

# MEETING AGENDA

The City Council/Successor Agency of the City of Firebaugh

Vol. No. 21/02-16

Date/Time: March 1, 2021/6:00 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](mailto: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/86036567922?pwd=bFVaOGpCL2hNemdWN0NnOHBhWIRCdz09>

Meeting ID: 860 3656 7922

Passcode: 936222

Phone: 1-669-900-9128

## CALL TO ORDER

### ROLL CALL

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

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

## 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 February 16, 2021.

## PUBLIC HEARING

2. **RESOLUTION NO. 21- 07 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH, ORDERING THE ANNEXATION OF TRACT 6252 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 TRACT, DIRECTING THE CITY CLERK TO FILE THE DIAGRAM AND NOTICE OF ASSESSMENT WITH THE COUNTY RECORDER'S OFFICE.**

**Recommended Action:** Council receives public comment & approves Res. No. 21-07.

## NEW BUSINESS

3. **RESOLUTION NO. 21- 08 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH APPROVING THE APPLICATION FOR STATEWIDE PARK DEVELOPMENT AND COMMUNITY REVITALIZATION PROGRAM GRANT FUNDS.**

**Recommended Action:** Council receives public comment & approves Res. No. 21-08.

4. **RESOLUTION NO. 21- 09 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH APPROVING THE APPLICATION FOR STATEWIDE PARK DEVELOPMENT AND COMMUNITY REVITALIZATION PROGRAM GRANT FUNDS.**

**Recommended Action:** Council receives public comment & approves Res. No. 21-09.

## 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, February 26, 2021 at 5:00 p.m. by Rita Lozano Deputy City Clerk.

**SPECIAL MEETING MINUTES**  
The City Council/Successor Agency of the City of Firebaugh  
Vol. No. 21/02-16

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**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 13<sup>th</sup> Street, Firebaugh, CA 93622

**Date/Time:** February 16, 2021/6:00 p.m.

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

**ROLL CALL** Mayor Freddy Valdez  
Mayor Pro Tem Brady Jenkins  
Council Member Marcia Sablan  
Council Member Elsa Lopez  
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, Fernando Campa, Joyce Dale of Senator Anna Caballero's Office & others.

**PLEDGE OF ALLEGIANCE** City Manager Gallegos led pledge of Allegiance.

**APPROVAL OF THE AGENDA**

*Motion to approve agenda by Council Member Sablan, second by Council Member Perez, motion passed by 5-0 vote.*

**PUBLIC COMMENT**

*Mike Daniels, president of the Cal Ripken League, inquired when city parks will be open, so the league can determine if they will be able to have a baseball season this year. City previously held a parade to honor Josh Allen, and Council Member Jenkins mentioned at a previous meeting, possibly having another parade around March as a welcome home parade to Josh, so I just wanted to know if the City is still planning on having it or not. Mayor Valdez, invited Mr. Daniel's to the next COVID-19 committee meeting, where they will discuss re-opening city facilities, City covid-19 cases and updates related to vaccinations, among other things, that will help them make determination on how to proceed.*

**PRESENTATION**

*None*

**CONSENT CALENDAR**

1. APPROVAL OF MINUTES – The City Council regular meeting on February 1, 2021.
2. WARRANT REGISTER – Period starting January 1, and ending on January 31, 2021.

January 2021	General Warrants	#40641 - #40761	\$ 1,165,703.31
	Payroll Warrants	#71429 - #71455	\$ 131,479.43
	<b>TOTAL</b>		<b>\$ 1,297,182.74</b>

*Motion to approve consent calendar by Council Member Jenkins, second by Council Member Perez, motion passed by 5-0 vote.*

## PUBLIC HEARING

*None*

## NEW BUSINESS

3. **RESOLUTION NO. 21-06 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH AUTHORIZING APPLICATION FOR, AND RECEIPT OF, LOCAL GOVERNMENT PLANNING SUPPORT GRANT PROGRAM FUNDS.**

*Motion to accept Res. No. 21-06 by Council Member Sablan, second by Council Member Jenkins, motion passed by 5-0 vote.*

4. **LUIS PEREZ, OF BRYANT JOLLEY, CPA OFFICE, WILL PRESENT A REVIEW OF THE ANNUAL INDEPENDENT AUDITOR'S REPORT FOR THE PERIOD FY 2019-2020, ENDING June 30, 2020.**

*Ryan Jolley and Luis Perez, presented a review of the annual audit report, Informational Item only.*

