

MEETING MINUTES

**The City Council/Redevelopment Agency of the City of Firebaugh
Vol. No. 09/11-02**

Location of Meeting: Andrew Firebaugh Community Center
1655 13th Street, Firebaugh, CA 93622
Date/Time: November 2, 2009/ 7:30 p.m.

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

ROLL CALL

PRESENT: Mayor Marcia Sablan
Mayor Pro Tem Javier Marquez
Council Member Chris J. DeFrancesco
Council Member Rod Lake

ABSENT: Council Member Jim Lowe

OTHERS: City Attorney, Meggin Boranian; City Manager, Jose Antonio Ramirez; City Finance Director, Odi Ortiz; Deputy City Clerk, Rita Lozano; Police Chief, Elsa Lopez; Fire Chief John Borboa; Public Works Director, Ben Gallegos; Lorie Adams; Paul Ashby; Bryant Jolley; and other community members.

PUBLIC COMMENT

PLEDGE OF ALLEGIANCE

Pledge of Allegiance led by Council Member DeFrancesco

PRESENTATION

Mr. Wellman D. Shew, CLU, of Shew & Company Insurance Services provided a presentation regarding Medical, Dental and Vision benefits for City of Firebaugh and the employees which may relate in cost savings.

Mr. Bryant Jolley, CPA, presented a review of the Annual Independent Auditor’s Report for the period ending June 30, 2009, and recommended four issues to be addressed 1) Write off/Void Outstanding Checks 2) Recommend the City complete an Audit of Hacienda Villas 3) Better recordkeeping of Grant accounts and Documentations to keep in compliance 4) Write off of uncollectable accounts.

Lorie Adams and Paul Ashby of Adams Ashby Group provided a brief presentation regarding a submittal of a proposed grant application for Prop 84 funding to establish an additional Park for the City of Firebaugh.

CONSENT CALENDAR

1. **APPROVAL OF MINUTES – The City Council meeting on October 5, 2009.**

2. APPROVAL OF MINUTES – The City Council meeting on October 19, 2009.

Mayor Sablan requested clarification on the minutes from November 19 regarding the estimated damage amount of the garage fire reported under the Staff Report of the Fire Chief Borboa, and asked that the minutes reflect the correction: home is appraised at \$425,000 and the fire damage is estimated at \$60,000.

Motion to approve minutes made by Council Member Lake; second by Council Member DeFrancesco. Motion passed by unanimous consensus vote.

PUBLIC HEARING

None

OLD BUSINESS

None

NEW BUSINESS

3. AWARD RFP FOR CITY ENGINEERING SERVICES.

City Manager Jose Ramirez reported to council that the City of Firebaugh advertises the RFP for City Engineering Services and received only one proposal from Gouveia Engineering.

Motion to award Civil Engineering Services to Gouveia Engineering made by Mayor Pro Tem Marquez; second by Council Member Lake. Motion passed by unanimous consensus vote.

4. THE CITY COUNCIL OF THE CITY OF FIREBAUGH TO APPROVE CONTRACT FOR ENGINEERING SERVICES WITH GOUVEIA ENGINEERING.

City Attorney Meggin Boranian reported on a list of amendments made to the original contract before Councils approval which were the following; 1) Independent Contractor Clause was added 2) Rate Sheet be included, and stated the City of Firebaugh will be charged at the lowest hourly rate which will remain through the 2009 – 2010 year as proposed in the RFP.

Motion to approve Contract with Gouveia Engineering made by Council Member Lake; second by Council Member DeFrancesco. Motion passed by unanimous consensus vote.

5. AWARD RFP FOR CITY HOUSING CONSULTANTS SERVICES.

City Attorney Meggin Boranian reported on a list on amendments made to the original contract before Councils approval which were the following; 1) Page 1– Exhibit A and Exhibit B Language modification 2) Page 2 - Errors & Omission Insurance would be required if the company was Professional licensed, (meaning certain certification to provide the services that they do) If they Company becomes licensed with a specialty, they will be required to comply as part of the insurance package 3) Page 5 - - Independent Contract Clause stating that contract may not acquire on the status of employee, which has be added as Paragraph Q.

Motion to award RFP Housing Consultant Services to Adams Ashby Group made by Mayor Pro Tem Marquez; second by Mayor Sablan, motion carries.

6. THE CITY COUNCIL OF THE CITY OF FIREBAUGH TO APPROVE CONTRACT WITH ADAMS ASHBY GROUP.

Motion to approve Housing Consultant Services Contract to Adams Ashby Group made by Council Member Lake; second by Council Member DeFrancesco, motion carries.

7. AUTHORIZATION FOR REPLACEMENT OF CITY MANAGER’S VEHICLE, MAXIMUM OF \$30,000 AND BIDDING PROCESS.

Motion to approve the purchase of City Manager’s vehicle locally in the City of Firebaugh within \$30,000 Maximum spending limit made by Mayor Sablan; second by Council Member DeFrancesco, motion carries by 3-1 vote, Council Member Marquez - no.

