



## STAFF REPORT

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**TO:** Firebaugh City Council

**FROM:** Gouveia Engineering, Inc.

**DATE:** April 15, 2019

**SUBJECT:** Adopt a resolution approving the City of Firebaugh FY 19/20 list of eligible projects for funding from the Road Maintenance and Rehabilitation Account (RMRA) created by Senate Bill (SB) 1 Road Repair and Accountability Act of 2017, and authorizing the City Manager to file with the California Transportation Commission (CTC) the Project List and the Annual Expenditure Report for FY 19/20 RMRA Funding

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### **BACKGROUND**

Senate Bill 1 (SB 1), the Road Repair and Accountability Act of 2017 (Chapter 5, Statutes of 2017) was passed by the Legislature and signed into law by the Governor on April 28, 2017, in order to address the transportation funding shortfalls statewide. The 2016 California Statewide Local Streets and Roads Needs Assessment found that a majority of the city streets and roads in California are at an “at-risk” condition and this funding will provide for improving the roads system. It is anticipated that over the next decade, SB 1 will contribute to restoring streets and roads into a “good” condition. SB 1 funding will be generated from increased gasoline and diesel fuel excise taxes and additional vehicle registration fees for California residents.

SB 1 includes accountability and transparency provisions to ensure the funding is used on a fiscal year basis for eligible transportation projects including, but not limited to, road maintenance and rehabilitation, safety projects, railroad grade separations, complete streets components, and traffic control devices. Funding recipients must prepare a list of eligible projects to receive funding from the Road Maintenance and Rehabilitation Account on a fiscal year basis with these funds appropriated in the City budget. This list must include a description and the location of each proposed project, a proposed schedule for the project’s completion, and the estimated useful life of the improvement. Funding recipients will also be required to prepare annual reports to indicate expenditure levels and completion status for each proposed project on a fiscal year basis.

Cities and counties will receive an annual allocation, determined from a population formula, which will be distributed on a monthly basis. SB 1 mandates that this new RMRA funding must not be used to supplant the current level of General Fund expenditures for street improvements and will be subject to oversight by the State Controller as part of the accountability and transparency provisions.

## **DISCUSSION**

This year's allocation corresponds to the third year of funding and the second consecutive full allocation since the program's inception. The funds were first made available to cities and counties during Fiscal Year 2017-2018 as a partial allocation from the regular fiscal year amount.

In order to receive the FY 19/20 SB 1 funding, the City of Firebaugh must submit to the California Transportation Commission by May 1, 2019, a list of eligible projects approved by resolution by the City Council. The current submittal process requires the submittal of projects using the CTC-developed an online tool.

The City of Firebaugh's FY 19/20 allocation is estimated at \$134,267 per the Local Streets and Roads – Projected Revenues dated January 22, 2019 and as published by the California City Finance website. It is recommended that these funds be appropriated for the following eligible projects:

1. Helm Canal Rd Rehabilitation – north side (from Poplar to Birch Drive)
2. Roadway Sealing Project (various streets: Birch Drive, Dogwood Way, Cypress Way, Alder Way, Poplar Way, Willow Way, Spruce Street, Maple Court, Elm Street, Ash Street, Oak Street)
3. Rabe Street Rehabilitation (from Clyde Fannon Drive to Zozaya Street)

The attached project list provides more detail including the project description, location, estimated completion date, and useful life.

The City's FY 19/20 Budget will include the following revenue and expenditure items for the FY 19/20 SB 1 Allocation:

Revenue: Road Maintenance and Rehabilitation Account: \$134,267

Expenditure: Road Maintenance and Rehabilitation Projects: \$134,267

## **FISCAL IMPACT**

The expenditures for the FY 19/20 eligible projects are anticipated to be funded 100% from the City's Road Maintenance and Rehabilitation Account. The proposed project expenditures for FY 19/20 are anticipated to match the estimated revenue of \$134,267 for FY 19/20.

## **RECOMMENDATION**

Staff recommends that the City Council adopt Resolution No. 19-19, as follows:

1. Approving the City of Firebaugh FY 19/20 List of eligible projects for funding from the Road Maintenance and Rehabilitation Account administered by the California Transportation Commission in partnership with the State Controller's office, and
2. Authorizing the City Manager to file with the California Transportation Commission the Project List and Annual Expenditure Report for FY 19/20 RMRA Funding.

