

MEETING AGENDA

The City Council/Successor Agency of the City of Firebaugh

Vol. No. 20/12-21

Date/Time: December 21, 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/88203482819?pwd=QnQxMmxlV3BZRfdeHeXk1NUdTOUxpQT09>

Meeting ID: 882 0348 2819

Password: 432281

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

PUBLIC COMMENT

PRESENTATION

1. **RESOLUTION NO. 20-57 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH CANVASSING AND DECLARING THE RESULTS OF THE GENERAL ELECTION HELD ON NOVEMBER 3, 2020.**

Recommended Action:

City Council approves and adopts Resolution No. 20-57.

REORGANIZATION

2. **REORGANIZATION OF CITY COUNCIL.**

- A. Mayor
- B. Mayor Pro Tem

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.

3. APPROVAL OF MINUTES – The City Council regular meeting on December 7, 2020.
4. WARRANT REGISTER – Period starting November 1, and ending on November 30, 2020.

November 2020	General Warrants	#40402 - #40507	\$ 914,678.28
	Payroll Warrants	#71391 - #71411	\$ 128,733.08
	TOTAL		\$ 1,043,411.36

5. CITY OF FIREBAUGH 2021 HOLIDAY SCHEDULE.
6. CITY OF FIREBAUGH 2021 COUNCIL MEETING SCHEDULE.

PUBLIC HEARING

7. RESOLUTION NO. 20-58 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH - ADOPTING THE MITIGATED NEGATIVE DECLARATION FOR THE FIREBAUGH FLOOD RISK REDUCTION FEASIBILITY STUDY.

Recommended Action: Council receives public comment & approves Res. No. 20-58.

NEW BUSINESS

8. RESOLUTION NO. 20 – 59 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH APPROVING AN ASSIGNMENT OF RIGHTS AND OBLIGATIONS AND AMENDMENT TO THE FIREBAUGH REDEVELOPMENT AGENCY OWNER PARTICIPATION DEVELOPMENT AGREEMENT WITH HABITAT FOR HUMANITY GREATER FRESNO AREA FOR CALIFORNIA COMMUNITY BUILDERS, INC. ("MILLER & LUX PROJECT").

Recommended Action: Council receives public comment & approves Res. No. 20-59.

9. RESOLUTION NO. 20-60 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH'S APPOINTMENT OF CITY MEMBERS TO THE SPECIAL CITY SELECTION COMMITTEE OF THE SAN JOAQUIN VALLEY AIR POLLUTION CONTROL DISTRICT GOVERNING BOARD.

Recommended Action: Council receives public comment & approves Res. No. 20-60.

10. THE CITY COUNCIL OF THE CITY OF FIREBAUGH TO APPOINT CITY MEMBERS TO THE FRESNO COG – SIXTH CYCLE HOUSING NEEDS ALLOCATION (RHNA) PLAN SUBCOMMITTEE.

Recommended Action: Council receives public comment & appoints Council Members to the committee.

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, December 17, 2020 at 5:00 p.m. by Rita Lozano Deputy City Clerk.

RESOLUTION NO. 20-57

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH
CANVASSING AND DECLARING THE RESULTS OF
THE GENERAL ELECTION HELD ON NOVEMBER 3, 2020**

WHEREAS, on Tuesday, the 3rd day of November 2020, a General Election was held in the City of Firebaugh in accordance with the law, and the votes there from were received and canvassed, and the results thereof were ascertained, determined and declared valid in all respects by the Fresno County Registrar of Voters as required by law.

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

Firebaugh City Council (Vote for 3) Precincts Reported: 2 of 2 (100.00%)

Total			
Times Cast	1,950 / 3,003	64.94%	
Undervotes	2,229		
Overvotes	3		
Candidate	Party	Total	
ALFRED "FREDDY" VALDEZ		1,112	30.74%
ELSA LOPEZ		1,073	29.66%
BRADY JENKINS JR.		735	20.32%
IVAN GARCIA		698	19.29%
Write-in		0	0.00%
Total Votes		3,618	

FIREBAUGH CITY CLERK – Write-in Votes	0
FIREBAUGH CITY TREASURER – Write-in Votes	0

The foregoing resolution was passed and adopted by the City Council of the City of Firebaugh at a regular meeting duly held on the 21st day of December 2020, by the following vote:

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

APPROVED:

ATTEST:

Elsa Lopez, Mayor

Rita Lozano, Deputy City Clerk

MEETING MINUTES

The City Council/Successor Agency of the City of Firebaugh
Vol. No. 20/12-07

**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 6:03 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, Paul Ashby & Don Carr.

PLEDGE OF ALLEGIANCE Council Member Sablan 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.

PRESENTATION None

PUBLIC COMMENT None

CONSENT CALENDAR

1. APPROVAL OF MINUTES – The City Council regular meeting on November 16, 2020.

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

- *Council Member Jenkins joins the meeting.*

PUBLIC HEARING

2. RESOLUTION NO. 20-52 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH, ORDERING THE ANNEXATION OF TRACTS 6257, 6313, AND 6314 INTO THE CITY OF FIREBAUGH LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 1, CONFIRMING THE ASSESSMENT DIAGRAM AND ASSESSMENT OF ANNUAL LEVY FOR FISCAL YEAR 2021-2022 FOR SAID TRACTS, DIRECTING THE CITY CLERK TO FILE THE DIAGRAM AND NOTICE OF ASSESSMENT WITH THE COUNTY RECORDER'S OFFICE.

Motion to accept Res. No. 20-52 by Council Member Valdez, second by Council Member Perez, motion passed by 5-0 vote.

NEW BUSINESS

3. RESOLUTION NO. 20-53 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH SUBMITTING A CLAIM FOR TRANSPORTATION DEVELOPMENT ACT (TDA) FUNDS CONTINUING FROM THE 2020-2021 FISCAL YEAR, THEREBY COINCIDING WITH THE FRESNO COUNCIL OF GOVERNMENTS POLICY BOARD APPROVAL OF TDA FUNDS APPORTIONMENT AND TDA CLAIMS PROCESS.

Motion to accept Res. No. 20-53 by Council Member Sablan, second by Council Member Perez, motion passed by 5-0 vote.

4. RESOLUTION NO. 20-56 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH ACCEPTING THE PUBLIC IMPROVEMENTS FOR THE GREYSTONE ESTATES SUBDIVISION PHASE 1, DIRECTING THE CITY CLERK TO RECORD A NOTICE OF COMPLETION WITH FRESNO COUNTY AND AUTHORIZING THE CITY MANAGER TO RELEASE THE FAITHFUL PERFORMANCE BOND AND LABOR & MATERIAL BOND FOR SAID IMPROVEMENTS”.

Motion to accept Res. No. 20-56 by Council Member Sablan, second by Council Member Perez, motion passed by 5-0 vote.

5. THE CITY COUNCIL OF THE CITY OF FIREBAUGH TO DISCUSS AND CONSIDER THE APPLICATION FOR STATEWIDE PARK DEVELOPMENT AND COMMUNITY REVITALIZATION PROGRAM GRANT FUNDS – MALDONADO PARK.

Receive public comment & the consensuses of the Council to direct staff to proceed with grant Application.

6. THE CITY COUNCIL OF THE CITY OF FIREBAUGH TO DISCUSS AND CONSIDER THE APPLICATION FOR STATEWIDE PARK DEVELOPMENT AND COMMUNITY REVITALIZATION PROGRAM GRANT FUNDS – AQUATIC CENTER.

Receive public comment & the consensuses of the Council to direct staff to proceed with grant Application.

- *Motion to enter to Successor Agency Matters by Council Member Jenkins, second by Council Member Valdez, motion passed by 5-0 vote.*

SUCCESSOR AGENCY MATTERS:

7. RESOLUTION NO. 20-54 - A RESOLUTION OF THE SUCCESSOR AGENCY OF THE FIREBAUGH REDEVELOPMENT AGENCY APPROVING A CONTRACT WITH RSG, INC. TO PROVIDE CONSULTING SERVICES TO THE SUCCESSOR AGENCY IN FISCAL YEAR 2021-22.

