

MEETING MINUTES

The City Council/Successor Agency of the City of Firebaugh Vol. No. 17/03-20

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

Date/Time: March 20, 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
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; Maria Rios, Wanda Breshears & others.

PLEDGE OF ALLEGIANCE Council Member Valdez led pledge of Allegiance.

PRESENTATION

Buxton Presentation provided Background information, research the needs and demand of the community to identify targeted Retailers based on consumer profile, drive-time to trade area(s), retail market conditions, then scout retailers and market that fit these insights. City has been able to make contacts with businesses and found interest from retailers that are considering establishment in the City of Firebaugh and staff will continue to seek other businesses.

PUBLIC COMMENT None

CONSENT CALENDAR

1. APPROVAL OF MINUTES – The City Council regular meeting on March 6, 2017.
2. WARRANT REGISTER – Period starting February 1, and ending on February 28, 2017.

February 2017	General Warrants	#34671 - #34785	\$ 505,242.47
	Payroll Warrants	#67861 - #67964	\$ 165,894.21
TOTAL			\$ 671,136.68

Motion to pull check # 34730 and approve consent calendar by Council Member Sablan, second by Council Member Valdez; motion pass by 5-0 vote.

Motion to approve check # 34730 by Council Member Sablan, second by Council Member Perez; motion pass by 4-0 vote, Lopez - Abstain.

PUBLIC HEARING

3. RESOLUTION NO. 17-09 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH TO ADOPT THE MITIGATED NEGATIVE DECLARATION FOR THE CITY'S WASTEWATER TREATMENT PLANT UPGRADE PROJECT.

Open Public Hearing at 6:32 pm – No Public Comment given - Close Public Hearing @ 6:33 pm.

Motion to approve Res. No. 17-09 by Council Member Valdez, second by Council Member Sablan; motion pass by 5-0 vote.

4. RESOLUTION NO. 17-10 - 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) FINANCING; AND PLEDGING REVENUES AND FUND RESOLUTION FOR THE WASTEWATER TREATMENT PLANT IMPROVEMENTS PROJECT.

Resolution No. 17-10 is replacing approved resolution No. 16-40 and Resolution No. 17-11 is replacing approved Resolution No. 16-41 to amend new language requirements of the State Water Board. City doesn't have to accept the grant if awarded to the City, if exceeds funding available to construct the project, staff is hoping to receive 6 million with the project estimated to be under the award but city can use enterprise funds to offset cost if needed.

Motion to approve Res. No. 17-10 by Council Member Valdez, second by Council Member Sablan; motion pass by 5-0 vote.

5. RESOLUTION NO. 17-11 - 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. 17-11 by Council Member Lopez, second by Council Member Perez; motion pass by 5-0 vote.

6. ORDINANCE NO. 17-02 - AN ORDINANCE OF THE CITY OF FIREBAUGH ADDING SECTION 2-2.10 TO CHAPTER 2 OF THE FIREBAUGH MUNICIPAL CODE PERTAINING TO RULES FOR CONDUCTING THE PROCEEDINGS OF THE CITY COUNCIL –FIRST READING.

Open Public Hearing at 6:37 pm – No Public Comment given - Close Public Hearing @ 6:38 pm.

Motion to waive the first reading of Ord. no. 17-02 by Council Member Valdez, second by Council Member Lopez; motion pass by 5-0 vote.

NEW BUSINESS

7. RESOLUTION NO. 17-04 - A RESOLUTION OF THE CITY OF FIREBAUGH ADOPTING A POLICY AUTHORIZING THE CITY TO PAY FOR COUNCILMEMBERS' HEALTH INSURANCE BENEFITS OR MONTHLY SALARY AND RESCINDING RESOLUTION NO. 12-59.

Council asked dental and vision is included under health Insurance. Staff replied not in past practices, it is separate. Attorney advised legally whatever is offer to city employee, council is entitled to receive. If staff pays an extra cost for those services, council is required to pay also. A written request must be submitted each fiscal year stating each Councilmembers' decision on which benefit they will receive or elect to not receive.

Motion to accept Res. No. 17-04 by Council Member Valdez, second by Council Member Perez; motion pass by 5-0 vote.

8. THE CITY COUNCIL OF THE CITY OF FIREBAUGH APPROVING THE EMERGENCY EXPENDITURE TO REPAIR A SEWER LINE AT TWO LOCATIONS: CLINE STREET AND 7TH ST.

Motion to emergency budget by Council Member Valdez, second by Council Member Lopez; motion pass by 5-0 vote.

9. RESOLUTION NO. 17-12 - 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 DRINKING WATER STATE REVOLVING FUND (DWSRF); 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 WATER REVENUES TOWARDS PAYMENT OF DWSRF FINANCING.

Motion to approve Res. No. 17-12 by Council Member Valdez, second by Council Member Sablan; motion pass by 5-0 vote.

10. RESOLUTION NO. 17-13 - 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 DWSRF CONSTRUCTION FUNDS FROM THE STATE WATER RESOURCES CONTROL BOARD.

Motion to approve Res. No. 17-13 by Council Member Valdez, second by Council Member Sablan; motion pass by 5-0 vote.

11. RESOLUTION NO. 17-14 - A 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 DRINKING WATER STATE REVOLVING FUND (DWSRF) FOR THE CONSTRUCTION OF A 750,000 GALLON TANK AND 3.0 MILLION GALLONS PER DAY BOOSTER PUMP STATION

Motion to approve Res. No. 17-14 by Council Member Valdez, second by Council Member Sablan; motion pass by 5-0 vote.

