

MEETING MINUTES

The City Council/Redevelopment Agency of the City of Firebaugh Vol. No. 08/07-07

Location of Meeting: Andrew Firebaugh Community Center
1655 13th Street, Firebaugh, CA 93622
Date/Time: July 7, 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
Council Member Clyde Fannon
Council Member Marcia Sablan
Council Member Chris DeFrancesco

ABSENT: Mayor Pro Tem Javier Marquez

OTHERS: City Attorney, Don Neufeld; City Manager, Jose Antonio Ramirez; City Clerk, Priscilla Meza; Deputy City Clerk, Rita Lozano; Police Chief, Elsa Lopez; Public Works Director, Ben Gallegos; Fire Chief/Code Enforcement Officer, John Borboa; Community Service Coordinator, Phyllis Baltierra; Jack Minnite; David Flores; Luis Alcantar; Jim Lowe; John Baltierra; Felipe Perez; Guadalupe Guerrero, Angelica Larios, Julia Hernandez, Francisco Mejia; Nellie Gutierrez; Dalia Solis; David Silva; Aaron Rocha; Pedro Cervantes; Arturo Arreola; Yvonne Patlan; Jessica Lopez; Lilia Florez.

PLEDGE OF ALLEGIANCE:

Pledge of Allegiance led by Council Member Fannon

PUBLIC COMMENT

- John Baltierra, 1456 Q Street, requested council to consider authorizing the use of golf carts on city streets as an alternate mode of transportation, in light of increasing fuel prices. Mr. Baltierra stated that other cities have authorized the use of golf carts.

Mr. Baltierra inquired if the city has municipal codes that address yard sales. Police Chief Lopez stated that her department has researched policies/codes used by other cities. City Manager Ramirez agreed to follow up on this matter and have a prepared questionnaire for council to review prior to public distribution.

Mr. Baltierra expressed concern with any outstanding warrants to reimburse former police chief, Rod Lake. City Manager Ramirez agreed to look further into this matter.

- Luis Alcantar, 1135 "O" Street, owner of local produce market, requested to address concern previously mentioned at last council meeting. Mayor Knight informed Mr. Alcantar that the matter is on tonight's agenda.

Mr. Alcantar also requested contact information for council members. Mayor Knight stated that council members may be reached via City Hall. Deputy City Clerk, Rita Lozano, stated that all contact information is listed on the city’s website.

- David Flores, 37647 W Behymer, expressed concern with implementing policy on local yard sales. Mr. Flores also commended council for their dedication and hard work serving the community at large. Mr. Flores also encouraged any community member, having a complaint, to attempt to resolve the matter with the city’s administrative staff.

INTRODUCTION

None

PRESENTATION

- Dr. Moreno, Director of Fresno County Department of Public Health, reviewed services made available via the County’s Public Health Office. Dr. Moreno highlighted the four functions of his department, including 1) health care, 2) community health issues, 3) environmental health and 4) emergency preparedness and response. Dr. Moreno welcomed community members to contact his office for any health-related assistance.

Dr. Oscar Sablan, local physician, requested clarification on what constitutes a county interagency emergency and response. Dr. Oscar Sablan highlighted incident involving pesticide exposure to about 30-35 farm workers. Dr. Moreno explained that when calling 911, to state the following, “I have a medical emergency”. As per Dr. Moreno, this statement would trigger a county, interagency emergency response.

Dr. Oscar Sablan also inquired about the new requirements for processing tuberculosis testing. Dr. Moreno explained that throughout California, Public Health Departments are facing shortage of Public Health Lab Directors. Mr. Moreno stated that he is working very closely with local Public Health Lab Director to process all lab testing, including tuberculosis testing, within a timely manner.

