

MEETING MINUTES

The City Council/Redevelopment Agency of the City of Firebaugh Vol. No. 07/06-04

Location of Meeting: Andrew Firebaugh Community Center
1655 13th Street, Firebaugh, CA 93622

Date/Time: June 4, 2007 @ 7:30 p.m.

CALL TO ORDER Meeting called to order by Mayor Craig Knight at 7:30 p.m.

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, Don Neufield; City Finance Director, Jose Garay; City Clerk, Priscilla Meza; Deputy City Clerk, Rita Lozano; Treasurer, Alice Casteneda; Interim Public Works Director, Ben Gallegos; Police Chief, Elsa Lopez; Fire Chief/Code Enforcement Officer, John Borboa; Officer Campa; Jim Lowe; John Baltierra; David Flores; Stella Cruz; Trinidad Bersabe; Laura Smith; George Conklin, Jr.

PLEDGE OF ALLEGIANCE

Pledge of Allegiance led by Council Member Fannon

PUBLIC COMMENT

Firebaugh Police Officer Campa introduced new K-9 service dog, Sinta. Police Chief Lopez stated that both Officer Campa and Sinta (20 months old) have successfully completed mandatory requirements and are on patrol. Police Chief Lopez also stated that Sinta was highlighted in a Sacramento area newspaper article.

David Flores, 37647 W Behymer, requested city consider installing benches near local businesses providing seating for senior citizens and other community members.

Mr. Flores also voiced concern regarding loose garbage/debris coming from Firebaugh Disposal Service's (FDS) transfer station located in Del Rio area. Mr. Flores questioned if FDS had required permits either from Fresno County and/or City of Firebaugh to operate a transfer station.

City Manager Ramirez confirmed that FDS has appropriate permits from the county to operate a transfer station allowing the transfer of 15,000 tons of garbage. Council Member Fannon requested clarification of this amount was per day. City Manager Ramirez stated that said permits allowed FDS to transfer up to 15,000 tons of garbage per day.

City Manager Ramirez directed Fire Chief/Code Enforcement Officer Barboa to contact FDS regarding floating garbage/debris. Fire Chief/Code Enforcement Officer Barboa stated that FDS was contacted regarding this issue in addition to other concerns; however, resolution is still pending.

Mr. Flores also suggested that city address issues of code violation throughout the entire city rather than specific areas. Mayor Knight stated that Fire Chief/Code Enforcement Officer Barboa is currently dealing with these issues throughout the entire city by issuing various citations. As per Mayor Knight, city residents receiving citations must either comply or pay penalty fines for non compliance. Mr. Flores also requested city address issue of non-operable vehicles parked along side public roads.

Stella Cruz, stated that she contacted the canal company to pick up piles on concrete located on her property; however, attempts were unsuccessful. Mayor Knight directed Ms. Cruz to contact Interim Public Works Director, Ben Gallegos, regarding available assistance.

INTRODUCTION

None

PRESENTATION

None

CORRESPONDENCE

None

CONSENT CALENDAR

1. APPROVAL OF MINUTES – The City Council meeting on May 21, 2007.

Mayor Pro Tem Marquez requested motion on agenda item 5 reflect his request for additional information regarding the septic holding tank prior to approving agenda item. City Clerk Meza requested clarification to his request. Mayor Pro Tem Marquez stated that he voted against motion to approve and adopt Resolution No 07-19 pending further information from City Manager Ramirez regarding the proposed septic holding tank. City Clerk Meza agreed to amend minutes as requested.

2. WARRANT REGISTER – Check # 17964 and #17965 Employees Medical Benefits

Motion to approve Consent Calendar, item 1 (including above-mentioned amendment) and item 2, by Council Member Fannon, second by Mayor Pro Tem Marquez. Motion passed by consensus vote.

PUBLIC HEARING

None

OLD BUSINESS

3. RESOLUTION NO. 07-23 - A RESOLUTION OF INTENTION TO (i) LEVY AND COLLECT THE ANNUAL ASSESSMENTS FOR LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 1 IN THE CITY OF FIREBAUGH, AND (ii) ANNEX AND INCLUDE TRACT NO. 5529 IN DANSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 1 AS ZONE A TEROOF, AND LEVY AND COLLECT ANNUAL LANDSCAPING AND LIGHTING MAINTENANCE ASSESSMENTS.

City Engineer Rabe provided brief overview of council’s past action regarding this resolution. Mr. Rabe informed council that the engineering report for the annexation is complete and resolution provides method for costs associated with the levee and flood wall maintenance to be absorbed.

City Manager Ramirez stated that the Consumer Price Index (CPI) will be adjusted every year. City Attorney Neufield clarified that the CPI only applies to Tract No. 5529 and that city residents within Tract No. 5529 need to be notified of any adjustments.

Motion to approve and adopt Resolution No. 07-23 by Council Member Fannon, second by Mayor Pro Tem Marquez. Motion carried unanimously by roll call vote.

4. 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 Manager Ramirez stated that this item was tabled from 5/21/07 council meeting. City Attorney Neufield reviewed SB 53 and stated that each Redevelopment Agency within the state to outline its eminent domain power by July 1, 2007. Mr. Neufield stated that the ordinance is specific to Firebaugh’s Amended Redevelopment Project Area, including the original Firebaugh Project Area, Rubi Gardens Amendment Area, Storey Avenue Amendment Area and Del Rio.

Mr. Neufield informed council that the two-page document does not give eminent domain power; however, provides council the opportunity to adopt an eminent domain program at a later point in time.

