

# MEETING MINUTES

The City Council/Successor Agency of the City of Firebaugh  
Vol. No. 24-02-05

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**Location of Meeting:** Andrew Firebaugh Community Center  
1655 13<sup>th</sup> Street, Firebaugh, CA 93622

**Date/Time:** February 5, 2024/6:00 p.m.

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

**ROLL CALL** Mayor Elsa Lopez  
Mayor Pro Tem Freddy Valdez  
Council Member Brady Jenkins  
Council Member Silvia Renteria  
Council Member Felipe Pérez

**ABSENT**

**OTHERS:** City Attorney Christina Di Filippo; City Manager, Ben Gallegos, Deputy City Clerk, Rita Lozano; Finance Director, Pio Martin; Public Works Director, Michael Molina; Police Chief, Sal Raygoza; Battalion Chief, Hector Marin, City Clerk, Amanda Fleming, City Engineer, Mario Gouveia & 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 Valdez, motion passed by 5-0 vote.*

## PRESENTATION

- Millie of Mid Valley presented FIREBAUGH-RECYCLER OF THE YEAR AWARD to Paganucci Hotel.
- Proclamation presented to Melanie Rios Camacho's family; family thanked everyone for their support.
- Marjaree Mason Center - Teen Dating Violence Proclamation and provide a brief explanation of services offered to teenagers, the center educates over 300,000 students per year, including educating the parents and community on how to support the youth, please take the time to look at our dashboard, on the center website, there's a teenage violence guide available that can help parents to see what they should be looking out for, digital abuse is a current concern, provides a 24/7 hotline, if the city could possibly provide a link on the city website, there are over 200 cases of minors according to the data base that are effected.

## PUBLIC COMMENT

J. Fleming, we (Ag Industrial) have been here for about 35 years, I got a little bit of education regarding the license (business) that our fees are going to go up, more than double for a lot of our businesses here in town. It seems like you guys (council) are catering more to people/ businesses from out of county that want to come in, like the pot place (Element 7) over there. They just got some kind of exempt, another person that sells ice cream came to council and complained three times, so now his taxes have dropped but mine are going up. I don't remember getting any kind of notice or anything saying we're going to be smacked quite a bit, so I'm here to see what's going on. I have to pay my property tax, my light, PG&E, water, and every other thing like that and all of a saddened, I'm getting welled with others things that you guys (city) need, but you guys are waiving other stuff. I bet all the other restaurants don't know what you guys are planning on doing, but I'll let them know, I'll go to all of the businesses to let them know, so I won't be the only one complaining. The farmers are hurting, guess what, we are hurting too. It doesn't help for some of us to pay more, if others are getting a free ride or free(er) ride. Amanda Fleming stated, "I don't agree with the fees being increased from \$200 to \$475 with the new proposed rates for Ag Industrial, rates become effect on July 1, so maybe there's still time for discussion, I don't know. In discussion with the Firebaugh Supermarket their PG&E bill is \$14,000, so businesses are paying more and more for everything, just like everyone else, but for businesses it's even more. The other concern is Amazon, Amazon comes to everyone's door, so people are going into business less and less because you can get a better price on Amazon. So, if the city wants to continue to receive taxes, you have to kind of make things fair. I've been keeping a close eye on our homeless population., I've befriended an individual that informs me, we have 11 people living under the bridge, going across to Madera County. Had an individual enter our business, asking for a

luggage, he just landed in Firebaugh. They're people walking in town looking around, you can tell they are new in town. The days of ignoring that, needs to end very soon, and we need to get a hold of it very soon." Charles Fleming, been thing about the business license and proposed rates, maybe you should leave it, give people that donate to the community their old rates back, not sure how much we spent on the Police Officers, they need uniforms and things like that, but as long as the business gets a receipt showing their donation to the community. I think, we spent over \$2,000 for police officers for uniforms, because that's not all we do, we donate to FFA, people that are raising funds for their kids baseball stuff, sports, people that are fund raising for funerals, as long as businesses are giving back to the community, I don't see why that can't get a break, because the money is going to be spent anyways. That's a happy compromise, businesses that don't do anything for the community charge them the new rate. Fernando Campa," On December 23, 2023, I submitted a formal request for an agenda item to discuss the education outlined in our FY2023 MOU, regrettably, I received an email indicating upon review of my request, and upon consultation with the City Attorney, my request was denied due to the grounds that the city council has no jurisdiction over the matter. It's important to know that I diligently sought approval from the City Manager since March 2023. Diligently submitting all necessary documents, my union representative and I engaged in several meetings with the City Manager, during which he informed us that the Council voted not to accept my request. I generally appreciate the Council's vision for supporting the employees' endeavors to future their education, the vision played a pivotal role in my decision to go back to school and pursue a bachelor's degree in criminal justice. However, I find myself seeking clarification, as there appears to be a discrepancy between the reasons initially provided for denying my request and the information received by the City Manager during these meetings. Your insight and guidance in this matter would be invaluable, Thank you for your time and attention to this concern."