## STAFF REPORTS

- **Bethany Matos, Associate Dean of North District Center** – Introduced herself, & provide on an update on their new development. Construction is moving along, Campus will open on ground classes, so there will be a mixture of classes, on ground & hybrid, weekend school, adult classes, high school students, so West Hills staff is working with high school students, counselors, & principals, it will be very one on one meetings. Council Members welcomed her, & stated they were happy to meet her.
- **Mr. Mark Benjamin of Board of Supervisor Brain Pacheco's Office** – 800 Vaccination were provided to Farm Workers in rural areas, we are working to continue & certify as many as possible to get everyone vaccinated, it has been difficult because we need more vaccines, there is possibility of receiving 19, 000 this week and hopefully every week after. We have held past events in Mendota and have an event at Papa's in Mendota on the 23<sup>rd</sup> of February.
- **Deputy City Clerk, Rita Lozano** – Reminder to complete your Form 700, for those of you that attended the training provided by Lozano Smith, please email or provide a copy of certificate for your personnel records.
- **Finance Director, Pio Martin** – Thanked Ryan & Luis, they have been very helpful during the Audit. Will start working on the budget, so please submit request, items that are needed or wanted for the next budget, doesn't guarantee you will receive it though. Attended a Bus tour that is going to be delivering lunches to kinds in Firebaugh & Mendota, kids would normally be allowed to eat on the bus due to COVID-19, the bus is only delivering at this time.
- **Fire Chief, John Borboa** – Nothing to report.
- **Police Chief, Sal Raygoza** – Valley Health Team event in Firebaugh, which provided vaccination to farmworkers/factory workers that pre-registered, if anyone attended without being registered they were turned away. Code Enforcement Officer was there to assist and it made the event go a lot smoother, half of the Police Department staff was vaccinated.
- **City Manager, Ben Gallegos** – Thanked Pio for attending the Bus tour on City Manager's behalf, with being out of the office for a week, paperwork & emails were backed up. Signed the contract to start construction for the Fire Station, hope to begin in 2 or 3 weeks. Was invited to be an alternate juror on the Housing Authority but had a scheduling conflict, so had to pass. Working on the Washoe Annexation Project, there is a time schedule, so hopefully we stay on the schedule. We have two new employees, Robert from Dos Palos, he is operator certified, so hopefully we will have three operators. The second employee hired is a young kid, John Topete, eager to learn so hopefully he will be an operator too. Public Works crew is currently cutting trees in town.
- **Council Member Lopez** – thanked the staff for their hard work, nothing to report.
- **Council Member Sablan** – I also like to thank everyone, nothing to report.
- **Council Member Perez** – Received a call from Sacramento about vaccine update in our area, I will return their call, but I will refer to Council Member Sablan, with her being a doctor & helping with the covid-19 vaccine events, she is more

aware. I will be canvassing the area to inform people of COVID-19, to explain how important it is and to provide information on how to get assistance with funding for their bills.

- **Council Member Jenkins** – I received the same call, they are doing outreach on how everyone is doing with Covid-19.
- **Council Member Valdez** – Thanked Pio, Ben & Staff on their hard work of the Audit, sometimes people don't understand how difficult it can be. Attended AB1234 training provided by Lozano Smith, it was very helpful & is a refresher to remind us how & why we do certain things, to avoid violating any regulations. Attended Council of Government's Meeting & Special Selection Committee Valley Air Pollution meeting.
- **City Attorney James Sanchez** – Thanked the Mayor for the comments on the training, the firm is always looking to provide additional training to their clients, so please advise in advance, any other trainings the Council or Staff may be interested in. As far as other business matters, things are going very well.

*Motion to enter closed session @ 7:01 pm, by Council Member Jenkins, second by Council Member Sablan, motion passed by 5-0 vote.*

#### **CLOSED SESSION**

#### **5. Government Code Section 54957**

PUBLIC EMPLOYEE EVALUATION: City Manager.

*Motion to enter open session @ 8:15 pm, by Council Member Jenkins, second by Council Member Sablan, motion passed by 5-0 vote.*

#### **ANNOUNCEMENT AFTER CLOSED SESSION**

*Nothing to report*

#### **ADJOURNMENT**

*Motion to adjourn by Council Member Perez, second by Council Member Sablan; motion passed by 5-0 vote at 8:17 p.m.*

## STAFF REPORT

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**TO:** Firebaugh City Council

**FROM:** Ben Gallegos, City Manager

**DATE:** March 1, 2021

**SUBJECT:** Proceedings under the Landscaping and Lighting Act of 1972 and the California Streets and Highways Code 22500, ordering the annexation of Tract 6252 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 Tract, directing the City Clerk to file the Diagram and Assessment Notice with the County Recorder's office.

