

MEETING MINUTES

The City Council/Successor Agency of the City of Firebaugh
Vol. No. 19/08-05

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

Date/Time: August 5, 2019/6:00 p.m.

CALL TO ORDER Meeting called to order by Mayor Sablan at 6:00 p.m.

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

ABSENT:

OTHERS: City Attorney Jim Sanchez; City Manager/Acting Public Works Director, Ben Gallegos; Acct. Tech. Deputy Clerk, Rita Lozano; Finance Director, Pio Martin; Police Chief, Sal Raygoza; Fire Chief, John Borboa; City Engineer, Mario Gouveia; City Planner, Karl Schoettler; Jarrett Martin, Central California Irrigation District, Wanda Breshears & others.

PLEDGE OF ALLEGIANCE Council Member Valdez led pledge of Allegiance.

APPROVAL OF THE AGENDA

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

PUBLIC COMMENT None

PRESENTATION

Jarrett Martin of Central California Irrigation District (CCID), provided information on Sustainable Groundwater Management Act (SGMA). The SGMA established a framework for local agencies to develop a Groundwater Sustainability Agency (GSA), due by June 30, 2017, to sustainably manage groundwater through implementation of a Groundwater Sustainability Plan by. CCID is located in the Delta-Mendota Subbasin, which is a high priority and critically overdrafted basin, must be managed under a GSP by January 31, 2020. If a basin is not managed under a GSP, or the GSP is inadequate to achieve sustainability, the State Board may designate that basin as probationary and assume the management responsibility. The City of Firebaugh elected to represent themselves, and is a part of a Joint Agreement with other rural areas & CCID to operate as SGA. A water study is needed to show, how to correct any waste or loss of water. Currently, the City doesn't need to do anything right now, but if the City grows, it will need to look at how to mitigate the water loss. The Sustainable Groundwater Planning (SGWP) Grant Program provides funds for projects that develop and implement sustainable groundwater planning & projects consistent with groundwater planning requirements outlined in Division 6 of the California Water Code, commencing at \$10000, so the City will be reimbursed for cost spent. The City will need to publish/post a Public Hearing Notice, to adopt the Plan, 90 days prior to holding the Hearing. Post Agenda 72 hours in advance to the meeting. A hard copy of the GSP must be available at the meeting for review, ask & document any comments from the Public and formally adopt the GSP via resolution. Then, send a copy of any comments and the Resolution to CCID, Attn: Jarrett Martin.

CONSENT CALENDAR:

1. APPROVAL OF MINUTES – The City Council Regular Meeting on July 15, 2019.

Motion to approve minutes by Council Member Lopez, second by Council Member Perez; motion pass by 5-0 vote.

PUBLIC HEARING

2. **ORDINANCE NO. 19-04 - AN ORDINANCE OF THE CITY OF FIREBAUGH, COUNTY OF FRESNO, STATE OF CALIFORNIA, AMENDING ORDINANCE NO. 359, OF THE CITY OF FIREBAUGH, RELATING TO THE CLASSIFICATION OF THE ZONE OF PARTICULAR PARCELS OF REAL PROPERTY – SECOND READING.**

Open hearing time at 6:19 pm - No comment given - Closing hearing time at 6:20 pm

Motion to approve Ord. 19-04 by Council Member Lopez, second by Council Member Perez; motion pass by 5-0 vote.

3. **RESOLUTION 19-42 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH ADOPTING A MITIGATED NEGATIVE DECLARATION FOR THE GREYSTONE ESTATES PROJECT.**

Motion to approve Res. No. 19-42 by Council Member Valdez, second by Council Member Perez; motion pass by 5-0 vote.

4. **RESOLUTION 19-43 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH APPROVING GENERAL PLAN AMENDMENT 2019-02 (GREYSTONE ESTATES PROJECT).**

Motion to approve Res. No. 19-43 by Council Member Lopez, second by Council Member Valdez; motion pass by 5-0 vote.

