E. International Clavis Ca 93619
- (5) TELEPHONE NO: (559) 647-1076 (6) EMAIL: tommy.cencalbuilders@gmail.com
- (7) Information Only ☐ Action Item ☐ Discussion/Action ☒
 Report ☐ Public Hearing ☐ Closed Session ☐
- (8) AGENDA ITEM SUBJECT: Reduction/Waiver of fees for new apartment complex, located at Landucci & Salpan, for the School & Firebaugh Fees.
- (9) BACKGROUND: _____

(10) ACTION REQUESTED: _____

(11) Administrative Approval _____ Date _____

(12) Fiscal Approval _____ Date _____

(13) Personnel _____ Date _____

***** Request must be completed and approved by the above listed individuals*****

Request(s) to be added to the agenda MUST be received by the City Hall in five (5) working days prior to the meeting date. All backup information MUST be attached in order for this item to be placed on the agenda.

FOR OFFICIAL USE ONLY

(14) Notification date: _____ (15) Notified By: _____

(16) Meeting Date: _____ (17) Mode of Notification: _____

Telephone ☐ Email ☐

(18) Date of Meeting: _____ (19) Regular ☐ (20) Special ☐ (21) Action Item Number _____

(22) Action Taken: Approved Disapproved Tabled Other _____

(23) Special Stipulations: _____

ORDINANCE NO. 17-##

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH ESTABLISHING REGULATIONS WITHIN THE FIREBAUGH MUNICIPAL CODE TO IMPLEMENT THE ADULT USE OF MARIJUANA ACT, INCLUDING ALLOWING COMMERCIAL CANNABIS OPERATIONS IN THE M-2 (HEAVY INDUSTRIAL) ZONE, SUBJECT TO A CONDITIONAL USE PERMIT, AND ESTABLISHING DEVELOPMENT STANDARDS FOR SUCH OPERATIONS.

WHEREAS, on November 8, 2016, Proposition 64 (Adult Use of Marijuana Act (AUMA)) was approved by California voters for the purpose of providing a comprehensive regulatory framework for the licensing, control, and taxation of non-medical commercial cannabis related businesses in California; and

WHEREAS, AUMA expressly protects a City's local licensing practices, zoning authority, and other local actions taken under the City's constitutional municipal and police powers for the purpose of commercial cannabis activities; and

WHEREAS, the City Council recognizes, upon consultation with law enforcement, that supply chains for commercial cannabis and marijuana-related products as they currently exist, in the absence of state and local regulatory schemes, can and do benefit criminal elements to the detriment of residents of the State of California, the County of Fresno, and very likely the City of Firebaugh, without full regard for public safety, health and welfare issues; and

WHEREAS, the City Council recognizes the individual freedom and privacy interests that surround the choice of what to take into one's body, following consultation with one's chosen health care providers, and for one's own health-related purposes, and in a manner that is responsible in its impacts on others in the community, including children, and

WHEREAS, the City Council also recognizes its obligation to provide guidance on appropriate community standards of health, safety, and welfare, and where appropriate, to protect residents – especially residents of particularly vulnerable populations like children – from violation and abuse of those community standards; and

WHEREAS, the City Council desires to establish reasonable land use controls and reasonable regulations on the operation of commercial cannabis related businesses which are intended to operate in conjunction with the zoning and land use regulations of the City of Firebaugh, and which are intended to address the negative impacts, nuisance impacts, and criminal impacts of unregulated cannabis-related businesses, and

WHEREAS, commercial cannabis related businesses will be subject to the zoning and land use regulations of the zoning district in which such businesses establish and operate, as set forth in Chapter 25 of the Firebaugh Municipal Code, and as otherwise established by the City, and

WHEREAS, the City Council finds that the activities permitted under this ordinance are consistent with and implement the goals and policies of the Firebaugh General Plan, and

WHEREAS, the City Council finds that the adoption of this ordinance is exempt from environmental review under the California Environmental Quality Act (CEQA) per Section 15061 (b) (3) of the CEQA Guidelines which stipulate that where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.

Therefore, the City of Firebaugh does ordain as follows:

Section 1. Section 25-29.2 (Industrial Zones: Permitted Uses) of the Firebaugh Municipal Code is hereby amended:

Use	Zone	
	M-1 Zone	M-2 zone
1. Assembling, cleaning, manufacturing, processing repairing or testing of products, conducted within an enclosed structure, or within a screened outdoor storage area, except for the following uses listed under 1a through 1k, which are permitted only in the M-2 zone by Conditional Use Permit	P	P
a. Drop forges	-	CUP
b. Fertilizer manufacturing	-	CUP
c. Animal processing, including slaughterhouses, reduction, rendering and glue manufacturing	-	CUP
d. Petroleum products manufacturing, processing and storage, including oils, gasoline, natural gas, paints and tar	-	CUP
e. Incinerators		CUP
f. Metal industries (ores, reduction, refining, smelting and alloying)		CUP
g. Paper and paper product manufacturing	-	CUP
h. Textile mills	-	CUP
i. Chemical manufacturing	-	CUP
j. Rubber manufacturing	-	CUP
2. Assembling, cleaning, manufacturing, processing, repairing or testing of products not listed under 1a through 1b that are conducted primarily outdoors.	CUP	CUP
3. Agricultural services and industries, including the following:		
a. Food and dairy processing	P	P
b. Canneries	P	P
c. Cold storage facilities	P	P
d. Crop cultivation	P	P
e. Grain storage and processing	P	P
<u>f. Marijuana cultivation, manufacturing, testing, transportation and distribution</u>	-	<u>CUP, subject to standards contained in Section 25-41-13</u>
<u>g. f.</u> Nurseries	P	P
<u>h. g.</u> Packing houses	P	P
<u>i. h.</u> Veterinary services, livestock and large animals, including animal boarding	P	P
<u>j. i.</u> Animal sales yards	CUP	P
<u>k. j.</u> Agricultural exhibits, including sales, displays, large assembly of people and livestock.	P	P
4. Automobile oriented uses, including auto repair, tire shops, painting, upholstery, etc.	P	P

