

MEETING MINUTES

The City Council/Redevelopment Agency of the City of Firebaugh Vol. No. 07/06-18

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

Date/Time: June 18, 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 Marcia Sablan

ABSENT: Council Member Chris DeFrancesco

OTHERS: City Manager, Jose Antonio Ramirez; City Attorney, Don Neufeld; City Finance Director, Jose Garay; Deputy City Clerk, Rita Lozano; Treasurer, Alice Castaneda; Interim Public Works Director, Ben Gallegos; Police Chief, Elsa Lopez; Fire Chief/Code Enforcement Officer, John Borboa; Jim Lowe; John Baltierra; David Flores; Trinidad Bersabe; Wes Clayton; Brent Kreighbaum; Jose Tavera; Guadalupe Villa;

PLEDGE OF ALLEGIANCE

Pledge of Allegiance led by Council Member Sablan

PUBLIC COMMENT

Oscar Sablan, 1908 Vasquez, inquired on the status of the drainage problem at Vasquez Dr. City Manager Jose Antonio Ramirez stated that the Council will be addressing the issue during closed session.

John Baltierra, 1456 Q Street, inquired on the result of the check #17964 and #17965 tabled on May 21, 2007. City Manager Mr. Jose Antonio Ramirez informed Mr. Baltierra that the warrants were approved on June 4, and have been processed. Information researched regarding retired employee health benefits will be presented to the City Council during the closed session for review.

INTRODUCTION

None

PRESENTATION

None

CORRESPONDENCE

None

CONSENT CALENDAR

1. **APPROVAL OF MINUTES – The City Council meeting on June 4, 2007.**

2. **WARRANT REGISTER – Period starting on May 1, and ending on May 31, 2007.**

May 1, 2007	General Warrants	#18029 – #18221	\$ 866,193.64
	Payroll Warrants	#53808 – #53924	\$ 213,098.00
	TOTAL		\$1,079,291.64

Council Marquez requested more information regarding check #18132. The Public Works Dept. were working on a project at “P” Street, and damaged some of the landscaping to Mr. Ray Knight property; therefore, the City issued a check for reimbursement of the property damaged. Council recommended that the City purchase the plants and replace them directly, instead of issuing the check to the property owner.

Motion to approve consent calendar items, without approval of check # 18132, by Council Member Marquez and seconded by Council Member Sablan, motion carried.

Council Member Sablan, requested to amend the minutes regarding check #18132, which stated incorrectly that the damaged of the landscape was on Mr. Ray Knight’s property, however, the damaged property is on the “P” Street medium which is the City’s Property. Refer to Minutes on 07/02/07.

PUBLIC HEARING - Public Hearing opened at 7:46 pm.

3. **PUBLIC HEARING – NUISANCE ABATEMENT COSTS TO BE COLLECTED ON THE TAX ROLLS. FOLLOWING PUBLIC HEARING – COUNCIL TO ADOPT RESOLUTION NO. 07-26.**

Code Enforcement Officer John Borboa presented a brief explanation for this Public Hearing. Mrs. Trinidad Bersabe owner of 1717 Corregidor was ordered to demolish the home at the site. The City went to bid and hired Statewide Excavation to demolish the home, as council directed. The work was completed July 12th, 2006. Mr. Borboa hand-delivered and mailed a certified copy of the fees to Mrs. Bersabe on March 26, 2007, which were to be reimbursed to the city for the services provided. Council authorized the bid with Statewide Excavation for an amount of \$4,600 and a city fee of 15% administration fees (\$690.00) for the total of \$5,200.00. Mrs. Bersabe had 60 days to remit payment, which payment has not been received. Therefore, this public hearing is to request council's direction to place the abatement cost of the tax lien on the Bersabe property.

Mrs. Trinidad Bersabe stated she felt she wasn't properly informed, that the city didn't ask her if she could have hired her own contractor to complete the work, and it might have saved her some money. She also stated that she has in the past complied with notices from city, and wrote a letter to the city regarding her concerns, to which she never received a response.

