

MEETING AGENDA

The City Council/Successor Agency of the City of Firebaugh

Vol. No. 20/11-16

Date/Time: November 16, 2020/6:00 p.m.

***SPECIAL NOTICE DUE TO COVID-19 MEETING WILL BE HELD VIA TELECONFERENCE ONLY – THE MEETING WILL NOT BE OPEN TO THE PUBLIC**

**PURSUANT TO PARAGRAPH 11 OF EXECUTIVE ORDER N-25-20,
EXECUTED BY THE GOVERNOR OF CALIFORNIA ON MARCH 12, 2020**

Members of the public who wish to address the Council may do so by submitting a written comments to the Deputy Clerk via email deputyclerk@ci.firebaugh.ca.us Please provide: Council Meeting Date, Item Number your comment are pertaining to, Name, Email and comment, no later than 3:00 PM the day of the meeting.

***Pursuant to Government Code Section 54953 (b)(2), all action taken during this teleconferenced meeting shall be by roll call vote.**

Join Zoom Meeting

<https://us02web.zoom.us/j/86325027621?pwd=aUFUUDRPSUJ3aDNIU1M2V0tlemVUQT09>

Meeting ID: 863 2502 7621

Password: 624252

One tap mobile: 1-669-900-9128

CALL TO ORDER

ROLL CALL

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

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

APPROVAL OF THE AGENDA

PRESENTATION

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 November 2, 2020.

2. WARRANT REGISTER – Period starting October 1, and ending on October 30, 2020.

October 2020	General Warrants	#40280 - #40401	\$ 929,675.85
	Payroll Warrants	#71374 - #71390	\$ 127,494.48
	TOTAL		\$ 1,057,174.33

PUBLIC HEARING

None

NEW BUSINESS

3. THE CITY COUNCIL OF THE CITY OF FIREBAUGH TO CONSIDER & DISCUSS THE POTENTIAL ANNEXATION OF PROPERTIES ALONG WASHOE AVE.

Recommended Action: Council receives public comment & give staff direction.

4. RESOLUTION NO. 20-48 – A RESOLUTION OF THE CITY OF FIREBAUGH AMENDING RESOLUTION NO. 13-62 OF THE CITY OF FIREBAUGH ADOPTED ON OCTOBER 21, 2013 IN CONNECTION WITH A RATE ADJUSTMENT TRANSACTION RELATING TO THE CITY’S WATER REVENUE REFUNDING BONDS, SERIES 2013 AND APPROVING THE EXECUTION AND DELIVERY OF CERTAIN DOCUMENTS IN CONNECTION THEREWITH AND CERTAIN OTHER MATTERS.

Recommended Action: Council receives public comment & approves Res. No. 20-48.

5. RESOLUTION NO. 20-49 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH APPROVING A SECOND AMENDMENT TO AGREEMENT FOR COMMUNITY DEVELOPMENT BLOCK GRANT SERVICES WITH ADAMS ASHBY GROUP.

Recommended Action: Council receives public comment & approves Res. No. 20-49.

6. RESOLUTION NO. 20-50 - RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH ACCEPTING BID AND AWARDED CONTRACT TO ROLFE CONSTRUCTION INC. FOR CDBG SEWER LINE REPLACEMENT, PROJECT NO. 17-CDBG-12016 AND TO AUTHORIZE THE CITY MANAGER TO EXECUTE THE AGREEMENT.

Recommended Action: Council receives public comment & approves Res. No. 20-50.

7. RESOLUTION NO. 20-51 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH APPROVING THIRD AMENDMENT TO EMPLOYMENT AGREEMENT FOR BENJAMIN GALLEGOS.

Recommended Action: Council receives public comment & approves Res. No. 20-51.

STAFF REPORTS

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, November 13, 2020 at 5:00 p.m. by Rita Lozano Deputy City Clerk.

MEETING MINUTES

The City Council/Successor Agency of the City of Firebaugh
Vol. No. 20/11-02

**PURSUANT TO PARAGRAPH 11 OF EXECUTIVE ORDER N-25-20,
EXECUTED BY THE GOVERNOR OF CALIFORNIA ON MARCH 12, 2020**

City Council Meeting held via teleconferencing

***Pursuant to Government Code Section 54953 (b) (2), all action taken during this teleconferenced meeting shall be by roll call vote.**

Location of Meeting: Andrew Firebaugh Community Center
1655 13th Street, Firebaugh, CA 93622

Date/Time: November 2, 2020/6:00 p.m.

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

ROLL CALL Mayor Elsa Lopez
Mayor Pro Tem Freddy Valdez
Council Member Marcia Sablan
Council Member Brady Jenkins 6:12 pm
Council Member Felipe Pérez

ABSENT:

OTHERS: City Attorney Jim Sanchez; City Manager/Acting Public Works Director, Ben Gallegos; Deputy Clerk, Rita Lozano; Finance Director, Pio Martin; Police Chief, Sal Raygoza; Fire Chief, John Borboa; City Engineer, Mario Gouveia, Albert Peché & Don Carr.

PLEDGE OF ALLEGIANCE Council Member Valdez led pledge of Allegiance.

APPROVAL OF THE AGENDA

Motion to approve agenda by Council Member Valdez, second by Council Member Sablan; motion passed by 4-0 vote.

PUBLIC COMMENT: None

PRESENTATION: None

CONSENT CALENDAR

1. APPROVAL OF MINUTES – The City Council regular meeting on October 19, 2020.

Motion to approve minutes by Council Member Valdez, second by Council Member Perez, motion passed by 4-0 vote.

PUBLIC HEARING

None

**Council Member Jenkins joined the meeting at 6:12 PM.*

NEW BUSINESS

2. RESOLUTION NO. 20-47 - A RESOLUTION OF THE CITY OF FIREBAUGH DIRECTING STAFF TO PROCEED WITH PLANNING FOR A RATE ADJUSTMENT TRANSACTION RELATING TO THE CITY'S WATER REVENUE REFUNDING BONDS, SERIES 2013 AND APPOINTING A FINANCING TEAM IN CONNECTION THEREWITH.

Motion to accept Res. No. 20-47 by Council Member Valdez, second by Council Member Sablan, motion passed by 5-0 vote.

3. THE CITY COUNCIL OF THE CITY OF FIREBAUGH TO CONSIDER AND DISCUSS THE STATUS OF THE 2020 ELECTRIC PARADE.

Motion to approve gift giving Raffle for Christmas, staff to decide the guidelines/process, by Council Member Valdez, second by Council Member Sablan, motion passed by 5-0 vote.

STAFF REPORTS

- City Manager, Ben Gallegos – VFW is ahead of schedule, working with Marion because we have a lot of projects going. Working on a budget for the CARES Grant Funds, City bought canopies for restaurants & we are giving masks at City hall as a distribution center, but not all business are taking advantage of the program.
- Finance Director, Pio Martin – nothing to report.
- Deputy City Clerk, Rita Lozano – nothing to report.
- Police Chief, Sal Raygoza – Business as usual, Crime is low, had a fire at the trailer park, officers checked on residents because they saw smoke, One of the Officer s tried to put the fire out with a hose & the other Officers did CPR on a resident that was COVID positive, but resident need first and possibly exposing himself, PD gave about 600 bags out for the Halloween event.
- Fire Chief, John Borboa – the new fire truck is the largest single purchase the department has made, purchased from Illinois, & we should be bringing it this week.
- City Attorney James Sanchez – nothing to report.
- City Engineer, Mario Gouveia – pre-bid meeting is this week for the sewer rehab project on 8th St.
- Council Member Valdez – county drive was good, thanked PAL for trying to make Halloween memorable for kids.
- Council Member Sablan – Asked for an update on the four Code Enforcement cases. Ben spoke with one resident, whom will get a reduction of fines/fees, another asked for a Dec. 1st extension deadline & it was granted. Staff will mail reminders to the other cases, cases will be presented to Council before being submitted to Fresno County to be placed on tax rolls.
- Council Member Perez – nothing to report.
- Council Member Jenkins – nothing to report.

PUBLIC COMMENT ON CLOSED SESSION ITEM ONLY

**Motion to enter Close Session @ 6:30 pm; motion pass by 5-0 vote.*

CLOSED SESSION

4. Government Code Section 54957

PUBLIC EMPLOYEE EVALUATION: City Manager.

**Motion to enter Open Session @ 6:57 pm, motion pass by 5-0 vote.*

ANNOUNCEMENT AFTER CLOSED SESSION

No Action taken

ADJOURNMENT

Motion to adjourn by Council Member Valdez, second by Council Member Sablan; motion passed by 5-0 vote at 7:00 p.m.



REPORT TO CITY COUNCIL
— MEMORANDUM —

AGENDA ITEM NO: _____

COUNCIL MEETING DATE: November 16, 2020

SUBJECT: Warrant Register Dated: October 1, 2020 – October 31, 2020

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:

OCTOBER 1, 2020 – OCTOBER 31, 2020

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	# 40280 – #40401	\$ <u>929,675.85</u>
PAYROLL WARRANTS.....	# 71374 – #71390	\$ <u>127,498.48</u>

TOTAL WARRANTS..... **\$ 1,057,174.33**

CITY OF FIREBAUGH ACCOUNTS PAYABLE
WARRANTS OCTOBER 1, 2020- OCTOBER 31, 2020

<u>Check</u> <u>Number</u>	<u>Check</u> <u>Date</u>	<u>Name</u>	<u>Net</u> <u>Amount</u>	<u>Description</u>
39908	10/14/2020	OCCUPATIONAL HEALTH CTR	\$ (424.50)	Ck# 039908 Reversed
40280	10/2/2020	ALLIED ELECTRIC	\$ 428.66	STREET LIGHT
			\$ 71.31	STREET LIGHT
		Check Total:	\$ 499.97	
40281	10/2/2020	SEBASTIAN	\$ 59.95	SENIOR CENTER ALARM SECURITY
40282	10/2/2020	DAVID A. BUSH INC.	\$ 2,150.00	COST TO REPLACE AND FINIS
40283	10/2/2020	FERNANDO CAMPA	\$ 300.00	HEALTH INSURANCE STIPEND
40284	10/2/2020	MATTHEW GARCIA	\$ 300.00	HEALTH INSURANCE STIPEND
40285	10/2/2020	BRADY JENKINS	\$ 300.00	MONTHLY SALARY ATTENDANCE
40286	10/2/2020	SAMPSON LEE	\$ 300.00	HEALTH INSURANCE STIPEND
40287	10/2/2020	SANDRA J. MARQUEZ	\$ 300.00	HEALTH INSURANCE STIPEND
40288	10/2/2020	RICARDO MONAY	\$ 300.00	HEALTH INSURANCE STIPEND
40289	10/2/2020	PACIFIC GAS & ELECTRIC	\$ 21,503.13	ALL DEPTS #7355932148-1
40290	10/2/2020	JESUS PALACIOS	\$ 300.00	HEALTH INSURANCE STIPEND
40291	10/2/2020	SALVADOR RAYGOZA	\$ 300.00	HEALTH INSURANCE STIPEND
40292	10/2/2020	SUN'S INTERNATIONAL CORP	\$ 27.53	CITY HALL-PAPER ROLLS 3
			\$ 45.89	PD-PAPER ROLLS
		Check Total:	\$ 73.42	
40293	10/2/2020	RODOLFO TABARES	\$ 300.00	HEALTH INSURANCE STIPEND
40294	10/2/2020	THARP'S FARM SUPPLY	\$ 10.91	RUBBER GLOVES/COVERALLS
			\$ 0.55	TUBE FUSE
			\$ 8.18	MALDONADO PARK-BLEACH
			\$ 31.18	WATER TANK-NOZZLE/GARDEN
			\$ 12.82	WD APPLICATOR/MENDER
			\$ 5.29	HYDRO FITTING
			\$ 51.01	FD-HOSE NOZZLE/HOSE SHANK
			\$ 24.43	CAP SCREW/NUT/FLAT WASHER
			\$ 12.47	WATER NOZZLE/AA BATTERY
			\$ 12.85	HAIR PIN/GROUND CLAMP
			\$ 6.64	TARP FOR LEAVES

