

MEETING AGENDA

The City Council/Successor Agency of the City of Firebaugh

Vol. No. 24/06-03

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

Date/Time: June 3, 2024/5:30 p.m.

CALL TO ORDER

ROLL CALL

Mayor Elsa Lopez
Mayor Pro Temp Freddy Valdez
Council Member Silvia Renteria
Council Member Brady Jenkins
Council Member Felipe Perez

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

- Westlands Water District will be awarding a scholarship to a local student, Angela Rosa.
- Swearing in Yvonne Sandoval, Code Enforcement Officer.
- Kyle Savage, Field Representative for Congressman John Duarte for Madera, and Fresno County.

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 at the Mayor and not at individual Councilmembers or staff members.

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 May 6, 2024.

2. WARRANT REGISTER – Period starting April 1 and ending on April 30, 2024.

April 2024	General Warrants	#45790 - #45879	\$ 595,126.44
	Payroll Warrants	#72247 - #72268	\$ 230,889.25
	TOTAL		\$ 826,015.69

PUBLIC HEARING

3. RESOLUTION NO. 24-20 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH CONFIRMING THE DIAGRAM AND ASSESSMENT OF ANNUAL LEVY FOR FISCAL YEAR 2024-2025 FOR LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 1 (Pursuant to the Landscaping and Lighting Act of 1972).

Recommended Action:

Council receives comments and approves Res. No. 24-20.

NEW BUSINESS

4. **RESOLUTION NO. 24-21 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH AMENDING AGREEMENT BETWEEN THE CITY OF FIREBAUGH AND MADERA COUNTY FOR AUTOMATIC/MUTUAL AID.**

Recommended Action: Council receives comments and approves Res. No. 24-21.

5. **RESOLUTION NO. 24-22 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH APPROVING AMENDMENTS TO THE PERSONNEL RULES OF THE CITY OF FIREBAUGH.**

Recommended Action: Council receives comments and approves Res. No. 24-22.

6. **RESOLUTION 24-23 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH ACCEPTING COMPLETION OF DUNKLE PARK BASKETBALL COURT REHABILITATION 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 HARRIS DEVELOPMENT CORP. dba HBC ENTERPRISES.**

Recommended Action: Council receives comments and approves Res. No. 24-23.

7. **RESOLUTION 24-24 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH ACCEPTING BID AND AWARDED CONTRACT TO AVISON CONSTRUCTION, INC. FOR THE HIGHWAY 33 BEAUTIFICATION PROJECT AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE AGREEMENT.**

Recommended Action: Council receives comments and approves Res. No. 24-24.

8. **THE CITY COUNCIL OF THE CITY OF FIREBAUGH PROPOSED PRELIMINARY STREET BUDGET.**

Recommended Action: Council receives public comment, Informational only.

9. **THE CITY COUNCIL OF THE CITY OF FIREBAUGH COUNCIL MEMBER AGENDA ITEMS DISCUSSION.**

Recommended Action: Council receives public comment & takes action.

10. **THE CITY COUNCIL OF THE CITY OF FIREBAUGH ANIMAL SHELTER UPDATE AND DISCUSSION.**

Recommended Action: Council receives public comment & takes action.

STAFF REPORTS – *Written enclosed in agenda packet.*

COUNCIL MEMBERS AGENDA ITEMS

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, May 30, 2024, at 5:00 p.m. by Rita Lozano Deputy City Clerk.



City of Firebaugh

OATH OF OFFICE

I, Yvonne Sandoval, do solemnly swear that I will support and defend the Constitution of the United States and the Constitution of the State of California against all enemies, foreign and domestic; that I will bear true faith and allegiance to the Constitution of the United States and the Constitution of the State of California; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties upon which I am about to enter,

Code Enforcement Officer
(Duties upon which affiant is about to enter)

Yvonne Sandoval

Subscribed and sworn to before me this 3rd day of June 2024.

Rita Lozano, Deputy City Clerk
City of Firebaugh

MEETING MINUTES

The City Council/Successor Agency of the City of Firebaugh
Vol. No. 24-05-06

Location of Meeting:	Andrew Firebaugh Community Center 1655 13 th Street, Firebaugh, CA 93622
Date/Time:	May 6, 2024/5:30 p.m.
CALL TO ORDER	Meeting called to order by Mayor Lopez at 5:30 p.m.
ROLL CALL	Mayor Elsa Lopez Mayor Pro-Temp Freddy Valdez, Council Member Silvia Renteria Council Member Brady Jenkins
ABSENT	Council Member Felipe Pérez

OTHERS: City Attorney Christina Di Filippo; City Manager, Ben Gallegos, Deputy City Clerk, Rita Lozano; Finance Director, Pio Martin; Police Chief, Sal Raygoza; Battalion Chief, Hector Marin; City Engineer, Mario Gouveia; Raquel Tabarez, Claudia Gutierrez, Guillermo Gutierrez, May Gutierrez, Gloria Diaz, Melanie Martinez, Paige Domanski,, Josefina Mora, Hillary Linares, Vero Saavedra, Celeste Cave, Bobby Hogue, Jose M Baes, Kathy Yergat, Jante Yergat, Barragan, Danny Barragan, Wanda Breshears, Lisa Patlan, Nicole Molina, Jose Sandoval, Fidel Availa & others.

PLEDGE OF ALLEGIANCE *Council Member Renteria led pledge of Allegiance.*

APPROVAL OF THE AGENDA

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

PRESENTATION

None

PUBLIC COMMENT

None

CONSENT CALENDAR

1. APPROVAL OF MINUTES – The City Council regular meeting on April 15, 2024.

Motion to approve consent calendar by Council Member Valdez, second Council Member Jenkins; motion passed by 4-0 vote.

PUBLIC HEARING

None

NEW BUSINESS

2. RESOLUTION NO. 24-16 - A RESOLUTION OF THE CITY OF FIREBAUGH CALLING FOR A MUNICIPAL ELECTION TO SUBMIT TO THE VOTERS A LOCAL BALLOT MEASURE TRANSITIONING THE OFFICE OF THE CITY TREASURER FROM AN ELECTED POSITION TO AN APPOINTED POSITION.

Motion to approve Res. No., 24-16 by Council Member Jenkins, second Council Member Valdez; motion passed by 4-0 vote.

3. **RESOLUTION NO. 24-17 - A RESOLUTION OF THE CITY OF FIREBAUGH CALLING FOR A MUNICIPAL ELECTION TO SUBMIT TO THE VOTERS TO A LOCAL BALLOT MEASURE TRANSITIONING THE OFFICE OF THE CITY CLERK FROM AN ELECTED POSITION TO AN APPOINTED POSITION.**

Motion to approve Res. No., 24-17 by Council Member Jenkins, second Council Member Valdez; motion passed by 4-0 vote.

4. **RESOLUTION NO. 24-18 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH OF INTENT TO LEVY AND COLLECT THE ANNUAL ASSESSMENTS FOR ASSESSMENT DISTRICT NO. 1 AND SETTING A PUBLIC HEARING (Pursuant to the Landscaping and Lighting Act of 1972).**

Motion to approve Res. No., 24-18 by Council Member Valdez, second Council Member Jenkins; motion passed by 4-0 vote.

5. **RESOLUTION NO. 24-19 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH CALLING AND GIVING NOTICE OF THE HOLDING OF A GENERAL MUNICIPAL ELECTION TO BE HELD IN SAID CITY ON TUESDAY NOVEMBER 5, 2024, FOR THE ELECTION OF CERTAIN OFFICERS OF SAID CITY AND REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF FRESNO TO CONSOLIDATE AND CANVASS THE GENERAL MUNICIPAL ELECTION TO BE HELD ON NOVEMBER 5, 2024 WITH THE STATEWIDE GENERAL ELECTION TO BE HELD ON THAT DATE PURSUANT TO CALIFORNIA ELECTIONS CODE SECTION 10400 ET SEQ.; TO PERMIT THE COUNTY CLERK/REGISTRAR OF VOTERS OF THE COUNTY OF FRESNO TO RENDER SPECIFIED SERVICES TO THE CITY OF FIREBAUGH RELATING TO THE CONDUCT OF SAID GENERAL MUNICIPAL ELECTION PURSUANT TO CALIFORNIA ELECTIONS CODE SECTION 10002; AND AUTHORIZING REIMBURSEMENT FUNDS TO PAY FOR SAID SERVICES.**

Motion to approve Res. No., 24-19 by Council Member Valdez, second Council Member Renteria; motion passed by 4-0 vote.

6. **ADMINISTRATIVE REPORT: FY 2024/25 PRELIMINARY OPERATING AND EXPENSE BUDGET REPORT.**

Informational Item Only.

7. **THE CITY COUNCIL OF THE CITY OF FIREBAUGH ANIMAL SHELTER UPDATE AND DISCUSSION.**

Informational Item only. Request a review and update in July 2024.

8. **THE CITY COUNCIL OF THE CITY OF FIREBAUGH TO CONSIDER OPTIONS FOR SPARKLETTS WATER DELIVERY SERVICE.**

Council Member Valdez recommended keeping the water service the same and adding the senior center bill to be included in the city bill.

STAFF REPORTS

- **City Manager, Ben Gallegos** – working on a new grant app with Paul Ashby for the 3rd phase of Maldonado Park, it's a 3.2 million dollar grant to fund a soccer field, tennis court and an all-weather track. The city may have to remove one of the basketball courts to accommodate for the proposed new facilities. The city will use the impact fees to design the plans, because the city must have design plans to apply for the grant.
- **Deputy City Clerk, Rita Lozano** – Please confirm your attendance for the May 20th meeting, since two of the council members and the city manager won't be able to attend, I need to know if we will have a quorum.
- **Public Works Director, Michael Molina** – nothing to report.

- **Police Chief Sal Raygoza** – Nothing to report.
- **Battalion Chief, Hector Marin** – had 77 total calls between both the county and local calls, the majority were city calls.
- **City Attorney, Christina Di Filippo** – will not be attending the May 20th meeting, but have another Attorney available to fill in and attend in my absence.
- **Council Member Renteria** – spoke with Assemblywoman Esmeralda Soria about assistance for our dog pound, I asked her to consider the new laws and how it affects the small towns that don't have funds to comply with the new laws. We discussed the city's hope to build a new dog pound and city hall, as well as other possible projects. It was a great meeting.
- **Council Member Valdez** - participated in a zoom meeting that provided a lot of information for businesses. April 27 was the Autism Awareness Walk and Firebaugh Community Resource Fair at Dunkle Park, served about 300 hotdog lunches, great event.
- **Council Member Jenkins** – some council members have attended a lot of meetings/conferences, I think it should be opened to other council members. I can't go all the time as a single parent. Council Member Renteria replied the information is sent and received to all council members via email, if anyone is interested in attending, they should ask the finance director and city manager if the funds are available, that's what she does before signing up, and added she too is a single parent with two jobs.
- **Council Member Lopez** - request hanging some Josh Allen posters in town.

COUNCIL MEMBERS AGENDA ITEMS

- *The council would like to discuss the new procedure at the next council meeting on June 3, 2024.*

PUBLIC COMMENT ON CLOSED SESSION ITEM ONLY

- ❖ *Motion to enter close session @ 7:36 pm by Council Member Jenkins, second by Council Member Valdez, motion passes by a 4-0 vote.*

CLOSED SESSION

9. **EXISTING LITIGATION GOVERNMENT CODE SECTION 54956.9.**

CONFERENCE WITH LEGAL COUNSEL – one case

- ❖ *Motion to enter open session @ 8:06 pm by Council Member Valdez, second by Council Member Renteria, motion passes by a 4-0 vote.*

ANNOUNCEMENT AFTER CLOSED SESSION

No announcement.

ADJOURNMENT

- ❖ *Motion to adjourn @ 8:08 pm by Council Member Valdez, second by Council Member Jenkins, motion passes by a 4-0 vote.*



REPORT TO CITY COUNCIL
— **MEMORANDUM** —

AGENDA ITEM NO: _____

COUNCIL MEETING DATE: _____ May 20, 2024

SUBJECT: Warrant Register Dated: April 1, 2024 – April 30, 2024

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:

APRIL 1, 2024 – APRIL 30, 2024

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	# 45790 – #45879	\$ 595,126.44
PAYROLL WARRANTS.....	# 72247 – #72268	\$ 230,889.25
TOTAL WARRANTS.....		\$ 826,015.69

CITY OF FIREBAUGH ACCOUNTS PAYABLE
WARRANTS APRIL 1, 2024- APRIL 30, 2024

<u>Check</u> Number	<u>Check</u> Date	<u>Name</u>	<u>Net</u> Amount	<u>Description</u>
45714	4/15/2024	MCCLATCHY COMPANY LLC	\$ (867.00)	Ck# 045714 Reversed
45790	4/1/2024	THARP'S FARM SUPPLY	\$ 105.25	GLOVES/RATCHET
			\$ 0.71	NYON ROPE
			\$ 1.32	FLATWASHER/HEX NUT
			\$ 77.66	THREADLOCKER
			\$ 50.85	WOOD PICK HANDLE
			\$ 49.26	ALLS IN BOX
			\$ 187.74	HYDRAULIC OIL
			\$ 11.18	TAPE MEASURE
			\$ 2.47	CAP POLY
			\$ 62.13	HYDRAULIC HOSE/COUPLER
			\$ 7.10	EPOXE GEN PURP
			\$ 17.27	DEWALT
			\$ 23.21	CUT OFF
			\$ 5.16	MOUSE TRAP
			\$ 4.53	AIR FRESHNER
			\$ 4.30	MOUSE TRAP
			\$ 4.30	WWTP-CURTIS KEYS
			\$ 5.00	CAP SCREW/ROLLED ROD
			\$ 13.87	CLEAR SILICONE
			\$ 6.99	CURTIS KEYS
			\$ 307.10	TEFLON TAPE
			\$ 18.30	U BOLT
			\$ 4.16	STAPLES
			\$ 9.66	9VOLT
			\$ 17.78	BLADE
			\$ 67.86	SAW BLADE
			\$ 9.02	COVERALLS
			\$ 23.41	COUPLER
			\$ 28.56	KNEE BOOT
			\$ 12.85	MOUSE GLUE TRAP
			\$ 10.01	LAG SCREW
			\$ 5.78	PLUG
			\$ 28.56	KNEE BOOT
			\$ 9.12	CORNER BRACE
			\$ 29.96	EDGER BLADE
			\$ 13.27	CONNECTORS/SPARK PLUGS
			\$ 49.11	PINESOL/HAND CLEANER
			\$ 15.93	CUTOFF WHELL
			\$ 2.07	HITCH PIN
			\$ 2.27	CABLE CLAMP

CITY OF FIREBAUGH ACCOUNTS PAYABLE
WARRANTS APRIL 1, 2024- APRIL 30, 2024

<u>Check Number</u>	<u>Check Date</u>	<u>Name</u>	<u>Net Amount</u>	<u>Description</u>
45790	4/1/2024	THARP'S FARM SUPPLY	\$ 45.24	SAW BLADE
			\$ 3.43	PIPE BUSHING
			\$ 27.05	COVERALLS
			\$ 27.80	SCREW ASSORT
			\$ 300.54	LEAF SPRING/UBOLT KIT
			\$ (300.54)	LEAF SPRING/UBOLT
			\$ 31.85	ELBOW GRAY CEMENT
			\$ 195.59	U BOLTS/LOCKWASHER/HANGER
			\$ 112.90	V-BELT/AGRI BELT
			\$ 307.16	V-BELT/FILTER
			\$ 267.10	AIR FILTER
			\$ 48.97	DEADBOLT
			\$ 11.34	CABLE CLAMP
			\$ 93.84	PRUNER/SAFETY GLASSES
			\$ 34.61	COUPLER
			\$ 38.22	RUBBER GLOVES
		Check Total:	\$ 2,550.18	
45791	4/1/2024	U.S. POSTMASTER	\$ 236.88	LATE NOTICES POSTAGE
45792	4/2/2024	CITY OF FIREBAUGH	\$ 65,792.64	ME CHECK MARCH 2024
45793	4/3/2024	CITY OF FIREBAUGH	\$ 133,077.18	PAYROLL ENDING 03/29/2024
45794	4/4/2024	JULIO BARRIOS	\$ 300.00	HEALTH INSURANCE STIPEND
45795	4/4/2024	FERNANDO CAMPA	\$ 300.00	HEALTH INSURANCE STIPEND
45796	4/4/2024	BRADY JENKINS	\$ 315.00	MONTHLY SALARY ATTENDANCE
45797	4/4/2024	RODDY A. LAKE	\$ 335.67	POLICE MEDICAL RETIREE
45798	4/4/2024	SAMPSON LEE	\$ 300.00	HEALTH INSURANCE STIPEND
45799	4/4/2024	SANDRA J. MARQUEZ	\$ 300.00	HEALTH INSURANCE STIPEND
45800	4/4/2024	SALVADOR RAYGOZA	\$ 350.00	HEALTH INSURANCE STIPEND
45801	4/4/2024	SILVIA RENTERIA	\$ 315.00	MONTHLY SALARY ATTENDANCE
45802	4/4/2024	JACQUELINE TABARES	\$ 300.00	HEALTH INSURANCE STIPEND

CITY OF FIREBAUGH ACCOUNTS PAYABLE
WARRANTS APRIL 1, 2024- APRIL 30, 2024

<u>Check Number</u>	<u>Check Date</u>	<u>Name</u>	<u>Net Amount</u>	<u>Description</u>
45803	4/4/2024	U.S. POSTMASTER	\$ 1,135.36	UTILITY BILLING APRIL 202
45804	4/4/2024	ALFRED VALDEZ	\$ 315.00	MONTHLY SALARY ATTENDANCE
45805	4/4/2024	ALBERTO VERDUZCO	\$ 300.00	HEALTH INSURANCE STIPEND
45806	4/4/2024	ALFRED GONZALES	\$ 19.19	MQ CUSTOMER REFUND
45807	4/4/2024	GILBERT GARDNER	\$ 82.56	MQ CUSTOMER REFUND
45808	4/5/2024	WESTAMERICA BANK	\$ 140.00	CASH POLICE DEPT INVESTIG
45809	4/8/2024	RITA LOZANO	\$ 115.18	REFUND TRANSPORTATION GAS
45810	4/11/2024	AT&T MOBILITY	\$ 1,297.34	PD INTERNET AND CELLPHONE
45811	4/12/2024	AG & INDUSTRIAL SUPPLY	\$ 34.55	HUS THROTTLE TRIGGER
			\$ 64.21	HOSE/CAMLOCK/CLAMP
			\$ 51.70	SOCKET/GLOBAL FITTING
		Check Total:	\$ 150.46	
45812	4/12/2024	ARAMARK	\$ 31.95	CITY HALL
			\$ 44.89	SENIOR CTR
			\$ 70.45	COMMUNITY SERVICE
			\$ 105.14	SHOP
			\$ 31.95	CITY HALL
			\$ 44.89	SENIOR CENTER
			\$ 70.45	COMMUNITY CENTER
			\$ 107.11	SHOP
			\$ 31.95	CITY HALL
			\$ 44.89	SENIOR CENTER
			\$ 70.45	COMMUNITY CENTER
		Check Total:	\$ 654.12	
45813	4/12/2024	ARMSTRONG'S PET WORLD	\$ 140.70	K9 KONA DOG FOOD
45814	4/12/2024	AT&T	\$ 938.42	ALL DEPT INTERNET/TELEPHONE
45815	4/12/2024	EDWIN ALEXANDER AYALA	\$ 2,836.00	RETURN MONEY BOOKED
45816	4/12/2024	BLUE TO GOLD, LLC	\$ 375.00	POLICE TRAINING COURSE

**CITY OF FIREBAUGH ACCOUNTS PAYABLE
WARRANTS APRIL 1, 2024- APRIL 30, 2024**

<u>Check Number</u>	<u>Check Date</u>	<u>Name</u>	<u>Net Amount</u>	<u>Description</u>
45817	4/12/2024	BRYANT L. JOLLEY	\$ 44,500.00	AUDITED FINANCIAL STATEMENT
45818	4/12/2024	CALIFORNIA BUILDING STAN	\$ 312.30	BUILDING STANDARDS ADMIN
45819	4/12/2024	COMCAST BUSINESS	\$ 169.73	POLICE DEPT INTERNET
45820	4/12/2024	DEPT. OF CONSERVATION	\$ 2,049.43	STRONG MOTION INSTRU.
45821	4/12/2024	DEPARTMENT OF JUSTICE	\$ 70.00	BLOOD ALCOHOL FEBRUARY 20
			\$ 140.00	BLOOD ALCOHOL MARCH 2024
		Check Total:	\$ 210.00	
45822	4/12/2024	FIREBAUGH HARDWARE COM	\$ 36.68	ELECT COVER DUPLX
45823	4/12/2024	FRESNO COUNTY TREASURE	\$ 162.52	ACCESS FEES MARCH 2023
			\$ 179.00	PRISONER PROCESSING 1/1-3
		Check Total:	\$ 341.52	
45824	4/12/2024	FRESNO CITY COLLEGE	\$ 61.00	FIELD TRAINING F.CAMPA
45825	4/12/2024	GRISWOLD LASALLE COBB D	\$ 3,126.30	CENCAL BUILDERS AGREEMENT
			\$ 35.16	WASTEWATER TREATMENT
			\$ 6,500.00	LEGAL SERVICES MARCH 2024
		Check Total:	\$ 9,661.46	
45826	4/12/2024	HOME DEPOT CREDIT SERVIC	\$ 473.99	SEWER DEPT SUMP PUMP
			\$ 132.30	COMMUNITY CTR-SUPPLIES
			\$ 254.47	PARKERS PARK/CITY HALL
		Check Total:	\$ 860.76	
45827	4/12/2024	MID-VALLEY DISPOSAL	\$ 38,454.76	SERVICES PERFORMED MARCH
45828	4/12/2024	PACIFIC GAS & ELECTRIC	\$ 188.95	TOMA TEK #6759522333-9
45829	4/12/2024	QUILL CORPORATION	\$ 756.78	JANITORIAL SUPPLIES ALL DEPTS
45830	4/12/2024	STAPLES BUSINESS CREDIT	\$ 215.94	PD OFFICE SUPPLIES
			\$ 316.93	PD OFFICE SUPPLIES
			\$ 45.09	PD CLOROX
		Check Total:	\$ 577.96	

**CITY OF FIREBAUGH ACCOUNTS PAYABLE
WARRANTS APRIL 1, 2024- APRIL 30, 2024**

<u>Check Number</u>	<u>Check Date</u>	<u>Name</u>	<u>Net Amount</u>	<u>Description</u>
45831	4/12/2024	STATE FOODS SUPERMARKE'	\$ 46.46	WESTSIDE DETECTIVES MEETING
45832	4/12/2024	TCB INVESTIGATIONS	\$ 1,300.00	IA ORTIZ INVESTIGATION
45833	4/12/2024	THE SALVATION ARMY	\$ 13,825.61	HOT MEAL/FOOD DISTRIBUTION
45834	4/12/2024	U.S. BANK EQUIPMENT FINAN	\$ 518.78	RNT/LEASE EQUIP 4/20/24
45835	4/12/2024	DATAPATH	\$ 6,082.10	MONTHLY BILLING APRIL 2024
45836	4/12/2024	VERIZON WIRELESS	\$ 38.01	BRADY'S TABLET INTERNET
45837	4/15/2024	CA-NV SECTION, AWWA	\$ 100.00	2024 ONLINE COURSE BEN
45838	4/15/2024	BENJAMIN GALLEGOS	\$ 172.50	MEAL PER DIEM CITY LEADER
45839	4/15/2024	SILVIA RENTERIA	\$ 172.50	MEAL PER DIEM CITY LEADER
45840	4/15/2024	MCCLATCHY COMPANY LLC	\$ 867.00	Ck# 045840->045714 Repla
45841	4/17/2024	CITY OF FIREBAUGH	\$ 127,106.69	PAYROLL ENDING 04/12/2024
45842	4/25/2024	AVID WATER	\$ 127.35	FLANGE/GASKET/CLAMP
			\$ 51.17	CLAMP/COUPLING
			\$ 55.27	NIPPLE/SPRINKLER
			\$ 19.87	CONCRETE MIX
			\$ 55.27	SPRINKLER/NIPPLE
		Check Total:	\$ 308.93	
45843	4/25/2024	ANTHONY'S SHOP	\$ 157.52	FIRE TRUCK REPLACEMENT ST
45844	4/25/2024	AT&T	\$ 149.49	FIRE DEPT INTERNET
45845	4/25/2024	SEBASTIAN	\$ 69.95	SENIOR CENTER ALARM
45846	4/25/2024	AUTOZONE COMMERCIAL (13	\$ 9.42	ENERGIZER BATTERY
			\$ 158.55	PD BATTERY
			(158.55)	PD RETURN BATTERY
			\$ 14.03	FUEL CAP
			\$ 107.92	NA OE ORANGE 50
			\$ 30.99	FLEX CONNECT
			\$ 20.72	CAR SCENTS/HOT SHINE FOAM

CITY OF FIREBAUGH ACCOUNTS PAYABLE
WARRANTS APRIL 1, 2024- APRIL 30, 2024

<u>Check</u> <u>Number</u>	<u>Check</u> <u>Date</u>	<u>Name</u>	<u>Net</u> <u>Amount</u>	<u>Description</u>
45846	4/25/2024	AUTOZONE COMMERCIAL (1	\$ 4.96	PD HAOLGEN CAPSULE
			\$ 130.61	MICHAEL'S TRUCK BATTERY
			\$ 77.95	FUEL PUMP
			\$ 64.83	POWER STEERING/PULLEY
			\$ 68.40	POWER STEERING PUMP
			\$ 288.68	JULIO'S TRUCK VENT VLACE
			\$ 84.95	AIR FILTER/AIR FILTER/OIL
			\$ 145.97	JOSE'S TRUCK DURALAST
			\$ 15.96	HAOLGEN CAPSULE
			\$ 11.87	STANDARD RELAY
			\$ 155.62	FD GASKET/COOLANT/WATER
			\$ 82.04	FD BRAKE PADS
			\$ 17.27	PRESSURE HOSE
			\$ 53.43	PW HOSE CLAMPS
			\$ (53.43)	PW HOSE CLAMPS RETURN
			\$ (17.27)	GMC TRUCK PRESSURE HOSE
			\$ 102.95	FD WASH SPONGE/CHAMOIS
			\$ 25.63	PD BULB
		Check Total:	\$ 1,443.50	
45847	4/25/2024	BIG G'S AUTOMOTIVE CENTE	\$ 32.39	WIPERS
45848	4/25/2024	BSK & ASSOCIATES, INC.	\$ 86.50	LAB ANALYSIS
			\$ 426.50	LAB ANALYSIS
			\$ 154.50	LAB ANALYSIS
			\$ 260.75	LAB ANALYSIS
			\$ 86.50	LAB ANALYSIS
			\$ 171.50	LAB ANALYSIS
			\$ 82.25	LAB ANALYSIS
			\$ 48.25	LAB ANALYSIS
			\$ 187.66	LAB ANALYSIS
			\$ 86.50	LAB ANALYSIS
			\$ 48.25	LAB ANALYSIS
			\$ 82.25	LAB ANALYSIS
			\$ 211.88	LAB ANALYSIS
			\$ 41.88	LAB ANALYSIS
			\$ 82.25	LAB ANALYSIS
		Check Total:	\$ 2,057.42	
45849	4/25/2024	BURTON'S FIRE, INC.	\$ 1,004.40	PHOS CHECK A FOAM GAL
45850	4/25/2024	COMCAST BUSINESS	\$ 236.85	FIRE DEPT INTERNET

**CITY OF FIREBAUGH ACCOUNTS PAYABLE
WARRANTS APRIL 1, 2024- APRIL 30, 2024**

<u>Check Number</u>	<u>Check Date</u>	<u>Name</u>	<u>Net Amount</u>	<u>Description</u>
45851	4/25/2024	COOK'S COMMUNICATIONS	\$ 480.00	PD FORD EXPLORER LABOR
45852	4/25/2024	CORBIN WILLITS SYSTEMS, I	\$ 1,203.47	ADMINISTRATION C/W SERVIC
45853	4/25/2024	CENTRAL VALLEY TOXICOL	\$ 78.00	ALCOHOL ABUSE TESTING
45854	4/25/2024	DEPT. OF TRANSPORTATION	\$ 2,515.37	JANUARY-MARCH 2024 SIGNAL
45855	4/25/2024	DISH	\$ 95.37	SENIOR CENTER CABLE
45856	4/25/2024	FIREBAUGH AUTO REPAIR	\$ 750.00	PD TRANSMISSION ASSEMBLY
45857	4/25/2024	FIRST BANKCARD	\$ 234.69	BEN ROOM DEPOSIT LAS VEGA
			\$ 234.69	BEN-ROOM DEPOSIT BRADY LA
			\$ 234.69	BEN ROOM DEPOSIT LAS VEGA
			\$ 227.00	BEN-SILVIA ALLEGIANT AIRL
			\$ 149.99	BEN-MCAFEE.COM
			\$ 239.88	BEN-ADOBE.COM
			\$ 106.98	BEN-FEES CHARGES
			\$ 3,525.00	BEN-ICSC COUNCIL MEMBERS&
			\$ 296.20	BEN-RITA ALASKA AIR CONFE
			\$ 208.00	BEN ALLEGIANT AIR LAS VEG
			\$ 1.89	CITY OF FRESNO PARKING FE
			\$ 42.35	PIO-FEES
			\$ 115.85	PIO-GODADDY.COM
			\$ 341.96	PIO-SOUTHWEST BRADY JENKI
			\$ 5.00	PIO-DYN.COM
			\$ 51.18	PIO-FRESNO COUNTY CLERK
			\$ 118.76	PIO-MPIX ACRYLIC BLOCK
			\$ 175.89	PIO-ZOOM.US
			\$ 99.99	PIO-MICROSOFT.COM
		Check Total:	\$ 6,409.99	
45858	4/25/2024	FIREBAUGH TOWING	\$ 125.00	PD TOWING SERVICE
45859	4/25/2024	FRESNO COUNTY TREASURE	\$ 100.00	CIVIL PROCEDURES LEE PAO
45860	4/25/2024	FRESNO CITY COLLEGE	\$ 75.00	REGISTRATION OFF. JASON P
45861	4/25/2024	GRAINGER, INC.	\$ 441.10	FUSE

CITY OF FIREBAUGH ACCOUNTS PAYABLE
WARRANTS APRIL 1, 2024- APRIL 30, 2024

<u>Check</u> <u>Number</u>	<u>Check</u> <u>Date</u>	<u>Name</u>	<u>Net</u> <u>Amount</u>	<u>Description</u>
45862	4/25/2024	GUTHRIE PETROLEUM, INC.	\$ 1,313.60	BULK UNLEADED GASOLINE
			\$ 1,891.65	BULK UNLEADED GASOLINE
			\$ 1,357.73	BULK UNLEADED GASOLINE
			\$ 1,606.65	BULK UNLEADED GASOLINE
			\$ 2,260.82	BULK DIESEL FUEL
		Check Total:	\$ 8,430.45	
45863	4/25/2024	LIEBERT CASSIDY WHITMOR	\$ 4,013.00	PROFESSIONAL SERVICES MAR
45864	4/25/2024	MANUELS TIRE SERVICE, INC	\$ 539.27	GOODYEAR TIRES POLICE DEP
			\$ 24.26	RADIAL PATCH
			\$ 150.41	TURF MASTER NEW TIRE
			\$ 10.00	TIRE DISPOSAL
			\$ 24.27	RADIAL PATCH
			\$ 1,303.51	FD GOODYEAR TIRES
			\$ 274.63	PD GOODYEAR TIRES
			\$ 1,756.43	FD VALVE STEM/TIRES
			\$ 63.88	PW TUBE
			\$ 971.96	PD COOPER TIRES
		Check Total:	\$ 5,118.62	
45865	4/25/2024	MIGUEL'S PLUMBING SERVIC	\$ 960.00	CITY HALL WOMEN'S RESTROOM
45866	4/25/2024	NAPA AUTO PARTS - QUINN C	\$ 128.45	PLIERS/HOSE CLAMP
45867	4/25/2024	NORTHSTAR CHEMICAL	\$ 3,202.96	SODIUM HYPOCHLORITE
45868	4/25/2024	PACIFIC GAS & ELECTRIC	\$ 20,356.88	ALL DEPTS #7355932148-1
			\$ 870.83	FIRE DEPT #3247232548-2
		Check Total:	\$ 21,227.71	
45869	4/25/2024	CSG CONSULTANTS, INC.	\$ 6,954.00	HOME BUILDING FEB 24-MAR2
			\$ 1,467.71	BUILDING PLAN REVIEW MARCH
		Check Total:	\$ 8,421.71	
45870	4/25/2024	QUILL CORPORATION	\$ 31.30	CITY HALL MANILA ENVELOPE
45871	4/25/2024	SPARKLETTS	\$ 453.15	ALL DEPT WATER SERVICES
45872	4/25/2024	STAPLES BUSINESS ADVANT.	\$ 215.94	PD BROTHER PRINTER
			\$ 316.93	PD STAPLER/TAPE DISPENSER

**CITY OF FIREBAUGH ACCOUNTS PAYABLE
WARRANTS APRIL 1, 2024- APRIL 30, 2024**

<u>Check Number</u>	<u>Check Date</u>	<u>Name</u>	<u>Net Amount</u>	<u>Description</u>
45872	4/25/2024	STAPLES BUSINESS ADVANT.	\$ 45.09	CLOROX WIPES
		Check Total:	\$ 577.96	
45873	4/25/2024	STATE FOODS SUPERMARKE'	\$ 9.81	WATER SENIOR CTR
45874	4/25/2024	TECHNOFLO SYSTEMS	\$ 50.00	PD PEST CONTROL
			\$ (50.00)	Ck# 045874 Reversed
		Check Total:	\$ -	
45875	4/25/2024	THARP'S FARM SUPPLY	\$ 17.60	AGRI BELT
			\$ 13.87	TIGER GRIP OLD WORK
			\$ 33.28	COUPLING/HOSE SHANK
			\$ 2.98	STUD ANCHORS
			\$ 156.02	PARTS WASHER SOLVENT
			\$ 43.35	BLACK TIES
			\$ 82.05	COVERALLS/MASTER LOCK
			\$ 68.23	SAFETY GLASS/GLOVES
			\$ 30.63	CONNECTOR/WIRE PLUG
			\$ (13.38)	CONNECTOR RETURN
			\$ 20.19	GOOFOFF
			\$ 68.08	SPARK PLUG/FLOOR SWEEP
			\$ 18.28	MOUSE TRAP
			\$ 41.62	AA BATTERIES
			\$ 3.01	LAVENDAR CLEANER
			\$ 17.14	LOCK
			\$ 20.70	GROMMETS/FUEL LINE
			\$ 28.49	DRAIN PLUG/SHUT OFF
			\$ 34.63	OIL FILTER
			\$ 6.65	LAG SCREW/FLATWASHER
			\$ 9.56	RUBBER GLOVES
			\$ 19.76	WASP SPRAY
			\$ 9.29	ADAPTER/COUPLER
			\$ 9.43	CURTIS KEYS/SCENTS
			\$ 2.47	SANDING SPONGE
			\$ 25.16	BLACK SPRAY
			\$ 7.87	4 WAY KEY
			\$ 9.66	BLACK TAPE/QUIK STEEL
			\$ 1.12	WOODRUFF KEYS
			\$ 13.66	DULL ALUM.
			\$ 4.71	BRASS BARB
			\$ 27.32	SULL ALUM.
			\$ 29.57	CHAIN/MASTER LOCKS

**CITY OF FIREBAUGH ACCOUNTS PAYABLE
WARRANTS APRIL 1, 2024- APRIL 30, 2024**

<u>Check Number</u>	<u>Check Date</u>	<u>Name</u>	<u>Net Amount</u>	<u>Description</u>
45875	4/25/2024	THARP'S FARM SUPPLY	\$ 17.55	COUPLING/CONNECTORS
			\$ 2.60	STRAP
			\$ 11.54	HOSE WASHER/NOZZLE
			\$ 6.80	WATER NOZZLE
			\$ 8.04	GARDEN VALVE
			\$ 13.44	SCREW CLEVIS
			\$ 45.39	V BELT
			\$ 52.64	TAPE BLACK
			\$ 27.92	BRASS VALVE
			\$ 70.51	DRIVE BELT/WIX FILTER
			\$ 62.54	CHISEL ROUND/SCALING CHISEL
			\$ 53.98	ROTATING TOOL
			\$ 82.70	BLEACH/CLAW HAMMER
			\$ (74.22)	FILTER RETURN
			\$ 9.99	HEX NUT/THREAD
			\$ 10.37	DRILL BIT
			\$ 13.86	BRASS VALVE/NIPPLE
			\$ 118.36	WOOD HANDLE BOW RAKE
		Check Total:	\$ 1,397.01	
45876	4/25/2024	THOMASON TRACTOR COMP.	\$ 6.20	INTEREST FEES
			\$ 10.79	TRIMMER LINE
			\$ 124.92	V-BELT
			\$ 16.19	LINE 1LB
			\$ 114.15	BLADE
			\$ 87.07	ENGINE OIL
		Check Total:	\$ 359.32	
45877	4/25/2024	TWO BROTHERS CATHODIC S	\$ 1,388.96	WATER TREATMENT PLANTS
45878	4/25/2024	U.S. BANK EQUIPMENT FINAN	\$ 524.19	RNT/LEASE EQUIP
45879	4/30/2024	CITY OF FIREBAUGH	\$ 60,632.23	UNITED SEC BANK-PAYROLL



TO: Elsa Lopez and Council Members
FROM: Mario Gouveia, City Engineer
DATE: June 3, 2024
SUBJECT: Resolution No. 24-20 – A Resolution of the City Council of the City of Firebaugh Confirming the Diagram and Assessment of Annual Levy for Fiscal Year 2024-2025 for Landscaping and Lighting Maintenance District No. 1 (*Pursuant to the Landscaping and Lighting Act of 1972*)

RECOMMENDATION:

1. Conduct a public hearing to receive testimony regarding proposed 2024-2025 assessments for the City of Firebaugh's Citywide Landscaping and Lighting Maintenance District No. 1.
2. Council by motion adopt Resolution No. 24-20 confirming the diagram and assessments for the annual levy of the City of Firebaugh's Landscaping and Lighting Maintenance District No. 1 for Fiscal Year 2024-2025 and direct the Deputy City Clerk to file the annual Engineer's Report with the County of Fresno, California.

BACKGROUND:

On April 01, 2024, the City Council designated Gouveia Engineering, Inc. as the Engineer of Work and directed the filing of the City of Firebaugh Citywide Landscape and Lighting Maintenance Assessment District (LLMD) No. 1 Preliminary Engineer's Report for Fiscal Year 2024-2025.

On May 6, 2024, the City Council declared the intention to order improvements and levy and collect assessments for the City of Firebaugh Citywide Landscape and Lighting Assessment District No. 1 for Fiscal Year 2024-2025 and set the Public Hearing date for June 03, 2024.

DISCUSSION:

The Landscape and Lighting Act of 1972 requires that an annual review and updated Engineer's Report be prepared to set Landscaping and Lighting Maintenance Assessment District rates each fiscal year. The Fiscal Year 2024-2025 assessments in the City of Firebaugh Citywide Landscaping and Lighting Maintenance Assessment District No. 1 Final Engineer's Report will be assessed on the Fiscal Year 2024-2025 property tax roll. As a part of the process, the Landscaping and Lighting Act of 1972 requires that an Engineer's Report must be filed and a Public Hearing be held.

The Engineer's Report for the LLMD contains a detailed description of the improvements being maintained, the boundaries of the Assessment District, and the proposed assessment for each property within the Assessment District and is on file with the Deputy City Clerk for review. No annexations of new property have occurred to the District over the past year.

FISCAL IMPACT:

It is anticipated the City of Firebaugh will collect approximately \$66,077.82 from the City of Firebaugh Citywide Landscaping and Lighting Maintenance District No. 1 Assessments to cover estimated maintenance, utility and administration expenses for Fiscal Year 2024-2025.

ATTACHMENT:

Resolution No. 24-20

RESOLUTION NO. 24-20

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH CONFIRMING THE DIAGRAM AND ASSESSMENT OF ANNUAL LEVY FOR FISCAL YEAR 2024-2025 FOR LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 1 (Pursuant to the Landscaping and Lighting Act of 1972)

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, the City Engineer has 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, 2024-2025," dated May 2024 (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; and

WHEREAS, the City Engineer also has prepared and filed with the City Clerk maps of the boundaries of the District; and

WHEREAS, on May 6, 2024, the City Council adopted Resolution No. 24-20, "A RESOLUTION OF INTENTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH TO LEVY AND COLLECT THE ANNUAL ASSESSMENTS DISTRICT NO. 1 (*Pursuant to the Landscaping and Lighting Act of 1972*), whereby the City Council declared its intention to levy and collect the annual assessments for operation and maintenance of the Improvements within the District for the 2024-2025 fiscal year; and

WHEREAS, the amount of the assessments proposed in the Annual Levy Report for the 2024-2025 fiscal year, except those assessments on the lots and parcels of land within Zone A (Tract No. 5529), are the same or less than the amount of the District assessments in all previous fiscal years; and

WHEREAS, the assessments on the lots and parcels within Zone A (Tract No. 5529) were proposed to increase by the change in the Consumer Price Index-U for the San Francisco Bay area as of December 2007 (the "CPI") over the December 2007 base year CPI, not to exceed three percent, as previously approved by a majority vote of the owners of the lots and parcels in Zone A voting in a land owner ballot proceeding on the issue of the assessment conducted on August 6, 2007, in accordance with Article XIID of the California Constitution and Section 53753 of the California Government Code; therefore, the proposed assessments on the lots and parcels in Zone A for fiscal year 2024-2025 are not deemed increased for purpose of these proposed annual assessment proceedings; and

WHEREAS, the assessments on the lots and parcels within Tract Nos. 6257, 6313, & 6314 were proposed to increase by the change in the Consumer Price Index-U for the San Francisco Bay area as of December 2021 (the "CPI") over the December 2021 base year CPI, not to exceed three percent, as previously approved by a majority vote of the owners of the lots and parcels Tract Nos. 6257, 6313, & 6314 voting in a land owner ballot proceeding on the issue of the assessment conducted on December 07, 2020, in accordance with Article XIID of the California Constitution and Section 53753 of the California Government Code; therefore, the proposed assessments on the lots and parcels in Tract Nos. 6257, 6313, & 6314 for fiscal year 2024-2025 are not deemed increased for purpose of these proposed annual assessment proceedings; and

WHEREAS, the assessments on the lots and parcels within Tract No. 6252 were proposed to increase by the change in the Consumer Price Index-U for the San Francisco Bay area as of December 2021 (the "CPI") over the December 2021 base year CPI, not to exceed three percent, as previously approved by a majority vote of the owners of the lots and parcels Tract No. 6252 voting in a land owner ballot proceeding on the issue of the assessment conducted on March 01, 2021, in accordance with Article XIID of the California Constitution and Section 53753 of the California Government Code; therefore, the proposed assessments on the lots and parcels in Tract No. 6252 for fiscal year 2024-

2025 are not deemed increased for purpose of these proposed annual assessment proceedings; and

WHEREAS, the proceeds of the assessments to be levied on the lots and parcels in the District will be used exclusively to finance the expenses for operation and maintenance of the Improvements for the 2024-2025 fiscal year, which operation and maintenance will provide direct special benefits to the various lots and parcels in the District, 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 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 Annual Levy Report; and

WHEREAS, after notice by publication of the Resolution of Intention as required by the Act, the City Council conducted a public hearing and heard and considered all objections and protests to proposed assessments on all lots and parcels within the District for fiscal year 2024-2025;

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 map of the boundaries of the District, prepared by the City Engineer, is hereby approved.
3. The territories within the District, whose boundaries are set forth in the Annual Levy Report, are 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 Annual Levy Report.
4. The hearing on the annual levy of assessments in the District for fiscal year 2024-2025 was noticed and held in accordance with law.
5. The Annual Levy Report, including the diagram of the District and the assessment of the estimated costs of operation and maintenance of the Improvements contained in the Annual Levy Report, and each and every part of the Annual Levy Report, are finally adopted, confirmed and approved.
6. The assessment diagram showing the District and the lots and parcels of land within the District, all as contained in the Annual Levy Report, is finally approved and confirmed as the diagram of the lots and parcels within the District to be assessed to pay the costs of operation and maintenance of the Improvements described in the Annual Levy Report.
7. The assessment of the total amount of the costs and the individual assessments thereof on the lots and parcels within the District, 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 Annual Levy Report, is finally approved and confirmed as the annual assessment for the 2024-2025 fiscal year to pay such costs.
8. The levy of the annual assessments within the District for fiscal year 2024-2025, as described in the Resolution of Intention and the Annual Levy Report, is hereby ordered.
9. The City Clerk is directed to record this resolution confirming the diagram and assessment for the annual levy for 2024-2025 of Assessment District No. 1 with the County of Fresno.
10. The Engineer of Work is directed to prepare and submit the levy of assessments to the Fresno County Auditor-Controller Treasurer-Tax Collector for placement on the Fiscal Year 2024-2025 secured property tax roll.
11. This resolution shall take effect immediately upon adoption.

