

MEETING AGENDA

The City Council/Successor Agency of the City of Firebaugh
Vol. No. 23/04-03

Location of Meeting: Andrew Firebaugh Community Center
1655 13th Street, Firebaugh, CA 93622
Date/Time: April 3, 2023/6:00 p.m.

CALL TO ORDER

ROLL CALL
Mayor Felipe Perez
Mayor Pro Tem Elsa Lopez
Council Member Freddy Valdez
Council Member Silvia Renteria
Council Member Brady Jenkins

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 related items.

1. APPROVAL OF MINUTES – The City Council regular meeting on March 20, 2023.

PUBLIC HEARING

None

NEW BUSINESS

2. THE CITY COUNCIL OF THE CITY OF FIREBAUGH TO CONSIDER USE OF THE A.F. COMMUNITY CENTER AND WAIVER OF RENTAL FEES BY FIREBAUGH PARENTS, FOR A BINGO FUNDRAISER TO SUPPORT THE CLASS OF 2023 SOBER GRAD EVENT ON MAY 2, 2023.

Recommended Action: City Council receives comments and takes action.

3. THE CITY COUNCIL OF THE CITY OF FIREBAUGH TO DISCUSS AND CONSIDER AN ADDITIONAL CITY REPRESENTATIVE TO ATTEND THE INTERNATIONAL COUNCIL OF SHOPPING CENTERS (ICSC) CONVENTION IN LAS VEGAS, NV, MAY 21ST THRU MAY 23RD, 2023.

Recommended Action: Council receives public comment & takes action.

4. **RESOLUTION NO. 23-12 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH DIRECTING THE FILING OF THE ANNUAL ASSESSMENTS FOR LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 1 IN THE CITY OF FIREBAUGH.**

Recommended Action: Council receives public comment & approves Res. No. 23-12.

5. **RESOLUTION NO. 23-13 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH AUTHORIZING SITELOGIO AND CITY MANAGER TO COMPLETE AND SUBMIT ALL NECESSARY DOCUMENTS AND APPLICATION FOR THE CEC ECAA LOAN PROGRAM AND FINDING THE ACTIVITY FUNDED BY SUCH LOAN TO BE EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.**

Recommended Action: Council receives public comment & approves Res. No. 23-13.

6. **THE CITY COUNCIL OF THE CITY OF FIREBAUGH TO DISCUSS AND CONSIDER THE REQUEST FOR PROPOSALS (RFP) SELECTION OF THE CITY ATTORNEY SERVICES.**

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

STAFF REPORTS

PUBLIC COMMENT ON CLOSED SESSION ITEM ONLY

CLOSED SESSION

7. **GOVERNMENT CODE SECTION 54957.6.**
CONFERENCE WITH LABOR NEGOTIATORS: ALL REPRESENTED & UNREPRESENTED EMPLOYEES
City Negotiator: Ben Gallegos
Employee Organizations: Police & Public Works bargaining units and all unrepresented positions.

ANNOUNCEMENT AFTER CLOSED SESSION

ADJOURNMENT

Certification of posting the agenda

I declare under penalty of perjury that I am employed by the City of Firebaugh and that I posted this agenda on the bulletin boards at City Hall, March 31, 2023, 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. 23/03-20

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

Date/Time: March 20, 2023/6:00 p.m.

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

ROLL CALL Mayor Felipe Pérez
Mayor Pro Tem Elsa Lopez
Council Member Freddy Valdez
Council Member Silvia Renteria
Council Member Brady Jenkins

ABSENT:

OTHERS: City Attorney James McCann; City Manager Ben Gallegos; Deputy Clerk, Rita Lozano; Public Works Director, Michael Molina; Finance Director, Pio Martin; Fire Chief John Borboa; City Clerk, Amanda Fleming; City Engineer, Mario Gouveia; Hector Marin, Fernando Campa, & others.

PLEDGE OF ALLEGIANCE Council Member Valdez led pledge of Allegiance.

APPROVAL OF THE AGENDA

Motion to approve agenda by Council Member Lopez, second by Council Member Valdez, motion passed by 5-0 vote.

PRESENTATION

- *Busters Paw Prints Organization*
- *Fresno EDC*
- *Audit Report*

PUBLIC COMMENT

Chris DeFrancesco expressed his concern on the importance of the flooding situation and stated he will forward a video to all Council Members to view regarding the Kings County Board of Supervisors, the local farmers and the impact it could have on the City of Firebaugh due an agreement to divert the overflow towards Firebaugh. Many citizens may not have flood insurance and the city needs to take the flooding issue seriously, and have the matter supersede all other city business.

Mr. Gonzalez, stated, he and others, including working with 559, would like to have a car show on "O" St, between 9th St. through 13th St.

