

MEETING MINUTES

The City Council/Successor Agency of the City of Firebaugh
Vol. No. 19/07-15

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

Date/Time: July 15, 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; Deputy City Clerk, Rita Lozano; Finance Director, Pio Martin; Police Chief, Sal Raygoza; Fire Chief, John Borboa; City Engineer, Mario Gouveia, Jose Perez, Linda Espinoza, Amanda Speakes, Fernando Campa, George Ortiz, Connie Ortiz, & others.

PLEDGE OF ALLEGIANCE Council Member Perez 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

CONSENT CALENDAR:

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

2. **WARRANT REGISTER – Period starting June 1, and ending on June 30, 2019.**

June 2019	General Warrants	#38311 - #38430	\$ 493,781.78
	Payroll Warrants	#70969 - #71073	\$ 272,461.43
TOTAL			\$ 766,243.21

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

PUBLIC HEARING

3. **ORDINANCE NO. 19-03 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH (1) AMENDING MUNICIPAL CODE SECTION 25-29.2 TO CLARIFY COMMERCIAL CANNABIS ACTIVITIES IN THE M-1 AND M-2 ZONES; (2) AMENDING MUNICIPAL CODE SECTION 25-41.13 TO ALLOW FOR AND TO REGULATE DISPENSARIES AS COMMERCIAL CANNABIS OPERATIONS; AND (3) AMENDING MUNICIPAL CODE SECTION 25-41.13 MODIFYING THE REGULATORY REVENUE-RAISING FEE – SECOND READING.**

Open hearing time at 6:04 pm - No comment given - Closing hearing time at 6:05 pm

City Attorney Sanchez informed Council of their vote at the previous meeting. Council made a motion to approve of Ord. No. 19-03, (1) Amending Municipal Code Section 25-29.2 to clarify commercial cannabis activities in the M-1 & M-2 zones; (2) Amending Municipal Code Section 25-41.13 to allow for and to regulate dispensaries as

Commercial Cannabis Operations, and pull/table (3) Amending Municipal Code Section 25-41.13 Modifying the Regulatory Revenue-Raising Fee to be voted on at a later date. City Manager Gallegos recommendation is not to approve (3) because a tax is required to go before the voters; therefore, the current fee remains.

Motion to approve items (1) & (2) of ord. no. 19-03 by Council Member Valdez, second by Council Member Perez; motion pass by 3-2 vote. Lopez & Jenkins – no.

4. **RESOLUTION NO. 19-38 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH CONFIRMING THE DIAGRAM AND ASSESSMENT OF ANNUAL LEVY FOR FISCAL YEAR 2019 - 2020 FOR LANDSCAPING AND LIGHTING DISTRICT NO. 1.**

Motion to approve Res. No. 19-38 by Council Member Jenkins, second by Council Member Lopez; motion pass by 5-0 vote.

NEW BUSINESS

5. **RESOLUTION NO. 19-39 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH APPROVING THE APPLICATION FOR STATEWIDE PARK DEVELOPMENT AND COMMUNITY REVITALIZATION PROGRAM GRANT FUNDS – MALDONADO PARK.**

Motion to approve Res. No. 19-39 by Council Member Valdez, second by Council Member Perez; motion pass by 5-0 vote.

6. **RESOLUTION NO. 19-40 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH APPROVING THE APPLICATION FOR STATEWIDE PARK DEVELOPMENT AND COMMUNITY REVITALIZATION PROGRAM GRANT FUNDS – AQUATIC CENTER.**

Motion to approve Res. No. 19-40 by Council Member Valdez, second by Council Member Perez; motion pass by 5-0 vote.

7. **RESOLUTION NO. 19-41 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH AUTHORIZING THE CITY MANAGER TO EXECUTE THE ACCEPTANCE OF THE FEDERAL AVIATION ADMINISTRATION GRANT FOR THE AIRPORT FENCE AND GATE REPLACEMENT PROJECT NO.: AIP 03-06-0346-007-2019.**

Motion to approve Res. No. 19-41 by Council Member Lopez, second by Council Member Jenkins; motion pass by 5-0 vote.

