

**City Council Regular Meeting  
February 16, 2005**

**CALL TO ORDER**

Mayor Ortiz called the regular meeting of the City Council of the City of Soledad to order at 6:30 p.m.

**PLEDGE OF ALLEGIANCE**

Councilmember Christopher Bourke led the Pledge of Allegiance.

**PEACEBUILDERS' PLEDGE**

Mayor Ortiz asked all present to join him in reciting the PeaceBuilders' Pledge.

Mayor Ortiz recognized PeaceBuilder Marcelino Nuño Jr. who had just arrived back home to Soledad from his tour of duty in Iraq and asked that later in the agenda the Council discuss recognizing veterans in some manner as they return from duty in Iraq.

**ROLL CALL**

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

**MAYOR'S REPORTS**

Mayor Ortiz stated that he had attended the ACCAP Winter Conference in Sacramento the previous week. He said he talked to Senator Denham and Assemblymember Salinas about the status of the City's Wastewater Treatment and asked them to encourage proposing legislature in support of the emergency situation.

**COUNCIL'S ANNOUNCEMENTS**

Councilmember De La Rosa stated that she attended the Chamber of Commerce Citizen of the Year Annual Banquet. She said that Bobbie Reynolds, Nader Agha and Playa Azul and all others were well recognized. She said she also attended the League Executive Committee Meeting.

Mayor Pro Tem Saavedra stated he attended the Planning Workshop with Planning Commissioner Della. He said the Planning Commission is required to meet annually with the City Council to discuss items and issues of concern. He stated that on a yearly basis the Redevelopment Agency and the City Council must get an update on the General Plan.

Councilmember Stephens attended the Chamber Banquet and an AMBAG meeting. She said at the AMBAG meeting there was a presentation by the Community Trust Housing Organization which will be coming to make their presentation to the City at a future date. She said they also gave the 2004 State of the Region Report and stated that she would leave both reports with the City Manager Chapa.

## **COUNCIL PRAISES**

Councilmember De La Rosa praised Jesse Casillas for the emergency meeting that he hosted which had a large turnout.

Mayor Pro Tem Saavedra praised Sergeant Nuño for the twelve plus months he served in Iraq.

Councilmember Stephens praised Casa Teresa for reopening.

Councilmember Bourke praised Bobbie Reynolds for being named Citizen of the Year, Playa Azul for being named Business of the Year, Nader Agha for being named Friend of the Chamber, and Jesse Casillas for being named Employee of the Year. He also praised Randy Bangs and Jerold Uldall.

Mayor Ortiz praised Mission Center Healthcare for their grand opening as well as Mission Dental and Round Table Pizza.

## **PRESENTATIONS**

Certificate of Appreciation – Trini Fernandez Taxi Driver

Mayor Ortiz announced that there was a Certificate of Appreciation for Trini Fernandez who had resigned, however since he was unable to be present, staff would send it to him.

Introduction of new police officer – Jorge Ernesto Alvarado

Chief Cox introduced new police officer, Jorge Ernesto Alvarado. He stated that Officer Alvarado had served in the U.S. Army and toured in many locations such as Australia, Japan, Thailand, Sinai, Egypt – all as non-combat “peace keeping missions.” In September 2002, he was deployed to Kuwait and in March of 2003 he was sent to Iraq. Officer Alvarado served as squad leader during these missions. Chief Cox said that when Officer Alvarado returned from Iraq, his wife and family went to live with her family in Ohio while he attended the police academy.

Officer Alvarado is eager to pass his FTO Program and complete probation. Chief Cox stated that Officer Alvarado’s family will join him soon after passing probation where they would then like to set some roots in the community.

Officer Alvarado thanked the Council and community for their support. Chief Cox read a letter from Officer Alvarado’s wife.

Councilmember Bourke asked staff to send a copy of the tape of the meeting to Officer Alvarado’s wife. City Manager Chapa said staff would take care of that.

Mayor Ortiz welcomed Officer Alvarado and thanked him for serving overseas in Iraq. He said with his training he would be an asset to the Police Department.

## **PUBLIC COMMENT**

Dana Ferrari, spokesperson for Senator Jeff Denham, said that the upcoming Friday was the final date for input for hearings in Sacramento and they were still waiting for final language from the California State Department of Prisons. She said the State said the Soledad Wastewater issue would be on the fast track.

Mayor Ortiz thanked her and said if Senator Denham felt someone from Soledad should be present in Sacramento to testify at the hearings, he would be willing to testify.

