

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

June 15, 2005

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

Don Fleming 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 Councilmember/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

Mayor/Chairman Ortiz stated that at the last Council meeting comments were made regarding business not sponsoring the Soledad Fiesta Days. Mayor/Chairman Ortiz stated that the City is a major co-sponsor of the Fiesta Days and the City is not here to criticize. He apologized on behalf of the City and added that he wanted to keep everyone happy and to have a very successful Fiesta.

COUNCILMEMBER'S/AGENCYMEMBER'S ANNOUNCEMENTS

Councilmember/Agencymember De La Rosa stated that Prop 42 funds could mean as much as \$111,595 for the City and added that the League of California Cities is asking that Soledad support the disbursement. She also attended the Latino Network Luncheon, reminded everyone of the High School graduation on June 18th and that today is the Middle School graduation ceremonies.

Mayor Pro Tem/Vice Chairman Saavedra stated he had attended a wastewater treatment plant meeting at 4 P.M. today.

Councilmember/Agencymember Stephens stated she had met with Bill Shaw last week and the National Association of Regional Councils (NARC) Conference will be held in Monterey on June 25th through June 28th and an opening reception where everyone is invited at the Maritime Museum in Monterey. She stated that if anyone was interested, she had the information.

Councilmember/Agencymember Bourke state he had met with Bill Shaw twice regarding a theatre, the theatre owner once and thanked Mayor/Chairman Ortiz for his comments and apology regarding the Soledad Fiesta Days.

Mayor/Chairman Ortiz stated he had also met with Bill Shaw.

COUNCILMEMBER'S/AGENCYMEMBER'S PRAISES

Councilmember/Agencymember De La Rosa stated she would like to disclose that she met with Bill Shaw last week. She praised all the sponsors of the Soledad Fiesta Days including the major sponsors City of Soledad, Dole and Nader Agha, just to name a few. She stated that there were more than 50 unpaid volunteers and thanked the civic and non-profit organizations for their participation. She praised all the 2005 graduates.

Mayor Pro Tem/Vice Chairman Saavedra disclosed that he also met with Bill Shaw. He congratulated the Fiesta Committee for their tireless efforts and thanked the Committee for taking his advice on lowering the four-day pass price.

Councilmember/Agencymember Stephens congratulated all the 2005 graduates.

Councilmember/Agencymember Bourke congratulated the Soledad Volunteer Fire Department for getting the \$30,000 grant for extrication equipment. He also congratulated the three firefighters who finished the academy. He also praised Miss Jensen, a 4th grader at San Vicente School for being the top fundraiser for the American Heart Association, the volunteers at Eden Valley and all the 2005 graduates.

PRESENTATIONS

Introduction of new employees:

Izzy Rodriguez - Economic Development Director

City Manager Noelia Chapa introduced Izzy Rodriguez, Economic Development Director. She stated he started employment on June 1, 2005 and had 32 years experience in City service. He come from San Jose where he worked with the redevelopment agency, the Economic Development Department and also worked closely with the Latino Chamber in San Jose. He is married with two adult children, a boy and a girl and is currently restoring a 1964 Lincoln.

Izzy Rodriguez thanked the City for the opportunity and stated he was glad to be here. He added that in the City's web site he noticed the amount of work being done in the City and he commended staff members for their hard work.

Jack Castro - Accountant

City Manager Noelia Chapa introduced Jack Castro, Accountant. She stated that he started his employment on June 6, 2005 and comes from the private sector. In the past he has owned his own fishing company and a restaurant. He is married and has two sons.

Jack Castro stated he was happy to be here and grateful to have the opportunity to work here. The job is very challenging and he said he was ready for it.

All welcomed Mr. Rodriguez and Mr. Castro.

PUBLIC COMMENT

None

CONSENT CALENDAR

Item #1: Approval of Minutes

None

Item #2: Approval of Warrants
#36185 - #36267

ITEM #3 WAS PULLED FROM THE CONSENT CALENDAR BY COUNCILMEMBER DE LA ROSA

Item #3: Resolution No. 3633, “Approving Interim Funding for Fiscal Year 2005-06.”

