

**Joint City Council / Redevelopment Agency Regular Meeting  
January 18, 2006**

**CALL TO ORDER**

Mayor/Chairman Ortiz called the Joint City Council / Redevelopment Agency Regular Meeting to order at 6:32 p.m.

**PLEDGE OF ALLEGIANCE**

City Manager/Executive Director Noelia Chapa led the Pledge of Allegiance.

**PEACEBUILDERS' PLEDGE**

Mayor/Chairman Ortiz led the Peacebuilders' Pledge.

**ROLL CALL**

Present when the meeting was called to order were: Councilmembers/Agencymembers Christopher Bourke, Stefanie De La Rosa, Pat Stephens and Mayor/Chairman Richard Ortiz.

Mayor Pro Tem/Vice Chair Juan Saavedra arrived at 7:05 p.m.

**MAYOR'S/CHAIRMAN'S REPORT**

Mayor/Chairman Ortiz requested that Staff combine both agendas as a joint meeting rather than listing the two meetings separately on the agenda. Councilmember/Agencymember Bourke agreed.

City Attorney Michael Rodriquez stated that it was Staff's understanding that the Council wanted the RDA items and Council items broken down separately, similar to the City of Salinas. He stated that he felt there would be no legal impediment having a single public comment and consent calendar.

**COUNCILMEMBER'S/AGENCYMEMBER'S ANNOUNCEMENTS**

Councilmember/Agencymember Stephens stated she attended several meetings, including: League of California Cities planning committee, AMBAG, SPOA family night and the welcome reception for the new YMCA Executive Director.

Councilmember/Agencymember Bourke stated that he attended several meetings, including: SPOA family night and the welcome reception for the new YMCA Executive Director.

**COUNCILMEMBER'S/AGENCYMEMBER'S PRAISES**

Councilmember/Agencymember De La Rosa praised the SPOA for a great family night and congratulated Officers Aguayo and Rodriguez for a job well done. She also praised the officers who received awards that evening.

Councilmember/Agencymember Stephens praised the SPOA and complimented the Police Chief and members of the Police Department for starting the education program with local businesses in light of the recent robberies. She also requested a copy of the statistics from the Chief that was presented at the dinner.

Councilmember/Agencymember Bourke praised numerous local organizations, including: SPOA family night, FoodsCo, Soledad Healthcare Foundation and the City of Soledad for the Transportation Excellence Award. He also praised the Public Works Department for completing the application for the award and also congratulated Firefighter Wagner and Firefighter Rocio on their recent graduation from the MPC Fire Academy.

Mayor/Chairman Ortiz apologized to the SPOA for not being able to attend their family night due to a prior commitment and congratulated them on their achievements.

## **REDEVELOPMENT AGENCY**

### **PRESENTATIONS**

None.

### **PUBLIC COMMENT**

None.

### **CONSENT CALENDAR**

None.

### **PUBLIC HEARINGS**

None.

### **BUSINESS**

None.

## **CITY COUNCIL**

### **PRESENTATIONS**

#### **Certificate of Commendation for Bobbie Reynolds**

Mayor Ortiz thanked Bobbie Reynolds for everything she has done for the community and read to the audience the certificate the City had prepared in her honor. Mayor Ortiz asked that the certificate be forwarded to Ms. Reynolds at her new home in Tennessee.

#### **New Employee: Miriam Casillas, Housing Program Coordinator**

City Manager Noelia Chapa introduced Miriam Solis-Casillas, the newest addition to the Economic Development Department. The Council welcomed Miriam to the City. She thanked them for the opportunity to work for the City.

#### **New Employee: Anthony Perez, Police Officer**

Chief Cox introduced Officer Perez, the newest addition to the Soledad Police Department. City Manager Noelia Chapa performed the swearing in ceremony. The Council welcomed Anthony to the City.

**Introduction of Ruby Alvarez, Police Academy Cadet Recruit**

Chief Cox introduced Ruby Alvarez, the first cadet for the Soledad Police Department. He stated that Ruby would be joining the Soledad Police Department upon graduation from the MPC Police Academy on February 15<sup>th</sup>.