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### **BACKGROUND & DISCUSSION**

The City of Firebaugh established the Landscaping and Lighting Maintenance District No. 1 (District) on October 1, 1990. Subsequently, the City has ordered the annexation of numerous subdivisions and parcels into the District with the latest occurring on December, 2020. The City historically has levied assessments for the maintenance, improvements and incidental costs for street lighting, storm drainage, landscaping, flood control, and block walls within the District. The City Council has directed that these improvements facilitate development, utility and economic viability for developed lots within the City of Firebaugh and therefore benefit from these improvements. The City Council has also directed that any new assessments be subject to an annual adjustment tied to the Consumer Price Index-U for the San Francisco Bay area as of December of each succeeding year (the "CPI"), with a maximum annual CPI adjustment not to exceed 3%.

On January 4, 2021, the City Council adopted a resolution initiating proceedings, declaring the City's intention to levy assessments and approving the Engineer's Report for the annexation of Tract 6252 for the Del Rio Estates Subdivision into the City of Firebaugh Landscaping and Lighting Maintenance District No. 1 ("the Resolution of Intention").

Del Rio Estates is an approved subdivision with a total of 34 single and multi-family residential lots located at the intersection of State Route 33 and N Lyon Avenue. The subdivision was approved for construction and recorded as 33 single-family lots and one multi-family outlot. The multi-family parcel consists of a 56-unit apartment complex. As a condition of approval, decorative street lights, decorative block wall, storm basin improvements, and a pocket park are required, and the developers/owners are required to establish an assessment district for this development to fund the annual maintenance and as needed replacement for these improvements.

According to the Landscaping and Lighting Act of 1972, the City may establish an assessment district to provide for the continued maintenance, operation, and servicing of the required and eligible subdivision improvements. The addition of the Del Rio Estates pocket park, street lighting, storm drainage, and block wall improvements into the District will provide for the continued maintenance of these improvements after the developer installs them and the City accepts them for maintenance.

In accordance with the Landscaping and Lighting Act and Proposition 218 Right to Vote on Taxes Act, a notice of the proposed assessment and ballot were mailed to the record owners of each parcel on which assessments will be imposed. Additionally, the noticing requirements for the public hearing were met in accordance with the Resolution of Intention.

The City has prepared a resolution ordering the annexation of the Del Rio Estates Subdivision into the District and confirms the assessment diagram and annual levy to fund the maintenance and as needed replacement of landscaping, street lighting, storm drainage and block wall improvements for the subdivision.

The Engineer's Report contains the annexation boundaries, a description of the improvements, and estimate of the cost of the improvements, the rate and method of apportionments, and the Fiscal Year 2021-2022 annual assessments upon the subject property.

The attached resolution provides for the City Council to certify the ballot tabulation, confirm the Assessment Diagram and Annual Levy for the Annexation based on the majority vote in favor of the proposed annexation and assessments, and directs the recording of the amended Assessment Diagram for the District and Notice of Assessment with the Fresno County Recorder's office.

### **FISCAL IMPACT**

There is no fiscal impact to the City associated with this item.

### **RECOMMENDATION**

Hold a public hearing to consider questions, comments, or protests from property owners or other interested persons to the proposed annexation of Tract 6252 or the levy and collection of the assessments therein. Once concluded, close the public hearing and,

Direct the City Clerk to tabulate all acceptable ballots received for the proposed annexation and announce the vote results out loud. If, the tabulation does not present a written majority protest, then City Council should adopt the resolution.

Adopt Resolution No. 21-07, a resolution of the City Council of the City of Firebaugh, ordering the annexation of Tract 6252 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 Tract, directing the City Clerk to file the Diagram and Notice of Assessment with the County Recorder's office.