Mr. Ray Bersabe, son of Mrs. Bersabe, felt that the city doesn't have a proper policy in place to move forward with this procedure. He also felt that the city didn't provide assistance to the Bersabe Family in helping them resolve the issues and concerns prior to the demolition of the home.

City Attorney Don Neufeld informed Mr. Bersabe that the city has an existing policy, which is written in the City Municipal Code, and that the city followed the written procedure. Mr. Neufeld provided a copy to Mr. Bersabe.

City Manager Jose Antonio Ramirez, stated that he has met with Mr. Bersabe to go over the procedure and issues as they developed to address concerns the Bersabe Family that might have had through this process and explained what steps needed done to resolve these issues.

Oscar Sablan, 1908 Vasquez Drive, stated that there are several other buildings within the city limits that need to be of concern for safety and health issues, and inquired why they haven't been addressed.

Code Enforcement Officer John Borboa replied that other sites have been under review, but because of certain circumstances the city is unable to move forward. Others have also received notifications.

Council Member Sablan directed staff to provide Council with an informational spreadsheet on all the building that are of concern for safety and health issues and the status of each of the buildings.

Public Hearing was not closed and was continued to the July 2nd meeting.

4. **PUBLIC HEARING ON THE CITY OF FIREBAUGH DOWNTOWN DEVELOPMENT STRATEGY FINAL REPORT AND THE GEOSPATIAL COMPILATION.**

Mayor Knight opened the public hearing. There was no testimony. Mayor Knight closed the public hearing.

Motion to approve City of Firebaugh Downtown Development Strategy Final Report and the Geospatial Compilation, by Council Member Sablan, seconded by Council Member Marquez, motion carried.

OLD BUSINESS

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.**

Motion to adopt Ordinance No. 07-04 by Council Member Sablan and seconded by Council Member Marquez.

NEW BUSINESS

6. **MEMORANDUM OF UNDERSTANDING BETWEEN THE CALIFORNIA ENTERPRISE ZONE PROGRAM AND THE FRESNO COUNTY ENTERPRISE ZONE.**

City Manager Jose Antonio Ramirez informed council the MOU agreement is valid from June 27, 2007 through June 26, 2007.

Motion to approve the MOU between the California Enterprise Zone Program and the Fresno County Enterprise Zone made by Council Member Sablan, seconded by Council Member Marquez, motion carried.

7. **DONATION OF CITY OWNED SURPLUS FIRE ENGINE TRUCK TO THE CITY OF TEPALCATEPEC, MICHOACAN, MEXICO.**

Fire Chief John Borboa informed Council that the 1963 American LaFrance Fire Truck is currently not working due to clutch problems, estimated repairs will cost about \$1,400.00, and the Fire

Department ceased using this vehicle in 2005. The open market value for this vehicle is approximately at \$5,000 if it were running.

Motion to approve the donation of the Fire Truck made by Council Member Sablan, seconded by Council Member Marquez, motion carried.

8. **RESOLUTION NO. 07-24 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH TO APPLY TO THE DEPARTMENT OF COMMERCE’S ECONOMIC DEVELOPMENT ADMINISTRATION (EDA) FOR A PLANNING GRANT AS A JOINT SUBMISSION WITH THE CITY OF SAN JOAQUIN AND THE CITY OF MENDOTA TO CARRY OUT AN INFRASTRUCTURE MASTER PLAN.**

In continuing to search for grant funds, City Manager Jose Antonio Ramirez was visited by Mrs. Diane Church, who suggested that the City along with neighboring cities apply for a joint planning grant to carry out an infrastructure master plan.

Motion to approve Resolution No. 07-24 made by Council Member Sablan, seconded by Council Member Marquez, motion carried.

9. **RESOLUTION NO. 07-25 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH CONCERNING LOCAL TRANSPORTATION PURPOSE FUNDS (MEASURE “C”)FOR FISCAL YEAR 2007/2008.**

Finance Director Jose Garay informed council that in order to receive the remaining funds from Measure C, Council must approve Resolution No 07-25. The City will also be receiving future funds from Measure C, in the approximate amount of \$130,000.00.

