

**City Council Regular and
*Redevelopment Agency Special Meeting**

January 4, 2006

CALL TO ORDER

Mayor/Chairman Ortiz called the regular meeting of the City Council and the special meeting of the Redevelopment Agency of the City of Soledad to order at 6:30 p.m.

PLEDGE OF ALLEGIANCE

Councilmember Pat Stephens led the Pledge of Allegiance.

PEACEBUILDERS' PLEDGE

Mayor/Chairman Ortiz asked all present to join him in reciting the PeaceBuilder's Pledge.

ROLL CALL

Present when the meeting was called to order were Councilmembers/Agencymembers: Christopher Bourke, Stefanie De La Rosa, Patricia Stephens, Mayor Pro Tem/Vice Chair Juan Saavedra and Mayor/Chairman Richard Ortiz.

MAYOR'S/CHAIRMAN'S REPORTS

None

COUNCILMEMBER'S/AGENCYMEMBER'S ANNOUNCEMENTS

All Councilmembers/Agencymembers wished everyone a Happy New Year.

Councilmember/Agencymember De La Rosa stated she would be attending the League Leadership classes in Sacramento next week along with Mayor Pro Tem/Vice Chairman Saavedra.

Mayor Pro Tem/Vice Chairman Saavedra reported he would be attending the League Leadership classes in Sacramento next week. He added that he appreciates the volunteers all over the United States and how hard they work especially in West Virginia and all the tragedies that have happened in the past year.

Councilmember/Agencymember Stephens reported she would be attending the League Policy Committee meeting in Sacramento on Tuesday.

COUNCILMEMBER'S/AGENCYMEMBER'S PRAISES

Councilmember/Agencymember De La Rosa praised the Soledad Auto Parts and the Fire Department for their Toys for Tots donation drive.

Councilmember/Agencymember Stephens praised the Public Works employees for keeping the storm drains clear during the recent storms we have had. She asked that Staff pass this on to the Public Works crews.

Councilmember/Agencymember Bourke and Mayor/Chairman Ortiz thanked all the volunteers who helped with the holiday donation drives.

PRESENTATIONS

Report by Legislator: Assemblymember Simon Salinas

Assemblymember Salinas was running a little late so he will give his report later in the meeting.

PUBLIC COMMENT

None

CONSENT CALENDAR

Item #1: **Approval of Minutes**
None

Item #2: **Approval of Warrants**
#37646 - #37712

ITEM #3 WAS PULLED FROM THE CONSENT CALENDAR BY MAYOR PRO TEM SAAVEDRA AND MAYOR ORTIZ

Item #3: **Resolution No. 3721**, “Authorizing the City Manager to Execute Task Order No. 36 with Mark Thomas & Company Inc. for Preparation of Topographic Surveys, Site Grading and a Drainage Plan, and Construction Management and Inspection and Construction Staking for the Second La Cuesta One Million Gallon Water Storage Tank in an Amount Not to Exceed \$42,626.80.”

ITEM #4 WAS PULLED FROM THE CONSENT CALENDAR BY MAYOR PRO TEM SAAVEDRA AND MAYOR ORTIZ

Item #4: **Resolution No. 3722**, “Approving Task Order #39 From Mark Thomas & Company, Inc. in an Amount Not to Exceed \$149,990 to Provide Additional Construction Management and Construction Engineering and Design Services for the City of Soledad City Hall/Police Addition and Remodel Project.”

ITEM #5 WAS PULLED FROM THE CONSENT CALENDAR BY VICE CHAIRMAN SAAVEDRA AND AGENCYMEMBER BOURKE

Item #5: * **Resolution No. 274**, “Consolidating the Redevelopment Agency and City Council Meeting Dates and Rescinding Resolution No. 218.”

Item #6: **Resolution No. 3723**, “Authorizing the City Manager to Execute a Contract with Citygate Associates, LLC for Audit Services of the Fire Department.”

Item #7: **Resolution No. 3724**, “Adopting Policy No. 560 “Allocation of City Hours for use of the Community Center.”

