

# MEETING MINUTES

The City Council/Successor Agency of the City of Firebaugh  
Vol. No. 16/07-18

**Location of Meeting:** Andrew Firebaugh Community Center  
1655 13<sup>th</sup> Street, Firebaugh, CA 93622  
**Date/Time:** July 18, 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  
**ABSENT:** Council Member Marcia Sablan

**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 Engineer, Mario Gouveia; Wanda Breshears, Maria Rios, Greg Schmitz, John Baltierra sand others.

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

## PUBLIC COMMENT

*Greg Schmitz of Gill Ranch Storage of natural gas provide a brief presentation on the company, in addition to how it has helped encourage other businesses to locate their operation in Firebaugh because of the gas line storage. Gill Ranch promotes and emphasize the importance of calling 811 before digging to avoid a gas leak.*

*John Baltierra, 1538 P St, stated his concern with meeting ADA compliance on some roads & curbs throughout the City and request Council's consideration to approve or set aside funding at the next budget. He reported the worst issues is at 11<sup>th</sup> & O St and in front of Ag Industrial.*

*Maris Rios requested to be on the agenda for the next Council meeting to introduce the new President of the Promoters.*

*Mr. Torres request the use of the area in the park to hold a Horseshoe Tournament during the Carnival. The event would be held in the morning which players would win money prizes. City Attorney Boranian advised the must advertise the prizes when they advertise and promote the event. Police Chief Raygoza informed that there is no alcohol allowed in the park, and it must be enforced.*

## PRESENTATION

Daniel Freitas of AG-STAK who is working with the Fresno Office of Community and Economic Development provided a brief presentation on efforts to construct a community kitchen at Maldonado Park with Council's approval. John Baltierra, Acting City Manager Ben Gallegos and Business Owner Scott all spoke in favor of the project. City Manager Ben Gallegos inquired if the City would become the owner once the project is completed, since it is proposed to be located on City Property. Mr. Freitas responded, "Yes". The Health Department would need to issue a permit in order for it to operate as recommend in the proposal as a certified kitchen. City's concern is funding, should the grant not cover all construction cost, how would city fund the remaining cost. City Attorney Boranian advised the project be placed on the agenda for final approval and informed the details be addressed as soon as possible to meet the grant application deadline in October.

Buxton presentation by Lisa McCay, the California Representative of over 200 clients. Buxton Consulting assist clients by pushing the boundaries of consumer data and predictive modeling to help organizations reach and serve customers more effectively, efficiently and profitably, based on information provide in real time that is collected from several data sources, credit cards purchase, customer profile, demographics and many others sources. Buxton representatives would be present to promote and meet business that maybe interested in establishing their operation in Firebaugh. In 2006, Buxton Company worked with the City, and was successful in get new businesses to Firebaugh.

**CONSENT CALENDAR**

1. **APPROVAL OF MINUTES – The City Council Special meeting on June 20, 2016.**
2. **WARRANT REGISTER – Period starting June 1, and ending on June 30, 2016.**

June 2016	General Warrants	#33609 - #33767	\$ 259,573.50
	Payroll Warrants	#67013 - #67123	<u>\$ 231,279.94</u>
<b>TOTAL</b>			<b>\$ 490,853.44</b>

3. **THE CITY COUNCIL OF THE CITY OF FIREBAUGH TO DISCUSS AND AWARD AGREEMENT TO MEGGIN BORANIAN FOR ATTORNEY CONSULTING SERVICES.**
4. **RESOLUTION NO. 16-32 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH APPROVING A STEP INCREASE TO BEN GALLEGOS AS ACTING CITY MANAGER.**

*Motion to approve consent calendar by Council Member Jenkins, second by Council Member Knight, motion pass by 4-0 vote.*

**PUBLIC HEARING**

*Public Hearing open at 6:56 p.m. – No Public Comments given -. Closed public hearing at 7:02 p.m.*

5. **ORDINANCE NO. 16-02 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH ENACTING CHAPTER 8.8 OF THE FIREBAUGH MUNICIPAL CODE RELATING TO IMPACT FEES FOR DEVELOPMENT PROJECTS – FIRST READING.**

