

# MEETING MINUTES

The City Council/Successor Agency of the City of Firebaugh  
Vol. No. 19/05-20

**Location of Meeting:** Andrew Firebaugh Community Center  
1655 13<sup>th</sup> Street, Firebaugh, CA 93622

**Date/Time:** May 20, 2019/6:00 p.m.

**CALL TO ORDER** Meeting called to order by Mayor Sablan at 6:00 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 Mary Lerner; 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 Lopez led pledge of Allegiance.*

## APPROVAL OF AGENDA

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

## PRESENTATION

- Destiny Rodriguez of Community Relations Center for Climate Protection on Community Choice Energy provided information on their program and the potential benefits it has to offer the community of Firebaugh. They are a non-profit organization and have worked with the School District, as well as other County School Districts, & are very engaged with community. Participates in the program would buy their energy from local solar farms, but won't see the savings the first two years, but will see a saving every year after. If the city decides to participate in the program, they could singly operate or enter into a joint powers agreement with other surrounding members.
- A representative participating in outreach to local communities about the importance of the 2020 Census provided information how the results help or the lack of individuals responding to the survey has an impact to the community. The want everyone to participate so there will be a lot of outreach and notices to individuals that don't reply, and the want the community to know a worker in the 2020 census they are sworn to Confidentiality, anyone to fails to comply with the regulations or misuses the information collected, will be fined & prosecuted. The 2020 Census is a data collection service only & would like to invite the City to become a partner with this process.

## PUBLIC COMMENT

*Potential Business Owner stated concern about tax the City wants for the cannabis operating businesses, & stated he wanted to inform everyone that he asked the city to reduce the property tax for the cannabis operating businesses, City Manager Ben and Council Member Valdez advised him that they would place it on the next agenda and nothing has happened. Last Monday a Planning Commission had a zoning amendment on their agenda to change M-1 zone to allow dispensaries, commissioners voted against it. I feel like Ben & Freddy are changing the zone so no tenants will rent at my business, because why are they trying to add/change a zone to allow dispensaries, when my business is at the only zone that currently allows cannabis operating businesses. The gentlemen asked council to discuss the tax because he feels he will not be able to find tenants with the additional tax. The location of the proposed amendment zone change is near a church, closer to town & a school. When the Planning Commissioner asked who place the item on the agenda, no one could answer the question, & just wanted to inform everyone of what is going on.*

**CONSENT CALENDAR:**

1. **APPROVAL OF MINUTES – The City Council Special Meeting on May 6, 2019.**
2. **WARRANT REGISTER – Period starting April 1, and ending on April 30, 2019.**

April 2019	General Warrants	#38065 - #38179	\$ 619,858.97
	Payroll Warrants	#70773 - #70870	\$ 219,283.77
<b>TOTAL</b>			<b>\$ 836,142.74</b>

*Motion to accept consent calendar, excluding check # 38118 to Helena Agri-Enterprises for Round-up, by Council Member Valdez, second by Council Member Perez; motion pass by unanimous 5-0 vote.*

*Motion to approve check # 38118 to Helena Agri-Enterprises for Round-up, by Council Member Jenkins, second by Council Member Perez; motion pass by unanimous 4-1 vote. Sablan – no.*

**PUBLIC HEARING**

3. **ORDINANCE NO. 19-02 - ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH AMENDING (1) CHAPTER 3, ARTICLE 12 RELATED TO THE USE, SALE, AND DISTRIBUTION OF TOBACCO PRODUCTS AND TO ADDRESS SMOKING IN MULTI-UNIT HOUSING, AND (2) CHAPTER 4, ARTICLE 5 RELATED TO TOBACCO RETAILERS TO CONFORM DEFINITIONS TO STATE LAW CHANGES – SECOND READING.**

*Public Hearing Opened at 6:51 pm* – Mrs. Gifty Kwofie, Health Education Specialist of Fresno County Department of Public Health, express their gratitude to the City Council and staff for their support in passing the ordinance. Other representatives from other organizations also thanked the Council. - *Public Hearing Closed at 6:54 pm*

*Motion to approve Ord. No. 19-02, by Council Member Valdez, second by Council Member Perez; motion pass by 4-1 vote. Jenkins – No.*

