

MEETING AGENDA

The City Council/Successor Agency of the City of Firebaugh
Vol. No.19/04-01

Location of Meeting: Andrew Firebaugh Community Center
1655 13th Street, Firebaugh, CA 93622
Date/Time: April 1, 2019/6:00 p.m.

CALL TO ORDER

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

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

- Mr. Gavin Mora, Nutek Solutions, LLC – Residential Solar Program.

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 March 4, 2019.
2. APPROVAL OF MINUTES – The City Council Special Meeting on March 11, 2019.
3. WARRANT REGISTER – Period starting February 1, and ending on February 28, 2019.

February 2019	General Warrants	#37829 - #37958	\$ 895,705.87
	Payroll Warrants	#70581 - #70676	\$ 218,727.73
TOTAL			\$ 1,114,433.60

PUBLIC HEARING

4. RESOLUTION NO. 19-14 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH APPROVING AN AMENDMENT TO THE WATER CONSERVATION PLAN PURSUANT TO THE PROVISIONS OF FIREBAUGH MUNICIPAL CODE SECTION 15-1.3.1.

Recommended Action: Council received public comments & approves Res. No. 19-14.

NEW BUSINESS

5. **RESOLUTION NO. 19-15 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH SUPPORTING THE 2020 CENSUS.**

Recommended Action: Council received public comments & approves Res. No. 19-15.

6. **RESOLUTION NO. 19-16 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH CONSIDER APPROVING THE RELEASE A TEMPORARY DRAINAGE EASEMENT AND ISSUING A CERTIFICATE OF COMPLETION FOR RUBI GARDENS DISPOSITION AND DEVELOPMENT AGREEMENT.**

Recommended Action: Council received public comments & approves Res. No. 19-16.

7. **THE CITY COUNCIL OF THE CITY OF FIREBAUGH TO DISCUSS AND CONSIDER REDUCING THE COMMERCIAL UTILITY USERS TAX RATE AND/OR PLACING THE RESIDENTIAL RATE ON A FUTURE BALLOT TO CONTINUE AT THE SAME 10% RATE.**

Recommended Action: Council received public comments & gives staff direction.

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 29, 2019 at 5:00 p.m. by Rita Lozano Deputy City Clerk.

Municipal-Residential Solar + Energy Efficiency Program

Frequently Asked Questions

How does the program work?

This program allows homeowners to get solar & energy efficiency equipment installed on their homes, for a small deposit, via the program managed by their town. Investors pay for the installations, own and maintain the system for 20 years, earn significant federal tax breaks and other incentives, and charge less for the electricity (saved by energy efficiency and produced by the solar system) than the utility charges. The town earns income, which can cover administration and/or be budgeted for other projects or staff. At the end of the 20-year agreement the homeowner ends up owning the system.

Project Steps:

Start: The town (or city) signs a Letter of Intent with Energy Experts LLC. It specifies a range of values including current residential electricity rates, potential energy efficiency steps and savings to be included, average solar production for the area. It notes potential discounts from utility rates—homeowners save money and the town gets administrative fees and/or other income.

The Letter of Intent is binding only if the economics remain approximately as specified. Total project size must reach a volume that investor groups require, or they'll cancel. This typically involves a minimum of 100 homes but could in certain circumstances be as few as 50 homes.

Promotions & Signups: Energy Experts (EE) and the town cooperate to notify all homeowners in the town that they can sign up for the program. Homeowners sign up with the town, submit a deposit and their last twelve electricity bills. The town holds the deposits in escrow.

Development: EE analyzes the electricity bills and drafts a solar design. EE keeps a spreadsheet including each home's specifications and economics. When the threshold is reached we move to Development.

Finalization: EE brings in solar contractors, who measure the home's roof, use an instrument to measure annual shade from trees or buildings, count the lights for retrofitting to LEDs, and inspect the electrical panel. They submit a permit application to the local jurisdiction, whether town or county, and build the systems. They handle applications to the utility, and every other aspect of each home's project, through completion.

Operation: Each solar system is monitored live, on a web site. Each homeowner will have their log-in. The investor and the town will also have the log-in. If the town has a third party, and that might be EE, do the monthly billing that third party will also have the log-in.

Monthly Invoicing, Term & End of Term Ownership: Each homeowner pays their solar bill monthly, for 20 years. Then they become owner of their system. Useful life of a solar system is 50+ years. One piece of equipment, the inverter, will need replacement at about 20 to 22 years.

Who can qualify?

Single family homes, where the owner owns the roof. This can include rental homes, if the landlord who owns the property signs up. This includes most roofs with significant shade on them, and roofs with what solar companies previously viewed as poor orientation. Solar panels are so cheap now that we can easily make up for those factors that used to kill projects. Plus there should be sufficient south facing un-shaded roofs to make the average economic projections hold.

What if I just want to buy my solar system and get the tax credit myself?

That'll work, and you'll get the low price we've negotiated with our solar contractors. We'll design it, show you the price and you can decide whether to buy it or sign up with your town. It helps that we get equipment factory-direct. Our pricing can be 20% to 30% below what typical local solar companies can get by buying equipment from a distributor.

Who does not qualify?

Commonly shared roofs, such as townhomes with a Homeowners Association maintaining the roof.

Mobile homes, as they may not have enough structural support and tend to have heavy tree shade.

Condominiums or any other shared-roof situation cannot qualify.

Note: Community solar, aka solar gardens, are a fine solution if you don't own your roof. You can subscribe or buy a part of a large ground-mounted solar array, have your account credited by your utility, save some money and go green. These systems are not available in every state though.

What about commercial buildings and farmers?

We can serve them, but it's far better for them to use the big tax incentives instead of letting investors take them. Farms and other rural commercial buildings may also qualify for USDA REAP grants or other incentives that single family homes don't.

So we definitely want to work with them. We can provide the town a referral fee.

We can bring full financing, through numerous loan programs. Some are zero-down. Typically the incentives and savings equal more than the loan payments. Most commercial buildings and farms are charged both for kilowatt-hours they use and their peak electrical loads. The billing analysis is different. The equipment we'll bring addresses both sides of the bills and yield a better economic scenario than solar-only. This combined technology approach is how we are different from solar companies.

What about the town's buildings?

We'd love to serve them, but likely with a separate Power Purchase Agreement, as we'll use the same billing analysis and equipment as commercial buildings and farms.

Which electric utilities cooperate with this program?

Investor-owned utilities are typically subject to state public utility rules, requiring them to facilitate solar systems. They must replace the electric meter with a "Net Meter", which can accept electricity the solar system produces into the Grid and credit the homeowner at the *retail value* of each kilowatt-hour.

Rural electric cooperatives and municipal utilities, in some states, are subject to the same or similar rules as investor-owned utilities. They may have different rules, perhaps credit at less than retail value.

If a town also owns its own utility they would likely not be cooperative with this program. But we could build a large solar system at a very economical price for the municipal utility, and provide full financing & investors. Producing clean power at a low price for the 50 year useful life of a solar system is the way to go.

If a home already changed to LED lighting can they participate?

Absolutely. Whether or not each homeowner has installed LED lighting or other energy efficiency equipment they can participate. Most homeowners are slowly changing to LEDs as lights burn out. Some have retrofitted completely. Some haven't started to convert yet. The averages we've calculated should bear out, allowing all to participate.

How do we account for small, medium and large homes?

While it seems that low-income homeowners have been less inclined to find out if they could afford solar, we will find all income levels lacking. **Just look at all the naked roofs!** There's no need to exclude, and every reason to allow, anyone and everyone.

How do you predict how much electricity a solar system will produce?

The National Renewable Energy Laboratory (NREL), a part of the US Department of Energy, has tracked solar radiation across the US for 30 years. It's on a web site tool. Your address gives latitude & longitude. Orientation and roof slope complete the formula. This takes into account year-round weather, clouds, snow, even particulates in the air. Separately our crews will take shade readings, from neighboring buildings or trees.

Violá! We know how much power your system will produce based on the 30-year average. Production will vary slightly.

What if we go on vacation and use less power while we're gone?

We intend to size the systems to not come close to 100% of your annual electricity usage. This allows for variations like time away from home. Say we cover 90% of annual usage. You'll still buy 10% from your utility. No problem, you'll just pay them their going rate. While you're away traveling the extra power still goes to the Grid and you are credited. You'll use up those credits later.

To be sure, each month you'll pay for all power produced. So if you plan to be away a lot be sure to tell us and we'll take it into account when we size your system.

If you're getting batteries this calculation, and downsizing the system is even more important. Because upsizing the batteries can get expensive.

What happens if there are local or state solar incentives?

That's a wonderful thing. The investors will take these extra incentives. Our agreement with them is that they will pass part of the incentives along to the town and homeowners who sign up, as an extra discount.

Can we install other systems, like solar thermal for heating and hot water?

Some other energy saving technologies may have sufficient savings, compared to their cost, to include. We have experts on our team in most technologies, and we're open to any that towns want us to consider. The investors must consider them bankable, though. If the technology reduces natural gas use instead of electricity it's difficult to add it. This is because natural gas is artificially cheap, equivalent to about 2¢ per kilowatt-hour, whereas electricity is 10¢ to 43¢.

When can the solar system include batteries?

When the total savings are sufficiently large we can include batteries/battery inverters. The energy efficiency part of the program is key to helping us achieve the economics to allow adding batteries. This would be ideal, as then we won't need to Net Meter and therefore the utility can't slow us down or stop us. Plus homeowners would have power when/if the Grid goes down. If we can't get the savings high enough, perhaps some homeowners would pay a premium for including batteries.

What if a homeowner can't afford the deposit?

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The town can decide whether to waive some or all of the deposit. The deposit funds go into escrow for the town, not to us. The funds are there because sometimes homeowners will be late paying their bill to the town. The town must pay the investors each month, regardless. The escrowed money is their buffer.

One national non-profit has voiced interest in helping low income homeowners afford the program deposit, via their grant program. This is not yet confirmed.

How do you account for local permits, fees and taxes?

Comprehensively. These are all included in the total cost of a system. We plan to standardize the permit packets, which get submitted to the town or county, as appropriate. We intend to request a compromise, reduced permit cost to help the program. We are aware of the work and responsibility born by permitting authorities and inspectors.

How long will this Program Go?

That's a big question. The federal tax credit for solar is 30% of cost in 2020, drops to 26% in 2021. In 2022 it'll be 22%; that might still be sufficient for the investors. BTW, for individual homeowners buying solar it'll drop to zero at end of 2021.

But homes in this program will all be deemed by IRS as commercial systems, as the investors are operating them as a commercial solar project. Any project where the investors have put in a small amount of funding can still earn the 22% tax credit through 2024.

So we have under two years to get everyone signed up, and three more years to build. Of course anyone signing up will want their system completed quickly.

Congress has extended the solar tax credits program repeatedly. We hope they'll extend it again.

All of this means that we should start soon!

California PG&E Area Municipal Residential Solar + Energy Efficiency Program

Our National Mission

Bring Energy Efficiency and Solar Power to rooftops in Cities and Towns across the USA at a significantly reduced cost, fully financed, affordable for nearly anyone who wants to sign up. We've designed this program to have a massive effect in reducing carbon dioxide and other pollution, while producing some income for participating cities & towns.

The California Mission

This program will directly aid all homeowners in reducing their electric bills and reducing pollution, without having to outright purchase a solar system that would cost \$15,000 to \$24,000 per home. The homeowner ends up owning the system.

