

**Joint City Council/Planning Commission
Special Meeting
January 13, 2005**

CALL TO ORDER

Mayor Richard Ortiz called the Joint special meeting of the City Council/Planning Commission of the City of Soledad to order at 4:30 p.m.

PLEDGE OF ALLEGIANCE

Commissioner John Ordunez led the Pledge of Allegiance.

ROLL CALL

Present when the meeting was called to order were:

For the City Council - Councilmembers: Christopher Bourke, Patricia Stephens, Mayor Pro Tem Juan Saavedra and Mayor Richard Ortiz.

Councilmembers Stefanie De La Rosa arrived at 4:45 p.m.

For the Planning Commission - Planning Commissioners: Honorio Della, John Ordunez, Vice Chair Michael Laroco and Chairman Tom Stewart.

Commissioner Darryl Sinclair was absent.

PUBLIC COMMENT

None

BUSINESS

Item #1: Wastewater Treatment Plant Moratorium Emergency Status

A. Draft Wastewater Treatment and Disposal Plant Master Plan

Staff Presentation

Public Works Director Clif Price showed a power point presentation on the Draft Wastewater Treatment and Disposal Plant Master Plan. He began by showing an aerial picture of the current plant basins taken a couple of months ago. He said that since that time, Solar Bees aerators have been added as the first phase of the upgrade. Also all of the ponds are full. He also showed more visual slides of the treatment plant and the levees that had been constructed.

Public Works Director Price handed out spreadsheets on the draft master plan explaining the different phases of growth, timelines and dollars involved. He reviewed this with the Council stating that at completion of Phase 11, it would take the City to a population of 43,500 in the year 2026.

Mayor Ortiz stated that in order to meet the current General Plan requirements we would have to go the Phase 14. Public Works Director Price stated this plan would allow for that if Council so wished.

City Manager Chapa asked Public Works Director Price to explain the reasons why we have developed a draft wastewater treatment plant master plan. Public Works Director Price explained the first reason is to acquire the requisite permitting document from the California Regional Water Quality Control Board (RWQCB) which would allow the City of Soledad to operate the Prison WWTP to address the emergency situation for an interim period. The second reason is to allow the RWQCB to consider permitting the Prison WWTP in a way that would allow use of additional capacity to bridge the building moratorium while the City acquires the additional land and funding needed to service the City's treatment and disposal capacity adequately. The third reason is to provide the City's General Plan consultant one of the elements needed to complete the environmental documents needed to move the City's draft general plan forward in the process.

Planning Commission and City Council Discussion

Commissioner Della stated that the initial plans are predicated on the prison agreeing to the City using their facility. What if they say no. Public Works Director Price stated that it was unlikely they would say no especially since the prison provided a list of items the City had to come up with in order to enter into an interim lease. Public Works Director Price stated that the RWQCB said that if all the requests were met by the City, they could issue an interim permit for operations. After the tertiary work is completed at the City WWTP, then a master permit may be issued to the City.

City Manager Chapa stated Staff had been working with our legislators Senator Denham and Assemblymember Salinas and our lobbyist John Arriaga to assist the City in drafting a bill to surplus the property so that the City can consider purchasing it.

Commissioner Della asked if the City purchases this property, what do we do with it since the City is in the process of purchasing more land next to the City WWTP. We may not need the sewer plant at the prison anymore.

Councilmember Stephens added she was under the understanding that two separate plants was not the preferred method. Public Works Director Price stated one plant was always the preferred method.

Mayor Ortiz asked Public Works Director Price what the estimated costs would be to complete the tertiary treatment and he estimated \$7.5 million. He said the complete set up at the prison could be about \$850,000 and the tertiary treatment at the prison about \$4.5 million.

In regards to financing, Assistant City Manager De La Rosa stated staff was looking into securing bonds and doing a rate study. He added that he hopes to have a draft document in two months. Staff will look at a flat rate structure and a metered structure. Also impact fees will be looked at to hopefully increase per home.

Nader Agha asked how deep the ponds at the existing facility were. Public Works Director Price stated six to seven feet. Mr. Agha asked if Staff had thought of raising the berms about another four or five feet and Public Works Director Price answered that staff had not yet looked into that.

Receive Direction from Commission and Council

Public Works Director Price asked for direction from the Council and Commission. He stated he understood that the Mayor did not want to pursue a long-term lease. Councilmember Stephens stated she felt every door should be left open.

Staff was directed to bring back the Plan for approval at the next Council meeting on January 19th.

B. Proposed Modifications to Ordinance No. 612 – Establishing a Moratorium on the Issuance of Building Permits Requiring Sewer Connections

City Manager Chapa presented the staff report. She gave a synopsis of how the City got into this situation. The City experienced a significant increase in permits issued between 1996 and 2004, which was double of what was expected. This does not include the major shopping center, schools and other commercial facilities. In response to the capacity concerns, Staff discussed possible exclusions from the moratorium.

Public Works Director Price reviewed a list of possible exclusions for discussion. These include:

- 1) The use of septic tanks or portable toilets as an interim alternative.
- 2) Exceptions necessary to facilitate construction of a new school.
- 3) One-for-one exclusions- whereby an extinguished use could be exchanged for a new connection in circumstances in which there is some means to guarantee no net increase in flow.

He stated that Patrick Treffry from the Monterey County Department of Environmental Health was in the audience to help answer any questions.

Mr. Treffry stated that it is the sanitation issue that concerns Monterey County Environmental Health. In Orange County McDonald's Restaurant was in the process of remodeling and did not want to shut their doors. The portable restrooms were allowed as long as this was for a short term. There were Cal Osha issues for workers and sanitation issues for the citizens. He added that septic tanks would not be supported for safety reasons but a small septic system could be installed temporarily.

Staff was directed to bring back an ordinance amending the moratorium ordinance in regards to these issues.

Item #2: Approval of a Cost Reimbursement Letter with the State of California General Services Department

City Manager Chapa presented the staff report. She asked that the Council and Commission approve this letter regarding cost reimbursement with the State. The California Department of Corrections required a list of things the City had to provide. Staff followed up by discussing and clarifying the list of items requested to process the property lease request. The letter needed to be submitted separately and would be needed prior to proceeding with any additional work to process the lease request by the City of Soledad. The letter is needed to set up billing and the project will not start without this document.

Several members of the audience asked questions regarding permits allowed to be issued for industrial and single family homes. Some had started their projects before the moratorium was put on and others had questions on adding a toilet on their current homes. Members of the public were advised to contact Staff during office hours for answers to their questions.

City Attorney Rodriguez stated there was no appeal process in the ordinance. The Mayor and Council agreed that there should be an appeal process and to add it to the ordinance.

MOTION: Councilmember De La Rosa motioned and Commissioner Della seconded the motion to have Staff submit the Cost Reimbursement Letter to the State General Services Department by a unanimous vote.

ADJOURNMENT

There being no other business to come before the City Council and the Planning Commission, Mayor Ortiz adjourned the meeting at 6:15 p.m.

RICHARD V. ORTIZ, Mayor

THOMAS STEWART, Chairman

Approved: February 15, 2006

NOELIA F. CHAPA, City Clerk

DON FLEMING, Secretary