

MEETING MINUTES

**The City Council/Redevelopment Agency of the City of Firebaugh
Vol. No. 08/03-03**

Location of Meeting: Andrew Firebaugh Community Center
1655 13th Street, Firebaugh, CA 93622
Date/Time: March 3, 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 Chris DeFrancesco
Council Member Marcia Sablan

ABSENT: Council Member Clyde Fannon

OTHERS: City Attorney, Don Neufeld; City Manager, Jose Antonio Ramirez;
Assistant City Manager, Laura Rios; City Finance Director, Jose Garay;
Deputy City Clerk, Rita Lozano; Public Works Director, Ben Gallegos;
Police Chief Elsa Lopez; Fire Chief/Code Enforcement Officer, John
Borboa; Community Service Coordinator, Phyllis Baltierra; Officers: Frank
Valdez, Magda Martinez, Sal Raygoza; Officer Fernando Campa; Terry
Campa; David Flores; Mary Van Pelt; Lino & Maria Alvarez; John
Baltierra; Hilda Castellon; Roman & Bianca Echeveste; Lupita Contreras;
Martha Guzman; Bertha Crevolin; Maritza Magallanes; Mariana Sandoval;
Maria Reyes; Ana Maria Fuentes; Maria Cardoza; Stan Santos; Jack
Minnite; Ball.

PLEDGE OF ALLEGIANCE:

Pledge of Allegiance led by Council Member DeFrancesco.

PUBLIC COMMENT

John Baltierra, 1456 "Q" Street, would like to remind Council to address the issue of individuals picking through trash cans.

INTRODUCTION

None

PRESENTATION

A presentation given by Bertha Crevolin, requesting council’s assistance in addressing Gang Awareness/Prevention within the Community.

A presentation given by Yammilette Rodriguez, Governmental Relations Consultant for Pacific Gas & Electric to council to introduce herself and inform council that she could be contacted in assisting the City with any issues or concerns regarding PG.& E services or projects.

Firebaugh Police Department provided a presentation to the council and public regarding the concerns of with Gang Awareness/Prevention, and informed them that they are working with outside agencies such as; Fresno MAGIC, and other local rural committees to provide education and awareness to the communities, working together to address the issues it will be more efficient. The Police Department is also working closely with the school district; Officers Valdez, Martinez, and Campa have made contact with the High School and will soon be contacting the Middle School about allowing the officers to be present during the lunch, and breaks to let students know they are being supervised and certain behaviors such as gang activity will not be tolerated. Individuals that are expressing gang activity or involvement are being placed in a data system by the police department. The City of Firebaugh currently has about 20 juveniles on probation. The Police Department are giving presentations to parents of High School students on gang awareness and are asking community members to report any illegal activities to the department for future investigation.

CORRESPONDENCE

None

CONSENT CALENDAR

- 1. **APPROVAL OF MINUTES – The City Council meeting on February 4, 2008.**
- 2. **WARRANT REGISTER – Period starting on January 1, and ending on January 31, 2008.**

January, 2008	General Warrants	#19275 – #19436	\$ 1,102,112.84
	Payroll Warrants	#54785 – #54947	<u>\$(Included in Total)</u>
	TOTAL		\$ 1,102,112.84

Motion to accept Consent Calendar by Council Member Sablan, seconded by Council Member Marquez; motion carries.

PUBLIC HEARING

None

OLD BUSINESS

3. REVIEW ORDINANCE NO. 07-05 – RELATING TO PARKING IN THE SINGLE FAMILY RESIDENTIAL ZONES.

Fire Chief/Code Enforcement Officer John Borboa provided a list of existing carport structures and pictures of the condition of the structures per council’s request for review. Fire Chief/Code Enforcement Officer John Borboa also stated that of the current existing carports only one of the ten meet the required setbacks.

Councilmember Sablan recommended council amend the current ordinance and allow residents that have already installed carports prior to the adoption of Ordinance No. 07-05, to keep them.

Fire Chief/Code Enforcement Officer John Borboa stated his concern would be that the existing carports do not meet the setback requirements.

City Attorney Don Neufeld informed council that they could amend the current ordinance by allowing the pre-existing carports and prohibit any new construction.

Council Marquez suggested that if the City allows the current carports to remain, residents should be informed that they would not be allowed to remove and/or replace them in the future.

Mayor Knight reminded the council that the current ordinance provides the property owners a year to comply; therefore the deadline is December 15, 2008.

Ramon Echeveste stated if the property owners have a year to comply, and there is an amendment, he didn’t see if or where it would end.

John Baltierra stated by looking at the pictures, some should be removed.

