

MEETING MINUTES

**The City Council/Redevelopment Agency of the City of Firebaugh
Vol. No. 10/06-21**

Location of Meeting: Andrew Firebaugh Community Center
1655 13th Street, Firebaugh, CA 93622
Date/Time: June 21, 2010/ 6:30 p.m.

CALL TO ORDER Meeting called to order by Mayor Pro Tem Javier Marquez at 6:31 p.m.

ROLL CALL

PRESENT: Mayor Javier Marquez
Mayor Pro Tem Chris J. DeFrancesco
Council Member Rod Lake
Council Member Jim Lowe

ABSENT: Council Member Marcia Sablan

OTHERS: City Attorney, Meggin Boranian; City Manager, Jose Antonio Ramirez; City Finance Director, Odi Ortiz; Deputy City Clerk, Rita Lozano; Police Chief, Elsa Lopez; City Clerk, Priscilla Meza; City Engineer, Mario Gouveia; Fire Chief, John Borboa; Public Works Director, Ben Gallegos.

PLEDGE OF ALLEGIANCE

Pledge of Allegiance was led by Council Member DeFrancesco.

PUBLIC COMMENT

- Charles Fleming (1201 O Street) voiced concern with news of an AutoZone coming into town. Mr. Fleming expressed with how this will impact local businesses. Council Member Lake and DeFrancesco explained that the city has no authority to determine which businesses are allowed to establish themselves in the city. Further explanation included how the city ensures that developers meet city requirements/ordinances. Council Member DeFrancesco stated how he felt the city and council acted in good faith. Council Member DeFrancesco also clarified that the property in question was acquired by the developer and not the city.
- David Flores (37647 W. Behymer) thanked the police department for maintaining good crowd control at the weekly Farmer’s Market.

PRESENTATION

None

GRANTS

- USDA Community Facility Grant in the amount of \$25,300 for the tables and chairs for the community center.
- Federal Home Loan Bank AHP Funds for both Miller & Lux projects: 1) Senior Apartments - \$408,000
2) Family Apartments - \$370,000

CONSENT CALENDAR

1. APPROVAL OF MINUTES – The City Council meeting on June 7, 2010.

Motion to approve minutes of June 7, 2010 with recommend changes; for clarification on agenda item # 8 that city provide general liability coverage only, change vote from 4-1 to 3-1 agenda item # 11 and Mayor Marquez comments that he spoke with City Manager Jose Antonio Ramirez, made by Council Member Lowe; second by Council Member Lake, motion passed by consensus vote.

2. WARRANT REGISTER – Period starting May 1, and ending on May 31, 2010.

May, 2010	General Warrants	#23703 – #23862	\$	1,080,754.69
	Payroll Warrants	#58279 – #58439	\$	299,935.79
TOTAL			\$	1,380,690.48

Council Member Lake pulled Warrant #23731. City Manager Ramirez explained that staff is working on a permanent solution to repair area in question. Council Member Lake suggested that staff find measures to prevent damages caused by other entities once an area is repaired.

Council Member Lowe pulled Warrant #23829. City Manager Ramirez agreed to provide an itemized summary at next council meeting.

Council Member Lowe questioned when the Business Façade Meetings are held. He or Council Member Marquez was not informed of the meetings. John Baltierra verbally resigned and stated that Council Member Lowe could determine date, time and place of meetings. Council Member explained that he is unable to vote on Warrant Register #23827 because he was not present at the Business Façade Meeting.

Council Member Lowe pointed out that the Downtown Redevelopment Committee and the Preserve America Committee were joined into one committee and Council Members assigned to these committees should be notified of the meetings.

Council Member Marquez pulled Warrant #23793. Finance Director Ortiz explained that vendors were charged to return said fees to city in one check.

Motion to approve Warrant Register made by Council Member Lowe (Council Member Lowe abstained on (Warrant #23827), second by Council Member Lake. Motion passed by unanimous roll call vote.

PUBLIC HEARING

3. RESOLUTION NO. 10-28 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH APPROVING A 2010/2011 APPLICATION FOR FUNDING AND THE EXECUTION OF A GRANT AGREEMENT AND ANY AMENDMENTS THERETO FROM THE GENERAL/NATIVE AMERICAN ALLOCATION OF THE STATE CDBG PROGRAM.

City Manager Ramirez explained that the Housing Authority is not participating because the area is with the city’s “right of way”. City Manager Ramirez also stated that this is a competitive application and directed for improvements to underground infrastructure.

