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## MEETING MINUTES

The City Council/Redevelopment Agency of the City of Firebaugh  
Vol. No. 07/02-05

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**Location of Meeting:** Andrew Firebaugh Community Center  
1655 13<sup>th</sup> Street, Firebaugh, CA 93622  
**Date/Time:** February 05<sup>th</sup>, 2007/7:30 p.m.

CALL TO ORDER

ROLL CALL

**PRESENT:** Mayor Craig Knight, Mayor Pro Tem Javier Marquez  
Council Members Marcia Sablan, Chris J. DeFrancesco  
**ABSENT:** Council Member Clyde Fannon  
**OTHERS:** Deputy City Clerk S. Hall, City Treasurer A. V. Castaneda

PLEDGE OF ALLEGIANCE

PUBLIC COMMENT

At this time any member of the public may address the Council on items of interest to the public that are within the jurisdiction of the City Council which are not already on the agenda this evening. You will be permitted a single visit to the podium to state your comments & concerns. Please be brief, to the point, and limit your comments to three (3) minutes. No action or discussion shall be taken on any item not appearing on the agenda, except that Council members may briefly respond to statements made, or questions posed, by members of the public, if they so desire. Concerns, questions, or complaints will be referred to the City Manager's office.

### **HELP US STOP UNDERAGE DRINKING AND ALCOHOL ABUSE**

Rosie Hernandez of the Firebaugh High School – Reconnecting Youth Program provided information on the intent of the program. The program allows students to work on self-esteem and personal control as well as to discourage them from becoming a statistic of alcohol abuse. Mrs. Hernandez requests the support and pledges of the community and City Council.

## **HOUSING REPAIR PROGRAM**

Mrs. Rea, 1485 DeBoer Circle, Thanked the council in assisting her with funds, which she received through the Home Repair Program. She lost her home to a fire a few years ago, with the assistance of the program, her home has been rebuilt.

Mr. Cardiel, 1330 "O" Street, also extended his gratitude for the program; his home might have been condemned if the funds from this program were not available. The home was completely remolded from the roof to the interior of the home, plumbing, electrical, flooring, ECT.

Mrs. Rosario Falcon also thanked the city council for this great opportunity. They are now First-time home buyers after renting for 30 years.

Mr. Gary Barragan, representative of the Firebaugh Falcon Football team, requested to have his organization along with the Firebaugh Methodist Church and a few other organizations to be grandfathered in for sales of the Firework Stands in the City of Firebaugh. He stated that it's difficult to camp out in the lobby of city hall, & feels that it is the same organization every year. Fire Chief Borboa stated by grandfathering the same organization in every year, that it would eliminate any other non-profit organization from having an equal opportunity to be considered for the participation in this fund raiser. He also recommended that may a lottery system might resolve this concern. Mr. Barragan informed that this is their organization biggest fund raiser and would not like to take a chance missing the opportunity of participating in this event. City Manager Ramirez informed Mr. Barragan that he will look in to the matter and present an alternative solution the resolve his concern.

## INTRODUCTION

### **1. INTRODUCTION OF NEW EMPLOYEES – POLICE DEPARTMENT/PUBLIC WORKS DEPARTMENT**

Police Officer John Matheson, Community Services Officer Nora Aquino and Interim Public Works Director Benjamin Gallegos.

## PRESENTATION

### **2. THE BIG READ – PRESENTATION BY FRESNO COUNTY LIBRARY STAFF**

Distributed to the council the Fresno County Resolution regarding the Fresno County Library in partnership with the National Endowment for the Arts, the Institute of Museum and Library Services, Mrs. Rita Del Testa presented information regarding The Big Read Program and requested all community members and organizations to participate in celebratory and education activities promoting The Big Read: The Joy Luck Club held from February 8, 2007 through March 15, 2007.

## CORRESPONDENCE

None

## CONSENT CALENDAR

Items listed on the calendar are considered routine and are acted upon by one motion unless any Council member requests separate action. Typical items include minutes, claims, adoption of ordinances previously introduced and discussed, execution of agreements and other similar items.

3. **APPROVAL OF MINUTES – The City Council meeting on January 8<sup>th</sup>, and Special Meeting on January 26, 2007.**

Motion to approve minutes, by Mayor Pro-Tem Marquez, and seconded by Council Member Sablan.