Councilmember DeFrancesco recommended that the ordinance remains as adopted, since residents have be notified to comply, and if there is any resists, council will address it at that time.

Council Member Sablan, stated she would like to make an amendment and wait or postpone addressing the issue until December 15, 2008 deadline.

David Flores added if a resident installed a new roof they would be required to receive a building permit, and the same should apply to the construction of carports.

Motion to keep the current Ordinance No. 07-05 as is, without an amendment by Council Member DeFrancesco, seconded by Council Member Marquez, motion carries.

4. ORDINANCE NO. 08-01 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH, AMENDING SECTION 16.5 – 6 OF THE FIREBAUGH MUNICIPAL CODE RELATING TO PUBLIC NUISANCE ABATEMENT AND PROPERTY MAINTENANCE – SECOND READING.

Fire Chief/Code Enforcement Officer John Borboa enclosed a copy of the letter sent to Notify Property Owners regarding Ordinance No. 08-01, also provided were pictures of the structures of concern.

Mayor Knight requested clarification on the time line for property owners to comply with the new ordinance.

Fire Chief/Code Enforcement Officer John Borboa informed council, if a building is vacant for six months a violation would be issued to the property owner and order to abate within a 120 days. Property owners can pull permits within 60 days to complete any repairs, or request on extension from council if more time is needed.

David Flores advised council to enforce the new ordinance to all vacant building within the city limits.

City Manager Jose Antonio Ramirez, advised Council and Public of the Del Rio Workshop in regards to rezoning the area and updating the General Plan to be held Monday, March 10, 2008 during a regularly scheduled Planning Meeting at 6:00 PM.

Motion to approve Ordinance No. 08-01 by Council Member Sablan, seconded by Council Member DeFrancesco, motion carries.

NEW BUSINESS

5. PROPOSED CITY OF FIREBAUGH FAÇADE IMPROVEMENT PROGRAM.

Jim Gordon is working with the City of Firebaugh to get more individuals to shop in town; about 70% of retail shopping is done outside of town. Recommendations to council is to encourage the public to shop locally by keeping public streets and businesses attractive, not all business owners will be willing to cooperate with the changes, that the Façade Program is recommending, but if they comply equity will increase. The way of address these issues, is by approaching businesses and business owners one block at a time, address vacant lots, and front view of the businesses. City Manager Jose Antonio Ramirez stated if the program provides \$60,000.00 per block for rehabilitation of the businesses, the owners may be more willing participate in this program, and it will help reach the goal of the façade program. The City will apply for grant funding to replace light poles and underground wiring.

Bianca Echeveste inquired how business owners apply for funding from the façade program.

City Manager informed her, Council approves the program, applications will be provided to interested business owners.

Motion to approve Façade Program by Council Member DeFrancesco, seconded by Council Member Sablan, motion carries.

6. RESOLUTION NO. 08-05 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH EXPRESSING SUPPORT FOR "SPEED MATTERS".

Motion to approve Resolution No. 08-05 by Council Member Sablan, seconded by Council Member DeFrancesco, motion carries.

7. **RESOLUTION NO. 08-06 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH REQUIRING ALL USERS OF THE RIGHT OF WAY BE EMPLOYEES OF THE FRANCHISE HOLDER FOR PURPOSE OF PUBLIC SAFETY & THE MUNICIPAL RIGHT OF WAY.**

No Action Taken.

8. **RESOLUTION NO. 08-07 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH ON PUBLIC SAFETY AND UTILITY WORK IN RESIDENTIAL SETTINGS.**

No Action Taken.

9. **RESOLUTION NO. 08-08 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH AUTHORIZING AN APPLICATION TO THE CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD FOR A LOCAL GOVERNMENT WASTE TIRE AND AMNESTY GRANT.**

Motion to approve Resolution No. 08-08 by Council Member Sablan, seconded by Council Member Marquez, motion carries.

10. **RESOLUTION NO. 08-09 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH APPROVING THE ENVIRONMENTALLY PREFERABLE PURCHASE POLICY.**

Motion to approve Resolution No. 08-09 by Council Member Sablan, seconded by Council Member Marquez, motion carries.

11. **WEST AMERICA REVOLVING LINE OF CREDIT.**

Finance Director Jose Garay requested council’s approval to open a revolving line of credit with West America, because the reimbursement process for current projects under construction takes about eight to ten weeks, therefore to avoid a problem with cash flow during the delay of reimbursement request, there will be an alternative of credit while payments are pending.

Motion to approve revolving line of credit with West America by Council Member Sablan, seconded by Council Member DeFrancesco, motion carries.