Public Hearing opened at 7:10 p.m. – No public comment given – Hearing Closed at 7:11 p.m.

Motion to approve Res. No. 10-28 by Council Member Lowe, second by Council Member DeFrancesco; motion passed by unanimous roll call vote.

OLD BUSINESS

None

NEW BUSINESS

4. RESOLUTION NO. 10-29 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH APPROVING THE APPLICATION FOR NATURE EDUCATION FACILITY PROGRAM FUNDS SAFE DRINKING WATER, WATER QUALITY AND SUPPLY, FLOOD CONTROL, RIVER AND COASTAL PROTECTION BOND ACT OF 2006.

City Manager Ramirez provided a brief history of having an educational facility at West Hills College and that this would be a joint-use facility between West Hills College and the city. The city is not responsible for maintenance of the facility.

No public comments.

Motion to approve Res. No. 10-29 by Council Member Lowe, second by Council Member DeFrancesco; motion passed by 3-1 roll call vote (Lake-no).

5. RESOLUTION NO. 10-25 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH ACCEPTING COMPLETION OF THE 6th CYCLE SAFE ROUTES TO SCHOOL PROJECT, STATE 6th CYCLE SRTS PROJECT NUMBERS SR2SL-5224(011) AND STPLHSR-5224(009).

Council Member Lowe questioned if city would have to pay for electrical repairs once project is completed. City Manager Ramirez explained that there will be no need to tear up city streets to make repairs. City Engineer Gouveia explained that the lighting is solar powered/wireless. Mr. Gouveia also stated that these applications are extremely difficult to get and Council should feel proud that staff has been able to get these grants.

No public comments.

Motion to approve Res. No. 10-25 by Council Member Lowe, second by Council Member Lake; motion passed by unanimous roll call vote.

6. RESOLUTION NO. 10-26 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH ACCEPTING COMPLETION OF 13th STREET RECONSTRUCTION PROJECT, STATE PROJECT NUMBER STPL-5224 (013).

Mr. Gouveia explained that this resolution is similar to the previous resolution.

No public comments.

Motion to approve Res. No. 10-26 by Council Member Lake, second by Council Member Lowe; motion passed by unanimous roll call vote.

7. RESOLUTION NO. 10-27 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF FRESNO TO CONSOLIDATE AND CANVASS THE ELECTION AND PERMIT THE COUNTY CLERK OF FRESNO COUNTY TO RENDER SPECIFIED SERVICES TO THE CITY OF FIREBAUGH RELATING TO THE CONDUCT OF THE MUNICIPAL ELECTION TO BE HELD IN THE CITY OF FIREBAUGH, NOVEMBER 2, 2010, AND APPROPRIATING FUNDS TO PAY FOR SAID SERVICES.

Deputy City Clerk Lozano explained that the city has always ran elections with the state for cost saving, the cost is based on the number of registered voters, or when adding a measure City is charged per spaces of the advertised. Finance Director Ortiz stated that there is \$1,200 budgeted for said services.

No public comments.

Motion to approve Res. No. 10-27 by Council Member Lowe, second by Council Member DeFrancesco; motion passed by unanimous roll call vote.

8. RESOLUTION NO. 10-30 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH APPROVING AN AMENDED FEE SCHEDULE FOR POLICE SERVICES.

Item Table per City Attorney Meggin Boranian’ recommendation Resolution Exhibit “A” must reference and provide clear efficient evidence or explain formula on how the new rates were estimated.

9. REVIEW AND APPROVE PROPOSED CHANGES FROM DELTA DENTAL TO PREMIER ACCESS PPO (OPTION #2) PENDING UNIONS RECOMMENDATIONS.

City Manager Ramirez explained that this is an opportunity to improve health benefits and save on the costs. Mr. Ramirez also explained that there is a grace period allowing individuals to complete health service(s) pending the transition of health coverage. Council Member Marquez suggested that the handouts provided be made a little more “user friendly”. Deputy City Clerk Lozano apologized and explained that the copier does not allow her to make more “user friendly” copies of the handouts.

Council Member Lake expressed concern with changing providers and later experience increased fees. City Manager Ramirez supported the proposed changes and expressed doubt that the fees would later increase.

Motion to approve change of Insurance from Delta Dental to Premier Access PPO option#2 by Council Member Lowe, second by Council Member DeFrancesco; motion passed by consensus vote.

10. REVIEW AND DISCUSS THE CONTRACT REGARDING CPA SERVICES.

Attorney Boranian clarified that the agenda item should read “Audit Services” rather than “CPA Services”.