4. **WARRANT REGISTER – Period starting on December 1, 2006 and ending on January 31, 2007.**

December 31, 2006	General Warrants	#017295 – 017481	\$840,762.96
	Payroll Warrants	#013240 – 013336	\$153,770.95
	<b><u>TOTAL</u></b>		<b><u>\$994,533.91</u></b>
January 31, 2007	General Warrants	#017482 – 017649	\$385,663.03
	Payroll Warrants	#013337 – 013481	\$231,850.73
	<b><u>TOTAL</u></b>		<b><u>\$617,513.76</u></b>

Motion to approve warrant register, by Mayor Pro-Tem Marquez, and seconded by Council Member Sablan.

5. **USE OF COMMUNITY FACILITY, ANDREW FIREBAUGH COMMUNITY CENTER BY ST. JOSEPH SCHOOL FOR ANNUAL FISH FRY DINNER AND DANCE EVENT. THE SCHOOL IS ALSO REQUESTING WAIVER OF FEES OR REDUCTION IN THE RENTAL FEES.**

The City received a letter requesting use of the facility and waiver of fees or reduction in the rental fees, from Mrs. Erin Nash, Chairperson of the event. Event will be held on March 23, 2007.

Motion to approve waive fees, by Mayor Knight, and seconded by Council Member Sablan. Council Member DeFrancesco abstains.

## PUBLIC HEARING

6. **GREENLINING INSTITUTE PROJECT – General Plan Amendment 2006-02, Zone Change 2006-02, Tentative Subdivision Map 2006-01.**

City Planner Karl Schoettler explained the reasoning changes on General Plan Amendment zone and Tentative Subdivision Map. Zoning for the project is currently a rural resident and needs to be converted to High Density, this allows for the set backs to be reduced. Currently requirements are 15 ft for setbacks; zone change will allow 10ft minimum. Condominiums will be placed at the project, two different plans, each building equals a lot size, all units must be fenced in, and Fresno Co requires an acoustic study. Mr. Schoettler suggested that funds should be set aside to address any finds and requirements that might be founded in the environment study , and careful present grammar so that applicant will have leeway for corrections on project.

Elaine Trevino, Greenlining representative, explained the Condominiums are of high quality and standard. Density allows it to be affordable and available to low income. The condominiums are not for rent, only for sale.

John Baltierra, 1456 Q Street, inquired about what is considered affordable? Council Member Sablan’s concern was who does the process of financing of this project.

Elaine Trevino, addressed their concerns by informing that greenlining will be using three different banks, seven different types of loans which will be structured to each applicant. That several different programs are available to customized each loan for each applicant.

7. **RESOLUTION NO. 07-04 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH CERTIFYING THE MITIGATED NEGATIVE DECLARATION AND ADOPTING THE MITIGATION MONITORING PROGRAM FOR THE “GREENLINING” PROJECT.**

Motion to approve Resolutions No. 07-04 with amendment on language by Council Member Sablan, and seconded by Mayor Knight. .

8. **RESOLUTION NO. 07-05 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH AMENDING THE GENERAL PLAN LAND USE MAP FOR THE SUBJECT SITE LOCATED ON THE EAST SIDE OF STATE HIGHWAY 33, APPROXIMATELY 1,800 FEET NORTH OF CLYDE FANNON ROAD, IDENTIFIED AS THE “GREENLINING PROJECT.**

Motion to approve Resolution No.07-05 by Council Sablan, and seconded by Mayor Pro Tem Marquez.

Vote by Roll

Ayes:	Sablan, Marquez, DeFrancesco, Knight,
No:	None
Abstain:	None
Absent:	Fannon

9. **ORDINANCE NO. 07-01 – AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH AMENDING ORDINANCE NO. 359, OF THE CITY OF**

**FIREBAUGH, RELATING TO THE CLASSIFICATION OF THE ZONE OF PARTICULAR PARCELS OF REAL PROPERTY. – FIRST READING.**

Motion to waive first reading of Ordinance No. 07-01, Amending Ordinance No. 359 and submit seconded reading to council by Council Sablan and seconded by Mayor Knight.