*Motion to approve and waive the first reading by Council Member Knight, second by Council Member Jenkins, motion pass by 4-0 vote.*

6. **RESOLUTION NO. 16-25 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH ESTABLISHING AND IMPOSING IMPACT FEES FOR DEVELOPMENT PROJECTS.**

*Motion to approve resolution no 16-25 by Council Member Knight, second by Council Member Jenkins, motion pass by 4-0 vote.*

7. **ORDINANCE NO. 16-03 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH AMENDING CHAPTER 22.5 OF THE FIREBAUGH MUNICIPAL CODE TO IMPOSE A 5% UTILITY USERS TAX ON WIRELESS TELECOMMUNICATION SERVICES – FIRST READING.**

*Motion to approve and waive the first reading by Council Member Knight, second by Council Member Jenkins, motion pass by 4-0 vote.*

8. **RESOLUTION NO. 16-26 - RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH ORDERING A MEASURE ON THE ELECTION BALLOT, REQUESTING COUNTY ELECTIONS TO CONDUCT THE ELECTION, AND REQUESTING CONSOLIDATION OF THE ELECTION.**

*Motion to approve resolution no 16-26 by Council Member Knight, second by Council Member Jenkins, motion pass by 4-0 vote.*

9. **RESOLUTION NO. 16-28 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH CONFIRMING THE DIAGRAM AND ASSESSMENT OF ANNUAL LEVY FOR FISCAL YEAR 2016-2017 FOR LANDSCAPING AND LIGHTING DISTRICT NO. 1.**

*Motion to approve resolution no 16-25 by Council Member Jenkins, second by Council Member Knight, motion pass by 4-0 vote.*

#### NEW BUSINESS

10. **MRS. MARIA RIOS APPEAL TO THE CITY COUNCIL OF THE CITY OF FIREBAUGH REGARDING THE DETERMINATION OF THE CITY MANAGER ON THE VICIOUS DOG HEARING.**

*Motion in favor of the decision from the hearing and affirm the recommendation in the order of the City Manager, by Council Member Knight, second by Council Member Jenkins, motion pass by 3-0 vote, Perez – Abstain.*

11. **THE CITY COUNCIL OF THE CITY OF FIREBAUGH TO DISCUSS AND CONSIDER APPROVAL OF \$50,000 OF BOND PROCEED FUNDING TO PAY FOR THE BUXTON REPORT.**

*Motion to approve bond proceed funding for the Buxton study by Council Member Knight, second by Council Member Jenkins, motion pass by 4-0 vote.*

12. **THE CITY COUNCIL OF THE CITY OF FIREBAUGH TO DISCUSS AND CONSIDER REQUEST FOR WAIVER OF FEES FOR USE OF ANDREW FIREBAUGH COMMUNITY CENTER BY FHS FOOTBALL BOOSTERS FOR KICK OFF DINNER FUNDRAISING EVENT.**

*Motion to approve the waiver of all fees, except the ABC license and liability insurance by Council Member Knight, second by Council Member Perez, motion pass by 4-0 vote.*

13. **RESOLUTION NO. 16-27 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH SUBMITTING A CLAIM FOR TRANSPORTATION DEVELOPMENT ACT (TDA) FUNDS CONTINUING FROM THE 2016-2017 FISCAL YEAR, THEREBY COINCIDING WITH THE FRESNO COUNCIL OF GOVERNMENTS POLICY BOARD APPROVAL OF TDA FUNDS APPORTIONMENT AND TDA CLAIMS PROCESS.**

*Motion to approve resolution no 16-27 by Council Member Jenkins, second by Council Member Knight, motion pass by 4-0 vote.*

