

MEETING MINUTES

**The City Council/Redevelopment Agency of the City of Firebaugh
Vol. No. 09/05-18**

Location of Meeting: Andrew Firebaugh Community Center
1655 13th Street, Firebaugh, CA 93622
Date/Time: May 18, 2009 @ 7:30 p.m.

CALL TO ORDER Meeting called to order by Mayor Sablan at 7:30 p.m.

ROLL CALL

PRESENT: Mayor Marcia Sablan
Council Member Rod Lake
Council Member Jim Lowe

ABSENT: Council Member Chris J. DeFrancesco
Mayor Pro Tem Javier Marquez

OTHERS: City Attorney, Meggin Boranian; City Manager, Jose Antonio Ramirez; Assistant City Manager, Laura Rios; City 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; Community Service Coordinator, Phyllis Baltierra; and other community members.

PLEDGE OF ALLEGIANCE:

Pledge of Allegiance led by Council Member Lake

PUBLIC COMMENT

David Flores attended the Downtown Market two Thursdays ago and stated that there were individuals causing trouble and recommended that the city not allow individuals that might provide a negative environment because it will discourage the atmosphere of a family event. Police Chief Elsa Lopez added that officers will be attending the event and will issue warning and citations if required to address this issue.

INTRODUCTION

None

PRESENTATION

Broker Ross Rice provided a presentation regarding alternative City Insurance Coverage Plans. Mr. Rice has represented city of Parlier, Fowler, Mendota and Farmersville with similar insurance coverages and provided his contact information for any questions the City may have.

Manager Susan Pearman of Fresno County’s IMPACT Program, of the San Joaquin Valley Health Consortium, provided a presentation on Tobacco Retail Licensing in local jurisdictions and explained the importance of prohibiting the sale of tobacco products to minors. Ms. Pearman asked the Council to join other Cities and organizations by passing an ordinance expressing the City of Firebaugh’s support, and added that there is a program that provides funding to officers that patrol/enforce this issue for the compensation of any overtime wages accumulated. Ms. Pearman also provided a 1-800 phone number and asked the public to report any Merchants that are selling any tobacco products to minors.

CORRESPONDENCE

None

CONSENT CALENDAR

- 1. **APPROVAL OF MINUTES – The City Council meeting on May 4, 2009.**
- 2. **WARRANT REGISTER – Period starting April 1, and ending on April 30, 2009.**

April, 2009	General Warrants	#21779 – #21893	\$ 949,006.99
	Payroll Warrants	#56739 – #56859	<u>\$(Included in Total)</u>
	TOTAL		\$ 949,006.99

Council Member Lake pulled the following the checks for more information;

- Check # 21821 & # 21849** – Consultant Ron Frye – City Manager explained Mr. Frye is still providing services during the transition of Mid-Valley Disposal;
- Check # 21829** – Re: Purchase of Water Bottles - City Manager explained the purchased of 48 cases water bottles per pallet for various functions.
- Check # 21844** – Planning Consultant Karl Schoettler fees for March 2009 - City Manager explained the several operations provided during his services for projects, zoning verification, and General Plan Update.
- Check # 21891** – Re: San Joaquin River Repair Project - City Manager explained that the City should receive 80% of reimbursement of funds for the repair and will continue to seek additional funds for complete reimbursement.
- Check # 21893** – Fresno County Auditor Controller’s Office – Finance Director Odi Ortiz explained the one time payment required by every city owed to the State after the audit; however cities are challenging the State and are seeking reimbursement.

Council Member Lake asked the City Manager Jose Ramirez watch the Consultant fees in effort to lower the expenses.

Council Member Lowe pulled the following check for more information;

Check # 21779 – United Security Bank - Finance Director Odi Ortiz explained it most likely was a payment issued to cover payroll expenses, but will confirm.

Motion to approve Minutes and Warrant Register made by Council Member Lowe, seconded by Council Member Lake; motion passed.

