

SPECIAL MEETING AGENDA

The City Council/Successor Agency of the City of Firebaugh
And

The Firebaugh Las Deltas Unified School District
Vol. No. 23/11-20

Location of Meeting: Andrew Firebaugh Community Center
1655 13th Street, Firebaugh, CA 93622
Date/Time: November 20, 2023/5:30 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.

APPROVAL OF THE AGENDA

PUBLIC COMMENT

Any person or persons wishing to address the City Council on any matter that is not on the agenda may do so at this time. Individuals must limit their comments to three minutes. Issues raised during Public Comments are informational only and the Council cannot take action at this time. All comments should be directed to the Mayor and not to individual Councilmembers or staff members.

PLEDGE OF ALLEGIANCE

INFORMATION ITEMS

- a. West Hills College Update
- b. City of Firebaugh Update
- c. Firebaugh PD Update
 - i SRO Mid-Year Report
- d. District Update
 - i Bailey TK Facility Update
 - ii Bailey Parking Lot
 - iii High School Parking lot Project by highway 33
 - iv Potential Housing Options
 - v American Heart Association
 - vi Future Joint Meeting Proposed Dates:
 - i.) February 15, 2024
 - ii.) April 18, 2024
 - iii.) August 29, 2024

FUTURE AGENDA ITEMS

BOARD MEMBERS & COUNCIL MEMBERS COMMENTS

CITY BUSINESS

CONSENT CALENDAR

Items listed on the calendar are considered routine and are acted upon by one motion unless any Council member requests separate action. Typical items include minutes, claims, adoption of ordinances previously introduced and discussed, execution of agreements and other similar items.

1. **APPROVAL OF MINUTES – The City Council regular meeting on November 6, 2023.**

PUBLIC HEARING

2. **THE CITY COUNCIL OF THE CITY OF FIREBAUGH TO HOLD PUBLIC HEARING FOR CLOSEOUT OF 20-CDBG-CV2-3-00231 GRANT.**

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

3. **ORDINANCE NO. 23-02 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH AMENDING SECTION 4-2.6.1 OF THE FIREBAUGH MUNICIPAL CODE RELATING TO ITINERANT BUSINESSES – TABLED TO DECEMBER 18, 2023.**

NEW BUSINESS

4. **RESOLUTION NO. 23-48 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH ACCEPTING COMPLETION OF THE NEW POLICE STATION IMPROVEMENTS PROJECT, AUTHORIZING THE CITY CLERK TO RECORD A NOTICE OF COMPLETION WITH FRESNO COUNTY, AND AUTHORIZING THE CITY MANAGER TO MAKE FINAL PAYMENT OF RETENTION MONIES TO ARDENT GENREAL, INC.**

Recommended Action: Council receives public comment & approves Res. No. 23-48.

STAFF REPORTS

PUBLIC COMMENT ON CLOSED SESSION ITEM ONLY

CLOSED SESSION

ANNOUNCEMENT AFTER CLOSED SESSION

ADJOURNMENT

Certification of posting the agenda

I declare under penalty of perjury that I am employed by the City of Firebaugh and that I posted this agenda on the bulletin boards at City Hall, November 16, 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. 23/11-06

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

Date/Time: November 6, 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

ABSENT: Council Member Silvia Renteria, Council Member Brady Jenkins

OTHERS: City Attorney Christina Di Filippo; City Manager, Ben Gallegos, Deputy City Clerk, Rita Lozano; Public Works Director, Michael Molina; Finance Director, Pio Martin; Police Chief, Sal Raygoza; Battalion Chief, Hector Marin; Gouveia Engineering, Roberto Orozco, Gene Johnson, Candi Rangel, Steve Vega, Chris Gutierrez, & others.

PLEDGE OF ALLEGIANCE Council Member Valdez led pledge of Allegiance.

INVOCATION Given by Chris Guitierrez

APPROVAL OF THE AGENDA

Motion to approve agenda by Council Member Valdez, second by Council Member Lopez, motion passed by 3-0 vote.