At 6:55 p.m., Mayor Ortiz requested a five minute recess to congratulate and welcome the new employees.

Mayor Ortiz called the meeting back to order at 7:00 p.m.

**PUBLIC COMMENT**

None.

**CONSENT CALENDAR**

**Item #1: Approval of Minutes**

City Council Regular Meeting Minutes January 5, 2005

City Council Special Meeting Minutes September 1, 2005

City Council Regular Meeting Minutes October 19, 2005

City Council Regular and \*Redevelopment Agency Special Meeting Minutes January 4, 2006

**Item #2: Approval of Warrants**

#37713 - #37790

**Item #3: Resolution No. 3726**, “Approving an Expenditure of a Not-to-Exceed Amount of \$38,194.79 for the Purchase of a Groundmaster 3320 and 3280-D Lawnmower and Authorizing Use of the City's In-Lieu Purchase Exception.”

**MOTION: The Consent Calendar (Items #1, 2 and 3) was approved by a unanimous vote on a motion by Councilmember Bourke and a second by Councilmember Stephens.**

**PUBLIC HEARINGS**

None.

**BUSINESS**

**Item #4: Ordinance No. 625**, “Authorizing the Execution of a Development Agreement between the City of Soledad and C. H. Builders, Inc., for the Miravale II Subdivision.” (First Reading)

Community Development Director Fleming addressed the Council. He stated the agreement would be the first of several items taken to approve the final map of the subdivision and has to be adopted by ordinance. He stated this would be the first reading of the ordinance and that the agreement was similar to other development agreements done within the City and that the applicant was present to answer any questions.

**MOTION: Ordinance No. 625 was introduced and read by title only on a motion made by Councilmember Stephens and a second by Councilmember De La Rosa, by a majority vote.**

**Item #5:** Review and Discuss a Proposed Ordinance Adding Chapter 13.05 – “Deconstruction, Demolition and Construction Material Recovery and Diversion from Landfills” to Title 13 – “Public Services” of the Soledad Municipal Code.

Community Development Director Fleming stated that Item #5 had been developed in conjunction with the Salinas Valley Solid Waste Authority and the City of Soledad was the first city to bring an ordinance forward. He informed the Council that Staff had received two written responses requesting that the item be continued for further discussion, and Staff had also received a phone call from Salinas Valley Solid Waste Authority requesting that the item be continued for further discussion.

City Manager Chapa stated that Steve Johnson from Salinas Valley Solid Waste Authority had phoned Staff to indicate that their organization will be meeting with developers and are getting close to composing an ordinance agreeable for all cities and builders. She stated that Salinas Valley Solid Waste Authority had written a letter to the State Board and that she had asked for proof that the City would not be penalized for any delay. She indicated she felt it would be back before the Council at the first meeting in March.

Councilmember Bourke asked why the recycling was going down by 23% when the population was increasing. Community Development Director Fleming responded that the major thing is construction and demolition debris created by the growth in the community is not getting the proper credit for diversion, which includes being credited for the recyclable portion.

**MOTION: Review of the proposed ordinance was tabled by a unanimous vote on a motion made by Councilmember Stephens and a second by Councilmember De La Rosa.**

**Item #6:** Review, Discuss and Provide Staff with Direction on a Proposed Ordinance Adding Section 13.04.091 “Unauthorized Collection of Recyclables and Other Items for Collection” to Division 1, Garbage, Chapter 13.04, “Collection and Disposal” of the Soledad Municipal Code.

Community Development Director Fleming addressed the Council. He stated that in the past few months, the City has received comments from residents that some people have been scavenging through the recycling containers that are placed on street curbs prior to pick up by our franchisee - Tri-Cities. Most of the questions posed by the residents have been whether this is allowed or not. He stated that Staff had reviewed Soledad Municipal Code Chapter 13.04 - Collection and Disposal, and determined that the existing sections of the Soledad Municipal Code are not entirely clear in defining scavenging or recyclables as an unauthorized activity.