Motion to accept Res. No. 20-54 by Successor Member Sablan, second by Council Member Jenkins, motion passed by 5-0 vote.

8. RESOLUTION NO. 20-55 - A RESOLUTION OF THE SUCCESSOR AGENCY TO THE FIREBAUGH REDEVELOPMENT AGENCY APPROVING THE RECOGNIZED OBLIGATION PAYMENT SCHEDULE FOR JULY 1, 2021 THROUGH JUNE 30, 2022 AND THE ADMINISTRATIVE BUDGET FOR JULY 1, 2021 THROUGH JUNE 30, 2022.

Motion to accept Res. No. 20-54 by Successor Member Valdez, second by Council Member Jenkins, motion passed by 5-0 vote.

9. HOUSING SUCCESSOR AGENCY SENATE BILL 341 ANNUAL REPORTS FOR FISCAL YEAR 2019-20.

Information item only. Council review and city file Housing Successor Agency Annual Report FY 19-20.

- *Motion to enter to City Council Matters by Council Member Valdez, second by Council Member Sablan, motion passed by 5-0 vote.*

STAFF REPORTS

- **City Manager, Ben Gallegos** – CAREs funding Grant for small businesses, about 60 applicants applied, 46 applicants qualified for \$5,000, 10 applicants qualified for \$10,000, & 4 applicants didn't qualified. There will be free COVID testing on Thursday at the Senior Center. City will be accepting bids on Friday for the Fire Station grant. The City raffle will be held on December 17, 2020, the girls working the front window are doing a great job at informing the public. City Hall staff has been cut in half and they will alternate work schedule, one week working from home and the other working in the office, due to some employees possible being exposed to COVID. Will there be a quorum for the 2nd Council Meeting in December. All of Council replied they plan to attend.
- **Finance Director, Pio Martin** – Working with the Auditors, reports have been filed with the State, they will not be coming in to the office. I would like to continue and encourage residents & businesses to pay bills online, we currently are not charging the 3% online transaction fee for credit card payments and would like to continue that. I also want to try to email billing statements or provide electronic statements.
- **Police Chief, Sal Raygoza** – Some of the officers & dispatchers have test positive or been exposed to COVID, so staffing has been challenging, there has been some burglaries, vandalisms but some arrest have been made (individuals from out of town) and we have seen crime go down so hopefully we have found the individuals that were involved. Council Member Valdez asked is Police Chief Raygoza has a plan or how can the Council help their department through this difficult time. Chief Raygoza stated he's been using reserve to help, so he may go over their budget. There is one potential position available in January.
- **Fire Chief, John Borboa** – Nothing to report.
- **Deputy City Clerk, Rita Lozano** – Nothing to report.
- **City Engineer, Mario Gouveia** – Contract will be starting on the Poso Canal Project.
- **City Attorney James Sanchez** – Nothing to report.
- **Council Member Sablan** – The Health Commission & Rotary will still have the annual Christmas Dinner, but as a drive thru, volunteers will be working in shifts, volunteers can show up before noon to help with the distribution. I signed up for the League of Cities app to streamline, if you were exposed or not to someone that tested positive for COVID.
- **Council Member Valdez** – Last Thursday, we held the last COVID Community meeting, we have an upwards of about 30 new cases, we watching to see what the Governor will do & seen CAL Fire did a mask up ad, I would like to see our Council do something similar. I will attending a training Lozano Smith is offering. Please spread the word about the City raffle.
- **Council Member Perez** – Nothing to report.
- **Council Member Jenkins** – Nothing to report.
- **Council Member Lopez** – Nothing to report.

PUBLIC COMMENT ON CLOSED SESSION ITEM ONLY

CLOSED SESSION

ANNOUNCEMENT AFTER CLOSED SESSION

ADJOURNMENT

Motion to adjourn by Council Member Jenkins, second by Council Member Valdez; motion passed by 5-0 vote at 6:59 p.m.



REPORT TO CITY COUNCIL
— MEMORANDUM —

AGENDA ITEM NO: _____

COUNCIL MEETING DATE: December 21, 2020

SUBJECT: Warrant Register Dated: November 1, 2020 – November 30, 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:

NOVEMBER 1, 2020 – NOVEMBER 30, 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	# 40402 – #40507	<u>\$ 914,678.28</u>
PAYROLL WARRANTS.....	# 71391 – #71411	<u>\$ 128,733.08</u>

TOTAL WARRANTS..... **\$ 1,043,411.36**

**CITY OF FIREBAUGH ACCOUNTS PAYABLE
WARRANTS NOVEMBER 1, 2020- NOVEMBER 30, 2020**

<u>Check Number</u>	<u>Check Date</u>	<u>Name</u>	<u>Net Amount</u>	<u>Description</u>
40402	11/3/2020	CITY OF FIREBAUGH	\$ 42,550.79	ME CHECK OCTOBER 2020
40403	11/3/2020	U.S. POSTMASTER	\$ 842.00	UTILITY BILLING NOVEMBER 2020
40404	11/4/2020	CITY OF FIREBAUGH	\$ 106,406.16	PAYROLL ENDING 10/30/2020
40405	11/4/2020	FERNANDO CAMPA	\$ 300.00	HEALTH INSURANCE STIPEND
40406	11/4/2020	MATTHEW GARCIA	\$ 300.00	HEALTH INSURANCE STIPEND
40407	11/4/2020	GOLDEN ONE CREDIT UNION	\$ 1,666.66	JOHN BORBOA MONTHLY STIPEND
40408	11/4/2020	BRADY JENKINS	\$ 300.00	MONTHLY SALARY
40409	11/4/2020	RODDY A. LAKE	\$ 306.29	POLICE MEDICAL RETIREE
40410	11/4/2020	SAMPSON LEE	\$ 300.00	HEALTH INSURANCE STIPEND
40411	11/4/2020	SANDRA J. MARQUEZ	\$ 300.00	HEALTH INSURANCE STIPEND
40412	11/4/2020	MID-VALLEY DISPOSAL	\$ 28,559.80	DISPOSAL SERVICES NOVEMBER
40413	11/4/2020	RICARDO MONAY	\$ 300.00	HEALTH INSURANCE STIPEND
40414	11/4/2020	JESUS PALACIOS	\$ 300.00	HEALTH INSURANCE STIPEND
40415	11/4/2020	SALVADOR RAYGOZA	\$ 300.00	HEALTH INSURANCE STIPEND
40416	11/4/2020	RODOLFO TABARES	\$ 300.00	HEALTH INSURANCE STIPEND
40417	11/4/2020	ALFRED VALDEZ	\$ 300.00	MONTHLY SALARY
40418	11/4/2020	EDELMIRA MARQUEZ	\$ 92.52	MQ CUSTOMER REFUND
40419	11/4/2020	MAYRA ROMERO	\$ 46.90	MQ CUSTOMER REFUND
40420	11/4/2020	JERRY / CHERYL RUIZ	\$ 51.82	MQ CUSTOMER REFUND
40421	11/4/2020	JESUS VASQUEZ	\$ 113.16	MQ CUSTOMER REFUND
40422	11/4/2020	INVESTMENT VON ALLMA	\$ 26.94	MQ CUSTOMER REFUND
40423	11/4/2020	PATTI VALDEZ TASHJIAN	\$ 12.32	MQ CUSTOMER REFUND
40424	11/10/2020	STATE WATER RESOURCE	\$ 110.00	NOAH MARQUEZ WASTEWATER