<u>Use</u>	<u>Zone</u>	
	<u>M-1 Zone</u>	<u>M-2 zone</u>
5. Concrete batch plants, processing of minerals, and aggregate and related materials, sand and gravel storage	CUP	P
6. Dwelling for a caretaker or security guard on the site of an approved use.	CUP	CUP
7. Fuel dealer and service stations	CUP	P
8. Airports, heliports/helipads	CUP	CUP
9. Farm supply stores	P	P
10. Lumber yards	P	P
11. Kennels	P	P
12. Mini storage facilities and storage buildings	P	P
13. Offices	P	P
14. Retail uses conducted as part of, and incidental to an established manufacturing operation (such as a candy store on the site of a candy manufacturing operation)	P	P
15. Research and development operations, including laboratories.	P	P
16. Recycling collection and processing facilities.	P	P
17. Salvage and wrecking facilities and junk yards	-	CUP
18. Towing services	P	P
19. Trucking, Transportation and distribution	P	P
20. Truck stops	CUP	CUP
21. Upholstery shops	P	P
22. Vehicle storage	P	P
23. Warehousing and wholesaling	P	P
24. Equipment rental and sales yards including farm equipment rental and sales	P	P
25. Building contractor offices and yards	P	P
26. Miscellaneous uses, including:		
a. Accessory uses on the site of a permitted use or conditionally-permitted use	P	P
b. Parking facilities on separate lots	P	P
c. Communications equipment buildings and structures (including wireless telecommunications facilities), public utility service yards, gas regulator stations, pumping stations, storm drainage reservoirs, public water wells, electric distribution substations and transmission line structures.	CUP	CUP
d. Private fueling stations located on-site with a permitted or conditionally permitted use.	P	P
e. Other uses determined to be similar in nature and intensity to those permitted in that particular zone, as determined by the city planner.	P	P
f. Other uses determined to be similar in nature and intensity to those conditionally permitted in that particular zone, as determined by the city planner.	CUP	CUP

Section 2. Subsection 25-41.13 is added to Chapter 25-41, as follows:

25-41.13 Marijuana cultivation, manufacturing, testing, transportation and distribution

a. Operational Requirements and Restrictions

Marijuana cultivation, manufacturing, testing, transportation and distribution businesses and activities are prohibited throughout the City of Firebaugh except where permitted by this title. Where permitted, such uses are subject to the following standards and requirements:

1. **Register of Employees.** The Operator shall maintain a current register of the names of persons required to have Employee Permits. The register shall be available to the Police Chief at all times immediately upon request.
2. **Signage.** There shall be no signage or markings on the Premises, or off-site, which in any way evidences that Marijuana Operations are occurring on the property. Interior building signage is permissible provided the signage is not visible outside of the building.
3. **Marijuana Consumption.** No marijuana shall be smoked, ingested or otherwise consumed on the premises of the Marijuana Operations. Adequate signage of this prohibition shall be displayed throughout the facility.
4. **Alcoholic Beverages.** No Marijuana Operation shall hold or maintain a license from the State Department of Alcohol Beverage Control to sell alcoholic beverages, or operate a business that sells alcoholic beverages. In addition, alcohol for personal consumption shall not be provided, stored, kept, located, sold, dispensed, or used on the premises of the Marijuana Operations.
5. **Transportation.** Transportation shall only be conducted according to activity permitted by State law.
6. **Deliveries.** There shall be no deliveries from the premises except to a State or local licensed or permitted cannabis business.
7. **Non-Commercial Marijuana Activity.** No Non-Commercial or Recreational Marijuana Activity shall occur on the premises.
8. **Retail Sales.** The retail sale of marijuana is expressly prohibited.
9. **Public Access.** There shall be no public access to the premises.
10. **Minors.** It shall be unlawful for any Operator, Responsible Party, or other person in charge of any Marijuana Operations to employ any person who is not at least eighteen (18) years of age, or any older age if set by the State.
11. **Distance separation from schools.** Marijuana Operations shall comply with the distance separation requirements from schools as required by State law.
12. **Hours of Operation.** Commercial Marijuana Operations shall be allowed to operate per the requirements of the underlying zone district and subject to the City's noise and nuisance ordinances.

13. Building and Related Codes. The Marijuana Operation shall be subject to the following requirements:

- (a) The Premises in which the Marijuana Operations occur shall comply with all applicable local, state and federal laws, rules, and regulations including, but not limited to, building codes and the Americans with Disabilities Act, as certified by the Building Official of the City. The Operator shall obtain all required building permits and comply with all applicable City standards.
- (b) The Responsible Party shall ensure that the Premises has sufficient electrical load for the Marijuana Operations.
- (c) Butane and other flammable materials are permitted to be used for extraction and processing, provided the Operator complies with all applicable fire and building codes and any other requirements of the Firebaugh Fire Department to ensure the safety of that operation.
- (d) The Operator shall comply with requirements pertaining to use of commercial kitchen facilities for the Marijuana Operations.
- (e) The Operator shall comply with all environmental regulations pertaining to the Marijuana Operations, including the use and disposal of water and pesticides, and shall otherwise use best practices to avoid environmental harm.

