

MEETING MINUTES

The City Council/Successor Agency of the City of Firebaugh
Vol. No. 21/10-18

**PURSUANT TO PARAGRAPH 11 OF EXECUTIVE ORDER N-25-20,
EXECUTED BY THE GOVERNOR OF CALIFORNIA ON MARCH 12, 2020**

City Council Meeting held via teleconferencing

***Pursuant to Government Code Section 54953 (b) (2), all action taken during this teleconferenced meeting shall be by roll call vote.**

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

Date/Time: October 18, 2021/6:00 p.m.

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

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

ABSENT:

OTHERS: City Attorney James Sanchez; City Attorney Jessica Mejorado; City Manager/Acting Public Works Director, Ben Gallegos; Deputy Clerk, Rita Lozano; Finance Director, Pio Martin; Police Chief, Sal Raygoza; Fire Chief, John Borboa; Mr. Mark Benjamin of Board of Supervisor Brain Pacheco's Office, Linda Espinoza, Anthony Catalan, Linda DeFrancesco, Nicole Molina, Hector Marin, Silvia Renteria, Vero, Danni Pacini, Matthew, BJ, Fernando Campa, Melissa Knight, Kristy, Patti, Stacy Quintana, Ruben, Randall Coffman, Amy Fleming, Charles Fleming, Mark Garcia, Beau Diedrich, Michael Daniel & others.

PLEDGE OF ALLEGIANCE *Council Member Jenkins led pledge of Allegiance.*

APPROVAL OF THE AGENDA

Motion to approve agenda by Council Member Jenkins, second by Council Member Lopez, motion passed by 5-0 vote.

PUBLIC COMMENT:

Linda DeFrancesco submitted a request for an item to be added to this agenda, pending approval, but never received a response and item is not on the agenda. Staff confirmed receiving the request, but was pending approval, which was not received before agenda was posted. Charles requested open in-person meeting to have conversation, Council doesn't want to get sued over something like this, and added, at the carnival, which was open to the public, and not one single person was wearing a mask. People should have the freedom to choose if they want to be vaccinated, other events are the same, at the Fresno Fair, no one was wearing a mask, & those who did, wore the mask by choice. Amy Fleming asked, if anyone was aware of the World Doctor's Association, then directly asked Council Member/Dr. Sablan if she's aware of the organization, then proceed to provide information of the organization. Amy told Council, they reported earlier the public is aware of the weight and pressure they carry on their shoulders, and continued., the public is here to alleviate some of that pressure by giving the people the choice to be vaccinated or not. Informed Council that there is a petition going around to get Council back to in-person meetings, 75% of the public doesn't know what's going on." Mark Garcia stated, "My freedom wasn't given to me by any elected official. One of 10% of what's going on, is more and more the public officials are doing (making decision) to receive more funding, the public doesn't want more funding, but they want a choice on being vaccinated or not, and for the kids that attend schools. Elected officials should do what the public want you to do as elected officials. Federal Officials don't have to do it, the Health Department in not requiring them to do it and other government officials are not requiring it. " Linda Espinoza asked if City Council are going to be required to be

vaccinated as well, or is the Council Members under a different guidelines? They want our kids, it's an experimental drug, no one knows what's in it, and we don't know if it's safe, or what could happen in the future after you take it. Melissa Knight, asked if the Council has a backup plan, if the City doesn't have enough fire department volunteers to support the community with the fires or emergencies if the city loose volunteers because they are mandated to take the vaccine. Beau Diedrich added, "In our house, we have kids & we made a decision that we didn't want to get vaccinated. Who gives you the right to stick a needle in our arms or arms of the community, the City Employees, Fire Fighters or Public Works?" Michael Daniels reported, parents are asking him about the PAL basketball league, will they still have it or should someone in the community try to run it, who is the contact. Josh Allen just threw a Touch Down, if anyone would like to know. Staff replied, contact the Police Chief Sal Raygoza about the PAL league.

PRESENTATION: None

CONSENT CALENDAR

1. **APPROVAL OF MINUTES – The City Council regular meeting on October 4, 2021.**
2. **APPROVAL OF MINUTES – The City Council Special meeting on October 7, 2021.**
3. **WARRANT REGISTER – Period starting September 1, and ending on September 30, 2021.**

September 2021	General Warrants	#41603 - #41846	\$ 1,591,816.21
	Payroll Warrants	#71583 - #71605	<u>\$ 192,230.98</u>
	TOTAL		\$ 1,784,047.19

Motion to approve consent calendar by Council Member Jenkins, second by Council Member Sablan, motion passed by 5-0 vote.

