

MEETING MINUTES

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

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
Council Member Chris DeFrancesco

OTHERS: City Manager, Jose Antonio Ramirez; City Attorney, Dale Bacigalupi;
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; Rod Lake, Elvia
Boatwright, Oscar Sablan, Don Esola.

PLEDGE OF ALLEGIANCE

Pledge of Allegiance led by Council Member Fannon.

PUBLIC COMMENT

John Baltierra, 1456 Q Street, “ From the last meeting, to quick answer Mr. John Borboa’s question when he asked for any incidents of his un-professionalism, I’m here tonight to answer those questions: 1) Mr. Borboa last year I asked him for a personalized, his financial thing that says Fire Dept. and I let him know in front of City Hall, and he told me to “F” off, in front of the City Hall, I made a complaint, his reason for that was he was on a break. 2) Showing up with alcohol at fires, he does that 3) at City Council meetings, confronting witnesses against him, and he try to intimidate them. And one of the most recent ones, he showed up at one of the seniors, elders here in town Mr. John Enrico’s house and told him that, to get his ass, throw away his god damn walker and get your ass in a wheelchair. And then he came in again, two inci... two incidents, the second one goes, he walked in there and says don’t call 911 again, I’ll have you thrown in a home. A witness to this, this one right here, we’re about actually going to call adult protective services office. And then, anyone can drive by his house at 11:40, 12:00 o’clock can see his car, I don’t know what his lunch hours are but there

pretty flexible I guess.” Mr. Baltierra stated the property across from the city park is unoccupied and is blight to the city.

Oscar Sablan, 1908 Vasquez, stated that he would like the city to investigate the incident regarding Mr. John Enrico and the allegation on Chief Borboa and his response to this Emergency Call. He also stated that it is important that everyone be able to use the 911 emergency services and as a provider would like to be informed of the results of the investigation.

Mr. David Flores, 370647 W. Behymer, would like to extend his hand and applaud the community officials for the voluntary services they provide.

Fire Chief John Borboa, stated that he has contributed 40 years of service to the city. His response to the incident is that, he has responded to numerous emergency calls regarding the man in question. A family member has asked for Chief Borboa’s help in convincing this gentleman to use a wheelchair instead of a walker for his own protection.

Elvia Boatwright, 7385 Road 6, inquired on the utility billing process and shut off procedure for water/sewer services. Mrs. Boatwright also stated her concern regarding Chief Borboa’s dog, and the problems it may cause by having the dog with him during business hours.

Duty City Clerk Rita Lozano, explained the Utility Billing process, the bill goes out the first of the month, it is always due the last business day, the late bills go out in the mail the very next business day, the customer has two additional weeks to pay the bill with the late fee, if the bill isn’t paid by the extended two week period, the Public Works Department serves the customer a 24 hour notice and the utility services will be discontinued the next day.

Chief Borboa replied to Mrs. Boatwright’s concern regarding his dog. He stated that most Fire Houses have a history of having dogs as a mascot and he has never received any complaints.

Mr. Rod Lake, “I served the city for many years and retired a year ago, there use to be a procedure in the books and under the section of public comment which previously stated, has an attempt been made to solve it through the City Manager’s office?, it has been deleted over the years, that procedure would be where a complaint would be resolved by the Department Head or City Manager. It is ten minutes until 8:00 pm the meeting started at 7:30 pm and we have only listened to the complaints regarding city employees that should have been resolved by the City Manager. Employee’s records are personal first of all, and if the procedure is reinstated it may resolve the problems that are happening now during public council meetings.”

INTRODUCTION

None

PRESENTATION

City Manager Jose A. Ramirez formally introduced Mr. Ben Gallegos as the Public Works Director.

CORRESPONDENCE

1. **STRUCTURE ABATEMENT PROPERTIES**

Fire Chief/Code Enforcement John Borboa provided a list of abatement properties and the status of these building. Fire Chief/Code Enforcement John Borboa explained that the City of Firebaugh doesn't have a provision of allowing an abatement of buildings because they are ugly/blight. Chief Borboa turned towards the public and stated: "We may want to, it's completely up to council to see what other cities are doing as for as, what I call the ugly house site, other cities are doing something about this, but then you got to keep in mind, that ugly is in the eyes of the beholder, what's ugly to me, may not be ugly to you. I can go through the city right now, If I had to use examples: I bet you right now that John Baltierra's Mother thinks that he's the pretties person on the face of the earth, I'm safe to say right now, that half the people right here don't agree."