* * * * *

CERTIFICATION

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 June, 2024, by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

ATTEST:

Elsa Lopez, 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 June 2024.

Rita Lozano, Deputy City Clerk of the City of Firebaugh

CITY OF FIREBAUGH
FRESNO COUNTY, CALIFORNIA
LANDSCAPING AND LIGHTING MAINTENANCE
DISTRICT NO. 1



ENGINEER'S REPORT

2024-2025


MAY 2024

ENGINEER'S REPORT

LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 1
(Pursuant to the Landscaping and Lighting Act of 1972)

The undersigned respectfully submits the enclosed report as directed by the City Council.

Dated: May 6, 2024

By  _____
Mario B. Gouveia P.E., Engineer of Work

I HEREBY CERTIFY that the enclosed Engineer's Report, together with Assessment and Assessment and Boundary Diagrams thereto attached was filed with me on the 6th day of May, 2024.

Rita Lozano, City Clerk, City of Firebaugh,
Fresno County, California

By _____
Rita Lozano

I HEREBY CERTIFY that the enclosed Engineer's Report, together with Assessment and Assessment and Boundary Diagrams thereto attached was approved and confirmed by the City Council of the City of Firebaugh, California, on the 3rd day of June, 2024.

Rita Lozano, City Clerk, City of Firebaugh,
Fresno County, California

By _____
Rita Lozano

I HEREBY CERTIFY that the enclosed Engineer's Report, together with Assessment and Assessment and Boundary Diagrams thereto attached was filed with the County Auditor of the County of Fresno pursuant to Section 22641 of the Streets and Highways Code.

Rita Lozano, City Clerk, City of Firebaugh,
Fresno County, California

By _____
Rita Lozano

ENGINEER'S REPORT

LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 1

(Pursuant to the Landscaping and Lighting Act of 1972)

The undersigned, Engineer of Work for the Assessment District, City of Firebaugh, Fresno County, California, makes this report, as directed by the City Council, pursuant to Section 22585 of the Streets and Highways Code (*Landscaping and Lighting Act of 1972*).

The improvements which are the subject of this report are briefly described as follows:


1. Storm Drainage Facilities
2. Landscape Maintenance
3. Lighting
4. Flood Control Levee

This report consists of six parts as follows:

- PART A. Plans and Specifications and description of district formation.
- PART B. An estimate of the cost of the improvements.
- PART C. An assessment of the estimated cost of the improvements on each benefited parcel of land within the assessment district.
- PART D. A statement of the method by which the undersigned has determined the amount proposed to be assessed against each parcel.
- PART E. A list of the names and addresses of the owners of real property within this assessment district, as shown on the last equalized assessment roll for taxes, or as known to the Clerk. The list is keyed to Exhibit C by assessment number.
- PART F. Assessment and boundary diagrams showing all of the parcels of real property within this assessment district and the description of the Landscaping and Lighting Maintenance District No. 1 boundary. The Assessment Diagram is keyed to Part C by assessment number.

Respectfully submitted,




Engineer of Work

PART A

PLANS AND SPECIFICATIONS AND DISTRICT BOUNDARY

LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 1

(Pursuant to the Landscaping and Lighting Act of 1972)

PLANS AND SPECIFICATIONS

The plans and specifications for the street landscaping and lighting and storm drainage improvements to be maintained are on file at the Public Works Department of the City of Firebaugh and are incorporated herein by reference.

DISTRICT FORMATION

WHEREAS, on October 1, 1990, the City Council of the City of Firebaugh directed inclusion of the storm drainage basin serving Tracts 4010 and 4060 in the landscaping and lighting maintenance district to provide funding to finance the improvement of said storm drainage basin and its maintenance; and

WHEREAS, on December 5, 1991, the Planning Commission of the City of Firebaugh approved the Tentative Subdivision Map of Tract 4608, in the City of Firebaugh, County of Fresno, State of California, subject to the terms of the "Conditions of Approval," which provided for the annexation to the existing landscaping and lighting maintenance district to provide funds to the City for the maintenance of the public lighting within street rights-of-way and landscaping within a landscaping easement included as a part of said district; and

WHEREAS, on February 18, 1991, the City Council of the City of Firebaugh directed the inclusion of Hacienda Villa Apartments, for storm drainage purposes, in the landscaping and lighting maintenance district to provide funding to finance the improvement of said storm drainage basin and its maintenance; and

WHEREAS, on August 31, 1992, the City Council of the City of Firebaugh directed the inclusion of Tract No. 4459, Riverview Estates, for storm drainage purposes, in the landscaping and lighting district to provide funding to finance the improvement of said storm drainage basin and its maintenance; and

WHEREAS, on August 2, 1993, the City Council of the City of Firebaugh directed the inclusion of Tract No. 4608, Riverview Estates #2, for storm drainage purposes, in the landscaping and lighting district to provide funding to finance the improvement of said storm drainage basin and its maintenance; and

WHEREAS, on December 20, 1999, the City Council of the City of Firebaugh directed the inclusion of Tract No. 4850, Circa Del Rio, for storm drainage purposes, in the landscaping and lighting district to provide funding to finance the maintenance of lighting and landscaping and the improvement of said storm drainage basin and its maintenance; and

WHEREAS, on March 19, 2001, the City Council of the City of Firebaugh ordered annexation and the inclusion of Phase I Tract 4851, (Cerca Del Rio II), for the maintenance of the public lighting and other improvements within street rights-of-way and for storm drain purposes, in the landscaping and lighting district to provide funding to finance such improvements and their maintenance; and

WHEREAS, on March 19, 2001, the City Council of the City of Firebaugh ordered annexation and inclusion of Phases II and III of Tract 4851 (Cerca Del Rio II), for the maintenance of the public lighting and other improvements within street rights-of-way and for storm drain purposes, in the landscaping and lighting district to provide funding for such improvements and their maintenance; and

WHEREAS, on March 19, 2001, the City Council of the City of Firebaugh ordered annexation and inclusion of Parcel "A" of Parcel Map 94-1, for maintenance of the public lighting and other improvements within the street rights-of-way and for storm drain purposes, in the landscaping and lighting district to provide funding for such improvements and their maintenance; and

WHEREAS, on May 17, 2004 the City Council of the City of Firebaugh ordered annexation and inclusion of Tract 5202 (Cerca Del Rio III), for maintenance of the public lighting and other improvements within the street rights-of-way and for storm drain purposes, in the landscaping and lighting district to provide funding for such improvements and their maintenance; and

WHEREAS, on July 18, 2005, the City Council of the City of Firebaugh ordered annexation and inclusion of Tract No. 5367, for maintenance of the public lighting and other improvements within the street rights-of-way and for offsite storm drain purposes, in the landscaping and lighting district to provide funding for such improvements and their maintenance; and

WHEREAS, on September 19, 2005, the City Council of the City of Firebaugh ordered annexation and inclusion of Tract 5529, for maintenance of the public lighting and other improvements within the street rights-of-way, for storm drain purposes and for the maintenance of the flood control levee and flood wall in the landscaping and lighting district to provide funding for such improvements and their maintenance; and

WHEREAS, the annual cost to maintain the Flood Control Levee, Flood Control Wall and Drainage Basin appurtenant to Tract 5529 will increase, therefore, the annual assessments for the maintenance of the Flood Control Levee should be increased in an amount consistent with a national consumer index inflation rate.

WHEREAS, on December 07, 2020, the City Council of the City of Firebaugh ordered annexation and inclusion of Tract No. 6257, 6313, and 6314, for maintenance of the public lighting and other improvements within the street rights-of-way and for offsite storm drain purposes, in the landscaping and lighting district to provide funding for such improvements and their maintenance; and

WHEREAS, on March 1, 2021, the City Council of the City of Firebaugh ordered annexation and inclusion of Tract No. 6252, for maintenance of the public lighting and other improvements within the street rights-of-way and for offsite storm drain purposes, in the landscaping and lighting district to provide funding for such improvements and their maintenance.

PART B

ESTIMATE OF COST

CITY OF FIREBAUGH
LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 1

ENGINEER'S COST ESTIMATE

2024-2025

ESTIMATE OF ASSESSMENT DISTRICT IMPROVEMENT COSTS (excluding Tract 5529, 6257, 6313, 6314, & 6252)

The estimate of Assessment District improvement costs for fiscal year 2024-2025 is as follows:

1.	MAINTENANCE COSTS (Drainage Basins)	\$	2,526.00
2.	MAINTENANCE COST (Landscaping Valle de Paz)		20,861.00
3.	STREET IMPROVEMENTS (Lighting)		
a.	COSTS AND MAINTENANCE		19,899.00
4.	INCIDENTAL COSTS		
a.	LEGAL FEES		63.00
b.	ENGINEERING FEES		4,000.00
c.	DISTRICT ADMINISTRATIVE COSTS		
d.	COUNTY PROCESSING FEE		
	TOTAL COSTS	\$	<u>47,349.00</u>
	TOTAL COST TO ASSESSMENT	\$	17,296.00

ESTIMATE OF ASSESSMENT DISTRICT IMPROVEMENT COSTS FOR TRACT 5529 (Valle del Sol)

The estimate of Assessment District improvement costs for fiscal year 2024-2025 is as follows:

1.	MAINTENANCE COSTS (Drainage Basins)	\$	2,526.00
2.	MAINTENANCE COST (Flood Control Levee)		20,861.00
3.	STREET IMPROVEMENTS (Lighting)		
a.	COSTS AND MAINTENANCE		19,899.00
4.	INCIDENTAL COSTS		
a.	LEGAL FEES		63.00
b.	ENGINEERING FEES		4,000.00
c.	DISTRICT ADMINISTRATIVE COSTS		
d.	COUNTY PROCESSING FEE		300.00
5.	RESERVE FUND		
	TOTAL COSTS	\$	<u>47,649.00</u>
	TOTAL COST TO ASSESSMENT	\$	23,346.72

ESTIMATE OF ASSESSMENT DISTRICT IMPROVEMENT COSTS FOR TRACT 6257, 6313, & 6314
(Greystone Estates)

The estimate of Assessment District improvement costs for fiscal year 2024-2025 is as follows:

1.	MAINTENANCE COSTS (Storm Drains)	\$	1,385.66
2.	MAINTENANCE COST (Landscape Maintenance)		
a.	ANNUAL LANDSCAPE MAINTENANCE & IMPROVEMENTS		4,004.62
b.	GRAFITTI ABATEMENT OF DECORATIVE WALL		2,185.45
3.	STREET IMPROVEMENTS (Lighting)		
a.	COSTS AND MAINTENANCE		1,802.99
4.	INCIDENTAL COSTS		
a.	LEGAL FEES		43.70
b.	ENGINEERING FEES		1,639.09
c.	COUNTY PROCESSING FEE		109.27
d.	CITY OVERHEAD AND ADMINISTRATION		546.36
	TOTAL COSTS	\$	<u>11,717.14</u>
	TOTAL COST TO ASSESSMENT	\$	11,716.64

ESTIMATE OF ASSESSMENT DISTRICT IMPROVEMENT COSTS FOR TRACT 6252 (Del Rio Estates)

The estimate of Assessment District improvement costs for fiscal year 2024-2025 is as follows:

1.	MAINTENANCE COSTS (Storm Drains)	\$	359.62
2.	MAINTENANCE COST (Landscape Maintenance)		
a.	ANNUAL LANDSCAPE MAINTENANCE & IMPROVEMENTS		7687.99
b.	GRAFITTI ABATEMENT OF DECORATIVE WALL		2,185.45
3.	STREET IMPROVEMENTS (Lighting)		
a.	COSTS AND MAINTENANCE		1,147.36
4.	INCIDENTAL COSTS		
a.	LEGAL FEES		43.70
b.	ENGINEERING FEES		1,639.09
c.	COUNTY PROCESSING FEE		109.27
d.	CITY OVERHEAD AND ADMINISTRATION		546.36
	TOTAL COSTS	\$	<u>13,718.84</u>
	TOTAL COST TO ASSESSMENT	\$	13,718.46

PART C

ASSESSMENT ROLL

CITY OF FIREBAUGH
FRESNO COUNTY, CALIFORNIA

LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 1

<u>ASSESSMENT DIAGRAM NUMBER</u>	<u>CODE</u>	<u>LOT NO.</u>	(Fiscal Year 2024-2025) <u>ASSESSOR'S PARCEL NUMBER</u>	<u>TOTAL ASSESSMENT</u>
(TRACT NO. 4010)				
1	6024	24	00726124	\$35.00
2	6024	23	00726123	\$35.00
3	6024	22	00726122	\$35.00
4	6024	21	00726121	\$35.00
5	6024	20	00726120	\$35.00
6	6024	19	00726119	\$35.00
7	6024	18	00726118	\$35.00
8	6024	17	00726117	\$35.00
9	6024	16	00726116	\$35.00
10	6024	15	00726115	\$35.00
11	6024	14	00726114	\$35.00
12	6024	13	00726113	\$35.00
13	6024	12	00726112	\$35.00
14	6024	11	00726111	\$35.00
15	6024	10	00726110	\$35.00
16	6024	9	00726109	\$35.00
17	6024	8	00726108	\$35.00
18	6024	7	00726107	\$35.00
19	6024	6	00726106	\$35.00
20	6024	5	00726105	\$35.00
21	6024	4	00726104	\$35.00
22	6024	3	00726103	\$35.00
23	6024	2	00726102	\$35.00
24	6024	1	00726101	\$35.00
65	6024	40	00727101	\$35.00
66	6024	39	00727102	\$35.00
67	6024	38	00727103	\$35.00
68	6024	37	00727104	\$35.00
69	6024	36	00727105	\$35.00
70	6024	35	00727106	\$35.00
71	6024	34	00727107	\$35.00
72	6024	33	00727108	\$35.00
73	6024	32	00727109	\$35.00
74	6024	31	00727110	\$35.00
75	6024	30	00727111	\$35.00
76	6024	29	00727112	\$35.00
77	6024	28	00727113	\$35.00
78	6024	27	00727114	\$35.00
79	6024	26	00727115	\$35.00
80	6024	25	00727116	\$35.00
81	6024	57	00727208	\$35.00
82	6024	56	00727209	\$35.00
83	6024	55	00727210	\$35.00
84	6024	54	00726214	\$35.00

(Fiscal Year 2024-2025)				
<u>ASSESSMENT DIAGRAM NUMBER</u>	<u>CODE</u>	<u>LOT NO.</u>	<u>ASSESSOR'S PARCEL NUMBER</u>	<u>TOTAL ASSESSMENT</u>
85	6024	53	00726213	\$35.00
86	6024	52	00726212	\$35.00
87	6024	51	00726211	\$35.00
88	6024	50	00726210	\$35.00
89	6024	49	00726209	\$35.00
90	6024	48	00726208	\$35.00
91	6024	47	00726207	\$35.00
92	6024	46	00726206	\$35.00
93	6024	45	00726205	\$35.00
94	6024	44	00726204	\$35.00
95	6024	43	00726203	\$35.00
96	6024	42	00726202	\$35.00
97	6024	41	00726201	\$35.00
98	6024	64	00727201	\$35.00
99	6024	63	00727202	\$35.00
100	6024	62	00727203	\$35.00
101	6024	61	00727204	\$35.00
102	6024	60	00727205	\$35.00
103	6024	59	00727206	\$35.00
104	6024	58	00727207	\$35.00
(TRACT NO. 4060)				
25	6024	22	00728123S	\$35.00
26	6024	21	00728122S	\$35.00
27	6024	20	00728121S	\$35.00
28	6024	19	00728120S	\$35.00
29	6024	18	00728119S	\$35.00
30	6024	17	00728118S	\$35.00
31	6024	16	00728117S	\$35.00
32	6024	15	00728116S	\$35.00
33	6024	14	00728115S	\$35.00
34	6024	13	00728114S	\$35.00
35	6024	12	00728113S	\$35.00
36	6024	11	00728112S	\$35.00
37	6024	10	00728111S	\$35.00
38	6024	9	00728110S	\$35.00
39	6024	8	00728109S	\$35.00
40	6024	7	00728108S	\$35.00
41	6024	6	00728107S	\$35.00
42	6024	5	00728106S	\$35.00
43	6024	4	00728105S	\$35.00
44	6024	3	00728104S	\$35.00
45	6024	2	00728103S	\$35.00
46	6024	1	00728102S	\$35.00
47	6024	40	00728218S	\$35.00
48	6024	39	00728217S	\$35.00
49	6024	38	00728216S	\$35.00
50	6024	37	00728215S	\$35.00
51	6024	36	00728214S	\$35.00
52	6024	35	00728213S	\$35.00
53	6024	34	00728212S	\$35.00
54	6024	33	00728211S	\$35.00
55	6024	32	00728210S	\$35.00
56	6024	31	00728209S	\$35.00
57	6024	30	00728208S	\$35.00
58	6024	29	00728207S	\$35.00
59	6024	28	00728206S	\$35.00

(Fiscal Year 2024-2025)				
<u>ASSESSMENT DIAGRAM NUMBER</u>	<u>CODE</u>	<u>LOT NO.</u>	<u>ASSESSOR'S PARCEL NUMBER</u>	<u>TOTAL ASSESSMENT</u>
60	6024	27	00728205S	\$35.00
61	6024	26	00728204S	\$35.00
62	6024	25	00728203S	\$35.00
63	6024	24	00728202S	\$35.00
64	6024	23	00728201S	\$35.00
(TRACT NO. 4459)				
105	6024	1	00729101S	\$35.00
106	6024	2	00729102S	\$35.00
107	6024	3	00729103S	\$35.00
108	6024	4	00729104S	\$35.00
109	6024	5	00729105S	\$35.00
110	6024	6	00729106S	\$35.00
111	6024	7	00729107S	\$35.00
112	6024	8	00729108S	\$35.00
113	6024	9	00729109S	\$35.00
114	6024	10	00729110S	\$35.00
115	6024	11	00729111S	\$35.00
116	6024	12	00729112S	\$35.00
117	6024	13	00729113S	\$35.00
118	6024	14	00729114S	\$35.00
119	6024	15	00729115S	\$35.00
120	6024	16	00729201S	\$35.00
121	6024	17	00729202S	\$35.00
122	6024	18	00729203S	\$35.00
123	6024	19	00729204S	\$35.00
124	6024	20	00729205S	\$35.00
125	6024	21	00729206S	\$35.00
126	6024	22	00729207S	\$35.00
127	6024	23	00729208S	\$35.00
128	6024	24	00729209S	\$35.00
129	6024	25	00729324S	\$35.00
130	6024	26	00729323S	\$35.00
131	6024	27	00729322S	\$35.00
132	6024	28	00729321S	\$35.00
133	6024	29	00729320S	\$35.00
134	6024	30	00729319S	\$35.00
135	6024	31	00729318S	\$35.00
136	6024	32	00729317S	\$35.00
137	6024	33	00729316S	\$35.00
138	6024	34	00729315S	\$35.00
139	6024	35	00729314S	\$35.00
140	6024	36	00729313S	\$35.00
141	6024	37	00729312S	\$35.00
142	6024	38	00729311S	\$35.00
143	6024	39	00729310S	\$35.00
144	6024	40	00729309S	\$35.00
145	6024	41	00729308S	\$35.00
146	6024	42	00729307S	\$35.00
147	6024	43	00729306S	\$35.00
148	6024	44	00729305S	\$35.00
149	6024	45	00729304S	\$35.00
150	6024	46	00729303S	\$35.00
151	6024	47	00729302S	\$35.00
152	6024	48	00729301S	\$35.00
HACIENDA VILLA APARTMENTS				
153	6024		00730228	\$2,356.00

(Fiscal Year 2024-2025)				
<u>ASSESSMENT DIAGRAM NUMBER</u>	<u>CODE</u>	<u>LOT NO.</u>	<u>ASSESSOR'S PARCEL NUMBER</u>	<u>TOTAL ASSESSMENT</u>
(TRACT NO. 4608)				
154	6024	1	00729210S	\$35.00
155	6024	2	00729211S	\$35.00
156	6024	3	00729212S	\$35.00
157	6024	4	00729213S	\$35.00
158	6024	5	00729214S	\$35.00
159	6024	6	00729215S	\$35.00
160	6024	7	00729216S	\$35.00
161	6024	8	00729217S	\$35.00
162	6024	9	00729218S	\$35.00
163	6024	10	00729117S	\$35.00
164	6024	11	00729118S	\$35.00
165	6024	12	00729119S	\$35.00
166	6024	13	00729120S	\$35.00
167	6024	14	00729121S	\$35.00
168	6024	15	00729122S	\$35.00
169	6024	16	00729123S	\$35.00
170	6024	17	00729124S	\$35.00
171	6024	18	00729125S	\$35.00
172	6024	19	00729126S	\$35.00
173	6024	20	00729127S	\$35.00
174	6024	21	00729128S	\$35.00
175	6024	22	00729129S	\$35.00
176	6024	23	00729130S	\$35.00
177	6024	24	00729131S	\$35.00
178	6024	44	00730227S	\$35.00
179	6024	43	00730226S	\$35.00
180	6024	42	00730225S	\$35.00
181	6024	41	00730224S	\$35.00
182	6024	40	00730223S	\$35.00
183	6024	39	00730222S	\$35.00
184	6024	38	00730221S	\$35.00
185	6024	37	00730220S	\$35.00
186	6024	36	00730219S	\$35.00
187	6024	35	00730218S	\$35.00
188	6024	34	00730217S	\$35.00
189	6024	33	00730216S	\$35.00
190	6024	32	00730215S	\$35.00
191	6024	31	00730214S	\$35.00
192	6024	30	00730213S	\$35.00
193	6024	29	00730212S	\$35.00
194	6024	28	00730211S	\$35.00
195	6024	27	00730210S	\$35.00
196	6024	26	00730209S	\$35.00
197	6024	25	00730208S	\$35.00
198	6024	24	00730207S	\$35.00
199	6024	23	00730206S	\$35.00
200	6024	22	00730205S	\$35.00
201	6024	4	00730204S	\$35.00
202	6024	3	00730203S	\$35.00
203	6024	2	00730202S	\$35.00
204	6024	1	00730201S	\$35.00
205	6024	14	00730108S	\$35.00
206	6024	15	00730107S	\$35.00
207	6024	16	00730106S	\$35.00
208	6024	17	00730105S	\$35.00

(Fiscal Year 2024-2025)

<u>ASSESSMENT DIAGRAM NUMBER</u>	<u>CODE</u>	<u>LOT NO.</u>	<u>ASSESSOR'S PARCEL NUMBER</u>	<u>TOTAL ASSESSMENT</u>
209	6024	18	00730104S	\$35.00
210	6024	19	00730103S	\$35.00
211	6024	20	00730102S	\$35.00
212	6024	21	00730101S	\$35.00
213	6024	5	00730117S	\$35.00
214	6024	6	00730116S	\$35.00
215	6024	7	00730115S	\$35.00
216	6024	8	00730114S	\$35.00
217	6024	9	00730113S	\$35.00
218	6024	10	00730112S	\$35.00
219	6024	11	00730111S	\$35.00
220	6024	12	00730110S	\$35.00
221	6024	13	00730109S	\$35.00
(TRACT NO 4851, PHASE I)				
222	6024	1	00731101S	\$35.00
223	6024	2	00731102S	\$35.00
224	6024	3	00731103S	\$35.00
225	6024	4	00731104S	\$35.00
226	6024	5	00731105S	\$35.00
227	6024	6	00731106S	\$35.00
228	6024	7	00731107S	\$35.00
229	6024	8	00731108S	\$35.00
230	6024	9	00731109S	\$35.00
231	6024	10	00731110S	\$35.00
232	6024	11	00731111S	\$35.00
233	6024	12	00731112S	\$35.00
234	6024	13	00731113S	\$35.00
235	6024	14	00731114S	\$35.00
236	6024	15	00731115S	\$35.00
237	6024	16	00731116S	\$35.00
238	6024	17	00731117S	\$35.00
(TRACT NO. 4851, PHASE I)				
239	6024	18	00731118S	\$35.00
240	6024	19	00731119S	\$35.00
241	6024	20	00731120S	\$35.00
242	6024	21	00731121S	\$35.00
243	6024	22	00731201S	\$35.00
244	6024	23	00731202S	\$35.00
245	6024	24	00731203S	\$35.00
246	6024	25	00731204S	\$35.00
247	6024	26	00731205S	\$35.00
248	6024	27	00731206S	\$35.00
249	6024	28	00731207S	\$35.00
250	6024	29	00731208S	\$35.00
251	6024	30	00731209S	\$35.00
252	6024	31	00731210S	\$35.00
253	6024	32	00731211S	\$35.00
254	6024	33	00731212S	\$35.00
255	6024	34	00731213S	\$35.00
256	6024	35	00731214S	\$35.00
257	6024	36	00731215S	\$35.00
258	6024	37	00731216S	\$35.00
259	6024	38	00731217S	\$35.00
260	6024	39	00731218S	\$35.00
261	6024	40	00731219S	\$35.00
262	6024	41	00731220S	\$35.00

(Fiscal Year 2024-2025)				
ASSESSMENT DIAGRAM NUMBER	CODE	LOT NO.	ASSESSOR'S PARCEL NUMBER	TOTAL ASSESSMENT
(PORTION OF REMAINDER PARCEL, TRACT 4850)				
263	6024		00725102S	\$1,284.00
(PARCEL MAP 94-1, PARCEL "A")				
264	6024		00706222	\$111.00
(TRACT NO. 4851, PHASE II)				
265	6024	1	00731239S	\$35.00
266	6024	2	00731238S	\$35.00
267	6024	3	00731237S	\$35.00
268	6024	4	00731236S	\$35.00
269	6024	5	00731235S	\$35.00
270	6024	6	00731234S	\$35.00
271	6024	7	00731233S	\$35.00
272	6024	8	00731232S	\$35.00
273	6024	9	00731231S	\$35.00
274	6024	10	00731230S	\$35.00
275	6024	11	00731229S	\$35.00
276	6024	12	00731228S	\$35.00
277	6024	13	00731227S	\$35.00
278	6024	14	00731226S	\$35.00
279	6024	15	00731225S	\$35.00
280	6024	16	00731224S	\$35.00
281	6024	17	00731223S	\$35.00
282	6024	18	00731222S	\$35.00
283	6024	19	00731221S	\$35.00
284	6024	20	00731318S	\$35.00
285	6024	21	00731317S	\$35.00
286	6024	22	00731316S	\$35.00
287	6024	23	00731315S	\$35.00
288	6024	24	00731314S	\$35.00
289	6024	25	00731313S	\$35.00
290	6024	26	00731312S	\$35.00
291	6024	27	00731311S	\$35.00
292	6024	28	00731310S	\$35.00
293	6024	29	00731309S	\$35.00
294	6024	30	00731308S	\$35.00
295	6024	31	00731307S	\$35.00
296	6024	32	00731306S	\$35.00
297	6024	33	00731305S	\$35.00
298	6024	34	00731304S	\$35.00
299	6024	35	00731303S	\$35.00
300	6024	36	00731302S	\$35.00
301	6024	37	00731301S	\$35.00
(TRACT NO. 4851, PHASE III)				
302	6024	1	00731335S	\$35.00
303	6024	2	00731334S	\$35.00
304	6024	3	00731333S	\$35.00
305	6024	4	00731332S	\$35.00
306	6024	5	00731331S	\$35.00
307	6024	6	00731330S	\$35.00
308	6024	7	00731329S	\$35.00
309	6024	8	00731328S	\$35.00
310	6024	9	00731327S	\$35.00
311	6024	10	00731326S	\$35.00
312	6024	11	00731325S	\$35.00
313	6024	12	00731324S	\$35.00

(Fiscal Year 2024-2025)

<u>ASSESSMENT DIAGRAM NUMBER</u>	<u>CODE</u>	<u>LOT NO.</u>	<u>ASSESSOR'S PARCEL NUMBER</u>	<u>TOTAL ASSESSMENT</u>
314	6024	13	00731323S	\$35.00
315	6024	14	00731322S	\$35.00
316	6024	15	00731321S	\$35.00
317	6024	16	00731320S	\$35.00
318	6024	17	00731319S	\$35.00
319	6024	18	00731411S	\$35.00
320	6024	19	00731410S	\$35.00
321	6024	20	00731409S	\$35.00
322	6024	21	00731408S	\$35.00
323	6024	22	00731407S	\$35.00
324	6024	23	00731406S	\$35.00
325	6024	24	00731405S	\$35.00
326	6024	25	00731404S	\$35.00
327	6024	26	00731403S	\$35.00
328	6024	27	00731402S	\$35.00
329	6024	28	00731401S	\$35.00
330	6024	29	00732101S	\$35.00
331	6024	30	00732102S	\$35.00
332	6024	31	00732103S	\$35.00
333	6024	32	00732104S	\$35.00
334	6024	33	00732105S	\$35.00
335	6024	34	00732106S	\$35.00
336	6024	35	00732107S	\$35.00
337	6024	36	00732108S	\$35.00
338	6024	37	00732207S	\$35.00
339	6024	38	00732206S	\$35.00
340	6024	39	00732205S	\$35.00
341	6024	40	00732204S	\$35.00
342	6024	41	00732203S	\$35.00
343	6024	42	00732202S	\$35.00
344	6024	43	00732201S	\$35.00
(TRACT 5202)				
346	6024	1	00729155S	\$35.00
347	6024	2	00729154S	\$35.00
348	6024	3	00729153S	\$35.00
349	6024	4	00729152S	\$35.00
350	6024	5	00729151S	\$35.00
351	6024	6	00729150S	\$35.00
352	6024	7	00729149S	\$35.00
353	6024	8	00729148S	\$35.00
354	6024	9	00729147S	\$35.00
355	6024	10	00729146S	\$35.00
356	6024	11	00729145S	\$35.00
357	6024	12	00729144S	\$35.00
358	6024	13	00729143S	\$35.00
359	6024	14	00729142S	\$35.00
360	6024	15	00729141S	\$35.00
361	6024	16	00729140S	\$35.00
362	6024	17	00729139S	\$35.00
363	6024	18	00729138S	\$35.00
364	6024	19	00729137S	\$35.00
365	6024	20	00729136S	\$35.00
366	6024	21	00729135S	\$35.00
367	6024	22	00729134S	\$35.00
368	6024	23	00729133S	\$35.00
369	6024	24	00729132S	\$35.00

(Fiscal Year 2024-2025)				
<u>ASSESSMENT DIAGRAM NUMBER</u>	<u>CODE</u>	<u>LOT NO.</u>	<u>ASSESSOR'S PARCEL NUMBER</u>	<u>TOTAL ASSESSMENT</u>
370	6024	25	00729414S	\$35.00
371	6024	26	00729413S	\$35.00
372	6024	27	00729412S	\$35.00
373	6024	28	00729411S	\$35.00
374	6024	29	00729410S	\$35.00
375	6024	30	00729409S	\$35.00
376	6024	31	00729408S	\$35.00
377	6024	32	00729407S	\$35.00
378	6024	33	00729406S	\$35.00
379	6024	34	00729405S	\$35.00
380	6024	35	00729404S	\$35.00
381	6024	36	00729403S	\$35.00
382	6024	37	00729402S	\$35.00
383	6024	38	00729401S	\$35.00
(TRACT 5367)				
384	6024	1	00810030	\$35.00
385	6024	2	00810031	\$35.00
386	6024	3	00810032	\$35.00
387	6024	4	00810033	\$35.00
388	6024	5	00810034	\$35.00
389	6024	6	00810035	\$35.00
390	6024	7	00810036	\$35.00
391	6024	8	00810037	\$35.00
(TRACT 5529)				
392	6024	1	00734101S	\$125.52
393	6024	2	00734102S	\$125.52
394	6024	3	00734103S	\$125.52
395	6024	4	00734104S	\$125.52
396	6024	5	00734105S	\$125.52
397	6024	6	00734106S	\$125.52
398	6024	7	00734107S	\$125.52
399	6024	8	00734108S	\$125.52
400	6024	9	00734109S	\$125.52
401	6024	10	00734110S	\$125.52
402	6024	11	00734111S	\$125.52
403	6024	12	00734112S	\$125.52
404	6024	13	00735501S	\$125.52
405	6024	14	00735502S	\$125.52
406	6024	15	00735503S	\$125.52
407	6024	16	00735504S	\$125.52
408	6024	17	00735505S	\$125.52
409	6024	18	00734113S	\$125.52
410	6024	19	00734114S	\$125.52
411	6024	20	00734115S	\$125.52
412	6024	21	00734116S	\$125.52
413	6024	22	00734117S	\$125.52
414	6024	23	00734118S	\$125.52
415	6024	24	00734119S	\$125.52
416	6024	25	00734120S	\$125.52
417	6024	26	00734121S	\$125.52
418	6024	27	00734122S	\$125.52
419	6024	28	00734123S	\$125.52
420	6024	29	00734124S	\$125.52
421	6024	30	00734125S	\$125.52
422	6024	31	00734126S	\$125.52
423	6024	32	00734127S	\$125.52

(Fiscal Year 2024-2025)				
<u>ASSESSMENT DIAGRAM NUMBER</u>	<u>CODE</u>	<u>LOT NO.</u>	<u>ASSESSOR'S PARCEL NUMBER</u>	<u>TOTAL ASSESSMENT</u>
424	6024	33	00734128S	\$125.52
425	6024	34	00734129S	\$125.52
426	6024	35	00734130S	\$125.52
427	6024	36	00734131S	\$125.52
428	6024	37	00734132S	\$125.52
429	6024	38	00734133S	\$125.52
430	6024	39	00734134S	\$125.52
431	6024	40	00734135S	\$125.52
432	6024	41	00734136S	\$125.52
433	6024	42	00734137S	\$125.52
434	6024	43	00734138S	\$125.52
435	6024	44	00734201S	\$125.52
436	6024	45	00734202S	\$125.52
437	6024	46	00734203S	\$125.52
438	6024	47	00734204S	\$125.52
439	6024	48	00734205S	\$125.52
440	6024	49	00734206S	\$125.52
441	6024	50	00734207S	\$125.52
442	6024	51	00734208S	\$125.52
443	6024	52	00734209S	\$125.52
444	6024	53	00734210S	\$125.52
445	6024	54	00734211S	\$125.52
446	6024	55	00734212S	\$125.52
447	6024	56	00734213S	\$125.52
448	6024	57	00734214S	\$125.52
449	6024	58	00734215S	\$125.52
450	6024	59	00736001S	\$125.52
451	6024	60	00736002S	\$125.52
452	6024	61	00736003S	\$125.52
453	6024	62	00736004S	\$125.52
454	6024	63	00736005S	\$125.52
455	6024	64	00736006S	\$125.52
456	6024	65	00736007S	\$125.52
457	6024	66	00736008S	\$125.52
458	6024	67	00736009S	\$125.52
459	6024	68	00736010S	\$125.52
460	6024	69	00736011S	\$125.52
461	6024	70	00736012S	\$125.52
462	6024	71	00736013S	\$125.52
463	6024	72	00736014S	\$125.52
464	6024	73	00736015S	\$125.52
465	6024	74	00736016S	\$125.52
466	6024	75	00736017S	\$125.52
467	6024	76	00736018S	\$125.52
468	6024	77	00736019S	\$125.52
469	6024	78	00736020S	\$125.52
470	6024	79	00735101S	\$125.52
471	6024	80	00735102S	\$125.52
472	6024	81	00735103S	\$125.52
473	6024	82	00735104S	\$125.52
474	6024	83	00735105S	\$125.52
475	6024	84	00735601S	\$125.52
476	6024	85	00735602S	\$125.52
477	6024	86	00735603S	\$125.52
478	6024	87	00735604S	\$125.52
479	6024	88	00735605S	\$125.52

(Fiscal Year 2024-2025)				
<u>ASSESSMENT DIAGRAM NUMBER</u>	<u>CODE</u>	<u>LOT NO.</u>	<u>ASSESSOR'S PARCEL NUMBER</u>	<u>TOTAL ASSESSMENT</u>
480	6024	89	00735606S	\$125.52
481	6024	90	00735607S	\$125.52
482	6024	91	00735608S	\$125.52
483	6024	92	00735609S	\$125.52
484	6024	93	00735610S	\$125.52
485	6024	94	00735611S	\$125.52
486	6024	95	00735612S	\$125.52
487	6024	96	00735613S	\$125.52
488	6024	97	00735614S	\$125.52
489	6024	98	00735615S	\$125.52
490	6024	99	00735616S	\$125.52
491	6024	100	00735617S	\$125.52
492	6024	101	00735618S	\$125.52
493	6024	102	00735619S	\$125.52
494	6024	103	00735620S	\$125.52
495	6024	104	00735621S	\$125.52
496	6024	105	00735622S	\$125.52
497	6024	106	00735623S	\$125.52
498	6024	107	00735624S	\$125.52
499	6024	108	00735625S	\$125.52
500	6024	109	00735626S	\$125.52
501	6024	110	00735627S	\$125.52
502	6024	111	00735628S	\$125.52
503	6024	112	00735629S	\$125.52
504	6024	113	00735630S	\$125.52
505	6024	114	00735631S	\$125.52
506	6024	115	00735206S	\$125.52
507	6024	116	00735207S	\$125.52
508	6024	117	00735208S	\$125.52
509	6024	118	00735209S	\$125.52
510	6024	119	00735210S	\$125.52
511	6024	120	00735201S	\$125.52
512	6024	121	00735202S	\$125.52
513	6024	122	00735203S	\$125.52
514	6024	123	00735204S	\$125.52
515	6024	124	00735205S	\$125.52
516	6024	125	00735308S	\$125.52
517	6024	126	00735309S	\$125.52
518	6024	127	00735310S	\$125.52
519	6024	128	00735311S	\$125.52
520	6024	129	00735312S	\$125.52
521	6024	130	00735313S	\$125.52
522	6024	131	00735314S	\$125.52
523	6024	132	00735315S	\$125.52
524	6024	133	00736039S	\$125.52
525	6024	134	00736040S	\$125.52
526	6024	135	00736041S	\$125.52
527	6024	136	00736042S	\$125.52
528	6024	137	00736043S	\$125.52
529	6024	138	00736044S	\$125.52
530	6024	139	00736045S	\$125.52
531	6024	140	00736046S	\$125.52
532	6024	141	00735301S	\$125.52
533	6024	142	00735302S	\$125.52
534	6024	143	00735303S	\$125.52
535	6024	144	00735304S	\$125.52

(Fiscal Year 2024-2025)

<u>ASSESSMENT DIAGRAM NUMBER</u>	<u>CODE</u>	<u>LOT NO.</u>	<u>ASSESSOR'S PARCEL NUMBER</u>	<u>TOTAL ASSESSMENT</u>
536	6024	145	00735305S	\$125.52
537	6024	146	00735306S	\$125.52
538	6024	147	00735307S	\$125.52
539	6024	148	00735401S	\$125.52
540	6024	149	00735402S	\$125.52
541	6024	150	00735403S	\$125.52
542	6024	151	00736047S	\$125.52
543	6024	152	00736048S	\$125.52
544	6024	153	00736049S	\$125.52
545	6024	154	00734401S	\$125.52
546	6024	155	00734402S	\$125.52
547	6024	156	00734403S	\$125.52
548	6024	157	00734404S	\$125.52
549	6024	158	00734405S	\$125.52
550	6024	159	00734406S	\$125.52
551	6024	160	00734305S	\$125.52
552	6024	161	00734306S	\$125.52
553	6024	162	00734307S	\$125.52
554	6024	163	00734308S	\$125.52
555	6024	164	00734309S	\$125.52
556	6024	165	00734301S	\$125.52
557	6024	166	00734302S	\$125.52
558	6024	167	00734303S	\$125.52
559	6024	168	00734304S	\$125.52
560	6024	169	00736021S	\$125.52
561	6024	170	00736022S	\$125.52
562	6024	171	00736023S	\$125.52
563	6024	172	00736024S	\$125.52
564	6024	173	00736025S	\$125.52
565	6024	174	00736026S	\$125.52
566	6024	175	00736027S	\$125.52
567	6024	176	00736028S	\$125.52
568	6024	177	00736029S	\$125.52
569	6024	178	00736030S	\$125.52
570	6024	179	00736031S	\$125.52
571	6024	180	00736032S	\$125.52
572	6024	181	00736033S	\$125.52
573	6024	182	00736034S	\$125.52
574	6024	183	00736035S	\$125.52
575	6024	184	00736036S	\$125.52
576	6024	185	00736037S	\$125.52
577	6024	186	00736038S	\$125.52
TRACT 6257				
580	6024	1	00738001S	\$89.44
581	6024	2	00738002S	\$89.44
582	6024	3	00738003S	\$89.44
583	6024	4	00738004S	\$89.44
584	6024	5	00738005S	\$89.44
585	6024	6	00738006S	\$89.44
586	6024	7	00738007S	\$89.44
587	6024	8	00738008S	\$89.44
588	6024	9	00738009S	\$89.44
589	6024	10	00738010S	\$89.44
590	6024	11	00738011S	\$89.44
591	6024	12	00738012S	\$89.44
592	6024	13	00738013S	\$89.44

(Fiscal Year 2024-2025)				
<u>ASSESSMENT DIAGRAM NUMBER</u>	<u>CODE</u>	<u>LOT NO.</u>	<u>ASSESSOR'S PARCEL NUMBER</u>	<u>TOTAL ASSESSMENT</u>
593	6024	14	00738014S	\$89.44
594	6024	15	00738015S	\$89.44
595	6024	16	00738016S	\$89.44
596	6024	17	00738017S	\$89.44
597	6024	18	00738018S	\$89.44
598	6024	19	00738019S	\$89.44
599	6024	20	00738020S	\$89.44
600	6024	21	00738021S	\$89.44
601	6024	22	00738022S	\$89.44
602	6024	23	00738023S	\$89.44
603	6024	24	00738024S	\$89.44
604	6024	25	00738025S	\$89.44
605	6024	26	00738026S	\$89.44
606	6024	27	00738027S	\$89.44
607	6024	28	00738028S	\$89.44
608	6024	29	00738029S	\$89.44
609	6024	30	00738030S	\$89.44
610	6024	31	00738031S	\$89.44
611	6024	32	00738032S	\$89.44
612	6024	33	00738033S	\$89.44
613	6024	34	00738034S	\$89.44
614	6024	35	00738035S	\$89.44
615	6024	36	00738036S	\$89.44
616	6024	37	00738037S	\$89.44
617	6024	38	00738038S	\$89.44
618	6024	39	00738039S	\$89.44
619	6024	40	00738040S	\$89.44
620	6024	41	00738041S	\$89.44
621	6024	42	00739001S	\$89.44
622	6024	43	00739002S	\$89.44
623	6024	44	00739003S	\$89.44
624	6024	45	00739004S	\$89.44
625	6024	46	00739005S	\$89.44
626	6024	47	00739006S	\$89.44
627	6024	48	00739007S	\$89.44
628	6024	49	00739008S	\$89.44
629	6024	50	00739009S	\$89.44
630	6024	51	00739010S	\$89.44
631	6024	52	00739011S	\$89.44
TRACT 6313				
632	6024	53	00739014S	\$89.44
633	6024	54	00739015S	\$89.44
634	6024	55	00739016S	\$89.44
635	6024	56	00739017S	\$89.44
636	6024	57	00739018S	\$89.44
637	6024	58	00739019S	\$89.44
638	6024	59	00739020S	\$89.44
639	6024	60	00739021S	\$89.44
640	6024	61	00739022S	\$89.44
641	6024	62	00739023S	\$89.44
642	6024	63	00739024S	\$89.44
643	6024	64	00739025S	\$89.44
644	6024	65	00739026S	\$89.44
645	6024	66	00739027S	\$89.44
646	6024	67	00739028S	\$89.44
647	6024	68	00739029S	\$89.44

(Fiscal Year 2024-2025)

<u>ASSESSMENT DIAGRAM NUMBER</u>	<u>CODE</u>	<u>LOT NO.</u>	<u>ASSESSOR'S PARCEL NUMBER</u>	<u>TOTAL ASSESSMENT</u>
648	6024	69	00739030S	\$89.44
649	6024	70	00739031S	\$89.44
650	6024	71	00739032S	\$89.44
651	6024	72	00739033S	\$89.44
652	6024	73	00739034S	\$89.44
653	6024	74	00739035S	\$89.44
654	6024	75	00739036S	\$89.44
655	6024	76	00739037S	\$89.44
656	6024	77	00739038S	\$89.44
657	6024	78	00739039S	\$89.44
658	6024	79	00739040S	\$89.44
659	6024	80	00739041S	\$89.44
660	6024	81	00739042S	\$89.44
661	6024	82	00739043S	\$89.44
662	6024	83	00739044S	\$89.44
663	6024	84	00739045S	\$89.44
664	6024	85	00739046S	\$89.44
TRACT 6314				
665	6024	86	00739049S	\$89.44
666	6024	87	00739050S	\$89.44
667	6024	88	00739051S	\$89.44
668	6024	89	00739052S	\$89.44
669	6024	90	00739053S	\$89.44
670	6024	91	00739054S	\$89.44
671	6024	92	00739055S	\$89.44
672	6024	93	00739056S	\$89.44
673	6024	94	00739057S	\$89.44
674	6024	95	00739058S	\$89.44
675	6024	96	00739059S	\$89.44
676	6024	97	00739060S	\$89.44
677	6024	98	00739061S	\$89.44
678	6024	99	00739062S	\$89.44
679	6024	100	00739063S	\$89.44
680	6024	101	00739064S	\$89.44
681	6024	102	00739065S	\$89.44
682	6024	103	00739066S	\$89.44
683	6024	104	00739067S	\$89.44
684	6024	105	00739068S	\$89.44
685	6024	106	00739069S	\$89.44
686	6024	107	00739070S	\$89.44
687	6024	108	00739071S	\$89.44
688	6024	109	00739072S	\$89.44
689	6024	110	00738044S	\$89.44
690	6024	111	00738045S	\$89.44
691	6024	112	00738046S	\$89.44
692	6024	113	00738047S	\$89.44
693	6024	114	00738048S	\$89.44
694	6024	115	00738049S	\$89.44
695	6024	116	00738050S	\$89.44
696	6024	117	00738051S	\$89.44
697	6024	118	00738052S	\$89.44
698	6024	119	00738053S	\$89.44
699	6024	120	00738054S	\$89.44
700	6024	121	00738055S	\$89.44
701	6024	122	00738056S	\$89.44
702	6024	123	00738057S	\$89.44

(Fiscal Year 2024-2025)				
<u>ASSESSMENT DIAGRAM NUMBER</u>	<u>CODE</u>	<u>LOT NO.</u>	<u>ASSESSOR'S PARCEL NUMBER</u>	<u>TOTAL ASSESSMENT</u>
703	6024	124	00738058S	\$89.44
704	6024	125	00738059S	\$89.44
705	6024	126	00738060S	\$89.44
706	6024	127	00738061S	\$89.44
707	6024	128	00738062S	\$89.44
708	6024	129	00738063S	\$89.44
709	6024	130	00738064S	\$89.44
710	6024	131	00738065S	\$89.44
TRACT 6252				
711	6024	1	00740002	\$154.14
712	6024	2	00740003	\$154.14
713	6024	3	00740004	\$154.14
714	6024	4	00740005	\$154.14
715	6024	5	00740006	\$154.14
716	6024	6	00740007	\$154.14
717	6024	7	00740008	\$154.14
718	6024	8	00740009	\$154.14
719	6024	9	00740010	\$154.14
720	6024	10	00740011	\$154.14
721	6024	11	00740012	\$154.14
722	6024	12	00740013	\$154.14
723	6024	13	00740014	\$154.14
724	6024	14	00740015	\$154.14
725	6024	15	00740016	\$154.14
726	6024	16	00740017	\$154.14
727	6024	17	00740018	\$154.14
728	6024	18	00740019	\$154.14
729	6024	19	00740020	\$154.14
730	6024	20	00740021	\$154.14
731	6024	21	00740022	\$154.14
732	6024	22	00740023	\$154.14
733	6024	23	00740024	\$154.14
734	6024	24	00740025	\$154.14
735	6024	25	00740026	\$154.14
736	6024	26	00740027	\$154.14
737	6024	27	00740028	\$154.14
738	6024	28	00740029	\$154.14
739	6024	29	00740030	\$154.14
740	6024	30	00740031	\$154.14
741	6024	31	00740032	\$154.14
742	6024	32	00740033	\$154.14
743	6024	33	00740034	\$154.14
DEL RIO PLACE APARTMENTS				
744	6024	34	00740035	\$8,631.84

PART D

METHOD OF APPORTIONMENT OF ASSESSMENT

LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 1

(Pursuant to the Landscaping and Lighting Act of 1972)

Method of Assessment Spread

The basic objective of the Assessment Spread is to distribute costs in accordance with the benefits received. Costs are to be spread equally to each residential unit (RU) as follows:

- (a) For 2024-2025, Tracts 4010, 4060, 4459, 4608, 4850, 5202, 5367, 4851 Phases I, II, III, Parcel "A", Parcel "B" and Hacienda Villa Apartments have been completed and accepted by the City. The combined tracts consist of 390 lots or parcels. Each single-family residential lot is considered an assessable unit. The total square footage of each multi-residential lot is divided by 6,000 square feet to determine the number of assessable units for each multi-residential lot. There is a total of 387 single-family RU lots and 3 multi-residential lots consisting of 107.17 RU lots for a total of 494.17 RU assessable units, each of which benefit equally from the improvements maintained by this landscaping and lighting maintenance district.
- (b) For 2024-2025, Tract 5529 has been completed and accepted by the City. The total number of RU lots in this subdivision is 186, each of which benefit equally from the improvements maintained by this landscaping and lighting maintenance district.
- (c) For 2024-2025, Tract 6257, 6313, & 6314 have been completed and accepted by the City. The total number of RU lots in this subdivision is 131, each of which benefit equally from the improvements maintained by this landscaping and lighting maintenance district.
- (d) For 2024-2025, Tract 6252, Outlot "A" (Del Rio Place Apartments), and Outlot "B" (Public Park) have been completed and accepted by the City. Tract 6252 consists of 33 single family residential lots and Outlot "A" consists of 56 Multi-family units. The total number of RU lots in this subdivision is 89, each of which benefit equally from the improvements maintained by this landscaping and lighting maintenance district.