ITEM #4 WAS PULLED FROM THE CONSENT CALENDAR BY COUNCILMEMBER BOURKE

Item #4: Resolution No. 3634, “Declaring Surplus Equipment and Authorizing the Sale, Donation, or Disposal of Such Property.”

Item #5: Resolution No. 3635, “Approving and Authorizing Execution of a Communications Facilities Site Lease Between the City and Metro PCS.”

MOTION: The Consent Calendar (Items #1, 2, and 5) was approved by a unanimous vote on a motion by Mayor Pro Tem Saavedra and a second by Councilmember Stephens.

ITEM #3 WAS PULLED FROM THE CONSENT CALENDAR BY COUNCILMEMBER DE LA ROSA

Item #3: Resolution No. 3633, “Approving Interim Funding for Fiscal Year 2005-06.”

Councilmember De La Rosa stated that the staff report states the reason for the delay of passing the budget is due to staff departures and resolution stated fiscal conditions. Mayor Ortiz agreed with Councilmember De La Rosa.

City Manager Chapa stated the resolution would reflect staff limitations instead of fiscal conditions.

MOTION: Resolution No. 3633 was adopted on a motion by Mayor Pro Tem Saavedra and a second by Councilmember De La Rosa by a unanimous vote.

ITEM #4 WAS PULLED FROM THE CONSENT CALENDAR BY COUNCILMEMBER BOURKE

Item #4: Resolution No. 3634, “Declaring Surplus Equipment and Authorizing the Sale, Donation, or Disposal of Such Property.”

Councilmember Bourke asked where the proceeds from the sale of police items, stolen items and bicycles are deposited. City Manager Chapa stated they go into the General Fund. Councilmember Bourke asked if the City could have Soledad Prison refurbish the bicycles and then donate them to youths in our community. Mayor Ortiz stated the prison does not do this anymore.

MOTION: Resolution No. 3634 was adopted on a motion by Councilmember Bourke and a second by Mayor Pro Tem Saavedra by a unanimous vote.

PUBLIC HEARINGS

Item #6: **Resolution No. 3636**, “Approving the Submittal of an Application for 2005-06 CDBG Planning and Technical Assistance Grant for the Wastewater Treatment Facility in the Maximum Grant Amount of \$70,000.”

Staff presentation

Public Works Director Clif Price reviewed the staff report. He stated that the City is eligible to apply for up to \$70,000 to fund two studies/reports; 1) a study to evaluate all of the components needed to be included in the WWTF (Wastewater Treatment Facility) Plan, and 2) to seek available funding sources for reclamation. He added that these funds would be used by RM Associates to do the work. There is also a cash match from the City of \$1,400.

Open and close hearing to the public

Mayor Ortiz opened the hearing to the public and hearing no comments, closed the hearing to the public.

MOTION: Resolution No. 3636 was adopted on a motion by Mayor Pro Tem Saavedra and a second by Councilmember Stephens by a unanimous vote.

Item #7: **ORCHARD VILLAS**

Resolution No. 3628, “Certifying the Orchard Villas Re-Circulated Mitigated Negative Declaration and Adopting a Mitigation Measures Monitoring Plan (MND 2004-01).”

Community Development Director Fleming presented the staff report. He stated this had come before the Planning Commission in April of this year and the Planning Commission reviewed the project and recommend approval based on the findings and the conditions of approval. He stated that this resolution was continued from the June 1, 2005 Council meeting. He added that the questions from the June 1st meeting had been covered in the staff report and this Resolution would certify the Mitigated Negative Declaration and adopt a Mitigation Monitoring Plan.

Mayor Pro Tem Saavedra stated that the issue of Dixi Street being used as a major throughway to Front Street needs to be address and would like to see a study done. He added that there was an error in the year on Page 5 of the Mitigation Monitoring Program. It should state March of 2006 not March of 2005.