PUBLIC HEARING

None

OLD BUSINESS

3. BUDGET REVIEW

City Finance Director Ortiz provided Council with a Budget Update, reflecting the changes requested by Council, to address the City’s next fiscal year budget shortfall. Council Member Lowe recommended a Budget Workshop to address the economic issues that have been discussed over the past six weeks. Mayor Sablan replied that she prefers to review the sections and modifications that City staff was directed to provide to Council before the final approval as previously presented. Council Member Lake agreed with Council Member Lowe, because so many different modifications have been presented at various meetings, it has become too confusing. Council Member Lake added that Council voted and made decisions, because the urgency of the deficit problems of the City, but those actions has not been enforced. City Manager Jose Antonio Ramirez responded that staff and council are working together to try and make the best decisions on cut backs needed to address the City’s deficits, but proposals regarding the budget will always continue to changes, and advised that everyone is doing their best to solve the budget issues.

** No action taken*

4. MEDICAL BENEFITS FOR ELECTED OFFICIALS AND CITY STAFF.

The City is currently incurring approximately \$33,000 in premiums to provide health insurance for four (4) elected Officials. Council Member Lowe requested more information and presentations regarding this issue from other agencies. Mayor Sablan encouraged Council Members to consider waiving their health insurance coverage, since Council is making difficult economical decisions to address the shortfall and assist in good faith with the union and its employees during the negotiations.

Motion to keep medical benefits for the elected officials made by Council Member Lowe, seconded by Council Member Lake; Mayor Sablan voted no; motion passed.

5. RESOLUTION NO. 09-03 RESOLUTION TO REORGANIZE AND ADJUST PARTICULAR POSITIONS (HALF-TIME CODE ENFORCEMENT; BUILDING INSPECTOR; SENIOR/SPECIAL EVENT/CANTALOUPE COORDINATOR) AND DIRECTION TO NOTIFY AFFECTED EMPLOYEES OF LAYOFF.

Council Member Lake requested to table this item until Council receives all information to properly and correctly address the issue. Craig Knight asked Council to consider the modification of the Fire Chief’s position from the full-time to part-time due to the concern of public safety.

Motion to not approve Resolution No. 09-03 made by Council Member Lake, seconded by Council Member Lowe; motion passed.

NEW BUSINESS

6. ORDINANCE NO. 09-02 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH AMENDING SECTION 4-2.6.2 OF THE FIREBAUGH MUNICIPAL CODE RELATING TO ITINERANT RESTAURANTS AND CATERING TRUCKS – FIRST READING.

Council Member Lowe requested a copy of the old ordinance with the proposal of the new ordinance to compare the difference between the two. City Attorney, Meggin Boranian stated that the only change from the previous ordinance is the 60 minute requirement for relocation would not apply, if the property is owned by the business owner and is properly zoned.

Motion to approve and waive the first reading of Ordinance No. 09-02 made by Council Member Lowe, seconded by Council Member Lake; motion passed.

7. RESOLUTION NO. 09-04 A RESOLUTION APPROVING AN APPLICATION FOR FUNDING AND THE EXECUTION OF A GRANT AGREEMENT AND ANY AMENDMENTS THERETO FROM THE STATE OF CALIFORNIA NEIGHBORHOOD STABILIZATION PROGRAM (NSP).

City Manager Jose Antonio Ramirez provided information regarding the Neighborhood Stabilization Program, which provides state funds to address the following; (A) Establishment of financing mechanisms for purchase and redevelopment of foreclosed upon homes and residential properties, including such mechanisms as soft-seconds, loan loss reserves, and shared-equity loans for low- and moderate-income homebuyers; (B) Purchase and rehabilitation of homes to sell, rent or redevelop; (C) Establishment of land banks for homes that have been foreclosed upon; (D) Demolition of blighted structures; or (E) Redevelopment of demolished or vacant properties, and no match funds are required from the City.

Motion to approve Resolution No. 09-04 made by Council Member Lake, seconded by Council Member Lowe; motion passed.

8. INVENERGY (SOLAR GIN) GRANT OF EASEMENTS AGREEMENT.

** Informational item only for review will be presented to Council for action at a future Council meeting.*

PENDING ITEMS

- **Request a report and update of the billing process for garbage collection fees for the first six months.**

City Finance Director Ortiz will provide this information to Council at a future Council meeting.