### **ATTACHMENTS**

1. Resolution No. 21-07

**RESOLUTION NO. 21- 07**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH, ORDERING THE ANNEXATION OF TRACT 6252 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 TRACT, DIRECTING THE CITY CLERK TO FILE THE DIAGRAM AND NOTICE OF ASSESSMENT WITH THE COUNTY RECORDER'S OFFICE**

**WHEREAS**, pursuant to the Landscaping and Lighting Act of 1972 (Streets & Highways Code ' ' 22500 *et seq.*) (the "Act"), the City Council of the City of Firebaugh declared its intention to form, conducted all proceedings to form and did form Landscaping and Lighting Maintenance District No. 1 of the City of Firebaugh (the "District"), and has thereafter levied and collected the first assessment and subsequent annual assessments for maintenance and operation of landscaping, street lighting and other permanent improvements which constitute a portion of the public street, sidewalk and drainage systems within the District (collectively, the "Improvements") and which provide direct special benefits to the various parcels assessed over and above benefits conferred on the public at large; and

**WHEREAS**, as a condition of approval of the final map for Tract No. 6252, the City Council required that, prior to sale of the first lot, all real property within Tract No. 6252 shall be annexed to and incorporated in the District, and that the subdivider, Cen Cal Builders and Developers, Inc., aka Del Rio Estates (the "Subdivider"), shall pay all costs in connection with such annexation proceedings and shall execute and file all documents and otherwise cooperate with the City to complete such annexation proceedings and levy landscaping and lighting assessments on lots and properties within Tract No. 6252; and

**WHEREAS**, the City Engineer prepared and filed with the City Clerk a report entitled "Engineer's Report of the City of Firebaugh Landscape and Lighting Maintenance District No. 1, Annexation of Tract 6252," dated October, 2020 (the "Annexation Report"), to which reference is hereby made, which Annexation Report contains a description of the boundaries of the territory in Tract No. 6252 proposed to be annexed to the District in these proceedings, the improvements proposed for Tract No. 6252, and the general location and proposed assessments on the assessable lots and parcels of land within Tract No. 6252; and

**WHEREAS**, the City Engineer has separately prepared and filed with the City Clerk a report entitled "Engineer's Report of the City of Firebaugh Landscape and Lighting Maintenance District No. 1, 2020-2021," dated June 15, 2020 (the "Annual Levy Report"), to which reference is hereby made, which Annual Levy Report contains a description of the existing improvements in the District, the boundaries of the District and any zones therein, and the general location and proposed assessments on the assessable lots and parcels of land within the District, for fiscal year 2020-2021; and

**WHEREAS**, the City Engineer also has prepared and filed with the City Clerk an amended map of the boundaries of the District (the "Amended Assessment Diagram"), incorporating Tract No. 6252 within such boundaries, as proposed in these proceedings; and

**WHEREAS**, on January 4, 2021, the City Council adopted Resolution No. 21-02, "A Resolution of Intention" whereby the City Council declared its intention to annex and include Tract No. 6252 in the District, and to levy and collect the annual assessments for operation and maintenance of the Improvements within said tract for the 2021-2022 fiscal year; and



**WHEREAS**, the amount of the assessments proposed in the Annexation Report for Tract No. 6252 for the 2021-2022 fiscal year will be the initial annual assessments for said tract; and

**WHEREAS**, the Annexation Report also proposes that the annual assessments to be levied on the lots and parcels within Tract No. 6252 after the initial fiscal year 2021-2022 will be subject to an annual adjustment tied to the Consumer Price Index-U for the San Francisco Bay area as of December of each succeeding year (the "CPI"), with a maximum annual CPI adjustment not to exceed three percent, and with the calculation of such change in the CPI using December 2021 as the base year CPI; and

**WHEREAS**, the proceeds of the assessments to be levied on the lots and parcels in the District, including Tract No. 6252, for fiscal year 2021-2022 and for each fiscal year thereafter will be used exclusively to finance the expenses for operation and maintenance of the Improvements described in the engineer's report for that fiscal year, which operation and maintenance will provide direct special benefits to the various lots and parcels assessed, over and above the benefits conferred on the public at large; and

**WHEREAS**, the amount of the assessment on each lot or parcel in the District, including those in Tract No. 6252, is proportional to and no greater than the special benefits conferred on such lot or parcel from operation and maintenance of the improvements described in the Annexation Report and the Annual Levy Report; and

**WHEREAS**, a notice of the public hearing to be held on March 1, 2021 was published in accordance with the Act; and

**WHEREAS**, after notice by publication of the public hearing as required by the Act, and after notice by mail to the record owners of all lots and parcels within Tract No. 6252, as shown in the last equalized assessment roll of the County of Fresno, the State Board of Equalization assessment roll or as known to the City Clerk, as required by Streets & Highways Code Section 22626 (b) and Government Code Section 53753, the City Council conducted a public hearing and heard and considered all objections and protests to the proposed annexation of Tract No. 6252 to the District and the proposed assessments on all lots and parcels within said tract, for fiscal year 2021-2022; and, at the conclusion thereof, the City Clerk tabulated all assessment ballots submitted and not withdrawn in support of or in opposition to the proposed annexation of Tract No. 6252 to the District and the proposed assessment of the lots and parcels within said tracts, including the proposed methodology for calculating the amount of the annual assessments according to the CPI, and announced the results; and