City Attorney Michael Rodriquez asked Community Development Director Fleming if the changes on the staff report Page 2 had been included regarding the Mitigated Negative Declaration. Community Development Director Fleming stated the changes were incorporated.

MOTION: Resolution No. 3628 was adopted on a motion by Mayor Pro Tem Saavedra and a second by Councilmember De La Rosa by a unanimous vote.

Resolution No. 3629, “Approving General Plan Amendment (GPA 2004-02) and Directing Staff to File an Application with Monterey County LAFCO for Annexation to the City of Soledad.”

Community Development Director Fleming stated this Resolution would adopt a General Plan Amendment directing staff to file an application with Monterey County LAFCo for annexation.

MOTION: Resolution No. 3629 was adopted on a motion by Councilmember Bourke and a second by Mayor Pro Tem Saavedra by a unanimous vote.

Ordinance No. 619, “Initiating Rezoning to R-1, Single Family Residential (ZOA 2004-05).” (Second Reading)

Staff presentation

City Attorney Rodriguez stated that this ordinance was for second reading and is a public hearing and the Mayor should open the hearing to the public.

Open and close hearing to the public

Mayor Ortiz opened the hearing to the public and hearing no comments, closed the hearing to the public.

MOTION: Ordinance No. 619 was adopted on a motion by Councilmember Bourke and a second by Councilmember Stephens by a unanimous vote.

Resolution No. 3630, “Approving a Tentative Subdivision Map (TSM 2003-06) to Subdivide 29.95 Acres Parcel # (APN 257-111-001, 017, 018 and 020) into 177 Lots of Record and Apply Plan Development Standards to Allow 16 3,500 sq. ft. Parcels for the Provision of Affordable Housing.”

Councilmember Bourke stated that he would like to look at the proposed park and continue this Resolution to the next meeting. City Attorney Rodriguez stated that the applicants were in the audience and Council should hear from them first and then decide whether to continue or adopt.

Steve Schott, owner of Award Homes stated he had been building homes for over 45 years and was here to basically introduce himself.

Charles McKeag, of Award Homes stated he had thought a lot regarding concerns raised at the last meeting and would like to work with staff and the Parks Committee with an ‘on-site open space idea’. He said he had seen the problems with the parks at Miravale I. His new proposal in regards to where are the kids from this project were going to play, is a newly created children’s park. He showed the Council a conceptual plan of the parks. He added that Award Homes is still committed to provide the improvements to the Diamond Ridge Parks.

Mr. Schott stated they had estimated it would cost \$900,000 to improve the parks in Diamond Ridge. They removed five (5) of the lots in Orchard Villas to add the additional park. He knows that staff has not had a chance to review the proposal. He added that Award would make-up the difference of park impact fees that the City has to improve the parks with benches and play equipment.

Mayor Pro Tem Saavedra stated he would like the affordable units to be 80% of AMI and would like to have them in the affordable level of low income instead of 110% of AMI according to FHA guidelines. Mr. Schott stated he could not guarantee they could always be affordable. The City could use City programs to help pay to keep the homes affordable. Mike Rodriguez stated we would have to work to see how much funding the City has to subsidize the homes to have the 80% of AMI. Councilmember De La Rosa agreed with Mayor Pro Tem Saavedra.

Mr. McKeag added that the City could come up with a condition to create a better solution for affordable homes.

Councilmember Bourke stated that the City did not have a funding source to make-up the difference in impact fees. When a study was done regarding the housing needs, it was found that the City needed moderate income housing more than low income. He asked that public employees have the first right of refusal. Mr. Schott and Mr. McKeag stated City and School employees would get that opportunity.

City Attorney Rodriguez recapped what was expressed by all and would revise the resolution.

MOTION: Resolution No. 3630 was continued to the July 6, 2005 City Council meeting on a motion by Mayor Pro Tem Saavedra and a second by Councilmember De La Rosa by a unanimous vote.