5. **ORDINANCE NO. 19-05 - AN ORDINANCE OF THE CITY OF FIREBAUGH, COUNTY OF FRESNO, STATE OF CALIFORNIA, AMENDING ORDINANCE NO. 359, OF THE CITY OF FIREBAUGH, RELATING TO THE CLASSIFICATION OF THE ZONE OF PARTICULAR PARCELS OF REAL PROPERTY – FIRST READING.**

Open hearing time at 6:31 pm – Rod Hawkins, Engineer of Hawkins & Associates, introduced himself and informed the Council & Public, he attended to answer any questions they may have and Thanked staff for their help through this process. Mr. Steve Heir, developer introduced himself & stated he hopes to begin construction as soon as possible. Mr. Heir stated State’s Energy Commission approved new energy standard that require solar panels on new homes, condos & apartments built in 2020 and afterwards. The new standards will hike construction costs by \$25,000 to \$30,000 (about half of which is directly due to solar), but the self-produced energy is estimated to save owners \$50,000 to \$60,000 in operating costs over the solar technology’s expected 25-year lifespan, which is expected to offset the increase of home purchases. Council Member Lopez asked, “Who will receive the tax credits?” Mr. Heir replied, he is still researching information & asked the City has any down payment programs for new home buyers. - Closing hearing time at 6:42 pm

Motion to approve Ord. 19-05 by Council Member Lopez, second by Council Member Perez; motion pass by 5-0 vote.

6. **RESOLUTION 19-44 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH APPROVING TENTATIVE SUBDIVISION MAP 2019-01 - (GREYSTONE ESTATES).**

Motion to approve Res. No. 19-44 by Council Member Valdez, second by Council Member Perez; motion pass by 5-0 vote.

NEW BUSINESS

7. **RESOLUTION NO. 19-45 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH CONCERNING MEASURE C EXTENSION LOCAL TRANSPORTATION PURPOSE PASS-THROUGH AND PROGRAM FUNDS ANNUAL ALLOCATION FOR FY 2019-2020.**

Motion to approve Res. No. 19-45 by Council Member Lopez, second by Council Member Jenkins; motion pass by 5-0 vote.

8. **RESOLUTION NO. 19-46 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH SUBMITTING A CLAIM FOR TRANSPORTATION DEVELOPMENT ACT (TDA) FUNDS CONTINUING FROM THE 2019-2020 FISCAL YEAR, THEREBY COINCIDING WITH THE FRESNO COUNCIL OF GOVERNMENTS POLICY BOARD APPROVAL OF TDA FUNDS APPORTIONMENT & TDA CLAIMS PROCESS.**

Motion to approve Res. No. 19-46 by Council Member Valdez, second by Council Member Jenkins; motion pass by 5-0 vote.

9. **RESOLUTION NO. 19-47 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH, CALIFORNIA, DECLARING CERTAIN CITY PROPERTY AS SURPLUS EQUIPMENT.**

Motion to approve Res. No. 19-47 by Council Member Valdez, second by Council Member Perez; motion pass by 5-0 vote.

10. **THE CITY COUNCIL OF THE CITY OF FIREBAUGH TO DISCUSS SALARY AND HEALTH INSURANCE FOR COUNCIL MEMBERS.**

Council Member Jenkins request a salary pay for Council Members be changed from \$150 per meeting to \$300 per month. Staff was directed to amend the resolution or ordinance.