**RESOLUTION NO. 19-19**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH  
APPROVING THE CITY OF FIREBAUGH FY 2019/2020 LIST OF ELIGIBLE PROJECTS FOR  
FUNDING FROM THE ROAD MAINTENANCE AND REHABILITATION ACCOUNT (RMRA)  
CREATED BY SENATE BILL 1: ROAD REPAIR AND ACCOUNTABILITY ACT OF 2017, AND  
AUTHORIZING THE CITY MANAGER TO FILE WITH THE CALIFORNIA  
TRANSPORTATION COMMISSION THE PROJECT LIST AND ANNUAL EXPENDITURE  
REPORT FOR FY 2019/2020 RMRA FUNDING**

**WHEREAS**, the City of Firebaugh is eligible to receive funding from the Road Maintenance and Rehabilitation Account (RMRA) created by Senate Bill (SB) 1, Road Repair and Accountability Act of 2017; and

**WHEREAS**, SB 1 was passed by the Legislature and signed into law by the Governor on April 28, 2017, in order to address the transportation funding shortfalls statewide; and

**WHEREAS**, RMRA funding will be generated from increased gasoline and diesel fuel excise taxes and additional vehicle registration fees for California residents; and

**WHEREAS**, SB 1 includes accountability and transparency provisions to ensure the funding is used on a fiscal year basis for eligible transportation projects including, but not limited to, road maintenance and rehabilitation, safety projects, railroad grade separations, complete streets components, and traffic control devices; and

**WHEREAS**, funding recipients must prepare a list of eligible projects to receive funding from the Road Maintenance and Rehabilitation Account on a fiscal year basis and approved by resolution by the governing board. This list must include a description and location of each proposed project, a proposed schedule for completion, and the estimated useful life of the improvements; and

**WHEREAS**, funding recipients must prepare an annual report to indicate expenditure levels and completion status for each proposed project on a fiscal year basis; and

**WHEREAS**, cities and counties will receive an annual allocation, determined from a population formula, which will be distributed on a monthly basis; and

**WHEREAS**, SB 1 mandates that this new RMRA funding must not be used to supplant the current level of General Fund expenditures for street improvements and will be subject to oversight by the State Controller's office; and

**WHEREAS**, the City of Firebaugh's FY 2019/2020 allocation for RMRA funding is estimated at \$134,267 and the City intends to appropriate these funds on its FY 19/20 Budget.

**WHEREAS**, the City's FY 2019/2020 allocation will be designated to the following eligible projects:

1. Helm Canal Rd Rehabilitation – north side (from Poplar to Birch Drive)
2. Roadway Sealing Project (various streets: Birch Drive, Dogwood Way, Cypress Way, Alder Way, Poplar Way, Willow Way, Spruce Street, Maple Court, Elm Street, Ash Street, Oak Street)
3. Rabe Street Rehabilitation (from Clyde Fannon Drive to Zozaya Street)

**WHEREAS**, the City is required to submit to the California Transportation Commission by May 1, 2019, the FY 2019/2020 List of eligible projects and a resolution that shows these projects were approved to receive FY 19/20 SB 1 funds.

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

1. The above recitals are true and correct findings of the Firebaugh City Council.
2. The City Council hereby approves the proposed FY 2019/2020 List for eligible projects to receive funding from the Road Maintenance and Rehabilitation Account.
3. The FY 19/20 SB 1 funds will be appropriated on the City's FY 19/20 Budget.
4. The City Manager is hereby authorized and directed to submit to the California Transportation Commission the Project List and Annual Expenditure Report for FY 2019/2020 RMRA Funding.

The foregoing resolution was duly adopted by the Firebaugh City Council at a regular meeting of the City Council of the City held on April 15, 2019.

**AYES:**

**NOTES:**

**ABSENT:**

**ABSTAIN:**

**APPROVED**

**ATTEST**

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Marcia Sablan  
Mayor

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Rita Lozano  
Deputy City Clerk

**Senate Bill (SB) 1 Proposed Project List Form**

## Local Streets and Roads Program

<b>Agency Name:</b>	<b>Agency Contact:</b>	
Firebaugh	Ben Gallegos	
	(559) 659-3412	
<b>LoCode:</b>	5224	bgallegos@firebaugh.org