Mayor Pro Tem Marquez questioned when council is required to address this issue in the future. City Attorney Neufield explained that the issue of eminent domain must be addressed by council only when the city acquires new area extending the city's jurisdiction.

Motion to waive first reading and introduce Ordinance No. 07-04 made by Mayor Pro Tem Marquez, second by Council Member DeFrancesco. Motion passed by 3-1 roll call vote, Council Member Fannon voted against motion to waive first reading and introduce Ordinance No. 07-04.

NEW BUSINESS

5. **CONFIDENTIALITY AND NON-DISCLOSURE AGREEMENT BY AND BETWEEN THE FRESNO AREA WORKFORCE INVESTMENT CORPORATION.**

City Manager Ramirez explained that the intent of the agreement is to assist with the voucher program and is needed to protect anonymity of parties involved, including participating employers and qualified employees involved in the Fresno Regional Enterprise Zone Program (EZ Program).

Motion to approve agreement made by Council Member Fannon, second by Mayor Pro Tem Marquez. Motion passed by unanimous vote.

6. **Airport Advisory Board Appointments (Section 2-8)**

City Manager Ramirez provided background information regarding the Airport Advisory Board Appointments. Mayor Knight requested clarification on the purpose of approving recommended appointments. City Manager Ramirez explained to council that if approved, the Airport Advisory Board would be responsible to address issues involving airport rules and regulations and provide recommendations to council when needed.

Council Member Fannon questioned who would chair the advisory board. City Manager Ramirez stated that the advisory board chair would be elected by advisory board members. Council Member Fannon requested information of the selection process of those listed within the memo (*Dino Lorenzetti, Bill Davis, Steve Malanca, Robert Nash, Tome Cooke, Alternate Chris Von Allman, And Alternate Doug Thiel*). City Manager Ramirez explained that the selection of board membership was based on those expressing interest and selected amongst airport users at a May 1, 2007 meeting. City Finance Director, Jose Garay, stated that 15-18 airport users attended the May 1, 2007 meeting. Council Member Fannon inquired as to whether or not council could give input regarding the selection process. City Manager Ramirez confirmed that Airport Advisory Board Appointments are recommended; however, not final. Mayor Pro Tem questioned if council could serve on the advisory board. City Manager Ramirez explained that board appointments is at the council's discretion. City Attorney Neufield informed council that the advisory board is required to present minutes of their regular meetings before council to review.

Motion to approve Airport Advisory Board Appointments made by Council Member Fannon, second by Mayor Pro Tem Marquez. Motion passed by 3-1 vote, Council Member DeFrancesco opposed motion to approve Airport Advisory Board Appointments.

PENDING ITEMS

7. **Emergency Disasters Plan** – A Draft Plan is currently being circulated for review and comment.
6. **Medical Retirement Benefits/Audit Report** – CPA Bryant Jolley is compiling information.

PUBLIC COMMENTS QUESTIONS

None

STAFF REPORTS

- Interim Public Works Director, Ben Gallegos:

Mr. Gallegos reported that Public Works staff is working on city fire hydrants and addressing issue of loose dogs throughout the city. As per Mr. Gallegos a total of nine dogs have been captured, of which one was adopted.

- Fire Chief/Code Enforcement Officer, John Barboa:

Mr. Barboa informed council of set backs related to fire trucks. Fire truck engines must pass EPA guidelines delaying acquisition to February 2008.

- City Clerk, Priscilla Meza:

Informed council and city staff that she will not be present for the June 18, 2007 council meeting due to a work-related meeting in Sacramento.

- City Manager, Jose Antonio Ramirez :

Provided an update on the designs for the Maldonado Park Project. Informed council that the Maldonado family has agreed to prepare the inscription and select photo for the dedication ceremony.

City staff is scheduled to release a Request for Proposal (RFP) for Highway 33 improvements within the next two to three days. City Manager Ramirez also reported that an RFP for the CDBG housing contracts is scheduled to be released as well.

City Manager Ramirez informed council of need to appoint two council members to serve as a delegate and alternate delegate to an adhoc committee addressing regional land use for transportation issues.

City staff is working with cities of San Joaquin and Mendota to submit a tri-city grant proposal requesting \$300,000 to address industrial park issues. The City of Mendota has agreed to serve as the fiscal agent for the proposal. Carole Scroggins with EDC is preparing grant proposal. Mayor Pro Tem Marquez questioned proposal requirements specific to the City of Firebaugh. City

Manager Ramirez stated that the proposal calls for matching funds of \$50,000; however, in-kind and other leveraging funds will meet this requirement.

City Manager Ramirez raised issue of septic waste dumping and agreed to bring back before council at the June 18, 2007 meeting.

COUNCIL ITEMS

- Mayor Craig Knight:

Reported on Fireman's Muster scheduled on July 6-8, 2007. Over 50 antique trucks will be participating in event drawing over 750 individuals from throughout the state. Fire Department is collaborating with city and school district to accommodate participants and attendees. Local service organizations are invited to participate in event as vendors to raise monies.

- Mayor Pro Tem Marquez:

Requested update regarding the P Street Project. As per City Engineer, Fred Rabe, the concrete work is completed and staff continues to work with contractor regarding ongoing issues, including the street gutters and driveways. City Manager Ramirez stressed the importance of City Engineer to address these issues effectively and within a timely manner.

CLOSED SESSION

None

ANNOUNCEMENT AFTER CLOSED SESSION

None

ADJOURNMENT

*Motion to adjourn meeting by Mayor Pro Tem Marquez, second by Council Member DeFrancesco.
Meeting adjourned*

by consensus vote at 8:17 p.m.

SUBMITTED BY:

City Clerk, Priscilla Meza