Community Development Director Fleming stated that in an effort to address the community’s concerns and to prohibit this type of activity, Staff was proposing the addition of “Section 3.04.091.B “Unauthorized collection of recyclables and other items for collection” to Division 1, Garbage, Chapter 13.04, Collection and Disposal” of the Soledad Municipal Code. The new section would specify that removal of recyclables by persons, other than the property owner or Franchisee, would be unlawful. He also stated that the new section establishes that such activity is a misdemeanor punishable by imprisonment or fines. Councilmember Bourke asked about how the City would prosecute a person for stealing. Community Development Director Fleming stated that if the recyclables are taken out of the waste hauler’s receptacle it is considered stealing.

Councilmember De La Rosa inquired as to how the City could encourage the Community to notify the Police Department when they see the activity taking place. City Manager Chapa stated that the proposed ordinance would make the action a misdemeanor and that the City would educate the residents to report the activity. Councilmember De La Rosa asked if it would increase the City's cost for trash pick up if it does not meet a certain amount of recyclables. Community Development Director Fleming stated that it could increase.

Councilmember Bourke asked if a list of trash pick up days for each part of the City could be forwarded to the Police Department. Mayor Pro Tem Saavedra stated that he was concerned that the City was providing additional monitoring duties for the Police Department when they already have their hands full with other things. He stated that he wasn't sure how best to control or monitor the situation, and suggested the possibility of the Code Enforcement Officer monitoring it instead. Councilmember Bourke asked if information about the new ordinance could be placed on the cable channel and the water bill once it is established.

City Manager Chapa stated that Staff would be bringing the ordinance back for a first reading based on Council's comments.

Councilmember Bourke asked if there was any flexibility with the ordinance and if an individual could receive a warning the first time. City Attorney Rodriguez stated that it would be at the police officer's discretion whether to cite or not. Councilmember De La Rosa asked if the ordinance included the downtown area or other trash receptacles. City Manager Chapa stated that it included residential and commercial only.

Staff was directed to bring the ordinance back for a first reading at the February 1<sup>st</sup> Council meeting.

**Item #7:** Review, Discuss and Provide Staff with Direction on a Sidewalk, Curb and Gutter Repair Program

Public Works Director Price addressed the Council. He stated that Council had requested Staff bring the item forward on how to implement a repair program. He stated that in the last discussion with Council the key component was finding funding, which Staff has done and budgeted for except in the areas that are outside the City's responsibility. He detailed four alternatives, which Staff suggested that the City divide into various geographic quadrants and that one of the following options, or any combination thereof, be considered for implementation:

- 1) *Emergency Repairs:* Approve a contract to begin Emergency repairs to sidewalks based on the funding approved in the FY 2005-06 Budget (\$500,000). Under this emergency repair process, the City will focus on sidewalks which City Staff feels are most necessary to provide safe access to the public. This program is not intended to address all repairs. The property owner will still be responsible for such as outlined in the Municipal Code.

- 2) *City repairs all sidewalks:* Approve a contract for repairs to sidewalks, by quadrant, based on the funding approved in the FY 2005-06 Budget (\$500,000). Due to limited funding, the amount of sidewalk repairs or construction will be constrained. If this option is considered, there may be instances where due to limited funding, unless the Council commits to a specific dollar amount each year, the City may be subjected to criticism from the public due to repairs to some residents sidewalks and not others.
- 3) *Joint effort:* Make the necessary repairs to sidewalks and enter into a reimbursement agreement with the property owners to pay for an agreed upon percentage. This option minimizes the cost to the property owner while addressing the issue of needed repairs. The City can also offer to have a lien placed on the property in case the property owner cannot immediately pay. The downside to this option is that the City will have to allocate funds each year for repairs and may not be reimbursed immediately. Moreover, this option will require a considerable amount of Staff time to implement and administer.
- 4) *Enforce existing Ordinance:* Stronger enforcement of the existing Ordinance. This will require that the City survey the sidewalks, send notices to the property owners, follow up with the notices and if necessary, make the necessary repairs and place a lien on the property. Again, this will require considerable amount of Staff time.

He stated that Staff would be dividing the City into sections and making repairs based on which is most needed for public safety. Mayor Pro Tem Saavedra asked if there were any priorities leftover from previous programs that were not completed. Public Works Director Price stated that the only thing not completed was replacing existing ramps.