Crissy Silva, 62 Catskill Court, stated that she was training to participate in a triathlon to raise money for leukemia lymphoma. She said that 75% of the money goes to people with the disease and asked for donations. She said she would wait until the end of the meeting.

Mayor Pro Tem Saavedra stated that he was told by the American Legion that they would be having a barbeque to honor the returning veterans from Iraq.

## **ITEM ADDED TO THE AGENDA**

City Attorney Michael Rodriguez indicated that an item had arisen after the posting of the agenda. He said that staff felt the item needed to be added to the agenda and that the item required immediate action. The item for approval was the Right of Entry (ROE) for access to the prison wastewater plant. City Attorney said pursuant to Government Code Section 54954.2 the items could be added to the agenda if the Council agreed by a 4/5 vote. Mr. Rodriguez said that staff felt due to Public Works Director Cliff Price's diligent efforts, the item was ready for the Council to approve.

Staff was asking the Council to approve, by way of minute motion, the ROE which was necessary prior to the approval of Consent item # 5, 6, and 7.

**MOTION: Item added to the Agenda after posting was unanimously added to the agenda on a motion by Councilmember Stephens and a second by Councilmember De La Rosa.**

Public Works Director Clif Price stated that the City of Soledad had received the ROE from the State and required action by the Council to accept the condition outlined in the document. He stated that once the ROE was signed by all parties he would coordinate with Jerry Olmstead the opening and closing of the diversion box valves for flow diversion to the Prison Wastewater Treatment Plant. Flow diversion will not occur until the City has the appropriate authorization from the Regional Water Quality Control Board (RWQCB) and receives the signed Right of Entry (ROE) from the State.

He said it is expected that flow would be diverted to float, test, and operate the aerators, solar bees, valves, piping, etc. Mr. Price stated that thereafter, only the RWQCB will regulate the operation of the Prison facility and amount of flow diverted by the City. He stated that the City would be responsible for operations and any problems associated with the introduction of wastewater flow to the Prison Wastewater Treatment Plant.

He said there would be three contractors involved in the rehabilitation and test startup of the facility: Manito Construction's scope of work is design and construction services and equipment replacement/repair. Beck Incorporated's scope of work is pond clean up and will involve various types of heavy equipment. Fugro West's scope of work is to perform soils engineering. Public Works Director Price said that the City would provide the back hoe for soils sampling for Fugro West.

City Attorney Michael Rodriguez added that as part of this document, the City becomes guardians of the donkeys that are on the property. There was discussion among the Council of ways to resolve the issue.

**MOTION: The Right of Entry, and the authorization for the City Manager to sign said document, was unanimously approved on a motion by Councilmember Bourke and a second by Mayor Pro Tem Saavedra.**

### **CONSENT CALENDAR**

#### **ITEM #1a AND 1b WERE PULLED FROM THE CONSENT CALENDAR BY COUNCILMEMBER STEPHENS**

##### **Item #1: Approval of Minutes**

- a) City Council Special Meeting Minutes August 13, 2003
- b) City Council Special and Regular Meeting Minutes December 3, 2003
- c) City Council Special Meeting Minutes January 13, 2005
- d) City Council Special and Regular Meeting Minutes February 2, 2005

##### **Item #2: Approval of Warrants**

#35335 - #35428

**Item #3: Resolution No. 3588**, "Adopting Amended 'City of Soledad City Council Rules, Policies and Procedures'."

**Item #4: Ordinance No. 615**, "Amending Chapter 2.28 - "Compensation of Elected Officials" of the Soledad Municipal Code Pertaining to the Compensation of the Elected Mayor of the City Council."

**Item #5: Resolution No. 3589**, "Authorizing a Contract with Paul T. Beck Contractors, Inc. Engineering Contractors in an Amount of \$145,000 to Remove the Vegetation from the Aeration and Disposal Ponds at the Salinas Valley State Prison and Correctional Training Facility Wastewater Treatment and Disposal Facility and Allocating \$145,000 from the Unallocated Wastewater Fund Balance."

#### **ITEM #6 WAS PULLED FROM THE CONSENT CALENDAR BY MAYOR ORTIZ**

**Item #6: Resolution No. 3590**, "Authorizing the City Manager to Execute a Contract with Fugro West, Inc. in an Amount of \$41,500 to Perform a Percolation Capacity Analysis at the Salinas Valley State Prison and Correctional Training Facility Wastewater Treatment and Disposal Facility (PWWTP) and Allocating \$41,500 from the Unallocated Wastewater Fund Balance."