CITY OF FIREBAUGH ACCOUNTS PAYABLE
WARRANTS OCTOBER 1, 2020- OCTOBER 31, 2020

<u>Check</u> <u>Number</u>	<u>Check</u> <u>Date</u>	<u>Name</u>	<u>Net</u> <u>Amount</u>	<u>Description</u>
40294	10/2/2020	THARP'S FARM SUPPLY	\$ 7.85	LATCH/FLATWASHER
			\$ 7.94	9VOLT BATTERY
			\$ 3.24	MALE ADAPTER
			\$ 41.52	SLEDGE
			\$ 172.11	BATTERY WWP BACKHOE
			\$ 6.15	CLAMP-CROSSING POLE
			\$ 1.62	CURTIS KEYS
			\$ 16.19	SR CTR MASTER LOCK
			\$ 16.07	ALLS IN BOX
			\$ 22.78	PD-BULB
			\$ 19.98	BLADE
			\$ 31.85	CITY SIGN AT BK-CONCRETE
			\$ 45.54	QUICK FIRE TORCH
			\$ 0.41	TRUCK#39-LINCH PIN
			\$ 38.85	STAR PREMIER PLUG
			\$ 44.83	HYDRO COUPLER/DEF FLUID
			\$ 12.94	CRACK SEALING-GLOVES
			\$ 17.25	DRAIN OPENER DRANO MAX
			\$ 212.56	MAIN LIFT STATION-BATTERY
Check Total:			\$ 896.01	
40295	10/2/2020	THOMASON TRACTOR COMPANY	\$ 8.94	FUEL PUMP
40296	10/2/2020	UNIFIRST CORPORATION	\$ 92.03	SHOP
			\$ 17.47	COMMUNITY CENTER
			\$ 12.03	CITY HALL
			\$ 92.03	SHOP
			\$ 17.47	COMMUNITY CENTER
			\$ 12.03	CITY HALL
			\$ 92.03	SHOP
			\$ 17.47	COMMUNITY CENTER
			\$ 12.03	CITY HALL
			\$ 92.03	SHOP
			\$ 17.47	COMMUNITY CENTER
			\$ 12.03	CITY HALL
Check Total:			\$ 486.12	
40297	10/2/2020	DATAPATH	\$ 992.50	020MONTHLY BILLING OCTOBER
40298	10/2/2020	ALFRED VALDEZ	\$ 300.00	MONTHLY SALARY ATTENDANCE
40299	10/2/2020	CAROLE FONG	\$ 5.24	MQ CUSTOMER REFUND
40300	10/2/2020	MARTIN HUMBERTO FUENTES	\$ 13.56	MQ CUSTOMER REFUND

CITY OF FIREBAUGH ACCOUNTS PAYABLE
WARRANTS OCTOBER 1, 2020- OCTOBER 31, 2020

<u>Check</u> <u>Number</u>	<u>Check</u> <u>Date</u>	<u>Name</u>	<u>Net</u> <u>Amount</u>	<u>Description</u>
40301	10/2/2020	LEIDA GUERRERO	\$ 57.09	MQ CUSTOMER REFUND
40302	10/2/2020	DENNIS WAYNE KETCHESIDE	\$ 150.50	MQ CUSTOMER REFUND
40303	10/2/2020	GOLDEN ONE CREDIT UNION	\$ 1,666.66	JOHN BORBOA MONTHLY STIPEND
40304	10/2/2020	RODDY A. LAKE	\$ 306.29	POLICE MEDICAL RETIREE
40305	10/5/2020	U.S. POSTMASTER	\$ 841.00	UTILITY BILLING OCTOBER 2020
40306	10/7/2020	CITY OF FIREBAUGH	\$ 110,126.60	PAYROLL ENDING 10/02/2020
40307	10/9/2020	AGRI-VALLEY IRRIGATION LL	\$ 57.38	REPAIR WATER CONCRETE
			\$ 187.89	CONTROLLER IRRITROL RAIND
			\$ 57.55	COUPLING SCHEDULE/REDUCER
			\$ 5.58	REPAIR WATER LEAK-CAP
			\$ 21.55	REDUCER BUSHING SCHEDULE
			\$ 74.15	VALVE BOX
			\$ 135.32	IRRITROL 700 SERIES VALVE
			\$ 168.08	REPAIR CLAMP WRAP
			\$ (168.08)	CREDIT REPAIR CLAMP WRAP
			\$ 23.11	ELBOW/GOOF PLUG/TAPE
			\$ 25.82	COUPLING/ADAPTER MALE/ELB
			\$ 6.19	GASKET FULL FACE
			\$ (23.29)	COUPLING/ELBOW SCHEDULE
			\$ 13.26	COUPLING/BUSHING SCHEDULE
Check Total:			\$ 584.51	
40308	10/9/2020	ARDENT GENERAL, INC.	\$ 357,284.36	PROJECT #20-10 VFW HALL
40309	10/9/2020	AT&T	\$ 253.58	ALL DEPTS #9391012024
40310	10/9/2020	AUTOZONE COMMERCIAL (1379	\$ 22.06	SHOP-MEGUIARS SUPREME
			\$ 13.82	SHOP-BIT SET
			\$ 6.40	INTERIOR DOOR HANDLE
			\$ 37.78	PD-OXYGEN SENSOR
			\$ 17.04	AIR FILTER/OIL FILTER
			\$ 8.41	PW#10-OIL FILTER
			\$ 55.89	OIL FILTER/MOTOR OIL
			\$ 55.56	5W-30 MOTOR OIL
			\$ (8.09)	5W-30 MOTOR OIL
			\$ 7.01	GLASS CLEANER/REPELLENT
			\$ 20.06	12VOLT TESTER/EASY PULL
			\$ 10.57	7-POLE RV BLADE TRAILER
			\$ 15.11	TUB O TOWELS 90CT

**CITY OF FIREBAUGH ACCOUNTS PAYABLE
WARRANTS OCTOBER 1, 2020- OCTOBER 31, 2020**

<u>Check</u> <u>Number</u>	<u>Check</u> <u>Date</u>	<u>Name</u>	<u>Net</u> <u>Amount</u>	<u>Description</u>
40310	10/9/2020	AUTOZONE COMMERCIAL (1379	\$ 10.34	PW-SEALED LIGHT AMBER/LIGHT
			\$ 24.82	GASOLINE CAN
			\$ 59.38	PW-DRAW BAR TRI-BA
			\$ 53.37	FD-ARMOR ALL TIRE/GLASS
		Check Total:	\$ 409.53	
40311	10/9/2020	CORELOGIC SOLUTIONS, LLC.	\$ 212.18	REALQUEST SEPT 2020
40312	10/9/2020	D & L REFRIGERATION, LLC	\$ 3,600.00	INSTALL UV LIGHT
40313	10/9/2020	FIREBAUGH HARDWARE COMPAN	\$ 145.67	ASPHALT BLACK PATCH
			\$ 75.54	LIGHT CONTROL HEAVY/SENSOR
		Check Total:	\$ 221.21	
40314	10/9/2020	FRESNO OXYGEN	\$ 74.45	SHOP-PARTS
40315	10/9/2020	HCL MACHINE WORKS	\$ 193.62	REPAIR LABOR/PARTS
40316	10/9/2020	NELSON LARREYNAGA	\$ 175.00	APPLICATION FEE REIMBURSE
40317	10/9/2020	MANUELS TIRE SERVICE, INC	\$ 295.14	PW#11 TUBE
			\$ 16.26	RADIAL PATCH
			\$ 163.25	PW-TUBE
		Check Total:	\$ 474.65	
40318	10/9/2020	MID-VALLEY DISPOSAL	\$ 68.59	WATER TREATMENT PLANT
			\$ 78.94	1325 O STREET
			\$ 28,521.43	DISPOSAL SERVICES PERFORM
		Check Total:	\$ 28,668.96	
40319	10/9/2020	PACIFIC GAS & ELECTRIC	\$ 222.50	FIRE DEPT #3228327255-0
			\$ 4,546.41	TOMA TEK #6759522333-9
		Check Total:	\$ 4,768.91	
40320	10/9/2020	QUINN COMPANY, INC.	\$ 566.03	TROUBLESHOOT ENGINE
40321	10/9/2020	TEREX USA, LLC	\$ 684.60	REPAIR/DIAGNOSE TRUCK
40322	10/9/2020	U.S. BANK EQUIPMENT FINAN	\$ 140.79	RNT/LEASE EQUIP 09/20/20
40323	10/9/2020	VERIZON WIRELESS	\$ 38.01	BRADY'S TABLET INTERNET
40324	10/9/2020	ZEE MEDICAL SERVICE CO.	\$ 109.62	PUBLIC WORKS MEDICAL SUPPLY

CITY OF FIREBAUGH ACCOUNTS PAYABLE
WARRANTS OCTOBER 1, 2020- OCTOBER 31, 2020

<u>Check</u> <u>Number</u>	<u>Check</u> <u>Date</u>	<u>Name</u>	<u>Net</u> <u>Amount</u>	<u>Description</u>
40324	10/9/2020	ZEE MEDICAL SERVICE CO.	\$ 31.81	CITY HALL MEDICAL SUPPLIES
		Check Total:	\$ 141.43	
40325	10/16/2020	ADAMS ASHBY GROUP, LLC	\$ 4,500.00	17-CDBG-12016 GENERAL ADM
			\$ 1,672.50	VFW HALL LABOR COMPLIANCE
		Check Total:	\$ 6,172.50	
40326	10/16/2020	AM PRINT & DESIGN	\$ 2,262.75	COVID SIGNS VINYL BANNER
40327	10/16/2020	COLLINS & SCHOETTLER	\$ 2,314.80	CITY PLANNING SEPTEMBER 2
40328	10/16/2020	COMCAST	\$ 713.70	PD INTERNET #909093831
40329	10/16/2020	CENTRAL VALLEY TOXICOLOGY	\$ 38.00	PD-ETHYL ALCOHOL
			\$ 257.00	DRUG SCREEN CONFIRMATION
		Check Total:	\$ 295.00	
40330	10/16/2020	EMERGENCY VEHICLE EQUIPME	\$ 239.56	PD-OUTBOARD LENS/CENTER
40331	10/16/2020	FIRST BANKCARD	\$ 49.95	BEN-AMERICAN WATER COLLEGE
			\$ 50.00	BEN-LEAGUE OF CITIES
			\$ 50.00	BEN-LEAGUE OF CITIES
			\$ 975.01	BEN-APPLE.COM APPLE PENCIL
			\$ 1,352.93	BEN-APPLE.COM KEYBOARD
			\$ 10.80	BEN-FAMILY DOLLAR CLIP
			\$ 144.11	FD-AMAZON POLICE BODY CAM
			\$ 29.10	FD-AMAZON PROCLEAN HARDWAR
			\$ 41.67	PD-PEOPLEFACTS
			\$ 5.00	PIO-DYN.COM
			\$ 50.00	PIO-FRESNO COUNTY CLERK
			\$ 8.00	PIO-CORELOGIC INFORMATION
		Check Total:	\$ 2,766.57	
40332	10/16/2020	FRESNO COUNTY CLERK	\$ 50.00	SITE PLAN REVIEW 2017-01
40333	10/16/2020	FRESNO MOBILE RADIO, INC.	\$ 150.50	2020-2021 BMW MOTORCYCLE
40334	10/16/2020	GRAND FLOW	\$ 1,578.31	UTILITY LASER BILLING
40335	10/16/2020	GUTHRIE PETROLEUM, INC.	\$ 917.17	BULK UNLEADED GASOLINE
			\$ 667.03	BULK UNLEADED GASOLINE
			\$ 1,714.65	BULK DIESEL FUEL
			\$ 923.34	BULK UNLEADED GASOLINE

CITY OF FIREBAUGH ACCOUNTS PAYABLE
WARRANTS OCTOBER 1, 2020- OCTOBER 31, 2020

<u>Check Number</u>	<u>Check Date</u>	<u>Name</u>	<u>Net Amount</u>	<u>Description</u>
40335	10/16/2020	GUTHRIE PETROLEUM, INC.	\$ 950.09	BULK UNLEADED GASOLINE
Check Total:			\$ 5,172.28	
40336	10/16/2020	KRAZAN & ASSOCIATES, INC.	\$ 7,017.00	VFW BUILDING CONSTRUCTION
40337	10/16/2020	KTS SERVICES OF NORTHERN	\$ 2,858.26	POLY STUDIO VIDEO CONFERE
40338	10/16/2020	LOZANO SMITH ATTORNEYS AT	\$ 2,869.00	SUCCESSOR AGENCY LEGAL
40339	10/16/2020	OCCUPATIONAL HEALTH CNTER	\$ 300.00	PRE EMPLOYMENT PHYSICAL
40340	10/16/2020	PECK'S PRINTERY	\$ 455.23	BUILDING DEPT INSPECTION
			\$ 1,509.49	WINDOW ENVELOPES W/PRESORT
			\$ 480.49	NO 10 WINDOW ENVELOPES BL
Check Total:			\$ 2,445.21	
40341	10/16/2020	RELIABLE BUSINESS TECHNOL	\$ 1,620.12	PW-NEW FINGER READER PUNC
			\$ 900.00	ANNUAL MAINTENANCE PUNCH
Check Total:			\$ 2,520.12	
40342	10/16/2020	RSG, INC.	\$ 67.50	20-21 SUCCESSOR AGENCY
40343	10/16/2020	SNAP-ON	\$ 1,348.62	PD-SOFTWARE UPDATE
40344	10/16/2020	SOLORIO TAYLOR TRANSLATOR	\$ 25.00	COVID DOCUMENT TRANSLATION
40345	10/16/2020	STAPLES BUSINESS CREDIT	\$ 20.47	PD-OFFICE SUPPLIES
			\$ 161.42	PD-COVID 19 SUPPLIES
			\$ 37.70	PD-OFFICE SUPPLIES
Check Total:			\$ 219.59	
40346	10/16/2020	TECH MASTER MANAGEMENT	\$ 40.00	POLICE DEPT PEST CONTROL
40347	10/16/2020	DATAPATH	\$ 661.18	HP THIN CLIENT
40348	10/22/2020	CITY OF FIREBAUGH	\$ 104,600.13	PAYROLL ENDING 10/16/20
40349	10/23/2020	ALERT-O-LITE, INC.	\$ 355.13	OUTDOOR DINING-BARRICADE
40350	10/23/2020	ALEX AUTO DIAGNOSTICS	\$ 60.00	SMOG CHECK INSPECTION
40351	10/23/2020	AQUA-AEROBIC SYSTEMS, INC	\$ 5,146.91	PW-PARTS METER
40352	10/23/2020	AT&T	\$ 64.20	FIRE DEPT INTERNET