- Julia Hernandez, Proteus’ Project Coordinator of Poder Popular, and Felipe Perez, Coordinator of Community Garden program, provided an overview of Firebaugh’s Community Garden program. Presentation included the purpose and goals of the program and highlighted efforts to fundraise to sustain the program. As per Ms. Hernandez, the Poder Popular’s Promotores Program is funding by The California Endowment; however, these funds end October 2008. Ms. Hernandez also stated that current members are dedicated to maintain the program and its functions beyond the funding deadline. Ms. Hernandez also encouraged council members and staff to consider investing in the program to continue building on already established efforts and hard work of the program’s membership. Jack Minnite, local business owner, also encouraged council members and staff to support the program.

CORRESPONDENCE

None

CONSENT CALENDAR

1. **APPROVAL OF MINUTES – The City Council Meeting on June 16, 2008.**

Agenda item tabled for next council meeting as per City Clerk’s request.

2. **WARRANT REGISTER – Period starting May 1, and ending on May 30, 2008.**

May 2008	General Warrants	#19946 - #20069	\$ 2, 087, 888.87
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Payroll Warrants	#55305 - #55426	<u>\$ (Included in Total)</u>
		\$ 2, 087, 888.87

General Warrant #19993 pulled for discussion/exclusion by Mayor Knight. City Manager Ramirez agreed to follow up on this matter.

Motion to approve Warrant Register, excluding General Warrant #19993, made by Council Member Sablan, second by Council Member Fannon; motion passed by consensus vote.

PUBLIC HEARING

- 3. **RESOLUTION NO. 08-31 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIREAUGH APPROVING AN APPLICATIONN FOR FUNDING AND THE EXECUTION OF A GRANT AGREEMENT AND ANY AMENDMENTS THERETO FROM THE PLANNING TECHNICAL ASSISTANCE ALLOCATION OF THE STATE CDBG PROGRAM.**

City Manager Ramirez provided an overview of how/why the city is applying for CDBG monies directly to address the city’s Water Master Plan and to invest in the development of a local child care facility for children ages 1-3 years. City Manager Ramirez stated that West Hills College has committed to collaborating with the city in providing services to serve this specific age group.

Public comments included support from local community members, Luis Alcantar, Jack Minnite and John Baltierra.

Motion to approve Resolution No. 08-31 made by Council Member Fannon, second by Council Member Sablan; motion passed by unanimous roll call vote.

- 4. **RESOLUTION NO. 08-32 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH CONFIRMING THE DIAGRAM AND ASSESSMENT OF ANNUAL LEVY FOR FISCAL YEAR 2008-2009 FOR LANDSCAPING AND LIGHTING DISTRICT NO. 1.**

City Manager Ramirez provided an overview of the resolution.

No public comments. No council comments.

Motion to approve Resolution No. 08-32 made by Council Member Sablan, second by Council Member Fannon; motion passed by unanimous roll call vote.

OLD BUSINESS

None

NEW BUSINESS

- 5. **RESOLUTION NO. 08-23 – A RESOLUTION OF THE FIREBAUGH CITY COUNCIL DECLARING A LOCAL WATER EMERGENCY.**

City Manager Ramirez expressed that the regional situation is very critical. City Manager informed council that articles regarding the local water crisis were published in major print media, including the New York Times, Los Angeles Times and Time Magazine. City Manager Ramirez announced that Assemblyman Juan Arambula is scheduled to appear in Firebaugh, San Joaquin and Mendota to hear pubic comments and feedback regarding the matter. City Manager Ramirez also informed council that he was invited to participate in the development of a formal report to state officials highlighted the effects of the crisis.

Mayor Knight stated that council should participate in regional response declaring a local water emergency.

Motion to approve Resolution No. 08-23 made by Council Member Sablan, second by Council Member Fannon; motion passed by unanimous roll call vote.

6. RESOLUTION NO. 08-25 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH SUPPORTING THE DEPARTMENT OF FOOD AND AGRICULTURE AND THE UNITED STATES DEPARTMENT OF AGRICULTURE IN ERADICATING THE LIGHT BROWN APPLE MOTH (LBAM).

