

MEETING MINUTES

The City Council/Redevelopment Agency of the City of Firebaugh Vol. No. 08/12-15

Location of Meeting: Andrew Firebaugh Community Center
1655 13th Street, Firebaugh, CA 93622

Date/Time: December 15th, 2008 @ 7:30 p.m.

CALL TO ORDER Meeting called to order by Mayor Craig Knight at 7:31 p.m.

ROLL CALL

PRESENT: Mayor Craig Knight
Mayor Pro Tem Javier Marquez
Council Member Marcia Sablan

ABSENT: Council Member Chris DeFrancesco
Council Member Clyde Fannon

OTHERS: City Attorney, Dale Bacigalupi; City Manager, Jose Antonio Ramirez; Assistant City Manager Laura Rios; City Treasurer, Alice Castaneda; Finance Director, Odi Ortiz; Deputy City Clerk, Rita Lozano; Police Chief, Elsa Lopez; Fire Chief/Code Enforcement Officer, John Borboa; Public Works Director, Ben Gallegos; City Building Inspector Wil Van Ryn; City Engineer, Mario Gouveia; Ron Frye; David Flores; Lilia Flores; Dr. Marcel Hetu; Jim Lowe; Jack Minnite; Don Esola; Oscar Sablan; John Baltierra; Esther and Pete Ramirez; Felipe Perez; Mayra Mejia; Miguel Flores; Mr. & Mrs. Matt Flood; Mr. Jose Perry.

PLEDGE OF ALLEGIANCE

Pledge of Allegiance led by Council Member Marcia Sablan.

PUBLIC COMMENT

Esther Ramirez, 1754 Ramirez Drive thanked the council for giving her the opportunity to work as a Planning Commissioner for the past four years, but will resign as of December 31, 2008.

Mayor Craig Knight also thanked council, staff and the public for the opportunity be a Council Member and Mayor for the City of Firebaugh but choose not to run for re-election as a Council Member, therefore his services will not continue after the certification of election resolution no 08-53 (first agenda item on tonight's meeting) and wanted to thank everyone their contributions to the community.

REORGANIZATION

1. **CERTIFICATION OF ELECTION YEAR 2008 - RESOLUTION NO. 08-53 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH CANVASSING AND DECLARING THE RESULTS OF THE GENERAL ELECTION HELD ON NOVEMBER 4, 2008.**

Motion to approve Resolution No. 08-53, made by Council Member Sablan, second by Council Member Marquez; motion carries.

2. SWEARING IN OF NEW AND RE-ELECTED COUNCIL MEMBERS.

The proceedings of the Swearing in of newly and re-elected City Council Members proceeded.

3. REORGANIZATION OF CITY COUNCIL:

- A. Mayor
- B. Mayor Pro Tem

Motion to appoint Council Member Sablan as Mayor, made by Council Member Marquez, second by Council Member Lake; motion carries.

Motion to appoint Council Member Marquez as Mayor Pro-Temp, made by Council Member Lowe, second by Council Member Lake; motion carries.

INTRODUCTION

None

PRESENTATION

A plaque was presented to Mayor Craig Knight and Council Member Clyde Fannon for the years of service and dedication to the community of Firebaugh.

A certification was presented to Mrs. Ileana Arvizu for her participation in the City Façade Program.

CONSENT CALENDAR

4. APPROVAL OF MINUTES – The City Council meeting on November 17, 2008.

5. WARRANT REGISTER – Period starting November 1, and ending on November 30, 2008.

November, 2008 General Warrants	#20933 – #21131	\$ 1,742,951.06
	Payroll Warrants #56083 – #56218	<u>\$(Included in Total)</u>
	TOTAL	\$ 1,742,951.06

Motion to approve the consent calendar, made by Council Member Marquez, second by Council Member Sablan; motion carries.

PUBLIC HEARING

None

OLD BUSINESS

None

NEW BUSINESS

6. INDEPENDENT AUDITOR’S REPORT AND FINANCIAL STATEMENTS JUNE 2008.

Mr. Bryant Jolley provided a report of the independent auditor’s report and answered council’s questions. City Manager Jose Antonio Ramirez informed council of ways that staff will start addressing the economic concerns of the city, such as, if a staff member should leave a position it will not currently be replaced and staff is looking at collecting funds that may have been overlooked such as airport fees, business licenses, and other types of fees required to be paid to the City of Firebaugh.

