

MEETING MINUTES

The City Council/Successor Agency of the City of Firebaugh
Vol. No. 22/11-21

**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: November 21, 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
Council Member Elsa Lopez
Council Member Freddy Valdez
Mayor Pro Tem Felipe Pérez

ABSENT: Council Member Marcia Sablan

OTHERS: City Attorney James McCann; City Manager Ben Gallegos; Deputy Clerk, Rita Lozano; Finance Director, Pio Martin
Police Chief, Sal Raygoza; Fire Chief, John Borboa; Public Works Director, Michael Molina; City Engineer, Mario
Gouveia; Mike Brinkman, Building Inspector – CSG; Marc Benjamin – Supervisor’s Office of Brian Pacheco;
Dispatcher, Raquel Tabares; Matt Garcia, Ryan Gonzalez, Chris Gutierrez, Steve Veiga, Linda Espinosa, Adri Sosa,
Eduardo Rodriguez, Housing Authority, & others.

PLEDGE OF ALLEGIANCE Mayor Pro Temp Perez led pledge of Allegiance.

APPROVAL OF THE AGENDA

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

PUBLIC COMMENT

Ryan Gonzalez, read and submitted his public comment see attached document.

PRESENTATION None

CONSENT CALENDAR

- APPROVAL OF MINUTES – The City Council regular meeting on October 17, 2022.**
- WARRANT REGISTER – Period starting October 1 and ending on October 31, 2022.**

October 2022	General Warrants	#43399 - #43543	\$ 959,267.67
	Payroll Warrants	#71875 - #71898	\$ 205,803.92
	TOTAL		\$ 1,165,071.59

- RESOLUTION NO. 22-50 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH AUTHORIZING USE OF EMERGENCY REMOTE TELECONFERENCING PROVISIONS.**

Motion to approve Consent Calendar by Council Member Lopez, second by Council Member Perez, motion passed by 5-0 vote.

PUBLIC HEARING

4. **RESOLUTION NO. 22-47 - A RESOLUTION APPROVING AN AMENDMENT TO THE STANDARD AGREEMENT FOR THE 2020 COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM CORONAVIRUS RESPONSE ROUND 2 AND 3 (CDBG-CV2 and CV3) NOFA DATED DECEMBER 18, 2020.**

Open hearing at 6:09 pm – no comment given – Close hearing at 6:10 pm, Re-open hearing at 6:38 pm – Linda Espinosa asked if Council decides to increase the award limit to new applicants, will the previous business owners already awarded receive additional funding. Staff replied, “No, because they aren’t allowed to be awarded twice. Mrs. Espinosa stated, that wouldn’t be fair to the applicants that already applied and received funds, when they are the ones that complied with the requirements to receive funds. – Reclose hearing at 6:40 pm,

Motion to approve Res. No. 22-47 and accept the City Manager’s recommendation to transfer remaining funds to Salvation Army by Council Member Lopez, second by Council Member Sablan, motion passed by 3-2 vote. Valdez and Jenkins – no.

5. **ORDINANCE NO. 22-04 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH AMENDING CHAPTER 8 OF THE FIREBAUGH MUNICIPAL CODE RELATING TO RECENT UPDATES IN STATE BUILDING AND HOUSING CODES, AND ADDING SECTIONS 8-19, 8-20, AND 8-21 RELATING TO SMALL RESIDENTIAL ROOFTOP SOLAR ENERGY SYSTEMS, SAFETY ASSESSMENT PLACARDS, AND ELECTRIC VEHICLE CHARGING STATIONS, RESPECTIVELY – FIRST READING.**

Open hearing at 6:46 pm – no comment given – Close hearing at 6:47 pm.

Motion to waive the first reading of Ord. 22-04 by Council Member Lopez, second by Council Member Perez, motion passed by 5-0 vote.

NEW BUSINESS

6. **THE CITY COUNCIL OF THE CITY OF FIREBAUGH TO CONSIDER USE OF THE AF COMMUNITY CENTER AND WAIVER OF RENTAL FEES BY FIREBAUGH SCHOOL BAND, FOR A BINGO EVENT.**

Motion to waive rental fees for the Bingo event by Council Member Lopez, second by Council Member Perez, motion passed by 5-0 vote.