Vote by Roll

Ayes: Sablan, Knight, DeFrancesco, Marquez  
No: None  
Abstain: None  
Absent: Fannon

**10. RESOLUTION NO. 07-06 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH APPROVING TENTATIVE SUBDIVISION MAP 2006-01 (GREENLINING INSTITUTE)**

City Planner Karl Schoettler, stated there must be two hydrants and a 10,000 gal water tank at site. Tentative Subdivision map states 33 conditions that are standard of other maps.

Motion to approve and adopt Resolution No.07-06 by Council Member Sablan and seconded by Mayor Knight.

Vote by Roll

Ayes: Sablan, Knight, DeFrancesco, Marquez  
No: None  
Abstain: None  
Absent: Fannon

**OLD BUSINESS**

None

**NEW BUSINESS**

**11. MALDONADO PARK PHASE I CONSTRUCTION DOCUMENTS – AMENDMENT I**

City Manager Jose Antonio Ramirez provided information on project. City has submitted a \$50,000 request from non-profit organization from Washington for playground equipment called Kaboom. City has accumulated 3 years of grant funds for the project, and is currently ready to move forward with bids, we also have applied for \$1,000,000 grant from First-Fifth Program. John Balterria, 1456 “Q” Street, inquired of timeline for project. City Engineer Fred Rabe stated process for bidding should be about 30 days. City Manager stated city researched cost of project to be prepared of what would be allowed for budget, and plans for construction to begin in June 2007.

Motion to approve Maldonado Park Phase I Construction by Council Member Sablan and seconded by Mayor Pro Tem Marquez.

**12. DISCUSSION REGARDING APPOINTMENT OF PLANNING AND ZONING COMMISSIONERS:**

This item was tabled to discuss at this meeting.

As of December 31, 2006, three (3) Commissioners' terms have expired. Per Firebaugh Municipal Code Section 2-5.2a, three (3) of five (5) members will be appointed by City Council for a 3 year term. Three current members whose terms expired (Ray Knight, Steve Hurt and Esther Ramirez) expressed their terms to be continued to the next 3 years. The City has placed an ad for the vacant positions and has received three letters requesting the council's considerations to become new members; they are Mr. Jim Lowe, Mr. John Baltierra and Brent Kreighbaum.

City Council appointed Esther Ramirez, Jim Lowe, and Brent Kreighbaum as Planning Commissioners

**13. HOUSING PROGRAM LOAN COMMITTEE**

City Manager Jose Antonio Ramirez provided information. City Council suggested that loan committee should consist of 1 council member, 1 staff member and 3 community members. Mayor Knight requested to be removed from committee, and City Manager recommended appointing 3 members from a non-profit organization.

Motion to approve the withdrawal of Mayor Knight and appoint three members non-profit organization by Council Member Sablan and seconded by Mayor Pro Tem Marquez.

**14. CASH INVESTMENT REPORT FOR QUARTER ENDING DECEMBER 31, 2006.**

Item tabled for next council meeting, Finance Director Jose Garay, absent.

**15. REVENUE AND EXPENDITURE SUMMARY REPORT FOR THE PERIOD ENDING DECEMBER 31, 2006.**

Item tabled for next council meeting, Finance Director Jose Garay, absent.

**16. RESOLUTION NO. 07-07 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH APPROVING THE DESIGNATION OF PERSONS AND REMOVAL OF THE PERSON AUTHORIZED SIGNATURE CARD TO SIGN CITY WARRANTS AND PAYROLL CHECKS.**

Motion to approve Signature card to sign city warrants and payroll by Council Member Sablan and seconded by Mayor Pro Tem Marquez.

Vote by Roll

Ayes: Sablan, DeFrancesco, Marquez, Knight  
No: None  
Abstain: None  
Absent: Fannon

**17. RESOLUTION NO. 07-08 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH AMENDING RESOLUTION NO. 06-07, ADDING THE MONTHLY FEE OF \$50.00 TO THE AIRPORT TIE DOWN FEES.**

Motion to approve and adopt Resolution No. 07-08, adding monthly fee by Council Member Sablan, and seconded by Mayor Pro Tem Marquez.