**CONSENT CALENDAR**

- 1. **APPROVAL OF MINUTES – The City Council regular meeting on December 18, 2023.**
- 2. **APPROVAL OF MINUTES – The City Council special meeting on January 4, 2024.**
- 3. **WARRANT REGISTER – Period starting December 1 and ending on December 31, 2023.**

December 2023	General Warrants	#45225 - #45377	\$ 653,563.20
	Payroll Warrants	#72179 - #72190	<u>\$ 108,594.16</u>
	<b>TOTAL</b>		<b>\$ 762,157.36</b>

***Motion to approve consent calendar items 1 & 2 by Council Member Valdez, second Council Member Perez; motion passed by 5-0 vote.***

- Council Member Jenkins requested information and details about the following checks: #45251, #45315 & #45338.*
- *Check #45251 - PG&E listed address-1971 N St., Staff replied, "PG&E listed this address for location of HUD Tank, city was required to pay \$3000 to upgrade the project."*
  - *Check #45315 – Amazon Capital Services – COVID Test Purchases, staff stated the city no longer receives free COVID Test, they are purchased through Amazon to have available to test employees when needed. Council Member Jenkins asked staff to contact the school to see if they can provide any extra tests they can spare.*
  - *Check #45338 – PG&E regarding Toma Tek – staff replied, Toma Tek is required to pay, there's a meter for pond #10A & 10B, the city pays PG&E, then city bills Toma Tek for reimbursement.*

***Motion to approve warrant by Council Member Valdez, second Council Member Perez; motion passed by 5-0 vote.***

**PUBLIC HEARING**

- 4. **ORDINANCE NO. 23-02 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH AMENDING SECTION 4-2.6.1 OF THE FIREBAUGH MUNICIPAL CODE RELATING TO ITINERANT BUSINESSES – SECOND READING.**

City Attorney reported, "This ordinance changes the definition of how the city charges for Itinerant Business License, the ordinance will state the rate shall be set per resolution, the resolution has already been passed. There will be fees set for local and non-location itinerant businesses.

Public Hearing open at 5:39 pm – Ramiro Ramirez reported Firebaugh isn't the only one addressing business license fees, I've been watching the news, other cities are discussing this matter too, but I've done my do diligence, I've approached the council with my concerns and request to reduce the Itinerant the fees. Hopefully, you continue with the

fee of \$500 for local itinerant businesses license, as proposed. Amande Fleming stated, “I just want council to know, that this is one of the areas I’m very pleased to see you are willing to work with Ramiro and different businesses, and in hopes the you will also be able to see the other side and do that and find other ways when it comes to Element 7, I don’t’ their distribution fees should have been waived.” - close hearing at 5:41 pm.

*Motion to accept Ord. No. 23-02, by Council Member Jenkins, second Council Member Valdez; motion passed by 5-0 vote.*

**5. ORDINANCE NO. 24-01 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH AMENDING SECTION 2-2.10 OF THE FIREBAUGH MUNICIPAL CODE RELATING TO SALRIES OF COUNCILMEMBERS – FIRST READING.**

Public Hearing opens at 5:43 pm – resident inquired if each Council Member will receive the \$950 per month and when will it become effective? Staff replied, “Yes, each Council Member, effective after the next November General Election.”