CONSENT CALENDAR

1. APPROVAL OF MINUTES – The City Council regular meeting on March 6, 2023.
2. WARRANT REGISTER – Period starting February 1 and ending on February 28, 2023.

February 2023	General Warrants	#43933 - #44066	\$ 1,116,934.31
	Payroll Warrants	#71956 - #71977	\$ 149,840.02
	TOTAL		\$ 1,266,774.33

Motion to approve consent calendar by council member Valdez, second Council Member Jenkins; motion passed by 5-0 vote.

PUBLIC HEARING

None

NEW BUSINESS

3. **RESOLUTION NO. 23-11 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH APPROVING A LETTER OF AGREEMENT BETWEEN THE CITY OF FIREBAUGH AND SITELOGIQ, INC. FOR DESIGN AND DEVELOPMENT OF SOLAR ENERGY CONSERVATION MEASURES AT THE CITY OF FIREBAUGH FIRE DEPARTMENT, POLICE DEPARTMENT, AND VFW HALL.**

Motion to approve Res. No. 23-11 by Council Member Jenkins, second by Council Member Lopez, motion passed by 4-1 vote. Valdez – no.

4. **THE CITY COUNCIL OF THE CITY OF FIREBAUGH TO CONSIDER AND DISCUSS A DEDICATION PLAQUE TO BE PLACED AT THE FIREBAUGH FIRE DEPARTMENT TO HONOR THE BORBOA FAMILY.**

Council Member Renteria requested to have a plaque placed at the new fire station to honor the Borboa Family for the different generations of volunteer Firefighters & years of service over the past several decades to the City of Firebaugh Fire Department. Council Member Lopez agreed and supported the recommendation. One resident opposed honoring one person, John Borboa, stating he should not be the only recognized firefighter, and recommended all volunteer firefighters be honored for their volunteer service by placing their names on a plaque, too. Another resident supported honoring the Borboa Family, adding it's not about just one family member, but the Borboa Family, because of the different generations of Borboa family members that have served as volunteer firefighters, as far back as the early 1920s, and the years of service to the fire department as volunteer firefighters, but agreed, all volunteers should be recognized. Council Member Valdez mentioned a photo taken in 1922 of the original five firefighters & suggested this photo with the names of the Firefighters be placed at the fire station to honor them. Council Member Renteria, stated, "No other person or family has served on the Firebaugh Fire Department longer than the Borboa Family Members, which is why, she requested this item be placed on the agenda for consideration," Then, asked City Manager Gallegos, "If anyone else submit or requested anything else for consideration?" City Manager Gallegos replied, "No."

Motion to table item by Council Member Valdez, second by Council Member Jenkins, motion passed by 4-1 vote. Lopez – no.

STAFF REPORTS

- **Police Chief Sal Raygoza** – provided an update on the flooding issue, & stated emails were sent to Council for review.
- **Public Works Director, Michael Molina** – working on the same issue, flooding concerns, sweeper should be working again by the end of this week. Thanked public works staff for the overtime they have been doing , including working on the weekends to help with the flooding concerns, & want them to know their hard work has not gone unnoticed.
- **City Manager, Ben Gallegos** – I agree with Molina, Public Works and Police Departments have helped tremendously, our Elected Officials Senators, House Representatives have all called to offer help if we need it, so I just want to thank everyone. A new project has been proposed, so council need to consider if they want to complete the Maldonado Park expansion or allow an apartment complex to be built on the undeveloped area. Thanked Pio, we have been in meetings all day on the flood issues, we do not take our decisions lightly, the water flows are going to continue to rise so we will continue monitoring them. Michael & I attended the Public Works Conference but did not get to stay because of the floods. At the conference we learned about funding for streets, and the pros and cons of subcommittees. City Manager will not be attending the next council meeting April 3, 2023, will be out on vacation.
- **Deputy City Clerk, Rita Lozano** – nothing to report.
- **Finance Director, Pio Martin** – glad the audit is over, will be working on the budget for the next fiscal year, please submit items if you wish to include in the budget, staff is pushing for residents to use the "TextMyGov" app, so city has a better way to communicate with everyone, about various matters, including information on the flood.
- end of January. I would like to take a different staff member for training.

- City Attorney, James McCann – nothing to report.
- Council Member Renteria - Thanked everyone and staff that is out there working on the flood, at all hours of the day.
- Council Member Valdez – echoed the same as Council Member Renteria, on the great leadership, hard work and dedication staff has showed.
- Council Member Lopez – was involved in the 97 floods, I know how stressful it can be, thanked staff for the dedication, a lot of people start to worry, but if staff exercises good communication, & has an open-door policy, the community will find comfort in that, we don't want them to panic.
- Council Member Jenkins – nothing to report.
- Council Member Perez – staff is doing important work, and council is here to support the staff and community, so thank you very much. Asked about the streetsweeper update and reported issues of sitting water at Fr. Craig and the next two streets.

