

## MEETING MINUTES

### The City Council/Successor Agency of the City of Firebaugh Vol. No. 16/12-05

**Location of Meeting:** Andrew Firebaugh Community Center  
1655 13<sup>th</sup> Street, Firebaugh, CA 93622  
**Date/Time:** December 5, 2016/6:00 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 Felipe Perez  
Council Member Craig Knight  
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; City Planner, Karl Schoettler; City Engineer, Mario Gouveia, Albert Peche, Connie Ortiz, Wanda Breshears & others.

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

#### **PRESENTATION:**

Albert Peche provided a presentation on the gross savings of \$644,206 for the Water Bond & gross savings of \$542,741 for the sewer bond due to refinancing them. He explained how important it is to have 1.25 coverage ration of the debt service (covenants in the indentures for both bonds). Council & staff should monitor for any decline in revenue or increases in operation to maintain the required bond covenants of at least 1.25x debt service, that the city agreed and if needed complete a rate study for future rate increases.

#### **PUBLIC COMMENT/PRESENTATION:**

Lucy Sanchez requested a waiver of fees & use of the Community Center for services of her daughter Dayla Sanchez, Monday, December 12, 2016.

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

Connie Ortiz of the New Life Church request support and food donations for a drive their church has every year, the goal is to assist 30 families this Christmas. They have received many coats but need more food that is perishable, donations can be dropped off at the church and box will be placed in the lobby of City Hall. All donations should be received before December 18, when the church will hold a concert at 11:00 am to distribute to the families. Finance Director Martin advised Team Reckless has a box for a toy drive with donations going to Children's Hospital.

#### **CONSENT CALENDAR**

##### **1. APPROVAL OF MINUTES – The City Council regular meeting on November 21, 2016.**

*Motion to approve minutes by Council Member Jenkins, second by Council Member Knight, motion pass by 5-0 vote.*

**PUBLIC HEARING**

- 2. **ORDINANCE NO. 16-05 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH REPEALING THE EXISTING ZONING ORDINANCE (CHAPTER 25 OF THE FIREBAUGH MUNICIPAL CODE) AND REPLACING IT WITH A NEW COMPREHENSIVE ZONING ORDINANCE UPDATE – SECOND READING.**

*Open Public Hearing at 6:16 pm – No Public Comment given - Closed Public Hearing at 6:18.*

*Motion to approve Ord No 16-05 with 100% waiver on parking standards in the downtown area for new businesses by Council Member Jenkins, second by Council Member Sablan, motion pass by 5-0 vote.*

- 3. **ORDINANCE NO. 16-06 - AN INTERIM URGENCY ORDINANCE OF THE CITY OF FIREBAUGH, ENACTING A TEMPORARY MORATORIUM ON THE ISSUANCE OF ANY PERMITS FOR NEW AND RELOCATED WIRELESS TELECOMMUNICATIONS FACILITIES WITHIN PUBLIC RIGHT-OF-WAYS, PURSUANT TO GOVERNMENT CODE SECTION 65858 – SECOND READING.**

*Open Public Hearing at 6:19 pm – No Public Comment given - Continue Public Hearing.*

AT&T’s concerned the City will block new cell towers, City’s only concern is regarding placement of new towers on public right-of-way & private property.

*Motion to remove/repeal Ord No 16-06 by Council Member Jenkin, second by Council Member Sablan, motion pass by 5-0 vote.*

- 4. **ORDINANCE NO. 16-07 - AN ORDINANCE OF THE CITY OF FIREBAUGH ADDING A NEW SUBSECTION ENTITLED “WIRELESS TELECOMMUNICATIONS FACILITIES” TO CHAPTER 13 OF THE FIREBAUGH MUNICIPAL CODE, TO PROVIDE UNIFORM AND COMPREHENSIVE REGULATIONS AND STANDARDS, ALONG WITH PERMIT REQUIREMENTS FOR THE INSTALLATION OF WIRELESS TELECOMMUNICATIONS FACILITIES IN THE PUBLIC RIGHT-OF-WAY – SECOND READING.**

*Open Public Hearing at 6:20 pm – No Public Comment given - Continue Public Hearing.*

*Motion to continue Ord No 16-07 by Council Member Knight, second by Council Member Jenkins, motion pass by 5-0 vote.*

**NEW BUSINESS**

- 5. **RESOLUTION NO. 16-40 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH AUTHORIZING THE CITY MANAGER TO SIGN FINANCING AGREEMENT, AMENDMENT, AND CERTIFICATIONS FOR FUNDING UNDER THE CLEAN WATER STATE REVOLVING FUND (CWSRF); AUTHORIZING CITY MANAGER TO APPROVE CLAIMS FOR REIMBURSEMENT; AUTHORIZING CITY MANAGER TO EXECUTE BUDGET AND EXPENDITURE SUMMARY; AUTHORIZING CITY MANAGER TO SIGN THE FINAL RELEASE FORM AND CITY MANAGER TO SIGN THE CERTIFICATION OF PROJECT COMPLETION; AND PLEDGING AND DEDICATING NET SEWER REVENUES TOWARDS PAYMENT OF CWSRF FINANCING.**

*Motion to approve Res No 16-40 by Council Member Knight, second by Council Member Jenkins, motion pass by 5-0 vote.*

- 6. **RESOLUTION NO. 16-41 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH STATING ITS INTENTION TO BE REIMBURSED FOR EXPENDITURES INCURRED AHEAD OF THE APPROVAL OF THE DISBURSEMENT OF CWSRF CONSTRUCTION FUNDS FROM THE STATE WATER RESOURCES CONTROL BOARD.**

*Motion to approve Res No 16-41 by Council Member Knight, second by Council Member Jenkins, motion pass by 5-0 vote.*

7. RESOLUTION NO. 16-42 - RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH AUTHORIZING THE CITY MANAGER TO SIGN AND FILE A FINANCIAL ASSISTANCE APPLICATION TO THE STATE WATER RESOURCES CONTROL BOARD FOR THE CONSTRUCTION OF WWTP IMPROVEMENTS.

