

SPECIAL MEETING MINUTES

The City Council/Redevelopment Agency of the City of Firebaugh Vol. No. 08/09-29

Location of Meeting: Andrew Firebaugh Community Center
1655 13th Street, Firebaugh, CA 93622
Date/Time: September 29th, 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, Dale Bacigalupi; City Manager Jose Antonio Ramirez; City Finance Director, Odilon Ortiz; Deputy City Clerk, Rita Lozano; City Treasure Alice Castaneda; Public Works Director, Ben Gallegos; Fire Chief/Code Enforcement John Borboa; John Baltierra; David Flores; Jim Lowe; Stacy Sablan; Tony Sablan.

PLEDGE OF ALLEGIANCE: Council Member Marquez

PUBLIC COMMENT

No public comment provided.

INTRODUCTION

None

PRESENTATION

None

CORRESPONDENCE

None

CONSENT CALENDAR

1. APPROVAL OF MINUTES – The City Council meeting on August 18, 2008.

Motion to approve Minutes for August 18, 2008 by Council Member DeFrancesco, second by Council Member Sablan; motion passed.

2. APPROVAL OF MINUTES – The City Council meeting on August 28, 2008.

Motion to approve Minutes for August 28, 2008 by Council Member Sablan, second by Council Member Marquez; motion passed.

PUBLIC HEARING

None

OLD BUSINESS

None

NEW BUSINESS

3. RESOLUTION NO. 08-43 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH APPROVING WATER RATE ADJUSTMENTS.

City Manager Jose A. Ramirez stated the Tuckfield and Associates completed an analysis on the water fund, USDA requires 1.25 million to cover ratio for debt service and added the water account is healthy which meets the requirement; therefore would like to provide some relief to the local residents during the economic hardship by reducing the water rates to the previous charges of July 1, 2007. Currently residents are paying a minimum of \$36.74; with the approved rates they will pay a minimum of \$30.62. Council Member Sablan inquired on how the City inquired the extra funds. City Manager Ramirez described that the City received a 2.3 million dollar grant and the project was under budget which led to a surplus funds and the city is currently seeking other grants, to install water meters throughout the city, which is leading to water conservation. Council Member DeFrancesco ask staff to monitor for any fire hazards, since meters have been installed individuals are watering their grass less.

Motion to approve Resolution No. 08-43 by Council Member Sablan, second by Council Member Marquez; motion passed.

4. RESOLUTION NO. 08-42 - 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.

City Manger Ramirez recommend to council to accept Last, Best and Final Offer for the Police Department, negotiations between the City and the Police Department Association have unsuccessful to come to an agreement. The final proposal to the Police Department Association, which rejected was the same offer that received by the Public Works Department.

Motion to approve Resolution No. 08-42 by Council Member Sablan, second by Council Member DeFrancesco; motion passed.

5. COUNCIL TO APPROVE NOTICE OF COMPLETION: OFF SITE IMPROVEMENTS FOR TRACT 5529, VALLE DEL SOL (K. HOVNANIAN HOMES).

Motion to accept Notice of completion with the seven exception by Council Member Sablan, second by Council Member Marquez; motion passed.

6. **REDEVELOPMENT AGENCY BOARD OF THE CITY OF FIREBAUGH TO APPROVE AN AMENDMENT TO THE OWNER PARTICIPATION AGREEMENT FOR THE SAN JOAQUIN VILLAS.**

Motion to accept Amendment No. 1 to the Owner Participation Agreement by Council Member Sablan, second by Council Member Marquez; motion passed.

7. **THE CITY COUNCIL OF THE CITY OF FIREBAUGH AWARDED HOME ADMINISTRATIVE SUBCONTRACTORS SERVICES TO ROY HASTING UPON APPROVAL OF CITY ATTORNEY FOR THE SAN JOAQUIN VILLAS PROJECT.**

Motion to award the contract to Roy Hasting by Council Member Sablan, second by Council Member DeFrancesco; motion passed.

8. **PURCHASE OF TWO NEW PICK-UP TRUCKS FOR PUBLIC WORKS DEPT.**

Motion to approve the purchase of used trucks by Council Member Sablan, second by Council Member Marquez; motion passed.

9. **THE CITY COUNCIL OF THE CITY OF FIREBAUGH APPROVING THE LOAN OF \$100,000 FROM THE WATER DEPARTMENT ENTERPRISE FUND, AND PROPOSED BIDS FOR THE REMOLDING PROJECT OF THE NEW CITY HALL AT 1133 "P" STREET.**

Motion to approve the loan of \$100,000 from water enterprise fund for the new City Hall by Council Member Marquez, second by Council Member Knight; motion passed.