Motion to approve the Independent Auditor’s report and Financial Statements June, made by Council Member Lowe, second by Council Member Marquez; motion carries.

**Request to discuss agenda item #12 before all other agenda items by Council Member Lowe; motion approved.*

7. DISCUSSION REGARDING APPOINTMENT OF PLANNING AND ZONING COMMISSIONERS:

As of December 12, 2008, three (3) Commissioners’ terms have resigned. Per Firebaugh Municipal Code Section 2-5.2a, three (3) of five (5) members will be appointed by City Council for a 3 year term. The City has placed an ad for the vacant positions and has received eleven letters of interest.

Council voted and by majority vote Mr. Jack Minnite was elected as one of three Planning Commissioner, no other individual was elected through majority vote, item to be placed on next Council Agenda, before a full council for re-election of the two additional planning commissioner.

8. RESOLUTION NO. 08-51 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH AUTHORIZING THE SUBMITTAL OF EXPANSION PROPOSALS PHASE IV AND V (CITY OF COALINGA) TO THE CALIFORNIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT.

Motion to approve Resolution No. 08-51, made by Council Member Marquez, second by Council Member Lake; motion carries.

9. RESOLUTION NO. 08-52 - A RESOLUTION APPROVING AN APPLICATION AND CONTRACT EXECUTION FOR FUNDING FROM THE ECONOMIC DEVELOPMENT ALLOCATION OF THE STATE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM AND AUTHORIZING THE EXECUTION OF A GRANT AGREEMENT AND ANY AMENDMENTS THERETO WITH THE STATE OF CALIFORNIA FOR THE PURPOSES OF THIS GRANT.

City Manager Jose Antonio Ramirez requested to table Resolution No. 08-52 until future notice, staff is still research information.

10. RESOLUTION NO. 08-54 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH, CALIFORNIA, DECLARING CERTAIN CITY PROPERTY AS SURPLUS EQUIPMENT

Motion to approve Resolution No. 08-52, made by Council Member Lake, second by Council Member Marquez; motion carries.

11. THE CITY COUNCIL OF THE CITY OF FIREBAUGH PROVIDES APPROVAL OF THE NOTICE OF COMPLETION FOR RESURFACING OF 12TH STREET FROM MAIN CANAL TO HWY33.

Motion to approve the Notice of Completion for the resurfacing of 12th Street from Main Canal to HWY 33, made by Council Member Marquez, second by Council Member Lake; motion carries.

12. TERMINATION AND ASSIGNMENT OF FRANCHISE AGREEMENT FROM FIREBAUGH DISPOSAL SERVICE TO NEW WASTE HAULER: COUNCIL TO CONSIDER NEW HAULER PROPOSAL AND APPROVE OR DISAPPROVE.

City Manager Jose Antonio Ramirez asked Mid Valley to provide a presentation to council and provide information regarding the company. Mr. Joseph Kalpakoff, stated the company employs about 100 individuals and owns about 40 vehicles, it is in the fourth generation of the family and began in 1997. If the city council of the City of Firebaugh is interested in approving a contact with Mid Valley, they would like to start providing services by February 1st of 2009. City Manager Ramirez inquired on how Mid Valley could assist the city with meeting our goals in trying to increase our diversion rate and all other state mandated requirements? Mr. Kalpakoff informed council that education is a very important part of reaching the goal, the company will also provide three different containers for: garbage, green waste, and recyclables, the company is familiar with all the state mandated requirements and reports, since they have the experience in providing similar services to other rural communities.

Council advised the City Manager to move forward in preparing an assumption agreement with Mid Valley.

PENDING ITEMS

None

PUBLIC COMMENTS/QUESTIONS

Miguel Flores, 1585 Welty, asked council if there are funds to install lights at the Del Rio Area, he feels it is a safety issue for children and a way to prevent criminal activity.

STAFF REPORTS

- **City Attorney Dale Bacigalupi**–
 - Introduced Attorney Meggin Boranian and stated after 25 years of attending city council meetings, he will no longer attend as of January 1st; Mrs. Boranian will represent the firm, but will be available for any services the city may need, all attorney's can be reached at the office, via phone and email.
- **Police Chief, Elsa Lopez** –
 - PAL Christmas party was successful.
 - **Promoters request the Use of City Facility (AF Community Building) and a wavier of fees on December 21, 2008 for their Christmas Party.**

**Request to add item to agenda for approval by Council Member Marquez, second by Council Member Lake; motion approved.*

Motion to approve rental of facilities agreement and waive fees for the Promoters Christmas party by Council Member Marquez, second by Council Member Lake; motion carries.