14. **RESOLUTION NO. 16-29 - A RESOLUTION APPROVING AND ADOPTING A REPORT OF CHARGES FOR SEWER SERVICES AND FACILITIES, PLUS DELINQUENCIES, IF ANY, IN THE EASTSIDE ACRES/EASTSIDE COURT AREA OF MADERA COUNTY SERVED BY THE CITY OF FIREBAUGH, FOR FISCAL YEAR 2016-2017. MAKING FINAL DETERMINATION AS TO ALL OF SAID CHARGES AND AUTHORIZING AND DIRECTING THE CITY CLERK TO FILE A COPY OF SAID REPORT WITH THE COUNTY AUDITOR OF MADERA COUNTY, FOR ENTRY OF THE AMOUNTS OF SAID CHARGES, AGAINST THE RESPECTIVE LOTS OR PARCELS OF LAND AS THEY APPEAR ON ASSESSMENT ROLL FOR THE FISCAL YEAR 2016-17.**

*Motion to approve resolution no 16-29 by Council Member Jenkins, second by Council Member Knight, motion pass by 4-0 vote.*

15. **RESOLUTION NO. 16-30 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH ACCEPTING BID AND AWARDING CONTRACT TO CAL VALLEY CONSTRUCTION FOR POSO CANAL TRAIL AND PEDESTRIAN IMPROVEMENTS AT 3 LOCATIONS CML-5224(015) & CML-5224(019).**

*Motion to approve resolution no 16-30 by Council Member Knight, second by Council Member Jenkins, motion pass by 4-0 vote.*

**16. RESOLUTION NO. 16-31 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH ACCEPTING BID AND AWARDING CONTRACT TO CAL VALLEY CONSTRUCTION FOR WATERLINE REPLACEMENT & RIVER LANE AND CARDELLA STREET PAVEMENT REHABILITATION.**

*Motion to approve resolution no 16-31 by Council Member Perez, second by Council Member Knight, motion pass by 4-0 vote.*

**STAFF REPORTS**

- **Police Chief Raygoza** – City received funding via CDBG grant to start code enforcement; Officer Rubio will be one of the individuals working on enforcement. The Governor originally said, the Police Department would receive awarded of 1 million for the relocation to the courthouse, but Senator Canella added if the Governor cannot award it, then the City would need more money to build a new building.
- **Finance Director Pio Martin** – Working with the Auditor and Albert Peche to consider if the City should refinance the sewer bond, also working with Tuckfield on the water rate study for both the City and Las Deltas Water District. RSG is also completing a study, which I am providing information.
- **Mario Gouveia, City Engineer** – Working with COG on CMAQ Projects. The pre-bid construction for the projects that were approved today were under the engineers estimate, therefore the City will funded 100% with no match required.
- **Deputy City Clerk, Rita Lozano** – Individuals interested in running for Council may file at the County’s Office, Candidate Nomination period begins today, July 18 and closes August 12.
- **City Attorney Boranian** – Thanked council for the opportunity to work with the City and Community of Firebaugh. Everyone will be communicating with Rita on available days from now to the end of the year, regarding Ethics Training and Sexual Harassment Training, which are two-hour courses.
- **Public Works Director, Ben Gallegos** – the site plan was approved by the Planning Commission for the Dollar General. Attended a meeting with the K9 dog trainer and the city received a donation of \$16,000 for the dog and training services so we may keep the program. Mid Valley Disposal provide an update on our recycling program, the city is recycling at a 3.9 pound rate per residents, which the best rating for us so far.
- **Council Member Valdez** – complemented staff, “Good Job” on the meeting with the trainer and K9 program.
- **Council Member Perez** – Provide an update on the ATP grant cycle 3.

*Motion to enter closed session by Council Member Knight, Second by Council Member Perez, motion pass by 4-0 vote at 7:47 p.m.*

**CLOSED SESSION**

- 17. Potential Litigation Government Code Section 54956.9** One (1) Case

*Motion to enter open session; pass by 4-0 vote at 8:41 p.m.*

**ANNOUNCEMENT AFTER CLOSED SESSION:** *No action taken, only direction given.*

**ADJOURNMENT - Motion to adjourn by Council Member Perez, second by Council Member Knight; motion passes by 4-0 vote at 8:42 p.m.**