Computing Individual Assessment

- (a) The total number of assessable units is 494.17 RU. The assessment will be \$35.00 per RU for 2024-2025 due to the limitations of assessments below. The total calculated amount to be assessed for Fiscal Year 2024-2025 is \$17,296.00 based on \$35.00 multiplied by 494.17. This sentence does not apply to Tract 5529, 6257, 6313, 6314, & 6252.
- (b) Tract 5529 - The total number of assessable units is 186 RU. The total estimated cost to be assessed for Fiscal Year 2024-2025 is \$47,649.00. The maximum allowable assessment increase is equal to the change in CPI and shall not exceed 3.0%. The change in the CPI for Fiscal Year 2024-2025 was 3.7%. Consequently, the total assessable cost of \$47,649.00 will not be fully recovered through the FY 2024/2025 assessment since the maximum assessable amount is limited to the FY 2023/2024 assessment escalated by 3.0%, or \$22,669.68 x 0.03, equaling \$23,349.77. The assessment will be \$125.52* per RU for 2024-2025 for a total of \$23,346.72. This applies only to Tract 5529.
- (c) Tract 6257, 6313, & 6314 - The total number of assessable units is 131 RU. The total estimated cost to be assessed for Fiscal Year 2024-2025 is \$11,717.14. The maximum allowable assessment increase is equal to the change in CPI and shall not exceed 3.0%. The change in the CPI for Fiscal Year 2024-2025 was 3.7%. Consequently, the total assessable cost of \$11,717.14 will be fully recovered through the FY 2024/2025 assessment since the maximum assessable amount is limited to the FY 2023/2024

assessment escalated by 3.0%, or \$11,375.88. x 0.03, equaling \$11,717.15. The assessment will be \$89.44* per RU for 2024-2025 for a total of \$11,716.64. This applies only to Tract 6257, 6313, & 6314.

- (d) Tract 6252 - The total number of assessable units is 89 RU. The total estimated cost to be assessed for Fiscal Year 2024-2025 is \$13,718.84 The maximum allowable assessment increase is equal to the change in CPI and shall not exceed 3.0%. The change in the CPI for Fiscal Year 2024-2025 was 3.7%. Consequently, the total assessable cost of \$13,718.83 will be fully recovered through the FY 2024/2025 assessment since the maximum assessable amount is limited to the FY 2023/2024 assessment escalated by 3.0%, or \$13,319.28 x 0.03, equaling \$13,718.85. The assessment will be \$154.14 per RU for 2024-2025. This applies only to Tract 6252.

* Amount was rounded down one cent to conform to County Auditor requirements that the amount to be billed to the taxpayer must be an even amount (divisible by 2).

Limitations on Assessments

- (a) Normally, the assessable costs may be revised upon preparation of the Engineer's Report for each fiscal year for which assessments are to be levied and collected as provided for in the Landscaping and Lighting Act of 1972 (State Streets and Highways Code Section 22500) and Division 15 Part 2 as amended per Proposition 218; however, this assessment district was created utilizing a fixed assessment of \$35.00 per assessable unit. This sentence does not apply to Tract 5529.
- (b) This Subsection (b) only applies to Tract 5529. Assessments in each successive year are 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%. The calculation of the change in the CPI shall use December 2006 as the base year CPI. In the event that the annual change in the CPI exceeds 3%, any percentage change in excess of 3% can be cumulatively reserved and can be added to the annual change in the CPI for years in which the CPI change is less than 3%. If the actual assessment rate for any given year is not increased by an amount equal to a minimum of 3% or the yearly CPI change plus any CPI change in previous years that was in excess of 3%, the maximum authorized assessment shall increase by this amount. In such event, the maximum authorized assessment shall be equal to the base year assessment as adjusted by the increase to the CPI, plus any and all CPI adjustments deferred in any and all prior years.

The increases in these assessments, according to the formula described above, was approved by a majority vote of the owners of the lots in Tract No. 5529 voting in a land owner ballot proceeding on the issue of the assessment conducted on August 6, 2007, in accordance with Article XIID of the California Constitution and Section 53753 of the California Government Code.

The following table indicates the annual CPI changes since December 2006 as well as the changes to the assessment for previous years and this year.

Annual CPI	CPI Change	Fiscal Year	Assessment Change
December 2006	210.4		
December 2007	218.485	2008-2009	3.00%
December 2008	218.528	2009-2010	0.86%
December 2009	224.239	2010-2011	0.00%
December 2010	227.658	2011-2012	-1.43%
December 2011	234.327	2012-2013	2.90%
December 2012	239.533	2013-2014	-14.66%
December 2013	245.711	2014-2015	2.65%
December 2014	252.273	2015-2016	2.70%

December 2015	260.289	3.2%	2016-2017	3.00%
December 2016	269.483	3.5%	2017-2018	3.00%
December 2017	277.414	2.9%	2018-2019	2.90%
December 2018	285.550	3.9%	2019-2020	3.00%
December 2019	295.004	3.3%	2020-2021	3.00%
December 2020	300.084	1.7%	2021-2022	1.70%
December 2021	309.721	3.2%	2022-2023	3.00%
December 2022	327.060	5.6%	2023-2024	3.00%
December 2023	339.050	3.7%	2024-2025	3.00%

The maximum annual CPI adjustment is not to exceed 3%. In accordance with the foregoing limitations, the assessment for 2024-2025 will be \$125.52 per RU.

- (c) This Subsection (b) only applies to Tract Tract 6257, 6313, & 6314. Assessments in each successive year are 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%. The calculation of the change in the CPI shall use December 2021 as the base year CPI.

The increases in these assessments, according to the formula described above, was approved by a majority vote of the owners of the lots in Tract No 6257, 6313, & 6314 voting in a land owner ballot proceeding on the issue of the assessment conducted on December 07, 2020, in accordance with Article XIID of the California Constitution and Section 53753 of the California Government Code.

Annual CPI		CPI Change	Fiscal Year	Assessment Change
December 2021	309.721	3.2%	2022-2023	3.00%
December 2022	327.060	5.6%	2023-2024	3.00%
December 2023	339.050	3.7%	2024-2025	3.00%

The maximum annual CPI adjustment is not to exceed 3%. In accordance with the foregoing limitations, the assessment for 2024-2025 will be \$89.44 per RU.

- (d) This Subsection (b) only applies to Tract 6252. Assessments in each successive year are 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%. The calculation of the change in the CPI shall use December 2021 as the base year CPI.

The increases in these assessments, according to the formula described above, was approved by a majority vote of the owners of the lots in Tract No. 6252 voting in a land owner ballot proceeding on the issue of the assessment conducted on March 1, 2021, in accordance with Article XIID of the California Constitution and Section 6252 of the California Government Code.

Annual CPI		CPI Change	Fiscal Year	Assessment Change
December 2021	309.721	3.2%	2022-2023	3.00%
December 2022	327.060	5.6%	2023-2024	3.00%
December 2023	339.050	3.7%	2024-2025	3.00%

The maximum annual CPI adjustment is not to exceed 3%. In accordance with the foregoing limitations, the assessment for 2024-2025 will be \$154.14 per RU.

PART E

PROPERTY OWNERS LIST

LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 1

(Pursuant to the Landscaping and Lighting Act of 1972)

The names and addresses of each property owner are shown on the County Assessor's Tax Assessment Roll as identified by the Assessor's Parcel Number in Part C of this report.

PART F

ASSESSMENT DIAGRAM

LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 1

(Pursuant to the Landscaping and Lighting Act of 1972)

The assessment and boundary diagrams for these proceedings, entitled "Assessment Diagram of City of Firebaugh Landscaping and Lighting Maintenance District No. 1" and "Boundary Diagram of City of Firebaugh Landscaping and Lighting Maintenance District No. 1" are on file in City Hall and attached hereto and made a part hereof and as amended to show new land divisions or annexations of new parcels to the district.

DESCRIPTION OF THE BOUNDARY

The exterior boundary of this District is shown on a map entitled, "Boundary Diagram of City of Firebaugh Landscaping and Lighting Maintenance District No. 1", which is on file in City Hall and attached hereto and made a part hereof and as amended to show new land divisions or annexations of new parcels to the district. The District boundary is further described as follows:

- A. Tract 4010, Valle De Paz, in the City of Firebaugh, County of Fresno, State of California, as recorded in Volume 48 of Plats, at Page 22, Fresno County Records.
- B. Tract 4060, Valle De Paz II, in the City of Firebaugh, County of Fresno, State of California, as recorded in Volume 49 of Plats, at Page 49, Fresno County Records.
- C. A parcel lying adjacent to a portion of the North side of Tract 4060, being more particularly described as follows:

Beginning at the most northerly corner of Lot 1 of Tract 4060, Valle De Paz II, in the City of Firebaugh, County of Fresno, thence north along the westerly right-of-way of Storey Road a distance of 115.00 feet to a point; thence west perpendicular to said right-of-way a distance of 335.00 feet to a point; thence South, parallel to said right-of-way a distance of 375.00 feet to a point on the northerly boundary of said Tract 4060; thence northerly along said northerly boundary to the most northerly corner of Lot 1, said point being the Point of Beginning.
- D. Tract 4459, Riverview Estates, in the City of Firebaugh, County of Fresno, as recorded in Volume 54 of Plats at Pages 54 and 55, Fresno County Records.
- E. Hacienda Villa Apartments:

Beginning at the Northeast corner of Parcel B according to the map entitled "Parcel Map No. 84-1 in the City of Firebaugh, County of Fresno, California," recorded in Book 42 of Parcel Maps at Page 80, Fresno County Records, said point being on the West line of a 60-foot street known as Storey Avenue; thence South 89°37'00" East 60.00 feet to the East line of Storey Avenue; thence along the East line of Storey Avenue North 00°23'00" East 160.00 feet to the True Point of Beginning; thence continuing along the East line of Storey Avenue North 00°23'00" East 535.00 feet; thence South 89°37'00" East 535.00 feet; thence South 00°23'00" West, 535.00 feet; thence North 89°37'00" West 535.00 feet to the True Point of Beginning.
- G. Tract 4608, Riverview Estates, Phase II, in the City of Firebaugh, County of Fresno, State of California, as recorded in Volume 56 of Plats, at Pages 26 and 27, Fresno County Records.
- H. Tract 4850, Cerca Del Rio, in the City of Firebaugh, County of Fresno, State of California, as recorded in Volume 63 of Plats, at pages 8 and 9, Fresno County Records.

- H. Tract No. 4851, Phase 1, Cerca Del Rio II, in the City of Firebaugh, County of Fresno, State of California, as recorded in Volume 64 of Plats at page 17, Fresno County Records.
- I. Parcel "A" of Parcel Map 94-1, in the City of Firebaugh, County of Fresno, State of California, as recorded in Volume 25 of Parcel Maps at page 57, Fresno County Records.
- J. Parcel "B" being a portion of remainder Parcel as shown on the map of Tract No. 4850 as recorded in Volume 63 at pages 8 and 9, Fresno County Records.
- K. Tract No. 4851, Phase II, Cerca Del Rio II, in the City of Firebaugh, County of Fresno, and State of California as recorded in Volume 64 of Plats at page 80, Fresno County Records.
- L. Tract No. 4851, Phase III, Cerca Del Rio II, in the City of Firebaugh, County of Fresno, State of California, as recorded Volume 65 of Plats at page 12, Fresno County Records.
- M. Tract 5202, Cerca Del Rio III, in the City of Firebaugh, County of Fresno, State of California, as recorded in Volume 68 of Plats, at Pages 70 and 71, Fresno County Records.
- N. Tract 5367, in the City of Firebaugh, County of Fresno, State of California, as recorded in Volume 71 of Plats, at pages 59 and 60, Fresno County Records.
- O. Tract 5529, in the City of Firebaugh, County of Fresno, State of California, as recorded in Volume 78 of Plats, at pages 79 through 82, Fresno County Records.

All that real property situated in the west half of Section 20, Township 12 South, Range 14 East, Mount Diablo Base and Meridian, City of Firebaugh, County of Fresno, State of California, more particularly described as follows:

- P. Tract 6257, in the City of Firebaugh, County of Fresno, State of California, as recorded in Volume 89 of Plats, at pages 49-51, Fresno County Records.
- Q. Tract 6313, in the City of Firebaugh, County of Fresno, State of California, as recorded in Volume 89 of Plats, at pages 4-6, Fresno County Records.
- R. Tract 6314, in the City of Firebaugh, County of Fresno, State of California, as recorded in Volume 90 of Plats, at pages 4-6, Fresno County Records.

All that real property situated in portions of Sections 19 & 20, Township 12 South, Range 14 East, Mount Diablo Base and Meridian, City of Firebaugh, County of Fresno, State of California, more particularly described as follows:

- S. Tract 6252, in the City of Firebaugh, County of Fresno, State of California, as recorded in Volume 89 of Plats, at pages 95-98, Fresno County Records.

Together with Outlot "A" of said Tract Map No. 6252.

CLERK'S CERTIFICATION TO COUNTY AUDITOR
LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 1

(Pursuant to the Landscaping and Lighting Act of 1972)

TO THE COUNTY AUDITOR OF THE COUNTY OF FRESNO:

I do hereby certify that the attached document is a true copy of that certain Engineer's Report, including assessment and assessment and boundary diagrams, for Assessment District No. 1, City of Firebaugh, confirmed by the City Council of the City of Firebaugh on the 3rd day of June 2024, by its Resolution No. 2024-_____.

The document is certified, and is filed with you, pursuant to Section 22641 of the Streets and Highways Code.

Dated: _____

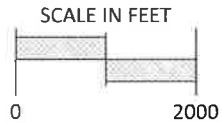
City Clerk
City of Firebaugh

[SEAL]



LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT No. 1 ASSESSMENT DIAGRAM

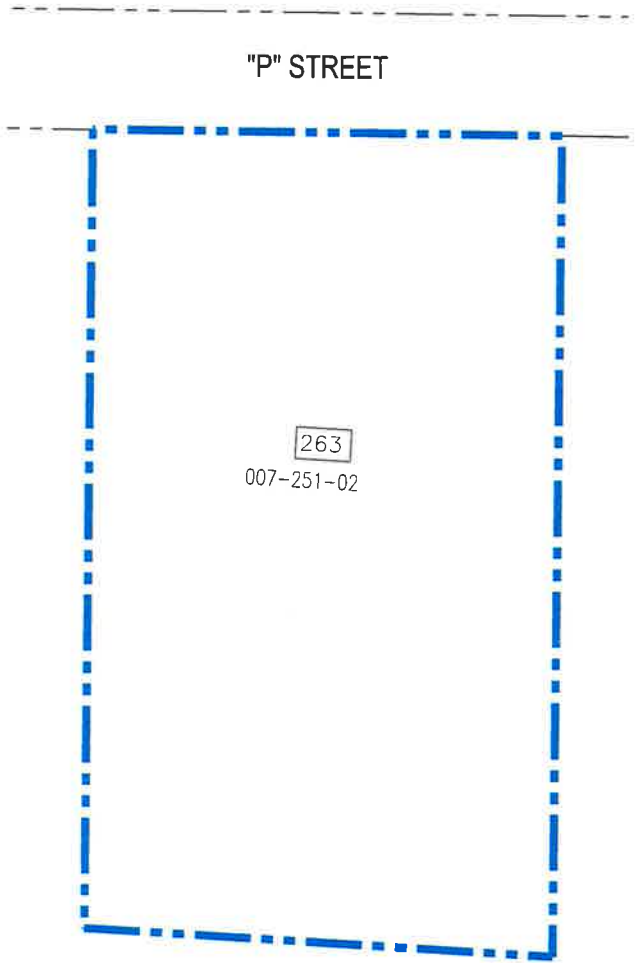
CITY OF FIREBAUGH, FRESNO COUNTY
CALIFORNIA



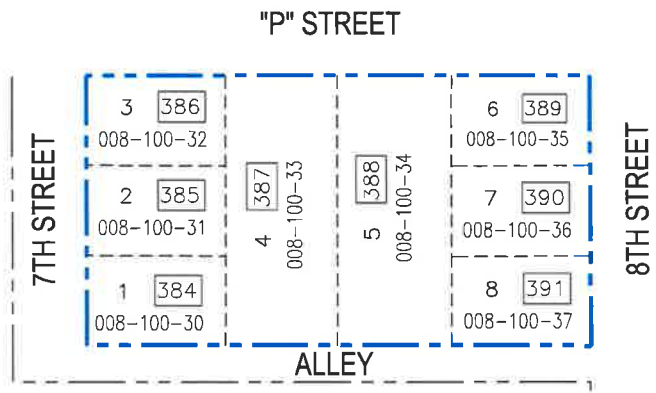
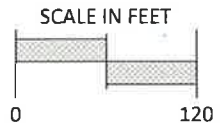
AN ASSESSMENT WAS LEVIED BY THE CITY COUNCIL OF THE CITY OF FIREBAUGH ON THE LOTS, PIECES AND PARCELS OF LAND SHOWN ON THIS ASSESSMENT DIAGRAM, SAID ASSESSMENT WAS LEVIED ON THE _____ DAY OF _____ 2024, BY SAID COUNCIL'S ADOPTION OF RESOLUTION No. _____, SAID ASSESSMENT DIAGRAM AND THE ASSESSMENT ROLL WERE RECORDED IN THE OFFICE OF THE CITY CLERK OF SAID CITY ON THE _____ DAY OF _____ 2024. REFERENCE IS MADE TO SAID ASSESSMENT ROLL RECORDED IN THE OFFICE OF THE CITY CLERK FOR THE EXACT AMOUNT OF EACH ASSESSMENT LEVIED AGAINST EACH PARCEL OF LAND SHOWN ON THIS ASSESSMENT DIAGRAM.

By: _____
CITY CLERK OF THE CITY OF FIREBAUGH

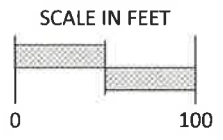
NOTE: ALL PARCELS SHOWN ON THIS DIAGRAM ARE LOCATED WITHIN THE CITY OF FIREBAUGH CITY LIMITS.



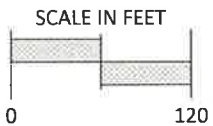
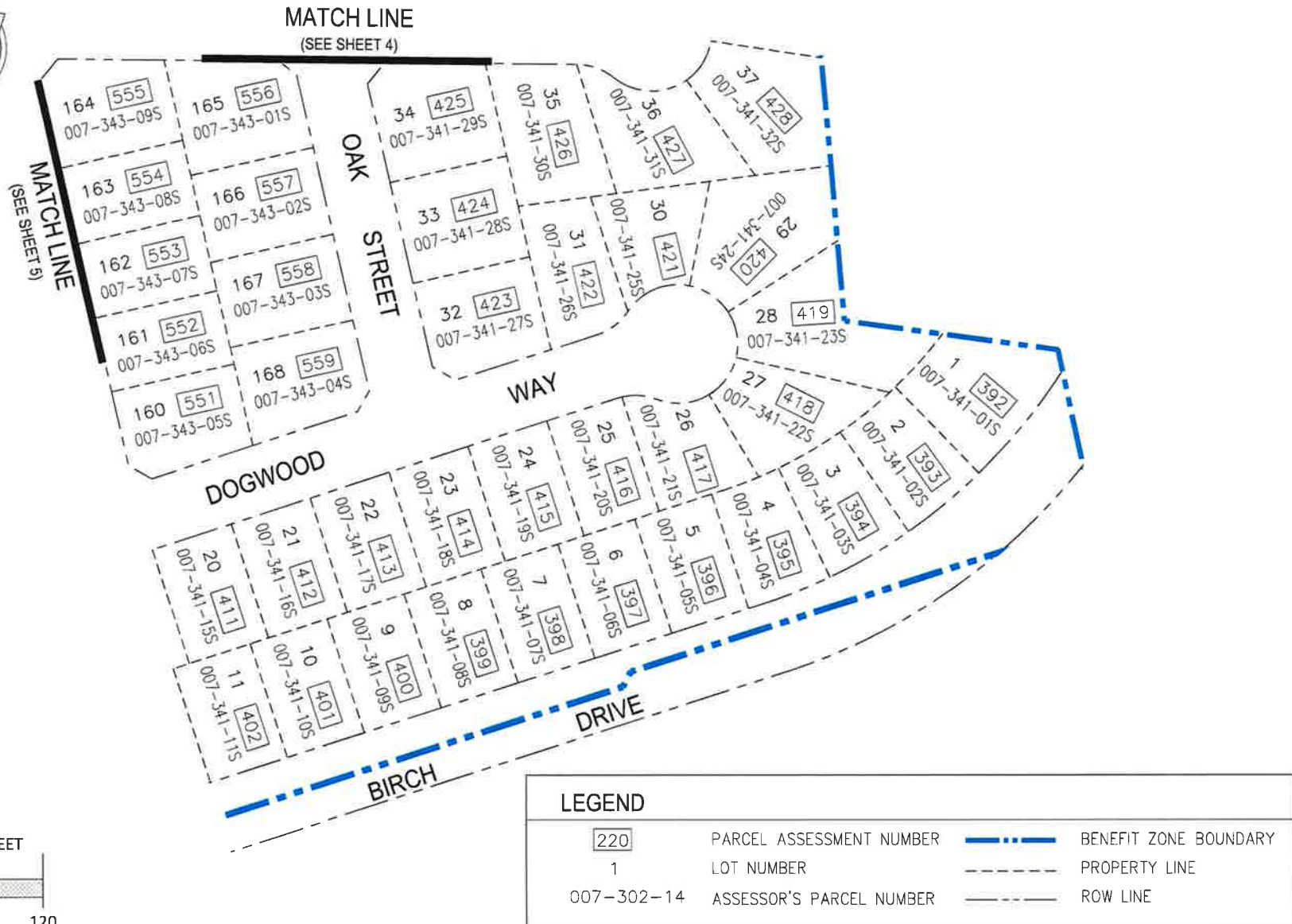
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 SCALE SHOWN

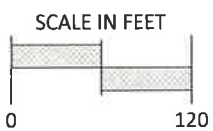
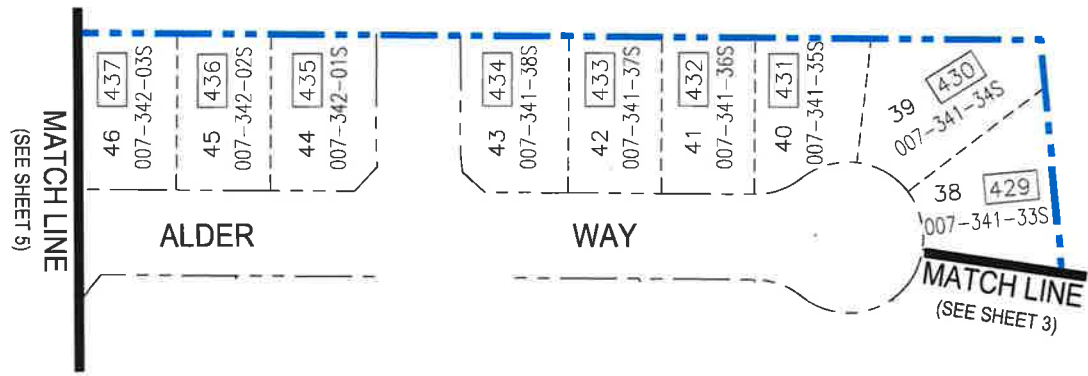


TRACT No. 5367
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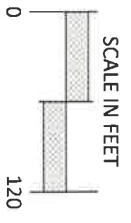


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1	LOT NUMBER	 PROPERTY LINE
007-302-14	ASSESSOR'S PARCEL NUMBER	 ROW LINE





LEGEND		
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1	LOT NUMBER	 PROPERTY LINE
007-302-14	ASSESSOR'S PARCEL NUMBER	 ROW LINE

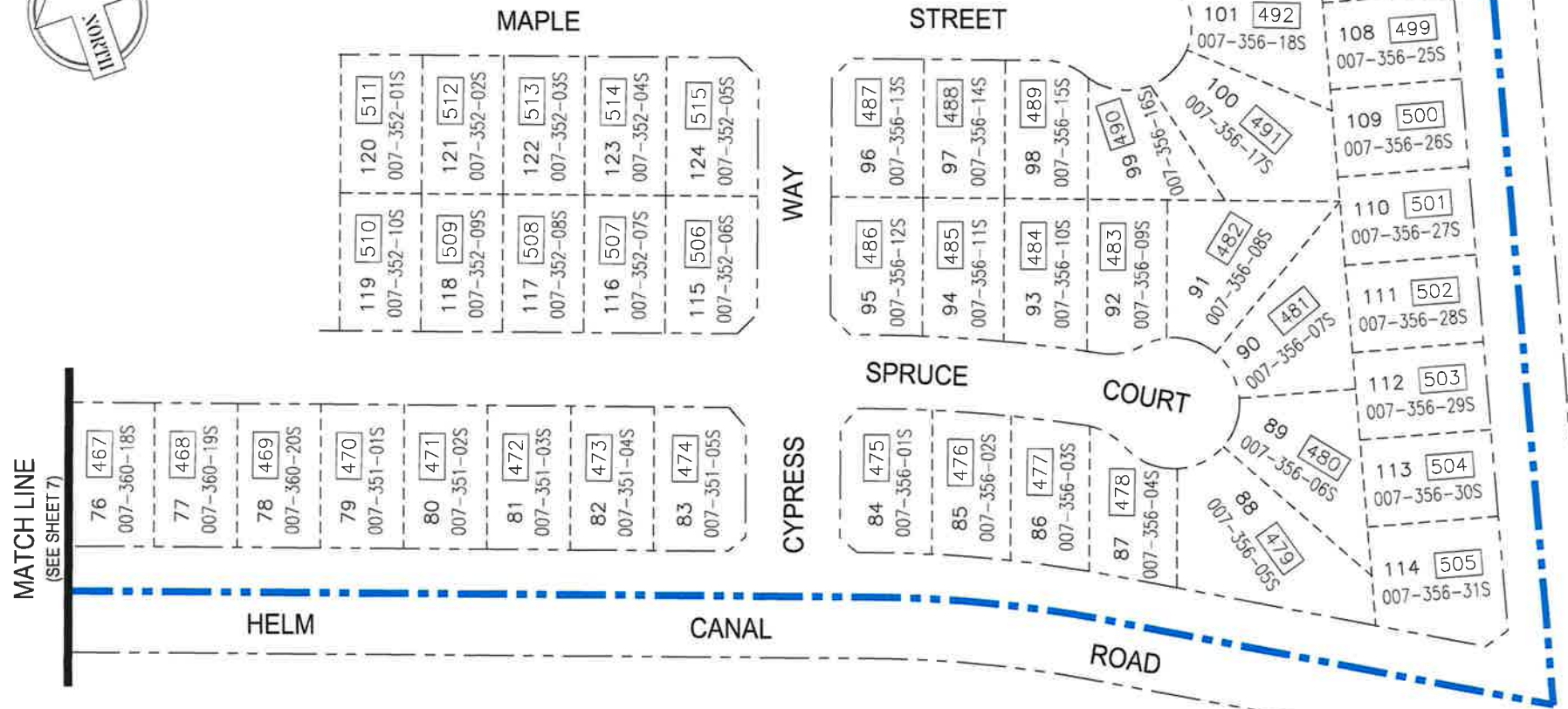


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	ROW LINE

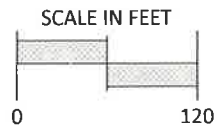
City of Firebaugh - Assessment Diagram TRACT No. 5529



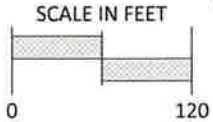
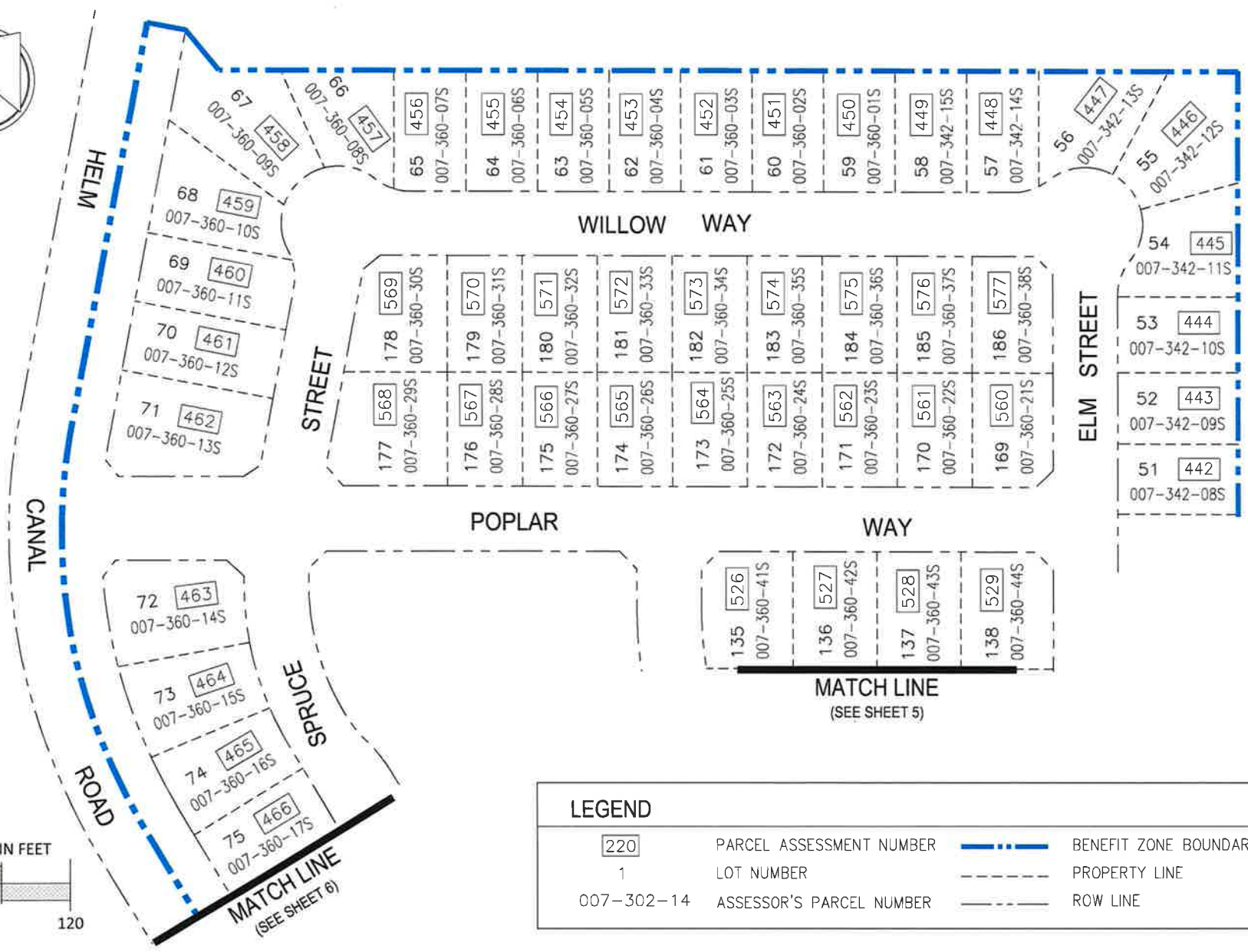
MATCH LINE
 (SEE SHEET 5)



MATCH LINE
 (SEE SHEET 7)



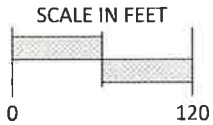
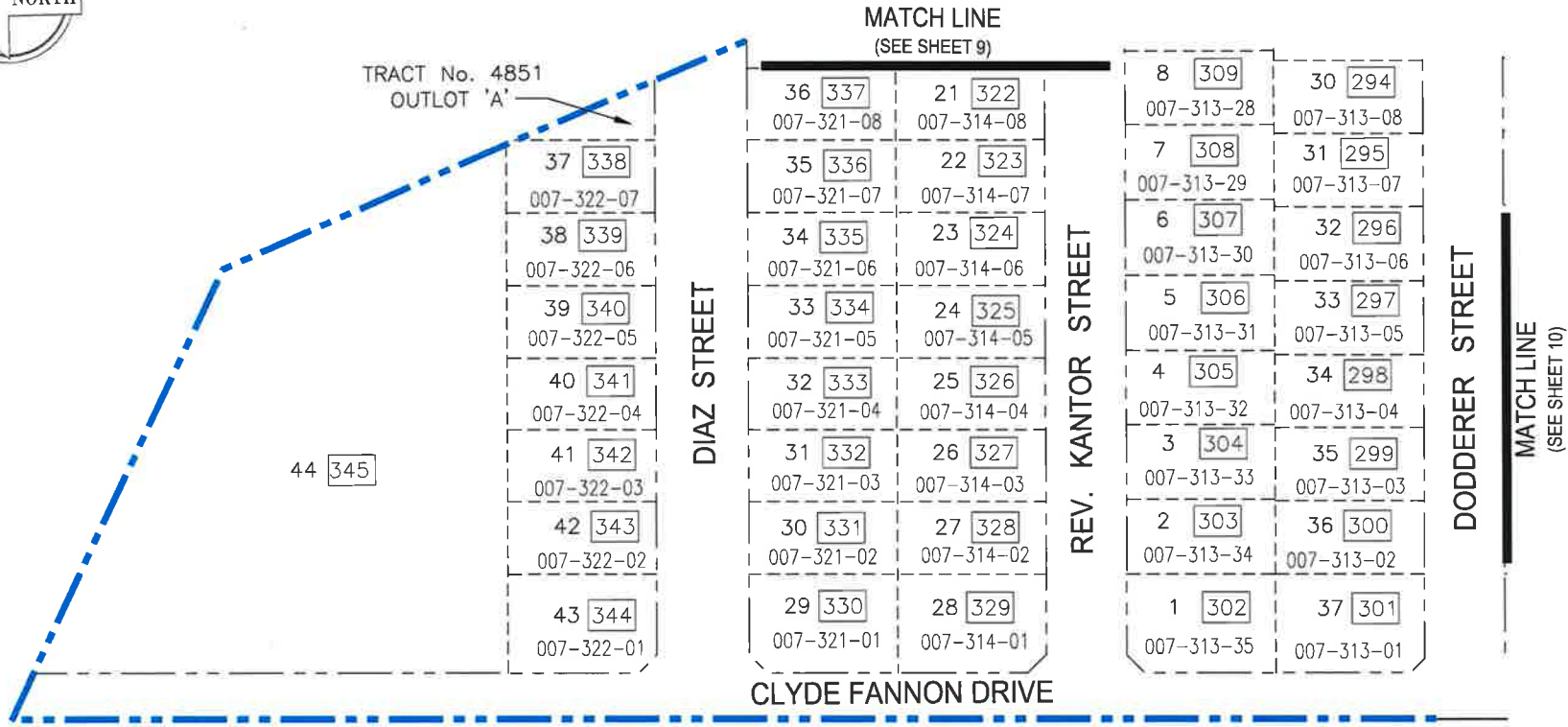
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007-302-14	ASSESSOR'S PARCEL NUMBER	 ROW LINE



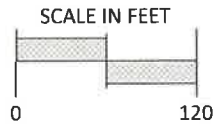
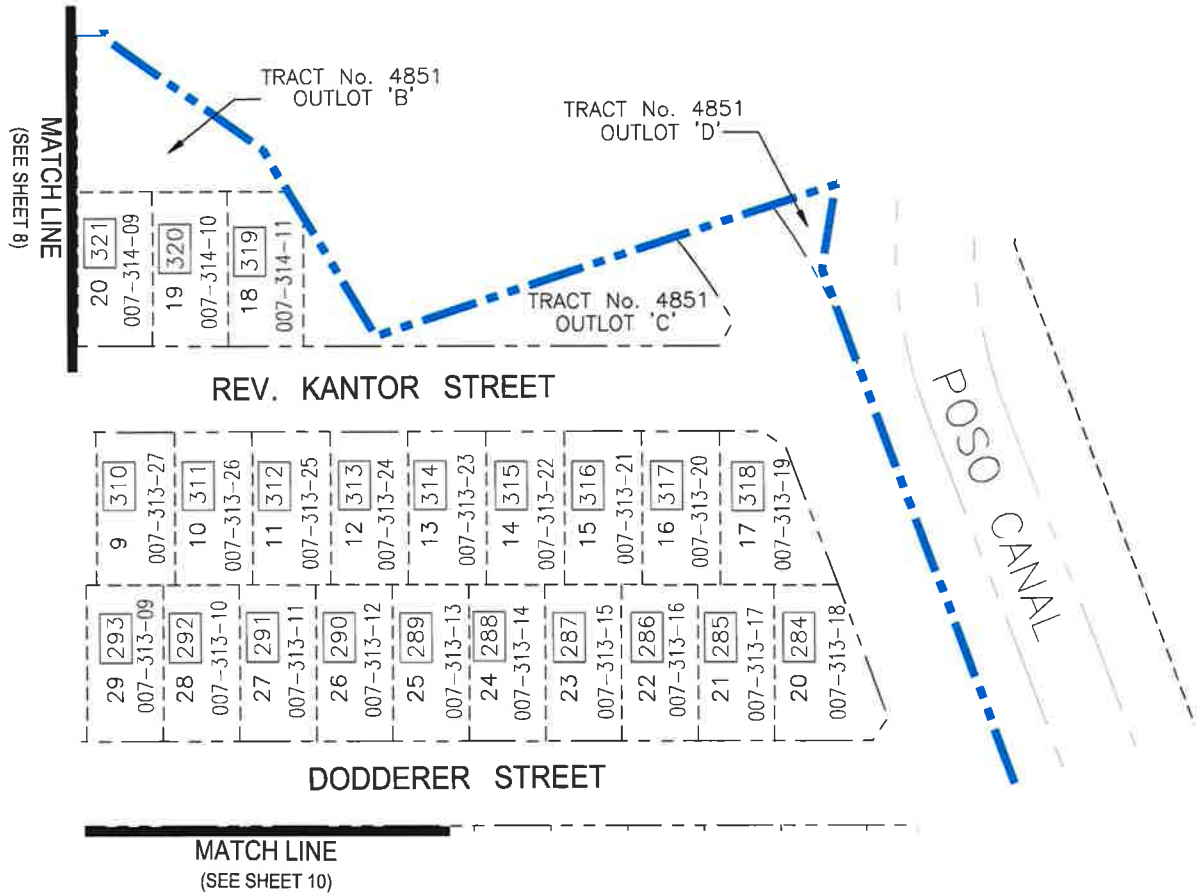
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007-302-14	ASSESSOR'S PARCEL NUMBER	---	ROW LINE