*Motion to waive the first reading of Ord. No. 24-01 by Council Member Valdez, second Council Member Perez; motion passed by 5-0 vote.*

**NEW BUSINESS**

**6. RESOLUTION NO. 24-02 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH APPROVING LEASE AGREEMENT OF THE WASTEWATER TREATMENT PLANT, APN’S 007-100-22, 007-100-26 AND 077-100-25 WITH THE NEIL JONES FOOD COMPANY, DBA TOMATEK.**

*Motion to accept Res. No. 24-02, with clarification of Reclamation pond sites 1,2,3,4, upper4, 5,6,and 7 – stormwater and ponds 10A & 10B only by Council Member Valdez, second Council Member Perez; motion passed by 5-0 vote.*

**7. RESOLUTION NO. 24-03 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH ACCEPTING BID AND AWARDDING A CONTRACT TO HARRIS DEVELOPMENT CORP. DBA HBC ENTERPRISES FOR THE DUNKLE PARK BASKETBALL COURT REHABILITATION PROJECT AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE AGREEMENT.**

*Motion to accept Res. No. 24-03 – Harris Development Corp. with recommendation of adding soccer and four-square marking on the court, if possible, by Council Member Valdez, second Council Member Perez; motion passed by 5-0 vote.*

**8. RESOLUTION NO. 24-04 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH APPROVING AN APPLICATION FOR FUNDING AND THE EXECUTION OF A GRANT AGREEMENT AND ANY AMENDMENTS THERETO FROM THE 2023 FUNDING YEAR OF THE STATE CDBG PROGRAM.**

*Motion to accept Res. No. 24-04 by Council Member Valdez, second Council Member Perez; motion passed by 5-0 vote.*

**9. RESOLUTION NO. 24-05 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH ACCEPTING BID AND AWARDDING A CONTRACT TO UNITED PAVEMENT MAINTENANCE FOR THE Q STREET AND 7<sup>TH</sup> STREET WATERLINE PROJECT AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE AGREEMENT.**

*Motion to accept Res. No. 24-05 by Council Member Valdez, second Council Member Perez; motion passed by 5-0 vote.*

**10. THE CITY COUNCIL OF THE CITY OF FIREBAUGH TO REVIEW AND DISCUSS VARIOUS PROPOSED PROJECTS AND THE BUDGET FOR THE PROPOSED PROJECTS.**

*Informational items only.*

## STAFF REPORTS

- **Police Chief Sal Raygoza** – cost of K-9 and the benefits- next agenda.
- **Battalion Chief, Hector Marin** – will have training future down the road.
- **Public Works Director, Michael Molina** – Council asked for an update on the streetlights. Light bulbs are outdated but are being ordered. Martha thanked the department for replacing the light near Housing Authority.
- **City Manager, Ben Gallegos** – going after grant funds, Council Member Renteria sent her apologies for not being able to attend luncheon and serving, and asked if anyone can attend to serve staff at the luncheon. Every year each department has their own Christmas lunch separately, so City Hall will be closed at 1:30 pm on Thursday, Dec. 21<sup>st</sup>.
- **Finance Director, Pio Martin** – nothing to report.
- **City Engineer, Mario Gouveia** – nothing to report.
- **City Attorney, Christina Di Filippo** – nothing to report.
- **Deputy City Clerk, Rita Lozano** –Form 700 are due April 1, 2024, email agenda items for next meeting to me.
- **Council Member Renteria** – Attended League of Cities, Public Records request were a big issue and very time consuming of staff's time, which has caused a major concern.
- **City Clerk – Amanda Fleming** – wished everyone a Merry Christmas, stated, “I know I come off strong but just passionate.”
- **Council Member Valdez** – stated he's disappointed, Council's vision is to support education, we encouraged Ben to go back to school, requested a close session for the next council meeting.
- **Council Member Perez** – Thanked everyone, working with group, estimated 100,000-acre solar farm project, non-profit and communities will be affected by it, so a group will try to fight the corporation, it's located by HWY 33 and Manning Ave, through Westlands Water District.
- **Council Member, Jenkins** – Thanked everyone for coming, great staff reports, apologized for earlier outburst.
- **City Clerk Fleming** – doesn't know if the city has anything to do with low income and housing, there's a housing crisis in Firebaugh, asked is there anything the city can do with giving priority to Firebaugh residents instead of open market.
- **Council Member Lopez** – attended COG meetings, city has asked for a passing lane in the past to help with traffic, there's one from Mendota to Kerman, second member- Valley Air Pollution.

## CLOSED SESSION

## ANNOUNCEMENT AFTER CLOSED SESSION

## ADJOURNMENT

- ❖ *Motion to adjourn@ 6:37 pm by Council Member Jenkins, second by Council Member Valdez, motion passes by a 5-0 vote.*