BUSINESS

Item #8: Report on the Residential Rehabilitation Program

Community Development Director Fleming provided an overview of the Rehabilitation Program. Laurin Associates submitted a report of the issues in regards to Ms. Aguilar and Ms. Gomez. He stated he had spoken to Laurin Associates and they said a representative would be attending tonight, but no one is here. He added that the contractor was also requested to attend this meeting.

Councilmember Bourke stated that according to their proposal issues are to be smoothed out by Laurin Associates when the applicant and contractor cannot agree. He asked why Laurin Associates is denying responsibility and stated there is a problem in communication.

Mayor Ortiz asked if inspections were done and was the City Building Official involved. Community Development Director Fleming stated Building Official Otis Justice did do inspections for roofs and windows.

Mayor Pro Tem Saavedra asked how the contractor was paid for out of the scope of work. Community Development Director Fleming stated the contractor has not been paid for work outside of the scope of services..

Mayor Ortiz suggested that staff look into the contractor bonds and Community Development Director Fleming stated he would.

Councilmember Stephens stated to get these issues resolved have staff sit down as a mediator with the homeowner, the contractor and Laurin Associates.

Councilmember Bourke agreed and stated this was a City program and these problems need to be resolved. He added the City had a good program and did not need to have a bad reputation.

Councilmember Stephens suggested that everyone get together as soon as possible to resolve these issues and Councilmember De La Rosa agreed.

Mayor Ortiz asked if the two applicants had any comments.

Alberta Gomez, 211 Montezuma Drive stated that the contractor, Reyes Venegas, had been paid double for work done and City Manager Chapa was going to research that for her. Her front yard still has garbage and two abandoned cars, which were going to be removed by the contractor. She stated that she had to refinance her home but was unexpectedly told she would have to pay off the Rehabilitation Loan in the refinance. She said she did not know this and according to her contract she had to pay off the loan, only if the house was sold. She said that Laurin Associates said she had signed off on the rehabilitation, but Laurin has not provided her a copy of the signed final. She said that some of the cost should be deducted since it has taken two years so far and the garbage is still in the front yard. She added that the completion dates in regards to the years were not on the documents.

Annette Aguilar, 1532 Vineyard Drive stated that the contractor, Reyes Venegas, had been fully paid. Her major issue has been the fence. Initially she said she applied for the rehabilitation loan to get her fence replaced. When she reviewed the documents, she saw that the fence had been removed from the list of rehabilitated items. She asked and Tom Rogers of Laurin Associates, to put the fence back in but never did.

She said she called the Contractor's License Board to complain. She explained her situation to them and the Board stated that the City had to resolve this. They said it could not be resolved through the Board.

She stated the windows were not sealed properly and she begged the contractor to do them right. She stated that the contractor, Reyes Venegas, was supposed to return four boxes of leftover tile to do her living room floor. He had not returned it so she went out and purchased new tile herself because she was tired of her floor being black.

Councilmember De La Rosa stated that she would like to see the invoices regarding this loan and a copy of the letters written to the City.

Councilmember Stephens stated she wants to be keep up to date.

Mayor Ortiz stated he would like to have a representative from Laurin Associates here to explain all the problems and how to resolve them before Laurin Associates will be allowed to do any more work. Mayor Ortiz also suggested to Ms. Aguilar that she contact Consumer Affairs to file a complaint.

Councilmember Bourke added that she should also contact the Better Business Bureau to file a complaint.

Item #9: Consider Acceptance of the YMCA Calendar Year 2005 Six-Month Budget

Assistant City Manager Hector De La Rosa reviewed the staff report. He stated that as of May the YMCA should have realized 42% of revenues and are at 39%, slightly behind in revenues for the first five months of operations. He stated that YMCA staff submitted a wish list of items that want to be considered in the City's FY 2005-06 budget for repairs or replacements of items in the Community Center.

Assistant City Manager Hector De La Rosa stated that there may be a possible funding source of \$14,000 from a surcharge that the YMCA has been collecting from rentals for the purpose of equipment purchase.