**Item #7: Resolution No. 3591**, “Authorizing the City Manager to Execute a Contract with Manito Construction in an Amount of \$680,100 to Perform Design, Repair, Installation and Start Up of the Equipment at the Salinas Valley State Prison and Correctional Training Facility Wastewater Treatment and Disposal Facility and Allocating \$680,100 from the Unallocated Wastewater Fund Balance.”

**Item #8: Resolution No. 3592**, “Declaring the Official Intent of the City of Soledad to Reimburse itself for Certain Capital Expenditures from the Proceeds of Indebtedness.”

**MOTION:** The Consent Calendar (Items #1c, 1d, 2, 3, 4, 5, 7, and 8) was unanimously approved on a motion by Mayor Pro Tem Saavedra and a second by Councilmember Bourke.

**ITEM #1a AND 1b WERE PULLED FROM THE CONSENT CALENDAR BY COUNCILMEMBER STEPHENS**

**Item #1: Approval of Minutes**

- a) City Council Special Meeting Minutes August 13, 2003
- b) City Council Special and Regular Meeting Minutes December 3, 2003

Councilmember Stephens pulled #1a and #1b in order to abstain because she stated that she was not present at those meetings.

**MOTION:** Item #1a and #1b was approved by a majority vote on a motion by Mayor Pro Tem Saavedra and a second by Councilmember Bourke, with Councilmember Stephens abstaining.

**ITEM #6 WAS PULLED FROM THE CONSENT CALENDAR BY MAYOR ORTIZ**

**Item #6: Resolution No. 3590**, “Authorizing the City Manager to Execute a Contract with Fugro West, Inc. in an Amount of \$41,500 to Perform a Percolation Capacity Analysis at the Salinas Valley State Prison and Correctional Training Facility Wastewater Treatment and Disposal Facility (PWWTP) and Allocating \$41,500 from the Unallocated Wastewater Fund Balance.”

Mayor Ortiz asked why the City was paying Fugro so much to take soil samples when we could just pull prior plans. Public Works Director Clif Price said staff was unable to obtain the plans and that the scope of services included capacity analysis and drilling monitoring wells. Mayor Ortiz stated that he still felt it was a lot of money to get soil samples.

**MOTION:** Resolution No. 3590 was unanimously approved on a motion by Mayor Ortiz and a second by Mayor Pro Tem Saavedra.

**PUBLIC HEARINGS**

**Item #9:** Approving (or Denying) an Appeal of the Approval of a Conditional Use Permit (CUP) for Operation of a Mini-Market Within an Existing Building at 920 Front Street (Continued from January 19<sup>th</sup> and February 2<sup>nd</sup> City Council Meetings)

**Resolution No. 3587**, “Announcing Findings and Approving a Conditional Use Permit For Operation of a Mini-Market Within an Existing Building at 920 Front Street (APN 022-038-005) in the C-2 (General Commercial) Zoning District. ”

**OR**

**Resolution No. 3587**, “Announcing Findings and Denying an Application For a Conditional Use Permit For Operation of a Mini-Market Within an Existing Building at 920 Front Street (APN 022-038-005) in the C-2 (General Commercial) Zoning District.”

Mayor Ortiz stated that this was a continuation of the first meeting and that there had been a site meeting at the location where staff had a chance to review information. Community Development Director Don Fleming said that the Council had reviewed both applicants’ information. He said that staff has determined that the mitigated negative declaration is sufficient in that the number of trips that will be generated has an affect on traffic. He also stated that staff recommends a traffic fee be applied.

City Attorney Michael Rodriquez stated that most notable was that a mistake was made in that the existing code does not reference a specific number of parking requirements. Mr. Rodriquez stated it is then incumbent on the Planning Commission or Council to come up with a reasonable number. He said it appears the Planning Commission came up with six (6) as an appropriate number of parking spaces. Mr. Rodriquez said he urged the Council, if they agreed, to approve and direct the Council to verify how they would come up with that number as a valid number of spaces.

Councilmember Stephens stated it was her understanding that the number of parking spaces was based on the size of the building. Community Development Director Don Fleming said the size of the building was approximately 2,300 square feet, but the proprietor was only using 1,400 square feet.

Councilmember Bourke asked if the City had, in the past, reduced parking requirements for other businesses to encourage them to come to town. Mr. Fleming answered they had.