Mayor Ortiz requested that the areas that were damaged due to trees, at no fault to the owner, be repaired by the City under grant monies the City may be able to receive. He suggested that the City only perform the repair work once and after that it would be the responsibility of the property owner.

Councilmember Bourke requested that in the areas of the City where trees were required by the City and the tree is now a hazard, a priority system be established for the City to make the necessary repairs, one time only.

Councilmember Stephens asked if the repair to the sidewalks would only be where a tree had damaged the sidewalk. Public Works Director Price stated that Staff has identified some areas where damage was not caused by a tree. Councilmember Stephens requested that the tree damaged areas be given priority. Public Works Director Price stated that another area of concern was substandard driveways that don't meet current standards. Mayor Ortiz stated that if the sidewalk portion of the driveway becomes a hazard to pedestrians than it should be the City's responsibility for the safety of all citizens. However, he said we should be repairing the driveway.

Councilmember Stephens stated that public safety should be the driving force for the project and she asked if there were any areas in the City that currently do not have sidewalks. Public Works Director Price stated there were still remaining streets that did not have sidewalks, including Monterey, Dixi and Palm. Councilmember Bourke requested that Staff create a list of those streets that still need sidewalks. Councilmember De La Rosa stated that the RNC or Honorio Della had drawn a map of the areas without sidewalks.

Councilmember Stephens stated that she felt option number three was the fairest, which would be a joint effort to make sure the sidewalks are up to standard. She suggested that the property owners receive a copy of the ordinance and that the City create a partnership with the property owner.

Councilmember De La Rosa suggested that a contract be drafted between the property owner and the City for the one time repair of the sidewalk and that any additional repairs would be done at the cost of the property owner. Councilmember Bourke stated that they were speaking of two separate issues – areas which don't have sidewalks and the areas that need repair to the sidewalks due to damage caused by trees. Public Works Director Price stated that in addition to the sidewalk damage the trees have caused there are also drainage issues due to the roots.

City Manager Chapa confirmed that the Council would like Staff to come back with an engineers list of projects, and a cost estimate per project relative to the policy/ordinance.

**Item #8:** Receive Report on Meeting with Developers Regarding Building Timelines and Update on the Wastewater Treatment Plant Improvement Project

Public Works Director Price provided an update on the Wastewater Treatment Plant Improvement Project. He informed the Council that the sewer project was originally scheduled for completion on December 31, 2005. He indicated that Staff has reported to the Council that the progress of the project had experienced a few challenges that will translate into delay of completion. He stated that rainy weather, damage to the liner material by wind, damage to the liner material by the cement treated soil, and faulty materials provided by the floating cover supplier have all contributed to the delays. He informed the Council that the revised sewer projects timeline (due to construction and weather delays) was attached to the staff report with a new completion date of January 27, 2006. He indicated that the revised schedule is for the completion of improvements, which moves the project acceptance date to the February 15<sup>th</sup> Council meeting.

Community Development Director Fleming stated that Staff will continue to move forward with the first reading of a proposed sewer moratorium rescission ordinance at the February 1, 2006 City Council meeting. He indicated that Staff was preparing the requisite documents to lift the sewer moratorium and schedule them for the City Council agenda under the assumption that there would be no further delays in the completion of the projects needed to lift the moratorium. He stated that should the projects not be completed as scheduled, the adoption of a proposed sewer moratorium rescission ordinance would be continued until such time as the projects were completed.

Public Works Director Price stated that the completion of the improvements at the City's existing plant would provide the City with .7mgd of capacity for growth within the provisions of the current permit from the Regional Water Quality Control Board. He indicated that this capacity would allow an additional 2000 Equivalent Dwelling Units (EDU), which would be 348 gallons per day. He stated that given the available capacity (2000 EDU) once the improvements at the City's WWTP are completed and the anticipated housing build out from the developers (1885 EDU in five years), the City would still have a surplus of 115 (EDU). He stated that this would be without the benefit of a permit revision from the RWQCB for increased disposal capacity or acquisition of the Prison WWTP. Public Works Director Price stated that there is a lot of cushion in the numbers and the City cannot raise the number of the prison facility without a permit revision, which would mean the worst case scenario is that all effluent would come through the City's plant.