14. Odor control. Marijuana Operations shall provide a sufficient odor absorbing ventilation and exhaust system so that odor generated inside the facility that is distinctive to its operation is not detected outside the Premises, outside the building housing the Marijuana Operations, or anywhere on adjacent property or public rights-of-way. As such, Marijuana Operations must install and maintain the following equipment or any other equipment which the City's Building Official determines has the same or better effectiveness:

- (a) An exhaust air filtration system with odor control that prevents internal odors from being emitted externally; or
- (b) An air system that creates negative air pressure between the cannabis facility's interior and exterior so that the odors generated inside the cannabis facility are not detectable outside the cannabis facility.

16. Secure Building. All Marijuana Operations shall occur entirely inside of a building that shall be secure, locked, and fully enclosed, with a ceiling, roof or top, and entirely opaque. The building shall include a burglar alarm monitored by an alarm company or private security company. The building, including all walls, doors, and the roof, shall be of solid construction meeting the minimum building code requirements for industrial structures (including, without limitation, commercial greenhouse structures) and include material strong enough to prevent entry except through an open door. Notwithstanding the foregoing, the roof may be of solid non-opaque material provided other security measures exist to ensure that the Marijuana Operation cannot be seen, heard or smelled beyond the property line. The precise building construction and material to be used shall be identified and provided to the City prior to construction and provided with the Registration.

17. Premises Security. The following security conditions shall apply:

- (a) Alarm System (both perimeter, fire and panic).
- (b) Remote monitoring of alarm systems.

- (c) Perimeter lighting systems (motion sensor) for after-hours security.
- (d) Perimeter fencing with constantina wire and lighting around the property perimeter.
- (e) Use of drive gates with card key access or similar to access the facility.
- (f) Entrance areas to be locked at all times areas, and under the control of a designated Responsible Party.
- (g) Use of access control systems to limit access to grow and processing areas.
- (h) Camera systems (360 degree perimeter, interior monitoring of all access points of the site from the interior) minimum 5 megapixel in resolution.
- (i) All security systems at the site are attached to an uninterruptable power supply that provide 24 hour of power.
- (j) 24 hour armed security patrols by a recognized security company licensed by the California Department of Consumer Affairs or otherwise acceptable to the Police Chief.
- (k) All current contact information regarding the security company shall be provided to the Police Chief.
- (l) Law enforcement access to all security systems.
- (m) IP access for remote monitoring of security cameras by the Police Department.
- (n) Any and all video or audio tape recordings made for security or other purposes shall be marked with the date and time made and shall be kept, in an unaltered state, for a period of thirty (30) days and must be made available to any law enforcement agency for duplication upon demand. In addition, upon request by any law enforcement agency, the Responsible Party shall duplicate the records for that agency.
- (o) Hardened bullet-resistant windows for exterior windows as part of any new construction.
- (p) Accounting software systems need to be in place to provide audit trails of both product and cash, where applicable.
- (q) Electronic track and trace systems for product.
- (r) Premises may be audited by the City for compliance on a quarterly basis.
- (s) City may conduct random spot checks of product inventories, and cash, where applicable.
- (t) State of the art network security protocols and equipment need to be in place to protect computer information.
- (u) The foregoing requirements shall be approved by the Police Chief prior to commencing operations. The Police Chief may supplement these security requirements once operations begin.

18. Confidentiality Statement

- (a). The City, Police Chief, Police Department employees, and any other law enforcement official acting under the direction of the Police Chief who access the premises and video and/or audio feeds or recordings of the premises ("Recipients") may receive or be provided with confidential information relating to the Marijuana Operations, which may include the following: data, records, plans, concepts and matters relating to customers, vendors and tenants, agreements, business records including, without limitation, business records relating to intellectual property, marketing and sales plans, pricing and other business strategies (whether or not implemented); research and development plans or projects; computer materials such as programs, instructions and printouts; software, including, without limitation, any source codes, object codes, algorithms and other engineering information; formulas; business improvements and processes; information regarding the skills and compensation of executives; intellectual property rights and strategies including, without limitation, any work on patents, trademarks or tradenames, prior to any filing or the use thereof in commerce; financing terms and strategies; in each case together with all reports, summaries, studies, notes, compilations, analyses and other documentation which contain or otherwise reflect or are generated from any of the foregoing, and in each case regardless of the media in which the information is maintained (collectively "Confidential Information").
- (b) To the extent Confidential Information is acquired without a warrant from access to the premises and video and/or audio feeds or recordings as authorized under this section, the Recipients shall, to the maximum extent possible, keep such Confidential Information confidential and not disclose the Confidential Information to any third parties. Provided, however, that the Recipients may disclose Confidential Information to the State or Federal courts in California in connection with any criminal law enforcement action against the Premises owner, Operator, Responsible Party or business (including its employees, contractors and agents conducting business within the premises) arising from or related to the Marijuana Operations, but only to the extent it is necessary and relevant to such criminal prosecution, and the Recipients shall file any such documents under seal to the extent they contain any Confidential Information.

Notwithstanding the foregoing, City may disclose Confidential Information:

- (1) As may be required by the California Public Records Act or pursuant to a civil subpoena, provided however, the City shall notify the Operator and provide the Operator with a reasonable opportunity to obtain a protective order before disclosing the Confidential Information.
- (2) In connection with any City enforcement, proceeding relating to compliance with the City's Municipal Code and this section, but only to the extent the Confidential Information is relevant to the proceeding.

19. Deliveries of Supplies and Transportation of Product. The following rules apply to deliveries and transportation:

- (a) Deliveries to the Premises of supplies shall only occur as provided for in diagrams and floor plans on file with the City as part of the Registration process. Delivery vehicles shall not have any markings indicating that deliveries are being made to a Marijuana Operation.

