

## **Joint City Council/\*Redevelopment Agency Regular Meeting**

**July 5, 2006**

### **CALL TO ORDER**

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

### **PLEDGE OF ALLEGIANCE**

Mayor/Chairman Ortiz 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: Councilmember/Agencymember Chris Bourke, Councilmember/Agencymember Pat Stephens and Mayor/Chairman Richard Ortiz.

Councilmember/Agencymember Stefanie De La Rosa arrived at 6:35 p.m.

Mayor Pro Tem/Vice Chair Juan Saavedra arrived at 6:40.

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

Mayor/Chairman Ortiz stated that he along with Gary Gerbrandt and Izzy Rodriguez attended the Central Coast rail committee meeting in San Luis Obispo and that the committee approved a motion to support a rail stop in Soledad. He said that a presentation was made on the importance of the stop in Soledad. He also stated that he attended the CHISPA Market Street Townhomes grand opening on June 30<sup>th</sup>.

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

Councilmember/Agencymember De La Rosa stated that she attended the grand opening of the City of Greenfield's community center.

Councilmember/Agencymember Bourke stated that he attended the CHISPA Market Street Townhomes grand opening, and will be attending the League of California Cities Mayors/Councilmember Academy at the end of July. He mentioned that the Budget Workshop conflicts with his Soledad Housing Authority meeting on July 11<sup>th</sup>.

Mayor Pro Tem/Vice Chair Saavedra stated he attended his 50<sup>th</sup> class reunion in Gonzales.

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

Councilmember/Agencymember Stephens thanked the 4<sup>th</sup> of July Committee and Staff for their work. She also commended the delivery of the new recycling bins.

Councilmember/Agencymember Bourke praised the Police Department for their quick apprehension of the four rape suspects; Officer Lionel Munguia for assisting an elderly gentleman in changing his tire; the Public Works department for their anti-graffiti efforts and repair of skateboard park. He also thanked Fire Chief Casillas for his service to the City.

Mayor/Chairman Ortiz praised the 4<sup>th</sup> of July Committee for the fireworks festivities. He suggested looking for a new location since the current location will be developed soon. He suggested the football stadium at the high school. The Police Department for the arrest of the rape suspects and the Fire Department for their rapid response to various incidents on the 4<sup>th</sup> of July.

Mayor Pro Tem/Vice Chair Saavedra praised the 4<sup>th</sup> of July committee and also acknowledge Fire Chief Casillas.

### **PRESENTATIONS**

#### **Introduction of New Employees: Operator in Training: Chevalo Duckett**

Public Works Director Clif Price introduced. Sonny Vaughn, Utilities Supervisor, and Gama Romero, Utility Operator, all spoke about Chevalo and welcomed him to the City.

#### **Certificate of Recognition: David Garcia – 18 years as Volunteer Firefighter**

City Manager Noelia Chapa introduced Firefighter Garcia and thanked him for his service. Acting Fire Chief Richard Cox gave a short presentation and Mayor/Chairman Ortiz presented Firefighter Garcia with a certificate of recognition. The Council thanked Firefighter Garcia for his many years of service to the City.

City Manager Chapa requested that an item be added to the agenda as urgency Item #18. She stated it was a contract with Salinas Rural Fire District for interim Fire Chief Service. She further stated that the contract with Salinas Rural had come up since the posting of the agenda and the matter was critical to the management of the Fire Department. City Attorney Stephanie Stuart stated that according to Government Code the Council could add the item.