CITY OF FIREBAUGH ACCOUNTS PAYABLE
WARRANTS NOVEMBER 1, 2020- NOVEMBER 30, 2020

<u>Check</u> Number	<u>Check</u> Date	<u>Name</u>	<u>Net</u> Amount	<u>Description</u>
40425	11/13/2020	ADAMS ASHBY GROUP, LI	\$ 4,500.00	GENERAL ADMIN VFW HALL
			\$ 2,865.00	VFW HALL LABOR COMPLIANCE
			\$ 1,260.00	SEWER LINE LABOR COMPLIANCE
		Check Total:	\$ 8,625.00	
40426	11/13/2020	AGRI-VALLEY IRRIGATION	\$ 138.00	CITY HALL VALVE/ELBOW
			\$ 3.30	CITY HALL ELBOW/SCHEDULE
			\$ 18.16	COUPLING SHCHEDULE/HAND
			\$ 4.62	CITY HALL-COUPLING/SCHEDULE
			\$ 4.62	CITY HALL-COUPLING SCHEDULE
			\$ 15.51	ADAPTER/COUPLING/SCHEDULE
			\$ 83.72	COUPLING SCHEDULE/ELBOW
			\$ 5.69	ELBOW
			\$ 8.02	SPRINKLER POP UP/NOZZLE
			\$ 28.57	HAND SAW/COUPLING
			\$ 179.59	ELECTRIC VALVE
			\$ 152.91	VALLE DE PAZ VALVE/COUPLING
			\$ 42.77	SPRINKLER/NIPPLE POLY
		Check Total:	\$ 685.48	
40427	11/13/2020	ALERT-O-LITE, INC.	\$ 68.83	SAFETY VEST
40428	11/13/2020	AT&T	\$ 261.32	ALL DEPTS #9391012024
40429	11/13/2020	AT&T	\$ 751.66	ALL DEPT INTERNET/TELEPHO
40430	11/13/2020	SEBASTIAN	\$ 59.95	SENIOR CENTER ALARM SECUR
40431	11/13/2020	AUTOZONE COMMERCIAL	\$ 25.40	FD-RUSTOLEUM/PRIMER
			\$ 3.19	TRUCK#38-MOUNTING BOLTS
			\$ 13.28	FD-STEP DRILL
			\$ 68.30	TRUCK#1-AIR FILTER/MOTOR
			\$ 4.31	WWTP-MOTOR OIL
			\$ 3.01	PD-OIL FILTER
			\$ 45.28	PD#1-MOTOR OIL
			\$ 40.89	TRUCK#5-WIPER BLADE
			\$ 16.19	TRUCK#38-DEX COOL
			\$ 128.93	TRUCK#10-BATTERY/INSTALL
			\$ 16.19	TRUCK#35-AIR FILTER
			\$ 21.58	FD-CALIPER
			\$ (21.58)	FD-RETURN CALIPER
			\$ 5.39	FD-FUEL FILTER
			\$ 4.31	FD-OIL
			\$ 155.92	TRUCK#35-BATTERY INSTALL

CITY OF FIREBAUGH ACCOUNTS PAYABLE
WARRANTS NOVEMBER 1, 2020- NOVEMBER 30, 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>
40431	11/13/2020	AUTOZONE COMMERCIAL	\$ 10.57	FD-LIGHT
		Check Total:	\$ 541.16	
40432	11/13/2020	THE BANK OF NEW YORK	\$ 1,750.00	WATER REFUNDING BONDS
			\$ 1,750.00	WATER REFUNDING BONDS
		Check Total:	\$ 3,500.00	
40433	11/13/2020	COLLINS & SCHOETTLER	\$ 2,092.50	CITY PLANNING OCTOBER 2020
40434	11/13/2020	COMCAST	\$ 713.70	PD INTERNET #909093831
40435	11/13/2020	CORELOGIC SOLUTIONS, I	\$ 212.18	REALQUEST OCTOBER 2020
40436	11/13/2020	CASHIER- MS 4A DEPARTM	\$ 120.00	LICENSE RENEWAL FOR BEN
40437	11/13/2020	EMPLOYMENT DEVELOPM	\$ 845.00	UNEMPLOYMENT INSURANCE
40438	11/13/2020	FIRST BANKCARD	\$ 90.00	BEN-PESTICIDE APPLICATORS
			\$ 67.48	BEN-LOU GENTILE FLOWER
			\$ 2,067.04	BEN-APPLE.COM
			\$ 123.77	PIO-BEST BUY 32IN TV CITY
			\$ 48.57	PIO-BEST BUY MOUNT FOR 32
			\$ 2,531.02	PIO-DK HARDWARE
			\$ 69.68	BEN-JUST FLOWERS
			\$ 15.59	FD-AMAZON CABLE ADAPTER
			\$ 2.15	FD-FEES
			\$ 53.98	PIO-BEST BUY MOUNT FOR 65
			\$ 42.45	PIO-AMAZON HDMI CABLES
			\$ 80.00	PIO-SUBWAY CITY HAL/PW ME
			\$ 4,000.00	PIO-APPLE.COM IPAD
			\$ 62.79	PIO-AMAZON PENCIL TRAY
			\$ 5.00	PIO-DYN.COM
			\$ 578.25	PIO-BEST BUY 65IN TV
			\$ 3.24	PIO-FAMILY DOLLAR MEETING
			\$ 27.72	PIO-FAMILY DOLLAR MEETING
		Check Total:	\$ 9,868.73	
40439	11/13/2020	FIREBAUGH HARDWARE C	\$ 10.00	CONCRETE READY MIX
40440	11/13/2020	THE FRESNO BEE	\$ 421.80	NOTICE OF PUBLIC HEARING
40441	11/13/2020	OSCAR J. GARCIA,CPA	\$ 1,386.60	FRESNO COUNTY 2020/21 PRO
40442	11/13/2020	OCTAVIO GONZALEZ	\$ 150.00	WORK BOOTS REIMBURSEMENT

CITY OF FIREBAUGH ACCOUNTS PAYABLE
WARRANTS NOVEMBER 1, 2020- NOVEMBER 30, 2020

<u>Check</u> Number	<u>Check</u> Date	<u>Name</u>	<u>Net</u> <u>Amount</u>	<u>Description</u>
40443	11/13/2020	GRAINGER, INC.	\$ 181.18	STREET LIGHT-BULB
			\$ 271.72	STREET LIGHT-BULB
		Check Total:	\$ 452.90	
40444	11/13/2020	HCL MACHINE WORKS	\$ 710.51	REPAIR LABOR/RAM SHAFT
40445	11/13/2020	HINDERLITER, deLLAMAS	\$ 1,562.50	OCTOBER 2020 CANNABIS
40446	11/13/2020	HOME DEPOT CREDIT SER	\$ 203.74	CITY HALL/PARK/STREET-SUP
			\$ 281.32	REPLACE LIGHTS ON 13TH ST
		Check Total:	\$ 485.06	
40447	11/13/2020	KER WEST, INC. DBA	\$ 600.00	UTILITY MAINTENANCE WORKER
			\$ 600.00	WATER&WASTE WATER
		Check Total:	\$ 1,200.00	
40448	11/13/2020	KIMBALL-MIDWEST	\$ 69.84	CLEANER
			\$ 137.09	PW-WHEEL
		Check Total:	\$ 206.93	
40449	11/13/2020	KRAZAN & ASSOCIATES, I	\$ 312.00	FIREBAUGH VFW BUILDING
40450	11/13/2020	MOORE TWINING ASSOCI	\$ 3,635.00	PROFESSIONAL SERVICES
40451	11/13/2020	NASCO	\$ 54.53	ANIMAL CONTROL PURCHASE
40452	11/13/2020	NORTHSTAR CHEMICAL	\$ 2,923.51	SODIUM HYPOCHLORITE
40453	11/13/2020	O'REILLY AUTOMOTIVE, II	\$ 8.48	TRUCK#8-DOOR HANDLE
40454	11/13/2020	PACIFIC GAS & ELECTRIC	\$ 16.22	WATER PUMP 7355932090
			\$ 140.63	FIRE DEPT #3228327255-0
			\$ 3,793.11	TOMA TEK #6759522333-9
		Check Total:	\$ 3,949.96	
40455	11/13/2020	PG&E	\$ 7,000.00	EP 1534 13TH STREET
40456	11/13/2020	PETERS BROTHERS NURSE	\$ 481.67	SOIL/REST GUARDS/TREE
40457	11/13/2020	QUINN COMPANY, INC.	\$ 812.50	PW-TROUBLESHOOT
			\$ 1,014.62	PERFORM PM 2
			\$ 1,113.94	PERFORM PM 2
		Check Total:	\$ 2,941.06	

