

MEETING MINUTES

The City Council/Redevelopment Agency of the City of Firebaugh Vol. No. 10/01-20

Location of Meeting: Andrew Firebaugh Community Center
1655 13th Street, Firebaugh, CA 93622
Date/Time: January 20, 2010/ 2:00 p.m.

CALL TO ORDER Meeting called to order by Mayor Marquez at 12:15 p.m.

ROLL CALL

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

ABSENT: Mayor Pro Tem Chris J. DeFrancesco

OTHERS: City Manager, Jose Antonio Ramirez ; City Finance Director, Odi Ortiz; Deputy City Clerk, Rita Lozano; Police Chief, Elsa Lopez; Public Works Director Ben Gallegos.

PLEDGE OF ALLEGIANCE

Pledge of Allegiance led by Council Member Chief Elsa Lopez

PUBLIC COMMENT

No public comment given.

PRESENTATION

None

CONSENT CALENDAR

None

PUBLIC HEARING

None

OLD BUSINESS

None

NEW BUSINESS

1. RESOLUTION NO. 10-03 - RESOLUTION AUTHORIZING THE CITY OF FIREBAUGH TO JOIN THE CALIFORNIAFIRST PROGRAM; AUTHORIZING THE CALIFORNIA STATEWIDE COMMUNITIES DEVELOPMENT AUTHORITY TO ACCEPT APPLICATIONS FROM PROPERTY OWNERS, CONDUCT CONTRACTUAL ASSESSMENT PROCEEDINGS AND LEVY CONTRACTUAL ASSESSMENTS WITHIN THE TERRITORY OF THE CITY OF FIREBAUGH; AND AUTHORIZING RELATED ACTIONS.

City Manager Ramirez provided a brief explanation regarding the CaliforniaFIRST Program; this program allows owners to receive grant funds to make home improvements with more energy efficient products, such as solar panels, solar water heaters, and new retrofitting lights, the homeowner would apply for funding and the loan would be attached to their mortgage on their property tax, and once the home is sold the loan would be carried over to the next property owner. Funds from this program are approximately 1.1 million dollars for our area, which is two counties, Fresno and Kern. All advertising, programming and grant administration all components are incorporated in the program, and will begin as soon as every town is committed such as San Joaquin, Mendota, Kerman and Firebaugh. This will allow local residents to receive funding, if they would normally have funds to complete such projects. Currently energy efficient windows are not cover under this package, but still in the process. City Manager added that under the PG&E Weatherization Program which is specifically for low-income, all components are included, so he anticipates this program which is not targeted for just low-income will include the same components. Council Member Lake inquired if there is a minimum or maximum to qualify for the program. City Manager Ramirez replied in reading the documents he has not seen a minimum or maximum, but the program will be based on the projects interested in completing and the means of paying the loan back, like debt ratios to determine who much is allowed to be borrowed. Council Member Lake asked what the interest rate may be. City Manager Ramirez stated it will be very low and placed on the property tax.

Motion to approve Resolution No. 10-03 made by Council Member Lake; second by Council Member Sablan, motion carries by unanimous consensus vote.

2. RESOLUTION NO. 10-04 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH AUTHORIZING THE CITY MANAGER TO IMPLEMENT AND AMEND THE CONSTRUCTION AND DEMOLITION RECYCLING PLAN.

Council Member Sablan stated her concern regarding private homeowners responsibilities in meeting the reporting requirements when self-hauling construction and demolition materials and how the City will establish and enforce a policy procedure to effectively record necessary reports.

Motion to approve Resolution No. 10-04 with the elimination of permitting self-hauling construction and demolition materials made by Council Member Lowe; second by Council Member Lake, motion carries by unanimous consensus vote.

PENDING ITEMS

- The consideration on the removal of the City Clerk’s and City Treasurer’s position at next Election.
- Review of Consultant Services Agreements for the City of Firebaugh.
- Council request staff to establish a rate scale and policy for the use of the Electric Reader Board.

STAFF REPORTS

- Council request to review the Contract of Wil Van Ryn, CVR & Associates. **(Included for Review)**

Council Member Lake inquired about the rate of the Building Inspector and if he receives paid driving time including a two hour minimum rate pay, and in the contract there is no requirement or stipulation regarding paid driving time. City Manager Jose Ramirez stated the city manages the inspector’s time and will not have him come out here to do one inspection, if that’s the case then the city will have to pay him the minimum of two hours and driving time. Council Member Lake stated, “Where in here does it state a minimum of two hours and driving time? I understand what you said and that’s what I heard, that he was getting paid a minimum of two hours and driving time. Where in the contract does it state a driving time and a minimum of two hours, and it maybe an hour job, and