Motion to approve Resolution No. 07-25 made by Council Member Sablan, seconded by Council Member Marquez, motion carried.

10. **BERSABE – APPEAL OF NOTICE & ORDER TO ABATE DANGEROUS BUILDING(S) – SPORTSMEN’S MOTEL.**

Motion to approve 120 day extension to Bersabe Family to address the issues of the Building Department made by Council Member Sablan, seconded by Marquez, motion carried.

11. **SCHEDULE A DATE TO HAVE THE 2007-2008 ANNUAL BUDGET WORKSHOP.**

Council and staff decide that the 2007-2008 Annual Budget Workshop be held on July 2nd, 2007 at the next City Council Meeting.

12. **AWARD OF CONTRACTS FOR HOUSING CONSULTANT SERVICES.**

City Manager Jose Antonio Ramirez provided council with an evaluation report of the Housing Consultants that applied to provide services for our Housing Programs. His recommendation is to continue our service with California Engineering Consultants. Although the other applicant also is qualified, CEC has been very successful and are familiar with all current projects.

Motion to award Housing Consultants Services to California Engineering Consultants made by Council Member Marquez, seconded by Council Member Sablan, motion carried.

PENDING ITEMS

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

PUBLIC COMMENTS QUESTIONS

STAFF REPORTS

City Engineer Fred Rabe:

City Engineer Fred Rabe, City Manager Jose A. Ramirez and Representatives of Seal Rite Construction held a meeting to address issues and concerns with the “P” Street project. Seal Rite stated that they would be working at the site the first of the week; however they didn’t show up as stated, to repair the curb as intended. City Manager Jose Antonio Ramirez stated if work hasn’t continued by Thursday and these issues are not resolved the City will move forward to recover liquidated damages.

Community Service Coordinator Phyllis Baltierra:

Phyllis Baltierra stated that she is working on the Festival and will have a meeting on Wednesday, June 21, 2007 at 6:30 PM.

Fire Chief/Code Enforcement Officer, John Borboa: nothing to report.

City Manager, Jose Antonio Ramirez:

- Friday, June 22, 2007 from 5PM- 8PM Proteus will hold “Noche de Fiesta” event at Dunkle Park, Helen Ochoa will be present.
- REP for HWY 33 Implementation Improvement was sent out, so that the City may hire a landscaper for the beautification of HWY 33.
- Cal-Trans are requiring a design plan for the Hwy 33 improvements for review.
- Maldonado Park design plans are at 90%, Public Works Dept. has started the prep work for the reconstruction, to save the City with extra costs.

- Zito Building was appraised at \$380,000.00; however the Zito Family has offered to sell it to the City at \$280,000.00, and City Manager requested Council direction.
- Laura Rios was offered and accepted the Assistant City Manager's position, Mrs. Rios works for Lt. Governor John Garamendi.

COUNCIL ITEMS

Council Member Marquez:

Council Member Marquez recommended that a suggestion box be placed in the lobby of City Hall. City Manager Jose Antonio Ramirez informed Mr. Marquez that the tree trimmings dumped by Dunkle Park that he inquired about at the previous council meeting are being addressed and will be removed. Mr. Marquez also inquired if the alleys are being sprayed.

Council Member Sablan:

Council Member Sablan inquired about the Black trash cans and the safety hazards they create with the lids open. She also requested to be provided with the minutes of the solid waste meetings. City Manager Jose Antonio Ramirez directed staff to provide Council Member Sablan with the minutes from the previous three meetings.

CLOSED SESSION

Motion to enter closed session by Council Member Marquez, seconded by Council Member Knight, motion carried.

15. **LABOR NEGOTIATIONS REGARDING: PUBLIC WORKS, POLICE DEPT., AND UNREPRESENTED EMPLOYEES.**

16. **POTENTIAL LITIGATION – ONE CASE.**

No action taken.

ANNOUNCEMENT AFTER CLOSED SESSION

ADJOURNMENT

Motion to adjourn by Council Member Sablan, seconded by Council Member Marquez, meeting adjourned at 10:18 pm