- **Public Works Director, Ben Gallegos** –
 - Currently picking up leaves throughout town
 - Responded to Mr. Marquez question regarding repairing pot-holes on City streets by informing him that pot-holes will be repaired when rainy weather conditions improve.

- **City Finance Director, Odi Ortiz** –
 - Council Member Marquez and Lake requested a more detailed explanation regarding the descriptions of Expenditures and Revenues to get a better understanding of all transactions.
 - Working with RSG Consultant to assist with the RDA filing report to comply with the AB1389, and to analyze the budget and recommend areas that need adjustment which will be reported to council.
- **City Engineer Mario Gouveia** –
 - Park and Ride project will be completed when weather permits; will not lay asphalt until rainy weather passes for best results of quality on the project, and also paint string will also be suspended until better weather.
- **City Treasurer, Alice Castaneda** – nothing to report.
- **Deputy City Clerk, Rita Lozano** – nothing to report.
- **Assistant City Manager, Laura Rios** – working on CalPers issues and HR issues.
 - Public Records Act information.
 - Updating Personal Policies Handbook.
 - Working with US Census, which is currently hiring individuals to assist them.
- **Building Inspector Wil Van Ryn** –
 - Reported to council in the last six weeks inspected on twenty permits.
 - Wil tested last week received an additional certification.
 - Council Member Marquez and Sablan requested a spreadsheet reporting all inspections and current projects.
 - Responded to Council Member Marquez regarding the KHovnanian Subdivision, and informed council that Khov pulled six current permits.
- **City Manager, Jose Antonio Ramirez** –
 - Updated council that Queengil (Drip irrigation tape supplier) will open business at the old Valley Bean Plant, and hire about 200 people in the future, but will hire five or six individual immediately.
 - A company named Buttonwillow Chemical is interested in relocating their office in Firebaugh and will employ 50 individuals at their site.
 - Toma Tek is considering of relocating their San Benito plant (which may close), and operate completely from the Firebaugh location.
 - Working on a Compliance Order, a meeting is scheduled in Sacramento regarding the recycling program and California Integrated Waste Management Board with Ron Frye, City Attorney Dale Bacigalupi and I will attend it.
 - City received about \$396,000 in the 2nd cycle of safe route to school program and about \$460,000 in the 1st cycle of safe route to school program.
 - City should be completely metered for water usage by next week, some meters still need XMU, which allow customers to electronically view their readings and account information online.
 - Recommend city puts together a wish list for future projects, so if the new Administration of elect President Obama issues a stimulus package the city can apply for funds.

COUNCIL ITEMS

- Marquez –
 - Thanked PAL organization for hosting the Christmas party.
- Sablan –
 - Requested update on the remodel of the New City Hall and status on the budget for the project, council approved a \$100,000 funding from the water fund. Staff replied that we are currently budget by \$13,000 due to water leaks in the building, and have the project complete by Mid-January.

Motion to enter into close session at 9:10 p.m. by Council Member Marquez, seconded by Council Member Lake; motion carries.

CLOSED SESSION

13. EXISTING LITIGATION – ONE CASE PERB CASE #

Operating Engineers Local Union #3 v. City of Firebaugh

14. POTENTIAL LITIGATION – Pursuant to Government Code #54956.9 (b)(1)

One (1) case

15. REAL ESTATE NEGOTIATION – REDEVELOPMENT AGENCY – Pursuant to Government Code Section #54956.8

Owner or Designative Rep. City Negotiator Jose Antonio Ramirez

APN	008-074-01	008-074-04	008-074-17	008-074-07
	008-074-08	008-074-09	008-074-15	008-074-10
	008-074-14	008-074-16	008-074-18	008-073-03
	008-073-04	008-073-05	008-073-06	008-073-07
	008-073-08	008-073-09	008-073-10	008-073-11

ANNOUNCEMENT AFTER CLOSED SESSION

Motion to enter into open session at 9:48 p.m. with agenda item #12 tabled, by Council Member Marquez, seconded by Council Member Lake; motion carries.

**No action taken.*

ADJOURNMENT

Motion to adjourn at 9:50 p.m. by Council Member Marquez, seconded by Council Member Lake; motion carries.