

# MEETING MINUTES

The City Council/Successor Agency of the City of Firebaugh  
Vol. No. 14/11-17

**Location of Meeting:** Andrew Firebaugh Community Center  
1655 13<sup>th</sup> Street, Firebaugh, CA 93622  
**Date/Time:** November 17, 2014/7:00 p.m.

**CALL TO ORDER** Meeting called to order by Mayor Chris DeFrancesco at 7:00 p.m.

## ROLL CALL

**PRESENT:** Mayor Chris DeFrancesco  
Mayor Pro Tem Craig Knight  
Council Member Brady Jenkins  
Council Member Freddy Valdez  
Council Member Marcia Sablan

**ABSENT:**

**OTHERS:** City Attorney Jenell Von Bindsbergen; City Manager, Kenneth McDonald; Police Chief Elsa Lopez; Public Works Director, Ben Gallegos Deputy City Clerk, Rita Lozano; Fire Chief John Borboa, Moses Stites, John Baltierra and others.

**PLEDGE OF ALLEGIANCE:** Council Member Sablan led pledge of Allegiance.

## PRESENTATION

Mr. Nathan A. Alonzo, District Representative of Senator Vidak along with the office of Senator Berryhill, presented a Congratulator Resolution to the City of Firebaugh on Celebration of their Centennial.

## PUBLIC COMMENT:

John Baltierra, 1538 8<sup>th</sup>, on Memorial Day a celebration was held at the City Park at "O" and 13<sup>th</sup> St, but there was no Council Members present at the event, it would nice for the community and local residents to see more participation from the Council and have them present at more community events.

## CONSENT CALENDAR

- 1. APPROVAL OF MINUTES – The City Council meeting on October 27, 2014.**
- 2. WARRANT REGISTER – Period starting October 1, and ending on October 31, 2014.**

October, 2014	General Warrants	#31194 - #31301	\$ 249,252.00
	Payroll Warrants	#64768 - #64868	\$ 242,126.91
<b>TOTAL</b>			<b>\$ 491,378.91</b>

*Motion to approve consent calendar items by Council Member Knight, seconded by Council Member Sablan; motion passes by 5-0 vote.*

## NEW BUSINESS

- 3. THE CITY COUNCIL OF THE CITY OF FIREBAUGH APPROVING THE MEMORANDUM OF UNDERSTANDING BETWEEN THE FRESNO COUNTY RURAL TRANSIT AGENCY AND THE CITY OF FIREBAUGH POLICE DEPARTMENT) FOR SAFETY AND SECURITY SERVICES FOR THE PERIOD OF JULY 1, 2014 – JUNE 30, 2015.**

Mr. Moses Stites of the Fresno County Rural Transit Agency provided a brief presentation regarding the services of the Firebaugh Police Department would provide as part of the agreement in entering into the Memorandum of

Understanding between our organizations. During the fiscal year (FY) of 2014-2015, a Police Officer would board the bus at a random stop or location to check on the individuals and bus driver a seen if everything is ok or if there are any concerns, problems that may need to be addressed. The officer will not be stop or pulling over the bus for this purpose, but will interact when the bus is stopped at various location or times, when able to do so. In return for the services provided to the Fresno County Rural Transit the Police Department will receive reimbursement, this FY a check in the amount of \$2,600 was presented to Council after the Resolution was approved.

*Motion to approve MOU items by Council Member Jenkins, seconded by Council Member Sablan; motion passes by 5-0 vote.*

- *Motion to move and discuss agenda item #4 – Res. No. 14-50, until after the follow the closed session item by Consensus of the Council and passes by 5-0 vote.*

**4. RESOLUTION NO. 14-50 - A RESOLUTION OF THE FIREBAUGH CITY COUNCIL APPROVING CHANGES IN THE WAGES AND BENEFITS FOR THE NON-REPRESENTED EMPLOYEES OF THE CITY.**

**5. RESOLUTION NO. 14-52 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH APPROVING A DEFERRAL OF PAYMENT FOR REQUIRED FEES FOR THE FILING OF TENTATIVE OR PARCEL MAPS AND FINAL MAPS RELATED TO THE DEL RIO PROPERTIES.**

The attached resolution will allow the residents of Del Rio to defer parcel map payment of \$1500 in fees by in-lieu process until the property is sold.