CITY OF FIREBAUGH ACCOUNTS PAYABLE
WARRANTS OCTOBER 1, 2020- OCTOBER 31, 2020

<u>Check</u> <u>Number</u>	<u>Check</u> <u>Date</u>	<u>Name</u>	<u>Net</u> <u>Amount</u>	<u>Description</u>
40353	10/23/2020	AXCES INDUSTRIAL SUPPLY	\$ 1,511.65	CLAIRE DISENFECTANT/LEMON
40354	10/23/2020	BSK & ASSOCIATES, INC.	\$ 390.00	LAB ANALYSIS
			\$ 37.50	LAB ANALYSIS
			\$ 507.50	LAB ANALYSIS
			\$ 45.00	LAB ANALYSIS
			\$ 70.00	LAB ANALYSIS
			\$ 425.00	LAB ANALYSIS
			\$ 37.50	LAB ANALYSIS
			\$ 70.00	LAB ANALYSIS
			\$ 45.00	LAB ANALYSIS
			\$ 55.00	LAB ANALYSIS
			\$ 785.00	LAB ANALYSIS
			\$ 46.89	LAB ANALYSIS
			\$ 55.00	LAB ANALYSIS
			\$ 56.28	LAB ANALYSIS
			\$ 87.52	LAB ANALYSIS
			\$ 45.00	LAB ANALYSIS
			\$ 425.00	LAB ANALYSIS
			\$ 68.76	LAB ANALYSIS
			\$ 46.89	LAB ANALYSIS
			\$ 56.28	LAB ANALYSIS
			\$ 68.76	LAB ANALYSIS
			\$ 531.28	LAB ANALYSIS
			\$ 37.50	LAB ANALYSIS
Check Total:			\$ 3,992.66	
40355	10/23/2020	CASCADE FIRE EQUIPMENT CO	\$ 163.87	FD-AXE FLAT HEAD
40356	10/23/2020	FEDEX	\$ 79.12	OVERNIGHT CREDIT CARD PYMT
40357	10/23/2020	FERGUSON WATERWORKS #1423	\$ 256.06	REP CLAMP
40358	10/23/2020	FRESNO OXYGEN	\$ 1.00	FD-LATE FEE
			\$ 17.44	FD-OXYGEN TANK FEES
Check Total:			\$ 18.44	
40359	10/23/2020	GOUVEIA ENGINEERING, INC.	\$ 106.31	705.09 FIREBAUGH VFW BUILDING
			\$ 5,547.94	705.10 POLICE/FIRE BUILDING
			\$ 137.81	710.03 DBE PLAN-ADA COMPLIANCE
			\$ 212.63	720.01 PLANNING GENERAL
			\$ 1,102.76	725.01 PUBLIC WORKS GENERAL
			\$ 708.75	725.12 TASK 1 MULTI BENEFIT
			\$ 932.50	725.12 TASK 2 MULTI BENEFIT
			\$ 6,952.50	725.12 TASK 3- MULTI-BENEFIT

CITY OF FIREBAUGH ACCOUNTS PAYABLE
WARRANTS OCTOBER 1, 2020- OCTOBER 31, 2020

<u>Check</u> <u>Number</u>	<u>Check</u> <u>Date</u>	<u>Name</u>	<u>Net</u> <u>Amount</u>	<u>Description</u>
40359	10/23/2020	GOUVEIA ENGINEERING, INC.	\$ 37,400.00	730.08D CDBG SEWER LINE REPAIR
			\$ 3,800.00	730.09 SRF WWTP DESIGN
			\$ 177.40	745.24D STPL-5224(024)
			\$ 181.09	745.25D CML-5224(023) POSO CANAL
			\$ 420.00	745.27D 8TH ST PAVE REHAB
			\$ 73.50	760.04 A.C.I.P/CAAP
			\$ 350.00	760.06C AIRPORT FENCE
			\$ 55.13	775.10 LOT LINE ADJ 2019-
			\$ 858.25	775.11-2 WHCCD-LOT MERGER
			\$ 323.13	780.02 CENCAL BUILDERS
			\$ 2,388.03	780.03-1 GREYSTONE EST PHASE
			\$ 4,209.04	780.03-2 GREYSTONE ESTS PHASE
			\$ 7,202.79	780.03-3 GREYSTONE ESTS PHASE
			\$ 4,706.13	780.04 WEST HILLS EXPANSION
			\$ 147.00	785.27 CENCAL SUBDIVISION
			\$ 2,010.75	785.29 EXPANSION VALLEY HEALTH
Check Total:			\$ 80,003.44	
40360	10/23/2020	GREAT WEST EQUIPMENT, INC	\$ 11,118.00	M2 MELTER/PALLETS OF DURO
40361	10/23/2020	HINDERLITER, deLLAMAS	\$ 1,562.50	SEPT 2020 CANNABIS MANAGE
40362	10/23/2020	INTERGRATED DESIGNS BY	\$ 15,382.08	FIREBAUGH POLICE STATION
			\$ 6,478.85	FIREBAUGH VFW BUILDING
			\$ 16,140.00	FIREBAUGH FIRE STATION
Check Total:			\$ 38,000.93	
40363	10/23/2020	KRAZAN & ASSOCIATES, INC.	\$ 9,900.00	LUMP SUM FOR GEOTECHNICAL
40364	10/23/2020	LOZANO SMITH ATTORNEYS AT	\$ 9,194.90	PROFESSIONAL SERVICE SEPT
40365	10/23/2020	MIGUEL'S PLUMBING SERVICE	\$ 257.29	CITY HALL/FIRE DEPT REPAIR
40366	10/23/2020	NORTHSTAR CHEMICAL	\$ 1,664.98	FERRIC CHLORIDE
40367	10/23/2020	JESUS PALACIOS	\$ 150.00	WORK BOOTS REIMBURSEMENT
40368	10/23/2020	CSG CONSULTANTS, INC.	\$ 7,185.00	HOUSE BUILDING SERVICES
			\$ 6,206.89	BUILDING PLAN REVIEW SERVICE
Check Total:			\$ 13,391.89	
40369	10/23/2020	RENO'S MEGA MART	\$ 27.97	PW FORKLIFT #11
40370	10/23/2020	SIGNMAX	\$ 263.19	STOP SIGNS

CITY OF FIREBAUGH ACCOUNTS PAYABLE
WARRANTS OCTOBER 1, 2020- OCTOBER 31, 2020

<u>Check</u> <u>Number</u>	<u>Check</u> <u>Date</u>	<u>Name</u>	<u>Net</u> <u>Amount</u>	<u>Description</u>
40371	10/23/2020	SJE RHOMBUS	\$ 2,042.00	EMERGENCY PLC TROUBLESHOOT
40372	10/23/2020	SPARKLETTS	\$ 335.52	CITY HALL/SENIOR CTR/PD/PW
40373	10/23/2020	TANGO TANGO, INC.	\$ 2,360.00	FD-INTEGRATION SERVICES
40374	10/23/2020	TORO PETROLEUM CORP.	\$ 1,310.07	RED LOW SULPHUR/CARB DIESEL
40375	10/30/2020	AM PRINT & DESIGN	\$ 113.14	STANDARD ALUMINUM SIGN
			\$ 215.50	COVID 19 BANNERS
		Check Total:	\$ 328.64	
40376	10/30/2020	SYNCB/AMAZON	\$ 43.18	PD-SHOOTING TARGETS RANGE
			\$ 60.44	PD-TARGETS SILHOUETTE RANGE
			\$ 107.68	PD-RANGE SUPPLIES
			\$ 323.55	PD-RANGE SUPPLIES
			\$ 25.90	PD-SCRUBBER CLEANER
			\$ 56.11	PD-GUN'S SOLVENTS RANGE
		Check Total:	\$ 616.86	
40377	10/30/2020	AT&T MOBILITY	\$ 574.16	PD INTERNET AND PHONE SERV.
40378	10/30/2020	JULIO BARRIOS	\$ 179.38	REIMBURSEMENT OF FACILITY
40379	10/30/2020	CALIFORNIA RURAL WATER	\$ 816.00	ANNUAL CRWA MEMBERSHIP
40380	10/30/2020	CALIFORNIA STATE LANDS CO	\$ 1,550.00	RENEWAL LEASE FOR BANK PR
40381	10/30/2020	CORBIN WILLITS SYSTEMS	\$ 1,072.61	ADMINISTRATION C/W SERVICE
40382	10/30/2020	D & L REFRIGERATION, LLC	\$ 110.00	COURTHOUSE AC UNIT REPAIR
			\$ 1,162.67	PD LOCKER ROOM INSTALL
		Check Total:	\$ 1,272.67	
40383	10/30/2020	DEPT. OF TRANSPORTATION	\$ 1,804.90	SIGNALS & LIGHTING BILLING
40384	10/30/2020	DEPARTMENT OF JUSTICE	\$ 32.00	SEPTEMBER 2020 FINGERPRINT
40385	10/30/2020	ENTENMANN-ROVIN CO.	\$ 534.10	PD-BADGE/ENGRAVING/MOROCCO
40386	10/30/2020	EPPLER TOWING & RECOVERY	\$ 150.00	PD UNIT #14-CLASS A WRECK
40387	10/30/2020	FIREBAUGH SUPER MARKET	\$ 25.89	DOG FOOD
			\$ 32.37	DOG FOOD

**CITY OF FIREBAUGH ACCOUNTS PAYABLE
WARRANTS OCTOBER 1, 2020- OCTOBER 31, 2020**

<u>Check</u> <u>Number</u>	<u>Check</u> <u>Date</u>	<u>Name</u>	<u>Net</u> <u>Amount</u>	<u>Description</u>
40387	10/30/2020	FIREBAUGH SUPER MARKET	\$ 8.45	BAR-S FRANKS-DOG SHELTER
			\$ 28.05	DOG FOOD
			\$ 5.56	WATER SITES-WATER
		Check Total:	\$ 100.32	
40388	10/30/2020	FRESNO COUNTY TREASURER	\$ 162.64	SEPTEMBER 2020 ACCESS FEE
40389	10/30/2020	FRESNO COUNTY FIRE PROTEC	\$ 518.18	FD-MOBILE EQUIPMENT GRAPH
40390	10/30/2020	KER WEST, INC. DBA	\$ 2,665.00	SEWER LINE REPLACEMENT NO
			\$ 225.00	CODE ENFORCEMENT
		Check Total:	\$ 2,890.00	
40391	10/30/2020	MID-VALLEY DISPOSAL	\$ 68.59	WATER TREATMENT PLANT
			\$ 78.94	1325 O STREET
		Check Total:	\$ 147.53	
40392	10/30/2020	PACIFIC GAS & ELECTRIC	\$ 39,766.41	ALL DEPTS #7355932148-1
40393	10/30/2020	PETTY CASH	\$ 1.00	P.MARTIN RECORD DOCUMENTS
			\$ 1.00	P.MARTIN RECORD DOCUMENTS
			\$ 0.50	P.MARTIN RECORD DOCUMENTS
			\$ 1.00	B.GALLEGOS RECORD DOCUEME
			\$ 1.00	P.MARTIN RECORD DOCUMENTS
			\$ 1.00	P.MARTIN RECORD DOCUEMENT
			\$ 20.00	DONUTS FOR STAFF WEBINAR
		Check Total:	\$ 25.50	
40394	10/30/2020	PITNEY BOWES #8000-9090-	\$ 520.99	POSTAGE REFILL 9/24/2020
40395	10/30/2020	PROFORCE	\$ 398.21	PD SHIELD 9MM
40396	10/30/2020	QUILL CORPORATION	\$ 51.80	CITY HALL 2021 CALENDARS
			\$ 24.61	CITY HALL-BLEACH
			\$ 6.79	CITY HALL-DESK BELL
			\$ 23.73	BOTTLE SPRAYS ALL DEPTS
			\$ 52.20	CITY HALL-OFFICE DEPTS
			\$ 48.57	FRONT DESK-MONEY BAGS
			\$ 61.53	SPEAKERS FOR ZOOM MEETING
			\$ 58.70	CITY HALL-OFFICE SUPPLIES
			\$ 296.88	CITY HALL-STORAGE BOXES
			\$ 296.88	CITY HALL-COPY PAPER
			\$ 212.68	PD-TRASH BAGS/TRASH CAN
		Check Total:	\$ 1,134.37	

