

# MEETING MINUTES

The City Council/Successor Agency of the City of Firebaugh  
Vol. No. 16/05-16

**Location of Meeting:** Andrew Firebaugh Community Center  
1655 13<sup>th</sup> Street, Firebaugh, CA 93622  
**Date/Time:** May 16, 2016/3:04 p.m.

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

## ROLL CALL

**PRESENT:** Mayor Freddy Valdez  
Mayor Pro Tem Brady Jenkins  
Council Member Craig Knight 3:08 pm  
Council Member Marcia Sablan  
Council Member Felipe Perez 3:10 pm

## ABSENT:

**OTHERS:** City Attorney Roy Santos (6:00pm); Acting City Manager/Public Works Director, Ben Gallegos; Deputy City Clerk, Rita Lozano; Finance Director, Pio Martin; Police Chief, Sal Raygoza; Fire Chief, John Borboa; City Planner, Karl Schoettler; City Engineer, Mario Gouveia; and others.

**PLEDGE OF ALLEGIANCE:** Council Member Jenkins led pledge of Allegiance.

*Motion to enter closed session by Council Member Jenkins, Second by Council Member Sablan, motion pass by 3-0 vote at 3:05 p.m.*

## CLOSED SESSION

### 1. Government Code Section 54957

PUBLIC EMPLOYEE EMPLOYMENT: City Attorney.

*Motion to enter open session; pass by 5-0 vote at 6:29 p.m.*

**ANNOUNCEMENT AFTER CLOSED SESSION:** None

## PUBLIC COMMENT

## CONSENT CALENDAR

### 2. APPROVAL OF MINUTES – The City Council meeting on May 2, 2016.

### 3. WARRANT REGISTER – Period starting April 1, and ending on April 30, 2016.

April 2016	General Warrants	#33358 - #33488	\$ 292,926.86
	Payroll Warrants	#66808 - #66911	\$ 316,575.96
	<b>WIRE TRANSFER TO ORANGE COAST TITLE CO. re: 1458 11<sup>th</sup> Street</b>		<u>\$ 3,840.00</u>
	<b>TOTAL</b>		<b>\$ 613,342.82</b>

*Motion to approve consent calendar by Council Member Knight, second by Council Member Sablan, motion pass by 5-0 vote.*

## NEW BUSINESS

4. **THE CITY COUNCIL OF THE CITY OF FIREBAUGH DISCUSS AND CONSIDER THE REQUEST OF A WAIVER OF FEES FROM THE METHODIST CHURCH FOR THE USE OF THE COMMUNITY CENTER, TABLES AND CHAIRS FOR A FUND RAISING EVENT TO BENEFIT THE HONOR FLIGHT.**

*Motion to approve waiver request, insurance must be provided by applicant by Council Member Jenkins, second by Council Member Knight, motion pass by 5-0 vote.*

5. **RESOLUTION NO. 16-13 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH ADOPTING ANNUAL APPROPRIATIONS LIMIT FOR THE FISCAL YEAR 2016/2017.**

*Motion to approve Resolution No 16-13 by Council Member Sablan, second by Council Member Jenkins, motion passes by 5-0 vote.*

6. **THE CITY COUNCIL OF THE CITY OF FIREBAUGH TO DISCUSS LAS DELTAS WATER PROJECT.**

City Engineer Gouveia reported the design of the project is 60% completed and submitted to the State in August for review and approval. The full plan should be completed in March of 2017, the next step is to seek a construction grant and an alternate source of funding for construction maybe required. Finance Director Martin reported staff contacted Tuckfield to complete a water study. City and Las Deltas will need to meet and determine who will be paying for this project. Currently, Las Deltas Water District purchase water from the City, then charges the about 110 locations in their district for distribution of the water. The proposed project will require installation of water meters and installation of new lines to each property owner in the district. The City will then service the area, if they choose to take over the new system. The current water lines will be abandon with the new system installed.

*Informational Item only.*

7. **THE CITY COUNCIL OF THE CITY OF FIREBAUGH TO DISCUSS CODE ENFORCEMENT.**

City was awarded grant funding for Code Enforcement, it is still pending the release of funding to begin code enforcement, and there will be no code enforcement on "M" Street charged to this grant. The grant will provide three years of training, program development and enforcement, the individuals the city considered for the position, informed us, he will not be taking the job. Police Chief Raygoza meet with a programmer, to design the current program to the city's needs, which will allow communication with Isabel on letters, notices and issued permits. Once the system is operating, the Police Department will receive all calls regarding code enforcement.