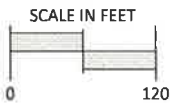
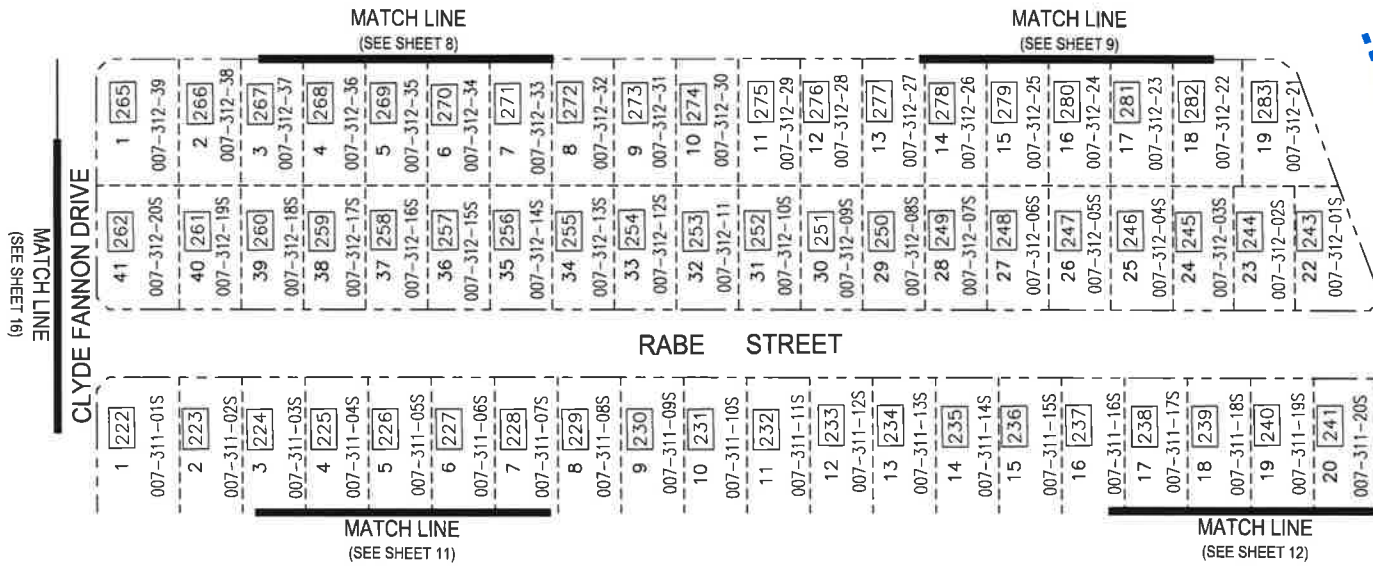
TRACT No. 4851
 OUTLOT 'A'



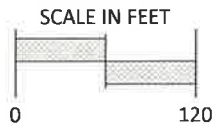
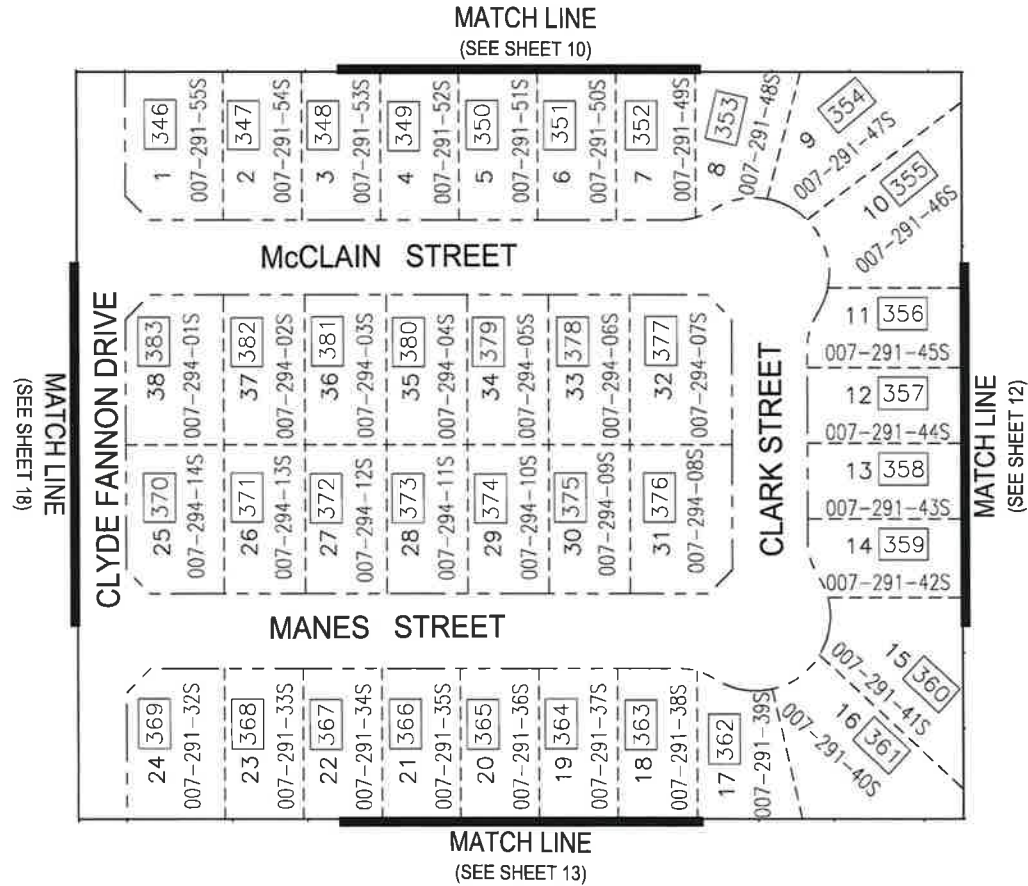
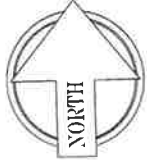
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1	LOT NUMBER	PROPERTY LINE
007-302-14	ASSESSOR'S PARCEL NUMBER	ROW LINE



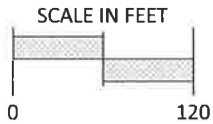
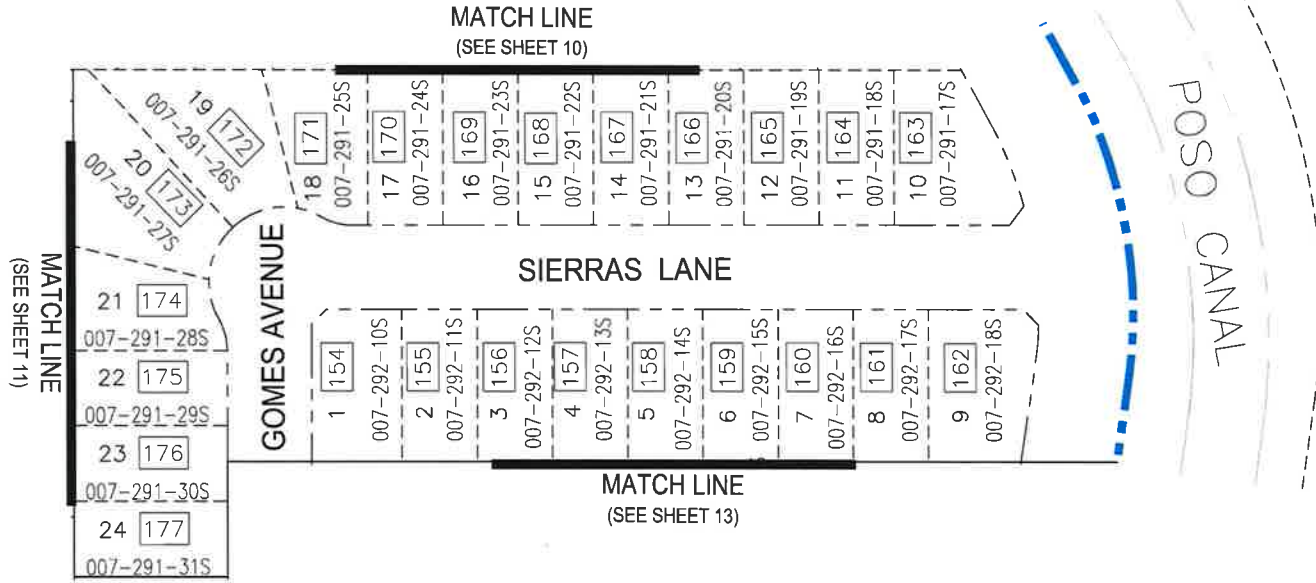
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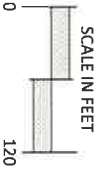
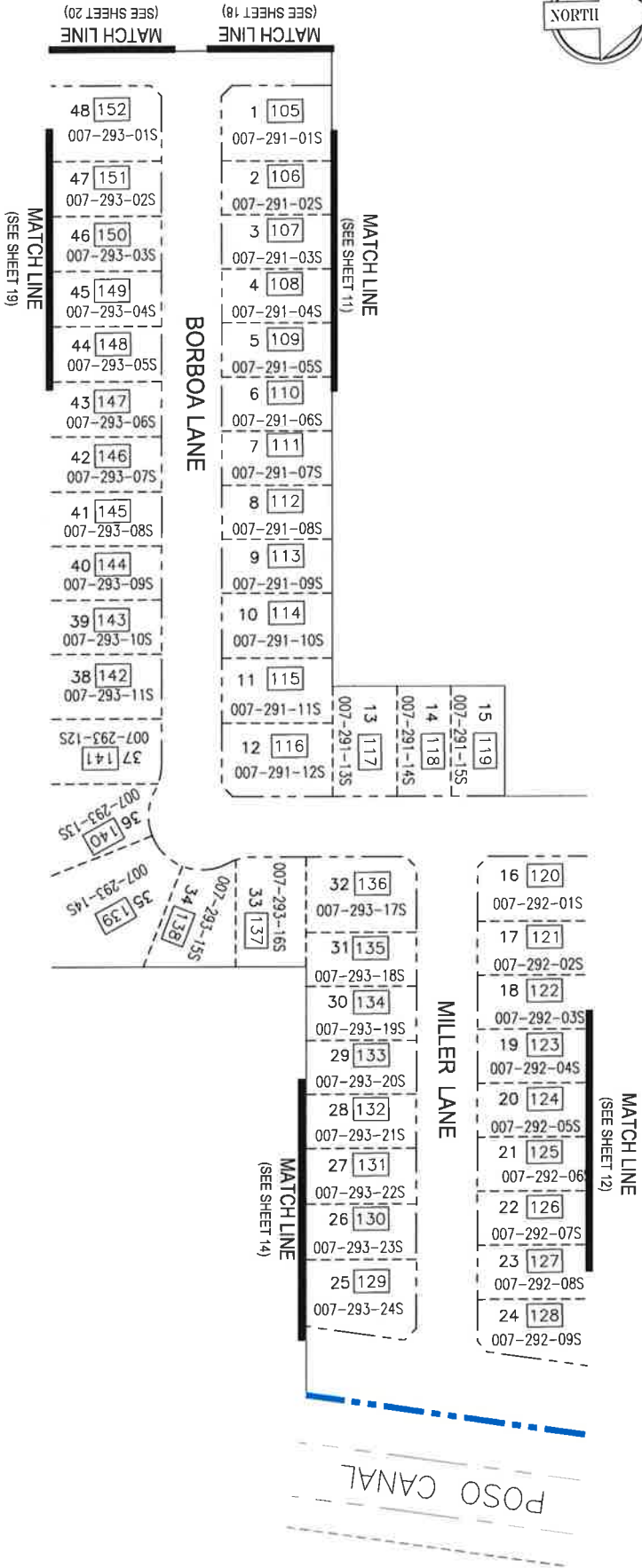
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1	LOT NUMBER		PROPERTY LINE
007-302-14	ASSESSOR'S PARCEL NUMBER		ROW LINE



LEGEND		
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007-302-14	ASSESSOR'S PARCEL NUMBER	ROW LINE

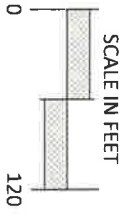
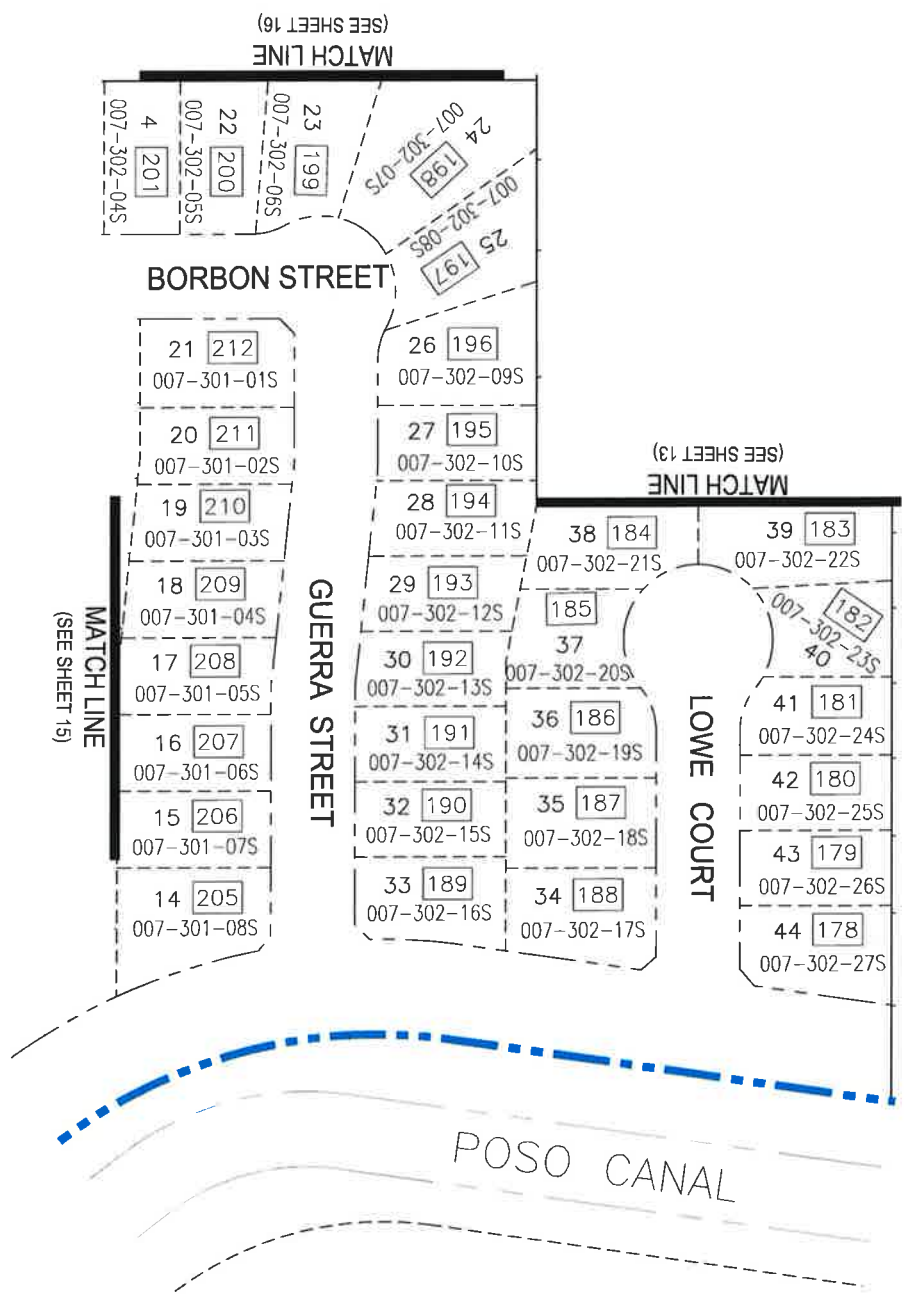


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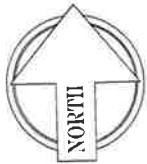
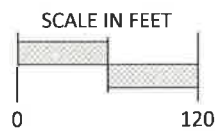
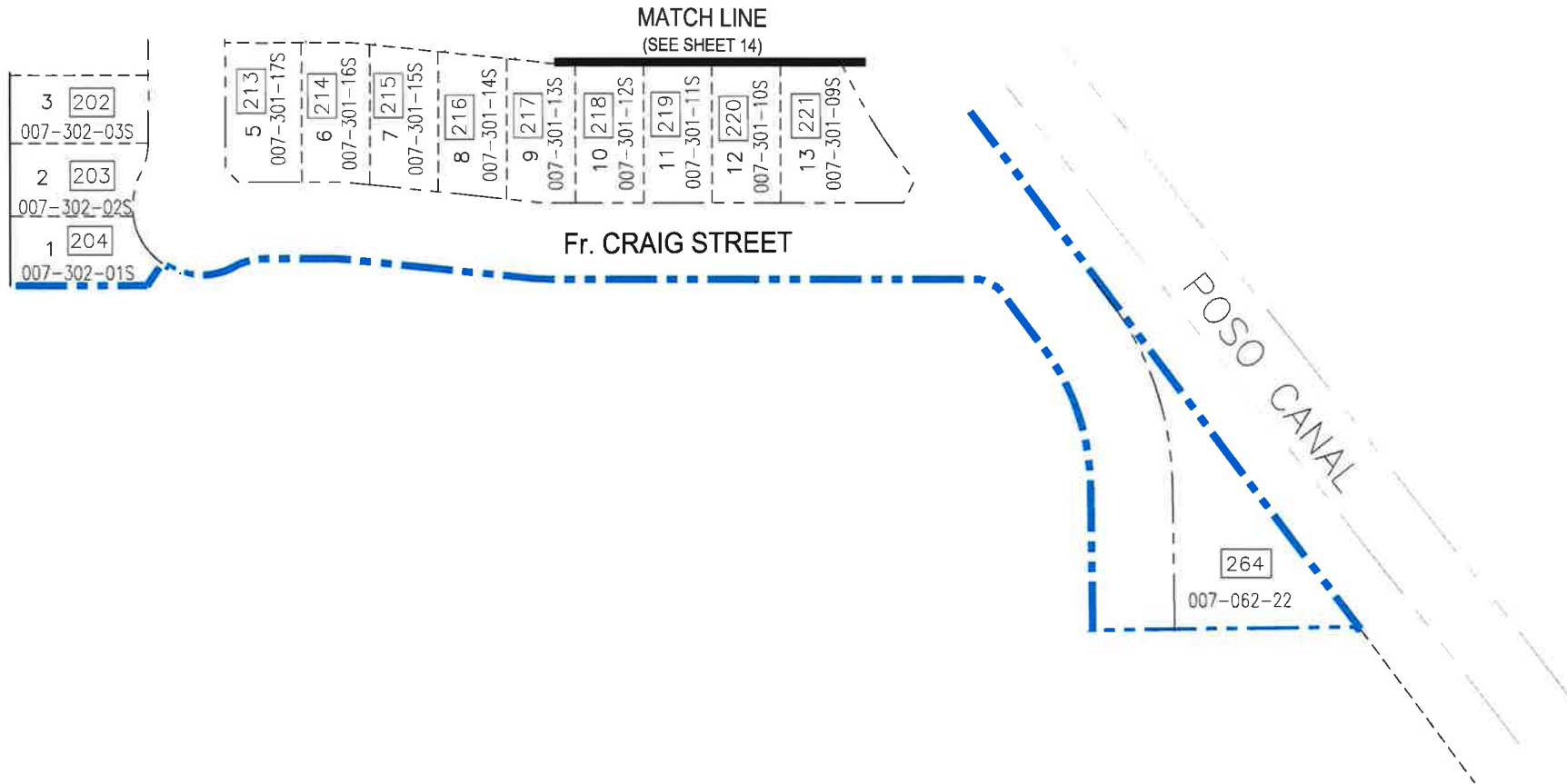
LEGEND	
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007-302-14	ASSESSOR'S PARCEL NUMBER
	BENEFIT ZONE BOUNDARY
	PROPERTY LINE
	ROW LINE

City of Firebaugh - Assessment Diagram TRACT No. 4851

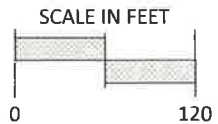
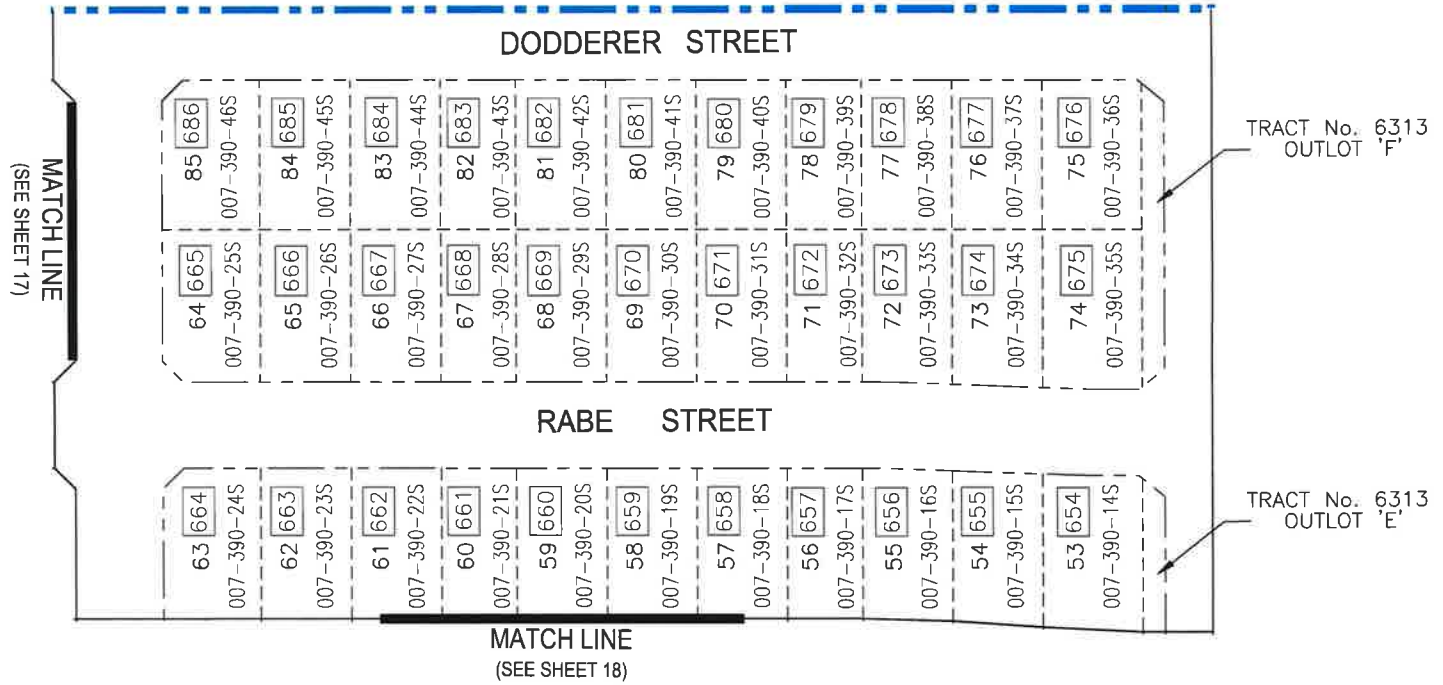


LEGEND	
220	PARCEL ASSESSMENT NUMBER
1	LOT NUMBER
007-302-14	ASSESSOR'S PARCEL NUMBER
	BENEFIT ZONE BOUNDARY
	PROPERTY LINE
	ROW LINE

City of Firebaugh - Assessment Diagram TRACT No. 4850



LEGEND		
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1	LOT NUMBER	PROPERTY LINE
007-302-14	ASSESSOR'S PARCEL NUMBER	ROW LINE

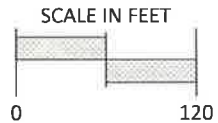
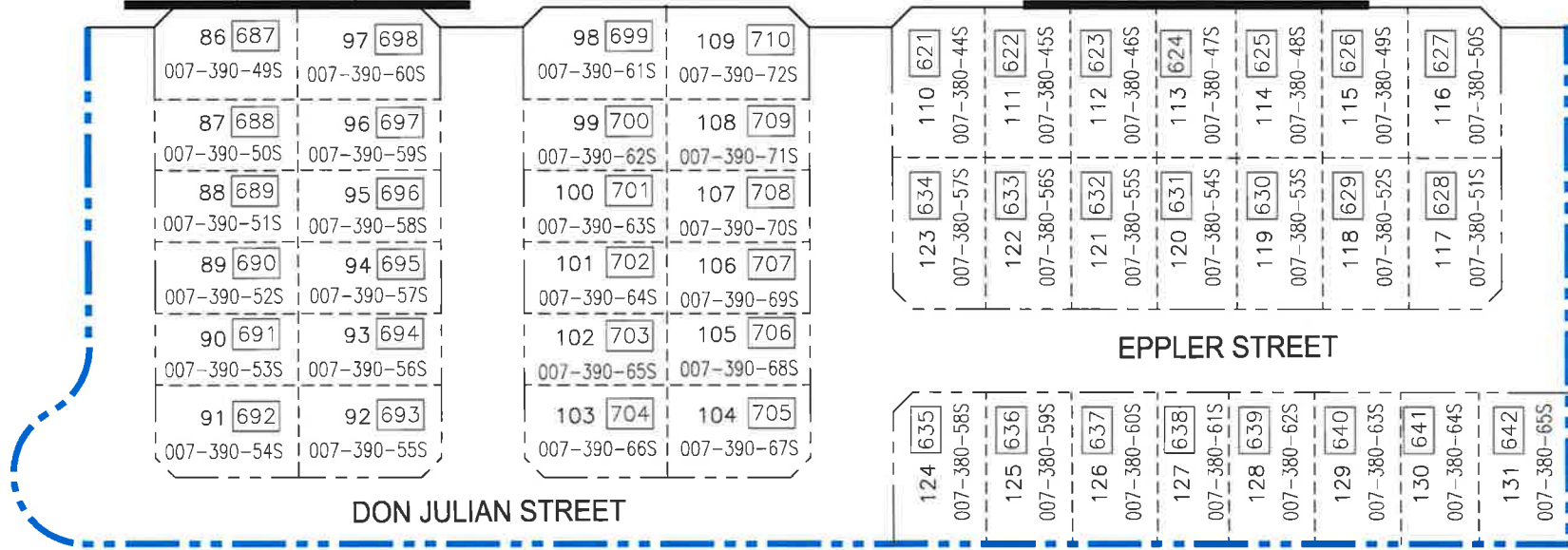


LEGEND		
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1	LOT NUMBER	- - - - - PROPERTY LINE
007-302-14	ASSESSOR'S PARCEL NUMBER	- - - - - ROW LINE

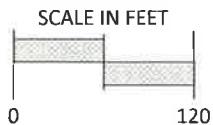
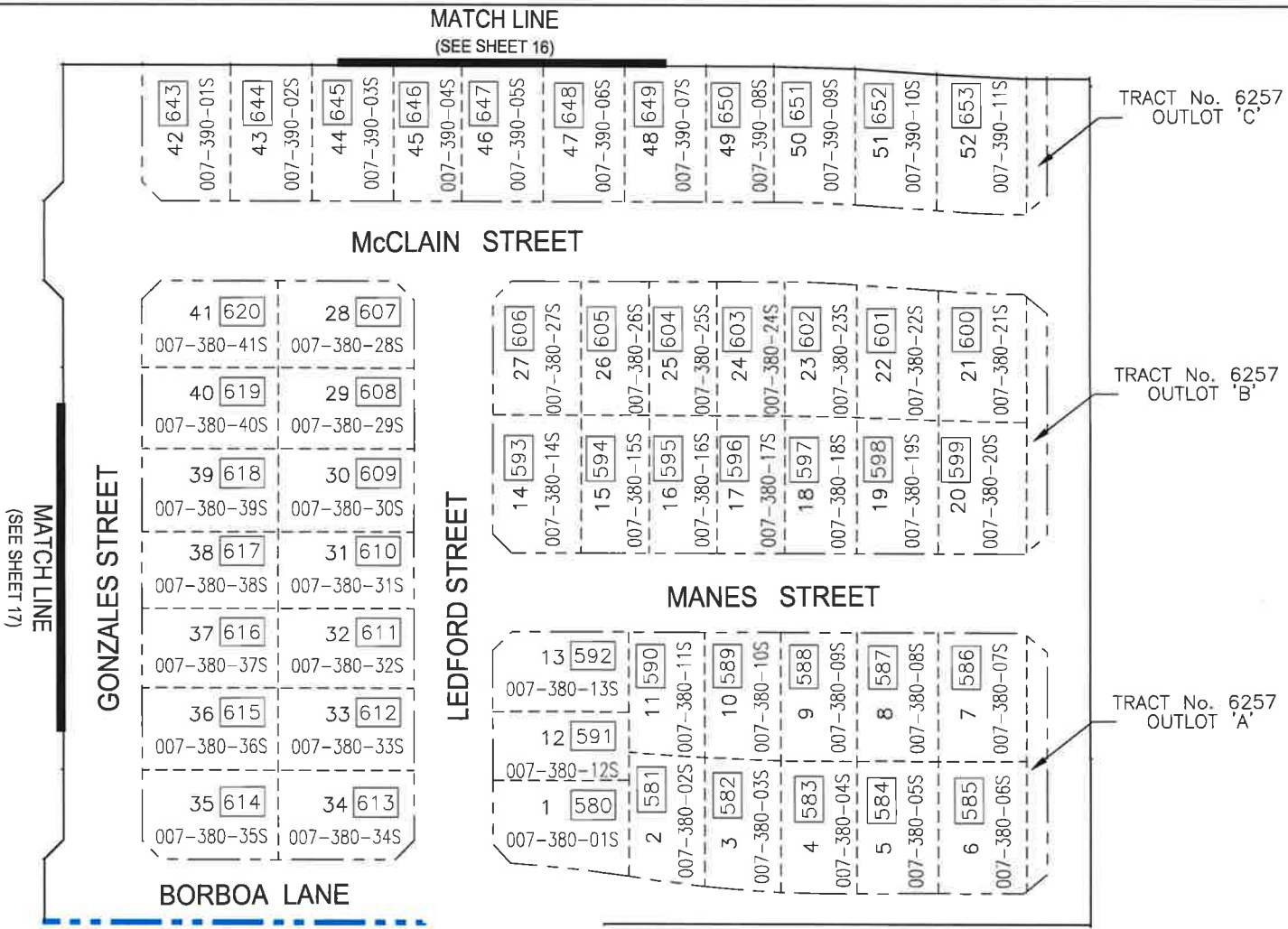
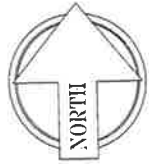


MATCH LINE
 (SEE SHEET 17)

MATCH LINE
 (SEE SHEET 18)



LEGEND		
[220]	PARCEL ASSESSMENT NUMBER	BENEFIT ZONE BOUNDARY
1	LOT NUMBER	PROPERTY LINE
007-302-14	ASSESSOR'S PARCEL NUMBER	ROW LINE

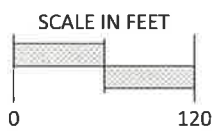
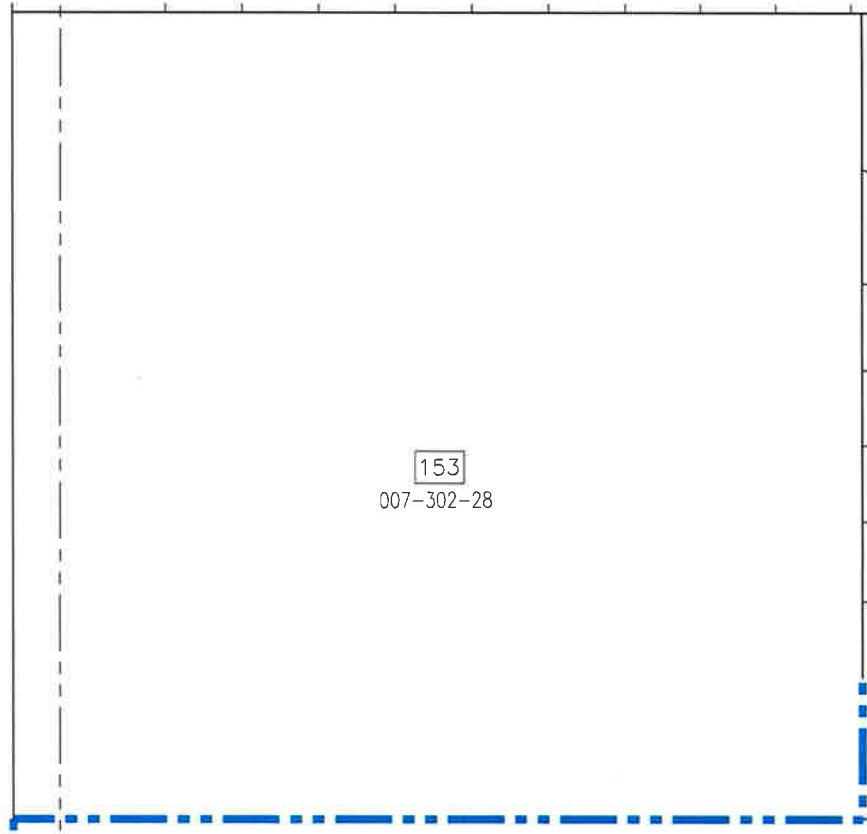


LEGEND		
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1	LOT NUMBER	PROPERTY LINE
007-302-14	ASSESSOR'S PARCEL NUMBER	ROW LINE

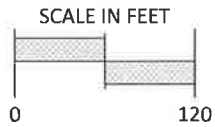
NOTES

1. HACIENDA VILLA APARTMENTS:

BEGINNING AT THE NORTHEAST CORNER OF PARCEL B ACCORDING TO THE MAP ENTITLED "PARCEL MAP NO. 84-1 IN THE CITY OF FIREBAUGH, COUNTY OF FRESNO, CALIFORNIA", RECORDED IN BOOK 42 OF PARCEL MAPS AT PAGE 80, FRESNO COUNTY RECORDS, SAID POINT BEING ON THE WEST LINE OF A 60-FOOT STREET KNOWN AS STOREY AVENUE; THENCE SOUTH 89°37'00" EAST 60.00 FEET TO THE EAST LINE OF STOREY AVENUE; THENCE ALONG THE EAST LINE OF STOREY AVENUE NORTH 00°23'00" EAST 160.00 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING ALONG THE EAST LINE OF STOREY AVENUE NORTH 00°23'00" EAST, 535.00 FEET; THENCE SOUTH 89°37'00" EAST 535.00 FEET; THENCE SOUTH 00°23'00" WEST, 535.00 FEET; THENCE NORTH 89°37'00" WEST 535.00 FEET TO THE TRUE POINT OF BEGINNING.



LEGEND				
-	220	PARCEL ASSESSMENT NUMBER		BENEFIT ZONE BOUNDARY
	1	LOT NUMBER		PROPERTY LINE
	007-302-14	ASSESSOR'S PARCEL NUMBER		ROW LINE



NOTES

1. A PARCEL LYING ADJACENT TO A PORTION OF THE NORTH SIDE OF TRACT 4060, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

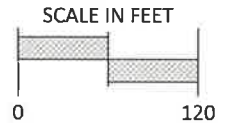
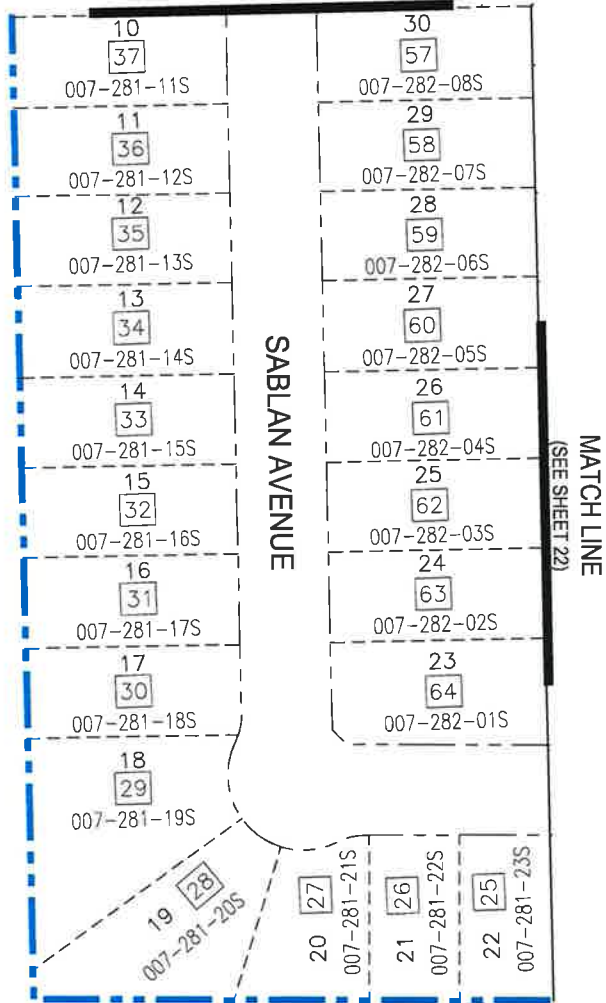
 BEGINNING AT THE MOST NORTHERLY CORNER OF LOT 1 OF TRACT 4060, VALLE DE PAZ II, IN THE CITY OF FIREBAUGH, COUNTY OF FRESNO, THENCE NORTH ALONG THE WESTERLY RIGHT-OF-WAY OF STOREY ROAD A DISTANCE OF 115.00 FEET TO A POINT; THENCE WEST PERPENDICULAR TO SAID RIGHT-OF-WAY A DISTANCE OF 335.00 FEET TO A POINT; THENCE SOUTH, PARALLEL TO SAID RIGHT-OF-WAY A DISTANCE OF 375.00 FEET TO A POINT ON THE NORTHERLY BOUNDARY OF SAID TRACT 4060; THENCE NORTHERLY ALONG SAID NORTHERLY BOUNDARY TO THE MOST NORTHERLY CORNER OF LOT 1, SAID POINT BEING THE POINT OF BEGINNING.

LEGEND

	PARCEL ASSESSMENT NUMBER		BENEFIT ZONE BOUNDARY
1	LOT NUMBER		PROPERTY LINE
007-302-14	ASSESSOR'S PARCEL NUMBER		ROW LINE



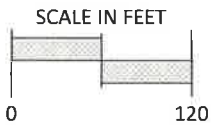
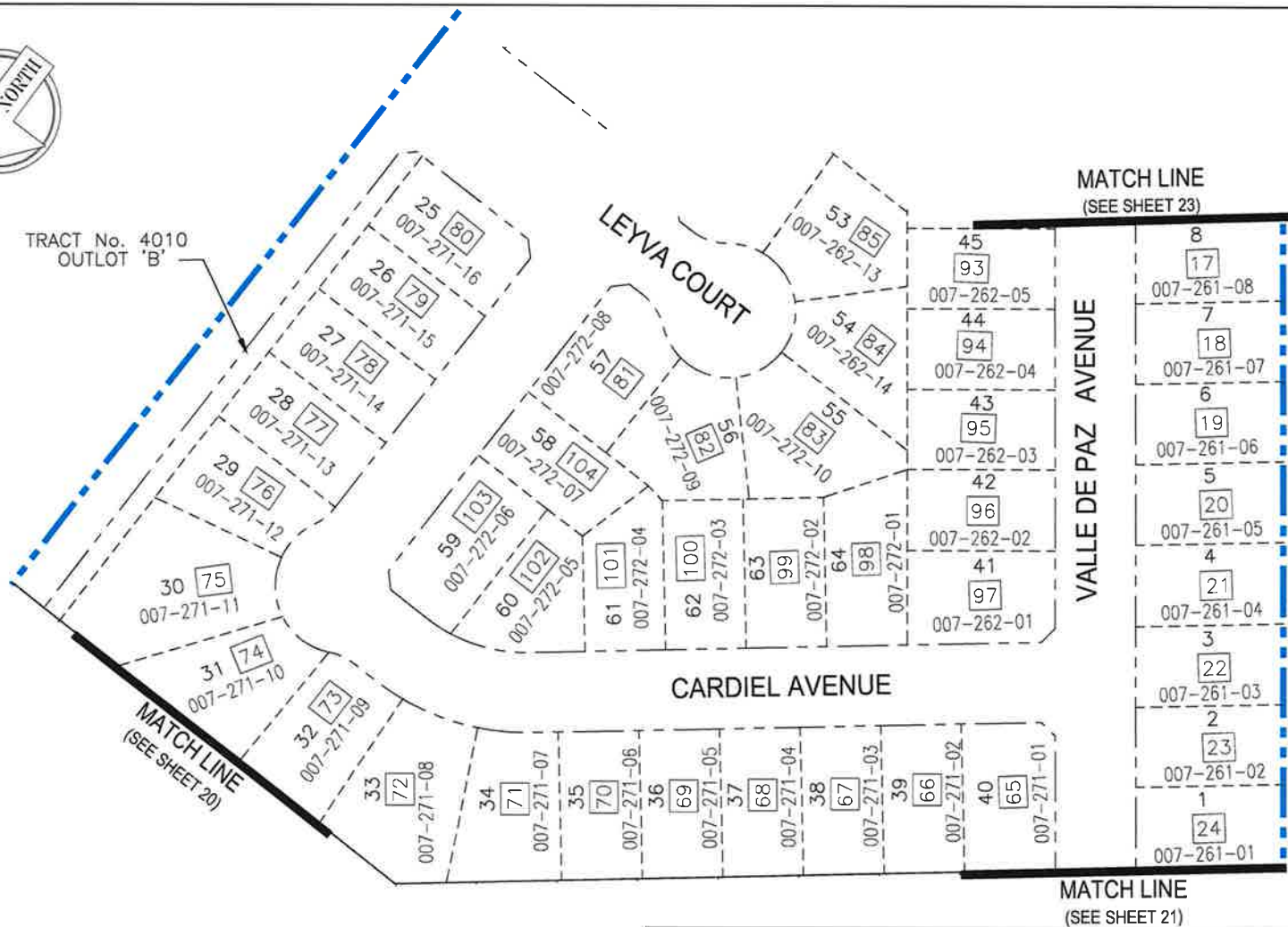
MATCH LINE
 (SEE SHEET 20)



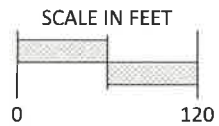
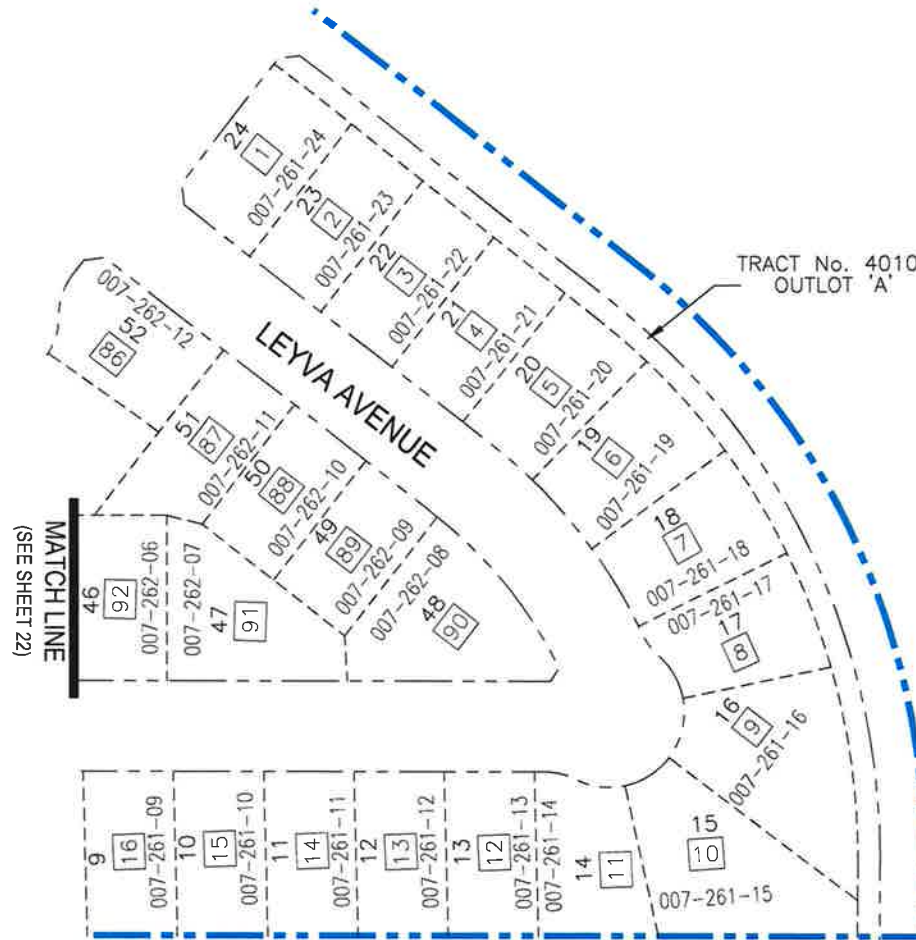
LEGEND		
220	PARCEL ASSESSMENT NUMBER	- - - - - BENEFIT ZONE BOUNDARY
1	LOT NUMBER	 PROPERTY LINE
007-302-14	ASSESSOR'S PARCEL NUMBER	 ROW LINE



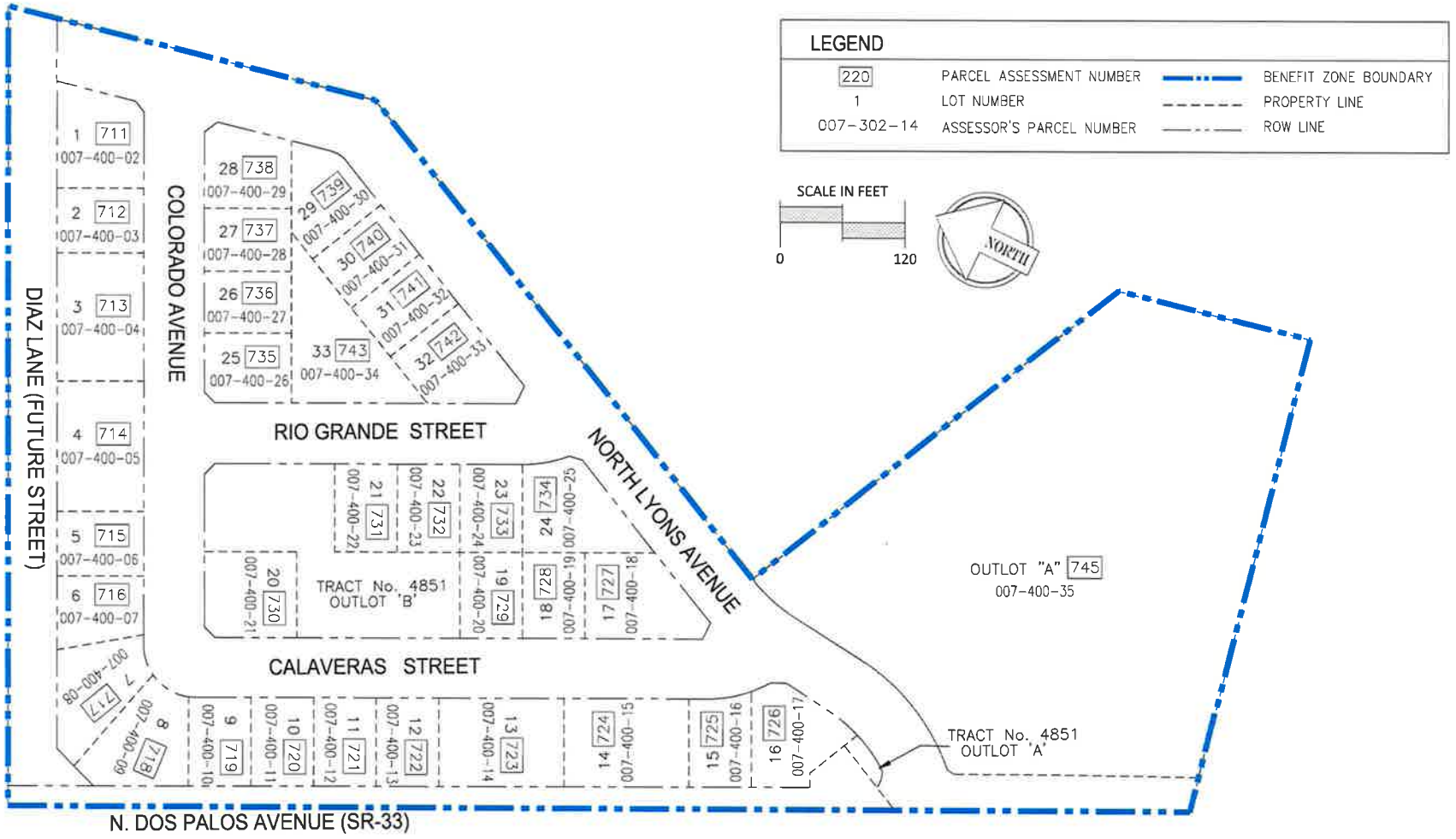
TRACT No. 4010
 OUTLOT 'B'



LEGEND		
220	PARCEL ASSESSMENT NUMBER	- - - - - BENEFIT ZONE BOUNDARY
1	LOT NUMBER	 PROPERTY LINE
007-302-14	ASSESSOR'S PARCEL NUMBER	 ROW LINE



LEGEND		
220	PARCEL ASSESSMENT NUMBER	BENEFIT ZONE BOUNDARY
1	LOT NUMBER	PROPERTY LINE
007-302-14	ASSESSOR'S PARCEL NUMBER	ROW LINE



RESOLUTION NO. 24-21

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH
AMENDING AGREEMENT BETWEEN THE CITY OF FIREBAUGH
AND MADERA COUNTY FOR AUTOMATIC/MUTUAL AID**

WHEREAS, the City Council of the City of Firebaugh has previously approved an agreement between the Firebaugh Fire Department and Madera County Fire Department for automatic mutual aid; and

WHEREAS, an amendment to the agreement between the Madera County and City of Firebaugh which would jointly provide fire protection, emergency medical services, to maximize delivery of services by responding units is necessary to protect life or property; and

WHEREAS, beginning January 1, 2023, Madera County agrees to pay City of Firebaugh \$16,000.00 for all Automatic Aid responses per this amended agreement for the 2023 calendar year; and

WHEREAS, the reimbursement amount is based on the prior four (4) year average number of annual responses that the Firebaugh Fire Department responds into Madera County; and

WHEREAS, future years will be based on a \$250 per response reimbursement based on the prior four (4) year average number of annual responses.