**MOTION: Urgency Item #18 was added to the agenda by a unanimous vote on a motion made by Mayor Pro Tem/Vice Chair Saavedra and a second by Councilmember/Agencymember Stephens.**

### **PUBLIC COMMENT**

None

### **CONSENT CALENDAR**

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

Special City Council Meeting Minutes July 27, 2005

City Council Regular Meeting Minutes November 2, 2005

City Council Special Meeting Minutes May 10, 2006

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

#39016 - #39104

**Item #3: Ordinance No. 634, “Announcing Findings and Amending the Official Zoning Map of the City of Soledad to Rezone Two Parcels of Approximately 4.23 Acres (APN’s 257-091-003 and 257-091-004) from the R-2 Medium Density Multi-family Residential District to the C-R Commercial Residential District.” (1<sup>st</sup> Reading)**

**Item #4:** Resolution No. 3819, “Approving a Tax Transfer Formula Between the City of Soledad and Monterey County Associated with Annexation of Approximately 48 acres to the City of Soledad (APN’s 257-091-010, 257-091-002, and 257-091-006) and Detachments from the Mission Soledad Rural Fire Protection District.”

**Item #5:** Resolution No. 3820, “Accepting the Improvements for the Gabilan Gardens Subdivision.”

**Item #6:** Resolution No. 3821, “Making Findings of Compliance and Significant Compliance With Miravale II Vesting Tentative Map Conditions 16 and 1.2 B and C and Authorizing the City Engineer to Record the Miravale II Unit 1-Increment 1B and a Portion of 1A Final Map.”

**Consent Calendar Item #7 was pulled for discussion by Mayor Pro Tem/Vice Chair Saavedra**

**Item #7:** Resolution No. 3822, “Authorizing the City Manager to Execute Contract Change Orders for the City Hall/Police Department Completion Project in an Amount Not to Exceed \$30,000.”

**Consent Calendar Item #8 was pulled for discussion by Mayor Pro Tem/Vice Chair Saavedra**

**Item #8:** Resolution No. 3823, “Amending Task Order #43 from Mark Thomas & Company, Inc. to be Increased by an Amount Not to Exceed \$6,000 to Provide Additional Construction Management for the City of Soledad City Hall/Police Addition and Remodel Project.”

**Item #9:** Update on the Pavement Management System Report

**MOTION: The Consent Calendar (Items # 1, 2, 3, 4, 5, 6, 9) was approved by a unanimous vote on a motion made by Councilmember/Agencymember Stephens and a second by Mayor Pro Tem/Vice Chair Saavedra.**

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Public Works Director Price addressed the Council. He stated the change orders were to correct electrical deficiencies that were discovered in the building. He said the task order was for additional project manager time, and that Staff estimates it will three weeks until completion.

**MOTION: Consent Calendar Items #7 and 8 were adopted by a unanimous vote on a motion made by Mayor Pro Tem/Vice Chair Saavedra and a second by Councilmember/Agencymember De La Rosa.**

**PUBLIC HEARING**

**Item #10:** \* PROPOSED 2006 AMENDMENT TO THE PREVIOUSLY AMENDED REDEVELOPMENT PLAN FOR THE SOLEDAD REDEVELOPMENT PROJECT

Assistant City Manager De La Rosa presented the staff report. He stated that the City had received a letter of protest from the County on June 21<sup>st</sup> regarding the project and he asked that the item be continued to July 13<sup>th</sup>, which will be a special meeting. He stated that the City Council/Agency would be asked to proceed, or the Planning Commission would be asked to pass a resolution deleting more area from the territory in order to satisfy the County. He said Staff should have a clearer understanding of the County's protest.

**Open and Close of Public Hearing**

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

A. Consider and adopt **Resolution No. 287**, "Making and Approving Findings That a Certain Parcel of Land Which is in Agricultural Use Shall be Included in the Soledad Redevelopment Project, as Proposed to be Amended by the 2006 Amendment"; and

**MOTION: Resolution No. 287 was continued to the special meeting of July 13<sup>th</sup> by a unanimous vote on a motion made by Agencymember Bourke and a second by Agencymember Stephens.**

B. Consider and adopt **Resolution No. 288**, "Finding and Determining That the Use of Taxes Allocated From the Territory Proposed to be Added by the 2006 Amendment to the Previously Amended Redevelopment Plan for the Soledad Redevelopment Project for the Purpose of Providing Affordable Housing Outside the Added Territory Will Be of Benefit to Said Project"; and