CITY OF FIREBAUGH ACCOUNTS PAYABLE
WARRANTS NOVEMBER 1, 2020- NOVEMBER 30, 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>
40458	11/13/2020	ROADLINE PRODUCTS, INC	\$ 17,329.99	TWO GUN SYSTEM/MODULE/KIT
40459	11/13/2020	RSG, INC.	\$ 2,227.50	20-21 SUCCESSOR AGENCY SE
			\$ 156.25	SB 341 COMPLIANCE MONITOR
		Check Total:	\$ 2,383.75	
40460	11/13/2020	SAN JOAQUIN VALLEY	\$ 577.00	20/21 ANNUAL PERMITS TO O
40461	11/13/2020	SIGNMAX	\$ 340.12	VFW HALL-CUSTOM SIGN
40462	11/13/2020	SOLORIO TAYLOR TRANSI	\$ 25.00	XMAS RAFFLE ADVERTISEMENT
40463	11/13/2020	STATE WATER RESOURCE	\$ 60.00	NOAH MARQUEZ RENEWAL
40464	11/13/2020	TECH MASTER MANAGEM	\$ 150.00	PW/CITY HALL/SENIOR CTR
40465	11/13/2020	TEREX USA, LLC	\$ 1.56	PAID \$684.60 CK#40321,TAX
40466	11/13/2020	THOMASON TRACTOR COI	\$ 41.79	SHOP-OIL
			\$ 10.69	COVER
			\$ 155.65	ZTRAK MOWER-V BELT/STUD
		Check Total:	\$ 208.13	
40467	11/13/2020	UNDERGROUND SERVICE	\$ 418.46	CALIFORNIA STATET FEE
40468	11/13/2020	UNIFIRST CORPORATION	\$ 93.53	SHOP
			\$ 17.47	COMMUNITY CENTER
			\$ 12.03	CITY HALL
			\$ 120.51	SHOP
			\$ 17.47	COMMUNITY CENTER
			\$ 12.03	CITY HALL
			\$ 92.03	SHOP
			\$ 17.47	COMMUNITY CENTER
			\$ 12.03	CITY HALL
			\$ 98.15	SHOP
			\$ 17.47	COMMUNITY CENTER
			\$ 12.03	CITY HALL
		Check Total:	\$ 522.22	
40469	11/13/2020	U.S. BANK EQUIPMENT FI	\$ 1,058.51	RNT/LEASE EQUIPMENT
40470	11/13/2020	DATAPATH	\$ 2,500.00	VALLEY CLOUD PREMIUM
40471	11/13/2020	VERIZON WIRELESS	\$ 38.01	BRADY'S TABLET INTERNET

**CITY OF FIREBAUGH ACCOUNTS PAYABLE
WARRANTS NOVEMBER 1, 2020- NOVEMBER 30, 2020**

<u>Check Number</u>	<u>Check Date</u>	<u>Name</u>	<u>Net Amount</u>	<u>Description</u>
40472	11/18/2020	CITY OF FIREBAUGH	\$ 102,556.51	PAYROLL ENDING 11/13/2020
40473	11/20/2020	AG & INDUSTRIAL SUPPLY	\$ 0.97	BARB
			\$ 24.61	BLADE EDGER/TOOL
		Check Total:	\$ 25.58	
40474	11/20/2020	ALERT-O-LITE, INC.	\$ 58.28	FD-ADAPTER
40475	11/20/2020	ARDENT GENERAL, INC.	\$ 390,907.18	PROJECT #20-10 VFW HALL
40476	11/20/2020	AT&T	\$ 64.20	FIRE DEPT INTERNET
40477	11/20/2020	BSK & ASSOCIATES, INC.	\$ 37.50	LAB ANALYSIS
			\$ 45.00	LAB ANALYSIS
			\$ 390.00	LAB ANALYSIS
			\$ 46.89	LAB ANALYSIS
			\$ 70.00	LAB ANALYSIS
			\$ 180.00	LAB ANALYSIS
			\$ 55.00	LAB ANALYSIS
			\$ 56.28	LAB ANALYSIS
			\$ 68.76	LAB ANALYSIS
			\$ 270.00	LAB ANALYSIS
			\$ 552.50	LAB ANALYSIS
			\$ 531.28	LAB ANALYSIS
			\$ 46.89	LAB ANALYSIS
			\$ 56.28	LAB ANALYSIS
			\$ 87.52	LAB ANALYSIS
			\$ 68.76	LAB ANALYSIS
			\$ 390.00	LAB ANALYSIS
		Check Total:	\$ 2,952.66	
40478	11/20/2020	CASCADE FIRE EQUIPMEN	\$ 376.69	FD-HOSE
			\$ 388.22	FD-AIRPACK FLOW TEST
		Check Total:	\$ 764.91	
40479	11/20/2020	CENTRAL CALIFORNIA	\$ 1,200.00	CDBG SEWER LINE PROJECT
40480	11/20/2020	CITY CLERKS ASSOCIATIC	\$ 45.00	R.LOZANO MEMBERSHIP RENEW
40481	11/20/2020	OCTAVIO GONZALEZ	\$ 85.50	DMV PHYSICAL EXAM CLASS B
40482	11/20/2020	CSG CONSULTANTS, INC.	\$ 8,237.00	HOUSE BUILDING SERVICE
			\$ 6,644.40	BUILDING PLAN REVIEW
		Check Total:	\$ 14,881.40	

CITY OF FIREBAUGH ACCOUNTS PAYABLE
WARRANTS NOVEMBER 1, 2020- NOVEMBER 30, 2020

<u>Check</u> Number	<u>Check</u> Date	<u>Name</u>	<u>Net</u> Amount	<u>Description</u>
40483	11/20/2020	QUINN COMPANY, INC.	\$ 1,004.03	REPAIR/PARTS
			\$ 1,205.22	COOLANT LEAKS AT THE JACK
			\$ 1,226.41	REPAIR/PARTS/LABOR
			\$ 800.00	TEST TRANSFER SWITCH
			\$ 700.00	TEST TRANSFER SWITCH SERVER
			\$ 700.00	TEST TRANSFER SWITCH SERVER
		Check Total:	\$ 5,635.66	
40484	11/20/2020	QUILL CORPORATION	\$ 31.06	XMAS PARADE LETTERHEAD
			\$ 43.18	PARCHMENT PAPER FOR RITA
			\$ 280.28	PURELL/OFFICE SUPPLIES
		Check Total:	\$ 354.52	
40485	11/20/2020	SPARKLETTS	\$ 149.36	CITY HALL/SENIOR CENTER
40486	11/25/2020	AM PRINT & DESIGN	\$ 565.69	STANDARD RETRACTABLE
40487	11/25/2020	AT&T MOBILITY	\$ 783.12	CITY HALL/PW/COUNCIL CELL
			\$ 782.26	CITY HALL/PW/COUNCIL CELL
			\$ 553.75	PD INTERNET AND TELEPHONE
		Check Total:	\$ 2,119.13	
40488	11/25/2020	AT&T	\$ 751.70	ALL DEPTS TELEPHONE/INTERNET
40489	11/25/2020	AUTOMOTIVE TRAINING A	\$ 229.00	REGISTRATION JUAN SANCHEZ
40490	11/25/2020	BEST UNIFORMS	\$ 32.36	3 SETS PD PATCHES
40491	11/25/2020	CARROT-TOP INDUSTRIES	\$ 1,310.38	PD-EVENT TENT
40492	11/25/2020	COMMUNITY MEDICAL CE	\$ 350.00	SEPT2020 LEGAL BLOOD DRAW
40493	11/25/2020	CORBIN WILLITS SYSTEMS	\$ 1,072.61	ADMINISTRATION C/W SERVICE
40494	11/25/2020	DEPARTMENT OF JUSTICE	\$ 32.00	OCTOBER 2020 FINGERPRINTS
			\$ 70.00	OCTOBER 2020 BLOOD ALCOHOL
		Check Total:	\$ 102.00	
40495	11/25/2020	FIRST BANKCARD	\$ (3.50)	CREDIT FINANCE CHARGE
			\$ 199.70	PD-DOLLAR GENERAL CANDY
			\$ 26.99	PD-DOLLAR GENERAL CANDY
			\$ (34.35)	PD-REFUND BKDT FINANCE
			\$ 41.67	PD-PEOPLEFACTS
			\$ 337.57	PD-POSITIVE PROMOTIONS