8. **THE CITY COUNCIL OF THE CITY OF FIREBAUGH TO DISCUSS AND CONSIDER REQUEST FROM TOMA-TEK ON LOWERING THE UTILITY USERS TAX (UUT) FOR INDUSTRIAL USERS.**

Toma-Tek submitted a letter requesting a cap or a lower tax rate, stating they pay the highest taxes & they believe qualify under listed section. Council Member Valdez replied we are business friendly, but must be fiscal responsible, asked City Manager & Toma-Tek representatives to come up a plan to consider. Mayor Sablan will participate in the meeting to assist in finding a resolution. City Manager asked for available dates to the meeting.

9. **THE CITY COUNCIL OF THE CITY OF FIREBAUGH TO DISCUSS CANTALOUPE ROUND-UP.**

Coach Sanchez of Firebaugh Wrestling, Pastor Mike Simmons of Faith Fellowship, Lydia Perez, Connie Ortiz, Chris Cardella, Veronica Navarro, and George Ortiz stated their concerns and disappointment of changes with the food vendors at the carnival. Their organizations participate as food vendor at the event and it is their biggest fund raiser, opening it to outside vendors selling the same products may reduce their profits, that are used for the community and students. The Church over the past 20 years has provided people in need with clothes, shoes, school supplies and other services. The Wrestling uses their funds to help their students/athletes attend competitions and camps. The people that benefit from their assists would like get the help they need without this funding resource. Vendors from out of town are mostly for profit & don't give back to the community. That years, the carnival only

allowed one vendor to sell a product, with no other vendor selling the same product, which helps provide variety of food & give the participating organization to raise more. If the City is going to change, then the City should have an open market across the board and allow vendors to sell water and sodas to be fair. The individuals felt the set separate rules for themselves. Council advised there is a community that makes the decisions for the event, it is open to the public for anyone that would like participate. Veronica Navarro, stated she did research of what other communities charge for the food booths, and Firebaugh's rates were the highest. Staff informed, the City operates the carnival and must cover all cost for the event and the daily operation, so most of the staff works long hours to provide both services. The City's biggest expense is the security and entertainment. In other Cities', a non-profit organization usually operates the carnival, either a Chambers of Commerce, Youth Group, or Lions Club. Simmons stated he is not opposed to other vendors selling the same thing, if the need is there based on the population, but doesn't feel there is a need at this time. Council suggested approving a resolution setting rules and policies for future events. Linda Espinosa added, I hope a resolution and a mission statement will be approved, & believes the carnival can get back to what it used to be, a positive family vibe, but the residents need to participate as committee members to assist, it's seems like a lot of work and with more help, maybe the Cantaloupe Queens, street dance and other events can be held like before. City is under staffed to be able to run multiple events at the festival and work the daily operation. City has offered other ways for organizations to raise money, such as cleaning tables at the food area, because they are understaffed and need assistance at the event. Once issue in the past is many individuals want to be a part of the committee to be a part of the planning process but don't volunteer the day of the event to help.

10. THE CITY COUNCIL OF THE CITY OF FIREBAUGH TO DISCUSS LIL MR./MISS FIREBAUGH & PRINCE/PRINCESS.

Council Member Jenkins request to open it up to other organization as a fund raiser. Police Chief Raygoza, agrees and doesn't object. It could a good fund raiser for an organization willing to try to take it over, but it is a lot of work.

11. THE CITY COUNCIL OF THE CITY OF FIREBAUGH TO DISCUSS FIREWORK SHOW.

The Firework show was not held this year due to funding, if an organization would like to fund raise and through the event, they are welcomed to it. The problem is that the organization would like raise funds to hold the firework show, but will not profit anything. George Ortiz asked if there are any grants to hold an event like this. Staff replied they can research, but have never heard of a grant for an event. Council Member Valdez and Jenkins suggest the city try to find a resolution to continue having the event for the community.