**MOTION: Resolution No. 288 was continued to the special meeting of July 13<sup>th</sup> by a unanimous vote on a motion made by Agencymember Bourke and a second by Agencymember Stephens.**

C. Consider and adopt **Resolution No. 289**, "Certifying the Completion of a Final Program Environmental Impact Report for the Proposed 2006 Amendment to the Previously Amended Redevelopment Plan for the Soledad Redevelopment Project; Making Findings Pursuant to the California Environmental Quality Act; Adopting a Statement of Overriding Considerations; and Adopting a Mitigation Monitoring Plan"; and

**MOTION: Resolution No. 289 was continued to the special meeting of July 13<sup>th</sup> by a unanimous vote on a motion made by Agencymember Bourke and a second by Agencymember Stephens.**

D. Consider and adopt **Resolution No. 290**, "Approving the Proposed 2006 Amendment to the Previously Amended Redevelopment Plan for the Soledad Redevelopment Project and Recommendation for Said Amendment Adoption to the City Council of the City of Soledad".

**MOTION: Resolution No. 290 was continued to the special meeting of July 13<sup>th</sup> by a unanimous vote on a motion made by Agencymember Bourke and a second by Agencymember Stephens.**

E. Consider and adopt **Resolution No. 3815**, “Finding and Determining That the Use of Taxes Allocated From the Territory Proposed to be Added by the 2006 Amendment to the Previously Amended Redevelopment Plan for the Soledad Redevelopment Project for the Purpose of Providing Affordable Housing Outside the Added Territory Will Be of Benefit to Said Project”; and

**MOTION: Resolution No. 3815 was continued to the special meeting of July 13<sup>th</sup> by a unanimous vote on a motion made by Councilmember Bourke and a second by Councilmember Stephens.**

F. Consider and adopt **Resolution No. 3816**, “Certifying the Completion of a Final Program Environmental Impact Report for the Proposed 2006 Amendment to the Previously Amended Redevelopment Plan for the Soledad Redevelopment Project; Making Findings Pursuant to the California Environmental Quality Act; Adopting a Statement of Overriding Considerations; and Adopting a Mitigation Monitoring Plan”; and

**MOTION: Resolution No. 3816 was continued to the special meeting of July 13<sup>th</sup> by a unanimous vote on a motion made by Councilmember Bourke and a second by Councilmember Stephens.**

G. Waive second reading and adopt **Ordinance No. 633**, “Approving and Adopting the 2006 Amendment to the Previously Amended Redevelopment Plan for the Soledad Redevelopment Project.” (2<sup>nd</sup> Reading)

**MOTION: Ordinance No. 633 was continued to a special meeting of July 13<sup>th</sup> by a unanimous vote on a motion made by Councilmember Bourke and a second by Councilmember Stephens.**

**Item #11: Resolution No. 3817**, “Determining the Appropriations Limit for Fiscal Year 2006-07 Pursuant to Article XIII ‘B’ of the California Constitution.”

City Manager Chapa requested that the item be continued to the next Council meeting for approval with the budget.

**MOTION: Resolution No. 3817 was continued to the meeting of July 19<sup>th</sup> by a unanimous vote on a motion made by Mayor Pro Tem Saavedra and a second by Councilmember De La Rosa.**

**Item #12: DIAMOND RIDGE BENEFIT, DIAMOND RIDGE PARKS AND OPEN SPACE AND RANCHO SAN VICENTE PARKS AND OPEN SPACE ASSESSMENT DISTRICTS**

Finance Officer Smith presented the staff report. He stated that the City Council had previously formed the Diamond Ridge Benefit Assessment District No. 1 (Diamond Ridge, Phase I), Diamond Ridge Parks and Open Spaces Maintenance Assessment District No. 1 (Miravale, Phase I), and the Rancho San Vicente Parks and Open Spaces Maintenance Assessment District to pay for the costs and expenses of operating, maintaining, and servicing public improvements and facilities located within the boundaries of the Districts. He said that each year the City is required to approve an updated Engineer's Annual Levy Report for the District that describes the District and the proposed levy and collection of assessments upon eligible parcels of land within the District. He further stated that by approving the resolution the Council would provide final approval of the Engineer's Report for each district, authorize the levy and collection of said assessments and order the maintenance, operating and/or servicing of the improvements identified in each Engineer's Report.