12. THE CITY COUNCIL OF THE CITY OF FIREBAUGH TO DISCUSS AND CONSIDER APPROVAL OF AGREEMENT FOR TRANSFER OF ENTITLEMENTS FOR THE AIRPORT WITH THE U.S. DEPT. OF TRANSPORTATION – FEDERAL AVIATION ADMINISTRATION.

Informational Item only.

13. 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.

Council Member Valdez asked for the totals cost per year. Mrs. Solis- Alcala replied, “First six months is \$700 just for Facebook, which includes the launch of the site. Then, \$900 for the second six months per social media site, so if the city wants both Facebook and Twitter the fee would be doubled and a consultation fee will not be included separately.” Acting City Manager Gallegos inquired about the posting fee on the proposal, does the fee that you just gave include posting fees or not because it’s listed separately on the proposal and will the social media sites be for City related information or are other non-profit organizations and/or school be a part of this. Council replied City Only. Mrs. Solis-Alcala responded only one post per week will be included in the proposal. Council member Valdez asked if a staff or city representative will have access to assist you. Finance Director Martin inquired how quick will you be able to remove negative post and is that cost included or is it an additional fee? Craig Knight recommended selling advertisement to fund the social media services.

Motion to accept all input, direct Attorney to create agreement and give Ben the authorization to sign with Pio as the staff contact person. A review of the services will be 30 days prior to the six month term expiration date by Council Member Valdez, second by Council Member Sablan; motion pass by 5-0 vote.

14. RESOLUTION NO. 17-08 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH AUTHORIZING THE DESIGNATION OF THE AB 939 MOU COMMITTEE TO SERVE IN THE CAPACITY AND PERFORM THE FUNCTIONS OF THE LTF, IN ORDER TO FACILITATE THE DEVELOPMENT OF AB 939-RELATED PLANS AND PROGRAMS THAT ARE BEST ACCOMPLISHED AND COORDINATED ON A REGIONAL BASIS.

Motion to approve Res. No. 17-08 by Council Member Valdez, second by Council Member Sablan; motion pass by 5-0 vote.

SUCCESSOR AGENCY: None

STAFF REPORTS

- **Police Chief, Sal Raygoza** – Arrested a few people from Mendota that were trying to commit a crime, update on the K9 Event, update on the city’s stolen check, a handwriting analysis is reviewing the signature on the check and determine whether to press charges. City staff has submitted paperwork to received reimbursement from the bank.

- **Finance Director, Pio Martin** – Working on budget and union negotiations with Ben.
- **Public Works Director, Ben Gallegos** – Will be off March 20th to attend son’s field trip, but will be available by phone. The splash park has been re-rubberized, staff was trained on how to install so they can do maintenance in the future and city won’t have to pay for labor next time. Will have a walk-through of trail project, contractor for wastewater replacement, working on union negotiations, thanked Pio and staff for helping on picking up the slack when I’m not available. Offered a job for wastewater trainee position to local guy, hiring is still pending per hiring process. A weekly meeting on the status of the river is held, when I can’t attend Police Chief Sal attends, staff informed them of the sink holes, so they will keep us updated on new releases of water. Sandbags left at the park for the community, but people are using them for potholes, grass paving, so we are out until future notice. West Hills College students were filling the sandbags for us, so we are thankful to them. Trash Spring Clean-up is April 24th through 29th. Students have volunteered to paint curbs for us. City purchased a new ice maker at the Community Center. Staff appreciation day will be held in the summer at the enclosed area or community center, Rita is looking in to catering services. The backroom of the center will be available not sure what we will be doing with it, but it will not be a storage for anyone. PAL building has been remolded, it looks really good, and Alex did an excellent job.
- **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.
- **Council Member Valdez** – would like to have a meeting to potentially set goals of the council, so department heads and staff understands the wants and direction of the council. Attorney recommended agenizing this item and scheduled a Vision Plan April 3, 2017 from 5 – 6 pm.
- **Council Member Lopez** – inquired on an update regarding the Promotores concerns from the last meeting and an update on the marijuana law. Police Chief Raygoza informed as long as the city is working on setting ordinances and regulation, we should not have any problems, and deadline is January 2018 before the city will have to comply with State laws if the city has not set our regulations. Mendota advertised in the newspaper a Public Hearing will be held before their Planning Commission on dispensaries in the city limits. Council Member Valdez added, the City of Watsonville created regulations that allowed indoor cultivating only in one old building with a permit fee of \$8,000 a month and paid tax income to the city. City may want to consider using the old Queen Gil building for a similar project.

PUBLIC COMMENT ON CLOSED SESSION ITEM ONLY

Motion to enter closed session at 8:09 pm, by Council Member Valdez, second by Council Member Sablan, motion pass by 5-0 vote.

CLOSED SESSION

15. Government Code Section 54957.6

CONFERENCE WITH LABOR NEGOTIATORS: ALL REPRESENTED AND UNREPRESENTED EMPLOYEES
 City Negotiator: Ben Gallegos
 Employee Organizations: Police & Public Works bargaining units and all unrepresented positions

16. Government Code Section 54957.

PUBLIC EMPLOYEE EVALUATION: City Attorney.

17. REAL ESTATE NEGOTIATION – Pursuant to Government Code Section #54956.8.

Re: APN # 008-074-10 Designative Rep. City Negotiator: Ben Gallegos

Motion to enter open session at 10:31 pm, by unanimous vote 5-0 vote.

ANNOUNCEMENT AFTER CLOSED SESSION: *No Action Taken*

ADJOURNMENT - *Motion to adjourn by Councilmember Sablan, second by Councilmember Perez; motion passes by 5-0 vote at 10:39 p.m.*