He indicated that after the permit revision is submitted and accepted, it could take anywhere from four to six months for issuance. He stated that the City would be requesting a higher amount than what would actually be needed.

Community Development Director Fleming stated that Staff met with developers in December to see what was being planned for the next five years. He stated that notices were also sent to those active in the community. Based on the feedback a timeline was created for new construction. He stated that upon comparison with the estimated capacity the City will have once work is completed, the City would have enough capacity to carry the known developments for the next five years with some reserves at the end.

Mayor Pro Tem Saavedra stated that many of the projects listed under 2006 would not be completed in 2006 due to permit timelines and asked if the highest impact would be in 2007. Community Development Director Fleming responded that the highest impact would indeed be in the year 2007. Mayor Pro Tem Saavedra asked about how many individual homes or add-ons that included bathrooms were on the pending list. Community Development Director Fleming stated that there are currently eight on the moratorium pending list.

Councilmember Bourke asked if engineering and paperwork goes well the moratorium could be lifted on February 15<sup>th</sup> and it would be good for at least the next five years. Community Development Director Fleming responded that he was correct. He also stated that for the 825 units in 2007, it may be necessary for the City to hire a consultant or part time staff to assist with inspections.

Councilmember Bourke asked about a permit allocation plan, which Community Development Director Fleming stated was covered in the staff report under option number one. Public Works Director Price stated that Staff was recommending option number two, which proposes no restriction on permits but it would be on a first come first served basis and Staff would come back on an annual basis to report the remaining capacity to the Council.

Mayor Ortiz asked if the City is meeting staffing requirement with certifications of employees and the different levels required. Public Works Director Price stated that it would not be required until the tertiary project is completed. Mayor Ortiz requested an update on the two vacant positions in the water department. Public Works Director Price stated that after the salary increase a utility supervisor has been hired and will begin in mid April. He also stated that the person has a Level III wastewater certificate. He also stated that the other employees are

working on increasing their certification levels. Mayor Ortiz stated he had heard about a program that allows individuals to train at the facility and do a home study. Public Works Director Price requested that he forward the information to him for review and possible distribution to his employees.

Councilmember Bourke praised the Public Works Department and Staff for working to increase their certifications. He asked City Attorney Rodriguez if it would create any challenges by not having a permit allocation policy. City Attorney Rodriguez stated that in terms overall the ease of not having an allocation policy is easier for Staff. He also stated that he, the City Manager and the Assistant City Manager were also concerned about lifting the moratorium and not having something in place, but have been assured by Staff that this is the best course of action with a year down the road it may be difficult to begin an allocation.

Councilmember Stephens stated that she felt monitoring and keeping the Council informed is important and there is a need to carefully monitor the situation for the next two to three years to make sure everything is moving forward properly. She stated she preferred option number two.

Councilmember Bourke stated that he felt the Staff recommended option number 2 would be best for the City.

Councilmember De La Rosa stated that she was hesitant to open up the process and leave it that way and requested updates throughout the process, possibly quarterly. She stated that she too felt option number two was best.

Mayor Pro Tem Saavedra stated that he felt option number two was best for the City as well.

Councilmember Bourke requested to be updated on any changes to the progress.

Community Development Director Fleming stated that Staff is working on a monthly preliminary report that includes permits issues so it would be possible to send a report monthly and also make it cumulative.

**MOTION: Staff was directed to proceed with Option #2 to utilize control measures recommended by Staff in lieu of developing a Permit Allocation Policy on a motion made by Councilmember Bourke and a second by Councilmember De La Rosa by a unanimous vote.**

**Item #9:** Consideration of a Request to Select a Member of the Soledad City Council to Serve as the Council's Liaison with the Soledad Housing Authority Board of Commissioners

City Manager Chapa addressed the Council. She informed the Council that the Soledad Housing Authority had sent a letter to the Mayor requesting a Councilmember to serve as the non-voting City liaison between the City and their Board. Councilmember Bourke stated that he had distributed a letter to the Council indicating his desire to volunteer for the position. Mayor Ortiz appointed Councilmember Chris Bourke to the position. Councilmember Stephens thanked Councilmember Bourke for volunteering.