PUBLIC COMMENT

None

- ❖ *Motion to enter close session at 7:27 pm by Council Member Valdez, second by Council Member Jenkins, motion passes by a 5-0 vote.*

CLOSED SESSION

5. Government Code Section 54957.6.

CONFERENCE WITH LABOR NEGOTIATORS: ALL REPRESENTED & UNREPRESENTED EMPLOYEES
City Negotiator: Ben Gallegos
Employee Organizations: Police & Public Works bargaining units and all unrepresented positions.

- ❖ *Motion to enter open session at 8:31 pm by Council Member Jenkins, second by Council Member Lopez, motion passes by a 5-0 vote.*

ANNOUNCEMENT AFTER CLOSED SESSION

No reportable action taken.

ADJOURNMENT

Motion to adjourn at 8:32 pm by Council Member Valdez, second by Council Member Jenkins, motion passes by a 5-0 vote.

City of Firebaugh
1133 "P" Street, Firebaugh, Ca 93622
Fax (559) 659-3412
Telephone (559) 659-2043



AGENDA ITEM REQUEST FORM

- (1) DATE OF MEETING REQUESTED: April 3rd, 2023
- (2) REQUESTED BY: Gene Lieb + Darlene Demmers (3) DATE OF REQUEST: 3/26/2023
- (4) ADDRESS: 1976 Morris Kyle Dr. Firebaugh, CA 93622
- (5) TELEPHONE NO: (209) 752-9732 (6) EMAIL: glieb@fldusd.org
- (7) Information Only Action Item Discussion/Action
Report Public Hearing Closed Session

- (8) AGENDA ITEM SUBJECT: Firebaugh Parents for Sober Grad request waiving of fees for A.F. Hall for bingo fundraiser on Tues., May 2nd, 2023.
- (9) BACKGROUND: The Firebaugh Parents for Sober Grad want to host a Bingo fundraiser to support the Class of 2023. Sober Grad event.
- (10) ACTION REQUESTED: We would like the fees waived for the use of the A.F. Community building for Tuesday, May 2nd, 2023.

- (11) Administrative Approval _____ Date _____
- (12) Fiscal Approval _____ Date _____
- (13) Personnel _____ Date _____

***** Request must be completed and approved by the above listed individuals*****

Request(s) to be added to the agenda MUST be received by the City Hall in five (5) working days prior to the meeting date. All backup information MUST be attached in order for this item to be placed on the agenda.

FOR OFFICIAL USE ONLY

- (14) Notification date: _____ (15) Notified By: _____
- (16) Meeting Date: _____ (17) Mode of Notification: _____
Telephone Email
- (18) Date of Meeting: _____ (19) Regular (20) Special (21) Action Item Number _____
- (22) Action Taken: Approved _____ Disapproved _____ Tabled _____ Other _____
- (23) Special Stipulations: _____

RESOLUTION NO. 23-13

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH AUTHORIZING SITELOGIQ AND CITY MANAGER TO COMPLETE AND SUBMIT ALL NECESSARY DOCUMENTS AND APPLICATION FOR THE CEC ECAA LOAN PROGRAM AND FINDING THE ACTIVITY FUNDED BY SUCH LOAN TO BE EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

**A Resolution of
City of Firebaugh**

Name of Institution or Organization

WHEREAS, the California Energy Commission provides loans to schools, hospitals, local governments, special districts, and public care institutions to finance energy efficiency improvements; and

NOW THEREFORE, BE IT RESOLVED, that City Council of the City of Firebaugh authorizes SitelogIQ to apply for an energy efficiency loan from the California Energy Commission to implement energy efficiency measures.

BE IT ALSO RESOLVED, that in compliance with the California Environmental Quality Act (CEQA), City of Firebaugh finds that the activity funded by the loan is a project that is categorically exempt under 15301, 15304, 15311 and 15329 because the solar site proposed is part of an existing facility and/ or minor alterations to land.

BE IT ALSO RESOLVED, that if recommended for funding by the California Energy Commission, the City Council of the City of Firebaugh authorizes the City Manager to accept a loan up to \$500,000.00.

BE IT ALSO RESOLVED that the amount of the loan will be paid in full, plus interest, under the terms and conditions of the Loan Agreement, Promissory Note and Tax Certificate of the California Energy Commission.