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

1. Approve the amendment to the agreement between the City of Firebaugh and Madera County for automatic mutual aid.
2. Madera County and City of Firebaugh would jointly provide fire protection and emergency medical services.
3. Beginning January 1, 2023, County agrees to pay City Firebaugh \$16,000.00 for all Automatic Aid responses per this agreement for the 2023 calendar year.
4. The amended agreement attached hereto and incorporated herein as Exhibit "A", (Thirteen Amendment to Mutual Aid Agreement, Madera County Contract No. 9911I-C-2024) is hereby approved.

The foregoing Resolution was adopted at a regular meeting of the City Council of the City of Firebaugh on the 3rd day of June, 2024 by the following call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

ATTEST:

Elsa Lopez, Mayor

Rita Lozano, Deputy City Clerk



MEMBERS OF THE BOARD

BRETT FRAZIER, District No. 1
DAVID ROGERS, District No. 2
ROBERT L. POYTHRESS, District No. 3
LETICIA GONZALEZ, District No. 4
TOM WHEELER, District No. 5

KAREN SCRIVNER, Chief Clerk of the Board

April 5, 2024

City of Firebaugh
Attn: City Clerk
1575 11th Street
Firebaugh, CA 93622

Dear Sir or Madam:

Enclosed are two original agreements of Madera County Contract No. 99111-C-2024 for the Automatic and Mutual Aid Agreement.

Please have both originals executed and return one completed original to the Board of Supervisor's at 200 W. 4th Street, Madera, CA 93637.

Upon receipt of the completed original, we will process the agreement. If you should have any questions, please do not hesitate to contact this office.

Sincerely,

Sarah Anderson
Assistant Clerk to the Board

Enclosures
Doc ID No. 10365

Received
APR 8 2024
City of Firebaugh



MADERA COUNTY CONTRACT NO. 9911 I-C-2024
(Thirteenth Amendment to Fire Department – Mutual Aid Agreement: City of Firebaugh)

THIS THIRTEENTH AMENDMENT is made and entered into on this 12TH day of MARCH, 202~~3~~⁴, by and between the COUNTY OF MADERA, a political subdivision of the State of California (“COUNTY”), and the CITY OF FIREBAUGH, a municipal corporation (“FIREBAUGH”).

RECITALS

A. On February 10, 2009, COUNTY and FIREBAUGH entered into Madera County Contract No. 8805-C-2009 (the “Agreement”) to provide and maximize the delivery of fire protection and emergency medical services by jointly exercising said powers pursuant to the authority granted under California Government Code sections 6502 and 55632 and pertinent provisions of the California Health and Safety Code.

B. On January 25, 2011, COUNTY and FIREBAUGH entered into Madera County Contract No. 8805A-C-2011 to amend FIREBAUGH’s duties under Section 2 (“First Amendment”).

C. On June 21, 2011, COUNTY and FIREBAUGH entered into Madera County Contract No. 8805B-C-2011 to amend FIREBAUGH’s duties under Section 2 (“Second Amendment”).

D. On May 8, 2012, COUNTY and FIREBAUGH entered into Madera County Contract No. 8805C-C-2012 to amend FIREBAUGH’s duties under Section 2 (“Third Amendment”).

E. On July 16, 2013, COUNTY and FIREBAUGH entered into Madera County Contract No. 9911-C-2013 to amend FIREBAUGH’s duties under Section 2 (“Fourth

Amendment”). Said Fourth Amendment include a revised Madera County Contract number.

F. On November 25, 2014, COUNTY and FIREBAUGH entered into Madera County Contract No. 9911A-C-2014 to amend FIREBAUGH’s duties under Section 2 (“Fifth Amendment”).

G. On November 10, 2015, COUNTY and FIREBAUGH entered into Madera County Contract No. 9911B-C-2015 to amend FIREBAUGH’s duties under Section 2 (“Sixth Amendment”).

H. On May 9, 2017, COUNTY and FIREBAUGH entered into Madera County Contract No. 9911C-C-2017 to amend FIREBAUGH’s duties under Section 2 (“Seventh Amendment”).

I. On March 19, 2019, COUNTY and FIREBAUGH entered into Madera County Contract No. 9911D-C-2019 to amend FIREBAUGH’s duties under Section 2 (“Seventh Amendment” hereinafter known as the “Eighth Amendment”).

J. On March 19, 2019, COUNTY and FIREBAUGH entered into Madera County Contract No. 9911E-C-2019 to amend FIREBAUGH’s duties under Section 2 (“Eighth Amendment” hereinafter known as the “Ninth Amendment”).

K. On December 8, 2020, COUNTY and FIREBAUGH entered into Madera County Contract No. 9911F-C-2020 to amend FIREBAUGH’s duties under Section 2 (“Ninth Amendment” hereinafter known as the “Tenth Amendment”).

L. On October 12, 2021, COUNTY and FIREBAUGH entered into Madera County Contract No. 9911G-C-2021 to amend FIREBAUGH’s duties under Section 2 (“Tenth Amendment” hereinafter known as the “Eleventh Amendment”).

M. On April 5, 2022, COUNTY and FIREBAUGH entered into Madera County Contract No. 9911H-C-2022 to amend FIREBAUGH's duties under Section 2 ("Twelfth Amendment").

N. The amendments as listed in sections I through L of the recitals have been renumbered to address corrections to numbering errors in the previous amendments.

O. The parties now wish to further amend the Agreement, as set forth below.

AMENDMENTS

1. Effective January 1, 2023, Section 2 of Madera County Contract 8805-C-2009, "FIREBAUGH's DUTIES," subsection 2.03 shall be amended in its entirety to read as follows:

"2.03 Beginning January 1, 2023, COUNTY agrees to pay FIREBAUGH Sixteen Thousand Dollars (\$16,000.00) for all Automatic Aid responses provided during the 2023 calendar year by FIREBAUGH pursuant to this Agreement. This reimbursement amount is based on a Two Hundred Fifty Dollars (\$250.00) call rate multiplied by the average number of responses per year over the previous four years. This Agreement will be reviewed annually during the month of December to ensure fairness to both COUNTY and FIREBAUGH."

2. Except as provided in this Thirteenth Amendment, all other terms and conditions of the Agreement shall remain in full force and effect.

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* * * * *

IN WITNESS WHEREOF, the foregoing Amendment is executed on the day and year first written above.

COUNTY OF MADERA

[Signature]
Chairman, Board of Supervisors



ATTEST:

[Signature]
Clerk, Board of Supervisors

CITY OF FIREBAUGH, a municipal corporation

[Signature]
Mayor

ATTEST:

City Clerk

Approved as to Legal Form:
COUNTY COUNSEL

Crystal M.

By: Pizano

Digitally signed by: Crystal M. Pizano
DN: CN = Crystal M. Pizano email = cpizano@lozanosmith.com C = US
O = Lozano Smith
Date: 2023.12.04 15:43:22 -08'00'

Approved as to Legal Form:
CITY ATTORNEY

By: [Signature]

ACCOUNT NUMBER(S)

RESOLUTION NO. 24-22

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH APPROVING AMENDMENTS TO THE PERSONNEL RULES OF THE CITY OF FIREBAUGH

WHEREAS, the City Council of the City of Firebaugh and its employee unions have reviewed the contents of the personnel policies and procedures for City employees of the City of Firebaugh entitled the “Personnel Rules of the City of Firebaugh”; and

WHEREAS, the City Council found and determined that the adoption of these Personnel Rules, on June 19, 2017 were in the best interests of the City of Firebaugh and its employees; and

WHEREAS, several minor changes are required to be made to these Personnel Rules.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF FIREBAUGH, CALIFORNIA as follows:

The Personnel Rules of the City of Firebaugh are hereby amended in the following Rules as follows:

I. PERSONNEL SYSTEM

A. Adoption of Personnel System

In order to establish an equitable and uniform system for dealing with personnel matters, and to comply with applicable laws relating to the administration of the personnel process, the Personnel Rules of the City of Firebaugh (hereafter referred to as “Personnel Rules”), are hereby adopted.

C. Competitive Service

The provisions of the Personnel Rules adopted herein shall apply to all officers, positions and employees in the service of the City of Firebaugh, except the Personnel Rules I, II, V, VI and VII of these Rules shall not, unless otherwise and specifically described, apply to the following:

1. Elective Officers:
 - b. City Treasurer
3. Management Employees:
 - e. Fire Chief; and

D. Status of Present Employees

Any person holding a position included in the competitive service who, on the effective date of these Personnel Rules, shall have served continuously in such position or in some other position in the competitive service for a period **exceeding** the probationary period prescribed in the rules for his class, shall assume regular status in the competitive service in the position held on such effective date without a qualifying test, and shall thereafter be subject in all respects to the provisions of these Rules.

G. Independent Contracts for Special Service

The City Manager shall consider and make recommendations to the City Council regarding the extent to which the City should contract for the performance of technical, expert, professional or other services which City employees are not qualified or available to perform. The City Council may contract with any qualified person or public or private agency for the performance of such services.

II. PERSONNEL RECRUITMENT AND TERMS OF EMPLOYMENT

B. Recruitment Practices

5. Disqualification

- c. The applicant was under the influence of controlled substances or alcohol at the time of examination; and/or

6. Applicants with Felony or Misdemeanor Convictions

The City will not conduct any background checks into criminal history of any applicants unless and until that applicant has received a conditional offer of employment. If the City issues a conditional offer of employment, this means that the City has determined that this individual meets the minimum employment qualifications for the position.

Once a conditional offer of employment is made, the City may conduct a criminal background check. Convictions, including pleas of guilty and nolo contendere, of any felony or a misdemeanor involving moral turpitude or unfitness for employment may disqualify an applicant for employment or be grounds for removing the name of an eligible candidate from any employment list. Other Convictions may disqualify an applicant, depending on the job being applied for and factual circumstances of the crime committed.

If there is something discovered about the applicants criminal history, either by individual's disclosure or discovery through the background check, the City shall then conduct an individualized, case-by-case analysis of the facts of each applicant's criminal history before making a decision regarding their employment.

C. Appointment

3. Regular Appointment and Probationary Period

b. Length of Probationary Period

All regular and promotional appointments shall be tentative and subject to a probationary period of one (1) year of actual service. Leaves of absence or assignments out of class, for any reason, shall not be counted toward the completion of the probationary period and the probationary period shall be extended by the number of hours of such leaves or assignments. The Personnel Officer, **at their discretion**, may extend such a probationary period up to six (6) additional months of actual service.

IV. PAID AND UNPAID TIME OFF WORK

E. Administrative Leave

2. Relief of Duty

The Personnel Officer may place an employee on administrative leave with full pay and benefits for an indeterminate period when circumstances exist such that the public interest requires that the employee be relieved from active duty **and/or an investigation is taking place**. Such relief of duty shall not constitute punitive or disciplinary action. During the period of relief of duty, the employee may be required to regularly report to the department director or his designee in a manner described in writing by the department director to the employee.

H. Bereavement Leave

In the event of a death in a regular full-time employee's immediate family, that employee may have up to five (5) working days, with pay, to handle family affairs and to attend the funeral. "Immediate Family" is defined as father, mother, brother, sister, spouse, child, mother-in-law, father-in-law, daughter-in-law, son-in-law, grandparents, grandchildren, stepfather, stepmother, and stepchild.

J. California Family Rights Act (CRFA Leave)

The City will provide up to twelve (12) weeks of unpaid, job-protected leave to eligible employees for certain family and medical reasons in a 12-month period rolling backwards upon approval of the Personnel Officer. Employees are eligible for this **leave under California Family Rights Act (CFRA)** if they have been employed by the City for at least one year, have worked 1,250 hours in the previous 12 months, and meet other eligibility requirements prescribed by law.

Leave may be taken for one or more of the following reasons:

- Your serious health condition that makes you unable to perform your job;
- To care for your family member who has a serious health condition. For purposes of CFRA leave, a "family member" includes your:
 - Spouse;
 - Parent;
 - Child of any age;
 - Registered domestic partner;
 - Grandparent;
 - Grandchild;
 - Sibling;
 - Parent-in-law;
 - One "designated person" - defined as any individual related by blood or whose association with employee is the equivalent of a family relationship.
 - The birth of your child, or placement of a child with you for adoption or foster care;
 - Because of a qualifying exigency related to covered active duty or a call to covered active duty of your spouse, registered domestic partner, child, or parent in the Armed Forces of the United States. (See Qualifying Exigencies Related to Active Duty below.)

Please note that incapacity due to pregnancy, prenatal medical care or childbirth is not an eligible reason for CFRA leave.

Qualifying Exigencies Related to Active Duty

- Eligible employees whose spouse, domestic partner, child, or parent is on covered active duty or call to covered active-duty status may use their 12-week leave entitlement for certain qualifying exigencies. Qualifying exigencies may include, but are not necessarily limited to, attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings.

The employee ordinarily must provide thirty (30) days advance notice when the leave is “foreseeable.” The City may require medical certification to support a request for leave because of a serious health condition and may require a second or third opinion (at the employer’s expense) and a return-to-work report from the employee’s health care provider if leave is taken for the employee’s own serious health condition. Paid leave shall run concurrently with family and medical care leave before unpaid leave will be allowed.

The City will maintain the employees’ health coverage during the period of CFRA leave to the extent it would otherwise, had the employee been continuously employed. Upon return from leave, an employee will be restored to his original or equivalent position with equivalent pay, benefits, and other employment terms, provided he meets the eligibility requirements prescribed herein and by law. The use of CFRA leave will not result in any loss of employment benefit that accrued prior to the start of an employee’s leave.

V. DISCIPLINARY ACTIONS

C. Disciplinary Policy and Procedure

4. Evidentiary Appeal

- b. Representation. The appellant employee shall have the right to appear personally or to be represented by counsel or by anyone else of **their** choosing, including other City employees, with the exception of supervisory, management, and confidential employees.
- c. Failure of Employee to Appear. Failure of the appellant to personally appear at the hearing **without providing reasonable notice of inability to attend**, shall be deemed a withdrawal of his appeal and the Final Notice of Discipline shall be final.

VII. EMPLOYEE GRIEVANCES

E. Procedures

1. Step One – Immediate Supervisor

- a. The employee shall file a **completed** written grievance form to his supervisor within ten (10) calendar days after the employee knew, or in the exercise of reasonable diligence should have known, of the events giving rise to the grievance.

5. Step Three – Binding Arbitration

- a. If the response at Step **Two** does not resolve the grievance, the grievant and Union may jointly request that the matter be submitted to binding arbitration. Such request shall be made in writing to the City Manager within five (5) calendar days of the grievant's receipt of the Step **Two** response. An arbitrator may be selected by mutual agreement between the parties. Should the parties fail to agree upon an arbitrator within a reasonable time, as determined by the City, they shall make a joint request to the State Mediation & Conciliation Service for a list of seven (7) arbitrators who have had experience in the municipal sector. The parties shall select the arbitrator by alternately striking names from said list until one name remains; such person shall then become the arbitrator. The first party to strike a name shall be determined by the toss of a coin.

VIII. PREVENTION OF HARASSMENT

A. Purpose

1. Policy Statement

The City has zero tolerance for any conduct that violates this policy. Conduct need not arise to the level of a violation of law to violate this policy. A single act can violate this policy and provide grounds for discipline or other appropriate sanctions, up to and including discharge. The City will take appropriate preventative, corrective and/or disciplinary action in response to behavior that violates this division or the rights and privileges it is designed to protect.

2. Definitions

b. Harassment

Harassment can include any form or combination of verbal, physical, visual, or environmental conduct. It need not be explicit or specifically directed at the victim. Sexually harassing conduct can occur between people of the same or different genders. Prohibited Harassment included but is not limited to:

- Verbal conduct such as epithets, derogatory jokes or comments, slurs or unwanted sexual advances, invitations, comments, posts or messages;
- Visual displays such as derogatory and/or sexually-oriented posters, photography, cartoons, drawings or gestures;
- Physical conduct including assault, unwanted touching, intentionally blocking normal movement or interfering with work because of sex, race or any other protected basis;
- Threats and demands to submit to sexual requests or sexual advances as a condition of continued employment, or to avoid some other loss and offers of employment benefits in return for sexual favors;
- Retaliation for reporting or threatening to report harassment; and

- Communication via electronic media of any type that includes any conduct that is prohibited by state and/or federal law or by company policy.

Sexual harassment does not need to be motivated by sexual desire to be unlawful or to violate this policy. For example, hostile acts toward an employee because of their gender can amount to sexual harassment, regardless of whether the treatment is motivated by sexual desire.

Prohibited harassment is not just sexual harassment but harassment based on any protected category.

3. Supervisor-Subordinate Relationships

Romantic or sexual relationships between supervisors and subordinate employees are discouraged. There is an inherent imbalance of power and potential for exploitation in such relationships. The relationship may create an appearance of impropriety and lead to charges of favoritism by other employees. Employees engaged in such a relationship must immediately report their relationship to the Personnel Officer. The employees in said relationship may continue their employment but not in a supervisor- subordinate role. The employees shall have first right to determine which of them will be transferred to an open position, if any exists, for which they meet the minimum qualifications. The City may unilaterally transfer one of the employees if one does not volunteer within five (5) calendar days of reporting the relationship. Failure to comply with this reporting requirement shall be grounds for discipline, including dismissal.

4. Responsibility

- b. All employees shall promptly report any conduct which violates this policy to their immediate supervisor, manager, any department head, the Personnel Officer, or appropriate authority figure. This includes any instances of discriminatory harassment which they directly observe, whether or not the conduct is reported by the employee who is the object of such conduct.

B. Investigation of Complaint

1. Informal resolution

Whenever possible, employees who believe that they are experiencing discrimination and/or harassment are encouraged to inform the individual that his behavior is unwelcome, offensive, unprofessional or highly inappropriate. If this does not resolve the concern or if an employee feels uncomfortable, threatened, or has difficulty expressing his concern, informal assistance or counseling should be sought from a supervisor. No employee is required to attempt informal resolution before filing a complaint.

3. Option to Report to Outside Administrative Agencies

An individual has the option to report harassment, discrimination, or retaliation to the U.S. Equal Employment Opportunity Commission (EEOC) or the California Civil Rights Department (CRD) . These administrative agencies offer legal remedies and a complaint process. The nearest offices are listed in the government section of the telephone book or employees can check the posters that are located on employer bulletin boards for office locations and telephone numbers.

5. Documentation

The City Clerk shall maintain a complaint file containing copies of investigation files. The information contained in this file is confidential and privileged, subject to disclosure only under appropriate legal measures. Department heads may review investigation files concerning their departments only with the prior approval of the City Manager. In cases of confirmed claims resulting in discipline, the personnel file of the disciplined employee will contain appropriate documentation relating to the disciplinary actions taken. In cases of unsubstantiated and unfounded claims not resulting in discipline, the investigation file will be maintained for four (4) years.

IX. SUBSTANCE ABUSE POLICY AND TESTING

C. Employee Requirements

1. Employees shall not report to work or be on duty, nor be subject to call-in, while under the influence of or in possession of alcoholic beverages, illegal drugs or other substances while on City property and wherever City business is performed. An employee is on duty during working hours, including breaks, during meal periods.
6. An employee must immediately submit to an alcohol or drug test, other than such that tests for the presence of non-psychoactive cannabis metabolites, by a City-selected physician or laboratory when there exists reasonable cause to suspect that the employee is or was impaired or under the influence of drugs or alcoholic beverages while on City duty.

D. Procedures

1. Drug and Alcohol Testing

Nothing in this section applies to the use of any testing that identifies non-psychoactive metabolites found in cannabis. Such testing procedures will not be employed for employment decisions, including hiring, firing, or any disciplinary measures.

XI. MISCELLANEOUS

C. Right to Search City Property, Employees and Proper Use of City Equipment

Employees have no reasonable expectation of privacy in the workplace as it pertains to City Property and Equipment. Therefore, to the fullest extent allowed under the law, the City will search and inspect its facilities, employees and the personal property of employees as necessary to insure the City's interests are protected. Situations in which this may arise include suspicion of employee theft, incidents of violence or threats of violence, when an employee is suspected of the use, sale, or distribution of drugs, improper or illegal use of City facilities, misuse of City technology such as the Internet, e-mail or voicemail and other situations in which the City believes a search and inspection is appropriate.

(Paragraph 5 and 6 of section C)

Employees have no reasonable expectation of privacy as to any information or file maintained in or on City property or transmitted or stored through the City’s computer systems, voicemail, e-mail, or other technical resources. All bills and other documentation related to the use of the City’s equipment or property are the property of the City and may be reviewed and used for purposes that the City considers appropriate.

Although employee may be provided a password, the City retains the right to review the entire contents of employee’s computer at any time. Do not share password with other employees. Passwords are used to track computer use. Failure to follow this policy may lead to discipline including termination.

E. Incompatible or Conflicting Employment Activities

1. Purpose

The purpose of this provision is to implement the provisions of Government Code § 1126 relating to inconsistent, incompatible, and conflicting employment by City employees. It is not the intent or purpose of this policy to restrict, limit or interfere with employees’ right to outside employment. It is intended only to prevent outside employment that is inconsistent and incompatible with City employment.

* * * * *

The foregoing Resolution was approved and adopted at a regular meeting of the City Council of the City of Firebaugh held on the 3rd day of June, 2024, by the following vote:

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

APPROVED:

ATTEST:

Elsa Lopez, Mayor

Rita Lozano, Deputy City Clerk

**PERSONNEL RULES OF THE
CITY OF FIREBAUGH**

Updated May 2024

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I. PERSONNEL SYSTEM

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A. Adoption of Personnel System

In order to establish an equitable and uniform system for dealing with personnel matters, and to comply with applicable laws relating to the administration of the personnel process, the Personnel Rules of the City of Firebaugh (hereafter referred to as "Personnel Rules"), are hereby adopted. ~~Use of the masculine pronoun, except where expressly limited, shall include the feminine pronoun.~~

1. Definitions

The terms used to administer the Personnel Rules are defined as follows:

- a. "Advancement" means a salary increase within the limits of a pay range established for a class.
- b. "Allocation" means the assignment of a single position to its proper class in accordance with the duties performed and the authority and responsibilities exercised.
- c. "Anniversary date" means the first day of employment with the City of Firebaugh.
- d. "City Clerk" means the elected or appointed public officer, deputy or designee charged with recording the official proceedings and vital statistics of the City.
- e. "Class" means positions sufficiently similar in duties, authority, and responsibilities that permit grouping under a common title, and the application of common standards, including but not limited to selection, transfer, ~~demotion~~demotion, and salary.
- f. "Competitive service" means all positions of employment in the service of the City except those excluded by the Personnel Rules or by resolution of the City Council. This provision shall not be construed as a waiver of any rights under the Meyers-Milias-Brown Act.
- g. "Days" means calendar days, unless otherwise stated.
- h. "Demotion" means the movement of an employee from one class to another class having a lower maximum base rate of pay.
- i. "Disciplinary action" means punitive action against a regular employee as described in these ~~Personnel Rules, and~~Personnel Rules and shall not include any counseling or performance evaluation.

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- j. "Eligible" means ~~persona~~ person whose name appears on an employment list.

k. "Employment List" means:

- "Open employment list" means a list of names of persons who have taken an open-competitive examination for a class in the competitive service and have qualified.
- "Promotional employment list" means a list of names of persons who have taken a promotional examination for a class in the competitive service and have qualified.

l. "Examination" means:

- "Open-competitive examination" means an examination for a particular class that is open to all persons meeting the qualifications for the class whether or not they are employed by the City.
- "Promotional examination" means an examination for a particular class that is open only to employees meeting the qualifications for the class.
- "Continuous examination" means an open-competitive examination which is administered periodically and as a result of which names are placed on an employment list, in order of final scores, for a period of not more than six (6) months.

m. "Grievance" means a claimed violation of certain rules or provisions as defined in Section VII of the Personnel Rules.

n. "Lay-off" means the separation of employees from the active ~~work force~~workforce due to lack of work or funds or to the abolition of positions by the City Council.

o. "Management Employees" means the positions described in the Personnel Rules.

p. "Personnel Officer" means the City Manager, or his or her designee, who have the final authority to appoint to or remove persons from positions of employment in the ~~City~~City.

q. "Position" means a group of duties and responsibilities in the competitive service requiring the full-time or part-time employment of one person.

r. "Probationary employee" means an employee who has been appointed to a position but has not completed the probationary period.

s. "Probationary period" means a one (1) year period of actual service to be considered an integral part of the examination, recruiting, testing and selection process during which an employee is required to demonstrate fitness for the position to which the employee is appointed by actual performance of the duties of the position.

- t. "*Promotion*" means the movement of an employee from one class to another class having a higher maximum base rate of pay.
- u. "*Provisional appointment*" means an appointment of a person who possesses the minimum qualifications established for a particular class and who has been appointed to a position in that class on a provisional basis for a limited or definite duration. Provisional employees do not hold regular status in their position and may be dismissed from employment at any time without cause, right to appeal, or grievance.
- v. "*Re-Employment*" means restoration without examination of a former regular, non-probationary employee to the same or a lower classification in which the employee previously served prior to layoff or demotion.
- w. "*Regular employee*" means an employee in the competitive service who has successfully completed the probationary period and has been retained as provided in these Rules.
- x. "*Reinstatement*" means the restoration without examination of a former regular employee, or probationary employee who has completed at least six (6) months of the probationary period, to a classification in which the employee formerly served as a regular non-probationary employee.
- y. "*Relief of duty*" means the temporary non-punitive assignment of an employee to a status of leave with pay.
- z. "*Suspension*" means the temporary separation from service of an employee without pay for disciplinary purposes.
- aa. "*Temporary employee*" means an employee who is appointed to an authorized position for a limited period of time, not to exceed one (1) year.
- bb. "*Transfer*" means a change of an employee from one position to another position in the same class or in a comparable class.

B. Administration

The City Manager shall administer the Personnel Rules and shall hold the position of Personnel Officer. He may delegate the appointing authority and the duties granted herein to any other officer or employee of the City. The City Manager shall have the following duties and responsibilities:

1. To act as the appointing authority for the City except where the City Council has the authority to appoint by resolution, or otherwise;
2. To administer the provisions of the Personnel Rules not specifically reserved to the City

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Council;

3. To prepare or cause to be prepared a position classification plan, including class specifications, and revisions of the plan, subject to approval by the Council;
4. To prepare or cause to be prepared a plan for compensation of all classifications in the competitive service, subject to approval by the Council;
5. To have the authority to discipline employees in accordance with these Personnel Rules; and
6. To provide for the publishing or posting of notices of tests for positions in the competitive service; the receiving of ~~applications therefore~~ applications; therefore, the conducting and grading of tests; the certification of lists of persons eligible for appointment in the competitive service; and the performing of any other duty that may be required to administer the Personnel Rules.

C. Competitive Service

The provisions of the Personnel Rules adopted herein shall apply to all officers, ~~positions~~ positions, and employees in the service of the City of Firebaugh, except the Personnel Rules I, II, V, VI and VII of these Rules shall not, unless otherwise and specifically described, apply to the following:

1. Elective Officers:

~~a.~~ City Clerk

~~a.~~ ;

b. ~~City Treasurer~~

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2. Contract Employees:

a. City Manager;

3. Management Employees:

a. Finance Director;

b. Deputy City Clerk;

c. Public Works Director;

d. Chief of Police

~~d.e.~~ Fire Chief; and

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e.f. Such other personnel as may be designated by the City Council.

4. Middle Management Employees

4.

5. Persons engaged under contract to supply expert, professional, ~~technical~~technical, or other services.
6. Volunteer personnel.
7. City officers and officials appointed directly by the City Council, including appointive boards and commissions.
8. Emergency employees hired to meet the immediate requirements of an emergency condition, such as an extraordinary fire, ~~flood~~flood, or earthquake, which threatens life or property.
9. Employees other than those listed elsewhere in this section who are not regular employees of the City.
10. Any non-permanent position primarily funded under a State or Federal employment training program This provision shall not be construed to include other personnel hired under Federal or State subsidy ~~programs~~programs.
11. Probationary employees.
12. Employees not included in the competitive service under this section are at-will employees and shall serve at the pleasure of the Personnel Officer, including but not limited to those positions listed in this section and all part-time, ~~provisional~~provisional, or temporary employees.

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D. Status of Present Employees

Any person holding a position included in the competitive service who, on the effective date of these Personnel Rules, shall have served continuously in such position or in some other position in the competitive service for a period ~~exceeding equal to~~ the probationary period prescribed in the rules for ~~their~~his class, shall assume regular status in the competitive service in the position held on such effective date without a qualifying test, and shall thereafter be subject in all respects to the provisions of these Rules.

Any other persons holding positions in the competitive service shall be regarded as probationers who are serving out the balance of their probationary periods before obtaining regular status. The probationary period shall be computed from the date of appointment or employment.

E. Violations of Rules

Violations of the provisions of these Rules shall be grounds for rejection, suspension,

demotion, ~~dismissal~~dismissal, or other disciplinary action as described in Rule V.

F. Superseding Provisions

Memorandums of Understanding (MOU's) between the City and an exclusively recognized employee organization, which contains provisions contrary to or inconsistent with any of these Personnel Rules, shall be deemed to supersede these Rules.

G. Independent Contracts for Special Service

The City Manager shall consider and make recommendations to the City Council regarding the extent to which the City should contract for the performance of technical, expert, professional or other services which City employees are not qualified or available to perform. The City Council may contract with any qualified person or public or private agency for the performance of such services.

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II. PERSONNEL RECRUITMENT AND TERMS OF EMPLOYMENT

A. Equal Opportunity Employer

The City is committed to the goal of equal opportunity employment. It is the policy of the City to ensure that the application of these Personnel Rules, and the recruitment, employment, training, advancement, layoff, pay, termination, and all other personnel actions for all positions, classes and individual employees shall be on the basis of qualifications and performance without regard to race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, genetic information, marital status, sex, gender, gender identity, gender expression, age, sexual orientation, or military and veteran status, or any other status protected by law, except where a bona fide occupational qualification exists.

B. Recruitment Practices

Any technique or procedure used in recruitment and selection of employees shall be designed to measure only the job-related qualifications of applicants. These procedures shall apply to the City Manager, Management Employees, and Middle Management Employees, as those personnel classifications are defined Rule I, Section C.

1. Appointments and Promotions

All appointments and promotions to positions in the competitive service shall be made according to merit and fitness and from eligible lists to be established in accordance with these Personnel Rules. In the absence of persons eligible in such manner, provisional or temporary appointments may be made.

2. Announcement

All examinations for classes in the competitive service shall be publicized by such methods as the Personnel Officer deems appropriate. Special recruiting shall be conducted, if necessary, to insureensure that all segments of the community are aware of the forthcoming examinations. The announcements shall specify the title and pay of the class for which the examination is announced, the nature of the work to be performed, minimum and desirable qualifications, the time and manner of making application, and other pertinent information.

3. Application Forms

Written applications for employment shall be made on official application forms available in, or as otherwise prescribed on the examination announcement, including any online/electronic application procedures. Application forms shall require information covering training, experience, and other pertinent information, and may include certificates of one (1) or more examining physicians, refereneesreferences, and fingerprints. All applications must be signed by the applicant, which may include the use of an e- signature for an online/electronic application.

The completed application shall be received by the City on or before the announced final filing date and time. An oral or written indication of interest in employment is not an application.

4. Citizenship of Applicants

Employment is open to all qualified persons authorized to work in the United States. Authorization will be determined upon applicant's completion and submission of Department of Homeland Security, U.S. CitizenshipCitizenship, and Immigration Services Form I-9. Applicants who fail to complete and submit Form I-9 will not be employed by the City.

5. Disqualification

Incomplete applications may be rejected or returned to the applicant for additional information or completion, at the Personnel Officer's discretion, providing the time limit for receiving applications has not expired. The Personnel Officer may reject any application, either before or after an examination, whose appointment is deemed contrary to the best interests of the City. Reasons for rejecting an application or applicant may include, but shall not be limited to, the following:

- a. The applicant does not possess any of the minimum qualifications required for the position;

b. The applicant is incapable of performing the essential job functions and duties of the position, with or without reasonable accommodation, to which the applicant seeks appointment;

~~d.c.~~ The applicant was under the influence of controlled substances or alcohol at the time of examination ~~or has a current addiction to the use of controlled substances~~; and/or

~~e.d.~~ The applicant has made any false statement of any material ~~fact, or fact or~~ practiced or attempted to practice any deception or fraud in an application or examination, or in securing eligibility for appointment.

6. Applicants with Felony or Misdemeanor Convictions

The City will not conduct any background checks into criminal history of any applicants unless and until that applicant has received a conditional offer of employment. If the City issues a conditional offer of employment, it this means that the City has determined that this individual meets the minimum employment qualifications for the position.

Once a conditional offer of employment is made, the City may conduct a criminal background check. Convictions, including pleas of guilty and nolo contendere, of any felony or a misdemeanor involving moral turpitude or unfitness for employment may disqualify an applicant for employment or be grounds for removing the name of an eligible candidate from any employment list. Other Convictions may disqualify an applicant, depending on the job being applied for and factual circumstances of the crime committed.

~~The City will first determine whether an applicant meets the minimum employment qualifications before asking the applicant to disclose information concerning his or her conviction history or conducting a conviction history background check. If there is something discovered about the applicants' criminal history, either by individual's disclosure or discovery through the background check, the City shall then conduct an individualized, case-by-case analysis of the facts of each applicant's criminal history before making a decision regarding their employment.~~

This section shall not apply to positions for which the City is required by law to conduct a conviction history background check or to those who work for a criminal justice agency, including but not limited to applicants for job positions within the Police Department.

7. Examination Process

The selection techniques used in the examination process shall be impartial and related to those subjects which, in the opinion of the Personnel Officer, fairly measure the relative capacities of the persons examined to execute the duties and responsibilities of the class to which they seek to be appointed. Examinations shall consist of selection technique which will test fairly the qualifications of candidates such as but necessarily limited to, achievement and aptitude tests, other written tests, personal interviews

performance tests, physical agility tests, evaluation of daily work performance, work samples, medical tests, psychological tests, successful completion of prescribed training, personal background and references, or any combination of these or other tests. The probationary period shall be considered as a portion of the examination process. Examination shall be designed to provide equal opportunity to all applicants by being based on an analysis of the essential requirement of the class, covering only factors related to such requirements.

The Personnel Officer shall schedule examinations as they deem necessary, whether or not a vacancy currently exists. The Personnel Officer shall specify, according to their sole discretion, whether the examination shall be open, promotional, or continuous.

8. Promotional Examinations

Promotional examinations may be conducted whenever, in the opinion of the Personnel Officer, the needs of the service require. Promotion examinations may include any of the selection techniques mentioned in the Personnel Rules (II, B7), or any combination of them. Only regular employees who meet the requirements set forth in the promotional examination announcements may compete in promotional examinations.

9. Continuous Examination

Open-competitive examinations may be administered periodically for a single class as the needs of the service require. Names shall be placed on employment lists, and shall remain on such lists, as prescribed in the Personnel Rules (II, B13-15).

10. Conduct of Examination

The City may contract with any competent agency or individual for the preparing and/or administering of examinations. In the absence of such a contract, the Personnel Officer shall see that such duties are performed. The Personnel Officer shall arrange for the use of public buildings and equipment for the conduct of examinations.

11. Notification of Examination Results and Review of Papers

Each applicant in an examination shall be given written notice of the results thereof. Such notice shall be limited to advising the applicant he “passed” or “failed” a specific part or all of the process. Specific numerical scores or standing on eligibility lists need not be provided to applicants.

All applicants may inspect their own test answer sheet within five (5) working days after the notification of examination results. Any error in computation, if called to the attention of the Personnel Officer within this shall be corrected. Such corrections shall not, however, require invalidation of appointments previously made.

Inspection of test papers or booklets shall be at such time and place and under such

conditions of supervision as the Personnel Officer may require. Applicants will not be permitted to copy examination items.

12. Pre-Employment and Promotional Medical Examinations

The Personnel Officer may order a medical examination after a conditional offer of employment is made, including a physical or psychological examination, to determine whether an applicant for appointment or promotion has the physical or mental qualifications to perform the duties of their position, or can perform a job function without posing a direct threat to health or safety. Any such medical examinations will only be conducted where it is job-related and consistent with business necessity and is consistently applied to all appointments to that job position. Such examination shall be at the City's expense.

No appointment to the position will be made until the Personnel Officer has received the results of the medical examination to either clear the employee to work with no restrictions or to identify any work restrictions related to the job. If the applicant has any work restrictions following the medical examination, the City will engage the applicant in a disability interactive process to determine if it can reasonably accommodate the applicant's work restrictions. To the extent that the City initially determines that it cannot reasonably accommodate the applicant's work restrictions, the City will provide the applicant an opportunity to provide additional medical information on their work restrictions to review further before finalizing any decision that it cannot reasonably accommodate the work restrictions.

13. Employment Lists

As soon as possible after the completion of an examination, the Personnel Officer may prepare and maintain an employment list consisting of the names of applicants who qualified in the examination.

14. Duration of Lists

Employment lists shall remain in effect for six (6) months, unless exhausted, abolished or extended by the Personnel Officer. The City has no obligation to select or interview applicants who are on an Employment List. Employment Lists are maintained for convenience only. Employment Lists do not create any rights or responsibilities on behalf of the City.

15. Removal of Names from List

The name of any person appearing on an employment, re-employment or promotional list shall be removed by the Personnel Officer if the eligible person requests in writing

that [their/his](#) name be removed, or if that person fails to respond to a notice of certification mailed to the last designated address. The Personnel Officer may remove the name of any eligible person if that person has previously been rejected for the same position or promotion three (3) times during the life of the list. The person affected shall be notified of the removal of the name by notice mailed to the last known address. The names of persons on promotional employment lists who resign from City employment shall automatically be dropped from such lists.

16. Types of Appointment

All vacancies in the competitive service may be filled by transfer, demotion, re-employment, reinstatement or from eligible applicants certified by the Personnel Officer from an appropriate employment list, if available. In the absence of persons eligible for appointment in these ways, provisional appointments may be made in accordance with these Personnel Rules.

17. Notice to Personnel Officer

If a vacancy in the competitive service is to be filled, the Personnel Officer shall be notified. If there is no re-employment list available for the class, the Personnel Officer shall have the right to decide whether to fill the vacancy by reinstatement, transfer, demotion, appointment from a promotional employment list, or appointment from an open employment list.

18. Certification of Eligible

If the Personnel Officer does not consider it in the City's best interest to fill the vacancy by reinstatement, transfer, or demotion, or if it is not possible to fill the vacancy by re-employment, certification shall be made from an appropriate employment list, provided eligible persons are available.

When the Personnel Officer determines a vacancy should be filled by appointment from a promotional employment list or from an open employment list, he should certify from the specified list the names of all individuals willing to accept appointment. Whenever there are fewer than three (3) names of individuals willing to accept appointment on a promotional employment list or on an open employment list, the Personnel Officer may make an appointment from among such eligible persons or may hold a new examination and establish a new employment list.

C. Appointment

After interview and investigation, the Personnel Officer, or [their/his](#) designee, shall make appointments from among those certified. The person accepting appointment shall report to the Personnel Officer, or the Personnel Officer's designated representative, for processing on or before the date of appointment. If the applicant accepts the appointment and reports

for duty within such period of time as the Personnel Officer shall prescribe, the applicant shall be deemed to be appointed; otherwise, the applicant shall be deemed to have declined the appointment.

1. Provisional Appointment

In the absence of there being names of individuals willing to accept appointment from appropriate employment lists, the Personnel Officer may provisionally appoint a person meeting the minimum training and experience qualifications for the position. The Personnel Officer may make such appointments when the demands of the service are such that it is not practicable to give advance notice of pending or anticipated vacancies, including but not limited to a period of suspension of an employee or pending final action on disciplinary proceedings, and it is not practical to delay appointment until a new employment list can be prepared and certified.