STAFF REPORTS

- **Police Chief Sal Raygoza** – No issues at the festival, had help from other law enforcement. Will be making changes at the entrance/gate in the future to help make people feel safer. Soccer League is done, will award 1st & 2nd place teams at national night out, hotdogs will be provided. There will also be informational booths, and officers will be present to meet the public. Spoke with Ben, about the k-9 program, hope to have the program back. Going through DOJ inspections, POST inspections and other duties. Crime is low, the electric car has been used to help patrol in certain areas in town, the officers like to because it's so quiet, people can't hear the officers coming.
- **Fire Chief, John Borboa** – Festival was quiet, had 1 medical call & 1 fire call, stats were provided in the agendas.
- **Finance Director, Pio Martin** – working on year-end reports & getting ready for the audit. Waiting until Sept. 1st to provide Festival reports, pre-sale tickets were higher, but we sold until Friday this year, so Paul Maurer received more profit than the past. This year vendors & Bar seemed to sell more than usual, compared to previous Thursdays'.
- **City Engineer, Mario Gouveia** – Provided an update on the Rabe, Rev. Kantor & Diaz project, Notice to Bidders will go out for advertisement. CDBG project is in the design state, pending permits from CCID, Railroad & Caltrans., for sewer project. Other project is the 8th St., which includes M St., 7th St., Clyde Fannon, and Poso Canal to the pumps. The 8th St. replacement project from CDBG, will include sewer lines, pavement & sidewalks for possibly construction in the spring.
- **Deputy City Clerk, Rita Lozano** – Received a call and participated on a webinar about Social Media, City Social Media resources are subjected to Public Request Act, so the City needs to keep Official records of all City Social Media. The City should create a policy or procedure to be able to keep official records for all City Social Media resources.
- **City Attorney Jim Sanchez** – Our Firm Lozano Smith has a handbook to provide to use as a reference guide for liabilities.
- **City Manager, Ben Gallegos** – Contractor is paving the Senior Center parking lot, the last Contractor pulled out, so we had to get a new Contractor, project will be paid by bond proceeds. Paving is expected to be from Monday to Friday. Working with Caltrans on the Highway Beautification project. Will be attending ICSC Conference in LA, Sept. 16 – 18, 2019, there will be a Council Meeting on the 16th. Attending a K-9 luau at the San Jose Arena in Santa Clara, with two officers. Festival went well, one vendor was upset & didn't come back the last day, her sales were really low, but

it's a risk they take. One complaint received was the Zipper (ride) wasn't there. Another complaint was, last year public was searched at the gate & they didn't like it, but this year they didn't get searched and they asked why not. The Diesel Pump will be removed and replaced with an electric pump. Well No. 15's casing collapsed, they think it was defected, because it's only been replaced 10 years ago, and others casings last longer. Working with the State and Self-Help on Las Deltas project and replacing the HUD tank. Council Member Lopez, asked the City Manager, if he researched the information she sent him on Senate Bill (SB 200) on Drinking Water, to see if it can help Las Deltas Water District. Council Member Lopez reported, Gov. Gavin Newsom signed into law the Safe and Affordable Drinking Water Fund bill for Tombstone Territory, a small community in Fresno County because their private wells are contaminated. Starting next year, SB 200 will provide \$130 million annually to clean up drinking water in California communities like Tombstone that lack access to safe water. Senior Center Coordinator Janet is planning on bring exercise equipment for the seniors. Ramiro Gamino will is leaving and submitted his resignation.

- **Council Member Valdez** – Last part of July was busy, attended meeting with the California Latino Water Coalition to discuss water issues, and SIGMA, we mentioned Las Deltas Water District, to see if they can help us. Meet with Assemblyman Joaquin Arambula on some City issues. Awarded to the honor Gloria Gray, only the second woman to serve as Chairwoman on the Metropolitan Water District of Southern California in their 90-year history. Meet with the Unites States Department of Commerce, and learned of a program to access funds that the City is not allowed, due to the low crime rate.
- **Council Member Perez** – Fresno State wants to offer a computer Program to the community but needs a site, they will provide the program for free and pay the instructor. Mayor Sablan suggested asking the Housing Authority to provide access to their site & asked if the Senior Center is available, if needed. Finance Director Martin, stated there is no Wi-Fi available, but part of the building has internet.

PUBLIC COMMENT ON CLOSED SESSION ITEM ONLY

Motion to enter to closed session @ 7:46 pm by Council Member Valdez, second by Council Member Perez; motion pass by 5-0 vote.

CLOSED SESSION/CLOSED SESSION ANNOUNCEMENT AFTER CLOSED SESSION:

11. Government Code Section 54957

PUBLIC EMPLOYEE EVALUATION: City Attorney.

12. CONFERENCE WITH LEGAL COUNSEL – Government Code Section 54956.9 (a) (d)

Potential litigation and Pending Litigation: One (1) Case

County of Santa Cruz et al. v. Bureau of Cannabis Control et al.
Fresno County Superior Court Case No. 19 CECG 01224

Motion to enter open session @ 8:12 pm by Council Member Valdez, second by Council Member Perez; motion pass by 5-0 vote.

ANNOUNCEMENT

No Action Taken

ADJOURNMENT

Motion adjourn by Council Member Valdez, second by Council Member Jenkins; motion pass by unanimous 5-0 vote at 8:13 p.m.