California electricity rates are among the highest in the country. Therefore we can include batteries with each home system. This allows resilience in case of grid failure, with ongoing power production & storage each day. The best batteries right now, for cost, usefulness and longevity, are lithium iron phosphate.

Program Concept

We believe this is a unique program; we know of no other like it. The solar companies certainly don't know how to achieve what we can. We combine specific energy efficiency equipment with a solar photovoltaic system to create the best possible economics. The energy efficiency side typically includes LED lighting and a *power conditioner* that makes the electrical system run more efficiently. These technologies allow us to reduce the solar system size and improve the entire project. The smaller solar array fits on more roofs. Orientation of the roof matters but doesn't spoil the project. Shade from neighboring trees, buildings, mountains effects production but it's generally okay. So nearly every roof works.

Energy Experts' investor partners have an appetite for tax incentives and they like investing in solar projects. In 2011 solar reached a milestone, producing power cheaper than most fossil fuels, and costs have come down since then. The economics work out well for all involved in most areas of the country. While many Cities have undertaken to enter into long-term financed deals for solar power on their own buildings, none we know of have offered it broadly to their home owners.

A key solar industry term is Distributed Generation (DG). It means the power is produced where it is used rather than in a power plant some distance away. During the day solar-produced power feeds the electrical panel of the home, with the moment-to-moment excess power fed to the utility Grid. The utility credits the amount, at the full retail price the utility charges, under a law called Net Metering. A properly sized solar system produces about what the home uses on an annual basis. Some months will have overproduction and the credits role to the next month. Some months the home will use more power than the solar produces. It evens out over the year. Excess annual production is reconciled after year-end, but the annual overproduction is worth a lot less, so it is best to size a system to produce at or just under what the home uses annually.

Some states have a program called Virtual Net Metering (VNM), where the power can be produced at some other location in the locale and credited to the homeowner. This allows people who don't own their roof, or have too much shade from neighboring buildings and trees, to still go solar. We may be able to find sufficient land space to offer VNM within our program, allowing many more including renters, to join the program. But our focus is on-site generation.

This program offers the City a unique opportunity to offer solar to every home owner and create an income flow for the City at the same time. Local labor is utilized, making the program a job creator. The environment is improved, with lower particulates in the air and reduced emissions of sulfur dioxide, nitrogen oxide and carbon dioxide produced by burning coal and natural gas.

Methodology

1. We start with discussion of all aspects of the program, honing it to be maximally suitable for the city. The city signs a non-binding Letter of Intent, then provides three years of financials. The LOI moves us to securing the investors, including potentially approaching the utility about becoming the investor. We have investor groups that are interested. At some point the utility must be contacted, in preparation for application to interconnect each system to the Grid. We might wait for final signing of the Power Purchase Agreement prior to approaching the utility, depending on circumstances.

2. The City signs a Power Purchase Agreement (PPA) with our investors, who own the systems for the term, typically 20 years. You are simply agreeing to buy the power produced, like you're already buying from your utility. The agreement will specify the rate, but it's open-ended as to the quantity of solar, as no one has signed up to participate yet. We have some preparatory steps to determine local utility rates, labor costs for installations, and any specific rules from the State's Public Utility Commission and the Electric Utility.

These will be codified, for a fully transparent, practical plan.

The investors like the security of signing an Agreement with the City. This yields reduced risk costs, making the economics better. Frankly they'll accept less internal rate of return for their investment with a minimal credit risk. Aggregating hundreds or thousands of small solar systems together allows bulk purchasing, which reduces equipment costs. Labor costs are also reduced. Having the City promote to its citizens eliminates marketing costs and creates immediate confidence on the part of homeowners.

The homeowner pays less for power than they'd pay the utility. The City takes a fee to promote and be responsible. We help the City administer the program. Live online solar production monitoring for each system makes the numbers certain, provides full transparency. The combination is compelling.

3. The City promotes the program to its citizens, who sign up online, by mail, or by drop-off.

We recommend a small deposit, say, \$500 with each application. We don't actually need these funds, but we believe that when homeowners have a "little skin in the game" they appreciate the program a bit more.

The City can decide if it prefers to have a lower deposit, perhaps a reduced amount for low-income homeowners, or none at all in certain cases. In some areas we may have grant funds available, to help low income homeowners afford their deposit.

***After each project is completed and the investors have paid all installation costs,
the deposits will be given to the City, to create an escrowed fund to be used
in case one or more homeowners doesn't make their monthly payment to the City.***

4. Under our guidance, local solar contractors will send a representative to each home, help them determine how much power they use annually, measure the roof, if there are trees take shade readings with a specialized instrument, and finalize the scenario for that home— the solar system size required to produce that much power, and other details about the project. Each home is different but the same data points are needed to finalize each project plan.

Prior to the site visit if the homeowner submits the home's last 12 electricity bills we can run the financial model. We'll need to do the site visit before finalizing, though.

5. The contractor creates a permit packet for the local jurisdiction, including usually a structural engineering stamp. Certain pages of this packet are submitted to the local utility, as an application for the solar system to interconnect with the Grid. Most states have a law requiring the utilities to allow the interconnection and credit the homeowner with any power fed to the Grid, at the same rate they charge per kilowatt-hour. This is called Net Metering.

6. Each system includes live online monitoring of production that validates the power production each month. City staff can manage this or, for a fee, EEUSA's staff can do it. The monitoring can be used for PR and education.

7. After each system is turned on and producing power for one month, the City will invoice the homeowner for that month's production. The homeowner pays the City for the power produced at a reduced rate from what they'd pay the local utility. The City keeps a small portion and uses the rest to make the monthly PPA payments.

Our Team

The Energy Experts LLC Team consists of renewable energy, energy efficiency and financing professionals with more than 80 years combined experience, thousands of systems, on many types of facilities. We work in many renewable technologies, have access to experts in any field. We have found that in most circumstances the combination detailed above is the most cost-effective approach. We are innovative, efficient, focused.

The Team is based in Denver, Colorado and Washington DC. We have solar & energy efficiency partners throughout the country.

We are the energy consultants for US nationwide faith programs—the Catholic Climate Covenant (dba Catholic Energies) and the National Religious Partnership for the Environment (dba Faith Energies), so for most organized religion. They hired us because of our expertise. Investors pay us for developed projects. We make a donation to the faith program with each project.

We have relationships with investor groups for both commercial and faith-based projects with billions of dollars of capital and a strong tax appetite.

Energy Experts LLC develops projects, marketing and programs. We primarily develop mid-scale commercial projects across the country. Residential is easy compared to commercial, industrial and other types of buildings. We work direct with equipment manufacturers to achieve lower costs, and aggregate projects to find the other economies mentioned above.

As noted above, we achieve what others cannot, because we combine other technologies with solar photovoltaic systems resulting in optimized economics.

Local Labor

The contractors will be local companies, to the degree they can handle the workload. We vet each contractor, requiring they be well managed, communicate well, are certified and experienced and can meet the cost paradigm. We will help them with costs, because we can buy factory direct on all major equipment.

We are building a nationwide network of trusted solar installers. There are about 14,000 in the USA, and we can work with the Solar Industry Association affiliates for certified, competent contractors. So it won't be an issue to secure excellent partners in your state.

The quantity of systems we'll build is large enough we'll likely utilize numerous local installation companies.

Program Functions

We will do what's noted above and the below, plus provide a detailed Scope of Work which will be tailored to the City and the particular utility program:

- Contract with local installation companies and/or bring regional certified, licensed contractors to do the work if local labor availability is exceeded by demand.
- Work on the front end of the project to quantify all data and create a fully transparent program, guide the program toward PPA signing then launch.
- Discuss with the City permit criteria and any other factors, to smooth the process & minimize labor for the City's staff.
- Receive and log deposits, reporting to the City. If the City prefers deposit funds to come directly to the City it's fine.
- Submit all contractor profiles to the City, adhere to all City policies & rules.

We can do some or all of the below, whichever the City does not want to do itself:

- Develop the specific program for the City's benefit and per its requirements. For example, the City might have some strictures on participant's credit score or other factors. This work is included in the program.
- Create literature, for print and online, customized for the City, for a fee.
- Set up the registration web site or a section for the City's web site, for a fee.
- Track the online monitoring preparing monthly invoices and sending them, for a fee.
- We strongly prefer not to receive any homeowner PPA payments, instead having those sent directly to the City. We suggest online and auto-pay mechanisms, to make it easy. If necessary we can set up a billing service.

Commercial Buildings

This program is meant for residential. We can include commercial buildings if the City wants them included, however making these separate projects would be better for all parties as the commercial building owners can benefit by using the substantial federal tax incentives themselves.

We excel at commercial solar, where billing categories and analysis of bills can be challenging. Many utilities charge for peak electrical load as well as usage; in such cases usage rates are lower. Solar only offsets usage, so companies that only install solar are sometimes not able to offer the compelling Return on Investment that we can. This is why they hire us. We achieve this by including, typically, power conditioners and LED lighting. These technologies reduce a significant amount of both peak as well as usage.

Results

Homeowners get lower electric bills and clean power. At the end of the term homeowners get ownership with a small residual cost (fair market value which will be minimal). They then have free, clean power for five-plus decades, the useful life of the system according to the National Renewable Energy Laboratory.

We will work to optimize the program for each City that is interested. Installed costs reach a plateau with about 100 systems, so this should be a minimum goal.

Battery Storage Option

When feasible we intend to include batteries, to catch and store solar production not used by the home each day. This will minimize effect on the Grid caused by back-feeding a lot of power to the local transformer during the day when people are away from home. Prior to this year battery systems were financially practical in a few areas, where there are high power rates and local incentives are strong. Such areas included Washington DC, California and Hawaii. As the cost of batteries declined and technology improving their usefulness has improved, they are becoming a standard feature of residential solar systems.

We can deploy batteries and make them economical in about half the country right now. By next year we expect revolutionary improvements in storage. We're on the cutting edge of this technology.

California PG&E Specifics

We intend to include batteries, to catch and store solar production not used by the home each day. This will minimize effect on the Grid caused by back-feeding a lot of power to the local transformer during the day when people are away from home. Battery systems are only financially practical in Washington DC, in California, Hawaii and some other locales. As cost of batteries continues to decline they will become a standard feature of residential solar systems.

Homeowners will own their solar system at the end of the Agreement, with a minimal buyout cost. Term of the Agreement is somewhat negotiable, with 20 years the default term.

Residential Rate = 22.63¢ Discount 20% = 18.1¢ City Takes 20% = 4.53¢ PPA Rate = 13.58¢

If 500 homes participate we'll produce in the neighborhood of 3.2 million kWh/year. At the above rates, which are a ball-park for now. We may be able to do better.

Homeowners would save \$170,000 in Year 1. But we think we can offer a larger discount.

The Town in PG&E Territory would earn \$170,000 in Year 1. But we think we can offer a larger amount.

Next Steps

Let's talk! We will answer any questions, and have a completely transparent process.

FOR FURTHER INFORMATION CONTACT:

Mark Simmons
CEO, Energy Experts LLC
EVP, Design & Technical Services, Catholic Energies
303-476-3048
www.energyexpertsco.com
www.catholicenergies.org

Gavin Mora
Business Development, Energy Experts LLC
Cell 408-661-5084

MEETING MINUTES

The City Council/Successor Agency of the City of Firebaugh
Vol. No. 19/03-04

Location of Meeting: Andrew Firebaugh Community Center
1655 13th Street, Firebaugh, CA 93622
Date/Time: March 4, 2019/6:00 p.m.