12. THE CITY COUNCIL OF THE CITY OF FIREBAUGH TO DISCUSS AND CONSIDER THE CITY OF FIREBAUGH EMPLOYEES, ATTEND CITY EMPLOYEE NIGHT AT THE FRESNO GRIZZLIES GAME.

Council motion to pay for employees only, \$15 tickets to the Grizzlies Game August 31, 2019 for Employee appreciation, will include ticket, hat & food voucher. Any additional ticket for employee family member will be purchased by employee, by consensus.

STAFF REPORTS

- **Police Chief Sal Raygoza** – there was firework show throughout town, mostly in Las Deltas area, no one was caught, but the town has been quite, we're just getting ready for the carnival.
- **Fire Chief, John Borboa** – the best & worst 4th of July with fires, had a total of nine fires, six in town, assisted the county in the west side with one, and assisted Fresno County with two in Mendota. Today assisted Fresno County with a three alarm fire in San Joaquin, at the same time we had a fire at the Hacienda. As far as Fireworks, we confiscated twice, because we had patrols outs. Between now and the next 4th of July, I be getting with Attorney to draft an ordinance for Council approves, similar to other cities. The city to the north come up with ordinance as the administrative side. This 4th of July, Dos Palos issued \$10,000 in citations and \$9,000 in fines and what cities are doing, if they can't catch the individual who is setting them off to issuing the fine, it will be issued to the property owner.
- **Deputy City Clerk, Rita Lozano** – Nothing.

- **City Engineer, Mario Gouveia** – there was SGMA presentation at a past meeting, we're working closely with CCID to come up with a plan in, which is due in 2020. They have received preliminary numbers for the City, they are 700 acre feet yearly. The GSP (plan), needs an effort from all the GSAs on how to mitigate the deficit & have 5 years to come up with a plan to reduce. Examples for do so: recycle water & reuse, Purple pipe will help, water transfer – recharging, the city has until 2040 to achieve sustainability or the State will regulate the City on how to resolve the problem. August SGMA presentation will provide details to Council. CCID submits plan to State for review, Firebaugh is surrounded by agriculture so the city is sustainable. Water provide to Las Deltas Water District is a 100% deficit because it's going to the County.
- **City Attorney Jim Sanchez** – Hoped everyone enjoyed the training. City Manager thanked James & his firm for providing the training, it was very educational & went over it at a staff meeting.
- **City Manager, Ben Gallegos** – meet with the architect on the courthouse, estimate was under 1 million. Sat down with the veterans on the VFW Rehab, one design was selected, so it will come to council for approval. Senior Center will be paved this month, maybe next month or we'll get out of the contract and find a contractor. We have a new Senior Coordinator, will bring her to the next meeting so you guys can meet her. Working with Paul on grant application, to get more basketball courts, outdoor gym & all-weather track. Getting ready for the carnival.
- **Council Member Valdez** – Attended a CCE (California Council for Excellence) training in Hanford on CAPE Program, talked about the city purchasing the electricity an selling it at wholesale to the residents, & learned more about the process, & how it takes about two years to implement the 7 steps. So Council can discuss & consider, because there are is so much planning involved & many studies need, if we are going to do it.
- **Council Member Perez** – the 2020 Census, will start hiring people, pay is \$17, if anyone is interested, non-profit can make money by participating. Felipe will be in charge of hiring to help pass information re Census.
- **Council Member Lopez-** Attended funeral for Bea (Beatrice) Logue, a wonder community person we lost.
- **Council Member Sablan** – mentioned immigration workshop, this week.

PUBLIC COMMENT ON CLOSED SESSION ITEM ONLY

CLOSED SESSION/CLOSED SESSION ANNOUNCEMENT AFTER CLOSED SESSION:

ADJOURNMENT

Motion adjourn by Council Member Valdez, second by Council Member Perez; motion pass by unanimous 5-0 vote at 8:20 p.m.