MOTION: The Consent Calendar (Items #1, 2, 6, and 7) was approved by a unanimous vote on a motion by Mayor Pro Tem Saavedra and a second by Councilmember De La Rosa.

ITEM #3 WAS PULLED FROM THE CONSENT CALENDAR BY MAYOR PRO TEM SAAVEDRA AND MAYOR ORTIZ

Item #3: Resolution No. 3721, “Authorizing the City Manager to Execute Task Order No. 36 with Mark Thomas & Company Inc. for Preparation of Topographic Surveys, Site Grading and a Drainage Plan, and Construction Management and Inspection and Construction Staking for the Second La Cuesta One Million Gallon Water Storage Tank in an Amount Not to Exceed \$42,626.80.”

Mayor Pro Tem Saavedra stated that the reason he pulled this item is because he wanted to see more bids from other contractors.

Mayor Ortiz asked why Staff only went with one company. Public Works Director Price stated that Mark Thomas & Company is the City of Soledad’s contracted city engineer. They have given the City a good price on the work that has to be done compared to other companies. He added that other companies would do less work and charge more.

MOTION: Resolution No. 3721 was adopted on a motion by Councilmember Stephens and a second by Mayor Pro Tem Saavedra by a unanimous vote.

ITEM #4 WAS PULLED FROM THE CONSENT CALENDAR BY MAYOR PRO TEM SAAVEDRA AND MAYOR ORTIZ

Item #4: Resolution No. 3722, “Approving Task Order #39 From Mark Thomas & Company, Inc. in an Amount Not to Exceed \$149,990 to Provide Additional Construction Management and Construction Engineering and Design Services for the City of Soledad City Hall/Police Addition and Remodel Project.”

Mayor Ortiz asked if this cost included City Hall engineering and did it also include the Police Department because he was under the impression that the Police Department engineering had already been paid for. Public Works Director Price stated that it was for the City Hall only. Because the project had to be revamped and adjusted per Council direction, Mark Thomas and Company did most of the drafting. Council wanted to increase the level of project management from biweekly to daily to provide additional supervision and oversight of the building contractor.

Councilmember Bourke asked if this was budgeted, within budget or from the contingency. Public Works Director Price stated it was still within budget and that we still had over half of the contingency amount left.

Mayor Pro Tem Saavedra asked if this change order is approved, would we be beyond the budgeted amount. Public Works Director Price stated the Mayor and Council would be receiving a copy of all the accounting information in a letter that was sent to Sanchez, Inc. today.

Councilmember De La Rosa asked if last year’s change orders were approved for the same amount of the contingency. Public Works Director Price stated they were not; they were less than half the amount.

MOTION: Resolution No. 3722 was adopted on a motion by Councilmember Bourke and a second by Councilmember Stephens by a majority vote with Mayor Pro Tem Saavedra casting the no vote.

ITEM #5 WAS PULLED FROM THE CONSENT CALENDAR BY VICE CHAIRMAN SAAVEDRA AND AGENCYMEMBER BOURKE

Item #5: * **Resolution No. 274**, “Consolidating the Redevelopment Agency and City Council Meeting Dates and Rescinding Resolution No. 218.”

Agencymember Bourke stated that #3 of the resolution was a little confusing in that the Agency and the Council are the same members and asked that the wording be changed to ‘separate from a City Council meeting’ instead of ‘without the City Council’. City Manager Chapa stated Staff would change the resolution.

Mayor Pro Tem Saavedra stated that he had the same comments.

MOTION: Resolution No. 274 was adopted on a motion by Agencymember Bourke and a second by Agencymember Stephens by a unanimous vote.

PUBLIC HEARINGS

None

BUSINESS

Item #8: * **Resolution No. 275**, “Authorizing the Transfer of Redevelopment Funds to the City of Soledad and the Approval of a Cooperation Agreement Between the City and the City of Soledad Redevelopment Agency of the City of Soledad for the Purpose of Undertaking Redevelopment Activities Within the City of Soledad.”

Resolution No. 3725, “Approving a ‘Cooperation Agreement’ between the City of Soledad and the Housing Authority of the City of Soledad to Provide Financial Assistance in an Amount not to exceed \$37,400 and Making Findings for the Use of such Funds Outside of the Redevelopment Project Area.”