FY
<b>19/20</b>

Summary of Proposed Project List							
Project No.	Project Title	Project Description	Project Location	Estimated Completion Date <small>(mm/dd/yyyy)</small>		Estimated Useful Life <small>(# of yrs)</small>	
				Pre-Construction	Construction	Min.	Max.
<b>PP01</b>	Helm Canal Road Rehabilitation (north side)	Roadway rehabilitation	In the City of Firebaugh between Poplar and Birch Drive	07/2020	07/2021	10	20
<b>PP02</b>	Roadway Sealing Project	Roadway crack sealing and slurry sealing	At various locations in the City of Firebaugh: Birch Dr from Helm Canal to cul-de-sac; Dogwood Wy from Maple to cul-de-sac; Cypress Wy from Helm Canal to Maple; Alder Wy from Elm Street to cul-de-sac; Poplar Wy from Helm Canal to Elm St; Willow Wy from Spruce to Elm Street; Spruce St from Willow Wy to cul-de-sac; Maple Ct from Poplar to Dogwood Wy; Elm Street from Willow to Birch Drive; Ash Street from Alder to Dogwood Wy; Oak Street from Alder to Dogwood Wy	07/2020	07/2021	5	10
<b>PP03</b>	Rabe St Rehabilitation	Roadway rehabilitation	In the City of Firebaugh between Clyde Fannon Drive and Zozaya Street	07/2019	07/2020	10	20
<b>PP04</b>							
<b>PP05</b>							
<b>PP06</b>							
<b>PP07</b>							
<b>PP08</b>							
<b>PP09</b>							
<b>PP10</b>							
<b>PP11</b>							
<b>PP12</b>							

**RESOLUTION NO. 19-20**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH  
AMENDING AGREEMENT BETWEEN THE CITY OF FIREBAUGH AND MADERA COUNTY  
FOR 2019 AUTOMATIC/MUTUAL AID**

**WHEREAS**, the City Council of the City of Firebaugh has previously approved an agreement between the Firebaugh Fire Department and Madera County Fire Department for automatic mutual aid; and

**WHEREAS**, an amendment to the agreement between the Madera County and City of Firebaugh which would jointly provide fire protection, emergency medical services, to maximize delivery of services by responding units is necessary to protect life or property; and

**WHEREAS**, beginning January 1, 2019, Madera County agrees to pay City of Firebaugh \$9,600.00 for all Automatic Aid responses per this amended agreement for the 2019 calendar year; and

**WHEREAS**, the reimbursement amount is based on the prior four (4) year average number of annual responses that the Firebaugh Fire Department responds into Madera County; and

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

1. Approve the amendment to the agreement between the City of Firebaugh and Madera County for automatic mutual aid.
2. Madera County and City of Firebaugh would jointly provide fire protection and emergency medical services.
3. Beginning January 1, 2019, County agrees to pay City Firebaugh \$9,600.00 for all Automatic Aid responses per this agreement for the 2019 calendar year.
4. The amended agreement attached hereto and incorporated herein as Exhibit "A", (Madera County Contract No. 9911E-C-2019) is hereby approved.

The foregoing Resolution was adopted at a regular meeting of the City Council of the City of Firebaugh on the 15<sup>th</sup> day of April, 2019 by the following call vote:

AYES: Council Member(s)

NOES: Council Member(s)

ABSENT: Council Member(s)

ABSTAIN: Council Member(s)

**APPROVED:**

**ATTEST:**

\_\_\_\_\_  
Marcia Sablan, Mayor

\_\_\_\_\_  
Rita Lozano, Deputy City Clerk

**MADERA COUNTY CONTRACT NO. 9911 E-C-2019**  
(Fire Department – Eighth Amendment to Mutual Aid Agreement:  
City of Firebaugh)

**THIS EIGHTH AMENDMENT TO AGREEMENT** is made and entered into effective the 19<sup>th</sup> day of MARCH, 2019, by and between the COUNTY OF MADERA, a political subdivision of the State of California (“COUNTY”), and the CITY OF FIREBAUGH, a California municipal corporation (“FIREBAUGH”).

**RECITALS**

A. On February 10, 2009, COUNTY and FIREBAUGH entered into Madera County Contract No. 8805-C-2009 to provide and maximize the delivery of fire protection and emergency medical services by jointly exercising said powers pursuant to the authority granted under California Government Code sections 6502 and 55632 and pertinent provisions of the California Health and Safety Code.

B. On January 25, 2011, COUNTY and FIREBAUGH entered into Madera County Contract No. 8805A-C-2011, to amend FIREBAUGH’s duties under Section 2 (“First Amendment.”)

C. On June 21, 2011, COUNTY and FIREBAUGH entered into Madera County Contract No. 8805B-C-2011, to amend FIREBAUGH’s duties under Section 2 (“Second Amendment.”)

D. On May 8, 2012, COUNTY and FIREBAUGH entered into Madera County Contract No. 8805C-C-2012, to amend FIREBAUGH’s duties under Section 2 (“Third Amendment.”)