*Informational Item only.*

8. **THE CITY COUNCIL OF THE CITY OF FIREBAUGH TO DISCUSS RESTROOMS AT DUNKLE PARK AND RODEO GROUNDS.**

*Council's direction is to place the item on next year's budget for approval of construction of the restrooms, estimated cost is (1,200 – 1,800), City will need to receive approval from the school district to go through their property to install a new sewer line and place portable restrooms at the two locations until construction can began.*

9. **THE CITY COUNCIL OF THE CITY OF FIREBAUGH TO DISCUSS A JOINT MEETING BETWEEN THE FIREBAUGH UNIFIED SCHOOL BOARD AND THE FIREBAUGH CITY COUNCIL.**

*Council's direction to the City Manager is, attend a School Board Meeting and request a joint meeting between the Board Members and the City Council to discuss impact fees, access to school grounds and develop a joint volunteer program. City Engineer advised the application process is over yearlong.*

10. **THE CITY COUNCIL OF THE CITY OF FIREBAUGH TO DISCUSS DROUGHT PLAN AND MALDONADO SPLASH PARK WATERING CONCERNS/USAGE.**

*Council's direction to staff is to seek grant funding for a recycled water system for the Splash Park, and turn on the Splash Park for Fourth of July and Memorial weekend.*

**11. THE CITY COUNCIL OF THE CITY OF FIREBAUGH TO DISCUSS RFP – DEVELOPMENT IMPACT FEE UPDATE- NEXUS STUDY AND CONSIDER A FEE POLICY FOR NEW DEVELOPMENT.**

*Motion to authorize the City Manager to offer up to a 25% decrease on impact fees by Council Member Knight, second by Council Member Sablan, motion pass by 5-0 vote.*

**12. THE CITY COUNCIL OF THE CITY OF FIREBAUGH TO DISCUSS AND CONSIDER AN AGREEMENT BETWEEN THE CITY OF FIREBAUGH AND THE FIREBAUGH PROMOTORES REGARDING THE FIREBAUGH COMMUNITY GARDEN.**

City Attorney stated concern with the water used for the community garden for no charge and advised the city; they cannot create a special water rate for the Promotores, because it is a Violation of Prop 218. If Council approved the \$100 water rate per year as stated in the contract, to legalize this action of approval, the general fund would be obligated to pay the difference to cover the full cost of actual water usage. ADA issue could also be a factor, therefore, the lease would have to provide the general liability coverage for individuals that operate under the organization, to cover any liability issues that man come up. Council Member Perez, stated USDA is willing to offer through a grant, installation of a fence but only with an approved 10-year lease agreement with the City. Ramon, 1325 P St, added the garden is a form of therapy for individuals and gives people a place to go. Acting City Manager Gallegos, reinstated, the only issue of concern with the agreement, is the City donating water because the Promoters are charging individuals to plant at the community garden, it is not free, which cause a legal problem. If the City operated the garden “free of charge”, the water would not be a violation of Prop 218 because it is a benefit to the community. City Attorney Santos added, when the lease agreement is completed/no longer in term; Promotores would be required to return the land back to the original state/condition it was when the city entered into the contract.

*Motion to approve agreement and charge a \$100 a year fee with the City covering the difference by Council Member Valdez, second by Council Member Sablan, motion pass by 4-0-1 vote. Perez, abstain.*

**13. THE CITY COUNCIL OF THE CITY OF FIREBAUGH TO DISCUSS AND CONSIDER A NAME CHANGE OF THE ANNUAL HARVEST FESTIVAL TO THE CANTALOUPE ROUND-UP.**

*Motion to approve name change from Harvest Festival to Cantaloupe Round-up by unanimous vote, motion pass by 5-0 vote.*

**14. THE CITY COUNCIL OF THE CITY OF FIREBAUGH TO DISCUSS AND CONSIDER OF A WAIVER OR REDUCTION OF RENTAL FEES FOR FOOD BOOTH SELLING HEALTH FOOD ITEMS DURING THE HARVEST FESTIVAL.**

*Motion to deny request of waiver/reduction for food booths by Council Member Knight, second by Council Member Jenkins, motion passes by 3-0-2 vote. Sablan – Valdez, abstain.*

**STAFF REPORTS**

- **Public Works Director, Ben Gallegos** – Attending several meetings, working on several projects.
- **City Attorney Santos** – Working on the Community Garden Agreement, will make recommended changes.
- **Deputy City Clerk, Lozano** – Boys & Girls event is May 16, reservations were made individuals planning attend, there is a \$25 fee or the plate to be paid at check-in.
- **Finance Director Martin** – June 6, the final budget is to be presented, the only pending information is Measure C.

**ADJOURNMENT - Motion to adjourn by Council Member Knight, second by Council Member Jenkins; motion passes by 5-0 vote at 8:23 p.m.**