

# MEETING MINUTES

The City Council/Redevelopment Agency of the City of Firebaugh  
Vol. No. 07/04-16

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**Location of Meeting:** Andrew Firebaugh Community Center  
1655 13<sup>th</sup> Street, Firebaugh, CA 93622  
**Date/Time:** April 16<sup>th</sup>, 2007/7:30 p.m.

CALL TO ORDER

## ROLL CALL

**PRESENT:** Mayor Craig Knight  
Mayor Pro Tem Javier Marquez  
Council Member Clyde Fannon  
Council Member Chris J. DeFrancesco

**ABSENT:** Council Member Marcia Sablan

**OTHERS:** City Manager, Jose Antonio Ramirez; City Attorney, Dave Bacigalupi; City Finance Director, Jose Garay; Deputy City Clerk, Rita Lozano; Interim Public Works Director, Ben Gallegos; Fire Chief/Code Enforcement Officer, John Borboa; Community Service Coordinator, Phyllis Baltierra; Jim Lowe; John Baltierra; David Flores; Mary Van Pelt; C.E.C. Representatives Lorie Adams and Paul Ashby.

## PLEDGE OF ALLEGIANCE

Pledge of Allegiance was led by Council Member Craig Knight.

## PUBLIC COMMENT

John Baltierra, 1456 Q Street inquired on the "P" Street project, he stated that some days he only sees one or two guys working at the site. City Manager Jose A. Ramirez informed Mr. Baltierra that his concern would be addressed as the meeting proceeded, as it is Item # 6 on the Agenda.

## INTRODUCTION

## PRESENTATION

### 1. PRESENTATION OF THE YOUTH COUNCIL AND MOBILE CONCESSION STAND.

City Manager Jose A. Ramirez stated that the city in conjunction with West Hills College and Firebaugh High School, have been working on this project. It took about five months of searching to find the mobile concession stand. It will be used by the Student Youth Council to raise funds to provide events and services for their peers/classmates, which are non-alcoholic and drug free. City Manager Ramirez informed council that such programs as this one, allows students to experience self-discipline, leadership, and work ethics. Other organizations have already inquired if the concession could be rented for other functions or social events. He

also introduced some members of the youth council; Beatriz Bernal, Rosa Espinoza, Oscar Casarreal, and Mariela Olivas. Mr. Ramirez stated the Youth Council has not been formally adopted by City Council and will be returning to a council meeting to address this issue. Mayor Pro Tem Javier Marquez was concerned about who would be the responsible party. City Manager is working on a putting together a plan for liability.

CORRESPONDENCE

None

CONSENT CALENDAR

2. **APPROVAL OF MINUTES – The City Council meeting on April 2<sup>nd</sup>, 2007.**

3. **WARRANT REGISTER – Period of March 7, Through April 7, 2007.**

March 7-19, 2007	General Warrants	#017497 – 017863	\$404,696.11
	Payroll Warrants	#013485 – 013596	<u>\$110,213.30</u>
	<b><u>TOTAL</u></b>		<b><u>\$514,909.41</u></b>
Mar. 24-Apr.7, 2007	General Warrants	#017864 – 017961	\$572,995.56
	Payroll Warrants	#013597 – 013692	<u>\$159,020.61</u>
	<b><u>TOTAL</u></b>		<b><u>\$732,016.17</u></b>

Motion made to approve consent calendar by Council Member Marquez, seconded by Council Member DeFrancesco.

PUBLIC HEARING

None

OLD BUSINESS

None

NEW BUSINESS

4. **ORDINANCE NO. 07-02 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH AMENDING SUBSECTION 25-1.7 b.; SUBSECTION 25-2.4.1 (R-1 DISTRICT: PERMITTED USES) AND SUBSECTION 25-3.3, o. (PROPERTY DEVELOPMENT STANDARDS: SPECIAL STANDARDS AND REGULATIONS) OF THE FIREBAUGH MUNICIPAL CODE, RELATING TO SECOND DWELLING UNITS**

City Manager Jose A. Ramirez informed Council of the purpose for this Ordinance as it sets guidelines for future constructed second dwelling units. State laws allow such structures but are very vague on the limitations and this ordinance allows the City to set specific requirements such as setback restrictions and maximum/minimum sq ft of such living structures according to sq ft of property.