**Resolution No. 3824**, "Ordering the Levy and Collection of Assessments within the Diamond Ridge Benefit Assessment District No. 1 for Fiscal Year 2006/2007."

**Open and Close of Public Hearing**

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

**MOTION: Resolution No. 3824 was adopted by a unanimous vote on a motion made by Mayor Pro Tem Saavedra and a second by Councilmember De La Rosa.**

**Resolution No. 3825**, "Ordering the Levy and Collection of Assessments within the Diamond Ridge Parks and Open Space Maintenance Assessment District No. 1 for Fiscal Year 2006/2007."

**Open and Close of Public Hearing**

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

**MOTION: Resolution No. 3825 was adopted by a unanimous vote on a motion made by Councilmember Bourke and a second by Councilmember Stephens.**

**Resolution No. 3826**, "Ordering the Levy and Collection of Assessments within the Rancho San Vicente Parks and Open Spaces Maintenance Assessment District for Fiscal Year 2006/2007".

**Open and Close of Public Hearing**

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

**MOTION: Resolution No. 3826 was adopted by a unanimous vote on a motion made by Councilmember Bourke and a second by Councilmember Stephens.**

**Resolution No. 3827**, "Certifying Compliance with State Law with respect to the Levying of General and Special Taxes, Assessments and Property-Related Fees and Charges".

**Open and Close of Public Hearing**

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

**MOTION: Resolution No. 3827 was adopted by a unanimous vote on a motion made by Mayor Pro Tem Saavedra and a second by Councilmember De La Rosa.**

**BUSINESS**

**Item #13: Resolution No. 3828, “Declaring Preliminary Intention to Refund Specified Limited Obligation Improvement Bonds and Directing the Preparation of a Report Thereon.”**

Assistant City Manager De La Rosa presented the staff report and stated that in 2000, the City approved an Assessment District for the Vista Soledad Subdivision Project and issued bonds in the amount of \$4,295,000 and currently outstanding in the amount of \$4,050,000 (“Prior Bonds”) for the purpose of financing Developer required improvements. The term of the Prior Bonds is for 30 years at interest rates ranging from 6.875% to 7.25% at the 30<sup>th</sup> year. The Prior Bonds are repaid through property assessments collected from principal owners in the District. Currently, each property owner in the Vineyards Assessment District is paying an estimated \$880-\$900 a year for the repayment of the Prior Bonds. He said that with the decline of interest rates, it was an ideal time to refund the Prior Bonds with interest rates being in the low 5% for this type of issuance, with an estimated savings of up to \$113 - 159 a year to each homeowner in the Vineyard District.

**MOTION: Resolution No. 3828 was adopted by a unanimous vote on a motion made by Councilmember De La Rosa and a second by Mayor Pro Tem Saavedra.**

**Item #14: Resolution No. 3829, “Approving and Confirming the Vineyards 2000-01 Reassessment Report on the Levy of Reassessments and the Refunding of its Limited Obligation Improvement Bonds.”**

Assistant City Manager De La Rosa presented the staff report. He stated that this resolution worked in conjunction with the previous, and the resolution would authorize the sale of Refunding Bonds, approval of the Official Statement, appointment of a Paying Agent, approval of a Bond Purchase Agreement, a Refunding Escrow Agreement, a Continuing Disclosure Certificate, and authorized related actions and the execution of related documents with respect to the issuance and sale of the bonds. He said that the resolution outlined in detail the features of the bonds, the role of the Paying Agent, the role of the City Treasurer, the Funds and Accounts created by the Resolution (Redemption, Prepayment Reserve, Expense and Refunding Escrow), the maximum par amount of Refunding Bonds, the Application of Proceeds and Investments, the City’s obligation to collect reassessments with the Foreclosure Covenant, and Events of Default. He added that all the documents were necessary as information and full disclosure to potential investors interested in purchasing the bonds.