**NEW BUSINESS**

4. **RESOLUTION NO. 19-24 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH APPROVING A LEASE AGREEMENT AND A PAYING AGENCY AGREEMENT; MAKING CERTAIN DETERMINATIONS RELATING THERETO; AND AUTHORIZING CERTAIN OTHER ACTIONS IN CONNECTION THEREWITH.**

*Motion to approve Res. No. 19-24 by Council Member Jenkins, second by Council Member Valdez; motion pass by unanimous 5-0 vote.*

5. **RESOLUTION NO. 19-25 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH APPROVING A DEBT MANAGEMENT POLICY.**

*Motion to approve Res. No. 19-25, by Council Member Jenkins, second by Council Member Perez; motion pass by unanimous 5-0 vote.*

6. **ADMINISTRATIVE REPORT - FY 2019/20 STREETS & GRANTS FUND BUDGET – PRELIMINARY PRESENTATION.**

*Information Item only.*

**7. THE CITY COUNCIL OF THE CITY OF FIREBAUGH TO DISCUSS THE STREET NAMES FOR NEW SUBDIVISION.**

Two proposed subdivisions to be constructed, one project is about 90% approved, city ordinance states Council approve the name of new street, staff asked for recommendations. Suggestion made were rivers names to the subdivision on HWY 33 and the last names of community residents that have contributed to the City of Firebaugh over the years.

*Information Item only.*

**STAFF REPORTS**

- **Police Chief Sal Raygoza** – It's been quite in town, but assisted Mendota with a stabbing/homicide. PD has a new computer software, staff has been trying to learn it, so no reports were provide in this agenda. Soccer sign-ups are in process, season will be from June to August, there has been as issue getting referees sue to aggressive parents, so PAL is going to hire Highs School kids and pay \$55. Fourth of July Firework shop is cancelled this year, due the tariff issue with China & our Government, the fireworks are just too expensive (doubled) to purchase. PD was awarded a \$10,000 grant, and it will be used to pay overtime for some officers to be present at soccer games. Council Member Sablan recommended posting soccer schedule on City's Facebook. Awarded a grant from San Juaquin Valley Air Pollution for two electric vehicles (one for PD & one for PW).
- **Fire Chief, John Borboa** – After a two year hiatus, Fire Department held their dinner dance and raised the highest earnings in years, it fund raised \$24,000. Received application and issued the license to Pyro for HS Graduation.
- **Deputy City Clerk, Rita Lozano** – Working on Public request act (PRA) & researching information for liability claim and other RMA cases, working on and processing several agreements/contracts with various organization, Attending CalPERS training May 22, & taking a vacation day Friday. Council Member Sablan asked what kinds of PRA are being request. Various PRA on City Salaries, Code Enforcement, Home Occupancy, facility rentals, just random information.
- **City Attorney Mary Lerner** – “Thank you for have me”.
- **Finance Director, Pio Martin** – Making corrections to new water/sewer rates & working on final budget.
- **City Manager Ben Gallegos** – Started working on the design for the VFW Hall, the veterans will help design the building, we looked at the Senior Center to get ideas. Seniors moved to back to Center, they are very happy, but the parking lot is not done, but USA has been called, so the paving should be done soon; therefore, the center will be closed for two days at that time. The Rodeo was cancelled due to rain & rescheduled for Father's Day, June 16<sup>th</sup>. Working with developers to get their projects done here, flyers have gone out to announce new homes & an office will be there place at site for more information. A lot of working being done on Code Enforcement issues, a lot of cases are in Del Rio area. & working on potential issues with awning's in the downtown area. Awarded a \$400,000 grant to complete a flood feasibility study. Due the rain the splash park will be closed this Memorial weekend.
- **Council Member Sablan** – Asked if anyone was aware of the HUD ruling passed stating undocumented individuals be evicted from their housing apartments, which about 13,000 apartments/families, so Mr. Preston Price is working on addressing this matter and may need letters from the City Council to express support in fighting the ruling.

**PUBLIC COMMENT ON CLOSED SESSION ITEM ONLY****CLOSED SESSION/ ANNOUNCEMENT**

**ADJOURNMENT - Motion adjourn by Council Member Valdez, second by Council Member Perez; motion pass by unanimous 5-0 vote at 7:54 p.m.**