

MEETING MINUTES

The City Council/Successor Agency of the City of Firebaugh Vol. No. 17/03-06

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

Date/Time: March 6, 2017/6:00 p.m.

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

ROLL CALL

PRESENT: Mayor Brady Jenkins
Mayor Pro Tem Felipe Perez 6:02 pm
Council Member Elsa Lopez
Council Member Freddy Valdez
Council Member Marcia Sablan

ABSENT:

OTHERS: City Attorney Meggin Boranian; Acting City Manager/Public Works Director, Ben Gallegos; Finance Director, Pio Martin; Deputy City Clerk, Rita Lozano; Police Chief, Sal Raygoza; Fire Chief, John Borboa; John Baltierra, Maurice (Code Enforcement) & others.

PLEDGE OF ALLEGIANCE Council Member Jenkins led pledge of Allegiance.

PRESENTATION

Police Chief Sal Raygoza – power point presentation update on the Marijuana Act, explained the difference between Adult Use vs. Medical Marijuana and Residential vs. Commercial regulations. Police Chief advised the council and staff that Ordinances to regulate the new Prop 64 laws must be approved by January 2018 or comply with State regulations. The State cannot issue license to operate commercial business if the City prohibits it by ordinance. Operator must have a State license issued for one year. Recommended suggestions is not to allow commercial operation within City limits, no outdoor cultivation, set ordinances, permits process & fees, and do inspections on individuals with issued permits. Baltierra agrees with Council Member Lopez and Sablan that it is difficult to place all regulations at this time for several reasons, including the law was approved by State (election) vs Federal laws and the impact/influence on this matter. Coelho agrees City will need set some guidelines.

PUBLIC COMMENT

Guadalupe Tenorio and Maria Rios-Ortiz representatives of the Promotores, stated concerns about the Outdoor Market and rental fees. The organization questioned the \$75 fee per day for park use, they believe it was only \$25 for the use of lights, and stated there is a cost for everything to operate the event. Acting City Manager Gallegos advise, staff research this matter, in 2013 he fee was set at \$75 according to City records and the fee has not increase or changed since and added there is always a cost for operation of this event even when the city ran it. The City paid overtime for staff, paid members of the Promotores to assist in the clean-up after the event, along with electricity use among other costs. The \$75 fee is the same rental fee for other city facilities. Council Member Sablan requested it to be placed on the agenda for future discussion and Council Member Valdez and Sablan asked for list of options. Maria Rios-Ortiz of the Promotores inquired about the \$25 fee for rental and \$25 fee for application process regarding the community garden. Council Members recommended the matter be placed on the agenda, too. Finance Director Martin, reported the city is violating the water use law, as mentioned by the Financial Consultant during the refinancing process of the bonds and advised the two \$25 fees is to cover cost of the water use at the community garden. John Anderson representative for Senator Canella stated, every city is trying to figure out what to do about Prop 64, and reported Senator Canella passed a bill to dispose of surplus equipment, hopeful the City of Firebaugh receives the courthouse through this process.

CONSENT CALENDAR

1. **APPROVAL OF MINUTES – The City Council regular meeting on February 6, 2017.**
2. **WARRANT REGISTER – Period starting January 1, and ending on January 31, 2017.**

January 2017	General Warrants	#34553 - #34670	\$ 835,367.58
	Payroll Warrants	#67755 - #67861	<u>\$ 172,727.90</u>
TOTAL			\$ 1,008,095.48

Motion to pull check # 34572 and approve consent calendar by Council Member Sablan, second by Council Member Perez; motion pass by 5-0 vote.

Motion to approve check # 34572 by Council Member Sablan, second by Council Member Perez; motion pass by 4-0 vote, Lopez - Abstain.

NEW BUSINESS

3. **THE CITY COUNCIL OF THE CITY OF FIREBAUGH TO DISCUSS AND CONSIDER APPROVE A LETTER OF SUPPORT ON H.R. 23, THE GAINING RESPONSIBILITY ON WATER ACT BY CONGRESSMAN DAVID VALADAO.**

Motion to approve letter of support by Council Member Lopez, second by Council Member Sablan; motion pass by 5-0 vote.

4. **THE CITY COUNCIL OF THE CITY OF FIREBAUGH TO DISCUSS AND CONSIDER ENTERING INTO AN AGREEMENT WITH CLAUDIA SOLIS-ALCALA FOR FACEBOOK AND TWITTER SOCIAL MEDIA MANAGEMENT SERVICES AT A \$20 PER HOUR RATE.**

Motion to continue item by Council Member Valdez, second by Council Member Sablan; motion pass by 5-0 vote.