E. On July 16, 2013, COUNTY and FIREBAUGH entered into Madera County Contract No. 9911-C-2013, to amend FIREBAUGH’s duties under Section 2 (“Fourth

Amendment.”) Said Fourth Amendment included a revised Madera County Contract number.

F. On November 25, 2014, COUNTY and FIREBAUGH entered into Madera County Contract No. 9911A-C-2014, to amend FIREBAUGH’s duties under Section 2 (“Fifth Amendment.”)

G. On November 10, 2015, COUNTY and FIREBAUGH entered into Madera County Contract No. 9911B-C-2015, to amend FIREBAUGH’s duties under Section 2 (“Sixth Amendment.”)

H. On May 9, 2017, COUNTY and FIREBAUGH entered into Madera County Contract No. 9911C-C-2017, to amend FIREBAUGH’s duties under Section 2 (“Seventh Amendment.”)

I. The parties again wish to amend the Agreement.

### **AGREEMENT**

1. Effective January 1, 2019, Section 2 of Madera County Contract 8805-C-2009, “FIREBAUGH’S DUTIES,” subsection 2.03, shall be amended in its entirety to read as follows:

2.03 Beginning January 1, 2019, COUNTY agrees to pay FIREBAUGH Nine Thousand Six Hundred and 00/100 Dollars (\$9,600.00) for all Automatic Aid responses provided during the 2019 calendar year by FIREBAUGH pursuant to this Agreement. This reimbursement amount is based on a Two Hundred and 00/100 Dollars (\$200.00) call rate multiplied by the average number of responses per year over the previous



four years. The amount will be adjusted again for future calendar years, but each calendar year's adjustment shall be based on the previous four years' response average. This Agreement will be reviewed annually during the month of December to ensure fairness to both COUNTY and FIREBAUGH.

2. Except as provided in this Eighth Amendment, all other terms and conditions of Madera County Contract No. 8805-C-2009 shall remain in full force and effect.

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IN WITNESS WHEREOF the foregoing Agreement is executed on the date and year first

above-written.



COUNTY OF MADERA

*Brett Coyne*  
\_\_\_\_\_  
Chairman, Board of Supervisors

ATTEST:

*Blonda M. Cargill*  
\_\_\_\_\_  
Clerk, Board of Supervisors

Contracting Party:

\_\_\_\_\_  
\_\_\_\_\_

Approved as to Legal Form:  
COUNTY COUNSEL

Mary E. Binning  
By: \_\_\_\_\_  
Digitally signed by: Mary E. Binning  
DN: CN = Mary E. Binning email =  
/mbinning@lozanosmith.com C = US  
Date: 2019.03.12 16:12:39 -07'00'

By: \_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Print)

Title: \_\_\_\_\_

ACCOUNT NUMBER(S)

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**RESOLUTION NO. 19-21**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH  
AMENDING AGREEMENT BETWEEN THE CITY OF FIREBAUGH AND MADERA COUNTY  
FOR 2018 AUTOMATIC/MUTUAL AID**

**WHEREAS**, the City Council of the City of Firebaugh has previously approved an agreement between the Firebaugh Fire Department and Madera County Fire Department for automatic mutual aid; and

**WHEREAS**, an amendment to the agreement between the Madera County and City of Firebaugh which would jointly provide fire protection, emergency medical services, to maximize delivery of services by responding units is necessary to protect life or property; and

**WHEREAS**, beginning January 1, 2018, Madera County agree to pay City of Firebaugh \$10,200.00 for all Automatic Aid responses per this amended agreement for the 2018 calendar year; and

**WHEREAS**, the reimbursement amount is based on the prior four (4) year average number of annual responses that the Firebaugh Fire Department respond into Madera County; and

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

1. Approve the amendment to the agreement between the City of Firebaugh and Madera County for automatic mutual aid.
2. Madera County and City of Firebaugh would jointly provide fire protection and emergency medical services.
3. Beginning January 1, 2018, County agrees to pay City Firebaugh \$10,200.00 for all Automatic Aid responses per this agreement for the 2018 calendar year.
4. The amended agreement attached hereto and incorporated herein as Exhibit "A", (Madera County Contract No. 9911D-C-2019) is hereby approved.