PUBLIC HEARING

None

NEW BUSINESS

4. **THE CITY COUNCIL OF THE CITY OF FIREBAUGH TO CONSIDER AND DISCUSS THE SUSPENSION OF THEIR STIPEND UNTIL IN-PERSON MEETING RESUME.**

Charles Fleming, Amy Fleming, Linda DeFrancesco, Linda Espinoza, Council Member Lopez & Council Member Jenkins all expressed their wish to have open in-person meetings, stating others cities have gone back, they feel the communications is a little disconnected via zoom meetings & the public is in favor of the stipend suspension for Council Members, until Council re-opens in-person meetings.

Motion failed, 1st by Council member Lopez, no second motion was made.

STAFF REPORTS

- **Police Chief, Sal Raygoza** – enclosed in the agenda packets is a nine month crime comparison report for 2020-2021.
- **Fire Chief John Borboa** – nothing to report
- **City Attorney, James Sanchez** – next meeting, agenda item for consideration is the review and consideration of the 30 day viral meeting option.
- **City Engineer, Mario Gouveia** – Cardella preconstruction meeting will be held in the near future.

- **Finance Director, Pio Martin** – the new bank account is open, everything is being transferred, we still can't close the old account at this time, but all checks will be printed with the new account number account, hoping to present the Festival report within the next month, still waiting for all the revenue and expenditures to come in.
 - **Deputy City Clerk, Rita Lozano** – nothing to report.
 - **Mr. Mark Benjamin of Board of Supervisor Brain Pacheco's Office** –
 - **City Manager, Ben Gallegos** – Fresno County is third in the State of California with the most positive cases of COVID, had a meeting with Caltrans on how to make the Beautification project safer. Paving will begin on Cardella, October 25, 2021, notice will sent to the residents in both English and Spanish informing them that they will not be able to park their cars on the street during this time. Thanked Marc Benjamin for he's help in providing a letter of support for one of our projects, the School District also provided a letter of support, we want to thank them too.
 - **Council Member Lopez** – Council Member Valdez, stated we are waiting for guidance to go back to in-person meeting, I would like to know who's guidance are waiting for? Council Member Valdez, replied, the Police Chief's, since he is the Emergency Operator. Thank You Josh Allen & the Bills organization, for helping the Firebaugh School District in getting \$100,000 by donations from selling Firebaugh High School sweatshirts.
 - **Council Member Perez** – nothing to report.
 - **Council Member Sablan** – Officer Jose Mora, whom passed in the line of duty from COVID, will be honored by having his name placed on the National Law Enforcement Monument. Inquired about an update on the Code Enforcement at Mobile home Parks, Deputy Clerk replied, the Public Hearing notice has been published and the ordinance will be introduced for the first reading at the next Council meeting, November 1, 2021.
 - **Council Member Jenkins** – stated, “The public is right, we've had discussion for the past five months, and haven't gotten any update or movement forward in have in-person meetings. I do thank everyone for their participation and input, but when the doors open, I hope that the public continues to come and participate during the open in-person meetings.”
 - **Council Member Valdez** – “I would like to see hybrid meetings, with both open in-person and continue the zoom meetings, so everyone can participate. I've seen more participation through zoom, than we've hand during in-person meetings.”
- ❖ ***Motion to enter closed session at 7:03 pm by Council Member Jenkins, second by Council Member Sablan, motion passed by 5-0 vote.***

CLOSED SESSION

5. **Government Code Section 54957.6.**
CONFERENCE WITH LABOR NEGOTIATORS: ALL REPRESENTED & UNREPRESENTED EMPLOYEES
City Negotiator: Ben Gallegos
Employee Organizations: Police & Public Works bargaining units and all unrepresented positions
- ❖ ***Motion to enter open session at 7:57 pm by Consensus of the Council, motion passed by 5-0 vote.***

ANNOUNCEMENT AFTER CLOSED SESSION

City Council has directed staff to added language requested by the bargaining units to mandated resolution 21-38.

ADJOURNMENT

Motion to adjourn at 7:59 pm by Council Member Jenkins, second by Council Member Perez, motion passes by a 5-0 vote.