- (b) The transportation of marijuana samples and product to and from the Premises shall be in unmarked vehicles with no indication that the vehicles are transporting marijuana samples and products. The Responsible Party shall stagger transportation times, vary routes from the facility, and take other security measures as requested by the Police Chief.

20. **Premises Maintenance.** The Business Owner, Operator, and all Responsible Parties shall continually maintain the Premises and its infrastructure so that it is visually attractive and not dangerous to the health, safety and general welfare of employees, patrons, surrounding properties, and the general public. The Premises or Commercial Marijuana Operation shall not be maintained in a manner that causes a public or private nuisance.

b. **Owner/Operator Restrictions.** No Business Owner or Operator shall open or operate a Marijuana Operation in the City if any of the following exist:

1. The Business Owner or Operator has been issued a local or state permit related to Marijuana Operations at any other location in California, or another state, and that permit was suspended or revoked, or the Business Owner or Operator has had disciplinary action relating to the permit.
2. The Business Owner or Operator has knowingly made a false statement of material fact or has knowingly omitted to state a material fact in the Registration.
3. The Business Owner or Operator, or any Responsible Person, has been:
 - (a) Convicted of a serious or violent offense as listed under California Penal Code sections 667.5 and 1192.7(c); or
 - (b) Convicted of any of the offenses listed in Business and Professions Code section 19323; or
 - (c) Convicted of a misdemeanor involving moral turpitude as defined under State law (generally crimes relating to theft and dishonesty) within the five (5) years preceding the date of the application; or
 - (d) Convicted of a crime involving the illegal use, possession, transportation, distribution or similar activities related to controlled substances, as defined in the Federal Controlled Substances Act; or
 - (e) Has engaged in misconduct related to the qualifications, functions or duties of a permittee.

A conviction within the meaning of this subsection means a plea or verdict of guilty or a conviction following a plea of nolo contendere.

- 4 The Business Owner or Operator has engaged in unlawful, fraudulent, unfair, or deceptive business acts or practices.
- 5 The Business Owner or Operator is under eighteen (18) years of age, or any older other age set by the State.
- 6 The Marijuana Operation does not comply with the zoning ordinance standards of the City of Firebaugh or the development standards set forth in this Title.
- 7 The required annual business license fee, annual regulatory fee or revenue-raising fee has not been paid.

c. Registration and Responsible Party Designation. Any person desiring to open a Commercial Marijuana Operation in the City shall first comply with the requirements of this subsection.

1. **Registration.** Not less than sixty (60) days prior to the planned opening of any Marijuana Operation in the City, the Operator shall register their business with the Firebaugh Police Department and provide information on a form approved by the Police Chief to ensure compliance with this Section. Within thirty (30) days of Registration, the Police Chief shall inform the Operator whether it has satisfied the requirements of this subsection, in which case the Registration process shall be completed and the Business Owner shall be deemed to have a permit to operate (Commercial Marijuana Permit). If the requirements of this subsection are not satisfied, the Registration shall be incomplete and Police Chief shall inform the Operator of the reasons for non-compliance, at which time the Operator will have an opportunity to correct any deficiencies. The Police Chief shall have thirty (30) days to review any new information and make a determination. No Marijuana Operation shall commence until the Registration is complete.
2. **Registration Fee.** The Business Owner shall pay a fee set by Resolution of the City Council to cover the costs of Registration.
3. **Registration Information and Responsible Party Designation.** The information required to be submitted under this subsection shall be submitted with a certification under penalty of perjury that all of the information is true and correct, and shall include at a minimum the following:
 - (a) The full name, present address, and telephone number of the Premises Owner, Business Owner, Operator, and Responsible Parties.
 - (b) Date of birth of the Business Owner, Operator, and Responsible Parties.
 - (c) Tax identification number of the Business Owner, Operator, and Responsible Parties.
 - (d) The address to which notices relating to the Registration are to be mailed.
 - (e) Previous addresses for the five (5) years immediately preceding the present of the Business Owner, Operator, and Responsible Parties.
 - (f) The height, weight, color of eyes and hair of the Business Owner, Operator, and Responsible Parties.
 - (g) Photographs for identification purposes (photographs shall be taken by the Police Department) of the Business Owner, Operator, and Responsible Parties.
 - (h) All business, occupation, or employment of the Business Owner, Operator, and Responsible Parties for the five (5) years immediately preceding the date of submittal of the registration form.
 - (i) The Marijuana Operation business history of the Business Owner, Operator, and Responsible Parties, including whether the Business Owner, Operator, and Responsible Parties while previously operating in this or another city, county or state, has had a marijuana related license revoked or suspended, the reason therefore, and the business or activity or occupation subsequent to such action of suspension or revocation.