Mayor Ortiz said he felt most people would not cross the street to go to the establishment. He said he felt it would be bad for the City to have three mini-marts in the same area of town.

Councilmember Bourke said if some exceptions are made for one business, it should be fair for all.

Councilmember De La Rosa said being Vice President of OSBA, she would not like to see a building that has been vacant for a long time stay vacant. She said she has seen trucks park in the median while making deliveries at some mini-marts and cannot impose restrictions on others because of parking when all mini-marts have parking issues.

Mayor Pro Tem Saavedra asked if the meeting could be opened for public comment.

### **Hearing opened to the Public**

Christine Kemp, representing Yun Swensen, stated concerns regarding the appellant's cause.

Dennis Peverini said if the neighboring business owners did not care, they would not keep coming back. He said if Abraham (Nijmeddin) wanted to open any other type of business that didn't have such a large traffic impact, they would welcome it. He showed the Council four more pictures he had taken earlier that day of cars parked on his property.

City Attorney Rodriguez asked regarding the pictures and the vehicles in their property, if they were parked with his permission. Mr. Peverini said they were.

Abraham Nijmeddin, applicant of the mini-market, said that all businesses at some times have a parking problem. He said he would only lease the space he applied for. He would work with the other businesses to try to get along.

Mayor Ortiz asked if Abraham Nijmeddin lived in Soledad. Mr. Nijmeddin said he lived in Gonzales. Councilmember Bourke asked why he wanted to go up against established businesses.

Mr. Nijmeddin said he believed in God, he lived in America and wanted to do what he believed in.

Yun Swensen, owner of Valley Liquors, spoke and asked the Council to deny Mr. Nijmeddin's application.

John Tankersley, owner of Soledad Hardware and Lumber, asked the Council to deny the application and stated that he was concerned about the deliveries between his business and the new mini-mart.

City Attorney noted there was a petition listed and signed by all the businesses affected by the mini-market.

Mr. Nijmeddin said regarding the busiest time of the day, only 29 of the 72 parking spaces were occupied according to the traffic engineering study. He stated that even if that number doubled to 56, there would still be 16 on-street parking spaces available.

### **Hearing closed to the public**

Mayor Ortiz closed the hearing to the public.

Councilmember Stephens said she likes to find win/win situations. She encouraged every business to come together with the Council to meet and discuss issues regarding parking. She said she didn't feel Abraham should be told he could not open his convenience store because it is an in and out store, with that very theory – in and out. She stated that a 3 foot planter would help defer the issue of walking into the vacuum area/car wash lot. She added that conditions could be added such as signage, blockage like bushes, etc. to make the agreement work.

Mayor Pro Tem Saavedra said he felt it was a hard decision to approve or deny. He said there are already trucks in the median when making deliveries. He said he was in the mood to deny the project but after hearing the comments made, he has changed his opinion. He said the parking spaces aren't enough, but the uniqueness of the situation leaves the Council in a situation.

Councilmember De La Rosa said this was a reason for OSBA to make recommendations on certain issues such as parking.

City Attorney Rodriguez said he would like to get all the conditions included in the CUP and then bring the item back as a resolution for Council approval on the March 2<sup>nd</sup> Agenda. He stated that a Traffic Impact Fee would be imposed, parking would be based on 1,400 square foot of usable space, striping, signage for time limit, barrier between mini-market and car wash (Mr. Fleming said zoning ordinance prohibits anything higher than 3 feet), location of trash receptacle, and that the CUP will come back to City Council for review in 6 months.

Direction to the City Attorney was to make the discussed changes and conditions to the CUP and bring back a Resolution for Council approval at the March 2<sup>nd</sup> City Council Meeting.

## **BUSINESS**

**Item #10: Resolution No. 3593**, "Approving First 5 Monterey County's Request for Use of the Community Center for its Stakeholders Meeting."

Assistant City Manager De La Rosa stated that First 5 Monterey County is requesting use of City hours to hold their event but if the City Council does not approve their request for all the hours, they would pay for the difference in cost. Their main focus for requesting the use of City hours was to use the YMCA facility on March 8<sup>th</sup> and 9<sup>th</sup>, not necessarily to have the fees waived.

Melissa Parlee-Hirtin, First 5 Monterey County, said the YMCA could only allow them certain hours due to conflicts with an aerobics class. She said they were then made aware they could come to the City to request use of City hours for the event.