**CITY OF FIREBAUGH ACCOUNTS PAYABLE
WARRANTS OCTOBER 1, 2020- OCTOBER 31, 2020**

<u>Check</u> <u>Number</u>	<u>Check</u> <u>Date</u>	<u>Name</u>	<u>Net</u> <u>Amount</u>	<u>Description</u>
40397	10/30/2020	JAMES RAEI	\$ 563.06	BLUE/GRAY FACE MASK
40398	10/30/2020	SOLORIO TAYLOR TRANSLATOR	\$ 100.00	DOCUMENT TRANSLATIION
40399	10/30/2020	TECH MASTER MANAGEMENT	\$ 40.00	PD PEST CONTROL
40400	10/30/2020	THARP'S FARM SUPPLY	\$ 1.25	FD-TARP STRAP
			\$ 7.40	HITCH PIN CLIP
			\$ 38.44	CODE ENFORCEMENT-CLAW HAM
			\$ 3.21	MALE ADAPTER
			\$ 5.81	FD-CUT OFF
			\$ (5.81)	FD-CUT OFF
			\$ 12.27	FD-PVC VALVE/NIPPLE/SCHED
			\$ 59.32	FD-NIPPLE/ELBOW/BALL VALVE
			\$ 16.78	SCREW DRIVER/CAP/PLUG
			\$ 62.41	FDX-GLOVES SMALL/LARGE
			\$ 3.24	MALDONADO PARK-CURTIS KEY
			\$ 6.34	TOILET BOWLBRUSH
			\$ 15.29	RADIATOR FIN STRAIGHTNER
			\$ 21.56	PD-REPAIR/FANS
			\$ 37.02	CHAIN OIL/GOGGLES/GLOVES
			\$ 18.12	FD-WIRE BRUSH/END BRUSH
			\$ 70.82	UNI FLAME BURNER
			\$ 11.33	FD-ANIT SPATTER
			\$ 31.19	CART RESPIRATOR
			\$ 6.17	DRAIN COCK
			\$ 60.90	CITY HALL RESTROOM-FAUCET
			\$ 9.22	PD-ANCHOR KIT
			\$ 26.56	REPLACEMENT SPOUT KIT
			\$ 13.28	REPLACEMENT SPOUT KIT
			\$ 46.32	FD-WELDING WIRE
			\$ 188.01	ALLS IN BOX/COUPLER/HOSE
			\$ 5.38	ACRYLIC CAULK
			\$ 7.01	ROPE/HANDLE PW
			\$ 1.62	CURTIS KEYS
			\$ 534.48	WATER PUMP
			\$ 79.45	PD UNIT 4-INVERTER
			\$ 10.17	CITY HALL GANG BOX/SCREWS
			\$ 20.90	PW-FILTER
			\$ 415.52	FD-NIPPLE/PIPE TEE/BALL VALVE
			\$ 25.63	FD-ELBOW
			\$ 37.93	FD-ELBOW/BUSHING/HOSE
			\$ 19.44	FD-CUTOFF WHEEL
			\$ 12.81	FD-SANDPAPER BELT
			\$ 962.31	FD-STAINLESS SHEET

**CITY OF FIREBAUGH ACCOUNTS PAYABLE
WARRANTS OCTOBER 1, 2020- OCTOBER 31, 2020**

<u>Check</u> <u>Number</u>	<u>Check</u> <u>Date</u>	<u>Name</u>	<u>Net</u> <u>Amount</u>	<u>Description</u>
40400	10/30/2020	THARP'S FARM SUPPLY	\$ 22.84	INDESTRUCTIBLE LIGHT
			\$ 549.28	STREET LIGHTS-LED
		Check Total:	\$ 3,471.22	
40401	10/30/2020	ZEE MEDICAL SERVICE CO.	\$ 83.50	POLICE DEPT MEDICAL SUPPLY

FIREBAUGH CITY COUNCIL

STAFF REPORT

Date: November 16, 2020
To: Firebaugh City Council
From: Karl Schoettler, Planning Consultant
Subject: Potential Annexation of Lands Along Washoe Avenue

Summary

The City has received an application for the annexation of a site containing approximately 37.7 acres on the west side of Washoe Avenue. This site is outside the City's planning area and will involve some actions that go beyond a simple annexation. This report gives a brief overview of these actions and asks for feedback from the City Council.

Analysis

People's Properties, LLC has submitted an application to annex their parcel containing approximately 37.7 acres on the west side of Washoe, straddling the railroad (see Map 1). In addition to being outside the city limits, the site is situated outside Firebaugh's General Plan boundary and also outside the City's Sphere of Influence. These boundary lines must be amended for the City to be able to annex the site.

An additional issue is that annexation of these parcels would result in an unconventional boundaries, with areas of unincorporated parcels being situated between this site and the rest of the City (see Map 2).

Unconventional boundaries are strongly discouraged by State planning law and policies of the agency that must ultimately approve the annexation - the Fresno Local Agency Formation Commission (LAFCo).

The City has consulted with LAFCo on this annexation and LAFCo is encouraging the City to seek to include the intervening parcels to make for a more logical boundary. These parcels are shown on Map 3.

Because the parcels are outside the planning area of the City's General Plan, the primary action being considered is more than an annexation, it is first an amendment of the 2039 Firebaugh General Plan, particularly of the General Plan's Proposed Land Use Map (see Map 4).

The General Plan needs to consider the parcels and designate them with a proposed land use. This designation should take into account existing land use designations and also existing land

Report to Firebaugh City Council Potential Annexation of Washoe Parcels

uses in the area, along with other features like circulation improvements, including streets and railroads.

The subject area contains several existing industrial uses and also undeveloped agricultural lands (see Map 5). There are also some residential dwellings in the area.

Adjacent parcels to the east (that are already inside the General Plan's planning area) are designated "Heavy Industrial" (see Map 4). Similarly, those parcels inside city limits are zoned M-2 (Heavy Industrial).

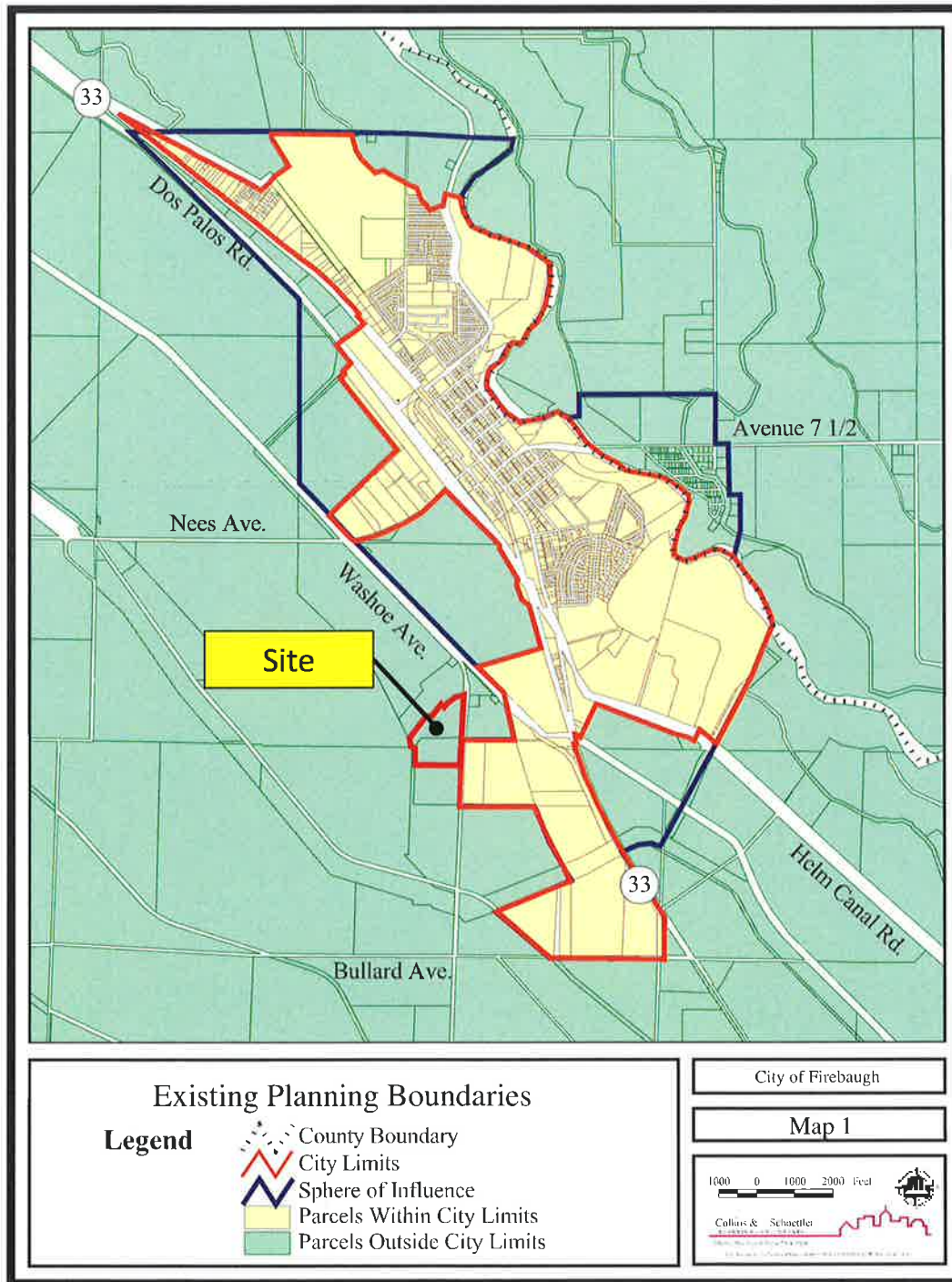
The prevalence of existing industrial uses and Heavy Industrial zoning would recommend that these intervening parcels (should they be included in the City's General Plan and Sphere of Influence) be designated "Heavy Industrial". An exception might be the residential parcels on the east side of Washoe where it curves to the northwest. This site may be designated "Low Density Residential" and zoned "UR" (Urban Reserve) in recognition of the existing uses.

At this point staff wanted to review this issue and get feedback from the Council as to whether to pursue inclusion of the intervening parcels in the General Plan Amendment, Sphere of Influence boundary and the annexation. Staff believes it prudent to contact the intervening property owners and ask for their consent to be annexed.

ATTACHMENTS

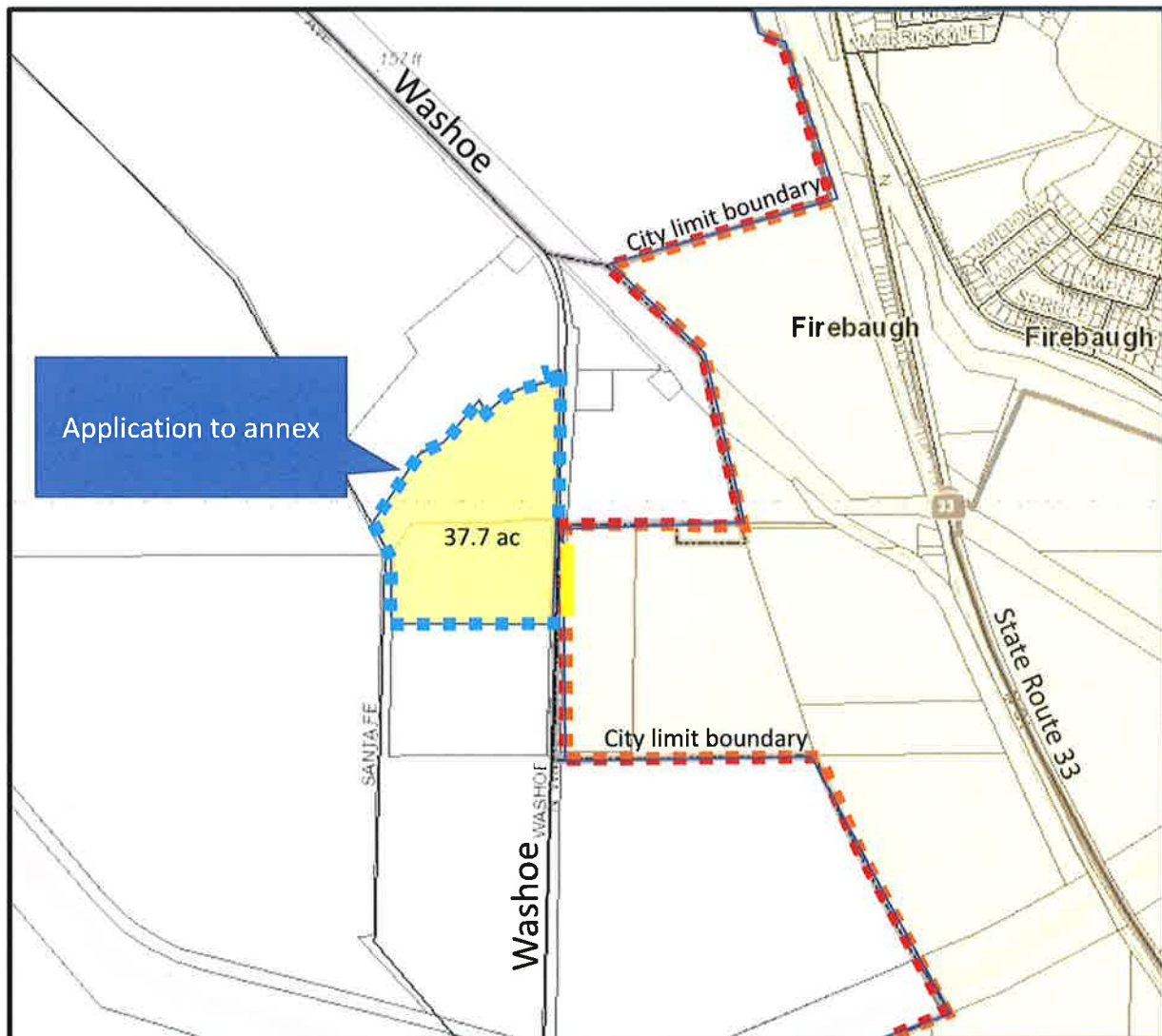
- Map 1: Location Map
- Map 2: Boundary Map
- Map 3: Intervening Parcels
- Map 4: 2030 Firebaugh General Plan Map
- Map 5: Aerial Photo/Existing Land Uses

