

MEETING MINUTES

The City Council/Redevelopment Agency of the City of Firebaugh Vol. No. 08/01-23

Location of Meeting: Andrew Firebaugh Community Center
1655 13th Street, Firebaugh, CA 93622
Date/Time: January 23, 2008 @ 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 Marcia Sablan
Council Member Chris DeFrancesco

ABSENT: Council Member Clyde Fannon

OTHERS: City Attorney, Dave Bacigalupi; City Manager, Jose Antonio Ramirez; Assistant City Manager, Laura Rios; Police Chief Elsa Lopez; City Treasurer, Alice Castaneda; Deputy City Clerk, Rita Lozano; Public Works Director, Ben Gallegos; Fire Chief/Code Enforcement Officer, John Borboa; Community Service Coordinator, Phyllis Baltierra; Doug Gorman; Jim Lowe; John Baltierra.

PLEDGE OF ALLEGIANCE:

Pledge of Allegiance led by Council Member DeFrancesco.

PUBLIC COMMENT

John Baltierra, 1456 Q Street, stated he really liked the electronic reader board.

INTRODUCTION

None

PRESENTATION

None

CORRESPONDENCE

None

CONSENT CALENDAR

1. APPROVAL OF MINUTES – The City Council meeting on January 7, 2008.

Motion to approve Minutes with the amendment on page 4, where it states that property owners has a six-month time limit to clean up graffiti to state a six-day time limit by Council Member Sablan, seconded by Council Member Marquez; motion passed by consensus vote.

Council Member DeFrancesco, inquired on the comments given to Mr. Bates request to keep his existing carport, and asked the City Attorney Dale Bacigalupi if the city is following legal procedures in enforcing the City Ordinance in requesting residents to remove establish carport. City Attorney Dale Bacigalupi informed council of Ordinance 07-05, but stated what seems to be in question is if council may want to consider making amendments to the current ordinance or if council would like to move forward with the limits that were sent when the ordinance was passed. Council Member Sablan requested that this item be placed on the next agenda for future discussion, and consideration on maybe grandfathering the carports that were pre-built before the ordinance was passed. Council Member Marquez stated his agreement with Council Member DeFrancesco if one resident is asking to comply with the new ordinance all residents should comply. City Attorney Dale Bacigalupi will provide an update for the next council Meeting.

PUBLIC HEARING

None

OLD BUSINESS

None

NEW BUSINESS

2. PROPERTY MAINTENANCE/PUBLIC NUISANCE ABATEMENT.

Council Member DeFrancesco requested a briefing from the last council meeting on the issue.

No Action Taken.

3. RESOLUTION NO. 08 -01 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH APPROVING THE SEWER SYSTEM MANAGEMENT PLAN.

Motion to approve Resolution No. 08-01 by Council Member Sablan, second by Mayor Pro Tem Marquez; motion carried

4. RESOLUTION NO. 08-02 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH FOLLOWING AN IMPASSE HEARING DETERMINING TO APPROVE, IMPOSE AND IMPLEMENT ITS LAST, BEST AND FINAL OFFER IN ACCORDANCE WITH GOVERNMENT CODE SECTION 3505.4.

Doug Gorman, Union representative of Operating Engineer for the Police Department, searched local cities for pay rates of officers around the City of Firebaugh and discovered the 6% cost of living over the next two years that were offered to the Firebaugh Police Department would still be the result of them being the lowest paid officers in the area. The City of Firebaugh employees benefits are paid in full by the city, however the in other city the 25% contribution to their benefits with the employees receiving a higher pay rate by a minimum of \$700.00. Assistant City Manager Laura Rios, stated she also researched local cities and received different numbers than Mr. Gorman, she stated that the City of Firebaugh Police Officers do start at a lower rate of pay, but will ultimately cap out at the same rate of pay. Mr. Gorman, agreed but, stated the there are fewer pay salary step range in other cities, so employees would receive higher pay rates in a shorter time frame.

Motion to approve Resolution No. 08-02 after closed session by Council Member Sablan, second by Mayor Pro Tem Marquez; motion carried

5. REORGANIZATION OF CITY COUNCIL FOR CITY OF FIREBAUGH COMMUNITY MEETINGS

Council recommended changes to be made to the City of Firebaugh Community Meetings.

6. MOTION TO ADD EMERGENCY ITEM TO CLOSED SESSION FOR REAL ESTATE NEGOTIATIONS REGARDING APN 008-140-02 – Pursuant to Government Code Section #54956.8.