A provisional appointee shall not accrue any benefits, including but not limited to sick or vacation leave, medical, disability or life insurance or retirement.

If a provisional appointee is selected for a full-time position with the City, the time served as a provisional appointee shall be counted as time toward the fulfillment of the required probationary period. No special credit shall be allowed in meeting any qualifications or in the giving of any test or the establishment of any open-competitive promotional lists, for services rendered under a provisional appointment.

A provisional employee serves at-will and may be removed at any time without the right of appeal or hearing.

2. Temporary Employees, Student Interns

From time to time the City has a need for the employment of persons to fill temporary and/or seasonal work assignments. The cost and administrative delay inherent in testing persons to fill such ~~short-term~~ short-term positions is out of proportion to the positions and incompatible with the need to expeditiously fill such positions in time for the employee to perform the temporary work assignment. The City may be offered an opportunity to hire students who work as part of their course of study. It is in the interest of the City and in the efficient administration of City services that management fill temporary positions and employ student interns with a minimum of administrative expense and delay.

The Personnel Officer may approve the appointment of temporary employees for a period not to exceed one (1) year. There will be no exceptions to allow any temporary employee to work beyond the ~~one year~~ one-year limitation.

The Personnel Officer may authorize department heads to employ high school and college students to work as interns for up to one thousand (1,000) hours. Interns are defined as persons regularly enrolled at Firebaugh High School, or in an accredited college or university whose course of study is related to the activities of City government.

The procedures utilized by department heads for the employment of temporary employees and student interns shall be carefully scrutinized by the Personnel Officer to ensure that the process is fair and complies with Personnel Rules and City policies. Personal favoritism and/or prejudice for or against any person are strictly prohibited.

Temporary employees and student interns employed under this rule shall serve at-will and are not considered part of the competitive service; they may be removed from City service at any time without the right of appeal or hearing. If eventually hired as a full-time employee, they shall not receive any special credit in any qualification for employment, in any examination or employment list for services rendered under a provisional appointment. They shall receive no employee benefits, including but not limited to such as sick leave, vacation, health plan, or retirement, other than as provided pursuant to Healthy Workplace/Healthy Families Act of 2014 Paid Sick Leave.

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3. Regular Appointment and Probationary Period

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a. Objective of Probationary Period

The City attempts to hire the most qualified employees for each position. To ensure this, the City provides for a probationary period of employment for the employee to assess the City and the job content, and for the City to evaluate the new employee and their job performance.

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b. Length of Probationary Period

All regular and promotional appointments shall be tentative and subject to a probationary period of one (1) year of actual service. Leaves of absence or assignments out of class, for any reason, shall not be counted toward the completion of the probationary period and the probationary period shall be extended by the number of hours of such leaves or assignments. The Personnel Officer, at their discretion, may extend such probationary period up to six (6) additional months of actual service.

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c. Probationary Rejection of Regular Appointment Employee

During the probationary period, an employee on regular appointment may be terminated at any time by the Personnel Officer with or without notice, with or without cause and without the right of appeal. Notification of rejection by the Personnel Officer shall be sent to probationer in writing.

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d. Probationary Rejection Following Promotion

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Any employee rejected during the probationary period following a promotional appointment shall be reinstated to the position from which the employee was promoted, unless the employee is discharged from service in the manner provided in these Personnel Rules for positions in the competitive service, in which event he shall have the right of appeal as set forth in these Rules. If there is no vacancy in such positiona position the employee may request in writing to be placed on a re-employment list.

4. Oath of Office

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Every employee, before entering upon the duties of employment, shall take and subscribe to the Oath of Office required by the provisions of Article 20, Section 3, of the California Constitution.

In the case of temporary employment, the oath shall be effective for all successive periods of employment which commence within one (1) calendar year from the date of subscribing to the oath or affirmation.

No compensation or reimbursement for expenses incurred shall be paid to any employee of the City unless such employee has taken and subscribed to the oath or affirmation required by this section.

5. Appointment of Relatives

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Neither the City Council, Personnel Officer, nor his or her designee shall appoint to a salaried position any person who is a relative by blood or marriage within the third degree of any one or more members of the City Council or Personnel Officer.

No full-time, part-time, provisional, or temporary employees shall be assigned to any position in a department where another employee of the department is a relative by blood or marriage within the third degree. The Personnel Officer may, in theirhis sole discretion, make an exception to this Rule when doing so is in the interest of the City.

Without exception, full-time, part-time, provisional, or temporary employees who are relatives by blood or marriage shall not be placed in such positiona position as to supervise/evaluate or be supervised/evaluated by a relative within the third degree.

As determined by the Personnel Officer, no full-time, part-time, provisionalprovisional, or temporary employees shall be placed into any position that would compromise the internal control environment by virtue of any relationship through blood or marriage to another employee.

The phrase “within the third degree” shall include, but is not limited to, spouses, parents, children, grandparents, siblings, grandchildren, great-grandparents, uncles and aunts,

nieces and nephews, great-grandchildren, and similar relationships by affinity.

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III. CHANGES IN EMPLOYMENT STATUS

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A. Transfer

All transfers are subject to the discretion of the Personnel Officer. No person shall be transferred to a position for which that person does not possess the minimum qualifications. The Personnel Officer or ~~their~~ designee may transfer an employee at any time from one position to another position in a comparable class. For transfer purposes, a comparable class is one with the same maximum salary, involves the performance of similar duties and requires substantially the same basic qualifications.

If the transfer involves a change from one department to another, both department directors must consent thereto unless the Personnel Officer orders the transfer. Transfer shall not be used to effectuate a promotion, demotion, advancement, or reduction, or for disciplinary action, each of which may be accomplished only as provided in these Rules.

B. Promotion

Insofar as consistent with the best interests of the City and subject to the discretion of the Personnel Officer, all vacancies in the competitive service shall be filled by promotion from within the competitive service, after a promotional examination has been given and promotional list is established. Probationary employees shall not be eligible for promotion under a promotional list.

The Personnel Officer may determine that the best interest of the City require that a vacancy be filled by an open competitive examination instead of promotional examination. In such event, the Personnel Officer shall arrange for an open competitive examination and for the preparation and certification of an open competitive employment list.

C. Demotion

The Personnel Officer may demote an employee whose ability to perform the required duties falls below standard or for disciplinary purposes. Upon request of the employee, and with the consent of the Personnel Officer, an employee may be permitted to voluntarily demote to a vacant position in the same department. No employee shall be demoted to a position for which he does not possess the minimum qualifications. Disciplinary and voluntary demotions shall be in accordance with these Personnel Rules.

All employees who are demoted will be paid at the same rate of pay as prior to demotion if, and only if, the rate of pay is within the range of the lower position. If this is not the case, the rate of pay shall be within the salary range of the lower position which is closest to the rate of pay prior to demotion, but no employee shall be paid more than they were prior to demotion.

D. Reinstatement

With the approval of the Personnel Officer, a former regular employee or probationary employee who has completed at least six (6) months of probationary service, and who has resigned with a good record, may be reinstated within two (2) years of the effective date of resignation, to a vacant position in the same or comparable class. Upon reinstatement, the employee shall serve a new probationary period prescribed for the class. No credit for former employment shall be granted in computing salary, vacation, sick leave, or other benefits except on the specific recommendation of the Personnel Officer at the time of reinstatement. The employee will receive a new anniversary date which will be the first date of employment upon reinstatement.

E. Resignation

An employee wishing to leave the competitive service in good standing shall file with the Personnel Officer a written resignation stating the effective date and reasons for leaving at least two (2) weeks before the planned separation date, unless such time limit is waived by the Personnel Officer at ~~their~~ ~~his~~ discretion. A statement as to the resigned employee's service performance and other pertinent information shall be forwarded to the Personnel Officer. Failure to give notice as required by this Rule shall be cause for denying future employment by the City. A resignation becomes final and cannot be withdrawn once it is received by the Personnel Officer, which shall be considered accepted upon receipt unless employee is notified otherwise in writing.

F. Report of Change of Status

Every appointment, transfer, promotion, demotion, change of salary rate, or any other temporary or permanent change in status of employees shall be reported to the Personnel Officer in such ~~a~~ manner as he ~~or she~~ may prescribe.

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IV. PAID AND UNPAID TIME OFF WORK

A. Attendance

Employees shall be in attendance at their work in accordance with the Rules regarding hours of work, holidays, and leaves. All departments shall keep daily attendance records of employees who shall be reported to the Personnel Officer in the form and on the dates he shall specify.

An employee who is unexpectedly unable to report for work as scheduled must notify their ~~his~~ immediate supervisor or designee no later than the scheduled work time and report their expected time of arrival or absence. Excessive tardiness or absenteeism may be grounds for discipline, up to and including termination. Abuse of, or misrepresentation of, any form of accrued or unpaid leave time will be grounds for discipline, up to and including termination.

B. Vacations

All regular and full-time employees are eligible for paid vacation; which shall be negotiated and agreed ~~to~~ in all Memorandums of Understanding (MOU's) for each City employee bargaining group and are not included in these Personnel Rules.

Vacations may be taken at any time during the ~~year, but~~ year but should be scheduled to avoid conflicts with other employees' vacations and with busy periods of the year. Specific vacation dates should be approved by the employee's supervisor at least fourteen (14) days prior to the anticipated vacation.

C. Holidays

All regular and full-time employees are eligible for holiday pay. Observed paid holidays shall be negotiated and agreed to in all Memorandums of Understanding (MOU's) for each City Employee bargaining group and are not included in these Personnel Rules.

If a holiday falls on a weekend, the holiday will be observed on the closes Friday or Monday or on the customary day.

D. Sick Leave

All regular full-time employees earn sick leave at a rate negotiated and agreed to in all Memorandums of Understanding (MOU's) for each City employee bargaining group and is not included in these Personnel Rules.

E. Administrative Leave

1. Exempt Employees

Those employees who are exempt from the Fair Labor Standards Act may receive up to eighty (80) hours of administrative leave each fiscal year. Those employees may opt to be paid for up to eighty (80) hours of administrative leave each fiscal year. Administrative Leave cannot be carried over from one year to another.

2. Relief of Duty

The Personnel Officer may place an employee on administrative leave with full pay and

benefits for an indeterminate period when circumstances exist such that the public interest requires that the employee be relieved from active duty and/or an investigation is taking place. Such relief of duty shall not constitute punitive or disciplinary action. During the period of relief of duty, the employee may be required to regularly report to the department director or their designee in a manner described in writing by the department director to the employee.

F. Jury Duty

Every regular full-time employee of the City who is called or required to serve as a trial juror, upon notification and appropriate verification submitted to their supervisor, shall receive time off for the period of actual service required. The employee shall receive their normal pay during the period of jury duty. The time spent on jury duty is not work time for purposes of calculating overtime compensation.

G. Voting

The City's policy is to encourage its employees to participate in the election of government leaders. Therefore, adequate time off is allowed at the beginning or end of the work day/workday to exercise this right, as long as employees request this time off from their supervisors and give adequate notice.

H. Bereavement Leave

In the event of a death in a regular full-time employee's immediate family, that employee may have up to five (5) working days, with pay, to handle family affairs and to attend the funeral. "Immediate Family" is defined as father, mother, brother, sister, spouse, child, mother-in-law, father-in-law, daughter-in-law, son-in-law, grandparents, grandchildren, stepfather, ~~stepmother~~stepmother, and stepchild. Time off take for these purposes is counted against unused vacation or administrative leave.

Commented [CD1]: You cannot require them to use other types of leave here. They are entitled to 5 days of bereavement leave independent from any other leave. However, it is not required that bereavement leave is paid. So, what you can do is provide 5 unpaid days of leave, and allow them to use unused vacation or other type of paid leave so they can be paid during that time if they so choose.

I. Personal Leave Without Pay

The Personnel Officer, in their unrestricted discretion, may grant a regular or probationary employee leave of absence without pay or seniority for not to exceed three (3) months. After three (3) months, the leave of absence may be extended if so authorized. No such leave shall be granted except upon written request of the employee, setting forth the reason for the request, and the approval will be in writing. An employee is not entitled to a leave of absence as a matter of right. Upon expiration of a regularly approved leave or within a reasonable period of time after notice to return to duty, the employee shall be reinstated in the position held at the time leave was granted. Failure on the part of an employee on leave to report promptly at its expiration, or within a reasonable time after notice to return to duty shall cause the employee to be deemed to be discharged. The depositing in the United States mail of a first-class letter, postage prepaid, addressed to the employee's last known address, shall constitute reasonable notice to the employee that their leave of absence has

~~expired~~ and he must return to duty.

J. Family and Medical Care Leave California Family Rights Act (CFRA Leave)

The City will provide up to twelve (12) weeks of unpaid, job-protected leave to eligible employees for certain family and medical reasons in a 12-month period rolling backwards upon approval of the Personnel Officer, ~~where such leave will not create an undue hardship for the City.~~ Employees are eligible for this leave Family and Medical Care Leave under the California Family Rights Act (CFRA) if they have been employed by the City for at least one year, have worked 1,250 hours in the previous 12 months, and meet other eligibility requirements prescribed by law.

Leave may be taken for one or more of the following reasons:

- Your serious health condition that makes you unable to perform your job.
- To care for your family member who has a serious health condition. For purposes of CFRA leave, a "family member" includes your:
 - Spouse;
 - Parent;
 - Child of any age;
 - Registered domestic partner;
 - Grandparent;
 - Grandchild;
 - Sibling;
 - Parent-in-law;
 - One "designated person" - defined as any individual related by blood or whose association with employee is the equivalent of a family relationship.
 - The birth of your child, or placement of a child with you for adoption or foster care.
 - Because of a qualifying exigency related to covered active duty or a call to covered active duty of your spouse, registered domestic partner, child, or parent in the Armed Forces of the United States. (See Qualifying Exigencies Related to Active Duty below.)

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Please note that incapacity due to pregnancy, prenatal medical care or childbirth is not an eligible reason for CFRA leave.

Qualifying Exigencies Related to Active Duty

- Eligible employees whose spouse, domestic partner, ~~child~~ child, or parent is on covered active duty or call to covered active-duty status may use their 12-week leave entitlement for certain qualifying exigencies. Qualifying exigencies may include, but are not necessarily limited to, attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings.

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The employee ordinarily must provide thirty (30) days advance notice when the leave is “foreseeable.” The City may require medical certification to support a request for leave because of a serious health condition and may require a second or third opinion (at the employer’s expense) and a ~~return-to-work~~return-to-work report from the employee’s health care provider if leave is taken for the employee’s own serious health condition. Paid leave shall run concurrently with family and medical care leave before unpaid leave will be allowed.

The City will maintain the employee’s health coverage during the period of ~~CFRA Family and Medical Care~~ leave to the extent it would otherwise, had the employee been continuously employed. Upon return from leave, an employee will be restored to ~~their~~ his original or equivalent position with equivalent pay, benefits, and other employment terms, provided he meets the eligibility requirements prescribed herein and by law. The use of ~~CFRA leave Family and Medical Care leave~~ will not result in any loss of ~~an~~ employment benefit that accrued prior to the start of an employee’s leave.

K. Pregnancy Disability Leave

An employee who is disabled because of pregnancy, childbirth, or a related medical condition is entitled to an unpaid pregnancy disability leave for up to four (4) months.

1. Notice and Certification Requirements

- a. Except in an emergency, requests for pregnancy disability leave must be submitted in writing and must be approved by the employee’s supervisor or Department Head before the leave begins. The request must be supported by a written certification from the attending physician stating that the employee is disabled from working by pregnancy, ~~childbirth~~childbirth, or a related medical condition. The certification must state the expected duration of the disability and the expected date of return to work.
- b. All planned leaves must be confirmed in writing and have an agreed-upon specific date of return, with the written confirmation submitted to the Department Head prior to being taken. Requests for an extension of leave must be submitted in writing to the Department Head prior to the agreed date of return and must be supported by a written certification of the attending physician that the employee continues to be disabled by pregnancy, childbirth, or a related medical condition. The maximum pregnancy disability leave is four (4) months.

2. Compensation During Leave

Pregnancy disability leaves are without pay. However, the employee may first use accrued sick leave, vacation leave, and then any other accrued paid time off during the leave.

3. Benefits During Leave

- a. An employee on pregnancy disability leave may receive any group health insurance coverage that was provided before the leave on the same terms as provided to other employees who become disabled off-duty, if: (1) the employee is eligible for concurrent family and medical care leave as described by these Personnel Rules, and (2) the employee has not already exhausted their group health insurance coverage benefit in accordance with State and Federal law. The City may recover premiums it paid to maintain health coverage, as provided by the family and medical leave laws, if an employee does not return to work following pregnancy disability leave.
- b. An employee on pregnancy disability leave who is not eligible to receive group health insurance coverage as described above, may receive health insurance coverage in conjunction with COBRA (Consolidated Omnibus Budget Reconciliation Act) guidelines by making monthly premium payments to the City.
- c. Sick leave and vacation leave do not accrue while an employee is on unpaid pregnancy disability leave.

4. Reinstatement

- a. Upon the expiration of pregnancy leave and the City's receipt of a written statement from the health care provider that the employee is fit to return to duty, the employee will be reinstated to her original or an equivalent position, so long as it was not eliminated for a legitimate business reason during the leave.
- b. If the employee's original position is no longer available, the employee will be assigned to an open position that is substantially similar in job content, status, pay, promotional opportunities, and geographic location as the employee's original position.
- c. If upon return from leave an employee is unable to perform the essential functions of her job because of a physical or mental disability, the City will initiate an interactive process with the employee in order to identify potential reasonable accommodations.
- d. An employee who fails to return to work after the termination of her leave loses her reinstatement rights.

L. Military Leave

Military leave shall be granted in accordance with the provisions of state and federal law. An employee requesting leave for this purpose shall provide the department head, whenever possible, with a copy of the military orders specifying the dates, site and purpose of the activity or mission. Within the limits of such orders, the department head may determine when the leave is to be taken and may modify the employee's work schedule to accommodate the request for leave.

M. Time Off for Victims of Violent Crimes or Domestic Abuse

The City provides time off for victims of a violent crime, domestic violence, sexual assault, or stalking in accordance with state law. Employees may take time off to: (1) appear in court to comply with a subpoena or other court order as a witness to any judicial proceeding; (2) seek medical or psychological assistance; or (3) participate in safety planning to protect against further assaults. The City shall also provide reasonable accommodations for victims of domestic violence, sexual assault or stalking who request an accommodation for their safety while at work.

An affected employee must give the City reasonable notice that he is required to be absent for the purpose stated above. In cases of unscheduled or emergency court appearances or other emergency circumstances, the affected employee must, within a reasonable time after the appearance or circumstance, provide the City with written proof that the absence was required for any of the above reasons. Leave under this section is ~~unpaid, unless~~ unpaid unless the employee uses vacation or compensatory time off.

N. Workers' Compensation

If an employee has been injured on the job, he is eligible for Workers' Compensation Benefits.

1. Notification and Medical Care

The City has several obligations to injured employees. Once it has been determined that an employee's illness or injury is work-related and the claim has been accepted, the City is responsible for providing whatever medical services are necessary to cure or relieve from the effects of the injury. These services will normally be provided at no cost to employees unless there is some dispute over whether they are necessary.

If an employee has suffered a work-related injury, he should advise their~~his~~ supervisor immediately. If medical attention is required, the supervisor will arrange for the employee to be taken to the doctor. Normally, employee will be treated at one of several occupational medical clinics that treat City employees.

If an employee wishes to be treated by their ~~his~~ personal physician, the employee must advise the City ~~know~~ before the need for medical treatment arises. If the injury is serious, the employee will be taken to the nearest emergency medical care facility where necessary care will be provided.

2. Temporary Disability and Injury Pay

Once the claim is accepted, the employee will also be compensated for any time lost from work due to their ~~his~~ injury. The first three (3) calendar days following an on-the-job injury will be charged to sick leave or leave without pay. This is referenced as the "waiting period." On the fourth day following the injury, employee would begin to receive the legally required percentage of average weekly wages (averaged over the

past year). If hospitalized because of the injury or if off for more than fourteen (14) days, there is no waiting period and employee would be paid Temporary Disability pay for those first three days.

3. Permanent Disability

If the injury is serious enough to cause an employee any permanent disability, he will also be compensated for it. Permanent disability awards are not “damages,” such as those which are awarded in civil cases. These awards are meant to compensate for your reduced ability to compete in the labor market. The amount of a permanent disability award is based on the type and severity of the injury, occupation, and age at the time of the injury. If the treating doctor indicates that there is some degree of permanent disability, a claims examiner will contact the employee to explain the procedure of evaluating and rating the disability.

4. Vocational Rehabilitation

If employeean employee is unable to return to theirhis usual and customary job, he or she may be eligible for vocational rehabilitation services. If off work for a total of ninety (90) days because of an industrial injury, employee will be contacted by a rehabilitation representative who will explain the benefits to which employee may be entitled to. The City is required by State law to provide employee with this explanation of potential eligibility for these benefits, and employee will not be forced to resign, retire, or change jobs unless the doctor indicates that there is some medical necessity to do so.

If an employee needs vocational rehabilitation services, every reasonable effort will be made to return themhim to suitable gainful employment as soon as possible. Employee will be assigned to a vocational rehabilitation counselor who will research the possibilities of job modifications or alternative job assignments with the City. If it is not possible for employee to remain with the City, training or job placement services that make the best possible use of employee’s knowledge, skills and aptitude will be provided.

5. The Legal Process

It isn’t necessary to have an attorney represent an employee in a Workers’ Compensation case. However, employees always haveas the right to hire private counsel in these matters. Fees for these services are usually deducted from employthe employee’s permanent disability award.

6. Police Officer Industrial Injuries

Police Officers who are disabled temporarily or permanently by injury_ or illness occurring in the course and scope of employment shall be provided compensation and benefits in accordance with Labor Code section 4850.

O. Disability Accommodations and Fitness-for-Duty Examinations

1. **Reasonable Accommodations.** The City provides employment-related reasonable accommodations to qualified individuals with disabilities within the meaning of the California Fair Employment and Housing Act and the Americans with Disabilities Act. An employee who desires a reasonable accommodation in order to perform essential job functions should make such a request, preferably in writing, to the Personnel Officer. The request must identify the job-related functions at issue and the desired accommodations.
2. **Fitness-for-Duty Examinations.** The City Manager or ~~their~~ designee may require an employee to submit to a fitness-for-duty examination to determine if the employee is able to perform the essential functions of ~~their~~ job when there is significant evidence: 1) the employee appears to be unable to perform or has difficulty performing one or more essential functions of ~~their~~ job; and 2) there is reason to question the employee's ability to safely or efficiently complete work duties.
 - a. A City-selected health care provider will examine the employee at City expense. The City will provide the health care provider with a letter requesting a fitness-for-duty examination limited to the employee's job-related functional limitations and a written description of the essential functions of the employee's job. The health care provider will examine the employee and provide the City with non-confidential information regarding whether the employee is fit to perform essential job functions and if the employee's continued employment poses a threat to the health and safety of ~~themselves~~ or others. Should the health care provider exceed the scope of the City's request and provide confidential health information, the City will return the report to the health care provider and request another report that includes only the non-confidential fitness-for-duty information that the City has requested.
 - b. The City may require an employee to undergo an examination by a City-designated physician, ~~psychiatrist~~psychiatrist, or psychologist, and/or submit a certificate of employability from the treating physician before returning to work after taking any leave due to injury or illness.
3. **Determination.** After receipt of reasonable documentation, the City may meet with the employee to fully consider all feasible potential reasonable accommodations. The purpose of the discussions will be in good faith to fully discuss all feasible potential reasonable accommodations. After the discussions, the City will determine, in its sole discretion, whether reasonable accommodation can be made and the type of accommodation to provide. The City will not provide accommodation that would pose an undue hardship upon City finances or operations, or that would endanger the health and safety of the employee or others. Employees unable to perform the essential functions of their position, with or without reasonable accommodation, may be subject to separation of employment.

V. DISCIPLINARY ACTIONS

A. Types of Disciplinary Actions

Neither employee evaluations nor informal counseling memorandums shall be considered disciplinary or punitive in nature. They may not be appealed under this Rule. However, unsuccessful counseling may be referenced in a separate subsequent disciplinary action.

1. Oral Reprimand

A formal discussion with an employee about performance or conduct problems. This action shall be summarized in writing by the department director or supervisor. The employee may respond in writing to such reprimand. The employee shall not otherwise be entitled to appeal from an oral reprimand. Oral reprimands and employee responses shall not be placed in the employee's personnel file, however, the fact that an employee previously received an oral reprimand for similar inappropriate conduct may be referenced in future reprimands.

2. Written Reprimand

A written document presented to an employee regarding performance or conduct problems. A copy must be provided to the employee with a copy filed in the employee's personnel file. Within five (5) working days following service of the written reprimand, the employee may file a written response, the original being directed to the department head or supervisor and a copy filed in the employee's personnel file. A written reprimand may not be appealed under this policy.

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3. Minor Disciplinary Suspension

An involuntary absence without pay for a period of fewer than five (5) working days.

4. Major Disciplinary Suspension

An involuntary absence without pay for a period of five (5) or more working days but not exceeding thirty (30) working days.

5. Disciplinary Salary Reduction

A reduction in pay from the employee's current step within a pay range to a lower step within that same pay range.

6. Disciplinary Demotion

Reduction from a position in one class to a position in another class having a lower salary range.

7. Dismissal

Permanent discharge or removal from City service.

B. Grounds for Disciplinary Action

The following list of grounds for disciplinary action is not intended, nor is it a comprehensive and complete list of all grounds for disciplinary action. Any inappropriate conduct by a City employee will be grounds for disciplinary action. These include, but are not limited to:

1. Incompetence or inefficiency in the performance of the duties of one's position.
2. Insubordination, including refusal to accept assignment or direction from an authorized supervisor or City management.
3. Neglect of duty.
4. Unsatisfactory job performance, or refusal or inability to improve such performance in accordance with written or verbal direction.
4. Absence without authorized leave.
6. Excessive absenteeism or tardiness, as defined by the employee's department director, the Rules, or Memorandum of Understanding.
7. Dishonesty.
8. Theft.
9. Fraud in securing or retaining employment.
10. Discourteous treatment or offensive conduct toward or around members of the public or other employees, including fighting, using profane or abusive or threatening language toward others, or gossiping.
11. Failure to cooperate with employee's supervisor or fellow employees.
12. Drinking alcoholic beverages or consuming other intoxicants on the ~~job, or~~ job or reporting for work while under the influence of alcohol or other intoxicants.
13. Use of unlawful narcotics or drugs.
14. Malfeasance or misconduct, which shall include, but shall not be limited to, conviction, plea of guilty, or no contest of any felony, or damaging City property, equipment, or vehicles, or the waste of City supplies through negligence or misconduct.

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15. Violation of any City rules, regulation, ordinance, resolution, or policy or departmental rule.
16. Unapproved outside employment or activity while on City time or City business, or that violates the City's policies, or other enterprise that constitutes a conflict of interest with service to the City.
17. Mishandling of public funds.
18. Falsifying or altering any City record.
19. Any conduct unbecoming an employee of the City of Firebaugh that causes discredit to the City or results in the impairment or disruption of City service.
20. Unjustified and repeated abuse of sick or other leave.
21. Failure to comply with safety procedures.
- ~~23-22.~~ Failure to follow defined job duties and procedures.
- ~~24-23.~~ Misuse or destruction of City equipment or property.
- ~~25-24.~~ Sleeping on the job.
- ~~26-25.~~ Acceptance of gifts or gratuities in connection with or relating to employee's job duties.
- ~~27-26.~~ Discrimination, including harassment, against other employees or members of the public on the basis of any ~~legally-protected~~ [legally protected](#) classification.
- ~~28-27.~~ Taking retaliatory action against ~~persona~~ [person](#) engaged in protected conduct.

C. Disciplinary Policy and Procedure

The following procedures apply to regular employees who are subjected to disciplinary salary reduction, major disciplinary suspension, demotion, or dismissal. For purposes of this section, these disciplinary actions will be referred to as "major disciplinary action."

The disciplinary notice or appellate procedures shall not be applicable to those positions which may be deemed exempt by Council resolution, Personnel Rules Section I(C), or to probationary employees.

1. Proposed Notice of Discipline - Procedure

If the City proposes a major disciplinary action, the employee shall be served with a written notice of the proposed disciplinary action. Such notice shall:

- a. State the charges and specifications against the employee.
- b. Include all information relied upon in making the decision to propose disciplinary action.
- c. Advise the employee of any rights to respond to the proposed discipline, either orally or in writing, state that the employee's response will be considered before the proposed disciplinary order goes into effect including a pre-disciplinary "Skelly" conference prior to the imposition of the proposed discipline.

2. Employee Response and Skelly Conference

The Notice of Proposed Discipline will include a date for the pre-disciplinary Skelly conference that will be overseen by the department head or ~~their~~ designee. The Skelly conference is an informal meeting, not a formal or adversary hearing; the employee shall not be entitled to cross-examination. The employee shall have the right of representation at the Skelly conference, if so requested. The department head may, after consideration of all information received, decide to sustain, modify, or reject the proposed disciplinary action.

Service of an order for disciplinary action or any notice required to be given to an employee will be deemed sufficient and complete when delivered in person to the employee to whom it is directed, or when it is sent by certified mail, postage prepaid, to the last known address of the employee.

The City shall not provide a pre-disciplinary Skelly conference to regular employees subjected to a minor disciplinary suspension. However, such employees may request a similar conference during the minor disciplinary suspension or within a reasonable time thereafter.

3. Final Notice of Discipline

If a major disciplinary action is imposed, a written statement shall be given to the employee of the following:

- a. The level of discipline, if any, to be imposed, as well as the charges and a summary of facts on which the disciplinary action is based.
- b. The effective date(s) of the disciplinary action.
- c. A copy of all written materials, reports, or documents upon which the discipline is based.
- d. Any rights of appeal.

4. Evidentiary Appeal

The appeal procedure described herein shall apply to a disciplinary action of regular employees resulting in a disciplinary salary reduction, major disciplinary suspension, demotion, or dismissal. It shall not be applicable to those positions which may be deemed exempt by Council resolution, Personnel Rules, or to probationary employees. It shall also not apply to counseling or oral reprimands, written reprimands, or minor disciplinary suspensions.

Regular employees shall have the right of appeal from such disciplinary actions as described in this section. Such ~~appeal~~ appeal must be filed with the City Clerk within ten (10) calendar days following receipt of a Final Notice of Discipline. The appeal must be in writing and must set forth the grounds or basis for the appeal. If the employee involved ~~does not~~ does not file said appeal, the City's decision shall be final and take effect as prescribed.

- a. Hearing. Upon receipt of a written appeal from an affected employee, the City Clerk shall arrange for a hearing as provided in this section. Said hearing shall be conducted within a reasonable time after receipt of a timely written appeal, as determined by the City. The City Clerk shall arrange for the selection of a Hearing Officer to conduct the hearing and issue a decision.
- b. Representation. The appellant employee shall have the right to appear personally or to be represented by counsel or by anyone else of ~~their~~ their ~~his~~ choosing, including other City employees, with the exception of supervisory, management, and confidential employees.
- c. Failure of Employee to Appear. Failure of the appellant to personally appear at the hearing ~~without providing reasonable notice of inability to attend~~, shall be deemed a withdrawal of ~~their~~ their appeal and the Final Notice of Discipline shall be final.

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- d. Decision. The Hearing Officer shall render a decision no later than thirty (30) calendar days after (1) the conclusion of the hearing and the briefs, if any, have been submitted, or (2) receipt of the official hearing transcript, unless otherwise agreed upon by both parties. The Hearing Officer's decision shall be final and conclusive. A copy of such decision, along with a proof of service of mailing, shall be forwarded to each of the parties' representatives. Copies shall also be distributed to the City Clerk.

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The Hearing Officer may sustain, reject, or modify any or all of the charges filed against ~~the~~ the employee. If the disciplinary action is reversed or modified by the Hearing Officer, ~~they~~ he may determine whether the employee is to be compensated in all or in part for the time lost on or after the date the disciplinary action went into effect.

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The cost of the Hearing Officer and other ~~mutually incurred~~ mutually incurred costs shall be borne equally by the parties which shall be paid on or before the date of the

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appeal hearing. Failure to pay half of the mutually incurred costs may prevent the hearing from occurring. Pursuant to Code of Civil Procedure Section 1094.6, the parties have ninety (90) days from the date of the proof of service of mailing of the written findings and decision to appeal the decision to the Superior Court in and for the County of Fresno.

VI. LAYOFF PROCEDURES

Whenever, in the judgment of the Personnel Officer, it becomes necessary to abolish any position of employment, the employee holding such position may be laid off or demoted without disciplinary action and without the right of appeal.

A. Notification

Employees to be laid off shall be given, whenever possible, prior notice of at least thirty (30) calendar days.

B. Order of Layoff

In each class of position, employees may be laid off according to employment status in the following order: temporary, provisional, probationary, and regular. Temporary, ~~provisional~~provisional, and probationary employees shall be laid off according to the needs of the service as determined by the Personnel Officer.

Regular employees shall be laid off by inverse seniority within the below groupings. Seniority is defined as the length of full-time service at or above a classification within the department. Employees who received “improvement- needed” or worse on their last written evaluation shall be subject to layoffs before those who received a higher rating.

Whenever the Personnel Officer believes that the best interest of the City requires the retention of employees with special qualifications, characteristics, skills or fitness for the work, the Personnel Officer may grant an exception to the order of layoff.

C. Vacancy and Demotion

Except as otherwise provided, whenever there is a reduction in the work-force, the Personnel Officer shall first demote the employee to be laid off to a vacancy, if any, in a lower class for which the employee is qualified. All persons to be demoted shall have their names placed on the re-employment list.

D. Bumping Rights

An employee affected by layoff shall have the right to displace an employee in the same department who has less seniority in the same class or in a lower class in which the affected employee once had permanent status.

In order to bump down to a former or lower class, an employee must request displacement

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action in writing to the Personnel Officer within five (5) working days of receipt of notice of layoff. Notice of layoff shall include a notice of the rights set forth in these Rules.

Employees retreating to a lower or similar class shall be placed at the salary step representing the least loss of pay. In no case shall the salary be increased above that received in the class from which the employee was laid off.

Employees retreating to a lower, or similar, class shall serve a probationary period in the new class unless they have previously successfully completed a probationary period in the class or the class series.

There shall be no interdepartmental displacement rights.

E. Re-employment List

Regular, non-probationary employees laid off or demoted in accordance with these Rules shall be entered upon a re-employment list. Lists from different departments shall be combined into a single list. The Personnel Officer shall review such list for former employees in the same or lower classification as that in which a vacancy arises. The City is not required to interview or hire from the re-employment list. The re-employment list does not create any benefit or rights to laid off, regular, non-probationary employees on said list.

F. Duration

Names of persons laid off shall be carried on a re-employment list for six (6) months, except that persons appointed to permanent positions at the same level from which they were laid off shall, upon such appointment, be dropped from the list. Persons who refuse re-employment shall be dropped from the list. Persons re-employed in a lower class or on a temporary basis, shall be continued on the list for the higher position for one (1) year. The Personnel Officer may extend the duration of a re-employment list.

G. Re-employment After Layoff

Employees rehired to City service from a re-employment list shall retain all benefits, accumulated ~~leave~~leave, and seniority rights that such employees enjoyed prior to being laid off.

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VII. EMPLOYEE GRIEVANCES

A. Purpose

The purpose of this section is to provide a just and equitable method for the resolution of grievances without fear of coercion or reprisal.

B. Grievance Defined

Subject to the exclusions listed in this Policy, a “grievance” is a claimed violation of a specific provision of these Personnel Rules or a Memorandum of Understanding (MOU), and is not subject to any other City dispute resolution process or procedure that is provided by statute, ordinance, ~~resolution~~resolution, or agreement.

The following matters are expressly excluded from the definition of “grievance”:

1. Requests for changes in wages, hours, or working conditions, including any impasse or dispute in the ~~meeting~~meeting, and conferring process or matter within the scope of representation;
2. Requests for changes in the content of employee evaluations or performance reviews, oral or written warnings, ~~reprimands~~reprimands, or counseling;
3. Challenges to a reclassification, layoff, transfer, denial of reinstatement, or denial of a step or merit increase;
4. Challenges to any disciplinary action;
5. Challenges to examinations or appointment to positions;
6. Management of the City generally;
7. Determination of the nature, necessity or organization of any service or activity conducted by the City, including the decisions to expand or reduce services or the workforce, and/or to impose layoffs;
8. Methods of financing;
9. Determination of or change in facilities, equipment, methods, technology, means or size of the work force;
10. Determination of or of or change in the location, number of locations, relocations and types of operations, ~~processes~~processes, or materials to be used in carrying out City functions;
11. Determination of work assignments and schedules;
12. Determination of productivity or performance programs and standards;
13. Determination of standards, policies, and procedures for selection, training, and promotion of employees; and
14. Establishment, implementation, and modification of Department organizations, supervisory assignments, chains of command, and reporting responsibilities.

14.

C. General Provisions

1. No retribution or prejudice shall be suffered by any employee making use of the grievance procedure.
2. The time limits established herein may be extended by mutual written agreement between the grievant and management.
3. If management, at any step of the procedure, fails to respond within the prescribed time limit specified, the grievant may process the grievances to the next step.
4. If the grievant, at any step of the procedure fails to appeal management's decision on the grievance within the prescribed time limit specified, such decision shall be deemed accepted and shall not be subject to further appeal or consideration.
5. By mutual written agreement, a grievance may revert to a prior level of reconsideration.
6. The grievant shall be present at all conferences in the grievance procedure.
7. All communications, notices and papers required to be in writing shall be served personally or by United States mail. For mailed notices and papers, the postmark shall be within the prescribed time limits.
8. Management shall inform the grievant of any limitation on the authority of the management representative to fully resolve the grievance.
9. All employees have the right to consult with their supervisor, their department head, or the Personnel Officer without prejudice, concerning the manner, form and/or procedure for filing a grievance.
10. Failure of the grievant to complete any step on the grievance procedure will bar further consideration of the grievance.
11. The grievance procedure shall not be used in addition to, or as a substitute for, the disciplinary procedure, the unfair labor relations practice ~~procedure~~procedure, or the impasse procedure, when any of such procedures are or could reasonably have been available in the exercise of reasonable diligence.
12. Grievances may be filed by an exclusively recognized employee organization.
13. If the grievance is against the employee's supervisor or department head, the employee may apply to the City Manager in writing for permission to commence the Grievance Procedure at the step immediately above the supervisor alleged to be the subject of the grievance. The City Manager (or the City Council, in the event the grievance is against the City Manager) shall permit this modification of the grievance procedure upon ~~their~~his

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determination that there are special circumstances that prevent the employee from obtaining full and fair consideration of the grievance by the employee's supervisor or department head.

D. Representation Rights

1. The employee has the right to the assistance of a representative of their choice in the investigation, ~~preparation~~preparation, and presentation of a grievance.
2. Representation may occur at any stage of the grievance procedure provided, however, that prior to calling for representation at Step One – Intermediate Supervisor of the procedure, the employee shall informally discuss their grievance with their supervisor. Upon conclusion of such discussion, and in accordance with the below procedures, the employee may file a formal grievance within ten (10) calendar days after the employee knew, or in the exercise of reasonable diligence should have known, of the events giving rise to the grievance in order to have the assistance of a representative at that Step.
3. If the employee elects another employee as his or her representative, such representative shall not be released during working hours without the approval of his or her supervisor.
4. The supervisor shall grant the representative a reasonable amount of time during work hours to assist the grievant, provided such would not unreasonably interfere with or delay City work.
5. Grievance conferences between management and grievant will normally be conducted during regular working hours at a mutually -convenient time.
6. The investigation of a grievance during working hours by an employee and their representative, if any, shall be in accordance with the following:
 - a. Prior to entering any job site, the grievant and representative shall obtain the approval of the job site supervisor.
 - b. There shall be no solicitation of grievances or employee organization membership.
 - c. The investigation shall be conducted expeditiously and in a reasonable amount of time, with due regard for the work requirements of the City.
 - d. Where the investigation commences prior to the end of the regular workday, time spent after the close of the regular workday shall be on the representative's and the employee's own time.
 - e. Entry to a City job site will not be permitted if it would unreasonably interfere with or delay City work.

- f. All safety regulations relating to the presence or conduct of persons at the job site shall be followed.

E. Procedures

1. Informal Resolution

Employees who believe they have a bona fide complaint within the scope of these procedures shall promptly inform and discuss the issue with their immediate supervisor as designated by the department head or ~~their his~~ designee to, in good faith, clarify the matter expeditiously and informally resolve the matter. If the informal discussion does not resolve the problem to the employee's satisfaction, and if the complaint constitutes a grievance as herein defined, the employee may file a formal grievance in accordance with the following procedure.

2. Step One – Immediate Supervisor

- a. The employee shall file a ~~completed~~ written grievance ~~form~~ to ~~their his~~ supervisor within ten (10) calendar days after the employee knew, or in the exercise of reasonable diligence should have known, of the events giving rise to the grievance. ~~The employee shall complete all parts of the grievance form.~~
- b. The supervisor shall, within five (5) calendar days after receipt of the grievance, have a discussion with the employee concerning the grievance.
- c. The supervisor shall, within five (5) calendar days of the grievance conference, render a written decision to the employee with a copy of the original grievance.

3. Step Two – Department Head

- a. Within five (5) calendar days of receipt of the decision of the supervisor, the grievant, if he wishes to appeal the decision, shall submit an appeal to the department head. The appeal shall be submitted in writing, in conformity with the procedures stated therein and shall include the supervisor's response, if any.
- b. The department head or ~~their his~~ designee shall, within five (5) calendar days of receipt of the appeal, schedule a conference at a mutually-~~agreeable~~ time. A representative of the grievant and/or management may attend this conference in accordance with the Personnel Rules (VII, D).
- c. The department head or ~~their his~~ designee shall, within five (5) calendar days of the conference, render a written decision to the grievant with a copy of the original grievance.

4. Step Three – City Manager

- a. Within five (5) calendar days of receipt of the written decision from the department head or ~~their~~ designee, the grievant, if he or she wishes to appeal the decision, shall submit an appeal to the City Manager. The appeal shall be submitted in writing, in conformity with the procedures stated therein and shall include the original grievance and management's responses, if any.
- b. The City Manager or ~~their~~ designee shall, within seven (7) calendar days of receipt of the appeal schedule a conference at a mutually-agreeable time. A representative of the grievant and/or management may attend this conference in accordance with the Personnel Rules (VII, D).
- c. The City Manager or ~~their~~ designee shall, within seven (7) calendar days of the conference, render a written decision to the grievant with a copy of all appeal documents.
- d. The City Manager may, at ~~their~~ option, render a written decision based on the documents submitted for ~~their~~ review without the conference within the time frame set forth above. If he or she does so, the grievant may discuss this decision with the City Manager at a mutually-convenient time, provided the grievant requests ~~such~~ such a meeting within seven (7) calendar days of receipt of the City Manager's decision.
- e. Grievances shall be appealable in accordance with the procedures set forth in Step Four.
- ~~g.f.~~ Nothing in this section shall prohibit, by written agreement, a more expeditious handling of the grievance.

Commented [CD2]: This seems like quite a bit of steps. I would recommend getting rid of this step and going from Supervisor decision to Department head decision to Arbitration.

5. Step ~~Three~~Four – Binding Arbitration

- a. If the response at Step ~~Two~~Three does not resolve the grievance, the grievant and Union may jointly request that the matter be submitted to binding arbitration. Such request shall be made in writing to the City Manager within five (5) calendar days of the grievant's receipt of the Step ~~Two~~Three response. An arbitrator may be selected by mutual agreement between the parties. Should the parties fail to agree upon an arbitrator within a reasonable time, as determined by the City, they shall make a joint request to the State Mediation & Conciliation Service for a list of seven (7) arbitrators who have had experience in the municipal sector. The parties shall select the arbitrator by alternately striking names from said list until one name remains; such person shall then become the arbitrator. The first party to strike a name shall be determined by the toss of a coin.
- b. The arbitrator selected shall hold a hearing as expeditiously as possible at a time and at a place convenient to the parties, and shall be bound by the following:

- 1) The arbitrator shall be bound by the language of the MOU, as well as the City's and departmental rules and regulations consistent therewith in considering any issue properly before them/him.
 - 2) The arbitrator shall expressly confine themselves/himself to the precise issues submitted to them/him and shall have no authority to consider other issues not submitted to them/him.
 - 3) The arbitrator shall be bound by applicable Federal, State/State, and local law.
 - 4) In disputes involving the interpretation of the MOU, the arbitrator will only interpret the MOU and will not have the power to add to, delete from, or amend any part of the parties' Agreement. Additionally, the arbitrator may not recommend changes in established wages or benefits, nor recommend the payment of back wages or benefits to a date prior to thirty (30) days before the grievance was timely filed.
- c. The arbitrator's decision shall be final and binding on the City, the Union, and the grievant. All fees and costs of the arbitrator and court reporter, if any, shall be borne by the losing party. The Union has the authority to settle grievances at any step in the process on behalf of members of the bargaining unit.