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

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

ABSENT:

OTHERS: City Attorney J. Sanchez; 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, City Engineer Mario Gouveia, Consultants Albert Peche & Clayton Tuckfield, & others.

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

Motion to approve agenda by Council Member Jenkins, second by Council Member Perez; motion pass by unanimous 5-0 vote.

PRESENTATION Swear-in of Officer Rodolfo Tabares & Dispatcher Jeanette Marquez.

PUBLIC COMMENT: None

CONSENT CALENDAR:

1. APPROVAL OF MINUTES – The City Council Special Meeting on February 19, 2019.

Motion to accept minutes by Council Member Lopez, second by Council Member Perez; motion pass by unanimous 5-0 vote.

PUBLIC HEARING

2. RESOLUTION NO. 19-13 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH ESTABLISHING RATE INCREASES FOR WATER AND WASTEWATER SERVICES.

Financial Advisor Albert Peche & Consultant Clayton Tuckfield provided a brief presentation of the rate study.

City Attorney Sanchez stated, "The adoption of water and wastewater rate increases are exempt from CEQA under Public Resources Code section 21080(b)(8) and CEQA Guidelines section 15273(a) because the increases reflect rates to provide for the maintenance of operational expenses, capital and reserves to ensure continued operation of the system."

Public Hearing Opened at 6:27 pm – Mr. John Seasholtz of Red Rooster stated his in opposition against any rate increase because of the negative impact it could have on his business. Representatives from Toma-Tek also stated their opposition against any rate increase because of the impact to their business & the economy, so they are looking into alternate sources for utilities as well as other areas to save money. Both companies expressed they employee may local residents and they may have to reduce their employee staff, which will effect Firebaugh's economy because most of their employees are local residents. Abel Serrano, eastside acres residents, stated a board meeting was held regarding

*the sewer rate increase. Most residents that live on the Madera County felt they were not properly informed and stated concern that any sewer rate increase to them will fund improvements to their services. They would like to make sure that their service is maintained & upgrades are being made to the system that provides them their service. City Manager Gallegos replied to Mr. Serrano & public, that the Lift Station which serves the residents of Madera County was rebuilt in 2010, at an estimated cost of \$500,000. The system also notifies the city about any problems it may come across & is monitored every day. Allen Narbaitz, eastside acres resident, asked who monitors for any leakage of the sewer lines that run underground, the proposed rate is so high at \$49.00 or more a month? Mr. Randy Key of Red Rooster, added he manages the purchase orders and handles so many orders for part purchases, the company employees over 300 people, an increase in rates will cause other businesses to raise their rates to cover cost. Mr. Bob Tharp inquired about commercial rates, which haven't been discussed. Lydia spoke on behalf of her father, owners of apartments on "N" St, she stated she opposes the rate increases, because it cause rent to be increase and effect the economy of Firebaugh. Representatives of Toma-Tek asked if the rate study shows consumption of all rate descriptions to determine usages. Mr. Tuckfield informed the public that is a part of the rate study, as well as the consumption of the past 5 years, which determine the proposed rates. Mr. Tuckfield didn't have the information with him at the meeting but it could be provided. Mr. Javier Flores stated he understands what the businesses concerns are, rate increases do affect them & other businesses, including his employer because I work locally, but the cost of living is always increasing. Mr. Flores added, he has considered moving but Firebaugh is a good community to raise kids and yes, it is difficult with the costs of living always going up. – **Public Hearing Closed at 7:08 pm.***

Council Member Valdez stated we have been active in upgrading the system & asked staff if there has ever been a time when we couldn't maintain the system or services? City Manager Gallegos replied, "No, a few years back the City had a few sink holes and that caused sewer lines to collapse, but the City was able to repair because of funding in the city's' reserves. It takes 7,400 gals per minute is required for the Fire Department to be able to put out or fight fires like the one at Rebecchi' s Dept. Store." Council Member Jenkins, asked if the City could wait for the new houses to be built to help offset cost without rate increase. Manager replied, if the City waits, we will be behind the problem, because the city will have more expenses to treat more water and sewer for additional services/usages. Council Member Sablan asked Attorney," What if the City doesn't comply with the Prop 218 process?" City Attorney, strongly recommends the City abides with the law or the City could face a potential law suit.

Motion to approve Res. No. 19-13 by Council Member Lopez, second by Council Member Perez; motion pass by 4-1 vote. Jenkins – no.

STAFF REPORTS

- **Deputy City Clerk, Rita Lozano** – 700 Form Reminder, received notice not all members have completed forms, do so before you are fined. Joint Meeting with the School Board is at 6:00 pm on March 11, 2019, Community Center, please email me any last minute agenda items to be added.
- **City Attorney James Sanchez** – Hemp is now an Agriculture Product/Commodity.
- **City Manager Ben Gallegos** – Working with Mario on a sidewalk repair, will attend ICSC Conference in Monterey, Thursday through Friday.
- **Council Member Valdez** – Attended a Parks & Rec Meeting on Friday, very helpful. Sitting as a Council Member is difficult when making tuff decisions but Council is trying to make the quality of service as we make the best decisions.

PUBLIC COMMENT ON CLOSED SESSION ITEM ONLY

CLOSED SESSION

ANNOUNCEMENT

ADJOURNMENT

Motion adjourn by Council Member Valdez, second by Council Member Perez; motion pass by unanimous 5-0 vote at 7:24 p.m.

SPECIAL MEETING MINUTES

**The City Council/Successor Agency of the City of Firebaugh
and the Firebaugh Las Deltas Unified School District
Vol. No. 19/03-11**

Location of Meeting: Andrew Firebaugh Community Center
1655 13th Street, Firebaugh, CA 93622
Date/Time: March 11, 2019/6:00 p.m.

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

ROLL CALL City Council Members: Mayor Marcia Sablan
Mayor Pro Tem Elsa Lopez
Council Member Freddy Valdez
Council Member Brady Jenkins
Council Member Felipe Perez
School Board of Trustees: President Fernando Campa
Board Member Ronnie Parker
Board Member Eliseo Gamino
Board Member Abel Serrano
Board Member Gilbert Coelho

ABSENT:

OTHERS: City Attorney J. Sanchez; City Manager/Acting Public Works Director, Ben Gallegos; Deputy City Clerk, Rita Lozano; Finance Director, Pio Martin; Police Chief, Sal Raygoza; George Conklin & others.

PLEDGE OF ALLEGIANCE: *School Board Member Parker led pledge of Allegiance.*

Motion to approve agenda by Council Member Valdez, second by Council Member Perez; motion pass by unanimous 5-0 vote.

Motion to approve agenda by Board Member Serrano, second by Council Member Parker; motion pass by unanimous 5-0 vote.

PUBLIC COMMENT: *None*

NEW BUSINESS

1. JOINT USE OF FACILITIES & GREEN SPACE

2. PARKS & RECREATION

- Agenda items #1 & #2 to be discussed together

Council Member Sablan & Valdez attended a Parks & Rec Meeting, along with City Manager Gallegos, to learn about available funding. There is \$8.5 million for projects, that don't compete against each other, the city would like to apply for three projects for various parks. City Manager Gallegos stated the proposed projects for the following: 1) Indoor soccer field at the back of the enclosed area, new bathrooms and additional Parking at the graveled area at Dunkle Park. 2) An all-weather track behind the Maldonado Park, since the pedestrian trail ends there. 3) Golf or shooting range at the old dump site. School Board Member Serrano suggested the City consider improvements at the enclosed area at Dunkle Park to install shade structures and BBQ pits. Council Member Sablan asked about a Joint Powers Agreement between the

School & City. School Board Member Coelho asked which facilities are being considered for the joint agreement. Superintendent Freitas, with a Joint Agreement, the two entities could apply for a new swimming pool, pick a park or project that both are willing to work on & come up with the use schedule of the project/facility. School Board Member Campa asked, "Where would these facilities be on school or city property?" Superintendent Freitas said it depends on the project, who uses it, when and who will pay for the maintenance. One of the requirements for the funding is the project/facility has to be open & free to the public, so the terms would be negotiated between the City & School to reach an agreement. Each project or facility would have its own Joint Agreement based on the project/facility. City Attorney agreed it could be on either property, City or School. Council Member Sablan recommended holding a Parks and Rec Committee to discuss the matter and work together and Joint Agreement and projects. School will have the following serve on the committee: Superintendent Freitas, Board Member Coelho, Director of MOT Danny Barragan. Volunteer Citizen George Conklin. City Council Member Brady Jenkins, City Manager Ben Gallegos. The recommendation for the 1st meeting on a Thursday or Tuesday at 11:00 am, to be in April 2019.

3. PESTICIDE POLICY

Council Member Sablan stated as leaders & caretakers of children, to keep children health we should be aware and cautions of the pesticides we use. A \$7.8 Million law suit was given to a victim due to the hazard of round-up use.

School Board Member Coelho reported the school must comply with the KIDS ACT by law, only licensed personal can apply chemicals. Manager Gallegos advised round-up is only used on streets, we don't spray around school during the week. School MOT Director Barragan added the school also only sprays on weekends, personal use coveralls for extra protection, no knows when the County will do a random inspection & the school hasn't received any complaints.

4. VAPE PEN USAGE

Police Chief Sal Raygoza, PD has currently seen a problem with an increase of kids using vape pens. Currently, there is an Officer investigating & watching for anyone who may be supplying kids with vape pens. There was an arrest already & all Officers continue to look for others. The Police department has done research and got materials to help educate parents and kids of the dangers on the use of such products. We need the help from the school to be aware of any use & report anything suspicions, just want to continue to fight and reduce the issue. Council Member Lopez asked, "How do you know if it's tobacco or marijuana in the vape pen?" Police Chief Raygoza, replied, "Most seized products have been marijuana." Superintendent Freitas reported, "Staff does a good job in searching and reporting it, it is on the rise though, because vape pens don't smell. I agree with Sal to be proactive on the issue and catch the supplier to the kids. When something drastic happens, an example is valedictorian becomes a drug users or alcoholic two years later, we have to ask why? Did something tragic happen in their lives and does the school have anything in place to assist and help them?" High School Principal Anthony Catalan stated, "At parent meeting, the first question from parents is "What are you going to do about the drug use?" I say educate them, show parents what to look for, some don't know. Next, educate the kids, most kids believe smoking is harmful because they've been educated for several years now, compared to years ago when it was normal, seen on movies; but don't believe vaping is as harmful. So educating they is important because statistics show that almost every kid will be offered some drug before the leave High School, by educating them they could make good choices." Police Chief added, the Department would like to place an Officer on campus, full-time but can't afford it, so we are currently looking for grants & hope the school seeks grant funding too. We want to address these issue to reduce the use because we don't want to lose the battle and have more kids become users. School Board Member Serrano agrees, it not an easy battle & it can't be fixed overnight, but we can't stop fighting and working together is a good approach. PD is working on the suppliers and the School is working on the demand, to address the problem. School Board Member Gamino informed the school has many cameras to help assist with any problems on school campus. Chief Raygoza advised of new equipment where cameras aren't allowed, a device similar to a smoke detector that sends an alarm when someone is using a vape pen and they can be put on buses, too.