Erica Padilla-Chavez, local resident, asked if there was something that could be done to avoid problems with setting up meetings like this in South County. Councilmember De La Rosa added that previously meetings such as these always took place in Salinas, and now that things were moving down to South County, we wanted to make sure we had places to accommodate them.

City Manager Chapa said staff would work with the staff at the YMCA on the situation.

**MOTION: Resolution No. 3593 was unanimously approved on a motion by Councilmember Stephens and a second by Councilmember Bourke.**

**Item #11: Resolution No. 3594**, "Approving a Temporary Use Permit for the OSBA Farmers Market and Authorizing In-Kind Services Including Use of the Park-&-Ride Lot, Assistance from the Public Works Department and Waiver of Special Event Fee."

Community Development Director Don Fleming presented the staff report. He recommended the Council approve the Temporary Use Permit for the Oldtown Soledad Business Association (OSBA) Farmers Market and its inclusions.

City Manager Chapa stated that there was a maximum number of temporary use permits allowable under the current ordinance. She stated that the ordinance would need to be revised in order to allow for the total number of use permits requested by the OSBA. Staff recommended that Council approve the resolution and direct City Attorney to bring back language with the number of Temporary Use Permits allowed per business.

**MOTION: Resolution No. 3594 was unanimously approved, authorizing only the current number of Temporary Use Permits (four a year) and Directing staff to bring back language on subsequent number of TUPs allowed per business, on a motion by Councilmember Stephens and a second by Councilmember De La Rosa.**

**Item #12:** Fiscal Year 2004-2005 Six-Month Budget Summary Report

Acting Finance Officer Kristie Quitevis reviewed the Mid-Year Budget. She stated that this was a review of the Fiscal Year 2004-05 Adopted Budget as of December 2004. She said Department Directors were asked to submit six-month budget status reports which included a review of revenues and expenditures for the first half of the year and projections of year end totals.

The report included analysis of City's revenues and expenditures over the last six months and projections of year-end balances in several funds including General, Vehicle, Water, Wastewater, Garbage, JPA, Sanitation, Gas Tax, Tax, Fund, and other Special Revenue Funds.

Ms. Quitevis stated in the narrative that the Front Street project and the Toledo Street project were funded from other sources such as Gas tax fund rather than General Fund Reserves.

She reminded the Council that the emergency of the Wastewater Treatment Plant would be the biggest impact on the Wastewater Budget. She stated the Garbage Fund revenues were affected because of discrepancies with Tri Cities billing. She stated that Gonzales and Greenfield were having similar problems.

Ms. Quitevis said some recommendations had been made in order to keep the taxi in service. They were as follows: 1) Transfer all salary and benefit cost for all other positions out except the taxi driver. 2) Transfer only a portion of budget amount of Taxi Funds share in Vehicle Pool, 3) Eliminate General Fund Administration Transfer, reduce Amount already transferred to 0. 4) Transfer out other costs in order to keep expenditures at a level to meet minimum 10% fare requirement.

Ms. Quitevis said the bottom line is other funds are subsidizing this fund.

There were no questions from Council on the Budget.

**Item #13:** Resolution No. 3595, "Authorizing the City Manager to Execute a Lease Between the City of Soledad and the Soledad Redevelopment Agency to Use a Portion of Vosti Park for a Child Development Center."

Community Development Director Fleming presented the staff report. He stated that the information that had been introduced at previous Council Meetings was in the staff reports and he was ready to answer any questions. There were no questions from the Council.

**MOTION: Resolution No. 3595 was unanimously approved on a motion by Councilmember De La Rosa and a second by Councilmember Bouke.**

