

MEETING MINUTES

**The City Council/Redevelopment Agency of the City of Firebaugh
Vol. No. 10/05-17**

Location of Meeting: Andrew Firebaugh Community Center
1655 13th Street, Firebaugh, CA 93622
Date/Time: May 17, 2010/ 6:30 p.m.

CALL TO ORDER Meeting called to order by Mayor Pro Tem Javier Marquez at 6:35 p.m.

ROLL CALL

PRESENT: Mayor Javier Marquez
Mayor Pro Tem Chris J. DeFrancesco
Council Member Rod Lake
Council Member Jim Lowe
Council Member Marcia Sablan (*arrived at 7:35pm*)

ABSENT:

OTHERS: City Attorney, Meggin Boranian; City Manager, Jose Antonio Ramirez; City Finance Director, Odi Ortiz; City Clerk, Priscilla Meza; Deputy City Clerk, Rita Lozano; Police Chief, Elsa Lopez; Fire Chief, John Borboa; Darrell Fonseca; Twila Gonzalez; David Flores and Mary Van Pelt.

PLEDGE OF ALLEGIANCE

Pledge of Allegiance led by Mayor Pro Tem DeFrancesco

PUBLIC COMMENT

- Daryl Fonseca (resident of Dos Palos) extended invite to Council to participate in the Young Men’s Institutes Annual Golf Tournament. The event is scheduled for June 19, 2010 at Javier’s Golf Course. Proceeds will provide \$500 youth scholarships for local youth.

PRESENTATION

None

CONSENT CALENDAR

1. APPROVAL OF MINUTES – The City Council meeting on May 3, 2010.

Mayor Pro Tem DeFrancesco motioned to approve City Council meeting minutes for May 3, 2010; second by Council Member Lowe. Motion passed by consensus vote.

2. WARRANT REGISTER – Period starting April 1, and ending on April 30, 2010.

April, 2010	General Warrants	#23566 - #23702	\$ 382,846.87
	Payroll Warrants	#58174 - #58278	\$ 209,319.79
			\$ 586,166.66

Council Member Lowe motioned to approve City Council meeting minutes for May 3, 2010 and Warrant Register; second by Mayor Pro Tem DeFrancesco. Motion passed by consensus vote; Mayor Marquez DeFrancesco abstained.

3. REQUEST FOR USE OF THE CITY FACILITY (DUNKLE PARK) FROM TWILA GONZALEZ ON JUNE 26, 2010 FOR A CHRISTIAN COMMUNITY PICNIC.

Twila Gonzalez (423 Sablan) provided brief description of event. City Manager Ramirez agreed to distribute flyers of the event along with monthly water bills if Ms. Gonzalez agrees to provide the copies.

Council Member Lowe motioned to approve Request for Use of the City Facility; second by Mayor Pro Tem DeFrancesco. Motion passed by consensus vote.

PUBLIC HEARING

None

OLD BUSINESS

None

NEW BUSINESS

4. THE CITY OF FIREBAUGH REDEVELOPMENT AGENCY OWNER PARTICIPATION AGREEMENT BETWEEN THE CITY OF FIREBAUGH AND GRYPHON CAPITAL.

City Manager Ramirez explained that Gryphon Capital is proposing three new businesses, including a McDonalds and AutoZone. The proposed agreement will generate approximately \$1 million in sales and increased job opportunities. City Manager stated that \$300,000 from the Redevelopment Agency Fund & is the maximum the City is required to contribute. City Manager Ramirez assured Council that the City will not start process until Gryphon Capital pulls the necessary permits.

Mary Van Pelt (1401 Q Street) expressed concern with new businesses having a harmful impact to current businesses. Mrs. Van Pelt encouraged Council to consider bringing in businesses that will benefit local businesses and residents.

Motion to approve agreement made by Mayor Pro Tem DeFrancesco; second by Council Member Lowe. Motion passed by consensus vote.

5. THE CITY COUNCIL OF THE CITY OF FIREBAUGH TO DISCUSS AND CONSIDER GRANT APPLICATION FOR PROP 84 NATURE EDUCATION FACILITIES PROGRAM.

City Manager Ramirez provided overview of proposed application and the benefits to the community. Mayor Pro Tem DeFrancesco agreed to endorse application as long as it included a component to acknowledge local agriculture. City Manager Ramirez agreed that agriculture is a vital component; however, explained that the purpose of the Program is to cover a diverse range of components remaining non-partisan/neutral. Council Member Lowe also suggested including a Wildlife component.

