

# MEETING MINUTES

The City Council/Successor Agency of the City of Firebaugh  
Vol. No. 22/03-07

**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 13<sup>th</sup> Street, Firebaugh, CA 93622

**Date/Time:** March 7, 2022/6:00 p.m.

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

**ROLL CALL** Mayor Brady Jenkins  
Mayor Pro Tem Felipe Pérez 6:07 pm  
Council Member Elsa Lopez  
Council Member Freddy Valdez

**ABSENT:** Council Member Marcia Sablan

**OTHERS:** City Attorney James Sanchez; City Manager/Acting Public Works Director, Ben Gallegos; Deputy Clerk, Rita Lozano; Finance Director, Pio Martin; Police Chief, Sal Raygoza; Fire Chief, John Borboa; City Engineer, Mario Gouveia; Gouveia Engineering, Danny Reed; Deron Colby, Beeta Pisheh, Bethany Matos (WHC), Marc Benjamin (Brian Pacheco's Office), Joe Heisdorf, Mid Valley Disposal, Joe Kalpakoff; Mid Valley Disposal, Margaret Mims, Fresno County Sheriff Dept.; Jennifer Soliz of Fresno COG; Hector, Luis Perez, & others.

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

## APPROVAL OF THE AGENDA

*Motion to approve agenda by Council Member Lopez, second by Council Member Valdez, motion passed by 4-0 vote.*

## PUBLIC COMMENT

*BJ Fleming, had questions and necessarily agree with the proposed information for City Business License, as discussed at the last meeting. However, I spoke with some of the brick-and-mortar business owners, to my surprise, their response was in favor of the new proposed business licenses fees, stating it would be better for them, and other types of business such as mobile car washes, compared to the current fees.*

## PRESENTATION

- Special Presentation from Fresno County Sheriff Margaret Mims to the Firebaugh Police Department in Appreciation for Support of the 2020 Creek Fire.
- Luis Perez, representative of Bryant Jolley CPA Office presented the Annual Independent Auditor's Report for FY 2020-2021, the period ending June 30, 2021.

❖ *Council Member Perez joined the meeting in progress.*

## CONSENT CALENDAR

1. APPROVAL OF MINUTES – The City Council regular meeting on February 7, 2022.
2. WARRANT REGISTER – Period starting December 1 and ending on December 31, 2021.

December 2021	General Warrants	#42187 - #42329	\$ 1,242,405.54
	Payroll Warrants	#71649 - #71671	\$ 126,315.90
	<b>TOTAL</b>		<b>\$ 1,368,721.44</b>

**3. WARRANT REGISTER – Period starting January 1 and ending on January 31, 2022.**

January 2022	General Warrants	#42330 - #42414	\$ 745,684.51
	Payroll Warrants	#71672 - #71697	\$ 139,317.58
	<b>TOTAL</b>		<b>\$ 885,002.09</b>

*Motion to approve Consent Calendar, with the date change on the minutes of the agenda from Feb.2 to Feb.7, by Council Member , second by Council Member Valdez, motion passed by 5-0 vote.*

**PUBLIC HEARING**

**4. ORDINANCE NO. 21-04 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH REPEALING SECTIONS 9-1.1, 9-1.2, 9-1.3, AND 9-1.4 OF CHAPTER 9 [TRAILERS AND TRAILER PARKS] OF THE MUNICIPAL CODE, REPLACING THE HEADING OF CHAPTER 9 WITH THE TITLE “MOBILE HOME PARKS ACT”, AND ADDING SECTIONS 9-1.1 THROUGH 9-1.11 RELATING TO THE ASSUMPTION OF RESPONSIBILITY OF ENFORCING THE MOBILE HOME PARKS ACT AND SPECIAL OCCUPANCY PARKS ACT OF THE CALIFORNIA HEALTH AND SAFETY CODE – SECOND READING.**

*Opening hearing at 6:08 pm – No comment given .– Close hearing at 6:09 pm*

*Motion to table Ord. No. 21-04, until June 6, 2022, by Council Member Valdez, second by Council Member Lopez, motion passed by 5-0 vote.*

**5. ORDINANCE NO. 22-02 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH AMENDING MUNICIPAL CODE SECTION 25-41.13.6 RELATING TO LIMITED COMMERCIAL CANNABIS OPERATIONS PURSUANT TO REGULATORY PERMIT-FIRST READING.**

*Attorney Sanchez reported amendments via Ordinance No 22-02, adding hot houses & all Development Agreements will no longer go before the Planning Commission for approval, all Development Agreements will only be approved by the City Council. Opening hearing at 7:10 pm – No public comment given .– Close hearing at 7:11 pm*

*Motion to approve Ord. No. 22-02 by Council Member Valdez, second by Council Member Sablan, motion passed by 4-1 vote. Lopez – no.*

**NEW BUSINESS**

**6. THE CITY COUNCIL OF THE CITY OF FIREBAUGH APPROVING THE MUNICIPAL SOLID WASTE FRANCHISE AGREEMENT BETWEEN THE CITY OF FIREBAUGH AND MID-VALLEY DISPOSAL, LLC.**

*Motion to approve franchise agreement by Council Member Valdez, second by Council Member Lopez, motion passed by 5-0 vote.*

**7. RESOLUTION NO. 22-07 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH AUTHORIZING USE OF EMERGENCY REMOTE TELECONFERENCING PROVISIONS.**

*Motion to approve Res. No. 22-07 by Council Member Sablan, second by Council Member Perez, motion passed by 4-1 vote. Lopez – no.*