Mayor Knight provided an overview of the purpose of the resolution. Mayor Knight stated that the Light Brown Apple Moth (LBAM) is a real threat to local farmers growing permanent crops. Council Member DeFrancesco echoed Mayor Knight’s concerns. Council Member Sablan explained that the eradication process is an organic process of disrupting the mating process.

Motion to approve Resolution No. 08-25 made by Council Member Sablan, second by Council Member DeFrancesco; motion passed by unanimous roll call vote.

7. RESOLUTION NO. 08-26 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH CONCERNING MEASURE C EXTENSION LOCAL TRANSPORTATION PURPOSE PASS-THROUGH AND PROGRAM FUNDS ANNUAL ALLOCATION FOR FY 2008-2009.

City Manager Ramirez stated that resolution complies with all required guidelines.

No public comments and/or council comments.

Motion to approve Resolution No. 08-26 made by Council Member Fannon, second by Council Member Sablan; motion passed by unanimous roll call vote.

8. RESOLUTION NO. 08-27 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH APPROVING AN AMENDED FEE SCHEDULE FOR POLICE SERVICES.

Police Chief, Elsa Lopez, explained that current fee schedule does not adequately compensate the department’s provision of services. Police Chief Lopez stated that the amended fee schedule would be sufficient for police services at public and/or private events.

Motion to approve Resolution No 08-27 made by Council Member Fannon, second by Council Member Sablan; motion passed by unanimous roll call vote.

9. RESOLUTION NO. 08-28 – A RESOLUTION OF INTENTION TO CREATE UNDERGROUND UTILITY DISTRICT NUMBER 2.

City Manager Ramirez thanked Ron Frye, Madera Solid Waste Consulting, for bringing availability of funding opportunity to staff’s attention. Ron Frye also thanked Mayor Knight for his participation in the County Board of Supervisor’s hearing regarding this matter. Ron Frye provided an overview on the underground utility district project.

Motion to approve Resolution No 08-28 made by Council Member Sablan, second by Council Member Fannon; motion passed by unanimous roll call vote.

10. RESOLUTION NO. 08-30 – A RESOLUTION OF THE CITY OF FIREBAUGH APPROVING ONE APPLICATION AND AUTHORIZING THE EXECUTION OF GRANT AGREEMENTS AND ANY AMENDMENTS THERETO WITH THE UNITED STATES DEPARTMENT OF AGRICULTURE FOR COMMUNITY FACILITIES GRANTS.

Fire Chief/Code Enforcement Officer, John Borboa, provided information regarding the application and its grant agreements.

No public comments.

Council Member Sablan expressed concern with taking action on Resolution No. 08-30 without a formal budget. City Manager Ramirez assured council that tabling agenda item would not affect the grant application.

Mayor Knight tabled agenda item until the August council meetings.

11. REVIEW OF THE CITY OF FIREBAUGH FARMER’S MARKET RULES AND REGULATIONS.

Mayor Knight stated that the Farmer’s Market is a work in progress and that the event is successful in promoting social activity for local community members and surrounding communities. Mayor Knight stated that several council members have expressed the formulation of a project committee to establish rules/policy in administering the event.

Mayor Knight explained that local produce market owner, Luis Alcantar, submitted a written correspondence voicing his concerns with current rules/policy on determining participation of potential event vendors. Mayor Knight stated that he was not going to address concerns involving allegations against City Manager Ramirez and/or issue of conflict of interest with Mayor Pro Tem Marquez; however, would address Mr. Alcantar’s request to participate in the Farmer’s Market. Discussion concluded with agreement to allow Mr. Alcantar to participate in the Farmer’s Market with the understanding that Mr. Alcantar would not sell produce items sold by already participating produce vendors.

City Manager Ramirez strongly recommended council to keep current administration of event as is. City Manager Ramirez stated that he and his staff address issues involving the event on a daily basis and fears that a committee would adversely affect the success of the community event.

Public comments made by David Flores and John Baltierra supported City Manager Ramirez’s recommendation.

Council Member Sablan stated that she would like the process to remain the same. Deputy City Clerk, Rita Lozano, stated that the Farmer’s Market generates about \$1,000 each week.