5. DEVELOPER FEES, CONSULTANT SCOTT ODELL, ODELL PLANNING & RESEARCH

Mr. Scott Odell or Odell Planning & Research completed the impact study for Firebaugh and various other schools. Mitigation Fee Act passed in 1987, allowing the charge of Impact fees for new development. SB 50 offers different levels: level one has a \$3.79 sq. ft. cap, level 2 allows a charge as much as needed (no cap), but the rate does have to be justified, level 3 is only allowed when the State runs out of money – fees can be doubled only when the State doesn't have money- which is very rare and only during that time frame. Once the State has money some fees collected will be returned to the developer. Schools don't have to charge fees but will lose funding, and/or claiming a hardship, the State will provide more than the required 50% but you have to charge the max allowed before the State pays for funding. The school impact fees is based on student generation rates, which is the ratio of the number of students enrolled in the district to the total number of dwelling units in the city, over the past five years, which dries the rate of the impact fees. Firebaugh School District used the City of Kerman because there has not been any new development in Firebaugh. City of Mendota has completed an impact study in the past 7 years. Central School district is not in comparison with Firebaugh, and Madera rate is at \$4.10 per Sq. Ft. A draft for the school district came out to \$4.80 average, so the school fees will be reduces but haven't been approved. Once the new homes are built in Firebaugh the study would be using Firebaugh student generation rate for the next study. Board Member Gamino suggested reducing the fees for a limited time only. Board Member Serrano recommended maybe a certain rate for one year. Mr. Odell stated, "The only time a problem would occur is if the school applied for a hardship." Mr. Freitas asked, "If the school filed a hardship how far would they look in to the school history or do they just research the current year?" Mr. Freitas will check with the Attorney, since the Attorney has always advised that is was not an option.

6. FUTURE SCHOOL SITE POTENTIAL LOCATION

The school is land locked, there aren't many options to build a new school, since the city has almost reached its growth capacity.

7. FUTURE VACANCY OF CITY FACILITIES

The City has purchased the courthouse, police department will be relocating to that location in the future. Police Chief is seeking additional funding, the library is moving to the new building that West Hills College is going to construct. The goal is to have all of the City Operations to that location. City received \$2.5 million to rebuild 8th Street to hopefully attract new businesses. Information on the old Ford Facility has been provided to recruit businesses but the stated concern that it is not on the Highway. RFQ is out for bid to rebuild the VFW Hall, it will be bigger, no new parking, so Board Member Parker recommended change to angled parking instead of parallel parking. A memorial will be placed to honor the VFW members. Council Member Valdez, advised the median income for per household has increased about \$10,000 to about \$46,000, which will take the city out of disadvantage community status.

8. REGULAR JOINT MEETINGS WITH THE SCHOOL DISTRICT & CITY OF FIREBAUGH

Quarterly joint meeting to be held, next meeting is 6:00 pm, September 16, 2019 at Firebaugh High School Library.

9. FUTURE AGENDA ITEMS

Pesticides, Vape Pens, Park & Rec update.

STAFF REPORTS**ADJOURNMENT**

Motion adjourn by Council Member Jenkins, second by Council Member Valdez; motion pass by unanimous 5-0 vote at 8:10 p.m.



REPORT TO CITY COUNCIL
— MEMORANDUM —

AGENDA ITEM NO: _____

COUNCIL MEETING DATE: April 1, 2019

SUBJECT: Warrant Register Dated: February 1, 2019 – February 28, 2019

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:

FEBRUARY 1, 2019 – FEBRUARY 28, 2019

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	# 37829 – #37958	<u>\$ 895,705.87</u>
PAYROLL WARRANTS.....	# 70581 – #70676	<u>\$ 218,727.73</u>

TOTAL WARRANTS..... **\$ 1,114,433.60**

CITY OF FIREBAUGH ACCOUNTS PAYABLE
WARRANTS FEBRUARY 1, 2019 - FEBRUARY 28, 2019

<u>Check</u> <u>Number</u>	<u>Check</u> <u>Date</u>	<u>Name</u>	<u>Net</u> <u>Amount</u>	<u>Description</u>
37507	2/21/2019	AXCES INDUSTRIAL SUPPLY	\$ (330.41)	Ck# 037507 Reversed
37658	2/22/2019	RSG, INC.	\$ (1,672.50)	Ck# 037658 Reversed
			\$ (735.00)	Ck# 037658 Reversed
		Check Total:	\$ (2,407.50)	
37829	2/4/2019	U.S. POSTMASTER	\$ 842.00	UTILITY BILLING FEBRUARY
37830	2/7/2019	AG & INDUSTRIAL SUPPLY	\$ 12.41	PARKERS PARK/DUNKLE-BLADE
37831	2/7/2019	AGRI-VALLEY IRRIGATION LL	\$ 43.67	PARKERS PARK-CONCRETE
			\$ 8.24	WATER LEAK-NIPPLES/ELBOW/
			\$ 3.89	VFW HALL TUBE
			\$ 32.75	PARKERS PARK-CONCRETE
			\$ 32.75	PARKERS PARK-CONCRETE
			\$ 45.44	BOOTS-RAMIRO/JESUS SERVICE
			\$ 31.90	REPAIR SEWER-HOSE CLAMP
		Check Total:	\$ 198.64	
37832	2/7/2019	AT&T	\$ 272.42	ALL DEPTS TELEPHONE
37833	2/7/2019	BIG G'S AUTOMOTIVE CENTER	\$ 463.60	95' GMC LABOR & REPAIR
			\$ 871.55	99' CHEVY WATER PUMP
		Check Total:	\$ 1,335.15	
37834	2/7/2019	BSK & ASSOCIATES, INC.	\$ 975.50	PROFESSIONAL SERVICES
			\$ 1,399.28	PROFESSIONAL SERVICES
		Check Total:	\$ 2,374.78	
37835	2/7/2019	CALIF WATER ENVIRONMENT	\$ 280.00	MEMBERSHIP/CERTIFICATION
37836	2/7/2019	CALIFORNIA BUILDING STAND	\$ 27.00	BUILDING STANDARDS 10/1/1
37837	2/7/2019	FERNANDO CAMPA	\$ 250.00	HEALTH INSURANCE STIPEND
37838	2/7/2019	CITY CLERKS ASSOCIATION O	\$ 110.00	2019 CSMFO MUNICIPAL MEMBER
37839	2/7/2019	COLLINS & SCHOETTLER	\$ 3,357.50	PLANNING CONSULTING JAN19
37840	2/7/2019	COMMUNITY MEDICAL CENTE	\$ 175.00	DEC18 LEGAL BLOOD DRAW
37841	2/7/2019	CORELOGIC SOLUTIONS, LLC.	\$ 206.00	REALQUEST JANUARY 2019
37842	2/7/2019	CSUF, FOUNDATION	\$ 600.00	COMMUNITY DEVELOPMENT

CITY OF FIREBAUGH ACCOUNTS PAYABLE
WARRANTS FEBRUARY 1, 2019 - FEBRUARY 28, 2019

<u>Check</u> <u>Number</u>	<u>Check</u> <u>Date</u>	<u>Name</u>	<u>Net</u> <u>Amount</u>	<u>Description</u>
37843	2/7/2019	CVR & ASSOCIATES, INC.	\$ 520.00	BLDG & INSPEC INSPECTION
37844	2/7/2019	DEPT. OF TRANSPORTATION	\$ 602.89	STREETS & LIGHTING OCT2019
37845	2/7/2019	DEPT. OF CONSERVATION	\$ 46.55	STRONG MOTION/SEISMIC FEE
37846	2/7/2019	E POLY STAR, INC.	\$ 1,971.19	LD CAN LINER
37847	2/7/2019	EPPLER TRUCK SALES	\$ 115.00	STREET CLEANER-REPLACED
37848	2/7/2019	FRESNO-MADERA AREA AGEN	\$ 35.19	12/18 NON USDA QUALIFIED
37849	2/7/2019	GOLDEN ONE CREDIT UNION	\$ 1,666.66	JOHN BORBOA STIPEND
37850	2/7/2019	HELENA CHEMICAL COMPANY	\$ 924.53	ROUNDUP POWERMAX/GOAL 2XL
37851	2/7/2019	HOME DEPOT CREDIT SERVICE	\$ 908.52	COMMUNITY CENTER-SUPPLIES
37852	2/7/2019	KER WEST, INC. DBA	\$ 210.00	CENCAL PROJECT PLANNING
37853	2/7/2019	RODDY A. LAKE	\$ 250.97	POLICE MEDICAL RETIREE
37854	2/7/2019	MANUELS TIRE SERVICE, INC	\$ 45.80	TUBE
			\$ 16.26	RADIAL PATCH
		Check Total:	\$ 62.06	
37855	2/7/2019	NOAH MARQUEZ	\$ 100.00	WORK BOOTS REIMBURSEMENT
37856	2/7/2019	SANDRA J. MARQUEZ	\$ 250.00	HEALTH INSURANCE STIPEND
37857	2/7/2019	MID-VALLEY DISPOSAL	\$ 66.26	1800 HELM CANAL RD
			\$ 28,498.09	SERVICES FEBRUARY 2019
		Check Total:	\$ 28,564.35	
37858	2/7/2019	MICHAEL MOLINA	\$ 100.00	REIMBURSEMENT WORK BOOTS
37859	2/7/2019	RICARDO MONAY	\$ 250.00	HEALTH INSURANCE STIPEND
37860	2/7/2019	NORTHSTAR CHEMICAL	\$ 2,511.04	WATER PLANT 1-SODIUM HYPO
37861	2/7/2019	CALIF PUBLIC EMPLOYEES RE	\$ 9,189.51	ANNUAL UNFUNDED ACCRUED
			\$ 14,570.65	ANNUAL UNFUNDED ACCRUED
		Check Total:	\$ 23,760.16	