CITY OF FIREBAUGH ACCOUNTS PAYABLE
WARRANTS NOVEMBER 1, 2020- NOVEMBER 30, 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>
40495	11/25/2020	FIRST BANKCARD	\$ 1,782.10	PD-COSTCO HALLOWEEN CANDY
		Check Total:	\$ 2,350.18	
40496	11/25/2020	FRESNO COUNTY TREASU	\$ 162.64	ACCESS FEES OCTOBER 2020
			\$ 187.44	PRISONER PROCESSING 1ST
		Check Total:	\$ 350.08	
40497	11/25/2020	GOUVELA ENGINEERING, I	\$ 147.00	705.09 FIREBAUGH VFW BUILDING
			\$ 3,867.94	705.10 POLICE/FIRE BUILDI
			\$ 55.13	710.03 DBE PLAN-ADA
			\$ 441.00	720.01 PLANNING GENERAL
			\$ 779.63	720.07 REGIONAL TRANSPORT
			\$ 35.44	725.01 PUBLIC WORKS GENERAL
			\$ 872.50	725.12 TASK 1 MULTI-BENEFIT
			\$ 3,982.50	725.12 TASK 2 MULTI-BENEFIT
			\$ 7,222.50	725.12 TASK 3 MULTI-BENEFIT
			\$ 9,350.00	730.08D CDBG SEWER LINE REPAIR
			\$ 1,980.00	730.09 SRF WWTP DESIGN
			\$ 33.75	740.13D 2019 CDBG-WATERLINE
			\$ 294.00	745.01 STREETS GENERAL
			\$ 314.07	745.24D STPL-5224(024) 8TH STREET
			\$ 7,228.39	745.25D CML-5224(023) POSO CANAL
			\$ 206.25	745.27D 8TH ST PAVE REHAB
			\$ 598.49	745.28 CML-5224(027)ALLEY
			\$ 2,011.88	745.29D CML-5224(026)J&10
			\$ 1,035.56	760.04 A.C.I.P/CAAP
			\$ 150.00	760.06C AIRPORT FENCE
			\$ 147.00	775.07 CEN CAL BUILDERS
			\$ 110.25	775.10 LOT LINE ADJ 2019-
			\$ 4,910.90	780.01 OBSERVATION GENERAL
			\$ 6,268.56	780.02 CEN CAL BUILDERS
			\$ 1,323.00	780.03-1 GREYSTONE ESTSTATE
			\$ 478.01	780.03-2 GREYSTONE ESTSTATE
			\$ 8,446.78	780.03-3 GREYSTONE ESTATE
			\$ 111.98	780.04 WEST HILLS EXPAN
			\$ 1,594.69	790.02 CITYWIDE ASSESSMENT
			\$ 885.94	795.10 FAA GRANT APPLICATION
		Check Total:	\$ 64,883.14	
40498	11/25/2020	GRAINGER, INC.	\$ 627.16	STREET LIGHTS-BULBS
40499	11/25/2020	GUTHRIE PETROLEUM, INC	\$ 1,003.63	BULK UNLEADED GASOLINE
			\$ 1,070.53	BULK UNLEADED GASOLINE
			\$ 896.57	BULK UNLEADED GASOLINE

CITY OF FIREBAUGH ACCOUNTS PAYABLE
WARRANTS NOVEMBER 1, 2020- NOVEMBER 30, 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>
			\$ 744.34	BULK DIESEL FUEL
			\$ 816.28	BULK UNLEADED GASOLINE
		Check Total:	\$ 4,531.35	
40500	11/25/2020	INTERGRATED DESIGNS B	\$ 2,159.62	FIREBAUGH VFW BUILDING
			\$ 205.25	FIREBAUGH FIRE STATION
			\$ 9,415.00	FIREBAUGH FIRE STATION
		Check Total:	\$ 11,779.87	
40501	11/25/2020	PACIFIC GAS & ELECTRIC	\$ 35,014.65	ALL DEPTS #7355932148-1
40502	11/25/2020	QUILL CORPORATION	\$ 158.69	POLICE DEPT-PULL TOWEL
40503	11/25/2020	STAPLES BUSINESS CREDI	\$ 52.34	PD-HANDSET COIL CORD
			\$ 36.90	PD-BLACK COILED TELEPHONE
			\$ 18.34	PD-SHARPIE
			\$ 49.93	PD-FOLDER 3 DIVIDER
		Check Total:	\$ 157.51	
40504	11/25/2020	TECH MASTER MANAGEM	\$ 40.00	POLICE DEPARTMENT
			\$ 150.00	CITY HALL/COMMUNITY CTR
		Check Total:	\$ 190.00	
40505	11/25/2020	USA BLUEBOOK	\$ 43.15	ERLENMEYER FLASK
			\$ 51.60	HOSE SHUTOFF/METAL GRINDING
			\$ 741.14	SEWER LAB ANALYSIS
		Check Total:	\$ 835.89	
40506	11/25/2020	DATAPATH	\$ 1,750.00	SWITHCING REPLACEMENTS
40507	11/25/2020	WESTAMERICA BANK	\$ 200.00	CASH ORDER START UP CASH



CITY OF FIREBAUGH SCHEDULE FOR HOLIDAYS YEAR 2021

January 1, 2021	(Friday)	New Year's Day
January 18, 2021	(Monday)	Martin Luther King Jr. Day
February 12, 2021	(Friday)	Lincoln's Birthday Day
February 15, 2021	(Monday)	President's Day
April 2, 2021	(Friday)	½ day off - Good Friday
May 31, 2021	(Monday)	Memorial Day
July 4, 2021	(Sunday)	Independence Day 4 th - off Monday
September 6, 2021	(Monday)	Labor Day
October 11, 2021	(Monday)	Columbus Day
November 11, 2021	(Thursday)	Veterans Day – Nov 11
November 25, 2021	(Thursday)	Thanksgiving Day
November 26, 2021	(Friday)	After Thanksgiving Day
December 24, 2021	(Friday)	½ day off – Christmas Eve 24 th
December 25, 2021	(Saturday)	Christmas Day 25 th – off Monday
December 31, 2021	(Friday)	½ day off – New Year's Eve 31 st
January 1, 2021	(Saturday)	New Year's Day – Off Monday