PRESENTATION None

PUBLIC COMMENT

Amanda Flemming I've invited and brought some members from the Merced Republican Party, Gene Johnson with the Merced County Republican Assembly, Vicky, and Glenda, I've previously spoke about our ready preparedness for the city, ever since we've experiences COVID, we enforced things that we wouldn't normally, we injected ourselves forcefully without information or testing things properly. The other day I spoke about our emergency plan, I spoke to Sal about it a few minutes ago and it's 15 years out of date. I think, living through our experiences, we've learned the County doesn't have Firebaugh's best interest, they're not thinking about us, our families, or our businesses, that's why we closed businesses, and we're actually discriminating against certain businesses, and nobody cared. I'm not saying you didn't care, but we allowed it to happen, and that's the reason why I started all of this. It wasn't fair to me that my family got to stay in business and my family was a priority, as an essential business. I didn't feel that was fair, I felt that was discrimination. I haven't heard you guys speak of an emergency situation or at least not on the agenda, how do we prepare. I know a car accident knocked out all of our city's power, if something bigger happens, we'd be up the creek, and we all know this. It's my push and kind of my life's work right now, to see that we are prepared as a town, if something were to happen, we know that any business that had something to offer wouldn't be there. It's very possible and bringing outsiders to assist, we need the whole community, resources, our management, because there's certain things that we don't know in town. A resident reported their water went up and they were charged double for their water bill, spoke with Felipe, and I don't understand why. I what to know why and what you can do about it. If I'm going to be reimbursed any payment I made, because there's no leak at my house. Gene Johnson with the Merced County Republican Assembly, weather are borders are close or not, millions of people have infiltrated our country, coming across the borders without papers, which is illegal. My mother came from EL Salvador, and came across the border, like they are doing now, so I don't want you thinking that I'm racist or discriminating. You really can't do anything unless our Chief Officer of the country upholds the law. Unless some attorney or district attorney depends on arresting the President for not upholding the law. Letting the various immigrants come into the country, then the question is to Dos Palos or Fresno County, are you ready to respond to a terrorist event. Dos Palos, Fresno County, Merced County we are under attack with Fentanyl. Merced County is working to stop that, I hope Fresno County is doing the same. Is the water supply secure from poison, or is Fresno County secure from a bioterror attack, are the schools protected. Are you doing anything to protect your citizens?

CONSENT CALENDAR

1. APPROVAL OF MINUTES – The City Council regular meeting on October 23, 2023.

Motion to accept consent calendar by Council Member Valdez, second Council Member Lopez; motion passed by 3-0 vote.

PUBLIC HEARING

2. ORDINANCE NO. 23-02 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH AMENDING SECTION 4-2.6.1 OF THE FIREBAUGH MUNICIPAL CODE RELATING TO ITINERANT BUSINESSES – Tabled to December 18, 2023.

NEW BUSINESS

3. RESOLUTION NO. 23-46 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH SUPPORTING AB 1012 A STATE LAW TO SECURE THE EFFICIENCY OF TRANSPORTATION FUNDING AND IMPLEMENTING A TIMELY USE OF THE FEDERAL/STATE FUNDING UNDER THE FEDERAL SURFACE TRANSPORTATION ACT FOR THE PROJECTS SUBMITTED TO FRESNO COUNCIL OF GOVERNMENTS FOR THE 2023 CALL FOR PROJECTS.

Motion to approve Res. No. 23-46 by Council Member Valdez, second Council Member Lopez; motion passed by 3-0 vote.

4. RESOLUTION NO. 23-47 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH ACCEPTING A RESOLUTION OF APPRECIATION TO TONY BOREN, EXECUTIVE DIRECTOR, FOR HIS 30 YEARS OF SERVICE TO THE FRESNO COUNCIL OF GOVERNMENTS.

Motion to approve Res. No. 23-47 by Council Member Lopez, second Council Member Valdez; motion passed by 3-0 vote.

5. THE CITY COUNCIL OF THE CITY OF FIREBAUGH TO REVIEW AND DISCUSS AN UPDATE OF THE BUSINESS LICENSE.

Council Members recommended the following changes: remove the yearly rate for Itinerant Business, require gross receipts, proposed a \$500 yearly rate, reduce quarterly LOCAL Only rate to \$300 or \$350 and amend ordinance to state, “fess shall be set by resolution”.

6. THE CITY COUNCIL OF THE CITY OF FIREBAUGH TO REVIEW AND DISCUSS AN UPDATE OF THE AIRPORT - COST AND FEES.

The item was tabled at the next council meeting.

7. THE CITY COUNCIL OF THE CITY OF FIREBAUGH TO CONSIDER A TIME AMENDMENT FOR MONDAY, NOVEMBER 20, 2023, TO 5:30 P.M. FOR A JOINT MEETING WITH THE FIREBAUGH LAS-DELTAS SCHOOL DISTRICT.

Motion to approve a joint meeting with the school district for November 20, 2023, at 5:30 pm, by consensus of the council.