Council Member DeFrancesco expressed concern with “certification” of the event as an official Farmer’s Market. City Manager Ramirez and Mayor Knight agreed that the event should be referred to as an “Open Market”. City Manager Ramirez explained the certification process and stated that staff did not receive interest from “certified” farmers to sell their products. Council Member DeFrancesco expressed success of the event; however, encouraged staff to set higher standards of products made available for the event. City Manager Ramirez stated that he and staff are not allowing vendors to sell used and/or below par merchandise.

Motion to maintain management of the Firebaugh Farmer’s Market rules and regulation as is made by Council Member Sablan; second by Fannon. Motion passed by consensus vote.

12. REORGANIZATION OF MAYOR’S TERM FOR CITY COUNCIL

Item tabled to next council meeting.

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

Police Chief, Elsa Lopez, requested feedback from council and staff. None made.

PUBLIC COMMENTS/QUESTIONS

None

STAFF REPORTS

- **Community Service Director, Phyllis Baltierra** – currently planning activities for the upcoming Cantaloupe Roundup.
- **Police Chief, Elsa Lopez** –
 - Introduced West Hills College students pursuing a degree in Political Science.
- **Public Works Director, Ben Gallegos** –
 - Preparing for upcoming city events, including the Cantaloupe Roundup and the Fireman’s Muster.
 - Also working on water distribution lines and road repairs.
- **Fire Chief/Code Enforcement Officer, John Borboa** –
 - Preparing for upcoming Fireman’s Muster
 - Announced participation on a county-wide committee addressing EMS services.
- **City Treasurer, Alice Casteneda** – not present.
- **City Clerk, Priscilla Meza** – nothing to report.
- **Deputy City Clerk, Rita Lozano** – nothing to report
- **Assistant City Manager, Laura Rios** – not present.
- **City Manager, Jose Antonio Ramirez** –
 - Announced participation on a state strategic planning team known as the Delta Vision Strategic Plan Taskforce.
 - Working with school district to replace signage and sidewalk conditions surrounding school sites.
 - Working with CalTrans to implement a Park/Ride Lot.
 - Upcoming grand opening for the Maldonado Park is on schedule. Trees have been ordered and soon to be planted.
 - Progress made on the Water Treatment Facilities included a preliminary walk-through demonstrating that all is functioning well.
 - Reported progress on the Waste Water Treatment Facilities as well.
 - Working on the underground utility district.
 - Announced meeting with a potential buyer interested in purchasing 1,000 acres to install a solar/gas power plant.
 - Invited Big Brother/Big Sister’s Executive Director to attend the Community Coalition Meeting.
 - Conference call with FEMA regarding de-certification of the flood-wall. Believes that issue will be soon resolved.
 - Announced that flight maneuvers are being conducted by Hiller Aircraft.
 - Pleased with Measure Q passing

- Working with Gill Ranch Storage Facility and PG&E on project to inject natural gas' underground for storage. Project would result in increased employment opportunities.
- Announced that the California Emerging Technology Grant is moving forward.

COUNCIL ITEMS

None

Motion to move into closed session made by Mayor Knight, second by Council Member Fannon; motion passed by consensus vote.

CLOSED SESSION

14. PUBLIC EMPLOYEE APPOINTMENT: FINANCE DIRECTOR

15. CONFERENCE WITH LABOR NEGOTIATIONS - Pursuant to Government Code Section #54957.6.

City Designated Representative – City Manager Jose Antonio Ramirez

Employee Organization – Public Works Miscellaneous Employees

Employee Organization – Police Department

16. CITY MANAGER EVALUATION – Pursuant to Government Code #54957

ANNOUNCEMENT AFTER CLOSED SESSION

None

ADJOURNMENT

Motion to adjourn made by Council Member Fannon, second by Council Member Sablan. Meeting adjourned at 10:47 p.m.

*Minutes submitted by:
Priscilla Meza, City Clerk*