No public comments

Motion to approve application made by Council Member Lowe; second by Council Member Lake. Motion passed by consensus vote.

6. **RESOLUTION NO. 10-20 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH IMPLEMENTING THE SUPPLEMENTAL EARLY RETIREMENT PROGRAM.**

City Manager Ramirez provided brief overview of the program. Council Member Lake requested to include language to prohibit hiring new employees at a higher salary range. City Manager agreed.

No public comments.

Motion to approve Resolution No. 10-20 made by Council Member Lowe; second by Council Member Lake. Motion passed unanimous roll call vote.

PENDING ITEMS

None

PUBLIC COMMENTS (Continued)

Andre Ramirez (1056 O Street) expressed concern with the unavailability of public parking for his patrons during the set up of the Farmer's Market. Mr. Ramirez stated that this has negatively impacted his business and urges Council to instruct staff to address the parking issue for this event. City Manager Ramirez explained that local patrons have access to parking during the set up time frame for this event. City Manager Ramirez also agreed to contact other local businesses to address any of their concerns. Mayor Pro Tem DeFrancesco affirmed that patrons are allowed to park in front of businesses up until the start of the community event.

Natalie Vasquez (local resident on Avenue 7 ½) requested that her dogs be released into her possession. City Manager Ramirez explained to Ms. Vasquez that she may pick up her animals if at the end of the Appeal process, the victim in this case does not appeal. City Attorney Boranian advised council to discontinue hearing any further comments from Ms. Vasquez until the Appeal period has expired. Mayor Marquez encouraged Ms. Vasquez to go to City Hall on Monday, May 24th.

STAFF REPORTS

- **John Borboa, Fire Chief –**
 - Announced upcoming Fireman's Muster scheduled for June 5 and June 6, 2010.
- **Elsa Lopez, Police Chief –**
 - Unable to attend scheduled training; training postponed.
 - Looked into concerns expressed regarding parking on Tri Circle; non-issue with surrounding neighbors.
- **Odi Ortiz, Finance Director –**
 - Shift in RDA funds; approximately \$500K mandated by the state
 - Council Member Lake questioned is cities filed lawsuit against the state. City Manager Ramirez explained that the judge presiding over lawsuit found in favor of the state.
 - Mayor Marquez requested information regarding profits generated by the electronic sign.
- **Priscilla Meza, City Clerk –**
 - Expressed gratitude for Council and staff's support and beautiful gift honoring mother's recent death.
- **Rita Lozano, Deputy City Clerk –**
 - Nothing to report

- **Jose Antonio Ramirez, City Manager –**
 - City has highest return rate in the county for the Census.
 - RDA/Tax Allocation Audit - staff requested methodology from the County addressing the miscalculations; may seek legal representation in the matter.
 - Blue Print Executive Forum on June 25th
 - Staff working on audit of local user utility tax, sales tax, etc; good opportunity to obtain returned revenue.
 - Copies of the 2009 Measure C Report are available at City Hall.
 - State Enterprise Zone update – 80/20 Program.
 - Safe Route to School update – ready to go out to bid.
 - Improvements to Cardella/Tucci and Indart are scheduled to begin; Tucci to be closed off throughout the duration of the project.

COUNCIL ITEMS

- **Council Member Lake –**
 - Requested staff to contact Joel Allen regarding upcoming district baseball tournament to ensure clean and presentable facilities and assist them in hosting a successful tournament which may result in additional district baseball tournaments to be held in our community. Also, verify that the rental agreement was submitted to avoid scheduling conflicts.
 - Requested clarification from staff is efforts were/are made to avoid paying a large, lump sum of unused utility user tax. City Manager Ramirez explained that staff is researching options.
- **Council Member Lowe –** none
- **Council Member Sablan –** none
- **Mavor Pro Tem DeFrancesco –** none
- **Mayor Marquez –**
 - Requested updated on city’s grant to purchase tables/chairs.

CLOSED SESSION

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

Owner or Designative Rep. City Negotiator Jose Antonio Ramirez

APN 008-074-01 008-132-10

8. CONFERENCE WITH LABOR NEGOTIATIONS – Pursuant to Government Code Section #54957.6.

City Designated Representative – City Manager Jose Antonio Ramirez
Employee Organization – Police Department
Unrepresentative Employees

ANNOUNCEMENT AFTER CLOSED SESSION

No announcements.

ADJOURNMENT

Motion to adjourn made my Council Member Lowe, seconded by Council Member Lake; motion passed by consensus vote. Meeting adjourned at 8.47 p.m.

*Minutes submitted by:
Priscilla Meza, City Clerk*