BE IT FURTHER RESOLVED that City Manager, Ben Gallegos is hereby authorized and empowered to execute in the name of City of Firebaugh all necessary documents to implement and carry out the purpose of this resolution, and to undertake all actions necessary to undertake and complete the energy efficiency projects.

The foregoing resolution was introduced and adopted at a regular meeting of the City Council of the City of Firebaugh held on the 3rd day of April 2023, by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

ATTEST:

Felipe Perez, Mayor

Rita Lozano, Deputy City Clerk

Notice of Exemption

Appendix E

To: Office of Planning and Research
P.O. Box 3044, Room 113
Sacramento, CA 95812-3044

From: (Public Agency): City of Firebaugh
1655 13th Street, Firebaugh CA. 93622

County Clerk
County of: Fresno

(Address)

Project Title: City of Firebaugh Energy Efficiency Project

Project Applicant: City of Firebaugh

Project Location - Specific:

Fire Station: 1375 O Street. Firebaugh, CA. 93622 | Police Department: 1325 O Street

Project Location - City: Firebaugh Project Location - County: Fresno

Description of Nature, Purpose and Beneficiaries of Project:

The project involves installing roof mounted and or carport solar arrays at both locations listed above. The purpose is to reduce overall energy expenditures.

Name of Public Agency Approving Project: City of Firebaugh

Name of Person or Agency Carrying Out Project: SitelogIQ

Exempt Status: (check one):

- Ministerial (Sec. 21080(b)(1); 15268);
Declared Emergency (Sec. 21080(b)(3); 15269(a));
Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
Categorical Exemption. State type and section number: 15301, 15304, 15311 and 15329
Statutory Exemptions. State code number:

Reasons why project is exempt:

The proposed retrofits are, (a) part of an existing facility, (b) minor alterations to the land, and (c) co-generation projects at existing facilities with a capacity less than fifty (50) megawatts.

Lead Agency
Contact Person: Ben Gallegos Area Code/Telephone/Extension: 559-694-6166

If filed by applicant:

- 1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project? Yes No

Signature: Date: Title:

Signed by Lead Agency Signed by Applicant

Authority cited: Sections 21083 and 21110, Public Resources Code.
Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.

Date Received for filing at OPR:

RESOLUTION NO. 23-12

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH DIRECTING THE FILING OF THE ANNUAL ASSESSMENTS FOR LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 1 IN THE CITY OF FIREBAUGH

WHEREAS, the Firebaugh City Council wishes to designate and direct its City Engineer to comply with the assessment/reporting requirements related to the City of Firebaugh Landscaping and Lighting Maintenance District No. 1 (the "District".)

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

1. Designates Mario Gouveia, PE as its Engineer of work to prepare and file "Engineer's Report of the City of Firebaugh Landscaping and Lighting Maintenance District No. 1, 2023 - 2024, (the "Annual Levy Report"),
2. Authorizes Mario Gouveia, PE be designated as the person directed to file annual reports in accordance with the provisions of the Landscaping and Lighting Act of 1972 (the "LLMD Act"), California Streets & Highways Code §§ 22500 *et seq.*, for the District in the City.

The foregoing resolution was introduced and adopted at a regular meeting of the City Council of the City of Firebaugh held on the 3rd day of April 2023, by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

ATTEST:

Felipe Perez, Mayor

Rita Lozano, Deputy City Clerk

ATTEST:

I, hereby certify that the forgoing resolution was regularly introduced, passed and adopted at a regular meeting of the City Council of the City of Firebaugh this 3rd day of April 2023.

Rita Lozano, Deputy City Clerk of the City of Firebaugh



TO: Felipe Perez and Council Members
FROM: Mario Gouveia, City Engineer
DATE: April 3, 2023
SUBJECT: Resolution No. 23-12

RECOMMENDATION:

1. Council by motion adopt Resolution No. 23-12 Initiating Proceedings for the Annual Levy of Assessments for the Landscaping and Lighting Maintenance District No. 1
2. Directs the City Engineer to prepare and file his annual report on the levy.

BACKGROUND:

The Assessment District was formed for the purpose of financing maintenance and improvement costs for street lighting, streets, public landscaping and park improvements in the District. The levy of assessments to property owners in the District occurs on an annual basis.

In order to meet the timelines required by the Landscaping and Lighting Act of 1972 (herein the “Act”) and the Government Code, it is now necessary to initiate proceedings for the annual levy of assessments against all properties in the District. The City Engineer will need to prepare and file a report regarding the annual levy in accordance with Article 4 (commencing with Section 22565) of Chapter 1 of the Act.

No annexations of property have occurred to the District over the past year therefore there will be no new properties to levy.

FISCAL IMPACT:

None at this time.

ATTACHMENT:

Resolution No. 23-12