CITY OF FIREBAUGH ACCOUNTS PAYABLE
WARRANTS FEBRUARY 1, 2019 - FEBRUARY 28, 2019

<u>Check</u> <u>Number</u>	<u>Check</u> <u>Date</u>	<u>Name</u>	<u>Net</u> <u>Amount</u>	<u>Description</u>
37862	2/7/2019	PITNEY BOWES #8000-9090-	\$ 520.99	POSTAGE MACHINE REFILL
37863	2/7/2019	QUILL CORPORATION	\$ (21.58)	CREDIT RITA'S CALENDAR
			\$ 21.58	RITA'S CALENDAR
			\$ 60.46	NANCY-FILE EXPAN JACKETS
			\$ 5.39	VANESSA-SCISSORS
37863	2/7/2019	QUILL CORPORATION	\$ 194.61	CITY HALL STAPLER/ENVELOP
			\$ 65.27	NANCY-HANGING FOLDERS
Check Total:			\$ 325.73	
37864	2/7/2019	RAZZARI AUTO CENTER	\$ 342.81	PD-FORD TAURUS 2017
37865	2/7/2019	GRACIELA V. RODRIGUEZ	\$ 250.00	HEALTH INSURANCE STIPEND
37866	2/7/2019	RON'S AUTO REPAIR	\$ 211.50	PD-2006 CROWN VIC RADIO
37867	2/7/2019	ISABEL SALDIVAR	\$ 18.99	REIMBURSEMENT BDAY CAKE
37868	2/7/2019	TECH MASTER MANAGEMENT	\$ 40.00	PD-PEST CONTROL
			\$ 150.00	CITY HALL/COMM. CTR/SENIOR
Check Total:			\$ 190.00	
37869	2/7/2019	TELSTAR	\$ 1,147.25	WWTP/TS PLANT RADIOS
37870	2/7/2019	TPX COMMUNICATIONS	\$ 1,617.15	ALL DEPTS-TELEPHONE
37871	2/7/2019	THARP'S FARM SUPPLY	\$ 7.02	PARKERS PARK-HEX NUT/FLAT
			\$ 17.43	SHOP-BOWL BRUSH
			\$ 16.19	C TRAIN-LOCKS
			\$ 35.62	DUNKLE PARK-GOPHER TRAPS
			\$ 23.75	VAC TRUCK-DELO
			\$ 4.05	C TRAIN-TAPE FOR BOXES
			\$ 35.45	TRUCK #10-GLOVES/BATTERIES
			\$ 13.38	SENIOR CENTER-WARM WHITE
			\$ 16.53	PINESOL GALLON
			\$ 38.22	SITE#2-GLOVES
			\$ 57.37	PARKERS PARK-ANCHORS
			\$ 36.16	WWTP- ALLS IN BOX
			\$ 1.78	REPAIR VACUUM-CLIP
			\$ 16.68	DUNKLE RESTROOM-LOCK
			\$ 18.66	COMMUNITY CTR-SAND PAPER
			\$ 17.17	TRUCK#4-BLADE
			\$ 9.28	MALDONADO PARK-PRIMER
			\$ 117.01	TRUCK#39-PIPE WRENCH
			\$ 9.66	SITE#2-POLYTHUL

CITY OF FIREBAUGH ACCOUNTS PAYABLE
WARRANTS FEBRUARY 1, 2019 - FEBRUARY 28, 2019

<u>Check</u> <u>Number</u>	<u>Check</u> <u>Date</u>	<u>Name</u>	<u>Net</u> <u>Amount</u>	<u>Description</u>
37871	2/7/2019	THARP'S FARM SUPPLY	\$ 40.06	WWTP-HOSE
			\$ 6.64	COVERALL
			\$ 1.64	COMMUNITY CTR-BOLT
			\$ 82.71	COMMUNITY CTR-WASH PAIL
			\$ 27.38	CRESCENT WRENCH/SLOTTED
			\$ 18.19	DOG SCANNER-BATTERIES
			\$ 3.73	SEWER LINE REPAIR-NAILS
			\$ 82.06	SEWER LINE REPAIR-DWV PIPE
			\$ 6.36	PARKERS PARK-COVERALLS
			\$ 66.19	OIL STABILIZER GAL
			\$ 12.87	AAA BATTERIES
			\$ 54.65	CITY HALL-COUPLE/TEST CAP
			\$ 22.88	PARK/TRUCK#38-BLADE/BRAKE
		Check Total:	\$ 916.77	
37872	2/7/2019	THOMASON TRACTOR COMPA	\$ 25.65	OIL
37873	2/7/2019	U.S. BANK EQUIPMENT FINAN	\$ 1,053.13	RNT/LEASE EQUIP
37874	2/7/2019	DATAPATH	\$ 992.50	MONTHLY BILLING SERVICE
37875	2/7/2019	MICHAEL J. PEREZ	\$ 150.88	MQ CUSTOMER REFUND
37876	2/8/2019	FIREBAUGH AUTO REPAIR	\$ 280.00	FD-09 FRERRARA IGNITOR
			\$ 560.00	FD-09 FRERRARA IGNITOR
			\$ 1,445.97	FD-2008 FORD F350 REPAIR
			\$ 140.00	FD-INSTALLED 2 BATTERY
		Check Total:	\$ 2,425.97	
37877	2/8/2019	HCL MACHINE WORKS	\$ 15,566.51	FD-FIRE TRUCK REPAIR
37878	2/8/2019	REPORTING SYSTEMS, INC.	\$ 1,490.00	FD-YEARLY FIRE PACKAGE
37879	2/8/2019	WITMER PUBLIC SAFETY GROU	\$ 300.00	FD-TRASH HOOK/FIRE HOOKS/
37880	2/12/2019	CITY OF FIREBAUGH	\$ 90,177.98	PAYROLL ENDING 2/8/2019
37881	2/14/2019	AJ EXCAVATION INC.	\$ 430,518.06	PROJECT Q STREET ROADWAY
37882	2/14/2019	CITY AUTO GLASS	\$ 382.00	COMM. CTR WINDOW REPAIR
37883	2/14/2019	CENTRAL VALLEY TOXICOLOC	\$ 52.00	DRUG SCREEN/ABUSE SCREEN
37884	2/14/2019	DEPARTMENT OF JUSTICE	\$ 64.00	JANUARY 2019 FINGERPRINTS

CITY OF FIREBAUGH ACCOUNTS PAYABLE
WARRANTS FEBRUARY 1, 2019 - FEBRUARY 28, 2019

<u>Check</u> <u>Number</u>	<u>Check</u> <u>Date</u>	<u>Name</u>	<u>Net</u> <u>Amount</u>	<u>Description</u>
37885	2/14/2019	ECONOMI DEVELOPMENT	\$ 6,000.00	MEMBERSHIP 7/1/2018-6/30/2019
			\$ 4,000.00	LEAKAGE REPORT-MEMBERSHIP
		Check Total:	\$ 10,000.00	
37886	2/14/2019	FRESNO COUNTY TREASURER	\$ 164.04	RMS/JMS/CAD ACCESS FEES
37887	2/14/2019	KTS SERVICES OF NORTHERN	\$ 452.50	MOVED THR PRI SERVICE
37888	2/14/2019	PACIFIC GAS & ELECTRIC	\$ 24.39	FIRE DEPT #3228327255-0
37889	2/14/2019	QUILL CORPORATION	\$ 16.99	SENIOR CANDY MACHINE
			\$ 43.97	SENIORS CANDY MACHINE
		Check Total:	\$ 60.96	
37890	2/14/2019	STAPLES BUSINESS ADVANTAGE	\$ 206.65	PD-OFFICE SUPPLIES
37891	2/19/2019	FIRST BANKCARD	\$ 188.72	FD-AMAZON BACK UP CAMERA
			\$ 46.83	BEN-WEBSTAURANT STORE
			\$ 550.00	BEN-CA RURAL WATWR ASSOC.
			\$ 85.26	BEN-DICKS SPORTING GOOD
			\$ 76.22	BEN-COMMUNITY CTR SOAP
			\$ 47.07	BEN-STAMP ISABEL
			\$ 499.00	BEN-EDUCATION & TRAINING
			\$ 111.55	FD-AMAZON STREAMLIGHT
			\$ 16.67	PD-PEOPLEFACTS
			\$ 193.32	PD-FRESNO SUPERIOR COURT
			\$ 9.99	PIO-SAFEWAYCLASSES OLGA
			\$ 14.95	PIO-CPR OLGA
			\$ 102.26	PIO-FED EX FOR PD PICK UP
			\$ 155.78	PIO-CLAWSON MOTORSPORT
		Check Total:	\$ 2,097.62	
37892	2/21/2019	ADAMS ASHBY GROUP, LLC	\$ 4,500.00	GENERAL ADMIN PROJECT
37893	2/21/2019	ALERT-O-LITE, INC.	\$ 283.93	ASPHALT PATCH
37894	2/21/2019	AIDA ALVAREZ	\$ 150.00	CLEANING DEPOSIT REFUND
37895	2/21/2019	AUTOZONE COMMERCIAL (137	\$ 26.76	PD UNIT#7-COOLING SYSTEM
			\$ 19.42	COOL ANTIFREEZE/COOLANT
			\$ 24.26	PD-TIRE SHINE/CLEANER
		Check Total:	\$ 70.44	
37896	2/21/2019	AXCES INDUSTRIAL SUPPLY	\$ 330.41	FLOAT AWAY/CITRUS FLOATING

CITY OF FIREBAUGH ACCOUNTS PAYABLE
WARRANTS FEBRUARY 1, 2019 - FEBRUARY 28, 2019

<u>Check</u> <u>Number</u>	<u>Check</u> <u>Date</u>	<u>Name</u>	<u>Net</u> <u>Amount</u>	<u>Description</u>
37897	2/21/2019	BRYANT L. JOLLEY	\$ 51,600.00	PROFESSIONAL SERVICES AUDIT
37898	2/21/2019	BSK & ASSOCIATES, INC.	\$ 1,196.00	PROFESSIONAL SERVICES
			\$ 45.00	LAB ANALYSIS
			\$ 55.00	LAB ANALYSIS
			\$ 37.50	LAB ANALYSIS
			\$ 107.50	LAB ANALYSIS
			\$ 300.00	LAB ANALYSIS
			\$ 37.50	LAB ANALYSIS
			\$ 180.00	LAB ANALYSIS
			\$ 270.00	LAB ANALYSIS
			\$ 215.00	LAB ANALYSIS
			\$ 55.00	LAB ANALYSIS
			\$ 45.00	LAB ANALYSIS
			\$ 56.28	LAB ANALYSIS
			\$ 46.89	LAB ANALYSIS
			\$ 68.76	LAB ANALYSIS
			\$ 268.78	LAB ANALYSIS
			\$ 37.50	LAB ANALYSIS
			\$ 56.28	LAB ANALYSIS
			\$ 268.78	LAB ANALYSIS
37898	2/21/2019	BSK & ASSOCIATES, INC.	\$ 68.76	LAB ANALYSIS
Check Total:			\$ 3,415.53	
37899	2/21/2019	CALIF WATER ENVIRONMENT	\$ 280.00	MEMBERSHIP/CERTIFICATION
37900	2/21/2019	CED-FRESNO	\$ 99.10	PW-PARTS
			\$ 103.66	AIRPORT-LAMP
			\$ 16.82	PW-BUTT SPLICE
Check Total:			\$ 219.58	
37901	2/21/2019	CINTAS	\$ 20.34	CITY HALL
			\$ 15.51	8000 HELM CANAL RD
			\$ 21.73	COMMUNITY CENTER
			\$ 90.02	CITY SHOP
			\$ 90.02	CITY SHOP
			\$ 20.34	CITY HALL
			\$ 21.73	COMMUNITY CENTER
			\$ 14.50	8000 HELM CANAL
			\$ 14.50	8000 HELM CANAL
			\$ 20.34	CITY HALL
			\$ 24.09	COMMUNITY CENTER
			\$ 90.02	CITY SHOP
			\$ 20.34	CITY HALL
			\$ 14.50	8000 HELM CANAL RD