Map 1: Location Map



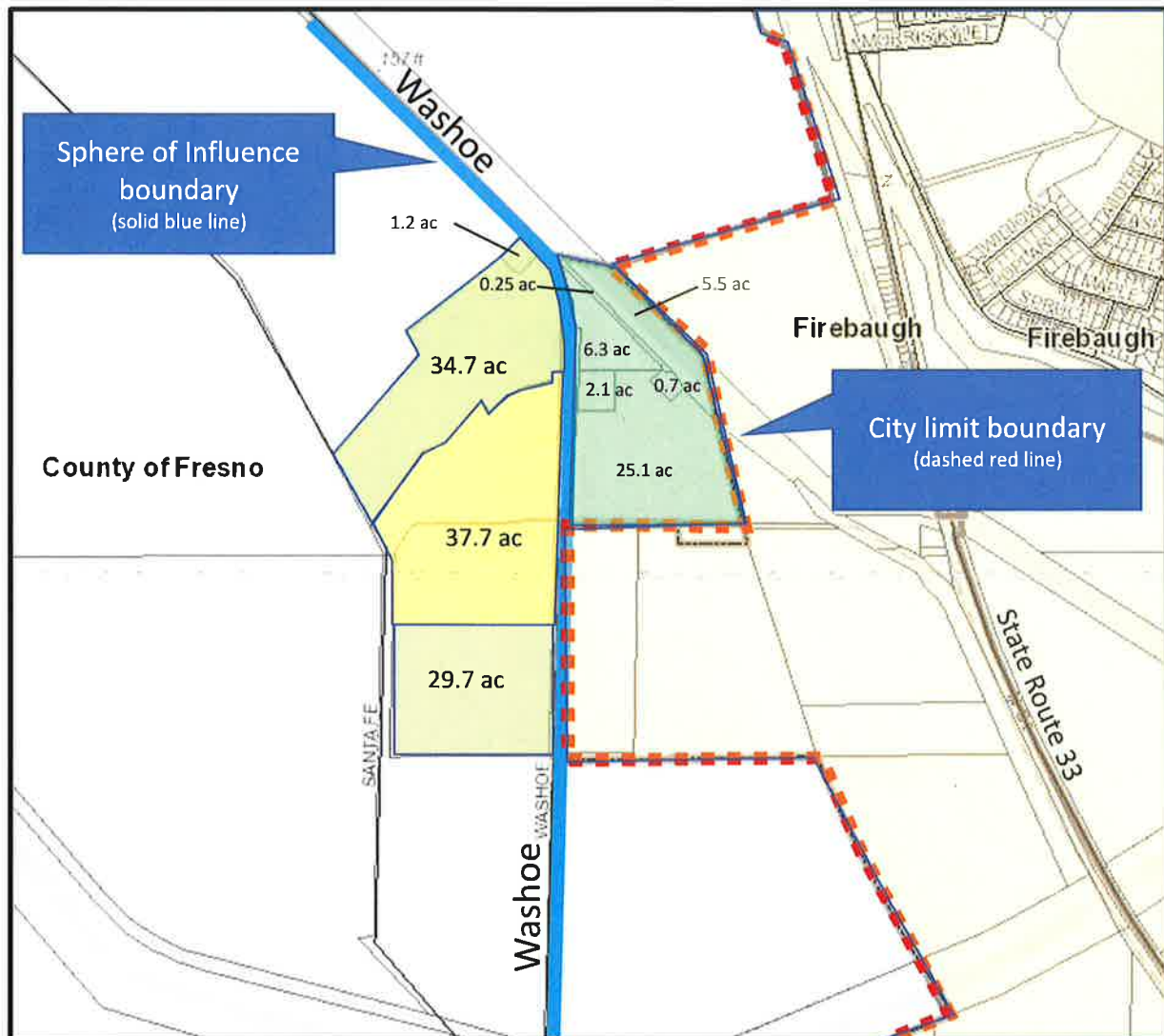
Report to Firebaugh City Council
Potential Annexation of Washoe Parcels

Map 2: Boundary Map



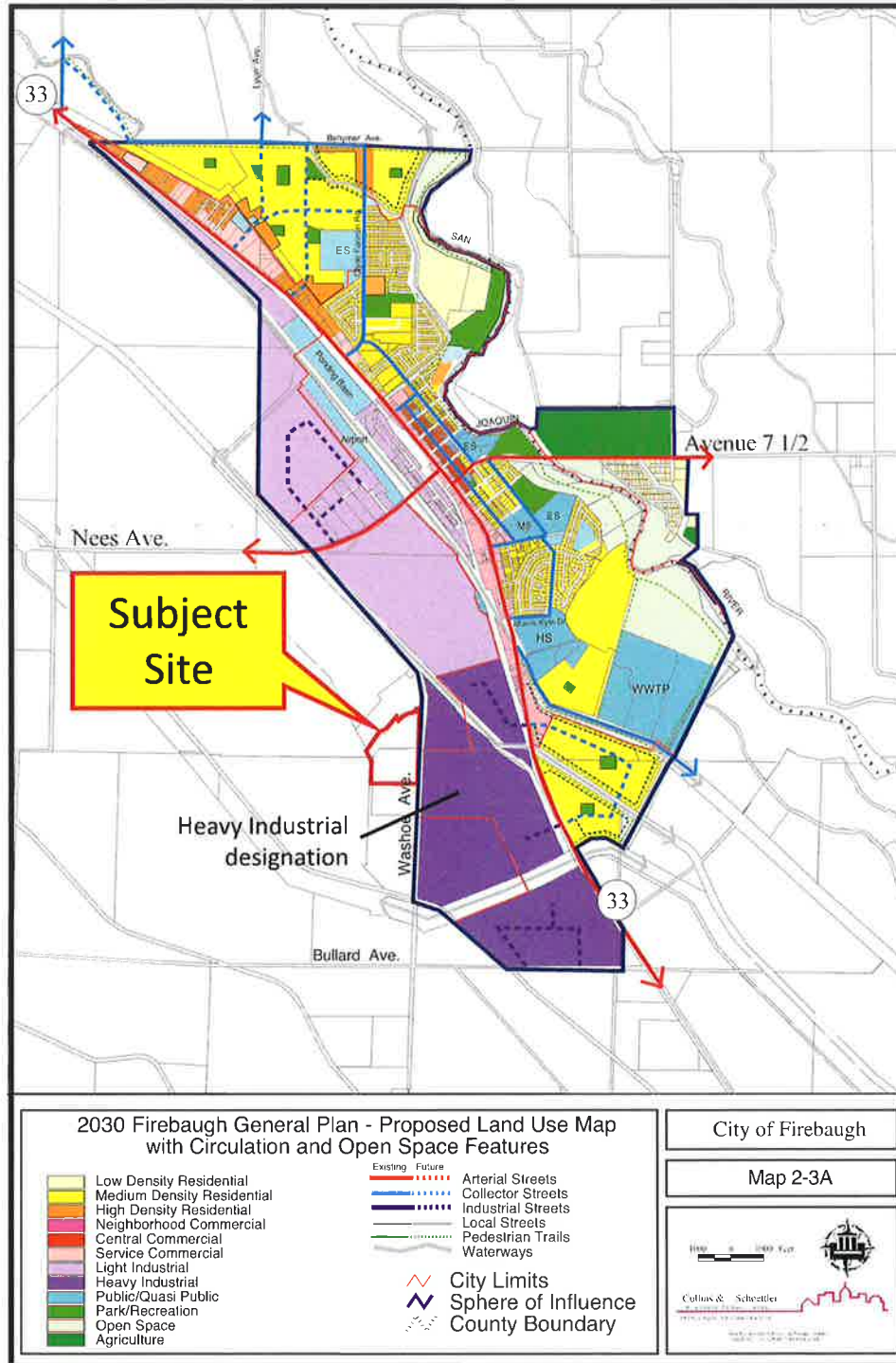
Report to Firebaugh City Council
Potential Annexation of Washoe Parcels

Map 3: Intervening Parcels



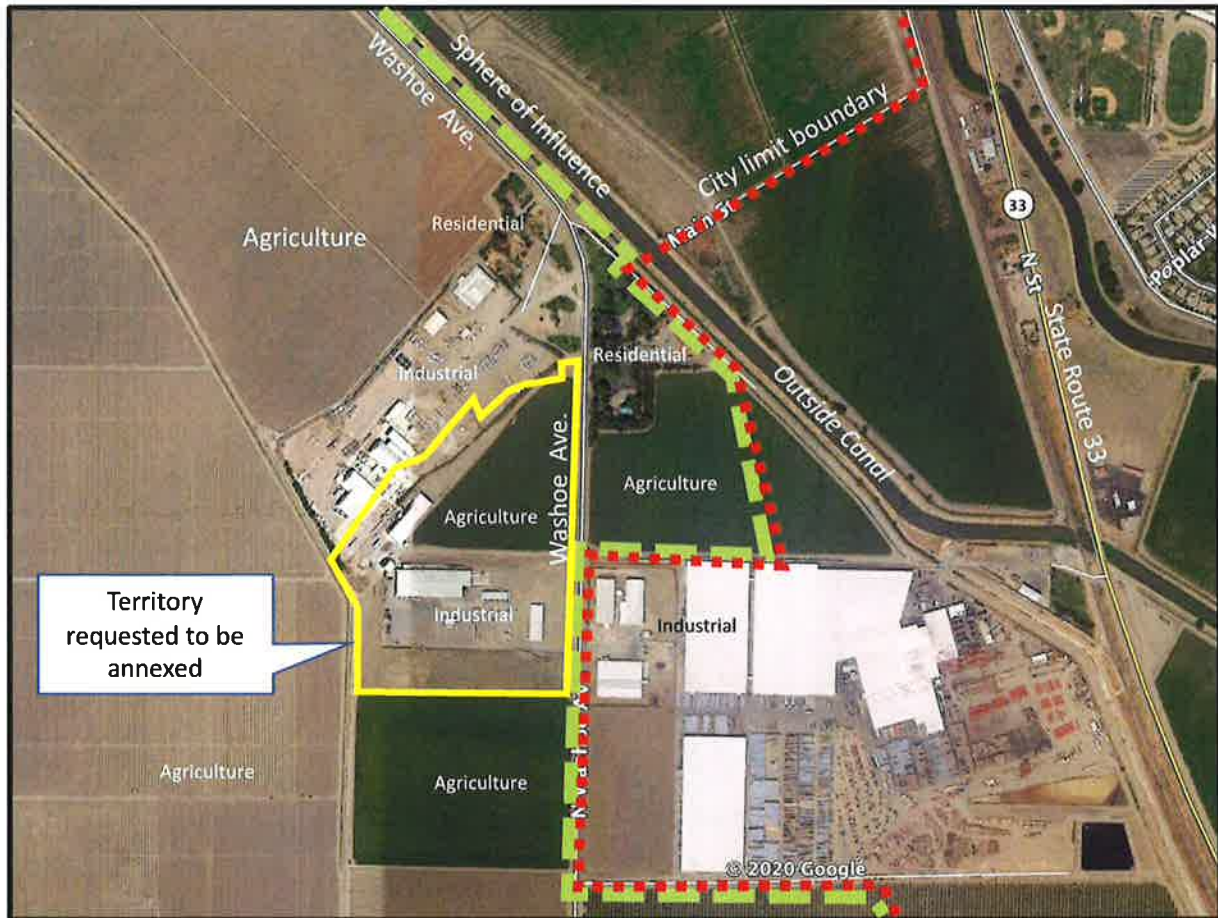
**Report to Firebaugh City Council
Potential Annexation of Washoe Parcels**

Map 4: 2030 Firebaugh General Plan Land Use Map



Report to Firebaugh City Council
Potential Annexation of Washoe Parcels

Map 5: Aerial Photo/Existing Land Uses





STAFF REPORT

TO: City Council
FROM: Ben Gallegos, City Manager
Pio Martin, Finance Director
DATE: November 16, 2020
SUBJECT: Resolution and Legal Documentation for the
City of Firebaugh 2020 Rate Adjustment for 2013 Water Revenue Bonds

BACKGROUND

At the November 2nd Council Meeting, the Council approved Resolution No. 20-47 Directing Staff to Proceed with Planning for a Rate Adjustment Transaction Relating to the City's Water Revenue Refunding Bonds, Series 2013 and Appointing a Financing Team in Connection Therewith.

