

MEETING MINUTES

The City Council/Redevelopment Agency of the City of Firebaugh Vol. No. 07/11-19

Location of Meeting: Andrew Firebaugh Community Center
1655 13th Street, Firebaugh, CA 93622
Date/Time: November 19th, 2007 @ 7:30 p.m.

CALL TO ORDER Meeting called to order by Mayor Pro Tem Javier Marquez at 7:30 p.m.

ROLL CALL

PRESENT: Mayor Pro Tem Javier Marquez
Council Member Clyde Fannon
Council Member Marcia Sablan
Council Member Chris J. DeFrancesco

ABSENT: Mayor Craig Knight

OTHERS: City Attorney, Dave Bacigalupi; City Manager Jose Antonio Ramirez; Assistant City Manager Laura Rios; City Finance Director, Jose Garay; City Treasure Alice Castaneda; Deputy City Clerk, Rita Lozano; Public Works Director, Ben Gallegos; Fire Chief/Code Enforcement Officer, John Borboa; Esther and Pete Ramirez; Oscar Sablan; Lorie Adams; John Baltierra; Mary Van Pelt.

PLEDGE OF ALLEGIANCE: Council Member DeFrancesco

PUBLIC COMMENT

Esther Ramirez, 1754 Ramirez Drive, in regards to our 1963 Fire Engine leaving Firebaugh on behalf of the Ramirez and fireman, "Many memories were shared on that 1963 Fire Truck, during the 60's, 70's, and 80's. Some tragic and some thanking God it wasn't worst, some many memories she did well for us, the residents of Firebaugh, our sprits and well wishes will go with her to serve Tepalcatepec, Michoacan, Mexico the why she served Firebaugh."

INTRODUCTION

None

PRESENTATION

None

CORRESPONDENCE

None

CONSENT CALENDAR

1. APPROVAL OF MINUTES – The City Council meeting on November 5th, 2007.

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

September, 2007	General Warrants	#18666 – #18866	\$ 872,560.33
	Payroll Warrants	#54327 – #54440	<u>\$ 221,202.82</u>
	TOTAL		\$1,093,763.15

3. WARRANT REGISTER – Period starting on October 1, and ending on October 31, 2007.

October, 2007	General Warrants	#18867 – #18994	\$ 525,014.86
	Payroll Warrants	#54441 – #54551	<u>\$ 224, 689.46</u>
	TOTAL		\$ 749,704.32

Council Member Marquez inquired on the limit of authorization that the City Manager has for expenditures, and questioned check # 18761 for the amount of \$10,638.00. City Manager stated that all contracts over \$5000 are authorized by council at Council Meetings, however, felt that this issue was an emergency item, City Manager authorized staff to go forward without approval from council. Council Member Marquez requested a review of the Municipal Code be placed on the next agenda for clarification regarding the City Managers spending authority. City Attorney Dale Bacigalupi stated that the Municipal Code Authorizes the City Manager spending authority of \$5000 for supplies/equipment and \$7,500 for services/contract with council’s approval so long as it is budget; except if it is an emergency the limit do not apply. City Manager Ramirez stated that he answered the question of the limit under closed session, but no action was taken. Council Member Marquez replied, “It was discussed on more than once, Jose, not just at closed session, it was open, it was Craig Knight, George Conklin, you and I.” This item is to be placed on next agenda for further discussion.

Motion to accept Warrants and Table Minutes by Council Member Fannon, seconded by Council Member Marquez, motion carried.

PUBLIC HEARING

None

OLD BUSINESS

4. ORDINANCE NO. 07-07 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH ENACTING SECTION 15-6.7 OF THE FIREBAUGH MUNICIPAL CODE RELATING TO WATER AND SEWER SERVICE. – SECOND READING.

Motion to approve Ordinance 07-07 by Council Member Sablan, seconded by Council Member Fannon, motion carried by 4-0 vote.

NEW BUSINESS**5. PETE AND ESTHER RAMIREZ REQUEST THE CONSIDERATION OF THE CITY COUNCIL AND THE CITY OF FIREBAUGH TO DEED OR SALE PROPERTY ON 8TH AND "Q" STREET TO THEM.**

City Manager Jose Antonio Ramirez recommends, along with Planning Dept., City Engineer and Staff it would be best to keep ownership of the parcel at 8th and "Q" Street for future projects. City Engineer Fred Rabe stated in 1991 Mr. Pete Ramirez received parcel from the City and paid for surveying of the land. Now, Mr. & Mrs. Pete Ramirez is requesting for additional square footage at the corner of 8th and "Q" Street which is 60ft, and Mr. Rabe agrees with staff, City is to keep ownership of the parcel. Mr. Pete Ramirez replied that the City Engineer is stating the parcel is 60ft, and Mr. Ramirez measured it at 67ft, and can't see what the City could use it for.

Oscar Sablan, 1908 Vasquez Dr, stated, "My concern that if the City is planning on placing a park in this area it will increase traffic. When land is difficult to come by now, and were charging non-profit organization to use parks and your giving money away on the other hand it doesn't make sense. That area in back can potentially be used for a recreational use in the future; the city could use this parcel as a right-away to access different areas."

John Baltierra, 1456 "Q" Street, "We don't know if we need it, but we may need it in the future, so why give away a possible resource?"

Motion to reject the request of the Ramirez's by Council Member DeFrancesco, seconded by Council Member Fannon, motion carried by 3-0 vote and Council Member Sablan abstain.

