

MEETING MINUTES

**The City Council/Redevelopment Agency of the City of Firebaugh
Vol. No. 08/09-08**

Location of Meeting: Andrew Firebaugh Community Center
1655 13th Street, Firebaugh, CA 93622
Date/Time: September 8th, 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 Marcia Sablan
Council Member Clyde Fannon
Mayor Pro Tem Javier Marquez

ABSENT: Council Member Chris DeFrancesco

OTHERS: City Manager, Jose Antonio Ramirez; City Treasurer, Alice Castaneda; Finance Director, Odilon Ortiz; Deputy City Clerk, Rita Lozano; Police Chief, Elsa Lopez; Fire Chief/Code Enforcement Officer, John Borboa; Public Works Director Ben Gallegos; Jim Lowe; John Baltierra; Terry Perkins; Nancy Perkins; Don Esola; Esther Ramirez; Oscar Sablan; John Torres; Arturo Arreola; Felipe Perez.

PLEDGE OF ALLEGIANCE:

Pledge of Allegiance led by Council Member Sablan

PUBLIC COMMENT

John Baltierra, 1456 Q Street, reported kids are complaining about one officer, regarding feeling harassed while at the Skate Park, Mr. Baltierra recommended that someone watch the kids or they will destroy the park, and asked Council to look into this matter.

Felipe Perez of Los Promoters added that Promoters are trying to help the community by watching the park. Members of his committee ask kids to stop any misbehavior and kids reply by asking who they are; the kids are disrespectful and run away after the warning, but don't run from the Police Officers; therefore Mr. Perez doesn't feel like the kids are being harassed.

INTRODUCTION

None

PROCLAMATION

None

PRESENTATION

None

CORRESPONDENCE

None

CONSENT CALENDAR

1. WARRANT REGISTER – Period starting July 1, and ending on July 31, 2008.

July, 2008	General Warrants	#20285 – #20398	\$ 757,018. 22
	Payroll Warrants	#55619 – #55735	<u>\$(Included in Total)</u>
	TOTAL		\$ 757,018. 22

2. REQUEST FOR USE OF CITY FACILITY (MALDONADO PARK BASKETBALL COURTS) BY BOYS AND GIRLS CLUB FOR DAY FOR KIDS EVENT.

Council Member Marquez inquired about the Petty Cash and what are the funds used for? Finance Department replied the Petty Cash is used for small purchases for offices supplies and special events, such as; batteries, table clothes, ect. Council Member also inquired about check # 20357 paid to the order of Paul Breshears, Finance Director replied the check was issued for sewer line repairs.

Council Member Sablan requested that Mr. Juan Torres provide a brief explanation of the Day for Kids Event’s. Mr. Torres stated it is a National Event. There will be a Basketball Tournament and everything is free (no charge to participate) – there is a small budget to hold this event and expose local kids to see what the Boys & Girls Club is all about and has to offer.

Motion to approve Consent Calendar made by Council Member Fannon, second by Council Member Marquez; motion passed.

PUBLIC HEARING

None

OLD BUSINESS

3. ORDINANCE NO. 08-04 – AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH MUNICIPAL CODE TO ADD “FIREMEN’S MUSTER” AS A COMMUNITY FUNCTION – SECOND READING.

Motion to approve Ordinance No. 08-04 by Council Member Sablan, second by Council Member Marquez; motion passed.

NEW BUSINESS**4. FIREBAUGH DISPOSAL CONTRACT CHANGES AND RATE INCREASE.**

Nancy Perkins of Firebaugh Disposal, stated that there are certain reasons as to why the increase is needed. 1) commercial / residential rate increased by 17%. 2) FDS cannot determine what the increase in tipping rates will be until county informs FDS. 3) Consumer Price Index will be same as the City of Firebaugh's. 4) City to Handle all Refuse Billing – City should provide billing service to reduce the debt collection to FDS, by adding to city utility billing. 5) Replacing Fleet, new/used equipment and gas maintenance. 6) Senior Citizens Discounts, will offer to Senior Citizens. 7) Profit and Loss Statement is enclosed. 8) Gross Revenues collected from City of Firebaugh, including dumping charges. 9) AB 939 requirement. Mr. & Mrs. Perkins, also added that the FDS is trying to lease the recycling cans with the option to buy over a 10 year period, cost is 180, 000. To pay off the lease, it will cost FDS \$35.00 a month divided by 10 years equals \$2.50 per customer per month (paid by the residents); which explains the \$5.00 bi-monthly rate increase.

City Manager, Jose Ramirez stated, he requested for FDS to propose / provide additional information for council's review, and preferred that a certified accountant prepare the documents, explaining the need for the rate increase. City Manager Ramirez added that FDS conducted a rate study and any questions, comments or details could be addresses during the 45 day process to propose a new rate; he also informed council that FDS suggested that the billing of garbage be collected through City Hall on the water/sewer bill. City Manager Ramirez replied, if the city halls does billing for Firebaugh Disposal it would require a new employee and supplies for the additional work, such as: printing paper, postage, ect.