STAFF REPORTS

- Finance Director, Pio Martin – the new recording system is installed, microphones are very sensitive, and can record from the back of the room.
- Police Chief Sal Raygoza – possible moving to the new police station on date of December 12, 2023, the sheriff's office will dispatch for one week, while the department relocate. Received a \$50,000 grant for reinforcement, looking DUI drivers, recently the department has seen a lot of DUI accidents and citations DUI drivers. Additional information will be in my next staff report.

- **Battalion Chief, Hector Marin** – I heard a resident asking about a helicopter accident, there was no helicopter accident, but that it did catch fire owing to a technical fault prior to the test flight. The department has had 94 total calls, we have a successful Red Ribbon week, kids were asking who's better, the Fire or Police department.
- **Public Works Director, Michael Molina** – we finally received our Boom Truck, after a two year wait, so the department will start repairing the city's streetlights. Soap Dispensers have been ordered for the park restrooms, paint has been ordered to start stripping the street, and maintenance is going to begin on the wells, since Toma Tek has finished their season.
- **City Manager, Ben Gallegos** – the city did budget for the repairs to the wells, working with Jackie and Jennifer of EDC on the shop local program, there's a fee to purchase the cards and the cards can only be used in local businesses. Will attend a flood meeting between 5:00 to & 7:00 to November 15th, so I'll be leaving the office at 3:30 pm. Through COG the One Voice trip is coming up, I recommend a Council Member attend the One Voice trip to seek funding for the city. The Ribbon Cutting at Valley Health Team is November 9, 2023, at 10:00 am, the City Manager and some staff members will be attending. City Hall will be closed November 10th in observation of Veteran's Day. EDC is hosting an event in Kerman on the 14th, I would like to have one or two council members attend to sell the city to the developers. Utility Late Notices went out to residents regarding late fees to give everyone two months' notice before enforcing the collection of the fees. Working with a state agency that is looking for office space, they provide services related to flooding. Council Member Valdez suggested the City Manager goes to the One Voice event in Washington, believe it's time the city shows face.
- **Gouveia Engineering Office, Roberto Orozco** – been working with Ben and Michael on a few projects that will be going out to bid, one of them will be Q St and & 7th St will replace the waterline and pave the road. Another project is Dunkle Park Improvement Project, will get rid of the dance area and place a new basketball court and equipment has been ordered for the new playground, project is grant funded.
- **Deputy City Clerk, Rita Lozano** – attended a records and retention training on Friday, our retention plan needs to be updated, there's several new laws, I've been working on the grants and closing out the filing. The City's received several Public Request Act (PRA) over the past few months, there potential litigation that may require the city to reply within 30 days of the PRA and working on the daily operations.
- **City Attorney, Christina Di Filippo** – nothing to report.
- **Council Member Lopez** – nothing to report.
- **Council Member, Jenkins** – nothing to report.
- **Council Member Valdez** – Nothing to report.
- **Council Member Perez** - would like to invite you to an event, on November 9th, beginning at 4:30 pm, after 6:00 pm food and wine will be provided.

PUBLIC COMMENT

CLOSED SESSION

ANNOUNCEMENT AFTER CLOSED SESSION

ADJOURNMENT

- ❖ ***Motion to adjourn at 7:05 pm by Council Member Valdez, second by Council Member Lopez, motion passes by a 3-0 vote.***

STAFF REPORT

TO: Mayor and Council Members of the City of Firebaugh
FROM: Ben Gallegos, City Manager
DATE: November 20, 2023
SUBJECT: CDBG-CV Contract Closeout

RECOMMENDATION

Receive a report summarizing the accomplishments performed under State CDBG Agreement 20-CDBG-CV2-3-00231; solicit citizen input regarding expenditures and accomplishments of the funding received under this contract; and direct staff to proceed with submitting required documents for closeout to the State.

BACKGROUND

The U.S. Department of Housing and Urban Development (HUD) Community Development Block Grant (CDBG) program authorizes the use of funds to assist low- and moderate-income families or aid in the prevention or elimination of slums or blight. There are two types of CDBG programs: "entitlement" and "non-entitlement". Metropolitan cities and urban counties are entitled to receive annual grants under the "entitlement" program direct from HUD. Metropolitan cities are principal cities or Metropolitan Areas (MAs) or other cities within MAs that have populations of at least 50,000. Urban Counties are within MAs that have population of 200,000 or more excluding the population of metropolitan cities within their boundaries.

The "non-entitlement" program is administered by the State Department of Housing and Community Development (HCD). The City has applied for funding under the State's competitive application process for many years and has been very successful obtaining monies for various projects/program, including, but not limited to: street improvements, sewer line improvements, water line improvements, senior center rehab, park improvements, VFW rehabilitation, and more.