Through a Term Sheet dated October 22, 2020 (the "Term Sheet") Pinnacle offered to make a Rate Adjustment that would lower the interest rate on the 2013 Water Revenue Refunding Bonds (the "2013 Bonds") to 2.50%, a decline of 1.35% over the current interest rate of 3.85%. Staff has proceeded with the planning for City of Firebaugh 2020 Rate Adjustment for 2013 Water Bonds (the "2020 Rate Adjustment").

FISCAL IMPACT:

As discussed in the Staff Report and presentation at the November 2nd Council meeting, there will be \$50,762 of gross savings that will benefit the Water Enterprise rate payers. The savings is net of approximately \$30,000 of cost of issuance that will be paid at closing from the 2020 Rate Adjustment. This will help to minimize, but not eliminate, future water rate increases. The par amount of the 2013 Bonds after the 2020 Rate Adjustment will be approximately \$1,075,000 and the maturity will remain the same on June 1, 2031.

LEGAL DOCUMENTATION:

The Resolution to be adopted will amend Resolution No. 13-62 adopted October 21, 2013 will change the Interest Rate on the 2013 Bonds from 3.85% to 2.50%, change the Gross Up Provisions in the event of taxability, and change the Redemption Provisions as described in the Term Sheet. In addition, through the Resolution, the City will adopt a City Issuance Certificate.

Kutak Rock LLP prepared this legal documentation and will provide a No Adverse Effect and Validity Opinion on behalf of the City. Albert Reyes of Kutak Rock LLP will be available to answer any questions regarding the legal documentation.

RECOMMENDATION:

Approve this Resolution and legal documentation. The City will make the scheduled payment on the 2013 Bonds on December 1st. The new lower debt service will begin on December 1st with the first lowered scheduled payment on June 1, 2021.

Attachments:

1. Resolution of the City of Firebaugh Amending Resolution No. 13-62 of the City of Firebaugh Adopted October 21, 2013 in Connection with the Rate Adjustment Transaction Relating to the City's Water Revenue Refunding Bonds, Series 2013 and Approving the Execution and Delivery of Certain Documents in Connection therewith and Certain Other Matters
2. City Issuance Certificate

RESOLUTION NO. 20-48

RESOLUTION OF THE CITY OF FIREBAUGH AMENDING RESOLUTION NO. 13-62 OF THE CITY OF FIREBAUGH ADOPTED ON OCTOBER 21, 2013 IN CONNECTION WITH A RATE ADJUSTMENT TRANSACTION RELATING TO THE CITY'S WATER REVENUE REFUNDING BONDS, SERIES 2013 AND APPROVING THE EXECUTION AND DELIVERY OF CERTAIN DOCUMENTS IN CONNECTION THEREWITH AND CERTAIN OTHER MATTERS

WHEREAS, the City of Firebaugh (the "City") is a municipal corporation duly organized and existing under the laws of the State of California; and

WHEREAS, the City has previously issued its Water Revenue Refunding Bonds, Series 2013 (the "2013 Bonds") in the initial principal amount of \$1,512,414.63 pursuant to Resolution No. 13-62 adopted by the City Council of the City (the "City Council") on October 21, 2013 (the "2013 Resolution"); and

WHEREAS, Pinnacle Public Finance, Inc., Delaware Corporation (the "Purchaser") purchased the 2013 Bonds at the time of issuance of the 2013 Bonds and is currently the sole Bond owner of the 2013 Bonds; and

WHEREAS, the 2013 Bonds are currently outstanding in the principal amount of \$1,227,757.17; and

WHEREAS, the Purchaser has offered to the City, pursuant to a Term Sheet dated October 22, 2020 (the "Term Sheet"), to reduce the existing interest rate on the 2013 Bonds; and

WHEREAS, the City has accepted the Term Sheet and desires to enter into the rate adjustment transaction with the Purchaser (the "Rate Adjustment Transaction") in order to achieve debt service savings on the 2013 Bonds; and

WHEREAS, in order to accomplish the Rate Adjustment Transaction, the City Council desires to amend certain provisions of the 2013 Resolution pursuant to this resolution and to approve various documents and authorize certain actions to be taken in order to consummate the Rate Adjustment Transaction; and.

NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED BY THE CITY OF FIREBAUGH AS FOLLOWS:

SECTION 1. This resolution hereby incorporates by reference all terms and conditions set forth in the 2013 Resolution, unless specifically modified by this resolution. All terms and conditions set forth in the 2013 Resolution, which are not specifically modified by this resolution shall remain in full force and effect.

SECTION 2. The capitalized terms set forth in this resolution not otherwise defined herein shall have the meanings set forth in the 2013 Resolution.

SECTION 3. The defined term "Gross Up Rate" set forth in Section 1.01 of the 2013 Resolution is hereby amended to read, in its entirety, as follows:

""Gross Up Rate" means an interest rate calculated using the following formula: $.025 / (1.00 - \text{Maximum Current Corporate Tax Rate}^*)$. *Such Corporate Tax Rate being expressed as a decimal."

SECTION 4. The first paragraph of Section 2.03 is hereby amended to read, in its entirety, as follows:

“Interest on the Bonds shall be paid on each Interest Payment Date, commencing on June 1, 2021, at the rate of 2.50% per annum, calculated on the basis of a 360-day year consisting of twelve 30-day months.

SECTION 5. Section 4.01(b) is hereby amended to read, in its entirety, as follows:

“(b) Optional Redemption. The Bonds are not subject to optional redemption prior to December 1, 2027. The Bonds are subject to optional redemption on any date on or after December 1, 2027, in whole or in part, from any available source of funds, at a redemption price equal to 102% of the principal amount of the Bonds to be redeemed, together with accrued interest thereon to the date fixed for redemption.”

SECTION 6. Appendix A (Form of Bond) to the 2013 Resolution is hereby amended in its entirety as set forth in Appendix A to this resolution.

SECTION 7. In connection with the Rate Adjustment Transaction, the City Council hereby authorizes the Mayor, City Manager of the City, Finance Director of the City, or the designee of any such official, to execute a City Issuance Certificate.

SECTION 8. This Resolution shall take effect upon adoption.

* * * * *

The foregoing Resolution No. 20-48 was adopted by the City Council on the 16th day of November, 2020, by the following vote:

AYES: MEMBERS:

NOES: MEMBERS:

ABSENT: MEMBERS:

ABSTAIN: MEMBERS:

APPROVED:

ATTEST:

Elsa Lopez, Mayor of the City of Firebaugh

Rita Lozano, Deputy City Clerk of the City of Firebaugh

I hereby certify that the above Resolution No. ____ was duly introduced, read and adopted by the City at a regular meeting held on November 16, 2020.

Deputy City Clerk of the City of Firebaugh

**APPENDIX A
(FORM OF BOND)**

No. 1

\$_____.00

THE REGISTERED OWNER OF THIS BOND ACKNOWLEDGES AND AGREES THAT THIS BOND MAY ONLY BE TRANSFERRED TO ONE OR MORE ACCREDITED INVESTORS OR QUALIFIED INSTITUTIONAL BUYERS UPON SATISFACTION OF THE REQUIREMENTS IN THE RESOLUTION, AND SUBJECT TO THE LIMITATION IN THE RESOLUTION THAT THE TRANSFER OF THE BOND SHALL NOT CAUSE THE NUMBER OF REGISTERED OWNERS OF THE BONDS TO EXCEED 15. ANY TRANSFER OF THIS BOND IN VIOLATION OF THE TRANSFER RESTRICTIONS CONTAINED IN THE RESOLUTION SHALL BE VOID AND OF NO EFFECT.

**UNITED STATES OF AMERICA
STATE OF CALIFORNIA
CITY OF FIREBAUGH
WATER REVENUE REFUNDING BONDS
SERIES 2013**

<u>Rate of Interest</u>	<u>Maturity Date</u>	<u>Dated Date</u>
2.50%	June 1, 2031	December 1, 2020

REGISTERED OWNER: PINNACLE PUBLIC FINANCE, INC.

PRINCIPAL AMOUNT: _____ DOLLARS AND 00/100

The City of Firebaugh, a municipal corporation and general law city duly created and lawfully existing under the laws of the State of California (the "City"), for value received, hereby promises to pay (but only out of the Net Revenues hereinafter referred to) to the registered owner specified above or registered assigns on the maturity date specified above (subject to any right of prior redemption provided for) the principal sum specified above, together with interest thereon from the Interest Payment Date (defined below) next preceding the date of authentication hereof (unless such date of authentication is during the period commencing after the fifteenth day of the month preceding an Interest Payment Date (the "Record Date") through and including the next succeeding Interest Payment Date, in which event this Bond shall bear interest from such Interest Payment Date, or unless such date of authentication is on or prior to the first Record Date, in which event it shall bear interest from the Dated Date until the principal hereof shall have been paid at the interest rate per annum specified above, payable on June 1, 2021, and semiannually thereafter on December 1 and June 1 in each year (each, an "Interest Payment Date"); provided, however, that if on the date of authentication of this Bond, interest is then in default on this Bond, such Bond shall bear interest from the Interest Payment Date to which interest has previously been paid or made available for payment.

If the City fails to make any of the payments of scheduled principal or interest, the payment in default will continue as an obligation of the City until the amount in default has been fully paid, and the City agrees to pay the same with interest thereon, from the date of default to the date of payment, at the Default Rate. If the City either (i) receives notice, in any form, from the Internal Revenue Service, or (ii) reasonably determines, based on an opinion of independent tax counsel, that the Owners

of the Bonds may not exclude the interest on the Bonds from federal gross income because the City breached a covenant contained in the Resolution, then the City shall pay to the Owners of the Bonds, within thirty (30) days after an Owner of the Bonds notifies the City of such determination, the amount which, with respect to interest payments previously paid and taking into account all penalties, fines, interest and additions to tax (including all federal, state and local taxes imposed on the interest on the Bonds due through the date of such event) that are imposed as a result of the loss of the exclusion, will restore the Owners of the Bonds the same after tax yield on the Bonds (assuming tax at the highest marginal corporate tax rate) that it would have realized had the exclusion not been lost. Additionally, upon the occurrence of such an event, the City shall pay interest to the Owners of the Bonds on each succeeding Interest Payment Date calculated at the Gross Up Rate.

The principal of this Bond shall be payable in lawful money of the United States of America upon presentation and surrender of this Bond; provided, however, that payment of a portion of the Bonds under mandatory sinking fund redemptions shall not require surrender of the Bonds in connection with such redemption.

Payment of interest on this Bond due on or before the maturity or prior redemption thereof shall be payable on the Interest Payment Dates to the Owners thereof as of the Record Date pursuant to the books required to be kept by the City pursuant to the Resolution, by wire of Federal Reserve funds to an account within the United States as designated by the Owner. Interest on this Bond shall be payable in lawful money of the United States of America and shall be calculated on the basis of a 360-day year consisting of twelve 30-day months.

This Bond is one of a duly authorized issue of bonds of the City designed as its "City of Firebaugh Water Revenue Refunding Bonds, Series 2013" (the "Bonds"), in the original aggregate principal amount of One Million Five Hundred Twelve Thousand Four Hundred Fourteen Dollars and Sixty-Three Cents (\$1,512,414.63), all of like tenor and date (except for such variations, if any, as may be required to designate varying numbers, maturities and interest rates), and is issued under and pursuant to the provisions of Resolution No. 13-62 of the City, adopted on October 21, 2013 (the "Original Resolution"), as amended by Resolution No. ___ of the City, adopted on November 16, 2020 (the "Amended Resolution, and together with the Original Resolution, the "Resolution"). The Bonds are authorized to be executed and delivered in the form of fully registered Bonds in Authorized Denominations (as defined in the Resolution). The City is authorized to issue its revenue bonds for any of its corporate purposes pursuant to Articles 10 and 11, Division 2, Title 5 (commencing with Section 53570) of the California Government Code, as amended (the "Refunding Law").

The Bonds are issued to provide funds to refinance certain outstanding obligations of the City. The Bonds are limited obligations of the City and are payable, as to interest thereon and principal solely from Net Revenues (as defined in the Resolution). All the Bonds are equally and ratably secured in accordance with the terms and conditions of the Resolution by a pledge of the Net Revenues, which Net Revenues shall be held in trust for the security and payment of the interest on, principal of and redemption premiums, if any, on the Bonds as provided in the Resolution. Neither the faith and credit of the City, the State of California, nor any of its political subdivisions are pledged to the payment of the principal of or interest on the Bonds.

Copies of the Resolution are on file at the City's office. Reference is hereby made to the Resolution and to any and all amendments thereof and supplements thereto for a description of the agreements, conditions, covenants and terms securing the Bonds, for the nature, extent and manner of enforcement of such agreements, conditions, covenants and terms, for the rights and remedies of the

Owners of the Bonds with respect thereto and for the other agreements, conditions, covenants and terms upon which the Bonds are executed and delivered thereunder.