5. **RESOLUTION NO. 17-05 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH CONSENTING TO THE INCLUSION OF PROPERTIES WITHIN THE TERRITORY OF THE CITY IN THE CSCDA OPEN PACE PROGRAMS; AUTHORIZING THE CALIFORNIA STATEWIDE COMMUNITIES DEVELOPMENT AUTHORITY TO ACCEPT APPLICATIONS FROM PROPERTY OWNERS, CONDUCT CONTRACTUAL ASSESSMENT PROCEEDINGS AND LEVY CONTRACTUAL ASSESSMENTS WITHIN THE TERRITORY OF THE CITY OF FIREBAUGH; AND AUTHORIZING RELATED ACTIONS.**

Motion to Resolution No 17-05 by Council Member Lopez, second by Council Member Sablan; motion pass by 5-0 vote.

6. **RESOLUTION NO. 17-06 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH APPOINTMENT OF CITY MEMBERS TO THE SPECIAL CITY SELECTION COMMITTEE OF THE SAN JOAQUIN VALLEY AIR POLLUTION CONTROL DISTRICT GOVERNING BOARD.**

Motion to Resolution No 17-06 and appoint Mayor Jenkins with Mayor Pro Tem Perez as representatives by Council Member Sablan, second by Council Member Valdez; motion pass by 5-0 vote.

7. **RESOLUTION NO. 17-07 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH, CALIFORNIA, DECLARING CERTAIN CITY PROPERTY AS SURPLUS EQUIPMENT**

Motion to approve Resolution No 17-07 by Council Member Sablan, second by Council Member Lopez; motion pass by 5-0 vote.

8. THE CITY COUNCIL OF THE CITY OF FIREBAUGH TO DISCUSS HEALTH INSURANCE FOR COUNCIL MEMBERS.

Informational item only.

9. THE CITY COUNCIL OF THE CITY OF FIREBAUGH TO DISCUSS STIPEND/SALARY FOR COUNCIL MEMBERS.

Motion to approve policy of offering Council Members health benefits or salary of \$150 per meeting, not to exceed \$300 per month but not both by Council Member Valdez, second by Council Member Sablan; motion pass by 5-0 vote.

SUCCESSOR AGENCY: None

STAFF REPORTS

- **Fire Chief, John Borboa** – Three days after the Rebecchi fire insurance started their investigation, three different insurance companies are working on the building not the contents, then clean-up of the lot can begin, Rebecchi will remain owners of the lot.
- **Police Chief, Sal Raygoza** – Have two code enforcement officers they are focusing on the Del Rio area & companies without business licenses. They will do a presentation possibly in May & provide before and after pictures. One of the code enforcement officers is working at the Khov sub-division, may homes have violated building laws by installing porches without permits of meeting set-back requirements. City was awarded a grant of \$22,000 a year for outreach or homeless issues, city will provide outreach services.
- **Finance Director, Pio Martin** – One check was stolen, so PD is doing an investigation, and considered offering direct deposit to vendors, but just for account receivables. Working on budget and with Ben on union negotiations.
- **Public Works Director, Ben Gallegos** – A developer is interested in the north-side of town, they plan to meet with the school board to request for deferred payment. Had a meeting with ICSC, there is interest regarding the corner lot at the highway and 12th Street. Ben and Freddy are going to Monterey for ICSC event. Brady will attend a different meeting conference. Working on union negotiations. Every Friday at 1:00 a conference call is held regarding flood issues/concerns, City is not allowed to help private owners unless water enters private property because then it will be considered an emergency.
- **City Attorney, Meggin Boranian**–Sexual Harassment and Bullying in the workplace scheduled April 3, two sessions at 10:00am and 3:00 pm, please RSVP to Rita. Training is two hours and required every two years. Legal update on (AB25) personal phone use, everything on your personal phone becomes public record, Beware!

PUBLIC COMMENT ON CLOSED SESSION ITEM ONLY

Motion to enter closed session at 8:00 pm, by Council Member Valdez, second by Council Member Sablan, motion pass by 5-0 vote.

CLOSED SESSION

10. Government Code Section 54957.6 CONFERENCE WITH LABOR NEGOTIATORS: ALL REPRESENTED AND UNREPRESENTED EMPLOYEES City Negotiator: Ben Gallegos

Employee Organizations: Fire, Police & Public Works bargaining units and all unrepresented positions

Motion to enter open session at 9:36 pm, by unanimous vote 5-0 vote.

ANNOUNCEMENT AFTER CLOSED SESSION: No Action Taken

ADJOURNMENT - Motion to adjourn by Councilmember Valdez, second by Councilmember Sablan; motion passes by 5-0 vote at 9:37 p.m.