8. RESOLUTION NO. 09-37 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH SUPPORTING AB1012 A STATE LAW TO SECURE THE EFFICIENCY OF TRANSPORTATION FUNDING AND IMPLEMENTING A TIMELY USE OF THE FEDERAL/STATE FUNDING UNDER THE 2009 FEDERAL TRANSPORTATION ACT FOR THE FOLLOWING PROJECTS: POSO CANAL PEDESTRIAN/BIKE ROUTE, LEVEE MULTI-USE TRAIL, AND PEDESTRIAN/BIKE ROUTE; PURCHASE OF CNG STREET SWEEPER

Motion to approve Resolution No. 09-37 made by Mayor Pro Tem Marquez; second by Council Member Lake, motion carries by unanimous consensus vote.

PENDING ITEMS

- Certificate of recognition of City employees for dedication and services to the City.
- The consideration on the removal of the City Clerk’s and City Treasurer’s position at next election.

STAFF REPORTS

- **Ben Gallegos, Public Works Director** – Received the remaining \$32,000.00 funding from the Safe Route 2 School Grant which will replace curbs and gutter along 13th Street through 11th Street on “P” Street.
- **John Borboa, Fire Chief** – Nothing to report.
- **Elsa Lopez, Police Chief** – Reported that the Firebaugh Police Department was been working with the Mendota Police Department on two pending homicides; 1) A shooting Victim, which resulted with the victim on life-support 2) Four Year Old homicide victim.
 - Council Member Lake inquired on an update regarding the dispatch services to Mendota Police Department, Chief Elsa Lopez stated the Dispatchers are doing well, and there are no problems to report.
- **Odi Ortiz, Finance Director** – Prepared a Financial Quarterly Report for July 1, 2009 to September 30, 2009.
 - Reports show an increase in sales tax for the City of Firebaugh, which places Firebaugh in the black.
 - Would like to thank the Promotores for promoting the “Buy Local” Campaign.
- **City Engineering Mario Gouveia** - Will start 13th Street Reconstruction before the rain season begins.
- **Rita Lozano, Deputy City Clerk** – nothing to report.
- **Jose Antonio Ramirez, City Manager** – Funding from the Department of Water Resources will be used to replace lines at Beehive.
 - Paul Maurer asked to reschedule the Carnival Dates from July 22-25 to July 29th through August 1st.
 - Research businesses participating in the “Buy Local” Campaign to see if they have a City Business License, those businesses that don’t will be purchasing their city license to continue the participation.
 - Tuckfield recommended that the City complete a rate study to evaluate if the current rate schedule will be efficient to meet future financial matters.

- o Reviewed the Punch List with K Hovnanian Representatives.
- o Individuals from various groups come for the 22nd Century Model City Workshop and provided recommendations to establish a “Green City”
- o Brownfields Grant EPA representatives would like a City representative to attend their conference in New Orleans to receive the check on November 16th through November 18th.
- o City will submit a Grant application to the State Department of Conservation.
- o SSMP was completed by AECOM, and City Engineer Mario Gouveia will submit it by the deadline of May 2010.
- o An Engineering firm would like to rent the City Airport to complete a study and reenact accidents.
- o Wrote letter to Senator Boxer and Senator Feinstein to support grant funding to the City of Firebaugh, available amount is 2.9 million.

COUNCIL ITEMS

- **Mayor Pro Tem Marquez** – Inquired on why when he requested a copy of the Police Report from the City Manager’s accident report, he was informed that it would be issued to all Council Members during the Closed Session. City Attorney Boranian informed Council that it is a pending litigation item; therefore information would be disclosed during the closed session, by requirements outlined under the Browns Act.
- **Council Member Lake** – Inquired about reports received regarding cloudy water, Public Works Director Ben Gallegos stated that there is air injected to our water system that causes the cloudy water, and added that the City Manager will provide more information during discuss under closed session.
 - o Inquired about the advertisement of the City hiring Water/Wastewater Operator Trainee
- **Mayor Sablan** – Inquired if the City has any company locally to inspect the Backflow Devices, Public Works Director Gallegos, stated that Ned Perry and Octavio Gonzalez are certified Inspectors.

Motion to move into closed session after a five minute break at 10:00 p.m. by consensus vote.

CLOSED SESSION

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

Re: Hacienda Villa Apartments on Storey Road – APN# 007-302-28

Owner Rep. Property Negotiator Jack Riley
Designative Rep. City Negotiator Jose Antonio Ramirez

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

Two Cases

Motion to move into open session at 10:47 p.m. by consensus vote.

ANNOUNCEMENT AFTER CLOSED SESSION

No Action Taken

ADJOURNMENT

Motion to adjourn made by Mayor Pro Tem Marquez, seconded by Council Member Lake; motion carried by consensus vote. Meeting adjourned at 10:56 p.m.