VIII. PREVENTION OF HARASSMENT

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A. Purpose

Every employee is entitled to a work environment free from discriminatory harassment or retaliation. This policy prohibits harassment and discrimination on the basis of any of the following protected classifications: actual or perceived race, religious creed, color, sex (including gender, gender identity, gender expression, and pregnancy), national origin, ancestry, disability, medical condition, genetic characteristics or information, marital status, age, sexual orientation, military and veteran status or any other protected classification. Retaliation, including any threats to engage in unfair immigration-related practices, against any individual for making a complaint of discriminatory harassment or for participating in a harassment investigation, or for exercising a right protected by State labor or employment laws or any applicable ordinance is prohibited.

1. Policy Statement

The City has zero tolerance for any conduct that violates this policy. Conduct need not arise to the level of a violation of law to violate this policy. ~~A~~ ~~Instead~~ a single act can violate this policy and provide grounds for discipline or other appropriate sanctions, up to and including discharge. The City will take appropriate preventative, corrective and/or disciplinary action in response to behavior that violates this division or the rights and privileges it is designed to protect.

2. Definitions

a. Discrimination

Treating any individual differently because of the individual's protected classification as described above by this policy.

b. Harassment

Harassment can include any form or combination of verbal, physical, visual, or environmental conduct. It need not be explicit or specifically directed at the victim. Sexually harassing conduct can occur between people of the same or different genders. Prohibited Harassment included but is not limited to:

Harassment may include, but is not limited to, the following types of behavior:

- Verbal conduct such as epithets, derogatory jokes or comments, slurs or unwanted sexual advances, invitations, comments, posts, or messages;
- Visual displays such as derogatory and/or sexually-oriented posters, photography, cartoons, drawings, or gestures;
- Physical conduct including assault, unwanted touching, intentionally blocking normal movement or interfering with work because of sex, race, or any other protected basis;
- Threats and demands to submit to sexual requests or sexual advances as a condition of continued employment, or to avoid some other loss and offers of employment benefits in return for sexual favors;
- Retaliation for reporting or threatening to report harassment; and
- Communication via electronic media of any type that includes any conduct that is prohibited by state and/or federal law or by company policy.

Sexual harassment does not need to be motivated by sexual desire to be unlawful or to violate this policy. For example, hostile acts toward an employee because of their gender can amount to sexual harassment, regardless of whether the treatment is motivated by sexual desire.-

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- ~~Prohibited harassment is not just sexual harassment but harassment based on any protected category.~~
- 0) ~~Verbal: Inappropriate or offensive remarks, slurs, jokes or innuendoes, and propositioning based on an actual or perceived protected classification. This may include, but is not limited to, inappropriate comments regarding an individual's body, physical appearance, attire, sexual prowess, marital status, pregnancy or sexual orientation; unwelcome flirting or propositions; demands for sexual favors; verbal abuse, threats or intimidation of a sexual nature; or sexist, patronizing or ridiculing statements that convey derogatory attitudes about a particular gender.~~
- 0) ~~Physical: Inappropriate or offensive touching, assault, or physical interference with free movement when directed at an individual on the basis of actual or perceived protected classification. This may include, but is not limited to, kissing, patting, lingering or intimate touches, grabbing, massaging, pinching, leering, staring, unnecessarily brushing against or blocking another person, whistling or sexual gestures.~~
- 0) ~~Visual or Written: The display or circulation of offensive or derogatory visual or written material related to a protected classification. This may include, but is not limited to, posters, cartoons, drawings, graffiti, reading materials, computer graphics or electronic media transmissions (i.e. email).~~
- 0) ~~Environmental: A work environment that is permeated with sexually oriented talk, innuendo, insults or abuse not relevant to the subject matter of the job. A hostile environment can arise from an unwarranted focus on sexual topics or sexually suggestive statements. An environment may be hostile if unwelcome sexual behavior is directed specifically at an individual or if the individual merely witnesses unlawful harassment in his or her immediate surroundings. The determination of whether an environment is hostile is based on the totality of the circumstances, including such factors as the frequency of the conduct, the severity of the conduct, whether the conduct is humiliating or physically threatening, and whether the conduct unreasonably interferes with an individual's work.~~

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c. Discrimination/harassment does not include the following:

- 1) Bona fide acts or omissions based solely upon bona fide occupational qualifications under Equal Employment Opportunity Commission and California Fair Employment and Housing Commission guidelines.
- 2) Bona fide requests or demands by a supervisor that an employee improve ~~their~~his work quality or output, that the employee report to the job site on time, that the employee comply with City or departmental rules or regulations, or any other

appropriate ~~work-related~~work-related communications between supervisor and employee.

3. Supervisor-Subordinate Relationships

Romantic or sexual relationships between supervisors and subordinate employees are discouraged. There is an inherent imbalance of power and potential for exploitation in such relationships. The relationship may create an appearance of impropriety and lead to charges of favoritism by other employees. ~~A welcome sexual relationship may change with the result that sexual conduct that was once welcome becomes unwelcome and harassing.~~ Employees engaged in such a relationship must immediately report their relationship to the Personnel Officer. The employees in said relationship may continue their employment but not in a supervisor- subordinate role. The employees shall have first right to determine which of them will be transferred to an open position, if any exists, for which they meet the minimum qualifications. The City may unilaterally transfer one of the employees if one does not volunteer within five (5) calendar days of reporting the relationship. Failure to comply with this reporting requirement shall be grounds for discipline, including dismissal.

4. Responsibility

- a. This division applies to all City personnel. Each department head is responsible for ensuring that the work environment is free from all types of unlawful discrimination, including sexual harassment. Supervisors are responsible for taking prompt, appropriate action within their work units to avoid and minimize the incidence of discrimination.
- b. All employees shall promptly report any conduct which violates this policy to their immediate supervisor, manager, any department head, the Personnel Officer, or appropriate authority figure. This includes any instances of discriminatory harassment which they directly observe, whether or not the conduct is reported by the employee who is the object of such conduct.

Under no circumstances shall employees who believe they are victims of such conduct be required to first report that harassment to a supervisor or other authority figure if that figure is the individual who has harassed the employee. Employees may, without following the departmental chain of command, file a complaint directly with the department head or City Manager.

All employees shall cooperate with any investigation of any alleged discriminatory harassment conducted by the City or its agents.

- c. Any supervisors receiving information regarding violation(s) of this policy shall immediately notify the City Manager. All supervisors shall maintain confidentiality to the extent possible in communicating or investigating any claims of alleged discrimination or harassment.

B. Investigation of Complaint

1. Informal resolution

~~Sometimes an individual is unaware that his conduct is offensive.~~ Whenever possible, employees who believe that they are experiencing discrimination and/or harassment are encouraged to inform the individual ~~who's that his~~ behavior is unwelcome, offensive, ~~unprofessional~~unprofessional, or highly inappropriate. If this does not resolve the concern or if an employee feels uncomfortable, threatened, or has difficulty expressing ~~their~~his concern, informal assistance or counseling should be sought from a supervisor. No employee is required to attempt informal resolution before filing a complaint.

2. Formal investigation

Upon receipt of any written or oral complaint, the department head shall initiate a formal investigation after consultation with the City Manager, who shall conduct or authorize an investigation. The investigator will have full authority to investigate all aspects of the complaint. The investigative authority includes accessibility to records and cooperation of all employees involved. No influence will be used to suppress any complaint and the investigation will be conducted in a manner that ensures, to the extent possible, the privacy of the parties involved.

The investigator shall report in writing the findings of fact to the City Manager, who will determine whether the policy has been violated and inform the complainant of the general investigation conclusion(s) when the investigation has concluded, in consultation with the City Attorney.

Disciplinary action shall be decided in accordance with City policy and after consultation between the City Attorney and the City Manager.

3. Option to Report to Outside Administrative Agencies

An individual has the option to report harassment, discrimination, or retaliation to the U.S. Equal Employment Opportunity Commission (EEOC) or the ~~California Civil Rights Department (CRD)~~California Department of Fair Employment and Housing (DFEH). These administrative agencies offer legal remedies and a complaint process. The nearest offices are listed in the government section of the telephone book or employees can check the posters that are located on employer bulletin boards for office locations and telephone numbers.

4. False or Malicious Complaints

If it is determined that the reporting party knowingly or maliciously filed a false complaint or that the act reported did not in fact occur, the City may issue appropriate discipline.

5. Documentation

The City Clerk shall maintain a complaint file containing copies of investigation files. The information contained in this file is confidential and privileged, subject to disclosure only under appropriate legal measures. Department heads may review investigation files concerning their departments only with the prior approval of the City Manager. In cases of confirmed claims resulting in discipline, the personnel file of the disciplined employee will contain appropriate documentation relating to the disciplinary actions taken. In cases of unsubstantiated and unfounded claims not resulting in discipline, the investigation file will be maintained for ~~four~~ ~~ive~~ (45) years.

C. Mandatory Training

As part of its commitment to ensuring a work environment free from harassment and discrimination, the City requires that all of its employees receive training ~~on~~ ~~in~~ this policy at least once every two (2) years. The City Clerk will schedule training sessions to ensure that employees are able to schedule the mandatory training. Attendance at the training will be documented.

IX. SUBSTANCE ABUSE POLICY AND TESTING

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A. Purpose

Substance abuse causes job related accidents, absenteeism, substandard performance, poor employee morale and impairs the City's reputation. This policy is intended to eliminate substance abuse in the workplace. It is not intended to intrude into the private lives of City employees. The City's concern is that employees be able to perform their duties safely and efficiently at work. The use of performance-impairing or unlawful drugs and alcoholic beverages on the job, and the influence of those substances on employees during working hours are inconsistent with that objective.

B. Application

1. This policy applies to all employees and applicants for employment with the City. It applies to all alcoholic beverages and to all substances, drugs, and medications, legal or illegal, which could impair an employee's ability to effectively and safely perform ~~the~~ ~~ir~~ ~~his~~ job or other City-related business.
2. The City follows the Federal Department of Transportation's mandatory drug and alcohol testing policies for positions requiring a Commercial Driver's License. Covered employees, employed in any capacity, who operate a commercial vehicle or who have a CDL or CDP (Permit) are subject to the requirements contained in this policy as well as all legally- mandated policies.
3. For the purpose of enforcing this policy and maintaining an alcohol, drug and controlled-

substance free workplace, the City reserves the right to search all work areas and property to which the City maintains full or joint control with the employees, including but not limited to City vehicles desks, lockers, file cabinets, furniture, or storage areas. No employee has any expectation of privacy in any City building, property, or communications system. Such searches may be conducted when the City has reasonable grounds to conclude that there has been a violation of this policy and in accordance with the Personnel Rules (X1, C (Miscellaneous, Right to Search City Property)).

C. Employee Requirements

1. Employees shall not report to work or be on duty, nor be subject to call-in, while under the influence of or in possession of alcoholic beverages, illegal ~~drugs~~drugs, or other substances while on City property and wherever City business is performed. An employee is on duty during working hours, including breaks, during meal periods, ~~or any time while on City property.~~
2. The City Manager may grant special permission for City employees to use or possess alcoholic beverages in appropriate circumstances such as during community celebrations, staff parties or special events.
3. Employees shall not, directly or through a third party, manufacture, distribute, dispense, sell, or provide, alcohol or any drugs in both City workplaces or wherever City business is performed while either or both employees are on duty.
4. City employees shall not be barred by this policy from properly performing their job functions. Accordingly, other employees who come into possession of alcoholic beverages and/or unlawful drugs as part of their official duties shall not be in violation of this policy.
5. Employees must notify their supervisor before beginning work when taking any medication or drugs, prescription or non-prescription, which could interfere with the safe and effective performance of their duties or operation of City equipment. In the event there is a question regarding an employee's ability to safely or effectively perform ~~their~~his duties while using prescribed medications, a medical clearance from a qualified physician may be required.
6. An employee must immediately submit to an alcohol or drug test, ~~other than such that tests for the presence of non-psychoactive cannabis metabolites,~~ by a City-selected physician or laboratory when there exists reasonable cause to suspect that the employee is or was impaired or under the influence of drugs or alcoholic beverages while on City duty.
7. An employee must provide, within twenty-four (24) hours of request by ~~their~~his supervisor, bona fide verification of a current valid prescription for any potentially impairing drug or medication identified when a drug/alcohol test is positive. The

prescription must be in the employee's name.

8. Compliance with this policy is a condition of City employment. Disciplinary action will be taken against those who violate this policy.
9. The City will provide reasonable opportunities of rehabilitation to employees with a drug or alcohol problem in accordance with federal and/or state law.
10. The City has established a voluntary Employee Assistance Program (EAP) to assist employees who voluntarily seek help for alcohol or drug related problems. Employees should contact their supervisors or the EAP for information concerning this Program.

D. Procedures

1. Drug and Alcohol Testing

Nothing in this section applies to the use of any testing that identifies non-psychoactive metabolites found in cannabis. Such testing procedures will not be employed for employment decisions, including hiring, firing, or any disciplinary measures.

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a. Pre-Employment Drug Tests

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- 1) Generally, no drug test will be conducted before making a conditional offer of employment to the applicant. However, pre-employment testing for illegal drug use may be permitted in cases where (1) there is a special need (e.g., safety-sensitive positions or positions supervising children) to justify the test, and (2) all applicants for the position are required to test.
- 2) Before a drug test is administered to an employee or applicant with a conditional offer for City employment, he will be asked to sign a consent form authorizing the clinic or laboratory to obtain a blood and/or urine specimen and to release the results of the test to the Personnel Officer and to the appropriate department head. The consent form shall provide space for the employee or job applicant to indicate their current or recent use of prescription or over-the-counter medication.
- 3) A job applicant who refuses to consent to a drug and/or alcohol test after he receives a conditional offer of employment will be denied employment with the City and will be removed from the appropriate eligibility list.
- 4) A positive test from a drug and/or alcohol analysis may result in the applicant not being hired where the applicant's use of unlawful drugs and/or alcohol could reasonably affect job performance.
- 5) If a drug screen is positive for prescription drugs at the pre-employment physical,

the applicant must provide, within twenty-four (24) hours of request, bona fide verification of a valid current prescription for the drug identified in the drug screen. If the prescription is not in the applicant's name, or if the applicant does not provide adequate verification, the Personnel Officer may decide not to hire the applicant.

b. Drug and Alcohol Tests During Employment

- 1) Reasonable Suspicion. Supervisors, department heads or management may require a drug or alcohol test when he has a reasonable suspicion that the employee is under the influence alcohol, illegal drugs, or controlled substances while on City duty. "Reasonable suspicion" is based on objective factors that lead a reasonable person to suspect that an employee is under the influence of drugs or alcohol at work.

Any of the following, alone or in combination, may constitute reasonable suspicion:

- (i) Appearance;
- (ii) Slurred speech;
- (iii) Alcoholic odor on breath;
- (iv) Unsteady walking and movements;
- (v) Bizarre or extremely unusual behavior; or
- (vi) Possession of alcohol or unauthorized drugs while on duty.

- 2) Post-Accident Testing. The City may require alcohol or drug screening following any work-related accident or any violation of safety precautions or standards, whether or not an injury resulted from the accident or violation, provided that the "reasonable suspicion" factors described above are present.

c. In the event a supervisor reasonably suspects that an employee is or was under the influence of alcoholic beverages or performance impairing drugs while on City duty, the following procedures shall be followed:

- 1) Supervisor shall notify the department head and/or City Manager, or their designees, of their reasonable suspicion. If the department head or City Manager concurs that there is reasonable suspicion of a violation of this policy, ~~the City~~ the City Manager may notify the appropriate law enforcement agency.
- 2) The department head shall immediately notify the employee of their ~~his~~ suspicions and advise that they ~~they~~ may have a representative present during the

drug/alcohol test. The department head shall document in a written ~~report,~~
~~specific~~report, specific facts constituting ~~their his~~-reasonable suspicion, and all other facts from the initiation of procedures until such time as the employee can be safely transported home. The delay in the employee securing representation shall not exceed fifteen (15) minutes from the time the employee is ordered to submit to the drug/alcohol test. The employee shall be permitted an additional period of time, not to exceed fifteen (15) minutes, in which to confer with ~~theirhis~~ representative.

- 3) The employee will be offered an opportunity to give an explanation of ~~theirhis~~ condition, such as reaction to a prescribed drug, fatigue, etc. This shall be recorded in the written report.
 - 4) The supervisor shall sign and date the written report and the employee shall be provided with a copy of the written report upon its completion.
- d. An employee who refuses to consent to a drug and/or alcohol test when there is reasonable suspicion of drug or alcohol use in violation of this policy, shall be subject to disciplinary action up to and including termination. The reason(s) for the refusal shall be considered in determining the appropriate disciplinary action.
- e. An employee reasonably believed to be under the influence of alcoholic beverage or performance impairing drugs while on City duty, such that there is a question regarding an employee's ability to safely or effectively perform ~~theirhis~~ duties, shall be prevented from engaging in further work, and shall be detained for a reasonable time until he can be safely transported from the work site.
- f. Positive Results for Drug and Alcohol Tests During Employment
- 1) A positive result from a drug and/or alcohol analysis showing use of ~~unlawful~~unlawful, or performance impairing drugs or alcohol may result in disciplinary action up to and including discharge. Upon the request of the employee who tested positive on the drug or alcohol analysis, the City Manager may, ~~at~~ their his discretion, order and authorize a retest of such employee.
 - 2) If the drug screen is positive for prescription drugs, the employee must provide, within twenty-four (24) hours of request, bona fide verification of a valid current prescription for the drug identified in the drug screen. The prescription must be in the employee's name. If the employee provides bona fide verification and the prescription drug affects ~~theirhis~~ ability to perform ~~theirhis~~ essential functions, the City will engage in the disability interactive process to determine if it can ~~reasonable~~reasonably accommodate the disability. (Rule IV, N) If the employee does not provide adequate verification of a valid prescription, or if the prescription is not in the employee's name, or if the employee has not previously

notified ~~their his~~ supervisor of ~~theirhis~~ on-the-job use of such prescription or performance impairing drug, the employee will be subject to disciplinary action, up to and including discharge.

2. Confidentiality

Laboratory reports and test results shall not appear in the employee's general personnel folder. Information of this nature will be contained in a separate confidential medical file that will be securely kept under the control of the Personnel Officer or ~~theirhis~~ designee. The report or test results may be disclosed to City management on a strictly need-to-know basis and to the tested employee upon request.

Disclosures, without employee consent, may also occur when:

- a. the information is compelled by law or by judicial or administrative process;
- b. the information has been placed at issue in a formal dispute between the City and the employee;
- c. the information is to be used in administering an employee benefit plan; or
- d. the information is needed by medical personnel for the diagnosis for treatment of the employee who is unable to authorize disclosure.

X. SAFETY

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A. General Employee Safety

The City is committed to the safety and health of all employees and recognizes the need to comply with regulations governing injury and accident prevention and employee safety. Maintaining a safe work environment, however, requires the continuous cooperation of all employees.

If an employee is in doubt about how to safely perform a job, it is ~~theirhis~~ responsibility to ask a supervisor for assistance. Any suspected unsafe conditions and all injuries that occur on the job must be reported immediately. Compliance with these safety rules is considered a condition of employment. Therefore, it is a requirement that each supervisor makes the safety of employees an integral part of ~~theirhis~~ regular management functions. It is the responsibility of each employee to accept and follow established safety regulations and procedures. Failure to follow these rules will be considered serious and result in disciplinary action.

B. Reporting Safety Issues

All accidents, injuries, potential safety hazards, safety suggestions and health and safety related issues must be reported immediately to ~~employee-the employee's~~ supervisor and outside emergency response agencies, if needed. If an injury does not require medical

attention, documentation must still be completed in case medical treatment is later needed and to insure that any existing safety hazards are corrected. The Employee's Claim for Workers' Compensation Benefits Form must be completed in all cases in which an injury requiring medical attention has occurred.

Federal law (Occupational Safety and Health Administration) requires that the City keeps records of all illnesses and accidents that occur during the workday. California State Worker's Compensation Act also requires that any workplace illness or injury, no matter how slight, is reported by an employee.

1. Entering and Leaving the Premises

Employee will be advised about the proper entrances and exits for employees, as well as unauthorized areas, if any. Unescorted or unauthorized visitors in City facilities are prohibited. If employeean employee is expecting visitors, such as clients, customers, or friends, he should notify the supervisor.

2. Security Checks

The City may exercise its rights to inspect all packages and parcels entering and leaving its premises.

3. Safety Rules

Safety is to be given primary importance in every aspect of planning and performing all City activities. Protection against industrial injury and illness, as well as minimizing the potential loss of production is the City's goal. Safety rules and procedures may be posted from time to time on City premises.

4. Working Safely

Employees should start work on any machine only after safety procedures and requirements have been explained and immediately report any suspected hazards and all accidents to the supervisor.

5. Lifting

Employees should ask for assistance when lifting heavy objects or moving heavy furniture.

a. Rules for lifting. Employees should:

- 1) Take a balanced stance, feet placed shoulder-width apart. When lifting something from the floor, squat close to the load.

- 2) Keep back in its neutral or straight position. Tuck in chin so head and neck continue the straight back line.
- 3) Grip the object with whole hand, rather than only with fingers. Draw the object close, holding elbows close to body to keep the load and body weight centered.
- 4) Lift by straightening legs. Allow leg muscles, not back muscles, do the work. Tighten stomach muscles to help support back. Maintain neutral back position while lifting.
- 5) Never twist when lifting. When turning with a load, turn body, feet first.
- 6) Never carry a load that blocks vision.
- 7) To set something down, use the same body mechanics used for lifting.

6. Materials Handling

Do not throw objects. Always carry or pass them. Use flammable items, such as cleaning fluids, with caution. Also, stack materials only to safe heights and observe the following rules for material storage:

- a. Store heavy objects on lower shelves.
- b. Try to store materials inside cabinets, files, and lockers.
- c. Aisles, corners, and passageways must remain unobstructed.
- d. Fire equipment, extinguishers, fire door exits, and sprinkler heads should remain unobstructed. Materials should be at least 18 inches minimum away from sprinkler heads.

7. Trash Disposal

Keep sharp objects and dangerous substances out of the trash can. Items that require special handling should be disposed of in approved containers.

8. Cleaning Up

To prevent slips and tripping, clean up spills and pick up debris immediately.

9. Preventing Falls

To prevent slips and tripping, clean up spills and pick up debris immediately.

10. Slips and Falls

- a. All pathways should be clear of objects.
- b. Do not leave files and desk drawers open. Close drawers completely after every use.
- c. Make sure that shoes are appropriate for your work area. Non-slip shoes should be worn at all times.
- d. Secure electrical cords and wires away from walkways.
- e. Always use a stepladder for overhead reaching. Chairs should never be used as ladders.
- f. Clean up spills immediately. Do not wait for someone else to do it.
- g. Pick up objects co-workers may have left on the floor.
- h. Report loose carpeting or damaged flooring.
- i. Never carry anything that obscures vision.
- j. Avoid excessive bending, twisting, and leaning backward while seated.

11. Falling Objects

Store objects and tools where they won't fall. Do not store heavy objects or glass on high shelves.

12. Work Areas

Keep cabinet doors and file and desk drawers closed when not in use. Remove or pad torn, sharp corners and edges. Keep drawers closed. Open only one drawer at a time.

13. Ladder Safety

- a. Never use a substitute for a ladder (i.e. chair, desk, boxes, etc.)
- b. Know what type of ladder to use for a particular use.
- c. Inspect your ladder for existing condition.
- d. Set up the ladder properly. Do not lean ladders up against other objects. Extend the legs of the ladders out fully.
- e. Climb the ladder properly.

f. Carry the ladder correctly. Watch for others and objects in the walkway.

14. Electrical Hazards

- a. Never put a finger or anything other than an electrical plug in an outlet.
- b. Pull by the plug, not the cord, when unplugging an appliance.
- c. Do not use an electrical appliance when wet, have wet hands or are standing in water.
- d. Limit the number of appliances plugged into each outlet.
- e. Be alert for damaged plugs and cords. Do not touch them!
- f. Do not place electric cords so that they run through doorways or under carpets.

15. Fire Extinguishers

Know where fire extinguishers are located and how to use them.

16. Report Injuries

Immediately report all injuries, no matter how slight, to [supervisorthe supervisor](#).

17. Ask Questions

If in doubt regarding the safe way to perform a task, do not proceed until a supervisor is consulted. Employees will not be asked to perform any task that may be dangerous to their health, safety, or security. If a task may be dangerous, inform [supervisorthe supervisor](#) at once.

18. Weapons

The City believes it is important to establish a clear policy that addresses weapons in the workplace. Specifically, the City prohibits all persons who enter City property from carrying a handgun, firearm, knife or any other device, tool, chemical agent or implement that can cause bodily harm if used as a weapon or displayed in such a manner to cause harm or threaten a person with harm regardless of whether the person is licensed to carry the weapon.

The only exception to this policy will be police officers, security guards or other persons who have been given written consent by the City to carry a weapon on the property.

Any employee disregarding this policy will be subject to immediate discipline, up to and including termination.

19. Fire Prevention

Know the location of the fire extinguisher(s) and make sure they are kept clear at all times. Notify supervisor if an extinguisher is used or if the seal is broken. Extinguishers that are rated ABC can be used for paper, wood, or electrical fires. Make sure all flammable liquids, such as alcohol, are stored in approved and appropriately labeled safety cans and are not exposed to any ignition source.

If aware of a fire, employee should:

- a. Dial 911 or the local fire department.
- b. If possible, immediately contact [the](#) supervisor. Evacuate all employees from the area.
- c. If the fire is small and contained, locate the nearest fire extinguisher. This should only be attempted by employees who are knowledgeable in the correct use of fire extinguishers.
- d. If the fire is out of control, leave the area immediately. No attempt should be made to fight the fire.
- e. When the fire department arrives, direct the crew to the fire. Do not re-enter the building until directed to do so by the fire department.

20. Emergency Evacuation

If advised to evacuate the building, employee should:

- a. Stop all work immediately.
- b. Contact outside emergency response agencies, if needed
- c. Shut off all electrical equipment and machines, if possible
- d. Walk to the nearest exit, including emergency exit doors.
- e. Exit quickly, but do not run. Do not stop for personal belongings.
- f. Proceed in an orderly fashion to a parking lot near the building. Be present and accounted for during roll call.
- g. Do not re-enter the building until instructed to do so.

21. Housekeeping

Neatness and good housekeeping are signs of efficiency. Employees are expected to keep work area neat and orderly at all times—as a required safety precaution.

If liquid is spilled, clean it up immediately. Do not leave tools, materials, or other objects on the floor that may cause others to trip or fall. Keep aisles, stairways, exits, electrical panels, fire extinguishers, and doorways clear at all times.

Easily accessible trash receptacles and recycling containers are located throughout the work area. Please put all litter and recyclable materials in the appropriate receptacles and containers. Always be aware of good health and safety standards, including fire and loss prevention.

Please report to supervisor immediately anything that needs repairing or replacing.

22. Office Safety

Office areas present their own safety hazards. Please be sure to:

- a. Leave desk, file or cabinet drawers firmly closed when not in use.
- b. Open only a single drawer of a [filinge](#) cabinet at a time.
- c. Arrange office space to avoid tripping hazards, such as telephone cords or calculator electrical cords.
- d. Remember to lift things carefully and to use proper lifting techniques.

23. Property and Equipment Care

It is employee's responsibility to understand the machines needed to perform [their his](#) duties. Good care of any machine used during the course of employment, as well as the conservative use of supplies, will benefit [the](#) employee and the City. If [an](#) employee notices a machine is not working properly or in any way appears unsafe, [theyhe](#) should notify [the](#) supervisor immediately so that repairs or adjustments may be made. Under no circumstances should [an](#) employee start or operate a machine deemed unsafe, nor should [an](#) employee adjust or modify the safeguards provided.

Employee should not attempt to use any machine or equipment [theyhe](#) does not know how to operate, or if [the](#) employee has not completed training on the proper use of the machine or equipment.

24. Restricted Areas

In the interest of safety and security, certain portions of the City's facilities may be restricted to authorized personnel only. Such areas will be clearly marked. Some areas

may be designated no smoking areas as well.

25. Safety Rules When Operating Machines and Equipment

When operating machines and equipment, please be sure to follow these procedures:

- a. Make sure machine guards are in place while machines are in operation.
- b. Remove loose clothing, -jewelry, or rings before operating machinery.
- c. Wear steel toe shoes and prescription eye protection to start the job, if required.

Required personal protective equipment, except for prescription glasses and steel-toed shoes, will be issued by supervisors.

The City will continue to provide a clean, [safesafe](#), and healthy place to work and will provide the best equipment possible. Employees are expected to work safely, to observe all safety rules and to keep the premises clean and neat. Carelessly endangering oneself or others may lead to disciplinary action, including possible termination.

26. Security

Maintaining the security of the City's buildings and vehicles is every employee's responsibility. Develop habits that insure security as a matter of course.

Always keep cash properly secured, know the location of all alarms and fire extinguishers, and be familiar with the proper procedure for using them, should the need arise, and when leaving the City's premises, make sure that all entrances are properly locked and secured.

27. Smoking

No smoking is allowed in or on City property.

All employees are expected to abide by this policy while at work.

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XI. MISCELLANEOUS

A. Personnel Records

The Personnel Officer shall maintain a service or personnel record for each employee in the service of the City showing the name, title of position held, the department to which assigned, salary, changes in employment status, and such other information as may be considered pertinent by the Personnel Officer.

B. Internet, Electronic Mail, Telephone and Voicemail Use

1. Internet Use

Internet and World Wide Web access has been provided to City employees for the benefit of the City and its customers/citizens. This access enables employees to connect to information and other resources around the world. All employees are required to maintain and enhance the City's public image, and to use the Internet in a productive manner. The following guidelines have been established for using the Internet and the City's electronic mail system.

2. Acceptable Uses of the Internet

Employees accessing the Internet, World Wide Web and/or the City's own electronic mail system are representing the City when doing so. Accordingly, all such communications should be for professional, business reasons and should not be for personal use. Each employee is responsible for ensuring that they use their Internet access privilege in an effective, ~~ethic~~^{ethical}, and lawful manner. "Chat rooms" may only be used to conduct official City business, or to gain technical or analytical advice.

3. Unacceptable Uses of the Internet

The Internet, World Wide Web and/or the City's electronic mail system should not be used for personal gain or advancement of individual views. Solicitation of non-City business, or any use of the Internet for personal gain, is strictly prohibited. Use of the

Internet must not disrupt the operation of the City network or the networks of other ~~users,~~^{users and} must not interfere with an employee's productivity. Copyrighted materials belonging to entities other than this City may not be transmitted by employees on the Internet. One copy of copyrighted material may be downloaded for an employee's personal use in research if pre-approved by the City Manager. Employees are not permitted to copy, transfer, rename, ~~add~~^{add}, or delete information or programs belonging to other users unless given express permission to do so by the owner of such information or programs. Failure to observe copyright or license agreements may result in disciplinary action from the City including termination or legal action by the copyright owner.

In addition, any employee accessing Internet sites containing pornography, racial or ethnic hate propaganda or other similarly inappropriate websites unrelated to employment will be subject to immediate discipline, including termination. Employees may not use the City's computer system and Internet access for "shopping." All computer and Internet use may be reviewed by the City from time to time for all users to insure that the City's computer systems are not being used in an inappropriate manner.

4. E-Mail, Telephone (including cell phone) and Voicemail Use

Electronic mail (e-mail), telephone (including cell phone) and voicemail may be used for non-confidential business contacts. The City's e-mail/telephone and voicemail

systems are available to assist in the conduct of the City's business. These systems, including the equipment and the data stored in the system, are and remain at all times the property of the City. As such, all messages (including texts) created, sent, ~~received~~received, or stored in the system are and remain the property of the City. Therefore, should employee send or receive "personal" messages in violation of this policy; the City may review and copy any and all such messages.

Messages should be limited to the conduct of business at the City. Telephone, voicemail and e-mail may not be used for the conduct of personal matters except in very limited circumstances and with the approval of ~~employee's~~the employee's supervisor.

The City reserves the right to retrieve and review any message composed, ~~sentsent~~, or received. Even when a message is deleted or erased, it is still possible to recreate the message; therefore, ultimate privacy of messages cannot be ensured to ~~anyone~~anyone, and the City reserves the right to review deleted messages. While voicemail and e-mail may accommodate the use of passwords for security, confidentiality cannot be guaranteed. Messages may be reviewed by someone other than the intended recipient. Furthermore, although employee's ~~privacy~~, ~~but~~privacy but is for the protection of the City so that someone other than the intended recipient does not review the messages. All passwords must be made known to the City and the City will at all times have the ability to review e-mail, ~~telephonetelephone~~, and voicemail messages regardless of an employee's use of a personal password because the system may need to be accessed by the City when employee is absent.

Messages may not contain content that may reasonably be considered offensive, disruptive, or illegal. Harassment of any kind, as defined by the Personnel Rules, through the use of E-mail or voicemail is prohibited.

Employees learning of any misuse of the telephone, voicemail or e-mail system or violations of this policy shall notify their supervisor or the City Manager immediately. As appropriate, the City will investigate the matter. Employees found to have misused the City's telephonic and/or electronic resources will be disciplined up to and including termination.

Internet use, use of personal e-mail, telephone and/or voicemail which in the sole discretion of the City is determined to be excessive, disruptive, or an inappropriate use of City time and resources is prohibited and may lead to discipline up to and including discharge.

C. Right to Search City Property, Employees and Proper Use of City Equipment

Employees have no ~~reasonable expectation of right~~ of privacy in the workplace ~~as it pertains to City Property and Equipment~~Equipment. Therefore, to the fullest extent allowed under

the law, the City will search and inspect its facilities, ~~employees~~employees, and the personal property of employees as necessary to ~~insure~~ensure the City's interests are protected. Situations in which this may arise include suspicion of employee theft, incidents of violence or threats of violence, when an employee is suspected of the use, sale, or distribution of drugs, improper or illegal use of City facilities, misuse of City technology such as the Internet, e-mail or voicemail and other situations in which the City believes a search and inspection is appropriate.

All City property, including, but not limited to, desks, storage areas, work areas or offices, lockers, file cabinets, credenzas, computer systems, office telephones, cellular telephones, modems, facsimile machines, duplicating machines, and vehicles, must be used properly and maintained in good working order. Employees who lose, steal, or misuse the City property may be personally liable for replacing or fixing the item and may be subject to discipline, up to and including discharge.

The City reserves the right, at all times and without prior notice, to inspect and search all City property for the purpose of determining whether this policy or any of its policies have been violated, or when an inspection and investigation is necessary for purposes of promoting safety in the workplace or compliance with state and federal laws. These inspections may be conducted during or outside of business hours and in the presence or absence of the employee.

In addition, in order to ensure the safety and security of employees and citizens, and to protect the City's interests, the City reserves the right to question and inspect any employee or other individual entering onto or leaving its premises. The City also may request employees' consent while on the job or on the City's premises to agree to ~~reasonable~~reasonable inspection of their personal property and/or persons. The individual may be requested to

self-inspect ~~their~~his personal property or person by displaying the contents of any packages in the presence of a representative of the City, typically a management employee of the same gender. Refusal to submit to a lawful search may be grounds for discipline up to and including termination.

~~The City's technical resources, such as its computer system, voicemail system, and e-mail, are provided for use in the pursuit of the City's business and are to be reviewed, monitored, and used only in that pursuit, except as provided in this policy. As a result, computer data, voicemail messages, and e-mail transmissions are readily available to numerous persons. If, during the course of employment, employee performs or transmits work on the City's computer systems or other technical resources, employee's work may be subject to the investigation, search, and review of others in accordance with this policy. In addition, any electronically stored communications that employee either sends to or receives from others may be retrieved and reviewed by the City.~~

Employees have no ~~reasonable expectation of~~right of privacy as to any information or file maintained in or on City property or transmitted or stored through the City's computer systems, voicemail, e-mail, or other technical resources. All bills and other documentation

related to the use of the City's equipment or property are the property of the City and may be reviewed and used for purposes that the City considers appropriate.

~~Although it is a common practice to refer to a City computer as a particular employee's computer, all computers are owned by the City and employees have no right of privacy as to any information or file maintained in or on a City computer. All files and other information on City property or transmitted or stored through the City's computer systems, voicemail, e-mail, or other technical resources remain City property at all times. All documentation related to the use of City equipment or property is the property of the City and may be reviewed and used for purposes that the City considers appropriate. Similarly, a~~ Although employee may be provided a password, the City retains the right to review the entire contents of employee's computer at any time. Do not share password with other employees. Passwords are used to track computer use. Failure to follow this policy may lead to discipline including termination.

Employees may access only files or programs, whether computerized or not, that they have permission to use. Computer software is protected from unauthorized copying and use by federal and state law; unauthorized copying or use of computer software exposes both the City and the individual employee to substantial fines and/or imprisonment. Therefore, employees may not load personal software onto the City's computer system and may not copy software from the City for personal use. All employees must contact the City Manager to install any software on the City's computer system. Unauthorized review, duplication, dissemination, removal, installation, damage, or alteration of files, passwords, computer systems or programs, or other property of the City, or improper use of information obtained by unauthorized means, may be grounds for disciplinary action up to and including termination.

Messages stored and/or transmitted by voicemail or e-mail must not contain content that may reasonably be considered offensive or disruptive to any employee. Offensive content would include, but not be limited to, sexual comments or images, racial slurs, gender-specific comments or any comments or images that would offend someone on the basis of age, sexual orientation, religious or political beliefs, national origin, or disability.

D. Dress and Grooming Code

1. Grooming Guidelines

a. Hair

Employees must be neat, ~~clean~~clean, and well-groomed in a business-like style. Hair color must be appropriate for the professional setting. Long hair must be kept in a neat hairstyle. Hair adornments should be small and professional. Facial hair must be clean and neat.

b. Personal Hygiene

Employees are expected to maintain a high standard of cleanliness, regular bathing, oral hygiene, and use of deodorant.

c. Make-Up

Should be simple and appropriate for the business setting. Heavily applied dramatic eye make-up or unusual lipstick colors, are unacceptable.

d. Jewelry

Must be simple and appropriate for the business setting. Visible body piercing, with the exception of ears, is not permitted. Any non-conforming piercing shall be removed, covered with a bandage, or replaced with a clear, plastic spacer.

e. Perfume or Cologne

Should be lightly applied.

f. Fingernails

Must be kept clean, ~~neatly, and neatly~~ trimmed. Length should not interfere with performing of job duties. Style and polish must be appropriate for the business setting.

g. Other

No tattoos or other artificial markings are allowed anywhere on the head, face, or neck. Any visible tattoos cannot be ~~obscene, sexuallyobscene, sexually~~ explicit, discriminatory, extremist, or gang-related. No visible tattoos shall be greater than 4 by 6 inches. Any non-conforming tattoos must be covered with clothing or a bandage while at work.

2. Dress Guidelines for Office Staff

a. Tee Shirts

Tee shirts are not allowed.

b. Slacks

Must be full length. Dress or casual slacks must be appropriate for the business setting. Leggings, knit stretch pants and jeans are unacceptable. Cropped pants and shorter suits are acceptable; however, hosiery is preferred.

c. Hemlines

Are to be worn at a professional length, no higher than 4" above the knee.

d. Necklines

Must be for the business setting. Plunging necklines, which reveal cleavage or undergarments, are not permitted. No backless tops or dresses. Sleeveless tops or dresses can be worn with a jacket.

e. Midriff

Clothing must be worn so that ~~midriff~~the midriff is covered.

f. Undergarments

Color of undergarments must be inconspicuous, conventional usage only. Sheer clothing, which allows undergarments to show through, is not acceptable. Undergarments should be appropriate to the cut of clothing being worn so it is not visible.

g. Shoes

Shoes must always be well maintained and appropriate for the business setting. Backless, ~~strapless~~strapless, or thong-type shoes are not permitted at any time.

h. Belts

Must be worn at a conventional length and coordinate with clothing.

i. Ties

Must be appropriate for the business setting.

j. Fit

Clothing must be fitted in a traditional and professional manner. Excessively long or baggy clothing or tight, revealing clothing is not permitted.

k. Casual Dress Day

Friday may be a casual dress day subject to either Department or City Manager approval. Casual dress does not include T-shirts, tank tops, shorts, revealing clothing, "beach-type" shoes, or sportswear (for example, jogging or gym clothes).

3. If employees have a question about how the above policies apply to them, the matter should be immediately raised with their supervisor for consideration and determination.

E. Inconsistent, Incompatible or Conflicting Employment Activities

1. Purpose

The purpose of this ~~provision~~~~division~~ is to implement the provisions of Government Code § 1126 relating to inconsistent, incompatible, and conflicting employment by City employees. It is not the intent or purpose of this policy to restrict, limit or interfere with employees' right to outside employment. It is intended only to prevent outside employment that is inconsistent and incompatible with City employment.

2. Policy

- a. Employees of the City shall not engage in any employment, activity or enterprise for compensation that is inconsistent, incompatible, in conflict with, or inimical to ~~their~~~~his~~ duties as an employee of the City.
- b. No employee of the City shall perform any work, service, or counsel for compensation (except as provided in Government Code § § 1128 and 1129) outside of ~~their~~ ~~his~~ employment with the City, where any part of ~~their~~~~his~~ efforts will be subject to approval by any officer, employee, ~~board~~~~board~~, or commission of the City.
- c. Each department head, subject to the City Manager's approval, may determine the consistency or inconsistency of outside employments, ~~activities~~~~activities~~, or enterprises with City employment. Authorization to engage in outside employment or activities for compensation is subject to revocation by the department head or City Manager without cause. Outside employment, activity, or enterprise shall be prohibited:
 - 1) If it involves the use, for private gain or advantage, or City time, facilities, equipment or supplies, or the City badge, uniform, prestige or influence of employee's City office or position;
 - 2) If it involves receipt or acceptance by the employee of any money or other consideration from anyone other than the City for the performance of an act which the employee, if not performing such act, would be required or expected to render in the regular course of ~~their~~~~his~~ employment with the City or as a part of ~~their~~~~his~~ duties as an employee of the City;
 - 3) If it involves the performance of an act in other than ~~their~~~~his~~ capacity as an employee of this City, which act may later be subject, ~~directly~~~~directly~~, or indirectly, to the control, inspection, review, audit or enforcement of any officer or other employee of the City; or

4) If it involves time demands as would render performance of ~~their~~his duties as an employee of the City less efficient.

d. No City-owned equipment, vehicles, tools, ~~supplies~~supplies, or any other item shall be used by any employee while the employee is engaged in any outside employment or activity, or for personal use.

3. Procedures

All employees of the City shall, within thirty (30) days of beginning any outside employment and annually, on April 1, submit a written statement to the Personnel Officer outlining and describing in full, all outside employment engaged in by such employee. Such statement shall include the name and address of the ~~employee's~~employees outside place of employment, the name of the employee's supervisor at such outside place of employment, a job description for such employee's position at such outside place of employment, and the number of hours spent at such employment each month. The Personnel Officer may require the employee to provide further and additional appointing information relative to such ~~employee's~~employees outside employment.

Violation of any of the provisions of this policy shall be grounds for disciplinary action, including dismissal from the City service.

F. Employee Political Activities

The City Prohibits:

1. Employees and officers from engaging in political activities during work hours;
2. Employees and officers from participating in political activities of any kind while in uniform;
3. Political campaigning in City buildings or on premises adjacent to City buildings; and
4. An employee or officer from using ~~their~~his office to coerce ~~or intimidate~~or intimidate public employees to promote, propose, oppose, or contribute to any political cause or candidate. All other political activities of ~~City employees~~City employees shall conform to pertinent provisions of State law and any local provision adopted pursuant to State law.

G. Gifts or Gratuities

1. No City officer or employee shall solicit or accept any gifts or gratuities in connection with or relating to employee's job duties or services rendered.

2. Gifts, rewards, or awards may be provided by the ~~City to~~City to City~~City~~ employees for work-related recognition, making special contributions, or achieving major milestones such as years of service, promotion, departure, or retirement. The expense for such gifts or awards must follow ~~prescribed~~ accounting or procurement procedures. The Internal Revenue Service classifies many awards to staff as taxable income subject to W-2 reporting and tax withholding. All monetary awards, gifts, or cash equivalents, including but not limited to certificates or cards, may be subject to personal income tax.

H. Compensation

Employees should consult their Memorandum of Understanding (MOU) for guidance on salary or compensation.