### **CITY COUNCIL COMMITTEE UPDATES**

- a) **Street Naming** - None
- b) **Energy Plant** – Councilmember De La Rosa said she had received more comments from residents on the smoke.
- c) **Miravale Section 16** - None
- d) **Development Review** - None
- e) **Overall Landscape Review** - None
- f) **Restroom** – Public Works Director Clif Price said the Little League restrooms were almost complete. He said the others would be done soon after. Councilmember Bourke asked about the replacement of the gazebo. Mr. Price said that was happening as well.
- g) **ADA** – Mayor Pro Tem Saavedra said he was expecting a report from staff.
- h) **Revolving Loan Fund** - None
- i) **Oldtown Soledad Beautification Association** – Councilmember De La Rosa said she would be attending the Downtown Conference in Davis.
- j) **Parks** - None
- k) **Redevelopment Neighborhoods** - Councilmember De La Rosa said they would be doing a new project on fingerprinting children. Mayor Pro Tem Saavedra added the Group Los Torchi came to the meeting and were also looking for leadership training.
- l) **CAC** - None
- m) **SR146 (Roads)** – Mayor Ortiz said he had received a call from Richard Smith asking if the City was still interested. He said he needs to know for planning his crop. City Manager Chapa said staff can schedule a meeting but obviously had been focusing on the Wastewater Treatment plant. Mayor Ortiz said Mr. Smith understood that but asked staff to call him.
- n) **Tree** – Community Development Director Fleming said he would be bringing a list of candidates to appoint at the March 2<sup>nd</sup> Council meeting. City Manager Chapa said the School District had also expressed interest and would bring this forth at that time.
- o) **Wastewater Treatment Plant** - None

### **CITY MANAGER’S REPORT**

#### Update of Emergency Work at the Wastewater Treatment Plant

City Manager Chapa reported she would let Public Works Director Clif Price update the Council on the Solar Bees. Public Works Director Price said they had been installed and were being monitored. He said the preliminary design of the tertiary treatment has been started. Comminutors have been ordered and should arrive in the next ten to twelve weeks. He said the levees have been constructed. He stated there has been some erosion because they were not able to get down on the sides.

## Fiscal Year 2003-04 Audit Report Update

City Manager Chapa said regarding the Audit Update that the auditors were more meticulous this time around and that they do have all the information that they requested. She said at this point staff was waiting for them to get back to us with an update on when they would have the final report.

## **CITY COUNCIL ITEMS**

Councilmember De La Rosa said she felt the City should hold a workshop with the OSBA and businesses in the downtown on business improvements, parking issues as well as other topics.

She will attend the First 5 Monterey County Stakeholders Conference Meeting on March 8<sup>th</sup> and 9<sup>th</sup> at the YMCA.

She mentioned that community members had mentioned to her that a citizen at 501 Soledad Street had their roof disturbed by the garbage company mechanical lift. She asked staff to research that. There was discussion following regarding that issue.

Councilmember Stephens said she would like to see Front Street business owners work on the parking issues. Mayor Ortiz said he felt the Planning Commission should take the lead and direct a committee on this.

Councilmember Bourke said he had heard concerns from residents about vehicles driving too fast on the corner of Granada Street and Gabilan Drive. He mentioned the recognition of the returning veterans and he also said he had a question regarding Agenda #8 and whether the resolution for capital improvement reimbursement at the wastewater plant would affect residents.

Mayor Ortiz said the new trash receptacles on Front Street were all left open and unlocked. He stated that he wanted the City to get involved with the Veterans services in welcoming the veterans back from Iraq. He would like to give them a proclamation or certificate.

Councilmember De La Rosa added, having previously worked with Veterans Administration, she could try to reach some of her contacts and see what could be done. Mayor Pro Tem Saavedra mentioned that a veterans group was having a barbeque in April.

Mayor Ortiz said he wanted a letter sent to Marcelino Nuño Jr. welcoming him back.

Councilmember De La Rosa asked to have the item for Crissy Silva, in regards to donations for leukemia lymphoma triathlon, agendaized for the March 2<sup>nd</sup> City Council Meeting.

Mayor Ortiz asked to have the item recognizing returning veterans from Iraq agendaized for the March 2<sup>nd</sup> City Council Meeting.

## **CLOSED SESSION**

At 10:05 p.m. Mayor Ortiz called for a recess to convene to Closed Session to discuss the following items:

1. The City Council will recess to closed session pursuant to Government Code Section 54956.8 to give instructions to the City's negotiator regarding the purchase of property identified as APN: 257-081-022 (Arroyo Seco Rod and Gun Club). Instructions to the negotiator will concern price and terms of payment.
2. 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 10:10 p.m. Mayor Ortiz reconvened the meeting from Closed Session.

**REPORT OF ACTION TAKEN IN CLOSED SESSION**

Mayor Ortiz reported that:

Item #1. Directions provided to negotiator. No other reportable action taken.

Item #2. Council conferred with City Attorney. No other reportable action taken.

**ADJOURNMENT**

There being no other business to come before the Council, Mayor Ortiz adjourned the meeting at 10:30 p.m.

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RICHARD V. ORTIZ, Mayor

Approved: April 6, 2005

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NOELIA F. CHAPA, City Clerk