Motion to approve Ordinance No. 07-02 by Council Member DeFrancesco, seconded by Marquez, Motion carried.

5. **ORDINANCE NO. 07-04 – AN ORDINANCE OF THE CITY OF FIREBAUGH APPROVING THE DESCRIPTION OF THE FIREBAUGH REDEVELOPMENT AGENCY’S PROGRAM TO ACQUIRE REAL PROPERTY BY EMINENT DOMAIN WITHIN THE AMENDED FIREBAUGH REDEVELOPMENT PROJECT AREA.**

City Attorney Dale Bacigalupi informed that all redevelopment agencies require eminent domain and this ordinance states the power of eminent domain, if not adopted the City will lose all rights of eminent domain. Mr. Bacigalupi stated, that the City has exercised the use of eminent domain in only three different areas within the city limits, and eminent domain expires after twelve years, therefore Del Rio is the only area this pertains to right now.

Motion to waive first reading and place item on May 21<sup>st</sup> Agenda for approval, by Council Member Marquez and seconded by Council Member DeFrancesco, motion carried.

6. **“P” STREET PROJECT STATUS: COUNCIL TO CONSIDER THE PERFORAMANCE OF THE CONTRACTOR, SEALRITE AND GRADING COMPANY, AND WHETHER TO DECLARE SEALRITE AND GRADING COMPANY IN DEFAULT OF ITS DUTIES UNDER THE CONTRACT.”**

City Manager Jose A. Ramirez provided information to council in regards to the project, and questioned Seal Rite on why the project is not complete. Seal Rite stated, they needed some areas surveyed and a compaction test, before pouring cement. They plan to pour later in the week if weather permits.

7. **FIREBAUGH-MENDOTA ROTARY CLUB REQUESTS THE USE OF A.F. COMMUNITY BUILDING FOR APRIL 26<sup>TH</sup> & 27<sup>TH</sup> OF 2007, WITH A WAIVER OF FEES FOR A STUDENT OVERNIGHT EVENT.**

Dr. Oscar Sablan, Firebaugh-Mendota Rotary Club, will host a group of students from the Bay Area, and give them the opportunity to learn about the agricultural life in a rural community.

Motion to approve and waive fees made by Council Member DeFrancesco, seconded by Council Member Marquez, motion carried.

8. **RESOLUTION NO. 07-17 – RESOLUTION OF THE CITY OF FIREBAUGH APPROVING THE APPLICATION FOR LAND AND WATER CONSERVATION FUND SAN JOAQUIN RIVER PARK PROJECT.**

Lorie Adams and Paul Ashby of California Engineering Company presented information on a grant available to our city. They stated that the deadline to apply is May 1<sup>st</sup>, 2007. If awarded the grant, there are many restrictions which will require state approval regarding development of any projects to San Joaquin River area, as it requires preservation of the wild life. The city may pass on the grant even if awarded as long as no monies were spent.

No motion was taken.

9. **REVIEW: PERMITS AND SALES OF FIREWORKS – RESOLUTION NO. 96-23.**

Council requested Fire Chief to research other cities and their procedures regarding firework stands. The result of the research is as followed: City of Dos Palos – Two permits issued unit population increases to 8,000. City of Mendota – Two permits issued per 5,000 populations, must be non-profit

(25 members) and established for one year. City Council selects organization which receives permits. City of Chowchilla - Five permits, VFW locked other four remaining non-profit organization chosen by lottery. City of Fowler – Three permits, Two which are local non-profit and one for profit, 1<sup>st</sup> come 1<sup>st</sup> serve. City of Selma – Ten permits local non-profit organization selected by lottery every year. After future review, Firebaugh City Council and staff motion to continue with current process.

