

MEETING MINUTES

The City Council/Successor Agency of the City of Firebaugh
Vol. No. 19/04-01

Location of Meeting: Andrew Firebaugh Community Center
1655 13th Street, Firebaugh, CA 93622
Date/Time: April 1, 2019/6:00 p.m.

CALL TO ORDER Meeting called to order by Mayor Sablan at 6:01 p.m.

ROLL CALL PRESENT: Mayor Marcia Sablan
Mayor Pro Tem Elsa Lopez
Council Member Freddy Valdez
Council Member Brady Jenkins
Council Member Felipe Perez

ABSENT:

OTHERS: City Attorney J. Sanchez; City Manager/Acting Public Works Director, Ben Gallegos; Deputy City Clerk, Rita Lozano; Finance Director, Pio Martin; Police Chief, Sal Raygoza; Fire Chief, John Borboa, Wanda Breshears & others.

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

Motion to approve agenda by Council Member Valdez, second by Council Member Perez; motion pass by unanimous 5-0 vote.

PRESENTATION

Mr. Gavin Mora of Nutek Solutions, LLC provide information about a Residential Solar Program., his recommendation is that at least 100 homes must participate to see the adequate savings. Council supported and consider participating the program. City Attorney Sanchez will review the City's liability, & stated concern on the City Collection Process (staff would be responsible for, the payment commitment to the investor whether the participating residents paid their bill or not), and if the group of investors went bankrupt, who gets paid on the remaining program. Mr. Mora states those were all good questions that haven't been asked and wasn't really sure. City Manager Gallegos added more staff may be needed to the collect the fees from this 20 year service program, and asked who would be responsible for any maintenance issues? Mr. Mora replied the contractors that installed the solar but City staff would most likely be called because the residents may think they are the contact since they will be collecting the fees on their utility. Council Member Lopez if a need for at least 100 home should participate, it may be best to do a survey of the community to see how many resident could be interested in program.

PUBLIC COMMENT: None

CONSENT CALENDAR:

1. APPROVAL OF MINUTES – The City Council Regular Meeting on March 4, 2019.
2. APPROVAL OF MINUTES – The City Council Special Meeting on March 11, 2019.

Motion to accept minutes by Council Member Valdez, second by Council Member Perez; motion pass by unanimous 5-0 vote.

3. WARRANT REGISTER – Period starting February 1, and ending on February 28, 2019.

February 2019	General Warrants	#37829 - #37958	\$ 895,705.87
	Payroll Warrants	#70581 - #70676	\$ 218,727.73
TOTAL			\$ 1,114,433.60

Council Member Sablan inquired check # 37850 in the amount of \$900 to Helena Chemical Co. for purchase of Round-up, she recommends possibly purchasing another product to promote a healthier environment, adding the company that created round-up has been sued for containing chemicals that may cause cancer.

Motion to accept warrants by Council Member Perez second by Council Member Valdez; motion pass by 4-1 vote. Sablan opposes – Check # 37850.

PUBLIC HEARING

4. RESOLUTION NO. 19-14 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH APPROVING AN AMENDMENT TO THE WATER CONSERVATION PLAN PURSUANT TO THE PROVISIONS OF FIREBAUGH MUNICIPAL CODE SECTION 15-1.3.1.

Public Hearing Opened - No Comment Given– Public Hearing Closed.

Motion to approve Res. No. 19-14 by Council Member Valdez, second by Council Member Perez; motion pass by 4-1 vote. Lopez – no.

NEW BUSINESS

5. RESOLUTION NO. 19-15 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH SUPPORTING THE 2020 CENSUS.

Motion to approve Res. No. 19-15 by Council Member Lopez, second by Council Member Perez; motion pass by unanimous 5-0 vote.

6. RESOLUTION NO. 19-16 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH CONSIDER APPROVING THE RELEASE A TEMPORARY DRAINAGE EASEMENT AND ISSUING A CERTIFICATE OF COMPLETION FOR RUBI GARDENS DISPOSITION AND DEVELOPMENT AGREEMENT.

Motion to approve Res. No. 19-16 by Council Member Lopez, second by Council Member Jenkins; motion pass by unanimous 5-0 vote.

7. THE CITY COUNCIL OF THE CITY OF FIREBAUGH TO DISCUSS AND CONSIDER REDUCING THE COMMERCIAL UTILITY USERS TAX RATE AND/OR PLACING THE RESIDENTIAL RATE ON A FUTURE BALLOT TO CONTINUE AT THE SAME 10% RATE.