Motion to add emergency item to closed session for real estate negotiation by Council Member Sablan, second by Council Member DeFrancesco, motion carries.

PENDING ITEMS

- 1. **Emergency Disaster Plan – A Draft Plan is currently being circulated for review and comment.**

Mayor Knight stated that Police Chief Lopez is making changes to draft plan.

PUBLIC COMMENTS/QUESTIONS

None

STAFF REPORTS

- **Community Service Director, Phyllis Baltierra** – requested Police assistance at the Senior Center during food distribution days, it becomes over populated and can be aggressive. Police Chief Elsa Lopez recommended using a bigger facility for easier distribution or assign days and time for distribution to the individuals.

- **Police Chief, Elsa Lopez** – stated that there was a robbery on Monday, January 14, 2008 at S & M Mini Mart, and wanted to commend Officers Valdez and Martinez for the hard work and quick arrest in that matter. She also informed council regarding Negotiations Union that she maybe losing officers to surrounding areas due to the pay scale.
- **Fire Chief/Code Enforcement Officer, John Borboa** – stated he attended a Fire Meeting in Sanger and a Countywide Evacuation plan was the topic, and will bring it to council in the future when it becomes finalized.
- **Public Works Director, Ben Gallegos** – staff is still trimming trees. Council Member Marquez inquired if residents were informed prior to the installation of the water meters, and requested to have notices mail out. Council Member Marquez stated he would like repairs of the roads. Ben Gallegos informed him that the rainy weather will not permit any repairs because; it is to cold and wet to bond together. Council Member DeFrancesco inquired about the work at Dunkle Park. Ben informed him that public works is cleaning the infield and trimming trees.
- **Assistant City Manager, Laura Rios** – staff is still working on USDA, Union Negotiation, Water Treatment Plant and the sewage plant is scheduled to begin about the 20th of next month. During the Leaky Pipe study we discovered a problem with asbestos in the tanks, so we will be addressing the issue.
- **City Treasurer, Alice Castaneda** – nothing to report.
- **Deputy City Clerk, Rita Lozano** – nothing to report.
- **City Manager, Jose Antonio Ramirez** – At the Weed & Seed Meeting it was suggested that we encourage students to utilized the bike/walk pathway when attending school to relieve congestion of traffic in front of schools, assure the parents of the children safety by placing an Officer or Teacher at this location, as it will also promote health.
 - Airport Advisory Committee is currently working with Mr. Tim Ward on placing a fueling station at our local airport; they are also interested in relocating the hangers to redesigning the layout of the airport and are pleased regarding the rates of the airport use.
 - Informed council of his invitation at Washington DC to give testimony of the Natural Resources Conservation Service on behalf of the local farmers, they will pay the expenses for the trip, he will be leaving on Monday, January 28th and returning Wednesday, January 30th.
 - On Wednesday, January 30th, he will travel to Monterey for the Fresno County Economic Opportunity Commission Board Retreat to address resources of land, water, and the port of Oakland, and the effects to the City.
 - Regarding the Railroad tracks, spoke with Cherry and informed her on our disappointment with the slow process of Cal Trans on completing the work and receive the reimbursement of funds from them.
 - Spoke with Mr. Navarrette regarding the health services requirement to the City of Firebaugh in accordance with the Health Center. He stated that the County is still obligated to provide services and the San Joaquin United Health Center is currently providing transportation to the Mendota Clinic, so any breach of contract will have to be addressed among them. At the next council meeting, I will be requesting council direction on how to proceed with this item and the use of the facility.

COUNCIL ITEMS

Council Member DeFrancesco – Inquired RFP for new auditor. City Manager Jose A. Ramirez informed council that the City of Firebaugh currently has a contract with Bryant Jolley.

Council Member Marquez – Inquired about repairs of potholes through out city streets. Mr. Garay stated that the City of Firebaugh will receive about \$400,000.00 from Prop. B funds and will use the funds these types repairs.

CLOSED SESSION

Motion to enter closed session by Council Member Sablan, second by Mayor Pro Tem Marquez; motion carried.

2. Conference with Labor Negotiation under Government Code Section 54957.6

Agency Designated Representative: Jose Antonio Ramirez, City Manager

Employee Organization: Police Officers Union

3. 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

Announcement to return to open session at 9:05 p.m.

Motion to approve Resolution No. 08-02 after closed session by Council Member Sablan, second by Mayor Pro Tem Marquez; Resolution No. 08-02 carries.

ADJOURNMENT

Motion to adjourn meeting made by Council Member Sablan, seconded by Council Member Marquez. Meeting adjourned at 9:07 p.m.