Mayor Ortiz with the consensus of the Council appointed Councilmember Bourke to serve as a non-voting member of the Soledad Housing Authority Board representing the City Council.

**Item #10:** Appointment to the Street Naming Committee

City Manager Chapa stated that this position is a citizen representative and that Staff had received one application for the vacancy from Susan K. Arlson. Mayor Ortiz asked if any of the Council knew the applicant, and Councilmember Bourke stated that he knew the applicant through the school district.

Mayor Ortiz with the consensus of the Council directed Staff to notify the applicant, Susan K. Arlson, that she had been appointed to serve as the citizen representative on the Street Naming Committee.

**COUNCILMEMBER'S/AGENCYMEMBER'S COMMITTEE UPDATES**

- a) **Street Naming** – None.
- b) **Energy Plant** – Councilmember De La Rosa stated there was a meeting scheduled for February 8<sup>th</sup> at 5 p.m. at City Hall. City Manager Chapa informed the Council that Staff had contacted MBUAPCD about the recent problems and they indicated that an inspector had been sent out and determined there had been a violation. She stated that the City had not received a copy of the report as of that date.
- c) **Miravale Section 16** – None.
- d) **Development Review** – Mayor Ortiz stated there was a meeting the next evening.
- e) **Overall Landscape Review** – None.
- f) **Revolving Loan Fund** – None.
- g) **Oldtown Soledad Beautification Association** – None.
- h) **Parks** – Mayor Ortiz stated that last year after the little league season ended he committed to evaluating the needed improvements to the park. He said he would like to get started again with little league season starting, and requested that we invite the engineer to a meeting to discuss the issues. Councilmember Bourke stated that he had run in to the head of the Soledad Little League Board the previous day and had mentioned to her the City was in need of a citizen representative on the Parks Committee and provided her with an application to apply. City Manager Chapa stated that the Board member had left her note and so she had called and left a message for available dates to meet and discuss.

Councilmember Bourke asked if there was a cooperation agreement between the City and the School. He said schools fields are not being used while City fields are double booked.

Public Works Director Price said the City had considered the matter but haven't formed an agreement with the school.

City Manager Chapa stated she had spoken to Jorge Guzman and that the fields are available for use.

Councilmember Stephens said it was important we provide the information to the community.

Councilmember De La Rosa stated that she had attended the Little League sign-ups and spoke with two representatives who were asking about the parks. She stated she told them the City was considering doing a Regional Park which might be included in the Parks Plan or possibly Section 16. Councilmember De La Rosa also stated that they requested a smaller field for the younger age groups (i.e. t-ball).

- i) **Redevelopment Neighborhoods** – Councilmember De La Rosa stated that there had been some confusion on the time of the meeting and due to lack of membership the meeting had been cancelled.
- j) **CAC** – Chief Cox indicated there had not been a meeting nor had he received any applications for the vacant position.
- k) **SR146 (Roads)** – None.
- l) **Tree** – Councilmember Stephens stated there was a meeting scheduled for January 31<sup>st</sup>.
- m) **Wastewater Treatment Plant** – Report received with staff report.
  
- n) **Soledad Historical Society** – Councilmember Stephens stated she wasn't able to attend the meeting but she spoke to Mrs. Jacobsen who indicated they had elected new officers and had other business.

### **CITY MANAGER'S/EXECUTIVE DIRECTOR'S REPORT**

#### a) **Update of Emergency Work at the Wastewater Treatment Plant**

City Manager Chapa indicated that there had been a Wastewater Treatment Plant meeting that afternoon and that most of the discussion was related to the agenda item. They also spoke about the Mayor and her trip to Sacramento the previous week, with our lobbyist recommending that the City be part of the overall surplus bill. Mayor Ortiz stated that they felt it wasn't going to be a problem if all the properties stay together.