12. **PROPOSITION 1B LOCAL STREETS AND ROADS FUNDING.**

Finance Director Jose Garay explained Proposition 1B (Prop 1B), and how it provides bond funds for a variety of transportation priorities, including funding for maintenance and improvement of local transportation facilities (street projects). The City of Firebaugh is eligible to receive \$400,000 of the funds in 2007-08 if Council approves a plan for the use of the funding. The staff recommendation for the funds is: Pavement Repairs (pothole filling/crack filling/minor pavement patching) \$ 50,000; Slurry Seals (P Street from 16th to Clyde Fannon) \$100,000; Resurfacing including full/partial reconstruction (about 1 mile) \$200,000; Non-Driving Surface Work (ADA/sidewalks, signage) \$50,000.

Motion to approve Proposition 1B by Council Member Marquez, seconded by Council Member Sablan, motion carries.

13. CASH INVESTMENT REPORT FOR QUARTER ENDING DECEMBER 31, 2007.

Finance Director Jose Garay provided information, informational item only.

14. REVENUE AND EXPENDITURE SUMMARY REPORT FOR THE PERIOD ENDING DECEMBER 31, 2007.

Finance Director Jose Garay provided information, informational item only.

PENDING ITEMS

15. 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

- **John Baltierra** – informed council that the Preserve America Committee will be holding an event at the Firebaugh Community Center at 9:00 a.m. on Saturday, March 8, 2008.

STAFF REPORTS

- **Police Chief, Elsa Lopez** – Met with Proteus on Friday the 14th. The cement sidewalk at Maldonado Park was vandalized; three out of the six individuals were arrested.
- **Community Service Director, Phyllis Baltierra** – Had a good grocery day, but there is a problem with individuals trying to steal from senior citizen after hours and asking them to pay \$10.00 to receive the recently approved income tax refund.
- **Public Works Director, Ben Gallegos** – Water tank is complete, it just needs to be painted and the leaky water pipe is in.
- **Fire Chief/Code Enforcement Officer, John Borboa** – Will be picking up the new Fire Truck next week in Nebraska. Received good responses regarding the emergency drill at West Hills College. Would like to recommend placing Plexiglas over Mr. Pete Cardella's paintings. Will be hosting the Fireman's Muster on July 11th through the 13th.
- **Assistant City Manager, Laura Rios** – Closed sewer loans, and responded to City and others various agencies on request on Public Records Act.
- **Finance Director, Jose Garay** – Home monitor in City Hall for a four day review of records, also had an audit with CalPers this week, One week training and program update with our software programmer from MOMS, which will provide access for water meter reading with a wand system, and currently looking to have internet access for utility review of the bills and ability to pay bill to the City through internet access.

- **Deputy City Clerk, Rita Lozano** – Reminder to city officials to submit their Statement of Economic Interests (Form 700) prior to the April 1, 2008 deadline.
- **City Manager, Jose Antonio Ramirez** – April 3rd the Farmers Market will begin; don't anticipate any problems with the Health Department. The Annual Festival will be more difficult, because of new standards and requirements with the Health Department, so a meeting will be held March 13th at 6:00 p.m. at the Community Center to address those issues with the participates.
 - Received \$442,256.00 to assist with the 21 unit housing Greenlining Project.
 - Airport Advisory Meeting will be held on March 12th at 11:00 a.m. at Community Center.
 - Erosion problem along the San Joaquin River estimate solutions cost around \$1,000,000.00.
 - COG Blueprint Workshop to be held Monday, April 21st before the Council Meeting.
 - CCID is holding their Annual Workshop regarding water issues.
 - Notices were sent out to residents informing them of water meter installation & conservation.
 - Market State Enterprise Zone is an interested party in relocating to Firebaugh, and will provides 20-30 jobs at Bullard and Shaw.
 - Queen Gil is also interested in moving to Firebaugh, they sell twin tape for irrigation.
 - Coalition Meeting will start installing disc golf equipment along the pathway.
 - Two other companies are looking at the previously owned DeFrancesco building to relocate.

COUNCIL ITEMS

Council Member DeFrancesco - Requested assistance or recommendations, in addressing the congestion of traffic at the Bailey and Middle School.

Council Member Marquez – Inquired about the empty lot at Morris Kyle and the ownership of the property.

CLOSED SESSION

16. 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*

17. Consultation with City Council concerning PUBLIC EMPLOYMENT Government Code 54957

Title: Finance Director

*Motion to move into closed session made by Council Member Fannon, seconded by Mayor Knight.
Motion passed by consensus vote.*

ANNOUNCEMENT AFTER CLOSED SESSION

No Action Taken.

ADJOURNMENT - Motion to adjourn meeting made by Council Member Sablan, seconded by Council Member DeFrancesco. Meeting adjourned at 10:31 p.m.