**8. RESOLUTION NO. 22-08 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH ACCEPTING THE PUBLIC IMPROVEMENTS FOR THE ECM 4-SOLAR GENERATING FACILITIES AT THE LANDFILL/MAIN LIFT, DIRECTING THE CITY CLERK TO RECORD A NOTICE OF COMPLETION WITH FRESNO COUNTY AND AUTHORIZING THE CITY MANAGER TO RELEASE THE FAITHFUL PERFORMANCE BOND AND LABOR & MATERIAL BOND FOR SAID IMPROVEMENTS.**

*Motion to approve Res. No. 22-08 by Council Member Valdez, second by Council Member Sablan, motion passed by 5-0 vote.*

**9. RESOLUTION NO. 22-09 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH AUTHORIZING THE CITY MANAGER TO EXECUTE TO THE FRESNO-MADERA AREA AGENCY ON AGING CONTRACT, INCLUDING AMENDMENTS AND ALL NECESSARY SUPPORTING DOCUMENTS.**

*Motion to approve Res. No. 22-09 by Council Member Valdez, second by Council Member Perez, motion passed by 5-0 vote.*

**10. RESOLUTION NO. 22-10 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH ACCEPTING COMPLETION OF CARDELLA STREET REHAB PROJECT, AUTHORIZING THE DEPUTY CITY CLERK TO RECORD A NOTICE OF COMPLETION WITH FRESNO COUNTY AND AUTHORIZING THE CITY MANAGER TO MAKE FINAL PAYMENT OF RETENTION MONIES TO BUSH ENGINEERING, INC.**

*Motion to approve Res. No. 22-10 by Council Member Lopez, second by Council Member Valdez, motion passed by 5-0 vote.*

**11. RESOLUTION NO. 22-11 - RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH APPROVING THE CITY OF FIREBAUGH LOCAL ROAD SAFETY PLAN INCLUDED IN THE MULTI-JURISDICTION LOCAL ROAD SAFETY PLAN.**

*Motion to approve Res. No. 22-11 by Council Member Valdez, second by Council Member Lopez, motion passed by 5-0 vote.*

**12. THE CITY COUNCIL OF THE CITY OF FIREBAUGH TO DISCUSS AND CONSIDER SPEED BUMPS.**

Police Chief Raygoza reported he applied for a grant to purchase a trailer to monitor speed and traffic to help monitor speeding. Police Chief Raygoza and Fire Chief Borboa stated they are against speed bumps because it delays their response to an emergency. Council Member Lopez added, "Speed bumps aren't the answer, law enforcement is. Years ago, a speed bump caused a child to pass because of the delay for emergency responders to get to the location." Council Member Valdez stated, he would like to see the trailer be purchased earlier to collect the data.

*Informational item only*

**STAFF REPORTS**

- **Fire Chief John Borboa** – We're getting busy again, although we haven't really slowed down. The Cadet program is about 30 years, & we've produced Fire Fighters, and EMT's. Adrian just got hired by North Central Fire District, I would really like if West Hills College could offer Fire Fighter classes. With the Cadet Program, & volunteer Fire Fighter, the department usually is staffed with about 22 to 28 participants.
- **Police Chief Sal Raygoza** – hoping to have the department annual report to Council soon. The night shift is working hard on out-of-town individuals that have been stealing catalytic converters and committing property crimes, PD takes the to Fresno County for booking but some of the time they are released shortly after.
- **Deputy City Clerk, Rita Lozano** – Form 700 is due April 1, 2022, complete to avoid fines.
- **Account Tech I, Olga Flores** – attended to learn how to operate the WEBEX program, since I will be running the next council meeting.
- **Finance Director, Pio Martin** – Turn in your wish list for the budget, it doesn't guarantee anything, but we can consider it, since the Audit is done. The new rates for refuse will take effect April 1, 2022.
- **City Manager, Ben Gallegos** – the sweeper is working, thanks to Moses Stites, who helped us and sent a mechanic to fix the cracked heads of the engine, so it should be up and running next week. We will be working on the budget, the wish list is to replace the sewerlines, alleys behind Manuel's tire shop because there's been several issues and we see a lot of sand, so it looks like it could be a collapsed line. Bids were held for the Police Dept. project, all bids were higher than our budget, so we'll be meeting with the contractor to see what we can cut from the project. If I have too, I may use some of the \$800,000 funding from the reserves. Fire Station should be done by April, but it be able in

operation until later this year, possibly October, due to PG&E, being backed up because of COVID. Equipment is not being left on if no one is operating it or not in use, due to the gas price increases. A circus will be at Maldonado Park this week, I will be giving Council the event schedule of all events in the city. The city is using funds to help residents pay their bills to impacts of COVID, and the city will start doing shut offs again. PG&E has a similar program to help with electric bills.

- **City Engineer, Mario Gouveia** – nothing to report.
- **City Attorney, James Sanchez** – the law firm in preparing the new Brown Act handbook, they will be sent to the city hall for distribution to council.
- **Council Member Valdez** – with the new cost at the new building, I would like to look into installing solar at those locations. As far as gas prices going up, I would like to look at purchasing electric vehicles and equipment. City Manager responded, “The price for solar for the fire station is about \$300,000 to \$400,000. With electric equipment, the city will need infrastructure, and cost of a charging station. Currently, city equipment is in good condition & we don’t want to make additional purchases until they’re needed. The State will require everyone to switch in the future.”
- **Council Member Lopez** – nothing to report.
- **Council Member Sablan** – nothing to report.
- **Council Member Perez** – nothing to report.
- **Council Member Jenkins** – nothing to report.

#### CLOSED SESSION

#### ANNOUNCEMENT AFTER CLOSED SESSION

#### ADJOURNMENT

*Motion to adjourn at 8:21 pm by Council Member Valdez, second by Council Member Lopez, motion passes by a 5-0 vote.*