Council Member Marquez requested a list from Code Enforcement Officer John Borboa regarding weed abatement properties.

Council Member DeFrancesco questioned if the city has an ordinance stating that the property owner maintain their property.

City Attorney Dale Bacigalupi informed him that some cities have a property maintenance order however the City of Firebaugh doesn't.

Council Member DeFrancesco asked if the City Attorney could provide a sample or draft of a property maintenance order, so that the City of Firebaugh may put one in place.

CONSENT CALENDAR

2. APPROVAL OF MINUTES – The City Council meeting on June 18, 2007.

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.

Motion to approve the consent calendar with the amendment regarding the "P" Street Project by Council Member Marquez, seconded by Council Member Fannon, motion carried.

PUBLIC HEARING

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

City Attorney Dale Bacigalupi informed the city council that the decision to be made is, if the city wants to collect the full amount, how the fees should be collected, and if the fees should be collected through tax rolls.

No Public Comment made, Public Hearing was closed.

Motion to collect \$5290.00 through property tax rolls and approve Resolution No. 07-26 by Council Member Fannon, seconded by Council Member DeFrancesco, motion carried.

OLD BUSINESS

None

NEW BUSINESS

4. **REJECTION ON CLAIM**

Mrs. Angela Cruz filed a claim of reimbursement for Property Damage to her Motor Vehicle on May 28, 2007 at "P" Street and "8th" Street. This claim was turned over to the City's Insurance agency AIMS (RMA's Insurance carrier).

Motion to reject Mrs. Angela Cruz's Claim by Council Member Fannon, second by Council Member Marquez, motion carried.

5. **RESOLUTION NO. 07-27 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH APPROVING THE CITY OF FIREBAUGH HOUSING RHABILITATION PROGRAM GUIDELINES FOR COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS.**

Motion to adopt Resolution No. 07-27 by Council Member Sablan, second by Council Member Fannon, motion carried.

6. **RESOLUTION NO. 07-28-A RESOLUTION OF THE FIREBAUGH CITY COUNCIL AUTHORIZING SUBMISSION OF LOCAL TRANSPORTATION FUND CLAIM FOR FY 2007/2008**

Finance Director Jose Garay informed Council approval of Resolution No. 07-28 must be completed to accept funds in amount of \$143,000 for street repair.

Motion to approve Resolution No. 07-28 by Council Member Sablan, second by Council Member Marquez, motion carried.

7. **THE 2007-2008 ANNUAL BUDGET WORKSHOP.**

City Manager Jose Antonio Ramirez recommended that the 2007-2008 Annual Budget be presented by Finance Director Jose Garay, after the regular scheduled council meeting.

PENDING ITEMS

8. Emergency Disasters Plan – A Draft Plan is currently being circulated for review and comment.

PUBLIC COMMENTS QUESTIONS

STAFF REPORTS

Interim Public Works Director, Ben Gallegos:

Water is being replenished at Well #11, CCID broke a pipe the staff is working on repairing the leak. Not sure of the estimate cost of the damage.

Community Service Coordinator Phyllis Baltierra:

Phyllis Baltierra stated that she is working on the Festival. Posters have been ordered, carnival tickets are in, and a lot of commercial booth applications have been received.

Police Chief, Elsa Lopez:

Request for Sheriff's assistance for the Festival was denied; they are short staff and will not be available. MAGIC maybe out to assist for one night, possible a Friday or Saturday and two additional guards will be added to the beer garden.

Fire Chief/Code Enforcement Officer, John Borboa:

Fireman Muster is this weekend July 6th through the 8th.

City Manager, Jose Antonio Ramirez:

Informed council that the wristbands for the carnival are provided by Paul Maurer for promotional services that Univision Radio provides and are free of cost.

Stated his concern regarding the levee wall at the K.Hovnanian Homes, it is being used as a ramp by individuals the ride their quads, which damage the structure.

COUNCIL ITEMS

CLOSED SESSION

Motion to enter closed session by Council Member Fannon, seconded by Council Member Sablan, motion carried.

9. POTENTIAL LITIGATION – ONE CASE.

No action taken.

ANNOUNCEMENT AFTER CLOSED SESSION

ADJOURNMENT

Motion to adjourn by Council Member Marquez, seconded by Council Member DeFrancesco, meeting adjourned at 10:23 pm