- **Mayor Pro Tem Marquez requested a meeting to be scheduled between School Board and City Council Members.**

City Manager Ramirez stated that staff is moving forward on this request and met with School Officials to discuss request, the School Board recommended the Month of July.

- **Council Member Lake requested information/explanation on the difference of fees between the City Clerk and City Treasurer.**

No additional information provided at this time, staff is still researching the City’s expenditure for the item to be on the next election ballot.

PUBLIC COMMENTS/QUESTIONS

None

STAFF REPORTS

- **Public Works Director, Ben Gallegos** - nothing to report.
- **Police Chief, Elsa Lopez** –
 - Meeting scheduled with Mrs. Violet Chuck of the Firebaugh School District regarding a K-9 Program.
 - Met with Mr. Jerry Galvin to work on a contract for dispatching services for the re-established Police Department in the City of Mendota.

- **Fire Chief/Code Enforcement Officer, John Borboa** –
 - City of Firebaugh receives funding from CalEMA (California Emergency Management Agency), formerly OES (Office of Emergency Services), Fresno County, Madera County; however the joint Homeland Security grant currently has been awarded.
 - Assisted the City of Mendota with fires; they currently have a serial arsonist, resulting in about 38 fires over the past few months.
- **Community Service Director, Phyllis Baltierra** – nothing to report.
- **Finance Director, Odi Ortiz** –
 - Reported that local Cities are filing a Fiscal Year Hardship to prevent the State of California from taking additional funds and added pressure to get the reimbursement of funding already owned to Cities quickly.
- **Deputy City Clerk, Rita Lozano** – nothing to report.
- **Assistant City Manager, Laura Rios** –
 - Announced food distribution for Thursday, May 21st at 9:00 a.m.
 - Working on an Identity-Theft Policy and Procedures.
 - Updating the Personnel Policy Handbook.
- **City Manager, Jose Antonio Ramirez** –
 - Scheduled a meeting with Mr. Santos of Firebaugh Champion Chevrolet to assist them during this difficult economical time, and try to support them in their efforts from closing the business, because of the impact it would have on the City.
 - A proposal of a new Complex (Miller & Lux Apartments) has been submitted, it is the same individuals that built the San Joaquin Villas Project and are working with Greenling to apply for Enterprise Funding to receive tax credits, and the application must be submitted by August. The complex will consist of Senior and Multi-family housing for low income. They are requesting a pledge from the City of Firebaugh to contribute a one time fee amount of \$200,000 in funding from our RDA low-income fund the fiscal year 2009-2010. The City is currently collecting about \$285,000 per Fiscal Year from RDA low-income tax increments. City Attorney, Meggin Boranian advised Council to request more information before pledging funds, just for clarification. Council Member Lowe responded that the City has awarded funding to previous complexes over a ten (10) year time frame. Council Member Lake directed the City Manager to work with Legal Staff to protect the City's best interest.

COUNCIL ITEMS

- Council Member Lowe – nothing to report.
- Mayor Pro Tem Marquez – nothing to report.
- Mayor Sablan – nothing to report.
- Council Member Lake –
 - Council Member stated that at the previous Council Meeting, two representatives from the FBI's Special Agency's Office come and provided a certificate of recognition to three of our officers; whereas council previously provided certificates to church organizations for their support/contributions to the City of Firebaugh and the Fire Department honor their own during their Fireman's Dance event, but the City has not honored their employees from the Police Department, or Fire Department and requested some future acknowledgement for their services to the City of Firebaugh.

CLOSED SESSION

9. “LABOR NEGOTIATIONS: REPRESENTED AND UNREPRESENTED EMPLOYEES (GOVERNMENT CODE §54957.2.

City representatives: Jose Antonio Ramirez, Laura Rios

10. BUDGET REVIEW

No Closed Session

ANNOUNCEMENT AFTER CLOSED SESSION

ADJOURNMENT

Motion to adjourn made by Council Member Lowe, seconded by Council Member Lake; motion carried by consensus vote. Meeting adjourned at 10:25 p.m.