CITY OF FIREBAUGH

CITY COUNCIL REGULAR MEETING 1st & 3rd MONDAY OF EACH MONTH @ 6:00 PM SCHEDULE 2021

January 4, 2021	(Monday)	
January 18, 2021	(Monday)	Holiday – Martin Luther King Jr. Day
February 1, 2021	(Monday)	
February 15, 2021	(Monday)	Holiday - President Day
March 1, 2021	(Monday)	
March 15, 2021	(Monday)	
April 5, 2021	(Monday)	
April 19, 2021	(Monday)	
May 3, 2021	(Monday)	
May 17, 2021	(Monday)	
June 7, 2021	(Monday)	
June 21, 2021	(Monday)	
July 5, 2021	(Monday)	Holiday – Observation for July 4 th
July 19, 2021	(Monday)	
August 2, 2021	(Monday)	
August 16, 2021	(Monday)	
September 6, 2021	(Monday)	Holiday – Labor Day
September 20, 2021	(Monday)	
October 4, 2021	(Monday)	
October 18, 2021	(Monday)	
November 1, 2021	(Monday)	
November 15, 2021	(Monday)	
December 6, 2021	(Monday)	
December 20, 2021	(Monday)	

**** City of Firebaugh Cantaloupe Round-Up**

July 29, 30, 31, & August 1, 2021

STAFF REPORT

TO: Firebaugh City Council

FROM: Travis Crawford, Environmental Consultant

DATE: December 21, 2020

SUBJECT: Resolution Adopting the Mitigated Negative Declaration for the Firebaugh Flood Risk Reduction Feasibility Study.

BACKGROUND

The Project is intended to evaluate a suite of structural and non-structural actions to reduce the risk of flooding to the City of Firebaugh. The overarching goal of the Project is to provide 100-year flood protection to the greater Firebaugh area, advance an integrated water management approach with multi-benefit features, and generate the information necessary to qualify for future funding opportunities to finance Project implementation. The area to be included in the Feasibility Study extends along the San Joaquin River in and near Firebaugh.

PROPOSED ACTION

The Firebaugh Flood Risk Reduction Project will occur in three areas (See Figure 1 below). In Area 1, about 1.1 miles of new levee are proposed to be built, the existing levee might be breached and possibly removed within the space contained by the new levee, and that space could be restored or otherwise enhanced to provide riparian woodland habitat in the new floodplain. In Area 2, a severely eroded riverbank is proposed to be reinforced to protect adjacent City infrastructure from flooding by the San Joaquin River. In Area 3, a new levee is proposed to be built around the existing water treatment plant infrastructure to protect it against flooding. In addition, the existing levee might be enhanced at other areas such as the Firebaugh rodeo grounds, although those plans are contingent on the results of a flood modeling study. Final design of the flood protection measures will be determined following this feasibility analysis.

ENVIRONMENTAL REVIEW

The Project is subject to the requirements of the California Environmental Quality Act (CEQA) and other regulatory environmental requirements. The City's Project Engineer (Gouveia Engineering) retained the services of Crawford & Bowen Planning, Inc. to prepare the required CEQA documentation and associated studies.

A Mitigated Negative Declaration (MND) was prepared for the Project. The MND analyzed all environmental topics from the CEQA Guidelines Appendix G checklist and included a specialized study for biological resources. The MND included mitigation measures to address biologically sensitive habitats and animal species that would be impacted by the Project. These measures include pre-construction surveys, timing of construction, and other protection measures. After the feasibility analysis has been completed and prior to construction, the City would be required to obtain biological permits for the Project including a California Fish & Wildlife Lake and Streambed Alteration Agreement, a U.S. Army Corps of Engineers Section 404 permit (Clean Water Act), and a Regional Water Quality Control Board 401 permit. The Project CEQA document is required to be adopted prior to submitting applications for these permits.

The Project CEQA document will require a public hearing (tonight) and review/approval of the MND. The MND was noticed in the *Firebaugh-Mendota Journal* and circulated to the State Clearinghouse, Fresno County

Clerk, local agencies, and other interested parties. The required 30-day review period was from November 18, 2020 to December 18, 2020.

Once the public hearing occurs and the MND is adopted, City staff and environmental consultants will file the CEQA Notice of Determination with the Fresno County Clerk and the State Clearinghouse.

FISCAL IMPACT

The filing fees for the Notice of Determination including the Clerk Processing Fee (\$50) and CA Fish & Wildlife Fee (\$2,480.25) will be paid for by the Department of Water Resources Grant awarded for this study.

RECOMMENDATION

Staff recommends that the Firebaugh City Council conduct a public hearing for this item and, through Resolution No. 20-58, take the following action:

1. ADOPT the Mitigated Negative Declaration for the Firebaugh Flood Risk Reduction Feasibility Study.

ATTACHMENTS

1. Resolution No. 20-58
2. Firebaugh Flood Risk Reduction Feasibility CEQA Document and Attachments

Figure 1 – Project Site Map



RESOLUTION NO. 20-58

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH ADOPTING THE MITIGATED NEGATIVE DECLARATION FOR THE FIREBAUGH FLOOD RISK REDUCTION FEASIBILITY STUDY

WHEREAS, the City Council of the City of Firebaugh (the “City Council” and “City”, respectively) has received and reviewed the proposed Mitigated Negative Declaration, including the draft Initial Study/Mitigated Negative Declaration with appendices, and supporting information sources (collectively, the “draft MND”), together with the staff report and any comments received and responded to during the public review and hearing process (collectively, the “Environmental Record”) for the proposed flood risk reduction feasibility project (the “Project”), as described in the draft MND; and

WHEREAS, the City is the lead agency for purposes of environmental review of the Project under the California Environmental Quality Act (“CEQA”), pursuant to Public Resources Code § 21000 et seq., and the State “Guidelines for Implementation of the California Environmental Quality Act”; and

WHEREAS, the Project could, without mitigation, have resulted in a potential impact to certain areas of environmental concern, including Biological Resources and Cultural Resources; and

WHEREAS, the City has prepared mitigation measures to address and mitigate all potential environmental impacts to a “less than significant” level, which is a part of the Environmental Record reviewed and considered by the City; and

WHEREAS, the City has incorporated the mitigation measures described in the initial study for the Project (“Initial Study”) as conditions of approval by the City; and

WHEREAS, with the exception of the potential impacts stated above, there are no other potentially significant environmental impacts resulting from the Project; and

WHEREAS, the City submitted a Notice of Intent to Adopt a Mitigated Negative Declaration to the State Clearinghouse (#2020110268) and the Fresno County Clerk and distributed it to those agencies which have jurisdiction by law with respect to the Project; placed the Notice of Intent to Adopt a Mitigated Negative Declaration concerning the Project in the *Firebaugh-Mendota Journal* for publication; and mailed the Notice of Intent to Adopt a Mitigated Negative Declaration to other interested parties; and

WHEREAS, the draft MND with appendices and supporting information sources were duly noticed for public review and comment from November 18, 2020 to December 18, 2020, as provided by law; and

WHEREAS, the City received no written comments in response to the draft MND; and

WHEREAS, a hearing concerning the City’s intent to adopt a final MND was duly noticed and held on December 21, 2020, at which time any interested parties were afforded an opportunity to be heard in addition to the public review and comment period referenced above as part of the Environmental Record; and

WHEREAS, the City has considered, prior to adoption of the final MND, the Environmental Record in support of the final MND.

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

1. The City Council adopts the foregoing recitals as true and correct.
2. The City Council finds that the Initial Study and Mitigated Negative Declaration reflect the independent judgment of the City as the lead agency for the Project.
3. The City Council finds that it has independently reviewed and considered the Environmental Record, including the Initial Study and proposed Mitigated Negative Declaration, as a final Mitigated Negative Declaration, prior to adopting the final Mitigated Negative Declaration.
4. On the basis of the Environmental Record as the whole record before the City Council, including the Initial Study and any comments received, the City Council finds, in its independent judgment and analysis, that there is no substantial evidence the Project will have a significant effect on the environment.
5. The City Council confirms that the mitigation measures described in the Initial Study, have been incorporated into the Project and adopts a Mitigated Negative Declaration, as the final Mitigated Negative Declaration, which documents are a part of the Environmental Record before the City Council for the Project.
6. The City Council approves and adopts the findings set forth herein, and the Mitigated Negative Declaration, based on the Environmental Record.
7. City staff is authorized and directed to cause a Notice of Determination concerning the adoption of the Mitigated Negative Declaration for the Project to be filed in the office of the Fresno County Clerk and with the Office of Planning and Research in accordance with CEQA and State CEQA Guidelines.