CITY OF FIREBAUGH ACCOUNTS PAYABLE
WARRANTS FEBRUARY 1, 2019 - FEBRUARY 28, 2019

<u>Check</u> <u>Number</u>	<u>Check</u> <u>Date</u>	<u>Name</u>	<u>Net</u> <u>Amount</u>	<u>Description</u>
37901	2/21/2019	CINTAS	\$ 21.73	COMMUNITY CENTER
			\$ 92.07	CITY SHOP
		Check Total:	\$ 591.78	
37902	2/21/2019	COMCAST	\$ 670.85	PD INTERNET #909093831
37903	2/21/2019	EWING IRRIGATION PRODUCTS	\$ 752.24	TURF SUPREME/LANDSCAPING
37904	2/21/2019	FEDEX	\$ 39.31	FD-MAILING FEES
37905	2/21/2019	FIREBAUGH HARDWARE COMI	\$ 53.93	COMMUNITY CTR-TAPE BLUE
			\$ 64.72	ASPHALT BLACK PATCH
			\$ 2.15	COMMUNITY CTR-BRASS HOOKS
			\$ 50.04	AIRPORT-BULBS REFLECTOR
		Check Total:	\$ 170.84	
37906	2/21/2019	FRESNO OXYGEN	\$ 50.53	SHOP-PART
			\$ 56.31	SHOP-SUPPLIES
		Check Total:	\$ 106.84	
37907	2/21/2019	GOODALL TRUCKING, INC.	\$ 674.84	BASE ROCK MATERIAL
37908	2/21/2019	GUTHRIE PETROLEUM, INC.	\$ 1,184.60	BULK UNLEADED GASOLINE
			\$ 620.51	BULK UNLEADED GASOLINE
			\$ 817.94	BULK UNLEADED GASOLINE
			\$ 860.25	BULK UNLEADED GASOLINE
37908	2/21/2019	GUTHRIE PETROLEUM, INC.	\$ 930.76	BULK UNLEADED GASOLINE
		Check Total:	\$ 4,414.06	
37909	2/21/2019	KTS SERVICES OF NORTHERN	\$ 390.00	SERVICE CALL TURN UP NEW
37910	2/21/2019	LEAGUE OF CA CITIES SSJVD	\$ 4,962.00	MEMBERSHIP DUES FOR CALEN
37911	2/21/2019	LOZANO SMITH ATTORNEYS A	\$ 6,130.43	GENERAL LEGAL MATTERS
			\$ 55.50	GENERAL LITIGATION MATTER
			\$ 44.00	PITCHESS MOTIONS LEGAL
			\$ 1,110.00	MARIJUANA REGULATION
			\$ 832.50	PERSONNEL MATTERS LEGAL
			\$ 333.00	SUCCESSOR AGENCY LEGAL SRV
		Check Total:	\$ 8,505.43	
37912	2/21/2019	NOAH MARQUEZ	\$ 193.00	MEALS PER DIEM TRAINING
37913	2/21/2019	MID-VALLEY DISPOSAL	\$ 226.00	WATER TREATMENT PLANT

CITY OF FIREBAUGH ACCOUNTS PAYABLE
WARRANTS FEBRUARY 1, 2019 - FEBRUARY 28, 2019

<u>Check</u> <u>Number</u>	<u>Check</u> <u>Date</u>	<u>Name</u>	<u>Net</u> <u>Amount</u>	<u>Description</u>
37914	2/21/2019	MIGUEL'S PLUMBING SERVICE	\$ 560.00	REPAIR SEWER LINE-CITY HALL
37915	2/21/2019	CSG CONSULTANTS, INC.	\$ 1,395.00	BUILDING INSPECTIONS
			\$ 1,780.90	BUILDING PLAN REVIEW
			\$ 247.50	1185 N ST FIRE SUPPRESSION
		Check Total:	\$ 3,423.40	
37916	2/21/2019	QUILL CORPORATION	\$ 33.25	RITA-FOLDERS
			\$ 42.41	RITA-FOLDER FILES/DIVIDER
			\$ 45.34	CLEAR LASER LABELS-RITA
		Check Total:	\$ 121.00	
37917	2/21/2019	RSG, INC.	\$ 7,966.25	2018-19 SUCCESSOR AGENCY
37918	2/21/2019	SAN JOAQUIN VALLEY	\$ 277.00	19/20 ANNUAL PERMITS
37919	2/21/2019	SPARKLETTS	\$ 229.72	ALL DEPT
37920	2/21/2019	STATE WATER RESOURCES CO	\$ 55.00	WATER TREATMENT CERT.
37921	2/21/2019	STAPLES BUSINESS ADVANTAGE	\$ 304.04	CHERRY WOOD DESK-ISABEL
37922	2/21/2019	SUN'S INTERNATIONAL CORP	\$ 18.14	CITY HALL TOWELS ROLL
			\$ 45.35	COMMUNITY CTR/PD PAPER
			\$ 27.21	COMMUNITY CTR/SHOP PAPER
			\$ 18.14	CITY HALL PAPER ROLL TOWEL
		Check Total:	\$ 108.84	
37923	2/21/2019	TIFCO INDUSTRIES	\$ 183.98	PW-PARTS
37924	2/21/2019	MARIA TORRES	\$ 150.00	CANCELLED FUNCTION 5/25/19
37925	2/21/2019	USA NORTH 811 FOR THE	\$ 129.28	CALIFORNIA STATE FEE
37926	2/21/2019	DATAPATH	\$ 420.00	FIXED FEE LABOR/INSTALL
37927	2/21/2019	HILDA VALADEZ	\$ 150.00	CLEANING DEPOSIT REFUND
37928	2/21/2019	VAN RYN, WILLIAM	\$ 520.00	BUILDING INSPECTION JAN2019
37929	2/21/2019	VERIZON WIRELESS	\$ 40.29	PD MODEM/BRADY TABLET
37930	2/21/2019	ZEE MEDICAL SERVICE CO.	\$ 158.30	PUBLIC WORKS DEPT
			\$ 24.00	CITY HALL
		Check Total:	\$ 182.30	

CITY OF FIREBAUGH ACCOUNTS PAYABLE
WARRANTS FEBRUARY 1, 2019 - FEBRUARY 28, 2019

<u>Check</u> <u>Number</u>	<u>Check</u> <u>Date</u>	<u>Name</u>	<u>Net</u> <u>Amount</u>	<u>Description</u>
37931	2/22/2019	DISH	\$ 58.10	SENIORS CABLE
37932	2/22/2019	FRESNO COUNTY CLERK	\$ 2,404.75	MITIGATED-DEL RIO PLACE
37933	2/22/2019	RSG, INC.	\$ 1,672.50	2018-19 SUCCESSOR AGENCY
			\$ 735.00	HOUSING SUCCESSOR AGENCY
		Check Total:	\$ 2,407.50	
37934	2/26/2019	CITY OF FIREBAUGH	\$ 90,504.75	PAYROLL ENDING 2/22/19
37935	2/28/2019	AT&T MOBILITY	\$ 462.58	PD CELL PHONES/INTERNET
37936	2/28/2019	CED-FRESNO	\$ 310.97	AIRPORT LAMP
37937	2/28/2019	CORBIN WILLITS SYSTEMS	\$ 1,020.18	ADMINISTRATION C/W SERVICE
37938	2/28/2019	DEPARTMENT OF JUSTICE	\$ 140.00	JANUARY 2019 BLOOD ALCOHOL
37939	2/28/2019	FIREBAUGH SUPER MARKET	\$ 32.37	DOG FOOD
			\$ 10.64	SENIOR CTR-SUGAR/SCOURER
			\$ 19.99	SENIORS-BDAY CAKE
			\$ 33.72	DOG FOOD
			\$ 6.87	DOG KENNEL
			\$ 32.37	DOG POUND
		Check Total:	\$ 135.96	
37940	2/28/2019	FRESNO-MADERA AREA AGEN	\$ 96.18	1/19 NON USDA QUALIFIED MEAL
37941	2/28/2019	OCTAVIO GONZALEZ	\$ 100.00	WORK BOOTS PER MOU REIM.
37942	2/28/2019	GOUVEIA ENGINEERING, INC.	\$ 416.06	720.24 1440 DEL RIO APARTMENT
			\$ 102.38	725.01 PUBLIC WORKS GENERATOR
			\$ 637.88	740.11 SGMA
			\$ 1,967.50	740.12 HUD TANK
			\$ 1,488.38	745.01 STREETS GENERAL
			\$ 472.50	745.10C CML-5224(015) POSO CANAL
			\$ 337.50	745.19C CML-5224(019) PEDESTRIAN
			\$ 4,891.41	745.23C "Q" STREET ROADWAY
			\$ 227.06	750.02 POLICE BUILDING
			\$ 68.25	760.01 AIRPORT GENERAL
			\$ 2,517.50	760.04 A.C.I.P/CAAP
			\$ 68.25	775.06 O'REILLY'S PARCEL
			\$ 1,042.13	775.07 CEN CEL BUILDERS
			\$ 1,572.38	775.08 CANNABIS DEVELOPMENT
			\$ 141.75	785.03 WEST HILLS EXPANSION

CITY OF FIREBAUGH ACCOUNTS PAYABLE
WARRANTS FEBRUARY 1, 2019 - FEBRUARY 28, 2019

<u>Check</u> <u>Number</u>	<u>Check</u> <u>Date</u>	<u>Name</u>	<u>Net</u> <u>Amount</u>	<u>Description</u>
37942	2/28/2019	GOUVEIA ENGINEERING, INC.	\$ 489.56	785.27 CEN CAL BUILDERS
			\$ 3,067.31	795.06 CDBG GRANT APPLICATION
			\$ 2,177.44	795.10FA GRANT APPLICATION
			\$ 672.50	795.15 HUD TANK SRF APPLICATION
		Check Total:	\$ 22,357.74	
37943	2/28/2019	BRADY JENKINS	\$ 300.00	MONTHLY SALARY MEETING
37944	2/28/2019	KTS SERVICES OF NORTHERN	\$ 4,420.80	SHORETEL SUPPORT 1 YEAR/LA
37945	2/28/2019	NOAH MARQUEZ	\$ 500.64	LODGING EXPENSE REIMBURSED
37946	2/28/2019	NICHOLS CONSULTING	\$ 800.00	STATE MANDATED COST
37947	2/28/2019	PACIFIC GAS & ELECTRIC	\$ 35,976.77	ALL DEPTS #7355932148-1
37948	2/28/2019	FELIPE PEREZ	\$ 300.00	MONTHLY SALARY ATTENDANCE
37949	2/28/2019	QUILL CORPORATION	\$ 245.03	JANITORIAL SUPPLIES CLOROX
37950	2/28/2019	RENO'S MEGA MART	\$ 35.15	PROPANE
37951	2/28/2019	VIRGINIA RODRIGUEZ	\$ 150.00	CANCELLED FUNCTION 3/23/19
37952	2/28/2019	JOHN SANCHEZ	\$ 100.00	WORK BOOTS PER MOU REIM.
37953	2/28/2019	ST. JOSEPH'S CHURCH	\$ 150.00	CLEANING DEPOSIT REFUND A
37954	2/28/2019	SUN'S INTERNATIONAL CORP	\$ 45.35	COMMUNITY CENTER-PAPER
37955	2/28/2019	UNITY IT	\$ 2,674.61	PD-COMPUTER/ADAPTER/EQUIP
37956	2/28/2019	ALFRED VALDEZ	\$ 300.00	MONTHLY SALARY MEETING
37957	2/28/2019	VAN RYN, WILLIAM	\$ 390.00	BUILDING INSPECTION FEB2019
37958	2/28/2019	VORTAL, INC.	\$ 52.50	WEBSITE UPDATES

RESOLUTION NO. 19-14

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH APPROVING AN AMENDMENT TO THE WATER CONSERVATION PLAN PURSUANT TO THE PROVISIONS OF FIREBAUGH MUNICIPAL CODE SECTION 15-1.3.1

WHEREAS, the public health, safety, and welfare require that scarce water resources be conserved and preserved; and

WHEREAS, the City Council has a current Water Conservation Plan to ensure that water resources are not wasted; and

WHEREAS, the City Council desires to amend the watering days in the current Water Conservation Plan; and

WHEREAS, the City Council has conducted a public hearing as required by the provisions of Firebaugh Municipal Code Section 15-1.3.1; and

WHEREAS, the amended Water Conservation Plan is attached herewith.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Firebaugh as follows:

1. The amended Water Conservation Plan is hereby approved.
2. The City Manager and the Public Works Director of the City are authorized and directed to carry out the provisions of the Program.