**WHEREAS**, the City Council has determined, based on such ballot tabulation, that a majority protest to the proposed annexation and assessment of Tract No. 6252 to the District does not exist, in that the assessment ballots submitted and not withdrawn in favor of the proposed annexation and assessment exceed the assessment ballots submitted and not withdrawn in opposition; and

**WHEREAS**, the City Council has further determined that all of the property owners within Tract No. 6252 either have consented to annexation to the District and the levy of the proposed annual assessments, including the proposed methodology for calculating the amount of the annual assessments according to the CPI, or have failed to file a majority protest against the proposed annexation and assessment in the manner provided by law.

**THEREFORE**, the City Council of the City of Firebaugh resolves, finds and determines as follows:

1. The recitals, findings and determinations in the Resolution of Intention are hereby restated and confirmed. The recitals in the Resolution of Intention and in this resolution, above, are true and correct.

2. The City Clerk's tabulation of the ballots is hereby certified and said tabulation confirms that a majority protest to the proposed annexation and assessment of Tract No. 6252 to the District does not exist, in that the assessment ballots submitted and not withdrawn in favor of the proposed annexation and assessment exceed the assessment ballots submitted and not withdrawn in opposition.

3. All territory within Tract No. 6252, whose boundaries are set forth in the Annexation Report on file with the City Clerk, is annexed to and made part of City of Firebaugh Landscaping and Lighting Maintenance District No. 1. The amended map of the boundaries of the District, prepared by the City Engineer and showing annexation of Tract No. 6252, is hereby approved.

4. The territories within the District, including Tract No. 6252, whose boundaries are set forth in the Amended Assessment Diagram, will be the territories directly and specially benefited, over and above the benefits conferred on the public at large, from operation and maintenance of the improvements described in the Annexation Report and the Annual Levy Report.

5. The hearing on the annexation of Tract No. 6252 to the District and on the annual levy of assessments for said tracts, was noticed and held in accordance with law.

6. The Annexation Report, including the diagram of the District incorporating Tract No. 6252 and the assessment of the estimated costs of operation and maintenance of the improvements contained in the Annexation Report, and each and every part of the Annexation Report, are finally adopted, confirmed and approved.

7. The assessment diagram showing the District and the lots and parcels of land within the District, including Tract No. 6252, all as contained in the Amended Assessment Diagram, is finally approved and confirmed as the diagram of the lots and parcels within the City of Firebaugh Landscaping and Lighting Maintenance District No. 1 to be assessed to pay the costs of operation and maintenance of the improvements described in the Annexation Report and the Annual Levy Report.

8. The assessment of the total amount of the costs and the individual assessments thereof on the lots and parcels within Tract No. 6252 in proportion to the direct special benefits to be conferred on each such lot or parcel from operation and maintenance of the improvements, and of the expenses incidental thereto, as set forth in the Annexation Report, is finally approved and confirmed as the annual assessment for the 2021-2022 fiscal year to pay such costs.

9. The levy of the annual assessments for Tract No. 6252 for fiscal year 2021-2022, as described in the Resolution of Intention and the Annexation Report, is hereby ordered.

10. The City Clerk is authorized and directed to file the amended diagram of the District, including Tract No. 6252, and assessments therein, as approved and confirmed by the Council and containing all information and statements required by Section 3114 of the Streets & Highways Code, with the Fresno County Recorder immediately after adoption of this resolution. The City Clerk is further authorized and directed to record a notice of assessment with respect to the District, including Tract No. 6252, pursuant to Streets & Highways Code § 3114. The City Clerk is further authorized and directed to file the amended map of the boundaries of the District, incorporating Tract No. 6252, as approved by the City Council and containing all information and statements provided for in Streets & Highways Code §§ 3110 and 3113, with the Fresno County Recorder not later than 15 days after the date this resolution is adopted.