the city is paying way more than necessary. If giving him a full day of inspections it would come out, but if he's getting driving time plus minimum, that's where I disagree, because there is nothing in here that states he has to get paid driving time but he has been paid driving time correct." City Manager Ramirez replied that he would check on it, because he didn't believe that the City paid any driving time, and asked the Finance Director to verify. Finance Director Odi Ortiz stated, "That no driving fees are included on the Inspector's Invoices and based on the discussion with Isabel, who set the appointments, we were under the impression the appointments were going to be set for two days out of the week, so that there would be a full days inspection instead of him coming in for one, I believe that's what is in place." Council Member Lake and Mayor Marquez agreed that two days a week is all that is needed. Finance Director Ortiz added unless of an emergency. Council Member Lake inquired if the policy was in place already or if the Finance Director is stating it should be in place? Finance Director Ortiz replied "That is what he communicated to Isabel and believed that is what is in place." City Manager Ramirez replied, "That what is currently in place, that the city staff tries to keep it down to two days, but a lot of activity is happening, so we might have three days, we might four days, right now we are not paying him, the only way we are paying him the minimum of two hours, and he doesn't want to come out for two hour, because he will not break even based on the time and the gas. So we make sure that we have a full day schedule, and it is not in his contract. I won't pay him mileage and for two hours of his time to come out, it just doesn't make sense for us, but if we had an emergency for one inspection for whatever reason, I think it is reasonable to at least have him break even by paying him mileage and two hours of his time. One hour this way and one hour back." Council Member Sablan stated that Exhibit "A" in the contract states a two hour minimum. Council Member Lake agreed regarding the two hour minimum, but not the driving time. City Manager Ramirez asked Council if they would like to direct him otherwise. Finance Director Ortiz added that most consultants shouldn't include the driving time, because they will claim mileage during income tax as a business expense and can't claim it twice, on a billing to a customer and claim it on your income tax." Council Member Sablan added that we would assume that calculation would be included in his rate. City Manager Ramirez confirmed that if it is not in his contract then we won't honor it. Council Member Lake, "My concern is that we don't have any control of where the inspector lives, this one or the next one who may be closer or further, and if we are paying the driving time and the minimum of two hours, which he has been paid I believe." City Manager Ramirez will double check, but didn't believe so. Council Member Lake wanted to confirm that the city will no longer pay both. City Manager Ramirez replied "No." Council Member Lake also inquired if the inspector is receiving \$65.00 per hour for processing fee as stated in the Contract under Exhibit A, since the City currently employs a building clerk to process and issue permits. City Manager responded that the Inspector receives \$65.00 per hour for his services provided. Exhibit A, second paragraph, third line to the last line, states that permit processing shall get paid \$65 per hour. City Manger Ramirez clarified that the Inspector is getting paid \$65 per hour for any and all inspections. Council Member Lake referred only to processing permit fees not inspections. Council Member Sablan inquired if he has anything part in the permit processing fee? City Manager Ramirez replied that the only thing that the inspector has to do with the permitting process, issue items that need to corrected and the inspection itself, he will received \$65 per hour no matter how many inspections are completed in the hour and for plan check fees that aren't sent to Naffa. Council Member Lowe added that the property owner is responsible for paying for plan checking fees, not the City. Mayor Marquez asked, "When does the two hour pay minimum begins, when he leaves home or when he is in town?" City Manager replied the Inspector will get paid not when leaving from his home, but when he starts in town here. Mayor Marquez suggested that the Inspector check in with someone upon arrival, maybe Odi. City Manager Ramirez added that the city (Isabel) has to sign off every day, on his inspections when he comes in and when he leaves. Mayor Marquez requested a copy of the description of types of inspections and how long the inspection takes. City Manager Ramirez agreed to provide a copy of all inspections. Council Member Sablan inquired about Cobra fees reflected on the warrants provided to Wil Van Ryn, does he reimburse the city for that or how is it processed? Finance Director Ortiz informed that President Obama put in place a stimulus package for individuals that lost their jobs involuntary, due to elimination of their position or lay-off, which the government would pay 65% of Cobra costs and individuals will pay 35% to cover full cost of their benefits, available for a year and one-half, so the City will get reimbursed when we file a 9941 payroll taxes on a quarterly bases. City Manager Ramirez added that Laura Rios opted not to seek Cobra benefits.

- **Elsa Lopez, Police Chief** – Nothing to report.
- **Odi Ortiz, Finance Director** – Preparing quarterly reports and still working on mid-year current review, hope to complete it before the next council meeting.
- **Rita Lozano, Deputy City Clerk** – 700 Forms were included in Council's agenda packets, deadline is April 1, 2010.

- **Jose Antonio Ramirez, City Manager** – Queen Gil and City Manager are working with Janice L. Jacobs, Deputy Assistant Secretary of State for Visa Services, in US Congress, to assist Queen Gil Technicians with any issues or requirements needed to receive their passports/visas, so that they may begin working at the plant. Contacted FAA regarding a request received by Castaneda Engineering, who would like to rent our local airport, which will require a airport use closure for a couple of days to re-enact airport accidents. Market Feasibilities Report is in the City Manager’s Office for review, three companies are interested in establishing a new development in the City of Firebaugh. Working with Ben regarding 1.4 million received to address water distribution lines. City Manager was invited to a Conference in Seattle on February 4th through the 6th, and received a scholarship to fund hotel and air flight, city’s expenses would be meals. Council Member Lake inquired on update regarding the pump issue that was causing air to be injected in to water at the well sites. City Manger replied that he is still working with the City Attorney Dale to address the issue and hope to void litigation. Council Member Sablan inquired about the Neighborhood Stabilization Program and suggested that agreement include a requirement that a local contractor be hired for any rehabilitation project which helps benefit our local economy.

COUNCIL ITEMS

- **Council Member Sablan** – Stated her concern regarding the Building Inspector’s qualification’s to certify solar inspections and league certifications, which will be needed as the City is working to pursue to be a “Green City.” City Manager Ramirez will work with the Inspector regarding the required certification and City Planner to make solar installation projects more feasible and receive some kind of credit for the residents.
- **Council Member Lowe** – Customer would pay three hundred dollars if they participated in the CaliforniaFIRST Program and the cost of the building permits fees to the city which would cost over six hundred dollars. City Manager Ramirez stated estimated cost of about \$12,000 in fees for City of Firebaugh. At that price no one would be able to qualify, so that is why the city is looking to make available a retro for individuals that may have already completed solar projects.

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 1:30 p.m.