- (j) Complete property ownership and lease details, where applicable. If the Business Owner is not the legal owner of the property, the registration form must be accompanied with a notarized acknowledgment from the owner that Marijuana Operations will occur on his or her property.
 - (k) A descriptive business plan for the Marijuana Operation, including a detailed list of all Marijuana Operations proposed to occur on the Premises.
 - (l) A diagram and floor plan of the entire premises, denoting all uses of areas proposed for Marijuana Operations, including, but not necessarily limited to, cultivation, processing, manufacturing, testing, transportation, deliveries, and storage. The diagram and floor plan need not be professionally prepared, but must be drawn to a designated scale or drawn with marked dimensions of the interior of the premises to an accuracy of plus or minus six (6) inches.
 - (m) The name or names of the person or persons having the management or supervisory responsibilities for the Marijuana Operations. The Operator shall designate one or more Responsible Parties, one of which shall at all times be available as a point of contact for the City, 24 hours per day. The contact information and schedule of the Responsible Parties shall be provided to the Police Chief and updated within two (2) hours of any changes.
 - (n) Whether the person or persons having the management or supervisory responsibilities for the Marijuana Operation have been convicted of a crime, the nature of such offense, and the sentence received therefore.
 - (o) The names of all employees, independent contractors, and other persons who will work at the Marijuana Operation or be involved in transportation/delivery related services for the Marijuana Operation.
 - (p) The proposed security arrangements for insuring the safety of persons, and to protect the premises from theft.
 - (q) An accurate straight-line drawing prepared within thirty (30) days prior to the application depicting the building and the portion thereof to be occupied by the Marijuana Operation and the property line of any school as set forth in the Operational Requirements.
 - (r) Authorization for the City, its agents and employees to seek verification of the information submitted.
- 4. Criminal History Records Check. In addition to the registration information, the Business Owner, Operator, and Responsible Parties shall submit to a fingerprint-based criminal history records check conducted by the Firebaugh Police Department
 - 5. Changes in Information. Except as may otherwise be provided, the information provided in this subsection shall be updated upon any change within ten (10) days.

d. Location of Uses. The Commercial Marijuana Operation permitted by this section shall only be allowed in the locations designated on the diagram and floor plan of the Premises submitted with the Registration. The Commercial Marijuana Operation shall not operate at any place other than the address of the Marijuana Operation stated in the Registration.

e. Employee Permits.

1. **Permit Required.** Every employee or independent contractor working at a Commercial Marijuana Operation or involved in transportation/delivery related services for a Marijuana Operation shall obtain an Employee Permit. It shall be the duty of the Operator to ensure that Employee Permits are obtained from the Police Department prior to the employee or independent contractor commencing work.
2. **Application.** Each employee and independent contractor shall be required to provide the following information under penalty of perjury, so that the Police Department can perform a background check:
 - (a) Name, current resident address, and telephone number.
 - (b) Date of birth.
 - (c) Tax identification number.
 - (d) Height, weight, color of eyes, and hair.
 - (e) Photographs for identification purposes (photographs shall be taken by the Police Department).
 - (f) Fingerprinting by the Police Department.
 - (g) Such other identification and information as deemed necessary by the Police Chief.
 - (h) Authorization for the City, its agents and employees to seek verification of the information contained within the application.
3. **Application Fees.** Every application for an Employee Permit or renewal shall be accompanied by a nonrefundable fee, as established by resolution of City Council. This fee shall be in addition to any other business license fee or permit fee imposed by this Code or other governmental agencies. The fee shall include an amount to cover the costs of fingerprinting, photographing, background checks as well as general review and processing of the application.
4. **Investigation and Action on Application.**
 - (a) Upon the filing of a properly completed application and the payment of the fee, the Police Chief shall conduct an investigation of the application, including a background check. All applicants shall be required to submit to a fingerprint-based criminal history records check conducted by the Firebaugh Police Department.
 - (b) After the background checks and investigation are complete, and in no case later than thirty (30) days after receipt of a properly completed application, the Police Chief shall either approve or deny an Employee Permit. At the discretion of the Police Chief, Employee Permits may be conditionally approved pending the background investigation.
5. **Term of Permit and Renewals.** Employee Permits issued under this section shall expire one (1) year following the date of issuance. Applications for renewal shall be made at least forty-five (45) days prior to the expiration date of the permit and shall be accompanied by the nonrefundable fee referenced in this section. When made less than forty-five (45) days before the expiration date, the expiration of the permit will not be stayed. Applications for renewal shall be acted on similar to applications for permits, except that the Police Chief shall renew annual permits for additional one-year periods if the circumstances and information provided with the initial application have not materially changed.

6. Grounds for Denial of Employee Permit. The grounds for denial of an Employee Permit shall be one or more of the following:
 - (a) The applicant has been issued a local or state permit related to Marijuana Operations at any other location in California, or another state, and that permit was suspended or revoked, or the applicant has had disciplinary action relating to the permit.
 - (b) The applicant has been:
 - (1) Convicted of a serious or violent offense as listed under California Penal Code sections 667.5 and 1192.7(c); or
 - (2) Convicted of any of the offenses listed in Business and Professions Code section 19323; or
 - (3) Convicted of a misdemeanor involving moral turpitude as defined under State law (generally crimes relating to theft and dishonesty) within the five (5) years preceding the date of the application; or
 - (4) Convicted of a crime involving the illegal use, possession, transportation, distribution or similar activities related to controlled substances, as defined in the Federal Controlled Substances Act; or
 - (5) Has engaged in misconduct related to the qualifications, functions or duties of a permittee.
 - (c) The applicant has engaged in unlawful, fraudulent, unfair, or deceptive business acts or practices.
 - (d) The applicant has committed any act, which, if done by a permittee, would be grounds for suspension or revocation of a permit.
 - (e) An applicant is under eighteen (18) years of age, or any older age set by the State.
7. Notice of Decision and Final Action. The Police Chief shall cause a written notice of his or her determination on the issuance or denial of an Employee Permit to be personally delivered or mailed to the applicant by certified U.S. mail, postage prepaid. The Police Chief's decision on an Employee permit shall be final.

f. Suspension and Revocation of Registration or Employee Permit.