The YMCA staff has requested that the building be painted and the barbeque pit be repaired. The approximate cost is \$30,000. He added that in the past, the City has budgeted \$25,000 in the General Fund in addition to the subsidy for repairs to the YMCA.

Councilmember Stephens asked that staff add to the list of repairs the ceiling tiles in the gym.

Councilmember De La Rosa asked what had happened to the barbeque pit. Monica Sullivan from the YMCA stated that the tiles were coming off and that children had jumped on the grill and broke it. She added that a lot of it was normal wear and tear.

Councilmember De La Rosa stated that the restrooms are in bad need of repair. She said there were holes in the walls, the pipes were moving, the tiles were chipped and the toilets were also moving. There were other wear and tear items that needed to be addressed. She added that she had received many complaints and a major one was the lack of paper towels, only a hand blower. Ms. Sullivan stated this had been addressed and she would continue to pursue the concern.

Monica Sullivan stated that Mr. Roy Morris, previous Mayor for the City of Greenfield and a current YMCA board members, was volunteering to do a lot of repairs to help save money.

Councilmember Bourke asked if the sign had been changed and Ms. Sullivan stated it was broken and replaced, excluding the YMCA name.

Item #10: CITY ENGINEERING CONTRACT

Resolution No. 3637, “Authorizing the City Manager to Enter into a Contract with Mark Thomas & Company, Inc. for Engineering Services for Three Years.”

* **Resolution No. 255**, “Authorizing the Executive Director to Enter into a Contract with Mark Thomas & Company, Inc. for Engineering Services for Three Years.”

Public Works Director Clif Price reviewed the staff report. He stated that twelve RFP’s had been sent out and staff received three responses. He stated that Mark Thomas should be thanked because the City couldn’t have installed the new water tanks or done so much with the prison wastewater treatment plant without the help of Walter Grant of Mark Thomas and Company. He added that there were additional tasks that have not been done in the past and are listed in the scope of services. Staff is recommending a three-year contract for both the City and the Redevelopment Agency.

Councilmember/Agencymember Bourke asked if the projects in the City were being tracked in regards to the developer paying their portion and reimbursed to the City. Public Works Director Price stated this is now included in the scope of services. Councilmember/Agencymember Bourke stated that he recalls that streetlights were not included and are missing on a street in the City and asked whose fault that was? City Attorney Rodriquez answered that this was the previous City Engineering group.

Mayor/Chairman Ortiz stated he had some concerns with staff's recommendation to hire Mark Thomas and Company such as the San Vicente Road problem, redesigning of streets in the Diamond Ridge Development without consulting the Council, the Front Street bulb out problems and has a problem with a three-year contract. He also thought the City was hiring a staff engineer.

Mayor Pro Tem/Vice Chairman Saavedra stated he also had concerns, specifically with the elevations on Front Street and the difference between the first and second set of drawings triggered a \$30,000 change order. He also said he was not happy with the bulb outs, the turn radius was not changed and would prefer a one-year contract with an additional follow-up the following year. He added that he feels that Mark Thomas and Company is still on a learning curve and said he thought the City could afford an in house engineer with the developer paying the fees.

Councilmember/Agencymember De La Rosa stated that these contracts need to be monitored, there has to be more communication and watched closely by staff.

Councilmember/Agencymember Stephens stated she had a problem with a one-year contract because it is expensive to request new proposals and puts a burden on staff time.

MOTION: Resolution No. 3637 was adopted on a motion by Councilmember Stephens and a second by Councilmember Bourke by a majority vote, with Mayor Ortiz and Mayor Pro Tem Saavedra casting the no vote.

MOTION: Resolution No. 255 was adopted on a motion by Agencymember Stephens and a second by Agencymember Bourke by a majority vote, with Chairman Ortiz and Vice Chairman Saavedra casting the no vote.

City Attorney Rodriguez reminded the Council and Agency that there is a termination agreement included in the document. A 14-day notice is all that is required, he added.