10. **ESTABLISHMENT OF A CITY NEWSLETTER.**

Council advised staff to research options and return with more information to council for direction.

PENDING ITEMS

None

PUBLIC COMMENTS/QUESTIONS

STAFF REPORTS

- **Public Works Director, Ben Gallegos** – Bought a Back Trailer through the sewer grant, which cleans backhoes, operates like a vacuum for water leaves, ect. Public Works Department starting stripping the streets. Council Member inquired about sewer dumping charges and how much funds are being collected? Ben replied that the City is requesting the companies dump at the main lift station receipts are turned into City Hall for billing.
- **Police Chief, Elsa Lopez** – Graffiti is showing up around the city, mostly by individuals from high school age to thirteen years olds, Police Dept. is currently trying to identify all involved. PD is still receiving complaints of the damage and litter at Maldonado Park, City Manager recommends hiring an individual to supervise the Park in the future if needed. PD received a Flyer advertising a Dance to be held October 23rd at the Firebaugh Community Center in support of the Boys & Girls Club, and spoke with the Director Juan Torres who was unaware about the event.
- **Fire Chief/Code Enforcement Officer, John Borboa** – Reported attending a disaster Training at Friant Dam.
- **City Treasurer, Alice Castaneda** – nothing to report.

- **Deputy City Clerk, Rita Lozano** – October 13th Council is invited to participate in a picture with the winning horse at the Big Fresno Fair racer track to honor the City of Firebaugh.
- **Finance Director Odi Ortiz** – The Account Tech. II position has been filled by Nancy Vaca, a copy of the Adopted City Budget has been passed out to Council , Training for the meter reader is scheduled for October 30th, State Budget was approved state are charging the Redevelopment Agencies \$85, 000 for ERAF pass through fees that impact the City.
- **City Manager, Jose Antonio Ramirez** – Spoke with the State Board of Equalization, because a lot of local businesses don't use registers, so there is a decline in tax revenue of about 17% compared to last, Therefore, Mr. Ramirez asked the Board to complete an audit to correct sales tax.
 - Requested staff to enforce Business License Renewal to improve revenue.
 - Attorney Dale Bacigalupi and I continue to work with Alternative Energy, Inc. which is regarding the Bi-Diesel.
 - The other Bi-Diesel Plant will go before the Planning Commission of Fresno County, they are planning to locate near Bullard and San Diego out of the city limits.
 - Currently working with Congressman Costa's Office on K. Hovnanian Homes regarding the decertification of the floodwall by FEMA, the Civil Engineer and Contractor followed the guidelines provided by FEMA, so the city is working on resolving the issue.
 - Railroad Tracks in Firebaugh and the tracks near Washoe and Bullard are in bad shape, so made contact with the lobbyist and sent pictures of the conditions of the tracks for review, and along with support from our Assemblymen this issue will get addressed.
 - Construction on "P" Street will begin, the contractor Clark Bros. is to contact the police department and school work on the traffic issues.
 - Park and Ride Project at Maldonado Park will begin soon.
 - Leaky pipe Grant had a surplus but the city is still trying to add another \$500,000 to the grant.
 - Rolfe Construction is installing eight water meters a day; they need about 300 more to install before the whole city has meters.

COUNCIL ITEMS

CLOSED SESSION

Motion to enter to closed session at 9:50 pm by Council Member Marquez, second by Council Member Sablan

11. CITY MANAGER EVALUATION – Pursuant to Government Code 54957

12. EXISTING LITIGATION – ONE CASE PERB CASE #

Operating Engineers Local Union #3 v. City of Firebaugh

Motion to return to open session at 10:30 pm by Council Member Sablan, second by Council Member DeFrancesco

ANNOUNCEMENT AFTER CLOSED SESSION

Motion to approve item #11 a \$10,000 rate increase for the City Manager with a severance pay of one month to three months effective October 1, 2008 by Council Member Sablan, second by Council Member DeFrancesco; by the following vote: Sablan – yes; DeFrancesco – yes; Knight – yes; Marquez – no; motion carries 3-1 vote.

No Action Taken on item # 12.

ADJOURNMENT

Motion to adjourn by Council Member Marquez, and second by Council Member DeFrancesco, meeting was adjourned at 10:34 pm.