Council Member Lowe requested how to move forward and Council Member Lake questioned how much this would cost. City Manager Ramirez explained that staff would put contract out for bid via advertisement efforts. Mr. Ramirez also explained that this competitive process would allow staff to make cost comparisons and consider other factors prior to approving a bid for recommendation.

Attorney Boranian stated that the current contract remains active until Council considers other bids.

Motion to advertise an RFP for the City Auditor Services by Council Member Lowe, second by Council Member DeFrancesco; motion passed by consensus vote.

11. BUDGET WORKSHOP FY 10-11.

Finance Director Ortiz reviewed Budget Exhibit Summary by category, including the city’s 6-Year General Fund Expenditure Trend Report and the Summary Report of Revenues and Expenditures.

City Manager Ramirez also pointed out that although funds are in reserve, staff does not anticipate having to access these funds. Mr. Ramirez also stated that several administrative staff, including himself, Finance Director Ortiz and Public Works Director Gallegos, in lieu of paying for a Special Events Coordinator, is leveraging their time to cover the duties and assignments of this position to assist with budget shortfalls.

Council Member Lake requested a summary description of all professional services obtained for each department.

Motion to continue Budget Workshop to Tuesday, June 22, 2010 at noon to be held at Firebaugh City Hall Conference Room, motion passed by consensus vote.

STAFF REPORTS

- **Elsa Lopez, Police Chief** – Officer Ralph Orosco will return to duty July 1, 2010, Officer Campa is working on the PAL Soccer League about 175 kids signed-up, Firebaugh Officers assisted the City of Dos Palos with their car show on Saturday, June 19, and in return their officers will assist with our Festival. Working with the Promoters to host the 4th of July Event at Maldonado Park between 6:00 p.m. and 10:00 p.m. Dorice Fannon is in the Hospital due to signs of a stroke.

- **Ben Gallegos, Public Works Director** – provided updates on projects: Pressure test Cardella/Indart Street, should receive BacT results tomorrow, working on sewer laterals. Will replace street light bulbs....
- **Fire Chief John Borboa** – Received positive comments regarding the Fireman’s Muster, City Facilities and Park, the City will host for one more year and they requested the consideration of the City to host the State Championship in 2012. Received comments from local residents regarding the new mural on the building previously owned by Darrel Vincent. Fire Department has seen increase in emergency call outs. USDA Grant update the Emergency Siren and Breathing Air Refill Station is completed; just need to complete the closeout documents, and the Satellite Fire Pumper with Emergency Light Tower should closeout in the next couple months.
- **Odi Ortiz, Finance Director** – Reported the 1st Qtr Sales Tax showed a 10% increase.
- **Priscilla Meza, City Clerk** – nothing to report.
- **Rita Lozano, Deputy City Clerk** – requested clarification on council’s request to correct minutes.
- **Meggin Boranian, City Attorney** - provided an update after reviewing the City Ordinance regarding the stipends/benefits of the City Clerk & City Treasurer. The ordinance is legally sound, so Council will determine the compensation of the positions and issue regarding medical coverage, Council Member may receive medical benefits without offering to the City Clerk and City Treasure position. Council Member Lake inquired why different packages were offered to these positions.
- **Jose Antonio Ramirez, City Manager** – Stated that the City was awarded “Best Practices” from the Central California Chapter of the American Planning Association for the 2030 General Plan and will presented with the award in Visalia on July 9th for anyone interested in attending the RSVP deadline in July 7, 2010.

COUNCIL ITEMS

- **Council Member Marquez** - Attended a COG Meeting on Thursday Mayor Lopez requested a Letter opposing the new SB 1070 Arizona law and asked to have it placed on the next agenda for Council’s consideration.

Attorney Boranian explained that Council could take a vote to decide on direction to give to staff; however, there is no legal reason prohibiting item to be placed on next council meeting’s agenda.

Council Members Lake, Lowe and DeFrancesco disagreed with Council Member Marquez’s request to have item placed on next meeting’s agenda.

CLOSED SESSION

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

City Designated Representative – City Manager Jose Antonio Ramirez
Employee Organization – Police Department
Miscellaneous Employees Association – Public Works Department

ANNOUNCEMENT AFTER CLOSED SESSION

Closed Session - cancelled

ADJOURNMENT

Motion to adjourn and continue the budget workshop on June 22, 2010 at noon to be held at City Hall conference room made my Council Member Lowe, seconded by Council Member DeFrancesco; motion passed by consensus vote. Meeting adjourned at 9:16 p.m.