The foregoing Resolution was adopted at a regular meeting of the City Council of the City of Firebaugh on the 15<sup>th</sup> day of April, 2019 by the following call vote:

**AYES:** Council Member(s)

**NOES:** Council Member(s)

**ABSENT:** Council Member(s)

**ABSTAIN:** Council Member(s)

**APPROVED:**

**ATTEST:**

\_\_\_\_\_  
Marcia Sablan, Mayor

\_\_\_\_\_  
Rita Lozano, Deputy City Clerk

**MADERA COUNTY CONTRACT NO. 9911D-C-2019**  
(Fire Department – Seventh Amendment to Mutual Aid Agreement:  
City of Firebaugh)

**THIS SEVENTH AMENDMENT TO AGREEMENT** is made and entered into on this 19<sup>th</sup> day of MARCH, 2019, by and between the COUNTY OF MADERA, a political subdivision of the State of California (“COUNTY”), and the CITY OF FIREBAUGH, a California municipal corporation (“FIREBAUGH”).

**RECITALS**

A. On February 10, 2009, COUNTY and FIREBAUGH entered into Madera County Contract No. 8805-C-2009 to provide and maximize the delivery of fire protection and emergency medical services by jointly exercising said powers pursuant to the authority granted under California Government Code sections 6502 and 55632 and pertinent provisions of the California Health and Safety Code.

B. On January 25, 2011, COUNTY and FIREBAUGH entered into Madera County Contract No. 8805A-C-2011, to amend FIREBAUGH’s duties under Section 2 (“First Amendment.”)

C. On June 21, 2011, COUNTY and FIREBAUGH entered into Madera County Contract No. 8805B-C-2011, to amend FIREBAUGH’s duties under Section 2 (“Second Amendment.”)

D. On May 8, 2012, COUNTY and FIREBAUGH entered into Madera County Contract No. 8805C-C-2012, to amend FIREBAUGH’s duties under Section 2 (“Third Amendment.”)

E. On July 16, 2013, COUNTY and FIREBAUGH entered into Madera County Contract No. 9911-C-2013, to amend FIREBAUGH’s duties under Section 2 (“Fourth

Amendment.”) Said Fourth Amendment included a revised Madera County Contract number.

F. On November 25, 2014, COUNTY and FIREBAUGH entered into Madera County Contract No. 9911A-C-2014, to amend FIREBAUGH’s duties under Section 2 (“Fifth Amendment.”)

G. On November 10, 2015, COUNTY and FIREBAUGH entered into Madera County Contract No. 9911B-C-2015, to amend FIREBAUGH’s duties under Section 2 (“Sixth Amendment.”)

H. On May 9, 2017, COUNTY and FIREBAUGH entered into Madera County Contract No. 9911C-C-2017, to amend FIREBAUGH’s duties under Section 2 (“Seventh Amendment.”)

I. The parties again wish to amend the Agreement.

### **AGREEMENT**

1. Effective January 1, 2018, Section 2 of Madera County Contract 8805-C-2009, “FIREBAUGH’S DUTIES,” subsection 2.03, shall be amended in its entirety to read as follows:

“2.03 Beginning January 1, 2018, COUNTY agrees to pay FIREBAUGH Ten Thousand Two Hundred and 00/100 Dollars (\$10,200.00) for all Automatic Aid responses provided during the 2018 calendar year by FIREBAUGH pursuant to this Agreement. This reimbursement amount is based on a Two Hundred and 00/100 Dollars (\$200.00) call rate multiplied by the average number of responses per year over the previous

four years. The amount will be adjusted again for future calendar years, but each calendar year's adjustment shall be based on the previous four years' response average. This Agreement will be reviewed annually during the month of December to ensure fairness to both COUNTY and FIREBAUGH."

2. Except as provided in this Seventh Amendment, all other terms and conditions of Madera County Contract No. 8805-C-2009 shall remain in full force and effect.

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IN WITNESS WHEREOF the foregoing Seventh Amendment is executed on the date and year first above-written.

COUNTY OF MADERA

CITY OF FIREBAUGH

*Brett C. [Signature]*  
Chairman, Board of Supervisors

\_\_\_\_\_  
Mayor



ATTEST:

ATTEST:

*Glenda M. Largent*  
Clerk, Board of Supervisors

\_\_\_\_\_  
City Clerk

Approved as to Legal Form:  
COUNTY COUNSEL

Approved as to Legal Form:  
CITY ATTORNEY

Jessica A. Mejorado  
By: Mejorado

Digitally signed by: Jessica A. Mejorado  
DN: CN = Jessica A. Mejorado email =  
jmejorado@lozanosmilh.com C = US  
Date: 2019.03.11 17:22:19 -0700'

By: \_\_\_\_\_

ACCOUNT NUMBER(S)

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