#### b) **Council Requests – Status Table**

Councilmember De La Rosa asked if the City was still looking at putting a stop sign on Monterey Street due to limited visibility looking at West and Market. Public Works Director Price stated they were.

Mayor Ortiz mentioned that on the completed item list “front street trash cans”, there were still not additional trash cans out that the merchants had requested. City Manager Chapa stated that Staff placed the older trash cans out temporarily and they were looking into purchasing new ones for the area between East and Oak Streets. Councilmember Bourke requested larger trashcans for the bus stops.

Mayor Ortiz mentioned that when the new sidewalks were poured holes were not drilled for flags. He stated he didn't know what it would take or if Staff had the capability to take care of drilling the holes. Councilmember De La Rosa suggested that the flags be placed on the light poles rather than the sidewalks.

**COUNCILMEMBER'S/AGENCYMEMBER'S ITEMS**

Councilmember De La Rosa requested that since the City is now lifting the moratorium and there was a discussion regarding the number of homes being built, she would like to see the City keep up with a safety growth plan for Police and Fire services. She stated that as the City grows in population it needs to make sure there is a budget to implement a plan for fire and police personnel. Mayor Ortiz asked if developer fees would cover that area. City Attorney Rodriquez stated that developer fees could not be used for salaries but for infrastructure. Councilmember De La Rosa stated that the possibility of the North End shopping center may increase calls and a public safety district would cover the costs for new officers in both the fire and police department.

Community Development Director Fleming stated that several cities often require that developers coming in provide facilities and complete construction of schools, parks, fire stations, police stations, fire/police vehicles before they even receive their permit to build homes. He stated that alot can be done with a developer agreement.

Mayor Ortiz stated that he would like a continuous fee to retain the services. Councilmember De La Rosa asked if it was possible to get something prepared before the moratorium was lifted or at least to get the ball rolling. City Manager Chapa stated that the plan the Council approved for the fire department would be part of a developer agreement.

Community Development Director Fleming suggested that the City start on a facility plan and layout what facilities are needed so that it is prepared when a developer comes in. He stated that the Public Works Director is working on a facility plan. City Manager Chapa stated that Staff has also been in contact with a consultant regarding a facility plan.

Councilmember Stephens requested that the City look into a policy for reimbursement of travel expenses to comply with the new AB1234. She also requested that the status of a full time taxi driver be placed in the City Manager's update. Councilmember Stephens also requested that the Council consider taking a look at what the City should have in reserves and provide categories. Councilmember Stephens stated that she had asked the City Manager about leave of absence pay for military leave and documentation and it had been forwarded to the Council in the previous week's City Manager's Update. She stated that she felt the City should make up the difference between an employees current pay and military pay and that is should be an obligation of the City to see that the employee's family is cared for. City Manager Chapa stated that Finance Officer Smith is aware of her request and is already working on it. City Attorney Rodriquez stated that what Councilmember Stephens is requesting is legal and he could forward a template from another City regarding the same subject matter. City Manager Chapa stated that Staff will bring a policy to the Council and adjust it based on Council's wishes.

Councilmember Bourke stated that he had a concern that the construction in Soledad is all single family residences and there is a high demand for multi-family residences. He stated he was also concerned about the impact fee for storm water for Gabilan Drive and was concerned about not getting enough impact fees. Councilmember Bourke also stated that he would like to see a regional park in Section 16 due to the fact that Vosti Park is no longer large enough for the community.

**CLOSED SESSION**

At 8:41 p.m. Mayor Ortiz called for a recess to convene to Closed Session to discuss the following item:

1. The City Council will recess to closed session to confer with its attorney regarding litigation pursuant to Government Code Section 54956.9(b)(1) and is hereby of the opinion that a significant exposure to litigation exists.

**MEETING RECONVENED**

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

**REPORT OF ACTION TAKEN IN CLOSED SESSION**

Mayor Ortiz reported that:

Item #1: Council conferred with legal counsel and provided direction. No other reportable action taken.

**ADJOURNMENT**

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

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RICHARD V. ORTIZ, Mayor/Chairman

Approved: February 15, 2006

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NOELIA F. CHAPA, City Clerk/Agency Clerk