Item #11: Receive and Provide Staff Direction on Location of the Flag Pole and Park Sign at Veteran's Memorial Park

City Manager Chap reviewed that staff report. It was the consensus of the Council to approve the flagpole at location "B" and the monument sign at Location "A".

Item #12: Discuss and Provide Staff Direction on Location of a Gazebo, Christmas Tree and a Water Fountain as Shown on the Conceptual Drawing of the City Owned Property Located on the Westside of Front Street South of the Park and Ride Lot

City Manager Chapa reviewed the staff report. She stated that the Plaza area was added to the conceptual design of the Front Street Revitalization Project. Staff came up with two options of where to place the gazebo and train station. Since the approval of the initial conceptual design, Council has asked to incorporate a Christmas Tree and Nader Agha has expressed a desire to donate a water fountain for the community's benefit.

After discussion, Council consensus was Option A with the gazebo in the middle instead of at the south end.

Item #13: Proposed Modifications to Soledad Municipal Code Chapter 9.18.010-Firearms

City Attorney Michael Rodriguez reviewed the staff report. At the April 20, 2005 Council meeting, Council recommended changes to the existing code. Included were an updated list of weapons to which discharge prohibition applies, clearly establish the penalty for discharge as a misdemeanor and expand the exceptions section to include allowance for ROTC use of firearms in conjunction with training, use of specified firearms with adult supervision and possible age restriction on the use of firearms. He stated that staff is seeking confirmation of these changes and if confirmed he would bring an ordinance for introduction and first reading by title only at the July 6, 2005 Council meeting.

Councilmember Bourke stated that the ROTC classes are having target practice in the classroom and asked if this was allowed. Chief Richard Cox stated he would follow-up with the school. He added that most of the other cities statewide do not usually make these violations a misdemeanor just an infraction. City Attorney Rodriguez stated that he could modify the language to give the Police Chief the ability to make it an infraction. Chief Cox stated that because a misdemeanor can be reduced to an infraction, we should leave it this way. He also stated that an infraction couldn't be increased to a misdemeanor.

City Attorney Rodriguez stated he would modify the language and present it to the Council at the July 6, 2005 Council meeting.

Item #14: **Resolution No. 3638**, "Authorizing the City Manager to Execute a Ground Lease Between the State of California and the City of Soledad for the Lease of the California Department of Corrections Wastewater Treatment Facility".

City Attorney Rodriguez stated that before a decision was made on this resolution, Council would need to discuss this in closed session and then come back in open session and adopt or deny or continue.

CITY COUNCIL COMMITTEE UPDATES

- a) **Street Naming** – None
- b) **Energy Plant** – Councilmember De La Rosa asked if staff was making any headway on contacting them regarding violations of the CUP. Community Development Director Fleming stated a staff report would be provided but Councilmember De La Rosa would like a meeting set up to discuss this.
- c) **Miravale Section 16** - Community Development Director Fleming stated the RFP for the EIR on Miravale has been sent out to 12 firms but there has not been any response yet.
- d) **Development Review** – Mayor Ortiz reported the Piini project on landscaping and the façade improvements were reviewed again by the Committee.
- e) **Overall Landscape Review** – None
- f) **ADA** - None
- g) **Revolving Loan Fund** - None
- h) **Oldtown Soledad Beautification Association** – Councilmember De La Rosa stated that a meeting was scheduled for next Wednesday and they were working on the Wind and Wine Festival to be held in August.

- i) **Parks** – None
- j) **Redevelopment Neighborhoods** – Councilmember De La Rosa stated that a meeting was scheduled for next Tuesday at 6:00 p.m.
- k) **CAC** – None
- l) **SR146 (Roads)** – None
- m) **Tree** – None
- n) **Wastewater Treatment Plant** - None

CITY MANAGER'S REPORT

- a) Update of Emergency Work at the Wastewater Treatment Plant – Public Works Director Price stated that they were waiting for dryer weather to clean the ponds at the prison plant, they will be starting the aerators next week and will be ready for discharge as soon as a lease can be signed. He added that you can now see the bottom of pond #3 and #4.

