

MEETING MINUTES

**The City Council/Redevelopment Agency of the City of Firebaugh
Vol. No. 09/11-16**

Location of Meeting: Andrew Firebaugh Community Center
1655 13th Street, Firebaugh, CA 93622
Date/Time: November 16, 2009/ 7:30 p.m.

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

ROLL CALL

PRESENT: Mayor Pro Tem Javier Marquez
Council Member Rod Lake
Council Member Jim Lowe

ABSENT: Mayor Marcia Sablan
Council Member Chris J. DeFrancesco
City Manager, Jose Antonio Ramirez

OTHERS: City Attorney, Meggin Boranian; City Finance Director, Odi Ortiz; Deputy City Clerk, Rita Lozano; Police Chief, Elsa Lopez; Fire Chief John Borboa; Public Works Director, Ben Gallegos; John Baltierra; Mary Van Pelt, and other community members.

PUBLIC COMMENT

John Baltierra, 1538 8th Street, suggested that the City look for sponsorship/advertisement from companies that sell skateboard equipment to cover some costs of maintenance/repairs at the Maldonado Skate Park.

PLEDGE OF ALLEGIANCE

Pledge of Allegiance led by Council Member Lowe

PRESENTATION

None

GRANTS

None

CONSENT CALENDAR

1. APPROVAL OF MINUTES – The City Council meeting on November 2, 2009.

City Attorney Meggin Boranian stated that a revision on the Minutes of November 2, 2009 on page 2 paragraph 5 should state Independent Contractor instead of instead of Independent Contract.

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

2. WARRANT REGISTER – Period starting October 1, and ending on October 31, 2009.

October, 2009	General Warrants	#22687 – #22787	\$ 562,580.08
	Payroll Warrants	#57489 – #57652	<u>\$(Included in Total)</u>
TOTAL			\$ 562,580.08

Council Member Lowe inquired about the following check:

Check #22698 – \$3,225.50 Wil Van Ryn regarding a paid invoice for Code Enforcement Services, Council Member Lowe stated the City eliminated the Code Enforcement Position due to Budget issues, and requested this item to be placed as a future agenda item to review/revisit/revise services listed under the contractor’s agreement if needed.

Council Member Lake inquired about the following check:

Check #22717 - \$16,250.49 – Chemical Waste Management for landfill/Sludge removal at the wastewater plant.
Check # 22723 - \$4,770.74 – Dept. of Public Health for Water Operator AB2995 – Annual License Fee

Council Member Marquez inquired about the following check:

Check # 22769 – \$889.93 - First Bank Card – Fire Dept. & City Manager (requested copies of statements).
Check # 22779 – through Check # 22782 – Fire Department Volunteers for Reimbursement for participation from CalFire 2008, which gets paid to the City of Firebaugh and is reimbursed to the Volunteers for their attendance.
Check # 22785 – \$250.00 - Club Latino Americano Del Valle Central for Enterprise Tax Credit Promotion (donation) – Council suggested that donations be presented to Council for approval.

Motion to approve warrants made by Council Member Lowe; second by Council Member Lake, motion passed by unanimous consensus vote.

3. REQUEST FOR USE OF CITY FACILITY (ANDREW FIREBAUGH COMMUNITY CENTER) AND A WAIVER OF FEES BY PROJECT TAMAZULA FOR DINNER DANCE ON DECEMBER 12, 2009.

Motion to not approve waiver of fees and have applicant work with the City Manager on rental agreement made by Council Member Lake; second by Council Member Lowe, motion passed by unanimous consensus vote.

PUBLIC HEARING

4. ORDINANCE NO. 09-07 - AN ORDINANCE OF THE CITY OF FIREBAUGH ADDING SECTION 25-1.7 AND SECTION 25-2.3.5 OF THE FIREBAUGH MUNICIPAL CODE “PROHIBITING THE ESTABLISHMENT OF MEDICAL MARIJUANA DISPENSARIES WITHIN THE CITY OF FIREBAUGH.”