**MOTION: Resolution No. 3829 was adopted by a unanimous vote on a motion made by Councilmember Bourke and a second by Mayor Pro Tem Saavedra.**

**Item #15: Resolution No. 3830**, “Authorizing the Issuance of the City of Soledad Reassessment District No. 2000-01 (The Vineyards), Limited Obligation Refunding Bonds, Series 2006, Approving an Official Statement; Authorizing the Execution of Said Bonds; Appointing a Paying Agent; Approving a Bond Purchase Agreement; Approving a Refunding Escrow Agreement; Approving a Continuing Disclosure Certificate; and Authorizing Related Actions and the Execution of Related Documents with Respect to the Issuance and Sale of the Bonds.”

**MOTION: Resolution No. 3830 was adopted by a unanimous vote on a motion made by Councilmember Bourke and a second by Councilmember De La Rosa.**

**Item #16: Resolution No. 3831**, “Supporting the Start of Services for the Coast Daylight Train for Expanded Passenger Rail Services to Connect Downtown Los Angeles and Downtown San Francisco along the Pacific Rail Corridor.”

Economic Development Director Izzy Rodriguez presented the staff report stating that the proposed train would connect downtown Los Angeles with downtown San Francisco and the purpose of the resolution was to demonstrate local support for the project. He said that resolutions of support are being secured from all cities, counties, regional transportation planning agencies and chambers of commerce along the corridor. He stated that the Coast Rail Coordinating Council (CRCC) has been working for the implementation of the new train since the early 1990’s. The CRCC is a coalition of transportation planning agencies, local governments, Caltrans, Amtrak and the Union Pacific.

Councilmember Bourke asked if Staff will be getting local businesses and wineries involved. Economic Development Director Rodriguez stated that currently they were working on getting approval from cities first.

**MOTION: Resolution No. 3831 was adopted by a unanimous vote on a motion made by Mayor Pro Tem Saavedra and a second by Councilmember De La Rosa.**

**Item #17: Resolution No. 3832**, “Authorizing the City Manager to Execute a Standard Agreement and any Amendments and Related Documents Necessary to Participate in the Home Investment Program for Reconstruction of the Benito Farm Labor Camp.”

Economic Development Director Rodriguez presented the staff report. He stated that Staff was notified that the City Manager was only authorized to sign the HOME grant application, and that another resolution needed to be adopted to allow the City Manager to sign the standard agreement and amendments and related documents necessary to participate in the Home Investment Program.

**MOTION: Resolution No. 3832 was adopted by a unanimous vote on a motion made by Councilmember De La Rosa and a second by Councilmember Bourke.**

**Item #18:** Agreement with Salinas Rural Fire District for Interim Fire Chief Services

City Manager Chapa presented the staff report and stated that she had provided several options for Fire Chief Services. Salinas Rural Fire District was selected for contract services and had included with the Staff Report their proposal, which would provide 24/7 coverage. She stated she was recommending the 32 hour option, which would provide the City with the service of an onsite Fire Chief, and the remainder of the time would be filled with a Chief Officer responding to calls. She stated that in addition to responding to calls, the Fire Chief will maintain interaction with the firefighters. She said the proposal indicated an additional amount for a vehicle, and she informed the District that the City has a vehicle for their use. They have assigned retired Fire Chief Steve Negro, and the contract would be for 13 weeks. She asked that Council to authorize her to negotiate and execute the contract.