*Motion to approve Res No 16-42 by Council Member Knight, second by Council Member Perez, motion pass by 5-0 vote.*

8. THE CITY COUNCIL OF THE CITY OF FIREBAUGH TO APPROVE RESCHEDULED DATE(S) FOR THE MEETINGS OF JANUARY 2, 2017 AND JANUARY 16, 2017 AT 6:00 PM.

*Motion to reschedule regular council meeting date Jan 2 to Jan 9 and Jan 16 to Jan 23 by Council Member Knight, second by Council Member Jenkins, motion pass by 5-0 vote.*

9. THE CITY COUNCIL OF THE CITY OF FIREBAUGH TO DISCUSS AND CONSIDER CITY REPRESENTATIVE ATTENDING THE INTERNATIONAL COUNCIL OF SHOPPING CENTERS (ICSC) CONVENTION IN LAS VEGAS, NV, MAY 21<sup>ST</sup> THRU MAY 24<sup>TH</sup>, 2017.

*Motion to approve Councilmember Valdez, Councilmember Jenkins and Acting City Manager Gallegos by Council Member Knight, second by Council Member Sablan motion pass by 5-0 vote.*

❖ *Motion to amend agenda item order of closed session by Council Member Knight, second by Council Member Sablan, motion pass by 5-0 vote.*

*Motion to enter closed session at 6:58 pm by Council Member Jenkins, second by Council Member Knight, motion pass by 5-0 vote.*

**PUBLIC COMMENT ON CLOSED SESSION ITEM ONLY**

**CLOSED SESSION**

11. REAL ESTATE NEGOTIATION – Pursuant to Government Code Section #54956.8  
Owner or Designative Rep. City Negotiator Ben Gallegos APN: 007-062-19

12. Government Code Section 54957  
PUBLIC EMPLOYEE APPOINTMENT/EMPLOYMENT: City Manager.

*Motion to enter open session at 7:36 pm, motion pass by 5-0 vote.*

**ANNOUNCEMENT AFTER CLOSED SESSION: No Action Taken.**

10. THE CITY COUNCIL OF THE CITY OF FIREBAUGH TO REVIEW AND CONSIDER EXTENSION OF TERM FOR THE ACTING CITY MANAGER POSITION.

*Motion to extend Mr. Gallegos as Acting City Manager for one year (Jan 1, 2017 thru Dec 31, 2017), as city begins the RFP process for new City Manager. Council agrees to pay 100% of his medical insurance, which includes his prior 20% employee portion Mr. Gallegos was pay by Council Member Knight, second by Council Member Sablan, motion pass by 5-0 vote.*

**STAFF REPORTS**

➤ Police Chief, Sal Raygoza – Reported on a robbery two weeks ago at Arambula’s Liquor store, have a possible suspect, information submitted to District Attorney to review and determine to file charges. The suspect has two prior arrest for home burglaries, but was released. He was recently arrested with possession of meth; the hope is he will be held in jail since he has been release on the other arrests. There was a witness to the robbery, but they did not report it. Cops contacted the witness and explained how important and helpful it is, when information is reported to the police department. It is still an ongoing investigation. Two reserve officers are working Code Enforcement matters.

The Code Enforcement program is almost completed. The new patrol car is getting the radio installed along with the lights, bars and cage for the dog.

- **Finance Director, Pio Martin** – Wireless antennas are installed but not all the equipment has installed for operation. Tablets were purchased but not programmed, having a problem with certificates, which need to be renewed. Purchased a new folding machine. Working on audit, last contact with auditor was before Thanksgiving, expecting to receive an email requesting additional information, so not sure when it will be completed. December 16, 2016 City Hall will have Christmas lunch party, so staff would like to request if the office could closed for two hours. Council suggested option of having it from 3:00 to 5:00 pm, but left the decision to staff.

***Motion to approve request by Council Member Knight, second by Council Member Jenkins, motion pass by 5-0 vote.***

- **City Attorney, Meggin Boranian**– Setting dates for training: Ethics, prevention of sexual harassment and bullying in the work place for Feb. Working on the Personnel Policy Handbook, estimated review & revision in Jan 2017.
- **Public Works Director, Ben Gallegos** – John Borboa is under the weather, so did not attend tonight’s meeting. New charging station is free, removable & be moved to lift station. The two officers that are doing Code Enforcement Officers are doing an excellent job. Walk through December 14 on the CDBG Water line project, funds may be transferred from water line project to the Senior Center project. The new proposed certified kitchen is expensive, estimated to cost over \$100,000. We have the same contractor working on three projects; they are behind on scheduled deadline, so city should be receiving liquidation damages.
- **Council Member Perez** – Request the City of Firebaugh building use to hold a quesadilla Showcase on Tuesday, December 13, 2016 from noon to 3:00 pm, same day Salvation Army holds food drive to the community.
- **Council Member Jenkins** – reported of unlicensed students are parking in residential areas and drinking/smoking marijuana.
- **Council Member Valdez** – A citywide employee Christmas party will be catered, staff to schedule a date, council will serve. Reported issue with lights at Maldonado Park Basketball courts. Citizen inquired is the city has animal shelter and is it a no kill. Staff responded city has a pound that holds 10 dogs.

***ADJOURNMENT - Motion to adjourn by Councilmember Knight, second by Councilmember Jenkins; motion passes by 5-0 vote at 8:15 p.m.***