Vote by Roll

Ayes: Sablan, DeFrancesco, Marquez, Knight  
No: None  
Abstain: None  
Absent: Fannon

PENDING ITEMS

18. Emergency Disasters Plan – A Draft Plan is currently being circulated for review and Comment.
19. Second Unit Ordinance – Staff is still working on this.
20. Cost Analysis for Flood Damage and Clean Up.
21. Medical Retirement Benefits/Audit Report

PUBLIC COMMENTS QUESTIONS

STAFF REPORTS

Community Service Coordinator Phyllis Baltierra; FMAAA one year contract was renewed; groceries distributed next week, freeze food drive to begin.

Interim Public Works Director Ben Gallegos; No information to report at this time.

City Engineer Fred Rabe; If weather permits construction at “P” Street will begin to pouring concrete on 7<sup>th</sup> St. & 8<sup>th</sup> St., Curbs, gutters base rock on roads are also ready to begin at Helm Canal Rd.

Police Chief Elsa Lopez; City Manager provided new format that allows Police Dept. to present a statistics report, which will be given quarterly.

Fire Chief John Borboa; Fireman association has \$500 to paint the oldest fire truck the city has.

City Manger Jose A. Ramirez;

- City Manager distributed the Enterprise Zone Map to the Council Members. The map indicated the area of Enterprise Zone for the City of Firebaugh, which covers a largest area. The City Manager is planning to have a workshop with private sectors. Under Enterprise Zone, City will receive a tax credit and it will resolute in bring more qualified employees that are the key to the job Market being a success.
- Bicycle Trail Project – Mr. Faris will be in Firebaugh on February 21, 2007, at 9:00 a.m.
- City Manager visited the Governor's office in Sacramento, regarding the emergency levee repair.
- He will meet with Congressman Jim Costa in Washington, while he is visiting D.C. on the COG trip. He will request assistance for the fund of emergency levee repair.
- Overhead to Underground Conversion Project – PG&E will be working on 11<sup>th</sup> Street & in the alley. PG& E will provide a fund of \$7,000 for this project.
- Received a letter from Mr. Michael O'banion, addressing the problem that individuals are rubbishing in the trash cans, request enforcement of loose dog in the city, and the concern of multi families living in a single family resident.
- KaBoom Grant \$50,000 for Playground project. – March 30<sup>th</sup>, People from KaBoom will mobilize park to work on the playground. The City will provide refreshment & a restroom will be available.
- He and Finance Director Jose Garay attended workshop regarding Municipal Service Review and Sphere of Influence on January 31, 2007 at Fresno Local Agency Formation Commission (LAFCo).
- The City is going to have a workshop for Water & Sewer Rate Update Study.
- Toma-Tek received a letter from California Regional Water Quality Control Board regarding incomplete reports of Waste Discharge of onsite pond.
- Firebaugh Computer Learning Center is providing Volunteer Income Tax Assistance, free of cost, which many people are already using.
- He will be attending the Board of Supervisors Meeting this week regarding Enterprise Zone.
- Channel 18 is targeting communities to shear prime time of a 130 second ad of their city. City of Firebaugh can run ad of 130 seconds for a total cost of \$800.00, from 5:00 p.m. to 11:00 p.m. Monday through Sunday.

## COUNCIL ITEMS

Mayor Pro Tem Marquez

- Addressed the dog problems and requested a need to have a roundup twice a day. He also recommended that the Dog Pound be expanded.

Council Member DeFrancesco

- He expressed that the city is obligated to resolve the concerns that were addressed by Mr. Michael O’banion.

City Attorney expressed the difficulty of proofing the number of individuals living at one address and stated how the City of Reedly enforced a similar problem.

Mayor Pro Tem Marquez made motion to enter into closed session at 9:40 p.m., Council Member Sablan seconded.

CLOSED SESSION

**22. POTENTIAL LITIGATION – Pursuant to Government Code Section 54956.9**

One case.

ANNOUNCEMENT AFTER CLOSED SESSION

The meeting was brought back to open session at 10:00 p.m. **Mayor Knight advised the following:**

“The City Council wishes to announce that, in closed session, the Council has voted unanimously (with Councilmember Sablan abstaining) to find that Menefee Construction Company is in default of its contract with the City of Firebaugh for the Vasquez Drive project and has voted, therefore, to terminate the Menefee Construction contract.”

ADJOURNMENT

The meeting was adjourned at 10:05 p.m. by consensus.