To the extent and in the manner permitted by the terms of the Resolution, the provisions of the Resolution may be amended or supplemented in writing by the parties thereto (in certain instances without the consent of the Owners of Bonds), but no such amendment or supplement shall (i) reduce the rate of interest evidenced hereby or extend the time of payment of such interest or reduce the amount of principal hereof or extend the Maturity Date hereof without the prior written consent of the Owner hereof, or (ii) reduce the percentage of Owners of Bonds whose consent is required for the execution of any amendment of or supplement to the Resolution.

This Bond is transferable or exchangeable by the Owner hereof in person or by the Owner's attorney duly authorized in writing, as provided in the Resolution, and upon surrender of this Bond for cancellation accompanied by delivery of a duly executed written instrument of transfer or exchange in a form approved by the City. Upon such transfer or exchange, a new Bond or Bonds of authorized denominations of the same Maturity Date and interest rate and in the same aggregate principal amount hereof will be executed and delivered by the City to the Owner thereof in exchange therefor.

The City shall not be obligated to make any such registration of transfer or exchange of Bonds during the fifteen (15) day period prior to the date on which notice of redemption must be mailed pursuant to the Resolution, or with respect to any Bond which has been selected for redemption pursuant to the Resolution (except any unredeemed portion thereof).

The Bonds shall be subject to mandatory and optional redemption as set forth in the Resolution and the City Issuance Certificate dated December 1, 2020.

It is hereby certified that all acts and proceedings required by law necessary to make this Bond, when executed by the City, and duly issued, the valid, binding and legal limited obligation of the City have been done and taken and have been in all respects duly authorized.

IN WITNESS WHEREOF, the City of Firebaugh has caused this Bond to be executed in its name and on its behalf by the manual or facsimile signature of its Mayor and attested to by the manual or facsimile signature of its City Clerk, and has caused this Bond to be dated as of the dated date set forth above.

CITY OF FIREBAUGH

[Seal]

By: _____
Elsa Lopez, Mayor

ATTEST:

By: _____
Rita Lozano, Deputy City Clerk

ASSIGNMENT

For value received, the undersigned does hereby sell, assign and transfer unto _____ the within Bonds and does) hereby irrevocably constitute and appoint _____ attorney to transfer such Bond on the register of the City, with full power of substitution in the premises.

Dated: _____

Signature: _____

Note: The signature(s) to this Assignment must correspond with the name(s) as written on the face of the within Bond in every particular, without alteration or enlargement or any change whatsoever.

Signature Guaranteed by: _____

Signature guarantee shall be made by a guarantor institution.

\$1,512,414.63
CITY OF FIREBAUGH
WATER REVENUE REFUNDING BONDS
SERIES 2013

CITY ISSUANCE CERTIFICATE

Dated December 1, 2020

This City Issuance Certificate, executed by an authorized officer of the City of Firebaugh (the “City”), is being delivered in connection with the City’s outstanding Water Revenue Refunding Bonds, Series 2013 (the “Bonds”), and pursuant to the provisions of Resolution No. 13-62 of the City, adopted on October 21, 2013 (the “Original Resolution”), as amended by Resolution No. 20-48 of the City, adopted on November 16, 2020 (the “Amended Resolution,” and together with the Original Resolution, the “Resolution”). Capitalized terms not otherwise defined herein shall have the meaning set forth in the Resolution.

The Bonds are not subject to optional redemption prior to December 1, 2027. The Bonds are subject to optional redemption on any date on or after December 1, 2027, in whole or in part, from any available source of funds, at a redemption price equal to 102% of the principal amount of the Bonds to be redeemed, together with accrued interest thereon to the date fixed for redemption.

The Bonds shall be subject to mandatory sinking fund redemption in part, commencing on June 1, 2021, from mandatory sinking fund payments set aside in the Debt Service Fund, at a redemption price equal to the principal amount thereof to be redeemed, together with accrued interest to the date fixed for redemption, without premium, in the aggregate respective principal amounts and on the dates set forth below; provided, however, that if some but not all of such Bonds have been redeemed pursuant to Section 4.01(a) of the Resolution, the total amount of all future sinking payments shall be reduced by the aggregate principal amount of such Bonds so redeemed, to be allocated among such sinking fund payments on a pro rata basis as determined by the City (notice of which determination shall be given by the City to the Purchaser):

<u>Redemption Dates</u>	<u>Redemption Amount</u>
6/1/2021	
12/1/2021	
6/1/2022	
12/1/2022	
6/1/2023	
12/1/2023	
6/1/2024	

12/1/2024

6/1/2025

12/1/2025

6/1/2026

12/1/2026

6/1/2027

12/1/2027

6/1/2028

12/1/2028

6/1/2029

12/1/2029

6/1/2030

12/1/2030

6/1/2031

The attached Exhibit A lists items designated as Delivery Costs in connection with the rate adjustment for the Bonds. The items listed in Exhibit A are justly due and owing, have not been the subject of another written request which has been paid, and are a proper cost in connection with the rate adjustment for the Bonds. The items listed in Exhibit A are hereby approved for payment by the Purchaser, in the amounts, to the party identified and for the services indicated, free and clear of any lien or pledge created by the Resolution.

CITY OF FIREBAUGH

By: _____
City Manager

EXHIBIT A
DELIVERY COSTS

<u>Payee/Service</u>	<u>Amount</u>
Municipal Advisor Fees A.M. Peché & Associates LLC	\$
Placement Agent Fees (incl. CDIAC Fee) Hilltop Securities Inc.	
Bank Counsel Chapman & Cutler LLP	
Bond Counsel Kutak Rock LLP	
TOTAL	\$

RESOLUTION NO. 20-49

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH APPROVING A
SECOND AMENDMENT TO AGREEMENT FOR COMMUNITY DEVELOPMENT BLOCK
GRANT SERVICES WITH ADAMS ASHBY GROUP**

WHEREAS, the City desires an experienced consultant to provide administrative services for numerous Community Development Block Grant (“CDBG”) funded projects; and

WHEREAS, the Adams Ashby Group (“Consultant”) is experienced in providing such services and has been providing such services under an Agreement dated April 1, 2016 (“Agreement”); and

WHEREAS, the Agreement was extended through to March 2021 and the City desires to further extend the Agreement through to March 30, 2022 to ensure continued administration of CDBG projects and funds.

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

1. The Second Amendment to Agreement with Adams Ashby Group for Grant Administrative Services in the form attached as **Exhibit A** is approved.
2. The City Manager is authorized to execute the Amendment on behalf of the City.

The foregoing resolution was approved and adopted at a regular meeting of the City Council of the City of Firebaugh held on the 16th day of November, 2020, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

APPROVED:

Elsa Lopez, Mayor
City of Firebaugh

ATTEST:

Rita Lozano, Deputy City Clerk
City of Firebaugh

**SECOND AMENDMENT TO AGREEMENT BETWEEN
CITY OF FIREBAUGH
AND
ADAMS ASHBY GROUP
FOR GRANT ADMINISTRATIVE SERVICES
FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM**

WHEREAS, the CITY OF FIREBAUGH (CITY) and the ADAMS ASHBY GROUP (CONSULTANT) entered into an agreement on the 1st day of April 2016 ("Agreement"); and

WHEREAS, the CITY and CONSULTANT extended the Agreement through March 2021 and is requesting continued administrative subcontracting services for the implementation and grant management under the Community Development Block Grant Program ("CDBG"); and

WHEREAS, the CITY is in receipt of two new CDBG contracts for waterline project funded by 18-CDBG-12895 and a new fire station funded by 20-CDBG-12000, as well as CDBG-CV funds (CARES Act); and

WHEREAS, the CITY previously extended this Agreement to a 5-year term as allowed by CDBG and the CITY recently received approval from CDBG to extend this due to extenuating circumstances.

NOW, THEREFORE, CITY and CONSULTANT, for the considerations hereinafter and set forth, mutually agree as follows:

- A. Agreement will be extended for 1 year (12 months). New expiration date will now be **March 30, 2022** to allow for on-going projects to be completed.
- B. Grant administrative services will now include state contract 18-CDBG-12895, 20-CDBG-12000 and CDBG-CV project once issued.
- C. CONSULTANT responsibilities will remain unchanged from original Agreement and will include all labor compliance under this Amendment
- D. Total Compensation, expenses and costs are outlined in Exhibit 1 of this Amendment

All other provisions of the original Agreement between CITY and CONSULTANT remain unchanged.

IN WITNESS WHEREOF, the parties hereby have caused this Amendment to be executed on the day and year first above written:

CITY OF FIREBAUGH:

ADAMS ASHBY GROUP:

By: _____
Ben Gallegos, City Manager

By: _____
Paul Ashby, Principal

APPROVED TO FORM:

ATTEST:

By: _____
James Sanchez, City Attorney

By: _____
Rita Lozano, Deputy City Clerk

Exhibit 1

2020/21 Cost Schedule

Hourly Rate

Principal
Support Staff

\$125.00
\$75.00

CDBG	Available %	City	AAG
18-CDBG-12895 Administration	7.5% (\$163,953)	3.75% (\$81,977)	3.75% (\$81,976)
20-CDBG-12000	\$120,002	\$60,002	\$60,000
CDBG-CV Administration	17%	7%	10%
Portfolio Management			\$750 Per Month

Open Grant Contracts:

General Administrative and portfolio management services will be billed out at a monthly fee for the term of the grant. Should the grant contract be completed and closed out earlier, the remaining contract balance will be billed out. The costs include all soft costs as well, i.e. mailing, reproductions, printing, notary, overnight stays, etc. The fee also includes any future CDBG applications that may be applied for during the term of our contract

STAFF REPORT

AGENDA ITEM: Resolution of the City Council of the City of Firebaugh Accepting Bid and Awarding Contract to Rolfe Construction Inc. for the CDBG Sewer Line Replacement Project No. 17-CDBG-12016 and Authorizing the City Manager to Execute the Agreement

MEETING DATE: November 16, 2020

PREPARED BY: Mario Gouveia, City Engineer

RECOMMENDATION:

Staff recommends that the City Council adopt Resolution No. 20-50, accepting the low bid from Rolfe Construction Inc. in the amount of \$1,902,397.00 for the construction of CDBG Sewer Line Replacement and authorizing the City Manager to sign the agreement on behalf of the City of Firebaugh.

BACKGROUND:

Construction for the CDBG Sewer Line Replacement Project No. 17-CDBG-12016 will be funded through a Community Block Development Grant.

The major work consists of removing and replacing approximately 3,670 linear feet of sewer lines, constructing 21 sewer manholes, and pulverizing and repaving approximately 62,455 square feet of asphalt concrete at various locations in the City of Firebaugh.

The project was advertised on September 30, 2020, and bids were opened November 4, 2020 at 2:00 p.m.

DISCUSSION:

A total of three (3) bids were opened and read aloud at 2:00 p.m. on November 4, 2020, this being the advertised bid opening date and time. The low bid was submitted by Rolfe Construction Inc., in the amount of \$1,902,397.00. The bid results were as listed:

<u>Contractor</u>	<u>Total Bid</u>
Rolfe Construction Inc.	\$ 1,902,397.00
Mid Cal Pipeline & Utilities, Inc.	\$ 3,033,417.00
*Emmett's Excavation, Inc.	\$ 2,194,132.00
Engineers Estimate	\$ 1,942,385.00

*Non-Responsive

FISCAL IMPACT:

Construction of the project will be covered using a Community Development Block Grant.

ATTACHMENTS:

1. Resolution 20-50
2. Abstract of Bids



GOUVEIA ENGINEERING, INC.
CONSULTING ENGINEERS

November 6, 2020

City of Firebaugh
1133 P Street
Firebaugh, CA 93622

Re: CDBG Sewer Line Replacement, Project No. 17-CDBG-12016

Dear Council Members:

Bids for the above referenced project were opened at 2:00 p.m. on November 4, 2020. A total of 3 bids were submitted, ranging from \$1,902,397.00 to \$3,033,417.00. The low bid totaling \$1,902,397.00 was submitted by Rolfe Construction Inc. The Engineer's estimate was \$1,942,385.00. We recommend the project be awarded to Rolfe Construction Inc.

A complete Abstract of Bids received has been enclosed herewith.

Very truly yours,

Mario B. Gouveia, P.E.
City Engineer

Enclosures

cc: Ben Gallegos, City Manager

RESOLUTION NO. 20-50

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH
ACCEPTING BID AND AWARDING CONTRACT TO ROLFE CONSTRUCTION INC.
FOR CDBG SEWER LINE REPLACEMENT, PROJECT NO. 17-CDBG-12016 AND TO
AUTHORIZE THE CITY MANAGER TO EXECUTE THE AGREEMENT**

WHEREAS, the Invitation to Bid for the CDBG Sewer Line Replacement, Project No. 17-CDBG-12016 in the City of Firebaugh was listed in the Firebaugh-Mendota Journal on September 30, 2020; and

WHEREAS, the major work consists of removing and replacing approximately 3,670 linear feet of sewer lines, constructing 21 sewer manholes, and pulverizing and repaving approximately 62,455 square feet of asphalt concrete at various locations in the City of Firebaugh; and

WHEREAS, the following bids for the project were publicly opened and read aloud at the Firebaugh City Hall on November 4, 2020 at 2:00 p.m.