The foregoing resolution was duly adopted by the Firebaugh City Council at a regular meeting held on the 21st day of December, 2020, by the following vote, to wit:

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST:

APPROVED:

Rita Lozano, Deputy City Clerk
City of Firebaugh

Elsa Lopez, Mayor
City of Firebaugh



STAFF REPORT

TO: Firebaugh City Council
FROM: Ben Gallegos, City Manager
DATE: December 21, 2020
SUBJECT: Habitat for Humanity Proposal for Miller & Lux Project

DISCUSSION

On February 19, 2020, the City received a letter from Matthew Grundy, CEO for Habitat for Humanity ("HFH"). The letter proposed to have HFH assume the development of the San Joaquin Villas and Miller & Lux Project.

Council subsequently approved a Reimbursement Agreement ensuring that California Community Builders, Inc. would reimburse the City for attorney and consultant costs incurred in preparing the necessary amendments to Owner Participation Agreements (OPAs).

The HFH proposal included these general considerations:

- The City amend the OPA obligations to allow for modified projects of 7 new for-sale single family units for San Joaquin Villas and 12-15 new single family units for the Miller & Lux Project.
- The City rescind the San Joaquin Villas outstanding repayment obligations, deeds of trust and promissory notes totaling \$690,000.
- The City rescind the Miller & Lux outstanding repayment obligations, deeds of trust and promissory notes totaling \$250,000.
- The City assume responsibility for the common areas for San Joaquin Villas (streets, parking lots, and open space basin).
- City establish a financing district or similar entity to address San Joaquin Villas common area maintenance.
- HFH would process a new final map for both San Joaquin Villas and Miller & Lux.
- HFH would transfer 2-3 San Joaquin Villas parcels into parking to alleviate parking issues.

On September 21, 2020 Council approved Resolution 20-40 approving the HFH proposal and related actions. HFH has since expressed concern related to the buildout timelines for the Miller & Lux project. They are concerned that they will not accomplish the development by December 31, 2023 and are requesting that the City add language that the sole remedy for their breach of this condition be a reconveyance of the property back to the City.

The City Attorney and staff have worked with HFH on the Section 6 Remedy language in the Original Agreement and Amendment to reflect reconveyance as the sole remedy.

RECOMMENDATION

Staff recommends that Council approve the Resolution and attached Assignment of Rights and Amendment of OPA for Miller & Lux.

FISCAL IMPACT

The costs include the minimal costs of recordation of a reconveyance of the Miller & Lux site to the City in the event of a breach.

ATTACHMENTS

1. Resolution No. 20-59.
2. Assignment of Rights and Obligations and Amendment to Miller & Lux Owner Participation Agreement

J:\wdocs\01907\001\rpt\00826022.DOCX

RESOLUTION NO. 20 - 59

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH APPROVING AN ASSIGNMENT OF RIGHTS AND OBLIGATIONS AND AMENDMENT TO THE FIREBAUGH REDEVELOPMENT AGENCY OWNER PARTICIPATION DEVELOPMENT AGREEMENT WITH HABITAT FOR HUMANITY GREATER FRESNO AREA FOR CALIFORNIA COMMUNITY BUILDERS, INC. ("MILLER & LUX PROJECT")

WHEREAS, California Community Builders, Inc. ("Owner Participant") has previously entered into an OPA dated January 13, 2010 ("Miller & Lux Project") with an Amendment No.1 on March 22, 2011 (collectively "Miller & Lux OPA") covering land identified in **Exhibit A**; and

WHEREAS, The development remains incomplete and on February 19, 2020 Habitat for Humanity Greater Fresno Area, Inc. ("HFH") and Owner Participant requested the release of certain deeds of trust, promissory notes, and repayment obligations and to assign their rights and obligations under their respective OPA to HFH to complete modified housing projects, and the Agency has agreed with the request subject to the conditions stated herein; and

WHEREAS, City of Firebaugh as the Successor Agency to the Firebaugh Redevelopment Agency finds that the Assignment and Amendment will further the development of new for-sale affordable single family housing units, develop undeveloped parcels of land, provide necessary infrastructure, and ensure maintenance of such infrastructure.

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

1. The Assignment of Rights and Obligations and Amendment to the Firebaugh Redevelopment Agency Owner Participation Agreement set forth in attached **Exhibit B** is approved.
2. The Mayor is authorized to execute the Assignment and Amendments on behalf of the City.
3. The City Manager is authorized to take all steps necessary to implement the Assignment and Amendments.

AYES:

NOES:

ABSTAIN:

ABSENT:

APPROVED:

Elsa Lopez, Mayor
City of Firebaugh

ATTEST:

Rita Lozano, Deputy City Clerk
City of Firebaugh

EXHIBIT A

1

SITE PLAN, CONCEPT, PARCEL #1 AND #2

SCALE: 1" = 40'



SK-1

N STREET
FIREBOUGH

 **Habitat for Humanity**
Greater Fresno Area

Architecture with Art
Celia Saunders
Presidential Design

EXHIBIT B

**RECORDING REQUESTED AND
FOR THE BENEFIT OF:**
City of Firebaugh

WHEN RECORDED RETURN TO:
City of Firebaugh
1133 "P" Street
Firebaugh, California 93622

(Space Above for Recorder's Use Only)

**ASSIGNMENT OF RIGHTS AND OBLIGATIONS AND AMENDMENT TO THE
FIREBAUGH REDEVELOPMENT AGENCY
OWNER PARTICIPATION AGREEMENTS WITH CALIFORNIA COMMUNITY
BUILDERS, INC. (MILLER & LUX PROJECT) TO HABITAT FOR HUMANITY
GREATER FRESNO AREA, INC. ("HFH")**

RECITALS

A. San Joaquin Development Partnership, LLC has previously executed an Owner Participation Agreement ("OPA") dated as of May 5, 2008, Amendment No. 1 to the OPA, dated October 2, 2008, Amendment No. 2 to the OPA, dated October 26, 2009, Amendment No. 3 to the OPA, dated November 1, 2010, and Amendment No. 4 to the OPA, dated March 22, 2011 (collectively, the "San Joaquin Development Partnership, LLC OPA") covering land identified in **Exhibit "A"**; and

B. California Community Builders, Inc. has previously entered into an OPA dated January 13, 2010 (Miller & Lux Project) with an Amendment No.1 on March 22, 2011 (collectively "Miller & Lux OPA") covering land identified in **Exhibit "A"**; and

C. By request dated February 19, 2020 HFH and Owner Participants have requested the release of certain deeds of trust, promissory notes, and repayment obligations and to assign their rights and obligations under their respective OPAs to HFH, and the Agency has agreed with the request subject to the conditions stated herein; and

D. City of Firebaugh as the Successor Agency to the Firebaugh Redevelopment Agency finds that this assignment and amendment to the OPA's noted-above will assist in the development of affordable housing to benefit the City of Firebaugh and its residents.

NOW, THEREFORE, for consideration duly given and received, the parties have agreed to this Amendment to the Miller & Lux OPA as follows:

1. Except as expressly amended in this Assignment, all rights and obligations of the Miller & Lux OPA are assigned to HFH.

2. Recital E shall read:

“E. The Owner Participant wants to participate in the redevelopment of the Site consisting of _____ for-sale single family units (the “Project”). The Owner Participant proposes to make all units in the Project available at affordable housing costs to persons and families of very low and low or moderate income for the period required by the Law. The terms “very low” and “low or moderate” income used throughout this Agreement shall have the meaning set forth in Section 4.d., below.”