1. Registration. The Planning Commission may suspend or revoke the Registration of a Commercial Marijuana Operation when any of the following occur:
 - (a) The Business Owner, Operator, or Responsible Party, or their agents have committed any one or more of the following acts:
 - (1) any act which would be considered grounds for not opening in the first instance;
 - (2) engages in or permits misconduct substantially related to the qualifications, functions or duties of the Business Owner, Operator, or Responsible Party;
 - (3) conducts the business in a manner contrary to the health, safety, or welfare of the public;

- (4) fails to take reasonable measures to control patron conduct, where applicable, resulting in disturbances, vandalism, or crowd control problems occurring inside of or outside the Premises, traffic control problems, or obstruction of the operation of another business.
 - (b) The Marijuana Operation is conducted in violation of any provision of this section or any local or State law, statute, rule or regulation relating to the Marijuana Operation.
 - (c) The Marijuana Operation is conducted in such a manner as to create a public or private nuisance.
 - (d) The Marijuana Operation results in excessive calls for public safety services (police and fire). Excessive calls for service shall mean calls for service, which substantially exceed the average calls for service generated by similar businesses in similar areas. During any six-month period, a ten percent (10%) excess in calls for service will be presumed to be a violation of this condition.
 - (e) Failure to pay the Regulatory Fee or Revenue Raising Fee required by this section.
2. Employee Permit. The Police Chief may suspend or revoke an Employee Permit when the permittee or the employee has committed any one or more of the following acts:
- (a) Any act which would be considered a ground for denial of the permit in the first instance.
 - (b) Violates any other provision of this section or any local or State law, statute, rule or regulation relating to his or her permitted activity.
 - (c) Engages in or permits misconduct substantially related to the qualifications, functions or duties of the permittee.
 - (d) Conducts the permitted business in a manner contrary to the health, safety, or welfare of the public.
 - (e) Fails to take reasonable measures to control patron conduct, where applicable, resulting in disturbances, vandalism, or crowd control problems occurring inside of or outside the premises, traffic control problems, or creation of a public or private nuisance, or obstruction of the operation of another business.
 - (f) Violates or fails to comply with the terms and conditions of the permit.
3. Procedures for Revoking Registration. For Registration, the procedures for revoking Conditional Use Permits shall be utilized.
4. Procedures for Revoking Employee Permits. Prior to suspension or revocation of an Employee Permit, the Police Chief shall conduct a hearing. Written notice of the time and place of such hearing shall be served upon the permittee at least five (5) calendar days prior to the date set for such hearing. The notice shall contain a brief statement of the grounds to be relied upon for revoking or suspending the permit. Notice may be given either by personal delivery or by certified U.S. mail, postage prepaid. Any permittee aggrieved by the decision of the Police Chief in suspending or revoking an Employee Permit shall have no appeal rights and the Police Chief's decision shall be final, subject to judicial review as set forth in this section.
5. Immediate Suspension. The Police Chief may immediately suspend or revoke a Registration and an Employee Permit without notice or a hearing, subject to the appeal rights set forth herein, under the following circumstances:

- (a) The Business Owner or Operator is convicted of a public offense in any court for the violation of any law, which relates to the Marijuana Operation, or in the case of an Employee Permit, the employee is convicted of a public offense in any court for the violation of any law, which relates to the permit.
 - (b) The Police Chief determines that immediate suspension is necessary to protect the public health, safety, and welfare of the community. The Police Chief shall articulate the grounds for the immediate suspension in writing, and the suspension shall only be for as long as necessary to address the circumstances, which led to the immediate suspension.
6. Effect of Denial or Revocation. When the Planning Commission has revoked a Registration, or the City Council upon appeal, or the Police Chief shall have denied or revoked an Employee Permit, no new registration and no new application for an Employee Permit shall be accepted, and no Registration shall be deemed complete or Employee Permit issued to such person or to any corporation in which he or she shall have any beneficial interest for a period of one (1) year after the action denying or revoking the Registration or Employee Permit.

g. Abandonment. In addition to the suspension or revocation of a Registration, a Registration shall be deemed abandoned if Marijuana Operations cease for a period of more than ninety (90) consecutive days. Before restarting operations, a new Registration shall be secured. The 90 day period shall be tolled during periods of force majeure, which shall be defined as follows: war; insurrection; strikes; lock-outs; riots; floods; earthquakes; fires; casualties; supernatural causes; acts of the "public enemy"; epidemics; quarantine restrictions; freight embargoes; lack of transportation; unusually severe weather; inability to secure necessary labor, materials or tools; delays of any contractor, subcontractor or supplier; or any other causes beyond the reasonable control of the permittee.

h. Fees and taxes. All Marijuana Operations shall pay applicable fees and taxes, which may include one or more of the following.

- 1. Business License Fee. The Business Owner shall at all times maintain a current and valid business certificate and pay all business taxes required by Chapter 4, of the Firebaugh Municipal Code pertaining to Business Licensing.
- 2. Regulatory License Fee. The Business Owner shall pay an annual regulatory license fee ("Regulatory Fee") to cover the costs of anticipated enforcement relating to the Marijuana Operation. The amount of the fee shall be set by Resolution of the City Council and be supported by the estimated additional costs of enforcement and monitoring associated with the Marijuana Operation. The Regulatory Fee shall be due and payable prior to opening for business and thereafter on or before the anniversary date. The Regulatory Fee may be amended from time to time based upon actual costs.
- 3. Revenue Raising Fee. An annual revenue-raising fee ("Revenue Fee") for the privilege of having the right to operate in the City.

Revenue Fee Finding

The City Council specifically finds that it is approving this Ordinance allowing Commercial Marijuana Operations to open in the City on the express understanding that the business will pay the Revenue Fee to the City as set forth herein, and that without the Revenue Fee, the City Council would not have adopted this Ordinance allowing Commercial Marijuana Operations to open in the City. By opening a Commercial Marijuana Operation in the City, the Premise Owner, Business Owner, Operator, and all Responsible Parties agree that if the Revenue Fee is challenged by any one of them or a third party and set aside, the business must cease operations.