<u>Contractor</u>	<u>Total Bid</u>
Rolfe Construction Inc.	\$1,902,397.00
Mid Cal Pipeline & Utilities, Inc.	\$3,033,417.00
*Emmett's Excavation, Inc.	\$2,194,132.00

*Non-Responsive

WHEREAS, the City Engineer's Estimate was \$1,942,385.00.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF FIREBAUGH RESOLVES upon the recommendation of the City Engineer that the CDBG Sewer Line Replacement, Project No. 17-CDBG-12016 be awarded to Rolfe Construction Inc. 3573 Southern Pacific Avenue Atwater, Ca. 95301 in the amount of One Million, Nine Hundred Two Thousand, Three Hundred Ninety-Seven Dollars and no cents (\$1,902,397.00).

The foregoing resolution was adopted at a regular meeting of the City Council of the City of Firebaugh the November 16, 2020 and passed at said meeting by the following vote:

AYES:

NOTES:

ABSENT:

ABSTAIN:

APPROVED:

ATTEST:

Elsa Lopez, Mayor

Rita Lozano, Deputy City Clerk

CDBG Sewer Line Replacement Project No. 17-CDBG-12016

Bid Opening: November 4, 2020 at 2:00 p.m.

			<i>Engineer's Estimate</i>		Rolfe Construction Inc. 3573 Southern Pacific Avenue Atwater, CA 95301		Mid Cal Pipeline & Utilities, Inc. PO Box 2406 Merced, CA 95344		Emmett's Excavation, Inc. 1477 Menlo Avenue Clovis, CA 93611	
Item No.	Item Description	Quantity and Unit	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount
1	Mobilization	1 LS	50,000.00	50,000.00	50,000.00	50,000.00	50,000.00	50,000.00	50,000.00	50,000.00
2	Traffic Control Plan	1 LS	15,000.00	15,000.00	15,000.00	15,000.00	15,000.00	15,000.00	15,000.00	15,000.00
3	Furnish and Install 8-inch Sewer Line	189 LF	130.00	24,570.00	262.00	49,518.00	150.00	28,350.00	510.00	96,390.00
4	Furnish and Install 15-inch Sewer Line	1,497 LF	160.00	239,520.00	167.00	249,999.00	442.00	661,674.00	240.00	359,280.00
5	Furnish and Install 18-inch Sewer Line (Poso Canal Crossing)	157 EA	1,000.00	157,000.00	266.00	41,762.00	1,500.00	235,500.00	650.00	102,050.00
6	Furnish and Install 21-inch Sewer Line	1,641 LS	280.00	459,480.00	297.00	487,377.00	482.00	790,962.00	362.50	594,862.50
7	Furnish and Install 24-inch Sewer Line	186 SF	1,000.00	186,000.00	214.00	39,804.00	540.00	100,440.00	550.00	102,300.00
8	Slurry Fill Existing Sewer Line	1,196 LS	15.00	17,940.00	56.00	66,976.00	20.00	23,920.00	26.00	31,096.00
9	Remove Manhole	14 EA	5,000.00	70,000.00	2,656.00	37,184.00	4,000.00	56,000.00	3,700.00	51,800.00
10	Abandon Manhole	6 EA	2,500.00	15,000.00	2,405.00	14,430.00	2,000.00	12,000.00	1,600.00	9,600.00
11	Construct 48-inch Sewer Manhole	18 EA	10,000.00	180,000.00	5,511.00	99,198.00	10,000.00	180,000.00	7,000.00	126,000.00
12	Construct 60-inch Sewer Manhole	3 EA	11,000.00	33,000.00	11,700.00	35,100.00	19,000.00	57,000.00	8,000.00	24,000.00
13	Rehabilitate Existing Manhole 6292	1 LS	18,000.00	18,000.00	28,912.00	28,912.00	25,000.00	25,000.00	19,000.00	19,000.00
14	Transfer Existing Sewer Service	7 EA	1,500.00	10,500.00	4,960.00	34,720.00	4,000.00	28,000.00	2,400.00	16,800.00
15	Extend Existing Sewer Service	3 EA	2,500.00	7,500.00	6,630.00	19,890.00	2,000.00	6,000.00	7,100.00	21,300.00
16	Temporary Sewer System Bypass	1 LS	70,000.00	70,000.00	133,552.00	133,552.00	122,000.00	122,000.00	220,000.00	220,000.00
17	Sheeting, Shoring, and	1 LS	80,000.00	80,000.00	94,640.00	94,640.00	30,000.00	30,000.00	30,000.00	30,000.00
18	Dewatering	1 LS	50,000.00	50,000.00	59,800.00	59,800.00	140,000.00	140,000.00	50,000.00	50,000.00
19	Pulverize and Grade Pavement	62,455 SF	1.00	62,455.00	1.20	74,946.00	2.20	137,401.00	0.70	43,718.50
20	Furnish and Place Asphalt Concrete	1,400 TN	110.00	154,000.00	134.50	188,300.00	185.00	259,000.00	108.00	151,200.00
21	Adjust Valve Box To Grade	8 EA	750.00	6,000.00	870.00	6,960.00	900.00	7,200.00	850.00	6,800.00
22	Adjust Existing Manhole Cover To Grade	5 EA	1,000.00	5,000.00	1,258.00	6,290.00	1,100.00	5,500.00	1,150.00	5,750.00
23	Furnish and Install Monument Box	1 EA	1,500.00	1,500.00	2,314.00	2,314.00	600.00	600.00	850.00	850.00
24	Remove and Replace Sidewalk	140 SF	40.00	5,600.00	82.00	11,480.00	35.00	4,900.00	15.00	2,100.00
25	Remove and Replace Curb and Gutter	40 LF	140.00	5,600.00	350.00	14,000.00	150.00	6,000.00	75.00	3,000.00
26	Landscaping and Fence Repairs	1 LS	12,000.00	12,000.00	30,290.00	30,290.00	30,000.00	30,000.00	34,100.00	34,100.00
27	Apply Thermoplastic Markings	335 SF	15.00	5,025.00	14.00	4,690.00	12.00	4,020.00	10.00	3,350.00
28	Apply Double 4-Inch Thermoplastic Striping	325 LF	3.00	975.00	9.00	2,925.00	30.00	9,750.00	5.00	1,625.00
29	Apply Single 4-Inch Paint Striping	360 LF	2.00	720.00	6.50	2,340.00	20.00	7,200.00	6.00	2,160.00
BID TOTAL				\$1,942,385.00		\$1,902,397.00		\$3,033,417.00	**	\$2,174,132.00

Subcontractors Listed: Accurate Saw Cutting
Fineline Striping
Geo-Cell Solutions, Inc.
360 Pipeline Inspections LLC

Geo-Cell Solutions, Inc.
Accurate Saw Cutting
Safety Stripping Service
Rain for Rent
Polytech Industrial Inc.
Tully Consulting Group
Machado & Sons

**** Non-Responsive Bid**
Polytech Industrial Inc.



STAFF REPORT

TO: Firebaugh City Council
FROM: James Sanchez, City Attorney
DATE: November 16, 2020
SUBJECT: Third Amendment to City Manager Employment Agreement – Benjamin Gallegos

DISCUSSION

On November 20, 2017, the City Council adopted Resolution No. 17-49, which approved the appointment of Benjamin Gallegos to the positions of City Manager and Acting Public Works Director. Exhibit "A" to Resolution No. 17-49 ("Agreement") sets forth the terms and conditions of Mr. Gallegos' employment. On February 4, 2019, Council adopted Resolution 19-12 to amend Mr. Gallegos' Agreement. On November 18, 2019, Council adopted Resolution 19-59 for a Second Amendment.

Mr. Gallegos is currently serving in the positions of City Manager and Acting Public Works Director. The City Council recently met in closed session and conducted a thorough annual performance evaluation of Mr. Gallegos, providing him with a positive performance evaluation. Following the evaluation, the City Council directed the City Attorney to amend the Agreement to increase the City Manager's compensation. The Manager currently receives a base salary of \$136,500 along with a 5% annual longevity-based increase, the proposed amendment provides that Mr. Gallegos will receive an additional annual 2.5% longevity-based salary increase of \$3,412.50.

RECOMMENDATION

Consider adoption of this Resolution Approving Third Amendment to Employment Agreement for Benjamin Gallegos.

FISCAL IMPACT

The Agreement provides for a 2.5% longevity-based increase of annual base salary from the effective date of Agreement.

Presently, there is sufficient funding available for the increase in the current budget and the expense will be accounted for in the Budget for the General Fund.

ATTACHMENTS

1. Resolution No. 20-51, Approving Third Amendment to employment Agreement: Benjamin Gallegos
2. Third Amendment to Employment Agreement: Benjamin Gallegos.

RESOLUTION NO. 20-51

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH
APPROVING THIRD AMENDMENT TO EMPLOYMENT AGREEMENT
FOR BENJAMIN GALLEGOS**

WHEREAS, the City Council of the City of Firebaugh adopted Resolution No. 17-49 which approved an Employment Agreement appointing Benjamin Gallegos to serve as the City Manager and Acting Public Works Director, effective November 6, 2017; and

WHEREAS, the City Council adopted Resolution No. 19-12, which approved an Amendment to Employment Agreement for Benjamin Gallegos on February 4, 2019; and

WHEREAS, the City Council adopted Resolution No. 19-59, which approved a Second Amendment to Employment Agreement: Ben Gallegos on November 14, 2019; and

WHEREAS, Benjamin Gallegos is currently serving in the positions of City Manager and Acting Public Works Director and has received a positive annual performance evaluation dated January 22, 2019, November 4, 2019, and November 2, 2020; and

WHEREAS, Benjamin Gallegos and the City Council of the City of Firebaugh now desire to amend the terms of the Employment Agreement such that Benjamin Gallegos shall have a longevity-based increase of 2.5% (\$3,412.50) to his base annual salary.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF FIREBAUGH, CALIFORNIA that the City of Firebaugh hereby approves the terms set forth in the attached Third Amendment to Employment Agreement with Benjamin Gallegos, effective December 1, 2020, which is attached and incorporated herein by this reference.

* * * * *

The foregoing Resolution was approved and adopted at a regular meeting of the City Council of the City of Firebaugh held on the 16th day of November, 2020, by the following vote:

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

APPROVED:

ATTEST:

Elsa Lopez, Mayor

Rita Lozano, Deputy City Clerk

Approved as to Legal Form:

CITY ATTORNEY

By: _____
James Sanchez

THIRD AMENDMENT TO EMPLOYMENT AGREEMENT:
BENJAMIN GALLEGOS

THIS THIRD AMENDMENT to Exhibit "A" of Resolution Nos. 17-49, 19-12, and 19-59 ("Employment Agreement") is made and entered into as of the ____ day of November, 2020, by and between the CITY OF FIREBAUGH, a political subdivision of the State of California ("CITY"), and BENJAMIN GALLEGOS, an individual ("EMPLOYEE," collectively "PARTIES").

RECITALS

A. The CITY employs EMPLOYEE as the City Manager and Acting Public Works Director pursuant to the terms of Exhibit "A" to Resolution No. 17-49, approved and adopted at a regular meeting of the City Council on November 20, 2017 and amended on February 4, 2019 by Resolution No. 19-12 and again amended on November 18, 2019 by Resolution 19-59.

B. EMPLOYEE received a positive annual performance evaluation dated January 22, 2019, again on November 4, 2019, and on November 2, 2020.

C. The PARTIES now desire to amend the terms of the Employment Agreement, as set forth below. In all other aspects, the Employment Agreement shall remain in full force and effect.

D. The CITY, through its labor negotiator, has negotiated with EMPLOYEE to receive a 2.5% longevity-based increase.

AMENDMENT

1. Subsection A, "Compensation" of Section 2, of the Employment Agreement is amended to read as follows:

"A. Compensation. EMPLOYEE's base salary shall be in the amount of \$146,737.50 (\$136,500 base salary along with the existing 5% longevity pay and the proposed 2.5% longevity pay) per year from and after the effective employment date written above. EMPLOYEE will be evaluated annually at anniversary date of employment and shall be eligible for a 0-5% annual increase at City Council discretion based upon a satisfactory annual evaluation. However, the Council may evaluate EMPLOYEE more frequently providing a majority of the Council wish to do so."

2. In all other respects, the Employment Agreement adopted and approved by the City Council through Resolution No. 17-49, Resolution No. 19-12, and Resolution No. 19-59, shall remain in full force and effect.

[SIGNATURES ON NEXT PAGE]

IN WITNESS WHEREOF, the parties have executed this Agreement effective as of the date first above written.

CITY OF FIREBAUGH

EMPLOYEE

By _____
Elsa Lopez, Mayor

By _____
Benjamin Gallegos

APPROVED AS TO LEGAL FORM:

By _____
James Sanchez, City Attorney

ATTEST:

By _____
Rita Lozano, Deputy City Clerk