6. RESOLUTION NO. 07-51 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH EXTENDING THE TIME PERIOD FOR FILING A FINAL MAP FOR THE EL SENDERO RANCH TENTATIVE SUBDIVISION MAP (TENTATIVE SUBDIVISION MAP 2005-02)

Motion to approve Resolution No. 07-51 by Council Member Fannon, seconded by Council Member Sablan, motion carried by 3-1 vote.

7. RESOLUTION NO. 07-49 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH REVISING FEES TO BE CHARGED FOR THE USE OF CITY FACILITIES

Council Member request that the Baseball/Softball fees for Dunkle Park and Maldonado Park , along with the Canopy area be removed from fee schedule, the Enclosed Area electrical fees be part of the rental fee, and a reduced rental fee for the Rodeo Grounds of \$250.00 be added for local non-profit organizations.

Motion to approve Resolution No. 07-49 with amendments by Council Member Fannon, seconded by Council Member DeFrancesco, motion carried by 4-0 vote.

8. RESOLUTION NO. 07-50 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH APPROVING THE APPLICATION FOR GRANT FUNDS FOR THE ENVIRONMENTAL ENHANCEMENT AND MITIGATION PROGRAM UNDER THE

SECTION 164.56 OF THE STREETS AND HIGHWAYS CODE FOR THE FOLLOWING PROJECT -PHASE II:

Motion to approve Resolution No. 07-50 by Council Member Fannon, seconded by Council Member DeFrancesco, motion carried by 4-0 vote.

9. NOTICE OF AWARD OF THE CONTRACT FOR PRO 13 WATERLINE PROJECT.

Motion to accept the notice of award to Rolfe Construction by Council Member Fannon, Second by Council Member Sablan, Motion carries.

10. RESOLUTION NO. 07-52 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH APPROVING THE NEW DISADVANTAGED BUSINESS ENTERPRISE PROGRAM IN ACCORDANCE WITH TITLE 49 CFR PART 26, IMPLEMENTING NEW RACE-NEUTRAL RULES EFFECTIVE OCTOBER 1, 2007

Motion to approve Resolution No. 07-52 by Council Member Sablan, seconded by Council Member Fannon, motion carried by 4-0 vote.

11. RECONSTRUCTION OF SIDEWALK ON “O” ST. BETWEEN 15TH AND 16TH STREET.

Motion to accept the Bid and waive the bid process to Tony’s Construction by Council Member DeFrancesco, Second by Council Member Sablan, Motion carries.

12. ANNUAL ELECTRICAL LIGHT PARADE RAFFLE PRIZES FUNDS REQUEST.

Motion to authorize a \$1,000 budget for purchase of prizes for the Annual Electrical Light Parade by Council Member Sablan, Seconded by Council Member Fannon, motion carries.

PENDING ITEMS

13. Emergency Disaster Plan – A Draft Plan is currently being circulated for review and comment.

PUBLIC COMMENTS/QUESTIONS

STAFF REPORTS

- City Engineer Fred Rabe: Nothing to report.
- Interim Public Works Director, Ben Gallegos: Preparing for the Christmas Parade.
- Fire Chief/Code Enforcement Officer, John Borboa: Should receive the asbestos test results on Friday regarding Bersabe’s property, next step will be to go out for bids.
- City Finance Director, Jose Garay: Central San Joaquin Valley Risk Management Authority and the City of Firebaugh held a trenching and excavating training at our Community Building, and

about 39 members attending from different local cities. They really like the setting of the city and building, it was very successful.

- City Treasure Alice Castaneda: Nothing to report.
- Deputy City Clerk, Rita Lozano: Nothing to report.
- Asst. City Manager, Laura Rios: Nothing to report.
- City Manager, Jose Antonio Ramirez: Provided Council with information regarding the Owner property maintenance Ordinance for review and give staff direction. NF Davis Dryer filled an application for Annexation to the City. Mr. Davis would like to expand his business which would create more jobs. There is a grant application that we are currently working on to assist the Firebaugh Computer Learning Center, since they provide the community with certain resources, so we are teaming up with the Greenlining Institute to receive funding. On December 2nd and 9th, the Fresno Mexico Consulate will issue Passports at Firebaugh Middle School by appointment only.

COUNCIL ITEMS

- Council Member DeFrancesco: Requested that the City consider having an independent Certified Public Accountant review the City Financial records, or maybe requesting an RFP for a new CPA. Council Member DeFrancesco inquired on the status of the discoloration of water. Please have code enforcement of property owners to properly dispose of trash or debris from public view; he stated that he has received several complaints. One property that should be addressed is Fiesta Latino Market; it is a fire safety concern.
- Council Member Sablan: Requested that the Code Enforcement report be more informative and, descriptive, providing addresses or parcel numbers.
- Council Member Fannon: Requested the he receive his mail every Friday.

CLOSED SESSION

14. Conference with Labor Negotiation under Government Code Section 54957.6

Agency Designated Representative: Jose Antonio Ramirez, City Manager

Employee Organization: Police Officers Union

15. Pending Litigation Government Code Section 54956.9

*City of Firebaugh v. Giersch & Associates, Inc., et al.
Fresno County Superior Court Case No. 07 CE CG 02610 MWS*

ANNOUNCEMENT AFTER CLOSED SESSION

No Action Taken

ADJOURNMENT

*Motion to adjourn meeting by Council Member DeFrancesco, second by Mayor Pro Tem Marquez.
Meeting adjourned by consensus vote at 10:07 p.m.*