The foregoing resolution was approved and adopted at a regular meeting of the City Council of the City of Firebaugh held on the 1st day of April, 2019, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

APPROVED:

Marcia Sablan, Mayor
City of Firebaugh

ATTEST:

Rita Lozano, Deputy City Clerk
City of Firebaugh

WATER CONSERVATION PLAN

A. PURPOSE:

The purpose of this Plan is to minimize outdoor water use and reduce unnecessary use of the potable water supplies of the City of Firebaugh.

The provisions of this Plan shall apply to all persons, customers and property within the limits of the City of Firebaugh.

B. WASTE OF WATER PROHIBITION:

The following uses of water are defined as “waste of water” and are hereby prohibited except as otherwise authorized:

- (1) The use of water which allows substantial amounts of water to run off to a gutter, ditch, or drain. Every water user is deemed to have his water distribution lines and facilities under his control at all times and to know the manner and extent of his water use and excess runoff.
- (2) The excessive use, loss, or escape of water through breaks, leaks or malfunctions in the water user’s plumbing or distribution facilities for any period of time after such escape of water should reasonably have been discovered and corrected. It shall be presumed that a period of forty eight (48) hours after discovery is a reasonable time within which to correct such a leak or break.
- (3) The washing of vehicles, building exteriors, sidewalks, driveways, parking areas, tennis courts, patios, or other paved areas without the use of a positive shut-off nozzle on the hose, which results in excessive runoff.

C. LANDSCAPE IRRIGATION

- (1) Lawn sprinkling system/devices shall be properly designed, installed, maintained and operated to prevent overuse of water.
- (2) The “water customer” shall modify watering duration and frequency schedules so that the sprinkler’s application does not exceed the irrigated area’s absorption rate and generate surface runoff.
- (3) Hours of irrigation: All outdoor irrigation of lawns, gardens, landscaped areas, plants, trees, shrubs or other greenscape areas shall occur between the hours of twelve o’clock (12:00) midnight and seven o’clock (7:00) a.m. and eight o’clock (8:00) p.m. and twelve o’clock (12:00) midnight on designated days as listed in (4) and (5) below. When on the winter schedule, (see (5) below) water customers may water anytime during the designated day.
- (4) Summer watering schedule: March 2 – October 31: All dwellings or establishments with even numbered street addresses (addresses ending with a 0, 2, 4, 6, 8) shall water only on Wednesday, Friday and Sunday. Dwellings or establishments with odd numbered addresses (addresses ending with a 1, 3, 5, 7, 9) shall water only on Tuesday, Thursday and Sunday. There shall be no watering on Saturdays and Mondays.

- (5) Winter watering schedule: November 1 – March 1: All dwellings or establishments shall water only on Saturdays. Specific irrigation times shall not be enforced. During rain events, water customers should turn automatic sprinkler timers off or place them on pause.

D. ENFORCEMENT/ PENALTIES

It is one of the objectives of the City Council of the City of Firebaugh that the residents of Firebaugh are encouraged to voluntarily comply with this chapter. Therefore, in furtherance of said objective, the enforcement of sub sections B and C of this chapter will be as follows:

- (1) First violation: A verbal warning of such violation shall be issued by public works department personnel or a designated official of the City of Firebaugh. Documentation shall be noted on the work order or complaint form.
- (2) Second violation: A written notice of such violation shall be issued by public works department personnel or the police department personnel.
- (3) Third violation: A written notice of such violation shall be issued and water service to the customer shall be terminated. Water service termination shall be at the discretion of the Public Works Director. Restoration of water service after termination shall be contingent on an agreement by the customer to adhere to the provisions of this chapter. Any and all cost of enforcement incurred by the City of Firebaugh, including overhead, will be billed to the customer.
- (4) Additional violations after restoration of water service may result in a fine per violation not to exceed five hundred dollars (\$500.00). Fines will be levied at the discretion of the Public Works Director.

Determination of number of offenses: To determine whether a violation is other than a first offense, only notices issued within two years after the date of the first notice will be considered.

E. EXCEPTIONS

- (1) A written application for exception to sections of this chapter shall be submitted to the Public Works Director. Exemptions may be granted if:
 - (a) Compliance with this chapter would cause unnecessary and undue hardship to the applicant, including but not limited to adverse economic impacts such as loss of production or jobs; or,
 - (b) Compliance of this chapter would cause a condition adversely affecting the health, sanitation, fire protection, or safety of the applicant or the public.
- (2) A 30 day exception from irrigation restrictions listed in numbers 3, 4, and 5 of section C in this chapter may be granted for new lawns not yet established.
- (3) Commercial nurseries, public parks, cemeteries, and schools are exempt from numbers 3, 4, and 5 of section C of this chapter but will be requested to curtail all non essential water use.

ACTION ALERT!!

SUPPORT

Send a City Resolution to Recognize the Importance of the 2020 U.S. Census “Be Counted California”

Background:

California cities can play an active role in helping to make the 2020 U.S. Census fair and accurate, especially for historically undercounted populations: racial and ethnic minorities, young children and renters. The 2010 census undercounted 95,000 (or 0.26 percent of) California residents. Though the overall count was an improvement from the previous undercounts (2.74 percent in 1990 and 1.52 percent in 2000), the rate of undercounted populations remains consistently high, and that has many cities concerned about getting an accurate account in the upcoming census. One of the main implications of a miscount is the loss of annual federal and state funding for local government as well as philanthropic funding for social programs and services. In addition, one or more Congressional seats given to California could be lost.

Obtaining an accurate and complete count poses challenges due to several factors. The housing affordability crisis has forced more Californians to move into hard-to-count unconventional housing and overcrowded dwellings or to become homeless. For the first time, the Census is a digital census and more than 75 percent of California households will be receiving an invitation to complete their census form online, even though many households lack broadband or digital literacy.

The California Census Office is hosting a kick-off event on April 2, 2019 at the State Capitol in Sacramento to jump-start the public awareness of the 2020 Census and they have requested for the League to encourage its members to adopt a resolution recognizing the importance of the 2020 U.S. Census.

ACTION:

Adopt a city proclamation or resolution supporting the 2020 U.S. Census.

Sample resolution attached.

Quick Facts

Why is the 2020 Census important?

- Every Californian counts
- It's about fair representation
- It's about fair share of funding
- It's your civic duty
- It's about redistricting
- You are the expert – your responses help
- Your data are confidential

How is the Census data used?

- To advocate more resources for community members.
- To ensure public safety and plan new schools and hospitals.
- To decide where to open companies and businesses, which create jobs.
- By law, the U.S. Census Bureau cannot share the data with immigration or law enforcement agencies or allow it to determine eligibility for government benefits.

Tips for Building Complete Count Partnerships

California has made a historic commitment to the 2020 Census by investing over \$100 million to help ensure a complete count. With more than \$70 million directly allocated for county, tribal and community based organizations, the state is taking special care to reach hard-to-count communities. And philanthropic organizations, such as the California Endowment and the Irvine Foundation, made a \$20 million commitment in 2017–18 to support local and regional census work by allocating funding and sustaining coordinated efforts like the Census Policy Advocacy Network. Aside from forming local census complete count committees, cities should consider partnering with federal and state agencies, tribal governments, counties and community-based organizations and tap into existing initiatives.

Resources to Help Identify Your Hard-to-Count Populations

- [**2020 Census Maps: California's Hard-to-Count Communities**](#). The Public Policy Institute of California projects the likelihood of nonresponse rates for individual hard-to-count groups.
- [**2010 Census Participation Rates**](#). This U.S. Census Bureau map shows participation rates in the 2010 and 2000 censuses.
- [**California Hard-to-Count Index Map**](#). This map provides demographic information in addition to the Hard-to-Count Index.

For more information, visit www.census.gov/2020resources or <https://census.ca.gov/resources>.

RESOLUTION NO. 19-15

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH SUPPORTING THE 2020 CENSUS

WHEREAS, the U.S. Census Bureau is required by Article I, Section 2 of the U.S. Constitution to conduct an accurate count of the population every ten years; and

WHEREAS, the next enumeration will be April 1, 2020 and will be the first to rely heavily on online responses; and

WHEREAS, the primary and perpetual challenge facing the U.S. Census Bureau is the undercount of certain population groups; and

WHEREAS, that challenge is amplified in California, given the size of the state and the diversity of communities; and

WHEREAS, California has a large percentage of individuals that are considered traditionally hard to count; and

WHEREAS, these diverse communities and demographic populations are at risk of being missed in the 2020 Census; and

WHEREAS, California receives nearly \$77 billion in federal funding that relies, in part, on census data; and

WHEREAS, a complete and accurate count of California's population is essential; and

WHEREAS, the data collected by the decennial Census determines the number of seats each state has in the U.S. House of Representatives and is used to distribute billions of dollars in federal funds to state and local governments; and

WHEREAS, the data is also used in the redistricting of state legislatures, county boards of supervisors and city councils; and

WHEREAS, the decennial census is a massive undertaking that requires cross-sector collaboration and partnership in order to achieve a complete and accurate count; and

WHEREAS, California's leaders have dedicated a historic amount of funding and resources to ensure every Californian is counted once, only once and in the right place; and

WHEREAS, this includes coordination between tribal, city, county, state governments, community-based organizations, education, and many more; and

WHEREAS, U.S. Census Bureau is facing several challenges with Census 2020, including constrained fiscal environment, rapidly changing use of technology, declining response rates, increasingly diverse and mobile population, thus support from partners and stakeholders is critical; and

WHEREAS, California is kicking-off its outreach and engagement efforts in April 2019 for the 2020 Census; and

WHEREAS, the City of Firebaugh, in partnership with other local governments, the State, businesses, schools, and community organizations, is committed to robust outreach and communication strategies, focusing on reaching the hardest-to-count individuals;

NOW, THEREFORE, BE IT RESOLVED by the City of Firebaugh recognizes the importance of the 2020 U.S. Census and supports helping to ensure a complete, fair, and accurate count of all Californians.

The foregoing resolution was adopted at a regular meeting of the City Council of the City of Firebaugh the 1st day of April, 2019, and passed at said meeting by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

ATTEST:

Marcia Sablan, Mayor

Rita Lozano, Deputy City Clerk



STAFF REPORT

TO: Firebaugh City Council

FROM: Ben Gallegos, City Manager

DATE: April 1, 2019

SUBJECT: City Council approval of a release of temporary drainage easement and a Certificate of Completion of obligations related to May 17, 1993 Disposition and Development Agreement with Stone Creek Partners (Rubi Gardens Project).