Police Chief Elsa Lopez provided a brief presentation on the interpretation of Ordinance No. 09-07, which does not prohibit the use of Medical Marijuana, just prohibition of Medical Marijuana Dispensaries in the City and where and when it is allowed.

Public Hearing opened at 8:21 p.m. – No public comment given – Hearing Closed at 8:22 p.m.

Motion to approve Ordinance No. 09-07 made by Council Member Lowe; second by Council Member Lake, motion carries by unanimous consensus vote.

OLD BUSINESS

None

NEW BUSINESS

5. FIRST SOURCE HIRING AGREEMENT FOR BROWNSFIELDS, SOURCE, AND LEED BUILDING JOBS.

City Consultant Jim Gordon and City Attorney Meggin Boranian will work together to provide Council with a legal document that outlines a policy with specific requirements stating that contractors must employ local qualified residents for hiring before other qualified applicants are considered. Westside Institute of Technology will offer class for individuals to be certified for possible available positions.

6. RESOLUTION NO. 09-38 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH APPROVING AN EXPENDITURE OF THE REDEVELOPMENT AGENCY OF \$43,000 TO REIMBURSE THE CITY OF FIREBAUGH FOR IMPROVEMENTS AT MALDONADO PARK.

Motion to not approve Resolution No. 09-38 made by Council Member Lake; second by Council Member Lowe, motion passed by unanimous consensus vote.

7. RESOLUTION NO. 09-39 - A RESOLUTION OF THE BOARD OF DIRECTORS OF THE FIREBAUGH REDEVELOPMENT AGENCY APPROVING AN APPROPRIATION OF \$43,000 TO REIMBURSE THE CITY OF FIREBAUGH FOR IMPROVEMENTS AT MALDONADO PARK.

Motion to not approve Resolution No. 09-39 made by Council Member Lowe; second by Council Member Lake, motion passed by unanimous consensus vote.

8. THE CITY COUNCIL OF THE CITY OF FIREBAUGH TO APPROVE THE INDEPENDENT AUDITOR’S REPORT.

Motion to approve Auditor’s Report made by Council Member Lowe; second by Council Member Lake, motion passed by unanimous consensus vote.

PENDING ITEMS

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

STAFF REPORTS

- **Ben Gallegos, Public Works Director** – The remaining State grant funds from the leaky pipe project of the 1.1 million will be used to replace all water lines on Cardella Street and Indart. \$10, 000.00 remaining grant funds from the safe route to school will used to replace sidewalk at Bailey and Middle School. Completed a walk through at the Plant everything looks great except some issues with pumps, which are still under warranty. Completed Interviews for the open position, one individual took the test; however results will not be in until January 2010, another City Employee would like to transfer from the Public Works Department to the Water/Wastewater Department, which would leave P.W. Dept. shorthanded, and due to the no hire policy set forth during the budget freeze, the position would have to remain vacant, unless Council allows a new hire.
- **John Borboa, Fire Chief** – If approved by EMS and CalFire, the City of Firebaugh would be the first ALS non-transport provider, which means we could provide hands on services at the scene, only because of the skilled qualifications of our Volunteers serving the Firebaugh Fire Department. Public Works checks/services all hydrants twice a year.
- **Elsa Lopez, Police Chief** – Reported that a two week notice was submitted from one of her serving officers, a seven year veteran, so the Police Department will be shorthanded, since there was already a vacant position. The hiring process will take about three months to complete the background check and other processing requirements.
- **Odi Ortiz, Finance Director** – Preparing the expenditures worksheet for the end of the month.
- **Rita Lozano, Deputy City Clerk** – nothing to report.

COUNCIL ITEMS

- **Mayor Pro Tem Marquez** – request staff to establish a rate scale and policy for the use of the Electric Reader Board.

CLOSED SESSION

None

ANNOUNCEMENT AFTER CLOSED SESSION

None

ADJOURNMENT

Motion to adjourn made by Council Member Lowe; second by Council Member Lake, motion carries by unanimous consensus vote, Meeting adjourned at 9:21 p.m.