City Manager Chapa reported that she was informed that SB952 will be heard in Sacramento on July 6, 2005 at 1:30 p.m. according to John Arriaga.

- b) Council Requests – Status Table

Councilmember De La Rosa asked if #2 regarding the Little League Park Picnic structure would be reviewed by the City Council before it was built. City Manager Chapa stated that staff had received direction from the Council at a previous meeting and public works staff will just build it. She also stated that #16 regarding the Childcare Facility keeps being extended on each update and asked what is holding this up. Community Development Director Fleming stated that CSI wants the building installed before they will sign a contract and the City wants them to sign a contract before the City contracts for the building. They are corresponding with their attorneys to get this cleared up. Councilmember De La Rosa also asked for the report on #9 regarding the revocation of CUP proceedings.

Mayor Pro Tem Saavedra asked for a report on the status of the Gallardo Park sign.

CITY COUNCIL ITEMS

Councilmember Stephens stated that the Soledad Energy Plant was not burning the correct items and that something was not right. Mayor Ortiz agreed and added that he would like the Gallardo Park sign replaced because it was ‘raunchy’.

Councilmember Bourke agreed that the smoke was dark brown and would like this followed up with the Air Quality Board. He stated that he would also like the language cleaned up on the 5,000 vs. 6,000 square foot lots.

Mayor Ortiz suggested that staff should do an ordinance on small size homeowner’s associations to govern the City, homeowner and developer responsibilities.

Councilmember De La Rosa asked for an update on projects coming before the Planning Commission but not the City Council. She asked for a report on the completion of landscaping on San Vicente and West Street (CHISPA & Award), status of the undone minutes and the school crosswalks, sidewalks and stop signs should be installed when they are building the schools so the City doesn't have to install them afterwards.

CLOSED SESSION

At 9:15 p.m. Mayor/Chairman 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 negotiators regarding negotiations with the State of California concerning the lease/purchase of the California Correctional Training Facility Waste Water Treatment Facility. Instructions to the negotiators will concern price and terms.
2. The City Council will recess to Closed Session to meet with its designated representative regarding labor relations matters pursuant to Government Code Section 54957.6. The employee/employer organization is California Professional Employees, Local 2345 (CAL-PRO).
3. The City Council will recess to closed session to consider personnel matters pursuant to Government Code Section 54957- City Manager Evaluation.
4. * The Redevelopment Agency Board will recess to closed session pursuant to Government Code Section 54956.8 to give instructions to the Agency's negotiators regarding negotiations with William Shaw concerning the purchase of property identified as APN No. 022-291-018. Instructions to the negotiators will concern price and terms.

MEETING RECONVENED

At 10:55 p.m. Mayor/Chairman Ortiz reconvened the meeting from Closed Session.

REPORT OF ACTION TAKEN IN CLOSED SESSION

Mayor Ortiz reported that:

- Item #1. Council conferred with its negotiators concerning price and terms of proposed lease. No other reportable action taken.
- Item #2. Council met with and provided direction to its representatives concerning labor negotiations. No other reportable action taken.
- Item #3. Council initiated City Manager evaluation process. No other reportable action taken.
- Item #4. * Agency Board met with and provided direction to its negotiators. No other reportable action taken.

Item #14: **Resolution No. 3638**, “Authorizing the City Manager to Execute a Ground Lease Between the State of California and the City of Soledad for the Lease of the California Department of Corrections Wastewater Treatment Facility”.

MOTION: **Resolution No. 3638 was adopted on a motion by Mayor Pro Tem Saavedra and a second by Councilmember Bourke by a unanimous vote.**

ADJOURNMENT

There being no other business to come before the Council, Mayor/Chairman Ortiz adjourned the meeting at 10:57 p.m. on a motion by Mayor Pro Tem/Vice Chairman Saavedra and a second by Councilmember/Agencymember Stephens.

RICHARD V. ORTIZ, Mayor/Chairman

Approved: July 6, 2005

NOELIA F. CHAPA, City Clerk