

MEETING MINUTES

The City Council/Successor Agency of the City of Firebaugh Vol. No. 17/09-18

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

Date/Time: September 18, 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
Council Member Marcia Sablan
Council Member Elsa Lopez
Council Member Freddy Valdez

ABSENT: Mayor Pro Tem Felipe Perez

OTHERS: City Attorney Meggin Boranian; Acting City Manager/Public Works Director, Ben Gallegos; Deputy City Clerk, Rita Lozano; Finance Director, Pio Martin; Police Chief, Sal Raygoza, John Borboa, Fire Chief; George Conklin, Tommy Phelen & others.

PLEDGE OF ALLEGIANCE Council Member Freddy Valdez led pledge of Allegiance.

INVOCATION Led by Mr. Bill Magnusson

PRESENTATION

Mrs. Ivette Rodriguez, Mid Valley Disposal Recycling Director, provided results on the City's 2nd Quarter recycling reports and provide information on Public Health & Wellness Program the School District participated in, and New Program "Bin There Dump That" recycling contest. Winners will receive great prizes (gift cards) to Chaffee Zoo (\$150 Value), 4-pack movie tickets (\$75 Value), Yeti with Mid Valley Disposal logo (\$48 Value), Mid Valley Disposal gift bag (\$30 Value). Also reported, was an update on mandated recycling requirements, City's current status on State of California annual report, (City has meet the required goal, the State's recommendation is below 5% and the City came in at 4.7%). Additional information: Firebaugh City Clean-up event is September 25 through 30th. State is enforcing a compost food waste program, currently targeting the school to begin the implementation of this program, but next year the focus is businesses and residents, they will dispose food waste in the green cart with grass waste.

Marijuana Presentation by Police Chief Michael Salvador from City of Coalinga gave their city facts on this matter. Council approved Commercial Medical Cannabis January 2016, the city worked for two years on how to regulate the operations and research the fiscal impact this would have. On October 9, 2015, the Governor approved SB-643 Medical Cannabis Regulation and Safety Act, which set forth standards for the licensed cultivation of medical cannabis, including, but not limited to, establishing duties relating to the environmental impact of cannabis and cannabis products. The bill would also establish state cultivator license types, as specified. In November 2016, California passed Proposition 64, which legalized recreational marijuana in the state of California. At the same time, voters voted on a number of city tax ordinances, which were designed to apply local city taxes to the cultivation, manufacturing, distribution, and sales of medical and recreational marijuana. Measure E establishes an annual tax for commercial marijuana operations of \$25 per square foot for the first 3,000 square feet and \$10 per square foot for the additional remaining space for commercial marijuana operation spaces. Measure G authorized the operations of a single marijuana dispensary. The city imposes a tax of 10% of gross receipts on this marijuana dispensary. No other marijuana dispensaries would be allowed in the City of Coalinga. Then, the City of Coalinga created a pre-application process (\$300 fee) for Commercial Marijuana Cultivation Cannabis companies wishing to establish a cannabis business within the city. If applicant were approved during the pre-application process, then would then complete and submit an application for operation (\$2,000 fee). As well as an application process, which includes a required background checks for all individuals (owners and employees \$400 fee per person) that may operate or work in such

facility. Additional application process will include a business license (\$3,000 fee) and approved Measure E “square footage tax” (est. \$345,000 fee for 30,000 sq. ft. bldg.), annual License fee of \$53,561 annually and Conditional Use Permits fees. Currently, Coalinga has issued two licenses, twenty-six approval letter, approved 100 + employee Permits, with no increase in crime. However, only one facility is in operation because the biggest issue to operate one of these businesses is power (PG&E), the infrastructure is not available, solar is not able to assist with in solving this problem and generators are not allowed due to pollution regulations. The one manufacture that is open, is taking the honey oil for vapors and edibles, because it does not require the lights and power the growth needs. Development and planning time frame takes four to six to reach Council level to decide the direction the city would like to take and approve the necessary resolutions and ordinances, eighteen to twenty-four months for application process and tax approve by the voter at an election. Background checks can take up to twelve weeks to process. City will need to hire consultants to monitor as a third party; estimated cost is half of the license fee. Police Department, has 24/7 open door police, and camera access from the police station to all operating facilities. Voters approved Medical marijuana in California in 1996 and Proposition 64 - Drug Policy Alliance in 2016, Legalizing marijuana for adults 21 and older and permitted smoking in private homes or at businesses licensed for on-site marijuana consumption and provides regulator facts on what is and what is not legal.

PUBLIC COMMENT *None*

CONSENT CALENDAR

1. **APPROVAL OF MINUTES – The City Council regular meeting on August 21, 2017.**
2. **WARRANT REGISTER – Period starting August 1, and ending on August 31, 2017.**

August 2017	General Warrants	#35464 - #35610	\$ 668,001.10
	Payroll Warrants	#68542 - #68700	<u>\$ 358,918.67</u>
TOTAL			\$ 1,026,919.77

Motion to accept consent calendar by Council Member Valdez, second by Council Member Sablan; motion pass by unanimous 4-0 vote.

NEW BUSINESS

3. **THE CITY COUNCIL OF THE CITY OF FIREBAUGH TO CONSIDER TOMMY PHELEN OF CEN-CAL BUILDERS REQUEST OF WAIVER/ADJUSTMENT ON FESS FOR PROPOSED NEW APARTMENT COMPLEX, LOCATED AT LANDUCCI & SAIPAN.**

Council directed the City Manager to work with applicant.

4. **THE CITY COUNCIL OF THE CITY OF FIREBAUGH TO REVIEW SOCIAL MEDIA INTERNET COMMUNICATIONS WITH CONSULTANT ON PROVIDED SERVICES.**

Consultant left the meeting, council tabled item with hope to reschedule this matter.

5. **SECOND WORKSHOP ON CALIFORNIA’S APPROVAL OF PROP 64 – MARIJUANA (CANNABIS) LEGALIZATION INITIATIVE, WHICH ALLOWS RECREATIONAL USE (ADULTS AGE 21 & UP), ALLOWS COMMERCIAL/RESIDENTIAL CULTIVATION AND SALES WITH STATE AND LOCAL GOVERNMENTS TO PLACE REGULATIONS BY JANUARY 1, 2017.**

Motion to approve the draft ordinance, currently banning dispensaries and present Ordinance at next meeting by Council Member Valdez, second by Council Member Sablan; motion passed by unanimous 4-0 vote.

STAFF REPORTS

- *Police Chief, Sal Raygoza* – Nothing to report.
- *Finance Director, Pio Martin* – Nothing to report.
- *Deputy City Clerk, Rita Lozano* – Nothing to report.
- *Public Works Director, Ben Gallegos* – Nothing to report.
- *City Attorney, Meggin Boranian* – Nothing to report.
- *Council Member Lopez* – Inquired on carport installation status at the Housing Authority, senior housing project.
- *Council Member Valdez* – Attending a three-day conference ICSC in Los Angeles, October 2-4, 2017.
- *Council Member Jenkins* – Requested an update on the baseball bleachers.

PUBLIC COMMENT ON CLOSED SESSION ITEM ONLY

CLOSED SESSION

ANNOUNCEMENT AFTER CLOSED SESSION:

ADJOURNMENT

Motion to adjourn by Councilmember Valdez, second by Councilmember Sablan; motion passes by unanimous 4-0 vote at 9:14 p.m.