XII. EMPLOYER-EMPLOYEE RELATIONS

A. General

1. Statement of Purpose

These Rules implement Chapter 10, division 4, Title 1 of the Government Code of the State of California (Sections 3500 et seq.) entitled "Local Public Employee Organizations," by providing orderly procedures for the administration of employer-employee relations between the City and its employee organizations. However, nothing contained herein shall be deemed to supersede the provisions of state law, ordinances, ~~resolutions~~resolutions, and rules which establish and regulate the civil service system, or which provide for other methods of administering employer-employee relations.

It is the purpose of these Rules to provide procedures for meeting and conferring in good faith with recognized employee organizations regarding matters that directly affect and primarily involve the wages, hours and other terms and conditions of employment of employees in appropriate units and that are not preempted by federal or state law. Nothing in these Rules shall be construed to restrict any legal or inherent exclusive City rights with respect to matters of general legislative or managerial policy, which include among others:

- a. The exclusive right to determine the mission of its constituent departments, ~~commissions~~commissions, and boards;
- b. Set standards of service;
- c. Determine the procedures and standards of selection for employment;
- d. Direct its employees;
- e. Take disciplinary action;
- f. Relieve its employees from duty because of lack of work or for other lawful reasons;

- h.g. Maintain the efficiency of governmental operations;
- i.h. Determine the content of job classifications;
- j.i. Subcontract work;
- k.j. Maintain the efficiency of governmental operations;
- l.k. Determine the methods, means and personnel by which government operations are to be conducted;
- m.l. Take all necessary actions to carry out its mission in emergencies; and
- n.m. Exercise complete control and discretion over its organization and the technology of performing its work.

2. Definitions

As used in these Rules, the following terms shall have the meanings indicated:

- a. "*Appropriate unit*" means a unit of employee classes or positions, established under the following Representation Proceedings hereof.
- b. "*Confidential employee*" means an employee who, in the course of their duties, has access to information relating to the City's administration of employer-employee relations.
- c. "*Consult/Consultation in Good Faith*" means to communicate orally or in writing with all effected recognized employee organizations for the purpose of presenting and obtaining views or advising of proposed actions in a good faith effort to reach a consensus; and, as distinguished from meeting and conferring in good faith regarding matters within the required scope of the meet and confer process, does not involve an exchange of proposals and counterproposals in an endeavor to reach agreement in the form of a Memorandum of Understanding, nor is it subject to the following Impasse Procedures hereof.
- d. "*Day*" means calendar day unless expressly stated otherwise.
- e. "*Employee relations officer*" means the City Manager or their duly authorized representative.
- f. "*Exclusively Recognized Employee Organization*" means an employee organization which has been formally acknowledged by the City as the sole employee organization representing the employees in an appropriate representation unit pursuant to the Representation Proceedings hereof, having the exclusive right to meet

and confer in good faith concerning statutorily required subjects pertaining to unit employees, and thereby assuming the corresponding obligation of fairly representing such employees.

Such recognition status may only be challenged by another employee organization as set forth in the procedures for Decertification of Exclusively Recognized Employee Organization.

- g. "*Impasse*" means that the representatives of the City and a recognized employee organization have reached a point in their meeting and conferring in good faith where their differences on matters to be included in a memorandum of understanding, and concerning which they are required to meet and confer, remain so substantial and prolonged that further meeting and conferring would be futile.
- h. "*Management employee*" means an employee having responsibility for formulating, ~~administering~~administering, or managing the implementation of City policies and programs.
- i. "*Proof of employee support*" means:
- An authorization card recently signed and personally dated by an employee, provided that the card is not subsequently revoked in writing by the employee;
 - A verified authorization petition or petitions recently signed and personally dated by an employee; or
 - Employee dues deduction authorization, using the payroll register for the period immediately prior to the date a petition is filed hereunder, except that dues deduction authorizations for more than one (1) employee organization for the account of any one (1) employee shall not be considered as proof of employee support for any employee organization. The only authorization which shall be considered as proof of employee support hereunder shall be the authorization last signed by an employee.
- j. "*Recently signed*" shall mean within ninety (90) days prior to the filing of such proof of support.
- k. "*Supervisory employee*" means any employee having authority, in the interest of the City, to hire, transfer, suspend, lay off, recall, promote, discharge, assign, reward or discipline other employees, or to adjust their grievances, or effectively to recommend such action if, in connection with the foregoing, the exercise of such authority is not of a merely routine or clerical nature, but requires the use of independent judgment.
- l. Terms not defined herein shall have the meanings as set forth in the MMBA.

B. Representation Proceedings

1. Recognition Petition – Filing by Employee Organization

An employee organization that seeks to be formally acknowledged as the exclusively recognized employee organization representing the employees in an appropriate unit shall file a petition with the employee relations officer containing the following information and documentation:

- a. Name and address of the employee organization.
- b. Names and titles of its officers.
- c. Names of employee organization representatives who are authorized to speak on behalf of the organization.
- d. A statement that the employee organization has, as one of its primary purposes, representing employees in their employment relations with the City.
- e. A statement whether the employee organization is a chapter of or affiliated directly or indirectly in any manner, with a local, regional, state, national or international organization and if so, the name and address of each such other organization.
- f. Certified copies of the employee organization's constitution and by-laws.
- g. A designation of those persons, not exceeding two (2) in number, and their addresses to whom a notice sent by regular United States mail will be deemed sufficient notice on the employee organization for any purpose.
- h. A statement that the employee organization has no restriction on membership based on race, color, creed, sex, national origin, age, sexual orientation, mental or physical disability or medical condition.
- i. The job classifications or titles of employees in the unit claimed to be appropriate and the approximate number of member employees therein.
- j. A statement that the employee organization has in its possession proof of employee support as herein defined to establish that a majority of the employees in the unit claimed to be appropriate have designated the employee organization to represent them in their employment relations with the City. Such written proof shall be submitted for confirmation to the employee relations officer or to a mutually agreed upon disinterested third party.

- k. A request that the employee relations officer formally acknowledge the petitioner as the exclusively recognized employee organization representing the employees in the unit claimed to be appropriate for the purpose of meeting and conferring in good faith.
- l. The petition, including the proof of employee support and all accompanying documentation, shall be declared to be true, ~~correct~~correct, and complete under penalty of perjury by the duly authorized officer(s) of the employee organization executing it.

2. City Response

Upon receipt of the petition, the employee relations officer shall determine whether:

- a. There has been compliance with the requirements of the recognition petition; and
- b. The proposed representation unit is an appropriate unit in accordance with Section XII B (7) of these Rules.

If an affirmative determination is made by the employee relations officer on the foregoing two (2) matters, he shall so inform the petitioning employee organization, shall give written notice of such request for recognition to the employees in the unit and shall take no action on such request for thirty (30) days thereafter. If either of the foregoing matters are not affirmatively determined, the employee relations officer shall offer to consult thereon with such petitioning employee organization and, if such determination thereafter remains unchanged, shall inform that organization of the reasons therefore in writing. The petitioning employee organization may appeal such ~~determinations~~determination in accordance with Section XII B (10) of these Rules.

3. Open Period for Filing Challenging Petition

Within thirty (30) days of the date written notice was given to affected employees that a valid recognition petition for an appropriate unit has been filed, any other employee organization may file a competing request to be formally acknowledged as the exclusively recognized employee organization of the employees in the same or in an overlapping unit (one which corresponds with respect to some, but not all, the classifications or positions set forth in the recognition petition being challenged), by filing a petition evidencing proof of employee support in the unit claimed to be appropriate of at least thirty percent (30%) and otherwise in the same form and manner as set forth in Section XII B (1) of these Rules. If such challenging petition seeks establishment of an overlapping unit, the employee relations officer shall call for a hearing on such overlapping petitions for the purpose of ascertaining the more appropriate unit, at which time the petitioning employee organizations shall be heard. Thereafter, the employee relations officer shall determine the appropriate unit or units in accordance with the standards in Section II B (7) of these Rules. The petitioning employee organizations shall have fifteen (15) days from the date notice of such unit

determination is communicated to them by the employee relations officer to amend their petitions to conform to such determination or to appeal such determination pursuant to Section XII B (10) of these Rules.

4. Granting Recognition Without an Election

If the Petition is in order, and the proof of support shows that a majority of the employees in the appropriate unit have designated the petitioning employee organization to represent them, and if no other employee organization filed a challenging petition, the petitioning employee organization and the employee relations officer shall request the California State Mediation and Conciliation Service, or another agreed upon neutral third party, to review the count, form, accuracy and propriety of the proof of support. If the neutral third party makes an affirmative determination, the employee relations officer shall formally acknowledge the petitioning employee organization as the exclusive recognized employee organization for the designated unit.

5. Election Procedure

Where recognition is not granted pursuant to Section XII B (4) of these Rules, the employee relations officer shall arrange for a secret ballot election to be conducted by a party agreed to by the employee relations officer and the concerned employee organization(s), in accordance with its rules and procedures subject to the provisions of these Rules. All employee organizations that have duly submitted petitions that have been determined to be in conformance with Section XII B (Representation Proceedings) shall be included on the ballot. The ballot shall also reserve to employees the choice of representing themselves individually in their employment relations with the City. Employees entitled to vote in such election shall be those persons employed in regular permanent positions within the designated appropriate unit who were employed during the pay period immediately prior to the date which ended at least fifteen (15) days before the date the election commences, including those who did not work during such period because of illness, vacation or other authorized leaves of absence, and who are employed by the City in the same unit on the date of the election.

An employee organization shall be formally acknowledged as the exclusively recognized employee organization for the designated appropriate unit following an election or runoff election if it received a numerical majority of all valid votes cast in the election. In an election involving three (3) or more choices, where none of the choices receives a majority of the valid votes cast, a runoff election shall be conducted between the two (2) choices receiving the largest number of valid votes cast, the rules governing an initial election being applicable to a runoff election.

There shall be no more than one (1) valid election under these Rules pursuant to any petition in a twelve (12) month period affecting the same unit.

In the event that the parties are unable to agree on a third party to conduct an election, the election shall be conducted by the State Conciliation Service.

Costs of conducting elections shall be borne in equal shares by the City and by each employee organization appearing on the ballot.

6. Procedure for Decertification of Exclusively Recognized Employee Organization

A decertification petition alleging that the incumbent exclusively recognized employee organization no longer represents a majority of the employees in an established appropriate unit may be filed with the employee relations officer only during the month of March of any year following the first full year of recognition or during the thirty (30) day period commencing one hundred twenty (120) days prior to the termination date of a memorandum of understanding then having been in effect less than three (3) years, whichever occurs later. A decertification petition may be filed by two (2) or more employees or their representative or an employee organization and shall contain the following information and documentation declared by the duly authorized signatory under penalty of perjury to be true, ~~eo~~~~re~~~~e~~~~t~~~~c~~~~o~~~~r~~~~r~~~~e~~~~c~~~~t~~~~,~~ and complete:

- a. The name, address and telephone number of the petitioner and a designated representative authorized to receive notices or requests for further information.
- b. The name of the established appropriate unit and of the incumbent exclusively recognized employee organization sought to be decertified as the representative of that unit.
- c. An allegation that the incumbent exclusively recognized employee organization no longer represents a majority of the employees in the appropriate unit and the relevant and material facts relating thereto.
- d. Proof of employee support that at least thirty percent (30%) of the employees in the established appropriate unit no longer desire to be represented by the incumbent exclusively recognized employee organization. Such proof shall be submitted for confirmation to the employee relations officer or to a mutually agreed upon disinterested third party within the time limits specified in the first paragraph of this section.

An employee organization may, in satisfaction of the decertification petition requirements hereunder, file a petition in the form of a recognition petition that evidences proof of employee support of at least thirty percent (30%) and otherwise confirms to the requirements of Section XII B (1) of these Rules.

The employee relations officer shall initially determine whether the petition has been filed in compliance with the applicable provisions of these Rules (Representation Proceedings). If ~~their~~~~his~~ determination is in the negative, he ~~or she~~ shall offer to consult thereon with the representative(s) of such petitioning employees or employee organization and, if such determination thereafter remains unchanged, shall return such

petition to the employees or employee organization with a statement of the reasons therefore in writing. The petitioning employees or employee organization may appeal such determination in accordance with Section XII B (10) of these Rules. If the determination of the employee relations officer is in the affirmative, or if ~~their~~ negative determination is reversed on appeal, he shall give written notice of such decertification

or recognition petition to the incumbent exclusively recognized employee organization and to unit employees.

The employee relations officer shall thereupon arrange for a secret ballot election to be held on or about fifteen (15) days after such notice to determine the wishes of unit employees as to the question of decertification and, if a recognition petition was duly filed hereunder, the question of representation. Such ~~election~~ election shall be conducted in conformance with Section XII B (7) of these Rules.

During the "open period" specified in these Rules, the employee relations officer may on ~~their~~ own motion, when he has reason to believe that a majority of unit employees no longer wish to be represented by the incumbent exclusively recognized employee organization, give notice to that organization and all unit employees that he will arrange for an election to determine that issue. In such event, any other employee organization may, within fifteen (15) days of such notice, file a recognition petition, which the employee relations officer shall act on in accordance with these Rules.

If a different employee organization is formally acknowledged as the exclusively recognized employee organization, such organization shall be bound by all the terms and conditions of any memorandum of understanding then in effect for its remaining term.

7. Policy and Standards for Determination of Appropriate Units

The policy objectives for determining the appropriateness of units shall be the effect of a proposed unit on (1) the efficient operations of the City and its compatibility with the primary responsibility of the City and its employees to effectively and economically serve the public, and (2) providing employees with effective representation based on recognized community of interest considerations.

These policy objectives require that the appropriate unit shall be the broadest feasible grouping of positions that share an identifiable community of interest. Factors to be considered shall be:

- a. Similarity of the general kinds of work performed, types of qualifications required, and the general working conditions.
- a. History of representation in the City and similar employment; except that no unit shall be deemed to be an appropriate unit solely on the basis of the extent to which employees in the proposed unit have organized.

- b. Consistency with the organizational patterns of the City.
- c. Effect of differing legally mandating impasse resolution procedures.
- d. Number of employees and classifications and the effect on the administration of employer-employee relations created by the fragmentation of classifications and proliferation of units.
- e. Effect on the classification structure and impact on the stability of the employer-employee relationship of dividing a single or related classifications among two or more units.

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Notwithstanding the foregoing provisions, above managerial and confidential responsibilities, as defined in Section XII A (2) of these Rules, are determining factors in establishing appropriate units hereunder, and therefore such managerial and confidential employees may only be included in units that do not include non-managerial and non-confidential employees. Managerial and confidential employees may not represent any employee organization that represents other employees.

Peace Officers have the right to be represented in separate units composed solely of such peace officers.

Also, under the MMBA, professional employees have the right to be represented separately from non-professional employees.

The employee relations officer shall, after notice to and consultation with affected employee organizations, allocate new classifications or positions, delete eliminated classifications or positions, and retain, ~~reallocate~~ reallocate, or delete modified classifications or positions from units in accordance with the provisions of these Rules.

8. Procedures for Modification of Established Appropriate Units

Requests by employee organizations for modifications of established appropriate units may be considered by the employee relations officer only during the period specified in Section XII B (6) of these Rules. Such requests shall be submitted in the form of a recognition petition and, in addition to the requirements set forth in Section XII B (1), shall contain a complete statement of all relevant facts and citations in support of the proposed modified unit in terms of the policies and standards set forth in Section XII B (7) hereof. The employee relations officer shall process such petitions as other recognition petitions under these Rules (Representation Proceedings).

The employee relations officer may, on ~~their~~ his own motion, propose that an established unit be modified. The employee relations officer shall give written notice of the proposed modification(s) to any affected employee organization and shall hold a meeting concerning the proposed modification(s), at which time all affected employee organizations shall be heard. Thereafter, the employee relations officer shall determine the composition of the appropriate unit or units in accordance with Section XII B (7).

~~and~~ shall give written notice of such determination to the affected employee organizations. The employee relations officer's determination may be appealed in accordance with Section XII B (10) of these Rules. If a unit is modified pursuant to the motion of the employee relations officer hereunder, employee organizations may thereafter file recognition petitions seeking to become the exclusively recognized employee organization for such new appropriate unit or units pursuant to Section XII B (1) of these Rules.

9. Procedure for Processing Severance Requests

An employee organization may file a request to become the recognized employee organization of a unit alleged to be appropriate that consists of a group of employees who are already a part of a larger established unit represented by another recognized employee organization. The timing and processing of such request shall be as specified in Section XII B (8) for modification requests.

10. Appeals

An employee organization, aggrieved by an appropriate unit determination of the employee relations officer, or an employee organization aggrieved by a determination of the employee relations officer that a Recognition Petition (Sec. XII B (1)), Challenging Petition (Sec. XII B (3)), Decertification Petition (Sec. XII B (6)), Unit Modification Petition (Sec. XII B (8)) --- or employees aggrieved by a determination of the employee relations officer that a Decertification Petition (Sec. XII B (6)) or Severance Request (Sec. XII B (9)) ---has not been filed in compliance with the applicable provisions of these Rules (Representation Proceedings) may, within ten (10) days of notice thereof, request the intervention of the State Mediation and Conciliation Service, or may, in lieu thereof or thereafter, appeal such determination to the City Council for final decision within fifteen (15) days of notice of the employee relations officer's determination or the termination of proceedings, whichever is later.

Appeals to the City Council shall be filed in writing with the City Clerk, and a copy thereof served on the employee relations officer. The City Council shall commence to consider the matter within thirty (30) days of the filing of the appeal. The City Council may, in its discretion, refer the dispute to a ~~third-party~~ third-party hearing process. Any decision of the City Council on the use of such ~~procedure~~ procedure, and/or any decision of the City Council determining the substance of the dispute shall be final and binding.

C. Administration

1. Submission of Current Information by Recognized Employee Organizations

All changes in the information filed with the City by an exclusively recognized employee organization under items (a) through (h) of its recognition petition under Section XII B (1) of these Rules, shall be submitted in writing to the employee relations officer within fourteen (14) days of such change.

Exclusively recognized employee organizations that are party to an agency shop provision shall provide annually to the employee relations officer and to unit members within sixty (60) days after the end of its fiscal year the financial report required under Government Code Section 3502.5(f) of the MMBA.

2. Employee Organization Activities, Use of City Resources

Access to City work locations and the use of City paid time, facilities, equipment and other resources by employee organizations and those representing them shall be authorized only to the extent provided for in memoranda of understanding and/or administrative procedures, shall be limited to lawful activities consistent with the provisions of these Rules that pertain directly to the employer-employee relationship and not to such internal employee organization business as soliciting membership, campaigning for office, and organizing meetings and elections, and shall not interfere with the efficiency, safety and security of City operations.

3. Administrative Rules and Procedures

The City Manager is hereby authorized to establish such rules and procedures as appropriate to implement and administer the provisions of these Rules after consultation with affected employee organizations.

D. Impasse Procedures

1. Initiation, Meeting, Purpose

If the meet and confer process has reached impassean impasse as defined in these Rules, either party may initiate the impasse procedures by filing with the other party a written request for an impasse meeting, together with a statement of its position on all issues. An impasse meeting shall then be scheduled promptly by the employee relations officer. The purpose of such meeting shall be:

- a. To review the position of the parties in a final effort to reach agreement on a memorandum of understanding; and
- b. If the impasse is not resolved, to discuss arrangements for the utilization of the impasse procedures provided herein.

2. Procedures Enumerated

Impasse procedures are as follows:

- a. If the parties agree to submit the dispute to mediation, and agree on the selection of a mediator, the dispute shall be submitted to mediation. All mediation proceedings

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shall be private. The mediator shall make no public recommendation, nor take any public position at any time concerning the issues.

- b. If the parties agree to, and do participate in mediation, and if mediator is unable to effect settlement of the controversy, the employee organization may present a request to the City and the Public Employment Relations Board (PERB) to submit the impasse to fact-finding. This request by the employee organization to submit the impasse to fact-finding must be made no sooner than 30 days, but no later than 45 days, following the selection of a mediator by the parties.
- c. If the parties do not agree to participate in mediation, the employee organization may present a request to the City and PERB to submit the impasse to fact-finding no later than 30 days following the date that either party has provided the other a written notice of declaration of impasse.
- d. Within five (5) working days after PERB's determination that the request for fact-finding is sufficient, a fact-finding panel of three (3) shall be appointed in the following manner: one (1) member of the panel shall be appointed by the employee relations officer, one (1) member shall be appointed by the exclusively recognized employee organization. PERB shall, within five (5) working days after making its determination that the request for fact-finding is sufficient, submit the names of seven persons, drawn from the list of neutral fact-finders established pursuant to Government Code section 3541.3(d). PERB shall thereafter designate one of the seven persons to serve as the chairperson unless notified by the parties within five (5) working days that they have mutually agreed upon a person to chair the panel in lieu of a chairperson selected by PERB.

3. Jurisdictional and Procedural Requirements

The following constitute the jurisdictional and procedural requirements for fact-finding:

- a. The panel shall, within ten (10) days after its appointment, meet with the parties or their representatives, either jointly or separately, and may make inquiries and investigations, hold hearings, and take any other steps it deems appropriate. The panel shall have subpoena power with regard to hearings, ~~investigations~~investigations, and inquiries.
- b. Subject to the stipulations of the parties, the fact-finders shall determine and apply the following measures and criteria in arriving at their findings and recommendations:
 - 1) State and federal laws that are applicable to the employer.
 - 2) Local rules, regulations, or ordinances.
 - 3) Stipulations of the parties.

- 4) The interests and welfare of the public, and the financial ability of the public agency.
 - 5) Comparison of the wages, hours, and conditions of employment of the employees involved in the fact-finding proceeding with the wages, hours, and conditions of employment of other employees performing similar services in comparable public agencies.
 - 6) The consumer price index for goods and services, commonly known as the cost of living.
 - 7) The overall compensation presently received by the employees, including direct wage compensation, vacations, holidays, and other excused time, insurance and pensions, medical and hospitalization benefits, the continuity and stability of employment, and all other benefits received.
 - 8) Any other facts not confined to those specified in paragraphs (1)-(7), inclusive, which are normally or traditionally taken into consideration in making the findings and recommendations, including, but not limited to:
 - (i) Maintaining appropriate compensation relationships between classifications and positions within the City;
 - (ii) Other legislatively determined and projected demands on agency resources (i.e., budgetary priorities as established by the governing body);
 - (iii) Allowance for equitable compensation increases for other employees and employee groups for the corresponding fiscal period(s);
 - (iv) Revenue projections not to exceed currently authorized tax and fee rates for the relevant fiscal year(s);
 - (v) Assurance of sufficient and sound budgetary reserves; and
 - (vi) Constitutional, statutory, and Municipal Code/ Charter limitations on the level and use of revenues and expenditures.
- c. Within thirty (30) days after the appointment of the fact-finding panel, or, upon agreement by both parties within a longer period, the panel shall make written findings of the facts and recommendations for the resolution of the issues in dispute, which shall be presented in terms of the criteria and limitations specified above. Any member of a fact-finding panel shall be accorded the right to file dissenting written findings of fact and recommendations. The fact-finder or chairman of the fact-finding panel shall serve such findings and recommendations on the employee relations officer and the designated representative of the exclusively recognized employee organization before they are made available to the public.

- d. If these parties have not resolved the impasse within ten (10) days after service of the findings and recommendations upon them, the fact-finder or the chairman of the fact-finding panel shall make them public by submitting them to the City Clerk for consideration by the City Council in connection with the Council's legislative consideration of the impasse.

- e. After any applicable mediation and fact-finding procedures have been exhausted, but no earlier than ten (10) days after the fact finders' written findings of fact and recommended terms of settlement have been submitted to the parties, the City Council may hold a public hearing, the City Council may hold a public hearing regarding the impasse, and take such action regarding the impasse as it, in its discretion, deems appropriate as in the public interest, including implementation of the City's last, best and final offer. Any legislative action by the City Council on the impasse shall be final and binding.

4. Costs

The costs for the services of a mediator and fact-finding panel chairperson agreed upon by the parties shall be borne equally by the City and the exclusively recognized employee organization, and shall include per diem fees, if any, and actual and necessary travel and subsistence expenses. The per diem fees shall not exceed the per diem fees stated on the chairperson's résumé on file with PERB. The chairperson's bill showing the amount payable by the parties shall accompany ~~their~~ his or her final report to the parties and PERB. The parties shall make payment directly to the chairperson.

Any other mutually incurred costs shall be borne equally by the parties. Any separately incurred costs for the panel member selected by each party shall be borne by such party.

XIII. ACKNOWLEDGMENT

This is to acknowledge that I have received a copy of the City of Firebaugh's Personnel Rules and have read and understand their contents. I understand that the Rules contain important information about the City's general personnel policies and my obligations as an employee of the City. Further, I understand that I must keep the Personnel Rules in a safe place for reference and any changes or updates which may be made from time to time.

I further understand that the City may change, ~~reseind~~ rescind, or add to any rules, policies, or practices described in the Personnel Rules from time to time in its sole discretion without prior notice, and that the language used in the Personnel Rules is not intended to create, and does not create, a contract between the City of Firebaugh and any employee.

~~DATED:~~ DATED: _____

Employee's Signature

Employee's Name (Print)



TO: Elsa Lopez and Council Members
FROM: Mario Gouveia, City Engineer
DATE: June 3, 2024
SUBJECT: Resolution No. 24-23

RECOMMENDATION:

1. Accept Completion of Dunkle Park Basketball Court Rehabilitation project.
2. Authorize the Deputy City Clerk to record a Notice of Completion with Fresno County.
3. Authorize the City to make payment of retention monies to Harris Development Corp. dba HBC Enterprises following the expiration of 35 days from the date of recordation of the Notice of Completion.

BACKGROUND:

The City of Firebaugh advertised the Dunkle Park Basketball Court project on November 22, November 29, and December 6, 2023, and bids were opened on December 14, 2023. Harris Development Corp. dba HBC Enterprises submitted the lowest responsive and responsible bid and was awarded a contract for \$139,899.25.

The project's construction phase started on March 11, 2024, and the major work consisted of removing the existing basketball court and constructing a concrete pad with new basketball hoops and striping improvements in the City of Firebaugh.

The Contractor completed all work within the time required in the Contract Documents. A final inspection was performed, and the work was found to be in compliance with the plans and specifications. Therefore, the work should be accepted as complete, and a Notice of Completion filed. If no claims are filed within 35 days after recordation, retention in the amount of \$6,994.96 should be paid to Harris Development Corp. dba HBC Enterprises.

FISCAL IMPACT:

The final construction contract cost inclusive of all authorized work was \$139,899.25. Construction of this project will be paid using a grant from the California Department of Parks and Recreation.

A summary of contract costs are as follows:

PROJECT COST SUMMARY

Contract Amount	\$	139,899.25
Change Order No. 1 – Days only	\$	0.00
Actual Construction Cost	\$	139,899.25

ATTACHMENTS:

1. Resolution No. 24-23
2. Notice of Completion

RESOLUTION 24-23

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH ACCEPTING COMPLETION OF DUNKLE PARK BASKETBALL COURT REHABILITATION 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 HARRIS DEVELOPMENT CORP. dba HBC ENTERPRISES

WHEREAS, the City of Firebaugh advertised the Project on November 22, 2023; and

WHEREAS, the City of Firebaugh received and publicly opened bids on December 14, 2023; and

WHEREAS, the City Council awarded a contract to Harris Development Corp. dba HBC Enterprises in the amount of \$139,899.25, on February 05, 2024; and

WHEREAS, one change order was issued during the course of the Project to increase contract days; 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 Dunkle Park Basketball Court Rehabilitation 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 Harris Development Corp. dba HBC Enterprises 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 3rd day of June 2024, by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

ATTEST:

Elsa Lopez, 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 June 2024.

Rita Lozano, Deputy City Clerk of the City of Firebaugh

RECORDING REQUESTED BY:

City Clerk
City of Firebaugh

WHEN RECORDED RETURN TO:

City of Firebaugh
1133 "P" Street
Firebaugh, CA 93622

NOTICE OF COMPLETION

NOTICE IS HEREBY GIVEN:

1. That the interest of estate stated in paragraph 3 below in the real property hereinafter described is owned by the following:

NAME	STREET AND NO.	CITY	STATE
City of Firebaugh	1133 "P" Street	Firebaugh	CA

(if more than one owner of the interest stated, the name and address of each must be inserted)

2. That the full name and address of the owner of said interest or estate, if there is only one owner, and the full names and addresses of all the co-owners who own said interest or estate as joint tenants, as tenants in common or otherwise, if there is more than one owner, are set forth in the preceding paragraph.
3. That the nature of the title of said owner, or if more than one, then of said owner and co-owner is: **In Fee.**
4. That on the 29th day of April, 2024 a work of improvement on the real property hereinafter described was completed.
5. That the name of the original contractor, if any for such work of improvement was:
Harris Development Corp. dba HBC Enterprises
 (If no contractor for work of improvement as a whole, insert "No Contractor")

6. That the real property herein referred to is situated in the City of Firebaugh , County of Fresno, State of California, and is described as follows:
 The major work consisted of removing the existing basketball court and constructing a concrete pad with new basketball hoops and striping improvements

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

June 3, 2024
Date

By: _____
Signature of Owner

Ben Gallegos, City Manager
City of Firebaugh

Print Name

VERIFICATION

I understand, state:
I am the person who signed the foregoing notice. I have read the above notice and know its contents, and the facts stated therein are true of my own knowledge.
I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed at Firebaugh, California
This 3rd day of June, 2024.

City of Firebaugh
Owner

By: _____
Ben Gallegos, City Manager
City of Firebaugh



TO: Elsa Lopez and Council Members
FROM: Mario Gouveia, City Engineer
DATE: June 3, 2024
SUBJECT: Resolution No. 24-24 - Highway 33 Beautification Project, Award bid to Avison Construction

RECOMMENDATION:

1. Council by motion adopt Resolution No. 24-24 – Accepting the low bid from Avison Construction, Inc. for the Highway 33 Beautification Project.
2. Authorize the City Manager to sign the Agreement on behalf of the City of Firebaugh.

BACKGROUND:

On September 10, 2008, the City of Firebaugh (City) entered into an agreement with the Fresno County Transportation Authority (FCTA) to construct roadway improvements at State Highway 33 from 8th Street to 15th Street at an estimated cost of two million dollars (\$2,000,000.00). The original scope was to include improvements to the existing landscaping on both sides of the highway and medians using primarily trees and bushes, updating the landscape irrigation system, constructing/reconstructing sidewalks and improving medians, constructing a small-town plaza on 12th Street, installing architectural street lighting, and gateway signs.

Due to many delays caused by Caltrans, various scope changes, and the rising costs of materials, the original project scope was reduced to removing and replacing sidewalk, curb and gutter at driveway locations, the addition of stamped concrete median, 21 commercial driveways, 3 ADA curb ramps, and 9 median tree wells, and installing 29 new light pole assemblies on Highway 33 between 10th Street and 14th Street.

Following a public bidding process, the project was advertised on March 27, April 3, and April 17, 2024. The City received a total of three (3) bids that were opened and read aloud at 2:00 p.m. on April 25, 2024 at the City of Firebaugh City Hall, this being the advertised bid opening date and time. The lowest responsible, responsive bid was submitted by Avison Construction, Inc. The bid results were as listed:

Avison Construction, Inc.	\$ 1,951,645.00
Heavy Road & Rail, Inc.	\$ 2,175,000.00
United Pavement Maintenance, Inc.	\$ 2,768,176.00
Engineer's Estimate	\$ 1,778,116.00

Due to budget constraints, the City negotiated with Avison Construction, Inc. to reduce the scope of work even further by eliminating bid items # 19, # 20, # 24, # 25, and #26 for a reduction of \$415,532.00 and a total contract price of \$1,536,113.00. The justification for removing the electrical bid items is that the City does not have sufficient funding to award the entire contract. The removed items may be done at a later date if the City is able to secure additional funds.

It is recommended that a Contract be awarded to Avison Construction, Inc. in the amount of one million five hundred thirty-six thousand one hundred thirteen dollars and zero cents (\$1,536,113.00).

FISCAL IMPACT:

The Highway Beautification project will be funded using Measure C funds through the FCTA.

ATTACHMENTS:

Resolution
Abstract of Bids

RESOLUTION 24-24

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH ACCEPTING BID AND
AWARDING CONTRACT TO AVISON CONSTRUCTION, INC. FOR THE HIGHWAY 33 BEAUTIFICATION
PROJECT AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE AGREEMENT**

WHEREAS, the City of Firebaugh entered into an agreement with Fresno County Transportation Authority (FTCA) to construction the Highway 33 Beautification Project in the City of Firebaugh; and

WHEREAS, the Invitation to Bid for the Highway 33 Beautification Project in the City of Firebaugh was advertised in the Firebaugh-Mendota Journal on March 27, 2024; and

WHEREAS, bids for the Highway 33 Beautification Project were publicly opened and read aloud at the Firebaugh City Hall on April 25, 2024 at 2:00 p.m., this being the advertised bid opening date and time; and

WHEREAS, a total of three (3) bids were received and the bid results were as listed below; and

Avison Construction, Inc.	\$ 1,951,645.00
Heavy Road & Rail, Inc.	\$ 2,175,000.00
United Pavement Maintenance, Inc.	\$ 2,768,176.00

WHEREAS, the Engineer's Estimate was \$1,778,116.00; and

WHEREAS, the bids have been reviewed and Avison Construction, Inc. submitted the lowest responsive and responsible bid; and

WHEREAS, the City does not have sufficient funding to award the entire contract; and

WHEREAS, the City and Avison Construction, Inc. agreed to remove electrical bid items # 19, # 20, # 24, # 25, and #26 for a reduction of \$415,532.00 resulting in a contract price of \$1,536,113.00; and

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

1. Adopts a Resolution to award a contract to Avison Construction, Inc. one million five hundred thirty-six thousand one hundred thirteen dollars and zero cents (\$1,536,113.00).
2. Authorize the City Manager to sign the Agreement with Avison Construction, Inc. on behalf of the City of Firebaugh.

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 June, 2024, by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

ATTEST:

Elsa Lopez, 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 June 2024.

Rita Lozano, Deputy City Clerk of the City of Firebaugh



TO: Mayor Elsa Lopez and Council Members
FROM: Pio Martin, Finance Director
DATE: June 03, 2024
SUBJECT: Preliminary Street Budgets

Presentation of Preliminary Street Budgets

- Highway Users Tax Account – Gas Tax Fund 012 and Fund 067
 - Revenue Funds predicted to be about \$241,294.
 - Fund 012 Expenses the bulk of the cost will go toward streetlights.
 - Fund 067 Expenses will be spent on salaries.
- Road Maintenance and Rehabilitation Account (SB1) – Fund 013
 - Revenue Funds predicted to be \$220,017.
 - Expense, street repairs on “Q” Street between 9th and 10th Streets.
Partner up with Fund 028 TDA
- Local Transportation Fund – LTF Fund 025
 - Revenue predicted to be 9,897.
- Transportation Development Act – TDA Fund 028
 - Revenue predicted to be \$355,387.
 - Salaries Expenses: \$97,848
 - Expenses, street repairs on “Q” from 11th and 9th Streets.
Partner up with Fund 013 Road Maintenance.
- Measure C: Fund 033; Fund 034 and Fund 035
 - Fund 033 revenue predicted to be \$187,857.
 - Salaries and Operating Expenses: \$151,760.
 - Fund 034 revenue predicted to be \$6,579.
 - Fund 035 predicted to be \$219,369.
 - Operating Expenses – Zero

Fund	Revenue	GAS TAX 2105	Description	Proposed Budget 2024-2025
012	3301		INTEREST INCOME	500
012	3651		GAS TAX (2105)	53,623
012	3652		GAS TAX (2106)	31,902
012	3653		GAS TAX (2107)	73,127
012	3654		GAS TAX (2107.5)	2,000
				<hr/>
				161,152
				107.33%

Fund	Department	Expense	Description	Proposed Budget 2024-2025
012	4090	2015	STS & RDS SIGNS, SIGNALS	10,000
012	4090	2526	STS & RDS ELECTRICITY/GAS	96,000
012	4090	3012	STS & RDS REPAIR EQUIP	2,300
012	4090	3018	STS & RDS ST. PAINTING	5,000
012	4090	3022	STS & RDS STS & RD REPAIR	5,000
012	4090	3506	STS & RDS ENGINEERING	10,000
				<hr/>
				128,300
				133.23%

Fund	Revenue	ROAD MAINTENANCE	Description	Proposed Budget 2024-2025
013	3656		ROAD MAINTENANCE & REHAB ACCT	220,017
				107.59%

Fund	Department	Expense	Description	Proposed Budget 2024-2025
013	4090	3506	STS & RDS ENGINEERING	10,000
013	4090	3513	STS & RDS OTHER SERVICES	30,000
013	4090	4104	STS & RDS CONSTRUCTION	177,000
				<hr/>
				217,000
				94.35%

Animal Shelter Cost					
		Engineering Recommendations	Seal Rite Paving Proposal	Giles Paving Proposal	
Item No.	Item Description				
1	Mobilization (Bonds, Demob.)	Includes	Bonds not included	Bonds not included	
2	Demolition and Earthwork	Includes	Not Included	Not Included	
3	Construct Concrete Slab	Includes	Included	Included	
3a	Grading	Includes	Included	Included	
3b	Geogrid Fabric	Includes	Included	Included	
3c	Aggregate Base	Includes	Included	Included	
3d	Reinforcing Steel	Includes	Not Included	Not Included	
3e	Construct Footings	Includes	Not Included	Not Included	
4	Construct Sewer Lift Station	Includes	Not Included	Not Included	
5	Install Force Main	Includes	Not Included	Not Included	
6	Electrical Service Upgrade	Includes	Not Included	Not Included	
	Expected Construction Cost	\$ 491,700.00	\$ 20,186.00	\$ 34,000.00	
	Preliminary Engineering	\$ 59,004.00	Not Included	Not Included	
	Construction Engineering	\$ 59,004.00	Not Included	Not Included	
	Prevailing Wage Rates	Includes	Not Included	Not Included	

All workers employed on public works projects must be paid the prevailing wage determined by the Director of the Department of Industrial Relations, according to the type of work and location of the project.

Examples of Prevailing Wage, Hourly Rates	Laborer	\$64.81
	Mason	\$73.56
	Operator	\$98.64



STAFF REPORT

TO: Mayor and Council Member
FROM: Ben Gallegos, City Manager
DATE: 6/3/024

Meetings Attended:

Council Member Silvia Renteria and I attended the ICSC Conference, we met with Tractor Supply, UPS Store, KFC, Circle K, Little Caesars, Domino's, McDonald's, Starbuck's, Commercial Christmas Décor Experts, 7 Eleven. We were also able to pick up information about Panda Express and Big 5 Sporting Goods. Every meeting was a positive one.

Crossing to success navigating the rail crossing elimination programs. I attended this meeting for potential funding to improve our railroad crossing in our city.

Firebaugh Community Workshop. The community had the opportunity to come out and give their input on how they would like to see the city's downtown, highway 33 and trails to look into the future.

We had a good turnout at the community center and Outdoor Market.

Information:

On May 23rd, the EDC and the City of Firebaugh hosted a Job Fair in the community center. In attendance were the Firebaugh School District, Mendota Prison, Mercey Hot Springs. Olga also handed out information for Meridian Growers. The event was very well attended.

We have started the design phase for the Maldonado Park Phase III.



City of Firebaugh Public Works Department Staff Report

To: Mayor Elsa Lopez and City Council Members

From: Michael Molina, Public Works Director

Date: June 3, 2024 - Council Meeting

Water/Wastewater

The operation department has been working on the following:

1. Day to day operations of treatment plants.
2. Repairing aerators sewer plant.
3. Continuing weed abatement at sewer plant, lift stations and solar panels.

Streets

The Street Department has been working on the following:

1. Repairing streets around town.
2. Grading alleys.
3. Weed abatement at the airport.

Parks

The Crew has been working on the following:

1. Weed abatement around the parks and various areas around town.
2. Daily and weekly park maintenance.
3. Trimming trees around the business district.

City Projects:

1. Temporary dog kennel is 95% complete and should be done this week.
2. 7th and Q St project is complete and looks great.



FIREBAUGH POLICE DEPARTMENT

Memo

To: Honorable Mayor Elsa Lopez and Council Members
From: Salvador Raygoza, Police Chief
cc: Benjamin Gallegos, City Manager
Date: 05/30/2024
Re: Staff Report

MONTHLY CRIME ANALYSIS:

In May 2024, the Firebaugh Police Department processed a total of 97 police reports, which included crime reports, incident reports, and traffic accidents. The majority of these were non-criminal and classified as incident reports. This report will provide a summary analysis of the various aspects of law enforcement activities conducted during the month.

A graphical representation of the crime statistics for the month is attached on the next page. In ensuring the safety of our community, the Firebaugh Police Department, along with vigilant citizens who report suspicious activities, play a pivotal role

Officers issued a total of 47 traffic citations within the city limits for the month below the monthly average due to other priorities investigating other crimes. Despite decreased traffic control measures, there were only 2 reported traffic accidents reported. Officers have also been working additional hours on traffic enforcement and DUI prevention, thanks to financial support from the California Office of Traffic Safety.

We continue to make significant strides in combating drug-related crimes. During the month 9 individuals were arrested for possession of methamphetamines and 4 individuals arrested for Drug Paraphernalia:

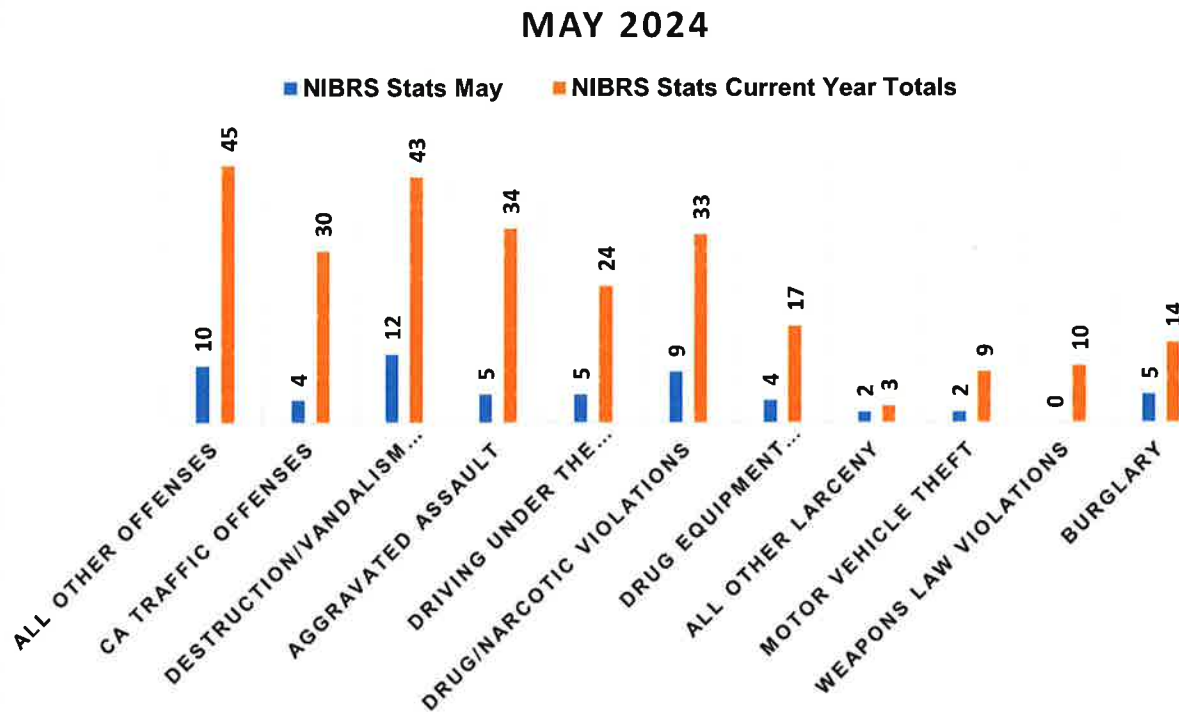
These arrests highlight the department's commitment to addressing drug problems. Officers are actively pursuing leads and conducting extensive investigations to identify and arrest

drug dealers, thereby aiming to disrupt the local supply chain of these harmful substances. The department employs a variety of strategies and dedicates substantial manpower to maintain Firebaugh as a drug-free city.

Efforts to combat property crimes have also been notable. Currently, the department is investigating 5 burglary cases. One suspect has been arrested, and further investigations are underway to apprehend the remaining individuals involved in these crimes.

The proactive efforts of the Firebaugh Police Department are yielding positive results in various areas including traffic enforcement, drug-related incidents, and property crimes. Enhanced strategies, combined with community cooperation, are crucial in sustaining the safety and security of the city.

CRIME STATS:



PERSONNEL:

The department’s personnel strength stands at 23, including 12 sworn officers, 3 reserve officers, 4 full-time dispatchers, 1 code enforcement officer, 1 records supervisor and 2 part-time dispatchers.