Economic Development Director Izzy Rodriguez presented the staff report. He asked all to refer to the revised Resolution No. 3725 which was handed out tonight. He stated that the Housing Authority of the City of Soledad had requested financial assistance from the Agency and the City to help defray a projected deficit of \$90,000 due to the costs associated with utilities. He added this was similar to the OSBA assistance for the downtown. After Executive Director Jose Gomez met with City Manager/Executive Director Chapa and they discussed options, the Authority informed the City they had identified reserves thus reducing their initial request.

Economic Development Director Rodriguez stated the Housing Authority had provided the City with information on the projected shortfall for utility expenses for three months. Mr. Gomez informed the City that a request was sent to the USDA for approval of proposed rent increases of about \$70.00 which will generate additional revenue to help offset the utility expenses.

Redevelopment Counsel suggested that the Agency enter into a cooperation agreement with the City and then the City should enter into a cooperation agreement with the Authority. The City and Agency can work together on redevelopment and housing projects. The agreement allows the Agency to transfer funds to the City. The other agreement will allow the City to transfer funds to the Authority to carry out the goal of Redevelopment in preserving housing and expanding housing opportunities.

Agencymember/Councilmember Stephens asked if this difficulty would continue through the construction phase. Economic Development Director Rodriguez stated it would but the City would only take care of the utilities. Economic Development Director Rodriguez also stated that he and Mr. Gomez, discussed a method to reduce cost through cancellation of City utility services when units became vacant. Agencymember/Councilmember Stephens encouraged Mr. Gomez to follow through with cancellation of utilities as vacancies become available.

Assistant Executive Director/Assistant City Manager De La Rosa reminded the Council that the existing Ordinance does not allow for termination of individual services when multiple units are serviced by a single meter as in the case with the Housing Authority. However, he stated that due to the affordability of the units the Council may want to consider an exception. This would require a revision to the Ordinance.

MOTION: Resolution No. 3725 was adopted on a motion by Councilmember/Agencymember Stephens and a second by Councilmember/Agencymember Bourke by a unanimous vote.

Vice Chairman/Mayor Pro Tem Saavedra stated that the Housing Authority still had \$29,000 of Redevelopment monies and asked what the status was. Executive Director/City Manager Chapa stated that those funds were earmarked for improvements. Mr. Gomez stated that the funds were spent to rehabilitate some of the units and to help offset utility costs. He added that he would have his secretary prepare a report for the Council on how the \$29,000 was spent. Executive Director/City Manager Chapa stated the amount was originally \$80,000 for Gabilan Drive and now there is \$29,000 left. Mr. Gomez thanked the Council/Agency for their cooperation and support.

MOTION: Resolution No. 275 was adopted on a motion by Agencymember/Councilmember Stephens and a second by Vice Chairman/Mayor Pro Tem Saavedra by a unanimous vote.

Item #9: Discuss and Provide Staff with Direction on Discounts (Reduced Rates) for Low-Income Residential Customers of City Utilities (Wastewater).”

City Manager Chapa asked Council to remove this item from the agenda. For now this will be addressed with the wastewater rate increase.

Report by Legislator: Assemblymember Simon Salinas

Mayor Ortiz stated that Assemblymember Salinas was in the audience and that he would make a presentation.

Assemblymember Simon Salinas addressed the Council. He stated he had sent eight Assembly Bills to the Governor. The Governor signed all eight and he was happy about that. He reviewed each of the Bills and explained a little about them.

Assemblymember Salinas brought attention to AB1234, the local government 'Sunshine' Bill regarding compensation/reimbursement for local officials. He said this was last year's package and is now developing a package for this year. He asked Council to give him the requests for this year. He said the budget would be important this year with additional inflow of revenues to fund health care and affordable housing. Propositions are floating in Sacramento regarding eminent domain and requires that it be keep in check. Because of the Redevelopment Law, cities are able to do affordable housing. He offered to continue to assist the City on the issue of the Prison Wastewater Treatment Plant.