Council Member Valdez stated on July 1, 2019, the residential rate will be reduced from 10% to 7.5%, the reduction will reduce the City’s income by estimated \$90,000, placing on the issue on the ballot to have the residents vote on whether the Utility Users Tax (UUT) to remain at 10% may help offset the income the City will lose and continue to help the community’s public safety services. The UUT provide funds that are otherwise not available through other funding and directly funds our Police Department, which has kept our crime low in the City of Firebaugh.

Consensus of the Council is to continue the item, and directed staff to research when it would possible for a Special Election and how much would it cost the city.

STAFF REPORTS

- **Police Chief Sal Raygoza** – Yearly States were included in the agenda packets, comparable to only the City of Firebaugh with a low crime rate, other cities are higher in crime. Recently had a few burglary, a team will put

together to catch the suspect. A gentleman from Madera with mental issues crashed into the new police vehicle, the police department is working on this matter.

- **Fire Chief, John Borboa** – Four years ago, it was reported the worst fire season in history, three years ago, it was reported the worst fire season in history again, now this year they are predicting this year will be the worst fire season in history due the rain causing the growth of high grass & brush.
- **Finance Director, Pio Martin** - At April 15th's Council Meeting the general fund budget will be presented, any needs, wish list, conferences, phones, equipment or other items should be submitted to be included in the budget.
- **City Engineer, Mario Gouveia** – Sewer project is under design, construction scheduled for later this year, including 8th St. Cline St., Levee Road, & across the highway. Meet with Caltrans environmental group earlier this month to talk about the requirements along the path near the river, they wouldn't consider making any amendments. They blamed the Federal requirements, and the cost for the environmental requirements exceed the budget, it is an estimated six figures to complete. They City just wanted to place slurry on the path and install some lights, so the City withdrew from the funding, passed on the grant and will not do this project. Many other cities are also withdrawing for the same reason so hopefully they will amend or change the requirements.
- **Deputy City Clerk, Rita Lozano** – 700 Form Reminder, received notice not all members have completed forms, do so before you are fined. Council & staff will be needing some training, term of our last training is expiring. Please submit agenda items earlier, I've been receiving them at the last minute and it has become a problem. Council approved a resolution approving a deadline of Wednesday at noon to submit items and receiving items one or two later. The City just receive the Mutual Aid from Madera County for 2018 and 2019, the amount to be paid is different based on the previous 5 years and it will place for approval at the next council meeting.
- **City Attorney James Sanchez** – I confused Rita a little bit with resolution 19-16 on the easement, somethings change at the last minute.
- **City Manager Ben Gallegos** – Meeting with Supervisor Pacheco to discuss the Las Deltas Water District, April 11th, it will be a joint meeting also to discuss the HUD tank. The joint meeting will include Fresno County, State Water Resource Board, Self-Help Enterprise, City Engineer Gouveia and City Representatives. The HUD tank has already buckled so it's best we address it soon. Fresno 4Biz held March 20th had a good outcome, with participation from Toma-Tek and governmental representatives attending. Many services offered are free to businesses and a job fair will be held. Working on the solar project, placing a call to the financial advisor to discuss April 15th. Cen Cal Builders is doing work without permits, turning dirt, so it's a gamble. Tommy is aware of the risk, he's responsibility because no permits have been issued. Working on the paperwork for the wastewater plant project, which will include a one million dollar loan, our hope is to not need the loan. Anyone interested in attending the League of CA's Legislative Day - Day of Action email Rita. Our 1st Cannabis business should be going to Planning for consideration of approval. Negotiating with the City of Mendota regarding dispatching services. Will attend Public Works Conference next week. Received three architect proposals for VFW rehab project. Senior Center parking lot project was pushed back.
- **Council Member Sablan** – Madera County is working on their side of the bridge. Received complaints that people are having a hard time dropping kids off at the River Camp at 8:30 am because of work, their request is to have someone present earlier to be able to drop off kids at 8:00 am. Recommendation to push County to take responsibility on the next election.

PUBLIC COMMENT ON CLOSED SESSION ITEM ONLY

CLOSED SESSION

ANNOUNCEMENT

ADJOURNMENT

Motion adjourn by Council Member Perez, second by Council Member Jenkins; motion pass by unanimous 5-0 vote at 8:17 p.m.