In March 27, 2020, Congress passed the Coronavirus Aid, Relief, and Economic Security (CARES) Act in response to the impacts of the COVID-19 pandemic. The State Department of Housing and Community Development published a Notice of Funding Availability (NOFA) for Community Development Block Grant Coronavirus Aid, Relief, and Economic Security (CDBG-CV) funds. The City was eligible to receive \$79,859 based on a formula provided by HCD for round 1 of CV funds and \$290,601 for round 2 of CV funds.

In order to officially close out a contract with HCD, the City is required to first conduct a public hearing to solicit input regarding expenditures and accomplishments of the funding received under the contract and then submit required documents to HCD. The contract listed below is the final CV grant that is still open and now ready for closeout.

- 20-CDBG-CV2-3-00231. This contract was originally intended to be used for businesses assistance, which it was, however due to a lack of interest/applications, funding was transferred to the food box program operated by the Salvation Army. As previously reported, 3 businesses were initially assisted with \$22,500 in grant money. The Salvation Army then utilized \$90,000 to provide monthly food boxes to approximately 300 households for roughly 9 months in 2023.

FISCAL IMPACT

All CDBG funds are 100% grant funded.

ALTERNATIVES

The Council has the following alternatives to consider:

1. Open the public hearing, receive public comment, review the accomplishments performed, provide direction for staff to send closeout report to HCD; or
2. Provide alternative direction to staff.

PUBLIC NOTIFICATION

The agenda was posted in accordance with the Brown Act. The public hearing notice was published in the Firebaugh-Mendota Journal on November 8, 2023.

RESOLUTION NO. 23-48

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH ACCEPTING COMPLETION OF THE NEW POLICE STATION IMPROVEMENTS PROJECT, AUTHORIZING THE CITY CLERK TO RECORD A NOTICE OF COMPLETION WITH FRESNO COUNTY, AND AUTHORIZING THE CITY MANAGER TO MAKE FINAL PAYMENT OF RETENTION MONIES TO ARDENT GENREAL, INC.

WHEREAS, the City of Firebaugh advertised the Project on January 26, 2022, and February 2, 2022; and

WHEREAS the City of Firebaugh received and publicly opened bids on February 16, 2022; and

WHEREAS the City Council awarded a contract to Ardent General in the amount of \$2,885,000.00 on April 4, 2022; and

WHEREAS, the Public Works Department and City Engineer have completed a final inspection of the Project and recommend final acceptance; and

WHEREAS, upon approval of the final acceptance of the Project by the City Council, the City Clerk will record a Notice of Completion with Fresno County and the City Manager will release the retention monies due the Contractor 35 days after the recording date.

NOW, THEREFORE, by the City Council of the City of Firebaugh, County of Fresno, California, resolves as follows:

1. Adopts a Resolution to accept the Firebaugh Police Station project as complete.
2. Authorizes the City Clerk to record a Notice of Completion with Fresno County.
3. Authorizes the City to make final payment of retention monies to Ardent General, Inc. 35 days after the recording date.

The foregoing resolution was introduced and adopted at a regular meeting of the City Council of the City of Firebaugh held on the 20th day of November 2023, by the following vote, to wit:

YES:

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 20th day of November 2023.

Rita Lozano, Deputy City Clerk of the City of Firebaugh

Recorded at the request of: City of Firebaugh ADDRESS: 1133 P. St CITY/STATE/ZIP: Firebaugh, CA 93622	
When Recorded Mail to: City of Firebaugh ADDRESS: 1133 P. St Firebaugh, CA 93622	

NOTICE OF COMPLETION

(Califoni Civil Code 8180-8190, 8100-8118, 9200-9208)

NOTICE IS HEREBY GIVEN THAT:

1. The undersigned is Owner of the interest in the property hereinafter described.
2. The nature of the property is the City of Firebaugh
3. The full name and address is:

The City of Firebaugh
1534 Q Street, Firebaugh, CA 93622

4. The name and address of the direct contractor for the work of improvement as a whole is:

Name: Ardent General
Address: 2960 N Burl Ave Fresno, CA 93727 (559)432-3969

5. On the 27th day of October 2023, there was completed upon the property described herein a work of improvement as a whole (or a particular portion of the work of improvement as provided in CA Civil Code 8186). A general description of the work of improvement is as follows:

Exterior improvements, construction of interior improvements, and site work to the existing building located at 1534 O Street, Firebaugh CA 93622 to provide office space for the City of Firebaugh Police Department.

All items on the final punch list were completed allowing the City of Firebaugh occupancy of the building.

Mark G. Harold
Project Architect
Integrated Designs by SOMAM, Inc.