All the Council thanked Assemblymember Salinas for helping the City with different issues throughout the years.

CITY COUNCIL COMMITTEE UPDATES

- a) **Street Naming** – None
- b) **Energy Plant** – None
- c) **Miravale Section 16** – None
- d) **Development Review** – None
- e) **Overall Landscape Review** – None
- f) **Revolving Loan Fund** – Economic Development Director Rodriguez reported that the last loan had been approved on Soledad Street.
- g) **Oldtown Soledad Beautification Association** – Councilmember De La Rosa stated a meeting was held last week but she was unable to attend.
- h) **Parks** – Councilmember Bourke stated that at the last meeting they had discussed the backstops and tot lots at Terraza. Assistant City Manager De La Rosa stated he would attach a layout of Terraza Park in the City Manager's weekly update.
- i) **Redevelopment Neighborhoods** – None
- j) **CAC** – None
- k) **SR146 (Roads)** – Mayor Ortiz asked if Staff had received bids on this yet and Public Works Director Price stated the RFP's would be sent out this week.
- l) **Tree** – None
- m) **Wastewater Treatment Plant** – None
- n) **Soledad Historical Society** – Councilmember Stephens stated the next meeting is scheduled for January 11, 2006.

CITY MANAGER'S REPORT

a) Update of Emergency Work at the Wastewater Treatment Plant – Public Works Director Clif Price gave an update on the work at the sewer plant. He said that on the levee portion of the large project, the cement was cut. Some of the cement was lifted by the winds. He said the floating cover for the 30-30-5 project had been received, the containers were opened and we found a substandard cover. It should not have come apart and will be retested at their cost. The company has been notified. He said the soil treated cement was not satisfactory and will be retested. We are looking at February 15th for acceptance.

Councilmember Bourke asked if this was throwing off the timelines. Public Works Director Price answered the timelines were off and he would be receiving a new timeline this week.

b) Council Requests – Status Table – City Manager Chapa pointed out that the Relocation Plan had been received from the Housing Authority and had been distributed with the last date for comments on Monday January 9th.

CITY COUNCIL ITEMS

Councilmember Stephens stated that the stop sign on Main Street and Regina Street was very faded and asked if it could be replaced. She asked if the City had a sign replacement plan. Public Works Director Price stated the City did not have a replacement plan. She also asked if the street sweeper was out of service. Public Works Director Price stated he would follow-up on it.

Councilmember Bourke stated the new playground area at veterans park looked great and commended the Public Works Department for their work.

Mayor Ortiz asked for the status on building permits and when we were going to consider lifting the moratorium. City Manager Chapa stated this had been slowed down by the work at the wastewater treatment plant. She plans to bring an ordinance for 1st reading at the February 1st meeting.

Councilmember Bourke asked if Staff could prepare all the paperwork ahead of time including the 1st reading and 2nd reading and then lift the moratorium instead of waiting three months to start the paperwork.

City Manager Chapa and Public Works Director Price both stated the project had to be completed first before the ordinance because the ordinance needs to state the findings for lifting the moratorium.

Mayor Ortiz reported that he had received a letter from the Housing Authority asking that a Councilmember be appointed as a liaison between the City and the Authority. He asked that this be added to the next agenda for action.

CLOSED SESSION

At 7:40 p.m. Mayor Ortiz called for a recess to convene to Closed Session to discuss the following item:

1. The Council will recess to closed session to consider personnel matters pursuant to Government Code Section 54957-Recruitment and Retention Considerations for Managerial Positions- Employment Contracts.

MEETING RECONVENED

At 7:45 p.m. Mayor Ortiz reconvened the meeting from Closed Session.

REPORT OF ACTION TAKEN IN CLOSED SESSION

Mayor Ortiz reported that:

Item #1. The Council met with the City Attorney and direction was provided to the City Manager. No other reportable action taken.

ADJOURNMENT

There being no other business to come before the Council, Mayor Ortiz adjourned the meeting at 8:40 p.m.

RICHARD V. ORTIZ, Mayor

Approved: January 18, 2006

NOELIA F. CHAPA, City Clerk