HISTORY:

On May 17, 1993, the former Redevelopment Agency of the City of Firebaugh (RDA) entered into a Disposition and Development Agreement (“DDA”) with Stone Creek Partners (Developer) to build single family and multi-family units on the Rubi Gardens tract. A First Amendment to the DDA was dated July 21, 1993 and a Second Amendment to the DDA was dated November 16, 1998 (together the “Agreement”). The Developer has completed its construction and financial obligations. The City has received a request to clear the existing Agreement cloud on title.

DDA Section 317 obligates the issuance of a Certificate of Completion following the conclusion of construction and development on the site. The Developer had not requested a Certificate of Completion until now.

In addition, the City received a temporary drainage easement from Fred and Janet L. Wrazel dated January 8, 1982 and recorded on January 29, 1982 until the permanent improvements were completed. Staff advises that the project has been completed in accord with the DDA and there is no longer a need to maintain the temporary drainage easement.

RECOMMENDATION:

City Council approve the easement release and adopt the Certificate of Completion recognizing the fulfillment of Agreement obligations (save and except for the continuing nondiscrimination obligations set forth in DDA Sections 402 and 403).

RESOLUTION NO. 19-16

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH
RELEASING A TEMPORARY DRAINAGE EASEMENT AND ADOPTING A
CERTIFICATE OF COMPLETION RELATED TO RUBI GARDENS**

WHEREAS, the Redevelopment Agency of the City of Firebaugh, a public agency organized pursuant to Health and Safety Code section 33000 *et seq.* ("Agency") and Stone Creek Partners, California limited partnership ("Developer") entered into a Disposition and Development Agreement, dated May 17, 1993, subsequently amended by that certain First Amendment to Disposition and Development Agreement, dated July 21, 1993, and Second Amendment to Disposition and Development Agreement, dated November 16, 1998 (together, the "Agreement"), in connection with the acquisition, disposition and development of certain real property located at Lots 1 through 190, inclusive, of the Rubi Gardens Subdivision, as shown on the map thereof, recorded at book 39, page 4 thru 7, of maps, Fresno County Records, in the City of Firebaugh, County of Fresno, State of California; and

WHEREAS, pursuant to Section 317 of the Agreement, the Agency is required to furnish Developer with a Certificate of Completion following completion of specified improvements on the subject property, according to the terms of the Agreement; and

WHEREAS, Developer has completed the improvements according to the terms of the Agreement; and

WHEREAS, the City of Firebaugh can certify as to the completion of Agreement obligations; and

WHEREAS, the City of Firebaugh received a temporary drainage easement from Fred and Janet L. Wrazel dated January 8, 1982 and recorded on January 29, 1982 (**Exhibit A**), to serve until permanent improvements were constructed; and

WHEREAS, staff advises that the project has been completed and there is no longer a need to maintain the temporary drainage easement.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Firebaugh as follows:

1. The City Council adopts a Certificate of Completion in the form attached as **Exhibit B**.
2. The City Council releases the temporary easement in the form attached as **Exhibit C**.

The foregoing resolution was approved and adopted at a regular meeting of the City Council of the City of Firebaugh held on the 1st day of April, 2019, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

APPROVED:

ATTEST:

Marcia Sablan, Mayor
City of Firebaugh

Rita Lozano, Deputy City Clerk
City of Firebaugh

**RECORDING REQUESTED BY
AND WHEN RECORDED MAIL TO:**

Successor Agency of the Redevelopment Agency
of the City of Firebaugh
1133 P St.
Firebaugh, CA 93622

SPACE ABOVE THIS LINE FOR RECORDER'S USE
No recording or filing fee required. This document exempt from
fee pursuant to California Government Code §§ 6103, 27383

CERTIFICATE OF COMPLETION

Lots 1 through 190, inclusive, of the Rubi Gardens Subdivision, as shown on the map
thereof, recorded at book 39, page 4 thru 7, of maps, Fresno County Records.

WHEREAS, the Redevelopment Agency of the City of Firebaugh, a public agency organized pursuant to Health and Safety Code section 33000 *et seq.* ("Agency") and Stone Creek Partners, California limited partnership ("Developer") entered into a Disposition and Development Agreement, dated May 17, 1993, subsequently amended by that certain First Amendment to Disposition and Development Agreement, dated July 21, 1993, and Second Amendment to Disposition and Development Agreement, dated November 16, 1998 (together, the "Agreement"), in connection with the acquisition, disposition and development of certain real property located at Lots 1 through 190, inclusive, of the Rubi Gardens Subdivision, as shown on the map thereof, recorded at book 39, page 4 thru 7, of maps, Fresno County Records, in the City of Firebaugh, County of Fresno, State of California; and

WHEREAS, pursuant to Section 317 of the Agreement, the Agency is required to furnish Developer with a Certificate of Completion following completion of specified improvements on the subject property, according to the terms of the Agreement; and

WHEREAS, Developer has completed the improvements according to the terms of the Agreement; and

WHEREAS, pursuant to Health and Safety Code section 34173, the Successor Agency of the Redevelopment Agency of the City of Firebaugh ("Successor Agency") is successor to the Agency with all rights, powers, duties, and obligations previously vested with the former Agency, except those provisions if the Community Development Law repealed, restricted, or revised; and

NOW, THEREFORE, Successor Agency does hereby certify that all of the obligations of Developer as provided in the Agreement, including completion of the improvements, have been fully performed and completed by the Developer, except for those covenants described and set forth in Sections 402 and 403 of the Agreement, which remain in perpetuity in accordance with the terms of the Agreement.

Recordation of this Certificate shall be deemed conclusive proof that the conditions and obligations in the Agreement requiring completion, including the improvements, are satisfied, and the Developer and Agency rights and duties under the Agreement are also deemed satisfied and complete, except those covenants described and contained in Sections 402 and 403 of the Agreement, which remain in perpetuity in accordance with the terms of the Agreement and shall remain in full force and effect.

IN WITNESS WHEREOF, the Successor Agency has duly executed this instrument this 1st day of April, 2019.

SUCCESSOR AGENCY OF THE REDEVELOPMENT AGENCY
OF THE CITY OF FIREBAUGH

By, _____

**RECORDING REQUESTED BY
AND WHEN RECORDED MAIL TO:**

City of Firebaugh
1133 P St.
Firebaugh, CA 93622

SPACE ABOVE THIS LINE FOR RECORDER'S USE
No recording or filing fee required. This document exempt from
fee pursuant to California Government Code §§ 6103, 27383

RELEASE OF TEMPORARY EASEMENT

The City of Firebaugh, a municipal corporation, with its principal offices located at 1133 P St., Firebaugh, CA 93622, forever releases, abandons and relinquishes all of its rights, title, and interest, including easement rights, granted by that certain TEMPORARY EASEMENT DEED, dated as of January 8, 1982, signed by Fred Wrazel and Janet L. Wrazel as Grantor, and the City of Firebaugh, as Grantee, and recorded on January 29, 1982, as Document No. 1982-0008503, Fresno County Records, and all such rights, title, and interest shall revert to Grantor or Grantor's successors in interest. A copy of said TEMPORARY EASEMENT DEED, is attached herewith as Exhibit "A".

IN WITNESS WHEREOF, the Grantee has duly executed this instrument this 1st day of April, 2019.

CITY OF FIREBAUGH

By: _____
Marcia Sablan, Mayor

FRESNO COUNTY RECORDERS OFFICE



8503

BOCM 7852 PAGES 546

Tax exempt per Cal.
Revenue and Taxation Code §11922

RECORDED IN OFFICIAL RECORDS OF
FRESNO COUNTY, CALIFORNIA
AT _____ MIN PAST _____ M
JAN 29 1982
GALEN LAMSON,
County Recorder
FEE
\$ _____

E A S E M E N T A R Y
D E E D

"Lot 190 of Tract 3423 (Rubi Gardens)
as per maps of Fresno County Recorder's
Office.

GRANTOR makes this grant as and for compliance with GRANTEE'S conditionally approved subdivision map for said Tract 3423 for the term set forth herein.

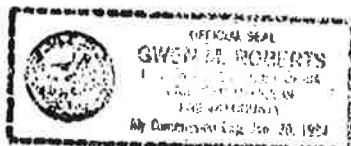
GRANTOR shall accept said reversion of said property from GRANTEE in the "as is" condition and may thereafter use, sell, grant, and convey said property subject only to laws or covenants, conditions or restrictions applicable thereto.

82.
Frederick W. ...
Janet R. ...
 GRANTORS

STATE OF CALIFORNIA)
) ss.
COUNTY OF FRESNO)

On this 8th day of January, in the year 1982, before me WILLIAM ROBERTS, personally appeared Fred Wrazel and Janet L. Wrazel, known to me to be the Grantors herein, and known to me to be the persons who executed the within instrument on behalf of said GRANTORS, and acknowledged to me that they executed the same.

NOTARY PUBLIC





TO: Honorable Mayor and Council Members
DATE: April 1, 2019
SUBJECT: Utility User Tax (UUT)

BACKGROUND

On April 1, 2013, Interim City Manager Ron Manfredi presented the following recommendation to Council per Staff Report for consideration:

Re: April 1, 2013 Introduction and First Reading of Ordinance Related to Ballot Measure to Amend Utility Users Tax (UUT)

RECOMMENDATION

1. Introduce Ordinance to place new/amended Utility Users Tax (UUT) on the ballot for voter consideration.
2. Establish the following UUT Rates: 10% Residential and 7.5% Commercial for first six (6) years of the measure.
3. Eliminate the \$500 annual CAP. No Cap will be applied to either Commercial or Residential Accounts.
4. After 6 yrs. lower residential rate to 7.5%.
5. After Six (6) years City Council may lower the Commercial UUT to 5% if one or more of the following conditions exist:
 - a. City's Deficit (Loans made from Enterprise Funds to General Fund) have been reduced to less than \$100,000 and General Fund Budget remains balanced after reduced amount from UUT commercial accounts percentage reduction is calculated;
 - OR
 - b. City Council demonstrates that the 7.5% UUT charges to commercial accounts is causing one of the following unintended results:
 1. Commercial accounts are switching to solar to avoid the City's UUT;
 2. Industrial and/or other large businesses have not located, expanded or left City as a result of the UUT.

A 4/5 Council vote will be required to reduce the UUT Commercial Rate from 7.5 % to 5%. However, the UUT for electrical/gas shall not be lowered below 5% on any application (commercial/residential) without a vote of the citizens of Firebaugh.

This year is six years since the approval of Ord. 13-01. On July 1, 2019, Residential rate will be reduced from 10% to 7.5% and City Council may consider lowering the Commercial UUT rate from 7.5% to 5%, only if one or more of the listed conditions have been met.

RECOMMENDATION

Council to receive public comment and give staff direction on whether or not to proceed with the UUT rate reduction.

April

FACILITY RENTALS

A/F Community Building

4/6 Quicenera

4/10 Job Fair Toma-Tek 10am-2pm

4/25 senior commocity Program

4/27 wedding

Every Wednesday 5pm to 7pm Salvation Army Dinner Distribution

Council Chambers Room

Council Meeting 1st and 3rd Monday of Every Month at 6:00pm

Planning Meeting 2nd Monday of Every Month at 6:00pm

Oversight Board Meeting 3rd Thursday of Every Month at 11am

Back East Room Community Building

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

Rodeo Grounds

Dunkle Park Enclosed Area

4/20 "Buff"

4/21 Tracy

Dunkle Park Canopy

4/21 Blanca Medina

Maldonado Park

Every Thursday Out Door Market 5pm-9:30pm