Mayor Craig Knight recommended the council to approve just agenda item of allowing the contract changes and rate increase just to start the prop 218 process and address other concerns at a later time, he also stated during the Solid Waste Meeting there has been discussion on how to address the issue for the purchase of the recycling cans, and if the City should purchase them or if they could be purchased through a grant?

Council Member Marcia Sablan requested clarification on what the proposal is, because it is not clearly stated, before action is taken. She suggested when Council opens/approves proposition 218, council should decide on a full proposal rather than changing the proposal along the way, and is also concerned about voting on this agenda item which requires the citizens to be forced to pay on a ten year lease without receiving input from them or providing them other options.

Dr. Oscar Sablan added the proposal equals a 42% interest rate at the citizens' risk with no guarantee that Firebaugh Disposal Service will still be contracted through the next 10 years with the City of Firebaugh, and at the end of the ten years residents will pay a total cost of \$420,000.00 for a purchase what originally cost \$180,000.

City Manager Jose A. Ramirez advised Council that if they approve the rate increase it will not be affective until the 1st of the year.

Motion to start the Prop 218 process for rate increase only by Council Member Fannon, second by Council Member Knight; motion passed.

5. RESOLUTION NO. 08-39 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH AUTHORIZING THE EXPENDITURE OF COPS FUNDING AND THE ALLOCATION OF FUNDING FOR THE PROPOSED PROJECTS.

Elsa Lopez stated she would like to start a new K-9 program.

Motion to approve Resolution No. 08-39 by Council Member Sablan, second by Council Member Fannon; motion passed.

6. RESOLUTION NO. 08-40 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH ADDING FINANCE DIRECTOR ODILON ORTIZ TO THE CURRENT AUTHORIZED SIGNATURE CARD TO SIGN CITY WARRANTS AND PAYROLL CHECKS.

Motion to approve Resolution No. 08-40 by Council Member Fannon, second by Council Member Sablan; motion passed.

7. THE 2008-2009 ANNUAL BUDGET WORKSHOP.

Finance Director Odi Ortiz provided a brief presentation to council regarding the Annual Budget for the 08-09 Fiscal Year, and answered any questions regarding the revenues and expenditures for the City of Firebaugh.

8. RESOLUTION NO. 08-41 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH APPROVING THE CITY OF FIREBAUGH'S BUDGET FOR FISCAL YEAR 2008-2009.

Motion to approve Resolution No. 08-41 by Council Member Fannon, second by Council Member Sablan; motion passed.

PENDING ITEMS

- Regulations of a Yard Sale Ordinance

Council recommended staff provides a draft of the yard sale resolution, with a fee and regulations that a yard sale not be held in the commercial districts.

- Garbage Ordinance

Council advised staff to not proceed with a Garbage Ordinance.

- Golf Carts on city streets

Council stated that golf Carts may be already addressed in the Municipal Code under Vehicle Off Road Ordinance.

- Housing Authority regarding water issues

City Manager Jose A. Ramirez met with Representative from Housing Authority regarding installation of water meters they are open to the idea or putting in place a water conservation schedule at the complex and, they are also considering a possible trade or sell of property to the City of Firebaugh.

PUBLIC COMMENTS/QUESTIONS

None

STAFF REPORTS

- **Police Chief, Elsa Lopez** – nothing to report.
- **Public Works Director, Ben Gallegos** – Clark Bros started the rehab construction at the lift stations.

- **Fire Chief/Code Enforcement Officer, John Borboa** – Prosecution notified me of an arraignment scheduled for September 9th of two individuals for items that were stolen from the Fire Department.
- **City Treasurer, Alice Castaneda** – inquired about her water meter reading.
- **Deputy City Clerk, Rita Lozano** - nothing to report.
- **Finance Director Odi Ortiz** – Interviewed 15 Candidates for the Account Tech. II Position, Five will work in City Hall for Training, before the position is offered to the Final individual.
- **City Manager, Jose Antonio Ramirez** – Received a letter from Mrs. Fuentes regarding the Taco Booth for St. Joseph during Festival held in July 2008; Council Member Sablan recommended a debriefing meeting for all individuals whom may have comments or questions regarding the Festival.

COUNCIL ITEMS

Council Member Marquez suggested establishing a newsletter with co-partnership from the Firebaugh School District.

CLOSED SESSION

9. **EXISTING LITIGATION – ONE CASE PERB CASE #**

Operating Engineers Local Union #3 v. City of Firebaugh

10. **CONFERENCE WITH LABOR NEGOTIATIONS – Pursuant to Government Code Section #54957.6**

City Designated Representative – City Manager Jose Antonio Ramirez
Employee Organization – Police Department
Unrepresentative Employees -

ANNOUNCEMENT AFTER CLOSED SESSION

No action taken.

ADJOURNMENT

Motion to adjourn by Council Member Marquez, second by Council Member Fannon, Meeting adjourned at 9:59 p.m.