- (a) Amount of Fee and Terms of Payment. The Revenue Fee shall be an annual fee of twenty-five (\$25.00) per square foot for the first 3,000 square feet and ten dollars (\$10.00) per square foot for the remaining space utilized in connection with each Commercial Marijuana Operation. The square footage calculation shall be determined by including all portions of the Premises under the control of the Business Owner and deducting therefrom driveways, sidewalks, landscaping, vacant unused space, areas used exclusively for office space, employee break rooms, restrooms, and storage space unrelated to the Commercial Marijuana Operation (such as a janitorial closet).

If more than one Commercial Marijuana Operation operates on the Premises, each Business Owner shall be responsible for paying the fee. The Fee shall be payable in advance, in not less than quarterly installments, with the first quarterly payment due prior to opening. The first payment shall be prorated so that future payments coincide with calendar year quarters, but in no event shall the first payment be less than the equivalent of one full quarterly payment. Except for the first quarterly payment, all quarterly payments shall be received by the City before the end of the quarter.

- (b) Alternative Voter Approved Tax. If the voters of the City approve a tax rate, which is equivalent to the Revenue Fee, the Business Owner shall pay the tax in lieu of the Revenue Fee once the City begins to receive the tax revenue.
- (c) Accounting. The Business Owner shall maintain accounting books governing the entire operation of the Premises, in accordance with generally accepted accounting principles or other methods approved by the Finance Director or his/her designee. The books shall, at a minimum, contain information in sufficient detail, as determined by the Finance Director or his/her designee, necessary for the City to verify payment of the Revenue Fee.

The books should be open for inspection by the Finance Director or his/her designee during regular business hours Monday through Thursday, 7 a.m. to 6 p.m., excluding City recognized holidays, and at all other times within a reasonable time upon request. The books and supporting data shall be maintained for not less than a period of five (5) years following the calendar year in which they were generated.

The books, documents, records and accounts relating to the Revenue Fee shall be audited at the end of the business fiscal year by a certified public accountant. The report of such accountant and all work papers utilized in the preparation of such audit shall be submitted to the Finance Director. The Finance Director shall review the report and work papers and may require any further information from the Business Owner. The Finance Director may submit such documents and information to a certified public accountant selected by the City for review.

The City may require, at any time, an audit of the books, documents, records and accounts relating to the Revenue Fee by a certified public accountant. Such audit shall be in addition to the annual audit. Any inaccuracy found in the revenues previously reported to the City shall be adjusted accordingly. If such additional audit shall disclose an inaccuracy of greater than two percent (2%) error with respect to the revenues reported by the Business Owner for the period of the audit, the cost thereof shall be paid to the City by the Business Owner. Otherwise, the cost of the audit shall be borne by the City.

Any information obtained pursuant to the provisions of this subsection shall be deemed confidential and shall not be subject to public inspection except in connection with the enforcement of the provisions of this subsection, as may be required to comply with the Public Records Act, or pursuant to the order of any court or administrative agency of competent jurisdiction.

i. Record Keeping. The Responsible Party shall make and maintain complete, accurate and legible records of the permitted Marijuana Operations evidencing compliance with the requirements of this section, which shall be subject to audit in accordance with this section.

j. Access to records. Each Marijuana Operation shall allow the Police Chief and/or Finance Director to have access to the books, records, accounts, and any and all data relevant to its Marijuana Operation for the purpose of conducting a financial audit or diversion examination. Books, records, accounts, and any and all relevant data will be produced no later than 24 hours after receipt of the Police Chief's written request(s).

k. Inspection. Marijuana Operations shall be open for inspection by any City law enforcement officer or City code enforcement officer at any time the Marijuana Operation is operating, at any other time upon responding to a call for service related to the property where the Marijuana Operations is occurring, or otherwise upon reasonable notice. Recordings made by security cameras at any Marijuana Operation shall be made immediately available to the Police Chief upon verbal request. No search warrant or subpoena shall be needed to view the recorded materials.

l. Indemnification. In authorizing Commercial Marijuana Operations under this section, the City makes no guarantees or promises as to the lawfulness of the approved activity under State or Federal law, and the Business Owner, Operator and all Responsible Parties are obligated to comply with all applicable laws. To the fullest extent permitted by law, the City shall not assume any liability whatsoever with respect to the adoption of this Ordinance or the operation of any Commercial Marijuana Operation approved pursuant to this Ordinance or under State or federal law. The Business Owner, Operator and all Responsible Parties shall defend, hold harmless, release, and indemnify the City, its agents, officers, and employees, from any liability associated with the approved use or adverse determinations made by the State or Federal government. An adverse determination could include cessation of operations.

The Business Owner agrees to reimburse the City for any court costs and attorney fees that the City may be required to pay as a result of any legal challenge related to Commercial Marijuana Operations operating under the authority of this Ordinance. The City may, at its sole discretion, participate at its own expense in the defense of any such action, but such participation shall not relieve the permittee of its obligation hereunder. If requested by the City Attorney, the Business Owner shall execute an agreement memorializing the requirements of this subsection.

m. Insurance. The Business Owner shall at all times carry a comprehensive general liability policy in the minimum amount of Five Million Dollars (\$5,000,000) combined single limit policy, and for automobiles, a comprehensive automobile liability policy in the minimum amount of Two Million Dollars (\$2,000,000), combined single limit, as shall protect the Business Owner and City from claims for such damages, and which policy shall be issued by an "A" rated insurance carrier. Such policy or policies shall be written on an occurrence form. The City Manager, in consultation with City's Risk Manager, may allow the Business Owner to obtain lesser amounts of insurance where multiple Business Owners are operating on the Premises, provided at all times the minimum insurance set forth herein is applicable to the Marijuana Operations.