**MOTION:** Authorization was given to the City Manager to negotiate and execute a contract with the Salinas Rural Fire District for Interim Fire Chief Services by a unanimous vote on a motion made by Councilmember Bourke and a second by Councilmember De La Rosa. Staff was directed to forward the contract to legal counsel prior to execution.

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

- a) **Street Naming** – Mayor Pro Tem Saavedra stated that the meeting will be rescheduled.
- b) **Miravale Section 16** - None
- c) **Development Review** - None
- d) **Overall Landscape Review** - None
- e) **Revolving Loan Fund** - None
- f) **Oldtown Soledad Beautification Association** – City Manager Chapa stated that she would be coming to the Council with their budget request.
- g) **Parks** – Councilmember Bourke stated that they are making progress on the parks.
- h) **Redevelopment Neighborhoods** - None
- i) **CAC** - None
- j) **SR146 (Roads)** – Public Works Director Price stated they have not held a meeting, but are looking to hold one the 3<sup>rd</sup> or 4<sup>th</sup> week of August.
- k) **Tree** - Community Development Director Fleming stated they established the date of July 29<sup>th</sup> as the date for tree planting beginning at 8 a.m.
- l) **Wastewater Treatment Plant** - None
- m) **Soledad Historical Society** - None
- n) **Soledad Emergency Plan** – City Manager Chapa stated that Chief Negro bring experience in this area and she will also be looking to contract personnel to assist.

Mayor Ortiz asked Community Development Director Fleming about the Energy Plant and if there were any individuals interested in the site and the possibility of upgrading it to an ethanol fuel source. Mayor Ortiz asked what that would do to their permit. Community Development Director Fleming stated that he would have to look into it, but any modification to the plant could have an impact, and until Staff has more information they cannot go back and evaluate.

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

a) Council Requests – Status Table

City Manager Chapa stated that she attended the Senate Hearing for the AB53 surplus property bill the previous Tuesday. She said it moved very quickly and will be heading to the Senate Appropriations Committee. She also stated that it is considered an urgency ordinance and the City should have a better idea in September if the Governor will sign it.

Councilmember De La Rosa asked that another meeting with CSI be set up to discuss hiring practices, specifically hiring Soledad residents. She also wanted Staff to work on setting up a date for a grand opening.

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

Councilmember De La Rosa stated that the walking path around Veterans Park is overgrown with grass. She also asked Staff to investigate the fireworks show for the City of Hilmar, which she thought would be very nice for the City of Soledad.

Councilmember Stephens asked that Staff contact the appropriate person for repainting of the pavement markers at the Mission Shopping Center.

Councilmember Bourke asked Staff to look into the Energy Plant CUP and whether a new one would be required. He also asked Staff to make sure they would meet new air standards or if they would take over the old permit. Councilmember Bourke also requested that former Fire Chief Jesse Casillas be recognized and his service to the City.

**CLOSED SESSION**

At 7:45 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 to meet with its designated representatives regarding labor relations matters pursuant to Government Code Section 54957.6. The employee organization is the Soledad Police Sergeants' Association.
2. The City Council will recess to closed session to meet with its designated representatives regarding labor relations matters pursuant to Government Code Section 54957.6. The employee organization is the Soledad Police Officers' Association.

**MEETING RECONVENED**

At 8:25 p.m. Mayor/Chairman Ortiz reconvened the meeting from Closed Session.

**REPORT OF ACTION TAKEN IN CLOSED SESSION**

Mayor/ Chairman Ortiz made the following announcements with regard to closed session matters:

1. Council conferred with its negotiators and provided direction. No other reportable action taken.
2. Council conferred with its negotiators and provided direction. No other reportable action taken.

**ADJOURNMENT**

There being no other business to come before the Council/Agency, Mayor/ Chairman Ortiz adjourned the meeting at 8:26 p.m.

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RICHARD V. ORTIZ, Mayor/Chairman

Approved: July 19, 2006

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NOELIA F. CHAPA, City Clerk/Agency Clerk