3. Recital F is amended to read:

“F. The Agency has determined that providing such assistance to the Owner Participant is in the best interest of the Agency and the community and will carry out the purposes and goals of the Amended Plan, because (i) construction and operations of the Project will increase and improve the City’s supply of very low and low or moderate incoming housing, (ii) such assistance will directly benefit very low and low or moderate income owners and occupants of the Projects, (iii) redevelopment of the Site with the Project will assist with elimination and prevention of spread of blight and deterioration within the Amended Project Area by developing vacant, unused property with needed very low and low or moderate income housing facilities and causing installation of necessary public street improvements, utility systems and other public services and facilities that directly benefit very low and low or moderate income owners and occupants of the Project. Therefore, the Agency is willing to provide such assistance and to allow the Owner Participant to so participate in redevelopment of the Site as an owner participant under the Amended Plan and the Law, all on the terms, conditions and covenants in this Agreement.”

4. Section 2(a) Project Development shall read:

“2a: The Project, including all associated on-site and off-site improvements, shall include, and the Owner Participant shall cause the Project to be constructed in accordance with, (i) applicable plans and permit approvals, including all conditions of approval, (ii) the City’s General Plan and Zoning Ordinance, including any amendments effective on or before the Effective Date; (iii) the City’s official standard specifications, including attached details and amendments thereto effective on or before the Effective Date (the “Standard Specifications”), and applicable Caltrans standards with respect to all public infrastructure improvements required in connection with the Project, (iv) the Building Code and other applicable codes of the City of Firebaugh, and (v) all building plans for the Project as approved by the Agency and the City (collectively, the “Project Approvals”). The Project shall include all buildings, appurtenances and other on-site and off-site

improvements required by the Project Approvals and such other plans, codes, ordinances, specifications or standards, whether or not specifically described in other provisions of this Agreement.

If, during the period the Project is being constructed, the Owner Participant proposes to make any change to the building plans or drawing which the City or the Agency has previously approved in the Project Approvals for the Project, the Owner Participant shall submit the proposed change to the Agency for review. The Agency shall approve or reject the proposed change within 10 days after submittal. If the Agency or the City reasonably determines that the proposed change is not in conformity with this Agreement, the Amended Plan, or applicable federal, state or local codes, regulations or standards, the Agency shall reject the proposed change and so notify the Owner Participant, stating the reasons for rejection. The Owner Participant may thereafter resubmit the proposed change for review as provided above.

The Owner Participant shall use diligent efforts to cause the Project to be completed no later than _____, with a 30-Day automatic extension subject to request from the Owner Participant. However, the Agency may, in its reasonable discretion and on written request from the Owner Participant, extend the completion date for such other additional period as the Agency reasonably determines necessary to overcome the effects of any delay caused by act of God, earthquake, natural catastrophe or other unforeseeable cause beyond the Owner Participant's control."

5. Section 3 is rescinded.
6. Section 6 shall read:

Remedies. If (i) there is an event of default, such as HFH not completing the affordable project identified in Exhibit "B" by December 31, 2023, and the Owner Participant fails to cure or remedy such event of default within 60 days after notice from the Agency, or (ii) there is an event of default that cannot be cured such as seeking an order for relief in bankruptcy, making an assignment or transfer without Agency's prior written consent or making material misrepresentation to Agency, the Agency shall demand and Owner Participant shall immediately convey the Property in the condition that existed when HFH acquired the Property. The conveyance of the Property will be Agency's sole remedy for default.

7. Any remaining obligations, promissory notes and deeds of trust securing repayment under the Miller & Lux OPA, including a \$200,000 loan (noted in Miller & Lux Project OPA Section 3(a)) and a \$50,000 grant (noted in Miller & Lux Project OPA Amendment No. 1 Section 2) are rescinded.

8. In place of the Project identified in the Miller & Lux OPA and consistent with all applicable law, HFH will undertake the obligation to complete the affordable project identified in **Exhibit "B"** by December 31, 2023.

9. Except as otherwise provided herein, the Miller & Lux OPA shall remain in full force and effect.

This Amendment has been executed by and is binding on each party as of the date of execution by both parties.

**CALIFORNIA COMMUNITY BUILDERS,
INC.**

**HABITAT FOR HUMANITY GREATER
FRESNO AREA, INC.**

By: _____

By: _____

Name: _____

Name: _____

Title: _____

Title: _____

CITY OF FIREBAUGH

ATTEST:

By: _____

By: _____
CITY CLERK

Name: _____

Title: _____

APPROVED AS TO FORM:

By: _____

J:\wdocs\01907\001\agt\00820228.DOC

EXHIBIT "A"

APN 007-050-016 Legal Description



1

SITE PLAN CONCEPT: PARCEL #1 AND #2

SCALE 1" = 40'



SK-1

N STREET
FIREBOUGH

 **Habitat for Humanity**
Creates Fresno Area

Architecture with Art
David Saunders
Production: Creative

EXHIBIT "B"

HFH shall complete the development of 12-15 for-sale affordable single family units by December 31, 2023

RESOLUTION NO. 20-60

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH APPOINTMENT
OF CITY MEMBERS TO THE SPECIAL CITY SELECTION COMMITTEE OF THE SAN
JOAQUIN VALLEY AIR POLLUTION CONTROL DISTRICT GOVERNING BOARD**

WHEREAS, Health and Safety Code Section 40600.5 created a Special City Selection Committee for the appointment of city members of the San Joaquin Valley Air Pollution Control District (District) Governing Board, and

WHEREAS, The Special City Selection Committee has adopted procedures and a rotation schedule for making their appointments, and based upon the adopted rotation schedule a city council member representing a city with a population of less than 100,000 from Fresno County shall be appointed to the District Governing Board, and

WHEREAS, In selecting a nominee for appointment by the Special City Selection Committee to the District Governing Board, the City Council considered the application materials for the eligible candidates, and

WHEREAS, The Vote to select a nominee took place as an item on the publicly noticed agenda and was discussed during the normal city council meeting with time for public comment.

NOW, THEREFORE, BE IT RESOLVED that the City of Firebaugh nominates City Council Member Freddy Valdez as the City of Firebaugh's representative and Council Member Brady Jenkins as an alternate to the Special City Selection Committee for appointment to the District Governing Board.

The foregoing Resolution was adopted at a regular meeting of the City Council of the City of Firebaugh on the 21st day of December, 2020 by the following call 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

STAFF REPORT

TO: Firebaugh City Council
FROM: Ben Gallegos, City Manager
DATE: December 21, 2020
SUBJECT: Fresno COG – Sixth Cycle Regional Housing Needs Allocation (RHNA) Plan Subcommittee

BACKGROUND & DISCUSSION

Fresno COG is kicking-off the development of the Sixth Cycle Regional Housing Needs Allocation (RHNA) Plan, with the first RHNA Subcommittee meeting on Thursday, January 21, 2021 from 10 a.m. to noon via Zoom conference.

The role of the RHNA Subcommittee is to serve as technical advisors for development of the Sixth Cycle RHNA Plan, which will determine how to distribute the region's housing allocation, determining how many units each Fresno COG member jurisdiction will need to plan for in their next housing element. The Subcommittee will include one representative from each local jurisdiction in Fresno County, as well as three at-large members.

Please respond to this email at your earliest convenience to let me know who will serve as your agency's representative on the RHNA Subcommittee. We anticipate that the Subcommittee will meet seven times over the course of 2021. It's important that the representative your agency selects is available to participate in each meeting.

Please let me know if you have any questions or if there is additional information that I can provide.

Sincerely,
Meg

Meg Prince
Senior Regional Planner
Fresno Council of Governments
2035 Tulare St. Suite 201
Fresno, CA 93721
Phone: (559) 233-4148 Ext. 203
Fax: (559) 233-9645