11. This resolution shall take effect immediately upon adoption.

\* \* \* \* \*

**CERTIFICATION**

The undersigned Mayor of the City of Firebaugh (the "City"), certifies that the foregoing resolution was adopted by the City Council of the City at a meeting thereof held on March 1, 2021, by the following vote:

**AYES: COUNCIL MEMBERS**

**NOES: COUNCIL MEMBERS**

**ABSTAIN: COUNCIL MEMBERS**

**ABSENT: COUNCIL MEMBERS**

**APPROVED:**

**ATTEST:**

\_\_\_\_\_  
Freddy Valdez, Mayor  
City of Firebaugh

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

**RESOLUTION NO. 21- 08**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH APPROVING THE APPLICATION FOR STATEWIDE PARK DEVELOPMENT AND COMMUNITY REVITALIZATION PROGRAM GRANT FUNDS**

**WHEREAS**, the State Department of Parks and Recreation has been delegated the responsibility by the Legislature of the State of California for the administration of the Statewide Park Development and Community Revitalization Grant Program, setting up necessary procedures governing the application; and

**WHEREAS**, said procedures established by the State Department of Parks and Recreation require the Applicant to certify by resolution the approval of the application before submission of said application to the State; and

**WHEREAS**, successful Applicants will enter into a contract with the State of California to complete the Grant Scope project;

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

APPROVES THE FILING OF AN APPLICATION FOR THE MALDONADO PARK EXPANSION;  
AND

1. Certifies that said Applicant has or will have available, prior to commencement of any work on the project included in this application, the sufficient funds to complete the project; and
2. Certifies that if the project is awarded, the Applicant has or will have sufficient funds to operate and maintain the project, and
3. Certifies that the Applicant has reviewed, understands, and agrees to the General Provisions contained in the contract shown in the Grant Administration Guide; and
4. Delegates the authority to the City Manager to conduct all negotiations, sign and submit all documents, including, but not limited to applications, agreements, amendments, and payment requests, which may be necessary for the completion of the Grant Scope; and
5. Agrees to comply with all applicable federal, state and local laws, ordinances, rules, regulations and guidelines.
6. Will consider promoting inclusion per Public Resources Code §80001(b)(8 A-G).

Approved and adopted the 1<sup>st</sup> day of March, 2021.

I, the undersigned, hereby certify that the foregoing Resolution Number 21-08 was duly adopted by the City Council following a roll call vote:

**AYES: COUNCIL MEMBERS**

**NOES: COUNCIL MEMBERS**

**ABSTAIN: COUNCIL MEMBERS**

**ABSENT: COUNCIL MEMBERS**

**APPROVED:**

**ATTEST:**

\_\_\_\_\_  
Freddy Valdez, Mayor

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

**RESOLUTION NO. 21- 09**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH APPROVING THE APPLICATION FOR STATEWIDE PARK DEVELOPMENT AND COMMUNITY REVITALIZATION PROGRAM GRANT FUNDS**

**WHEREAS**, the State Department of Parks and Recreation has been delegated the responsibility by the Legislature of the State of California for the administration of the Statewide Park Development and Community Revitalization Grant Program, setting up necessary procedures governing the application; and

**WHEREAS**, said procedures established by the State Department of Parks and Recreation require the Applicant to certify by resolution the approval of the application before submission of said application to the State; and

**WHEREAS**, successful Applicants will enter into a contract with the State of California to complete the Grant Scope project;

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

**APPROVES THE FILING OF AN APPLICATION FOR THE AQUATIC CENTER PROEJCT; AND**

1. Certifies that said Applicant has or will have available, prior to commencement of any work on the project included in this application, the sufficient funds to complete the project; and
2. Certifies that if the project is awarded, the Applicant has or will have sufficient funds to operate and maintain the project, and
3. Certifies that the Applicant has reviewed, understands, and agrees to the General Provisions contained in the contract shown in the Grant Administration Guide; and
4. Delegates the authority to the City Manager to conduct all negotiations, sign and submit all documents, including, but not limited to applications, agreements, amendments, and payment requests, which may be necessary for the completion of the Grant Scope; and
5. Agrees to comply with all applicable federal, state and local laws, ordinances, rules, regulations and guidelines.
6. Will consider promoting inclusion per Public Resources Code §80001(b)(8 A-G).

Approved and adopted the 1s day of March 2021

I, the undersigned, hereby certify that the foregoing Resolution Number 21-09 was duly adopted by the City Council following a roll call vote:

**AYES: COUNCIL MEMBERS**

**NOES: COUNCIL MEMBERS**

**ABSTAIN: COUNCIL MEMBERS**

**ABSENT: COUNCIL MEMBERS**

**APPROVED:**

**ATTEST:**

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Freddy Valdez, Mayor

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Rita Lozano, Deputy City Clerk