The Business Owner shall furnish a notarized certificate of insurance countersigned by an authorized agent of the insurance carrier on a form approved by City setting forth the general provisions of the insurance coverage. This countersigned certificate shall name City and its respective officers, agents, employees, and volunteers, as additionally insured parties under the policy, and the certificate shall be accompanied by a duly executed endorsement evidencing such additional insured status. The certificate and endorsement by the insurance carrier shall contain a statement of obligation on the part of the carrier to notify City of any material change, cancellation or termination of the coverage at least thirty (30) days in advance of the effective date of any such material change, cancellation or termination.

Coverage provided hereunder by the Business Owner shall be primary insurance and not be contributing with any insurance maintained by City, and the policy shall contain such an endorsement. The insurance policy or the endorsement shall contain a waiver of subrogation for the benefit of City.

n. Violations: Enforcement.

- 1 Any person that violates any provision of this section shall be guilty of a separate offense for each and every day during any portion of which any such person commits, continues, permits, or causes a violation thereof, and shall be penalized accordingly.
- 2 Any use or condition caused or permitted to exist in violation of any of the provisions of this section shall be and is hereby declared a public nuisance and may be summarily abated by the City pursuant to the City of Firebaugh Municipal Code.
- 3 Any person who violates, causes, or permits another person to violate any provision of this section commits a misdemeanor.
- 4 The violation of any provision of this section shall be and is hereby declared to be contrary to the public interest and shall, at the discretion of City, create a cause of action for injunctive relief.
- 5 In addition to the civil remedies and criminal penalties set forth above, any person that violates the provisions of this section may be subject to an administrative fine of up to one thousand dollars (\$1000.00) for each violation and for each day, the violation continues to persist.

o. Severability. The provisions of this section are hereby declared to be severable. If any provision, clause, word, sentence, or paragraph of this section or of the Regulatory Permit issued pursuant to this section, or the application thereof to any person, establishment, or circumstances shall be held invalid, such invalidity shall not affect the other provisions of this section.

p. Judicial review. Judicial review of a decision made under this section or any actions taken pursuant to this section, may be had by filing a petition for a writ of mandate with the superior court in accordance with the provisions of the California Code of Civil Procedure Section 1094.5. Any such petition shall be filed within ninety (90) days after the day the decision becomes final as provided in California Code of Civil Procedure Section 1994.6, which shall be applicable for such actions.

Section 3. Section 25-67.3 of the Firebaugh Municipal Code is hereby amended to add the following definitions:

25-67.3 Definitions

"Applicant" shall mean a person who is required to file an application for a permit under this section.

"Commercial Marijuana Operation" or "Marijuana Operation" shall mean any commercial marijuana activity allowed under the "Adult Use of Marijuana Act" (AUMA) and the implementing regulations, as AUMA and the implementing regulations may be amended from time to time, and all uses permitted under any subsequently enacted State law pertaining to the same or similar uses for recreational cannabis.

"Commercial Marijuana Permit" shall mean the blanket permit to operate deemed to have been granted upon completion of Registration.

"Employee Permit" shall mean the permit required under this section for every employee or independent contractor working at a Commercial Marijuana Operation or involved in transportation/delivery related services for a Commercial Marijuana Operation.

"Non-Commercial and Recreational Marijuana Activity" shall mean all uses not included within the definition of Commercial Marijuana Operation, including the personal use, cultivation, or consumption of marijuana, whether medical or recreational.

"Marijuana Business Operator" shall mean the Commercial Marijuana Operation Business Owner and any other person designated by the Marijuana Operation Business Owner as responsible for the day-to-day Marijuana Operations.

"Marijuana Operation Business Owner" shall mean the owner(s) of the Marijuana Operation. For corporations and limited liability companies, Business Owner means the President, Vice President, and any shareholder owning a 10% or greater share of the corporation or company. For partnerships, Marijuana Operation Business Owner means all general partners and managing partners.

"Marijuana Ordinance" shall mean the ordinance adopting this section, and including the terms of this section, which may be commonly referred to as the City's "Commercial Marijuana Ordinance".

"Marijuana Premises" or "Site" shall mean the actual building(s), and/or designated units/suites, as well as any accessory structures, parking areas, or other immediate surroundings, and includes the entire parcel of property.

"Marijuana Premises Owner" shall mean all owners of the Premises where Marijuana Operations are occurring.

"Police Chief" shall mean the Police Chief of the City of Firebaugh or his or her designee.

"Registration" shall mean completion of the requirements of this section to open a Commercial Marijuana Operation in the City.

"Responsible Party" shall mean the Marijuana Operation Business Owner, Operator, manager(s), and any employee having significant control over the Marijuana Operations.

Section 4: This ordinance shall take effect thirty days after its adoption.

Section 5: The City Clerk is authorized and directed to cause this ordinance to be codified after its adoption.

Section 6: The City Clerk is further authorized and directed to cause this ordinance or a summary of this ordinance to be published once in a newspaper of general circulation published and circulated in the City of Firebaugh within 15 days after its adoption. If a summary of this ordinance is published, then the City Clerk also shall cause a summary of the proposed ordinance to be published and a certified copy of the full text of the proposed ordinance to be posted in the office of the City Clerk at least five days prior to the Council's meeting at which the ordinance is adopted and again after the meeting at which the ordinance is adopted. The City Attorney shall approve the summary.

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

AYES:

NOES:

ABSTAIN:

ABSENT:

APPROVED:

Brady Jenkins, Mayor
City of Firebaugh

ATTEST:

Rita Lozano, Deputy City Clerk
City of Firebaugh