7. **RESOLUTION NO. 22-51 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH AUTHORIZING AND ENTERING INTO A FUNDING AGREEMENT WITH THE STATE WATER RESOURCES CONTROL BOARD AND AUTHORIZING AND DESIGNATING THE CITY MANAGER TO EXECUTE AGREEMENT AND OTHER NECESSARY DOCUMENTS FOR THE HUD TANK.**

Motion to approve Res. No. 22-51 by Council Member Valdez, second by Council Member Sablan, motion passed by 5-0 vote.

8. **RESOLUTION NO. 22-52 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH AMENDING THE FISCAL YEAR 2022/23 CITY BUDGET TO INCLUDE ONE ADDITIONAL SEWER-RELATED CAPITAL PROJECT.**

Motion to approve Res. No. 22-52 amending budget by Council Member Valdez, second by Council Member Lopez, motion passed by 5-0 vote.

9. **RESOLUTION NO. 22-53 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH AUTHORIZING RESOLUTION OF THE CITY OF FIREBAUGH AUTHORIZING THE APPLICATION AND ADOPTING THE PLHA PLAN FOR THE PERMANENT LOCAL HOUSING ALLOCATION PROGRAM.**

Motion to approve Res. No. 22-53 by Council Member Lopez, second by Council Member Sablan, motion passed by 5-0 vote.

10. RESOLUTION NO. 22-54 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH AUTHORIZING THE APPLICANT FOR THE PERMANENT LOCAL HOUSING ALLOCATION PROGRAM NON-ENTITLEMENT LOCAL GOVERNMENT COMPETITIVE COMPONENT.

Motion to approve Res. No. 22-54 by Council Member Lopez, second by Council Member Sablan, motion passed by 5-0 vote.

11. RESOLUTION NO. 22-55 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH AUTHORIZING THE APPLICANT FOR THE PERMANENT LOCAL HOUSING ALLOCATION PROGRAM NON-ENTITLEMENT LOCAL GOVERNMENT COMPETITIVE COMPONENT.

Motion to approve Res. No. 22-55 by Council Member Lopez, second by Council Member Sablan, motion passed by 5-0 vote.

STAFF REPORTS

- **Police Chief Sal Raygoza** – will not be attending next council meeting, staff report will be included in agenda.
- **Public Works Director, Michael Molina** – worked on leak at Vasquez, line was near a gas line so we called 811 to mark the area before we could fix the leak.
- **City Manager, Ben Gallegos** – Christmas parade is December 3, will briefly attend in the day, but will leave to attend wife's Christmas office party. Want to wish everyone a happy Thanksgiving, have a wonderful time with your families.
- **City Engineer, Mario Gouveia** – received the encroachment permit from Caltrans for the HWY 33 Beautification project.
- **Deputy City Clerk, Rita Lozano** – Nothing to report.
- **Finance Director, Pio Martin** – Nothing to report.
- **City Attorney, James McCann** – Changes to the 2023 Brown Act, will provide a brief presentation regarding the changes an additional option to consider.
- **Council Member Valdez** – Nothing to report.
- **Council Member Lopez** – Would like to know who will be responsible for the electrical issue at the Fire Station for not installing it, would like to discuss with the Attorney. Architect should have included and installed it; City Attorney will research & ask them to pay for the error. City Manager Gallegos informed he is trying to address all the issues and change orders at the end of the contract, there has been several change orders for thousands of dollars & they should charge the city for the use of plans that weren't correct. Plans has quit a few errors and missing information. City is using ARPA funds to install a lot-merger that was required for the Police Station and Fire Station project at the request of PG&E, city is waiting for the material needed to install.
- **Council Member Sablan** – Plans are in place for the Christmas lunch to be given at the school.
- **Council Member Jenkins** – received several questions about the Christmas parade, Council gave staff direction to include council and public members as part of the committee, I didn't receive any notices or information about meetings, I don't want staff to do whatever they want without input from others. City Manager Gallegos will check emails and look it to the matter.

PUBLIC COMMENT

No comment given

- ❖ *Motion to enter closed session at 7:25 pm by Council Member Sablan, Second by Council Member Perez; vote pass by 5-0 vote*

CLOSED SESSION

12. Government Code Section 54956.9(d)(2) - One Potential Case

Conference with Legal Counsel – Anticipated Litigation
Significant Exposure to Litigation

- ❖ *Motion to enter open session at 7:48 pm by Council Member Sablan, Second by Council Member Perez; vote pass by 5-0 vote*

ANNOUNCEMENT AFTER CLOSED SESSION

No action taken

ADJOURNMENT

Motion to adjourn at 7:49 pm by Council Member Sablan, second by Council Member Perez, motion passes by a 5-0 vote.