#### **10. CITY OF FIREBAUGH FARMER'S MARKET/TIANGUIS RULES AND REGULATIONS**

City Manager Jose A. Ramirez stated that tents and a banner have been ordered. Applications have been mailed to potential Vendor, and can be picked up at City Hall. Vendors will set up between 11<sup>th</sup> Street through 10<sup>th</sup> Street on "O" Street, road will be closed. Vendors are responsible for their own equipment.

Motion to approve rules and regulations by Council Member DeFrancesco, seconded by Marquez, motion carried.

#### PENDING ITEMS

11. Emergency Disasters Plan – A Draft Plan is currently being circulated for review and comment.
12. Cost Analysis for Flood Damage and Clean Up.
13. Medical Retirement Benefits/Audit Report – CPA Bryant Jolley is compiling information.

#### PUBLIC COMMENTS QUESTIONS

#### STAFF REPORTS

Interim Public Works Director, Ben Gallegos – Still addressing the dog issue.

City Engineer, Fred Rabe – Valle De Sol project moving along with park area, gutters and curbs.

Community Service Coordinator, Phyllis Baltierra – Monitor came to review the center, during which I had an emergency incident with a senior. I appreciate the work done to the senior center building, Alex and John did a great job.

Police Chief, Elsa Lopez – Firebaugh School District would like emergency plan, working on neighborhood watch program with CSO Nora Aquino.

Fire Chief/Code Enforcement Officer, John Borboa – K Hovnanian have offered a few homes to the Fire Dept. for training, no fire to structures allowed. Notices of violation went out about the 15<sup>th</sup> of April.

Finance Director, Jose Garay – K Hovnanian homes are coming along, Home Occupancy permits are ready to be issued.

City Treasurer, Alice Castaneda – nothing to report.

Deputy City Clerk, Rita Lozano – nothing to report.

City Manager, Jose Antonio Ramirez – Mayors Conference in Modesto, May 31<sup>st</sup> - June 1<sup>st</sup>

- Elected Officials Training free of cost, but there is a Room fee of \$145 on April 26-28, 2007.

- Great News, Thank You Dr. Sablan – recommended the Mayor, City Manager, and few Students go to First – 5 of Fresno County to request grant funds for Maldonado Park. First – 5 did award the City 1.4 million dollars for Maldonado Park, so the City will be able to complete the project and move forward.
- Mosquito Abatement District wants to inform the public that next week is West Nile Virus Awareness week.
- Adam Briones of Greenlining Institute informed me of an organization called Street Tech, which trains individuals on computer technology.
- \$3.8 million loan with \$1 million grant received for the water treatment plant from USDA.
- Anthony Monreal, a previous resident of the City of Firebaugh, was appointed to serve as Deputy Superintendent for Curriculum and Instruction, Mayor requested a certificate of recognition to be award to Mr. Monreal from the city.
- Zito property estimated price for purchased is \$600,000 for all parcels, the city is only interested in the parcel of 992 “O” Street, so a revised estimated price regarding this parcel will be resubmitted to the city.
- A verbal agreement with State Director to award additional grant, which brings a total \$2 million to be received for the City, one million for waste water plant and one million for water treatment plant. Official documents should be received soon.
- Residents in Del Rio have been provided with information and resources to help with any clean up that is needed in their area, but for some reason they hesitate to make use of these services.
- USDA trains individuals to be packagers and assist other individuals apply for home loans programs, and for every successful applicant they will receive \$500.

#### COUNCIL ITEMS

Mayor Craig Knight – applauded the City Manager on his hard and successful work. The Mayor stated that on this one night council has discussed more monies received in grants, then in the past several years added together.

Council Member DeFrancesco - inquired if city has an ordinance that addresses or restricts how many cars can be owned per household. Police Chief responds that the city has no authority to enforce restricted parking on Public Streets.

#### CLOSED SESSION

#### 14. “PERSONAL MATTERS: CITY ENGINEER.” – No Action Taken.

#### ANNOUNCEMENT AFTER CLOSED SESSION

ADJOURNMENT – Motion to adjourn by Council Member Fannon, Seconded by Knight meeting adjourned at 9:40pm.