*Motion to approve Res. No. 14-52 by Council Member Sablan, seconded by Council Member Jenkins; motion passes by 4-0 vote. Knight – abstain.*

**6. RESOLUTION NO. 14-53 - RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH ACCEPTING BID AND AWARDING CONTRACT TO DON BERRY CONSTRUCTION, INC. FOR 16<sup>TH</sup> STREET, O STREET, AND Q STREET REHABILITATION STPL-5224(020).**

The City received four bids the lowest bid was submitted by Don Berry Construction, Inc. at the amount of \$350,794.00. The engineer’s estimate was \$539,635.00, with the prices of materials dropping, it is a great benefit to the city. The City will pay back the difference of \$110,092.50 to Council of Governments (COG). Council inquired if the funding can be used to repair additional streets. City Engineer replied not under this contract, the funding can’t be expanded, the city is bond by the description provided and is based on the funding type: RSTP or CMAQ. However, the federal funds will not be lost, it will go back to COG funding and after Caltrans closes out the project the funding will be processed back in to the City’s Life Time Account at COG and the City can re-apply for funding of projects in the future.

*Motion to approve Res. No. 14-53 by Council Member Sablan, seconded by Council Member Knight; motion passes by 5-0 vote.*

**7. RESOLUTION NO. 14-54 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH AMENDING ITS CONFLICT OF INTEREST CODE.**

*Motion to approve Res. No. 14-54 by Council Member Sablan, seconded by Council Member Knight; motion passes by 5-0 vote.*

**SUCCESSOR AGENCY MATTERS:**

**8. RESOLUTION NO. 14-55 - RESOLUTION OF THE SUCCESSOR AGENCY TO CITY OF FIREBAUGH REDEVELOPMENT AGENCY RECOMMENDING A PROPOSAL TO THE OVERSIGHT BOARD FOR PURCHASE AND DEVELOPMENT OF THE “N” STREET PROPERTIES.**

Two Proposal received, highest scored proposal was by Mr. Perez, who offered \$140,000 for both properties. According to the Property Management Plan the estimated combined value for both properties was \$311,500.00, it is the consensus of the council to seek additional ways of advertising in hopes of receiving more proposals at the fair market price.

*No Action Taken, both proposals rejected.*

*\*Motion to enter into closed session by Council Member Valdez, seconded by Council Member Knight; motion passes by 5-0 vote at 7:47 p.m.*

**CLOSED SESSION**

**9. Government Code Section 54956.9**

CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION  
Significant Exposure to Litigation Pursuant to Paragraph (2) of Subdivision (d) of Section 54956.9 - 1 case

**10. Government Code Section 54957.6**

CONFERENCE WITH LABOR NEGOTIATORS: ALL UNREPRESENTED EMPLOYEES:  
City Negotiator: City Manager  
Employee Organizations: All unrepresented positions

*\*Motion to enter into open session, motion passes by 5-0 vote at 8:24 p.m.*

**ANNOUNCEMENT AFTER CLOSED SESSION – No Action taken**

**4. RESOLUTION NO. 14-50 - A RESOLUTION OF THE FIREBAUGH CITY COUNCIL APPROVING CHANGES IN THE WAGES AND BENEFITS FOR THE NON-REPRESENTED EMPLOYEES OF THE CITY.**

Police Chief Lopez, request from the current Council to consider providing her with a 3 month extension and would like to keep her sick leave conversion as contracted with the previous Councils Members. Chief Lopez has worked with the City for 34 years and under this wages and benefits terms for several years, the newly proposed changes would impact her future substantially. However, should it be the wished of the current Council deny the request, a notice of retirement will be submitted and be effective as of November 30, 2014.

Rod Lake, 4370 Spruce, the proposed changes is a plan to save the City money but it also alternates the currently retired employees and none of the retirees were notified of the possible changes and/or how it would affect them/us. After years of service and have been retired under this terms, to change them and not notify anyone is unfair. There must be different ways to recoup funds and save money others than taking them from the employees that have serviced the city for years. It is just a band aid but will not solve the problem, may be Council should consider making these changes for all the new employees, not the employees that are already vested.

*\*Motion to enter into closed session by Council Member Jenkins, seconded by Council Member Valdez; motion passes by 5-0 vote at 8:36 p.m.*

**CLOSED SESSION**

**\* Government Code Section 54956.9: CONFERENCE WITH LABOR NEGOTIATORS: ALL UNREPRESENTED EMPLOYEES:**

*\*Motion to enter into open session, motion passes by 5-0 vote at 9:05 p.m.*

**ANNOUNCEMENT AFTER CLOSED SESSION – No Action taken**

*Motion to approve Res. No. 14-50 by Council Member Valdez, seconded by Council Member DeFrancesco; motion passes by 5-0 vote.*

**ADJOURNMENT - Motion to adjourn and passes by 5-0 vote at 9:06 p.m.**