

Joint City Council/*Redevelopment Agency Regular Meeting Minutes

August 2, 2006

CALL TO ORDER

Acting Mayor/Chairman Pat Stephens called the Joint City Council/Redevelopment Agency Regular Meeting of the City of Soledad to order at 6:35 p.m.

PLEDGE OF ALLEGIANCE

Councilmember/Agencymember Stefanie De La Rosa led the Pledge of Allegiance.

PEACEBUILDERS' PLEDGE

All recited the Peacebuilders' Pledge.

Acting Mayor/Chairman Stephens asked for a moment of silence in memory of Yolanda LeNoble.

ROLL CALL

Present when the meeting was called to order were: Councilmember/Agencymember Chris Bourke, Councilmember/Agencymember Stefanie De La Rosa and Acting Mayor/Chairman Pat Stephens.

Mayor/Chairman Richard Ortiz and Mayor Pro Tem/Vice Chair Juan Saavedra asked to be excused as they were attending the ACCAP Summer Conference in San Diego.

MAYOR'S/CHAIRMAN'S REPORT

Acting Mayor/Chairman Stephens stated she attended the League of California Cities Mayor and Council Academy in Monterey and also participated in the City's Strategic Planning Retreat that was held that week.

COUNCILMEMBER'S/AGENCYMEMBER'S ANNOUNCEMENTS

Councilmember/Agencymember Bourke stated he attended the League of California Cities Mayor and Council Academy in Monterey, the Salinas Valley Solid Waste Authority Meeting, the Strategic Planning Retreat and reminded the community about the following events: OSBA Grand Opening, Jack Francioni School Grand Opening and Wind and Wind Festival.

COUNCILMEMBER'S/AGENCYMEMBER'S PRAISES

Councilmember/Agencymember Bourke praised City Staff for their patience and hard work during the remodel, he also thanked the Acting Mayor for obtaining the Advanced Leadership certificate, the Soledad Historical Society for getting a grant from the Harden Foundation, and extended his condolences to the LeNoble family.

Acting Mayor/Chairman Stephens thanked Staff for participating in the Strategic Planning Retreat.

PRESENTATIONS

Introduction of New Employee: Steve Negro, Interim Fire Chief

City Manager Noelia Chapa introduced Interim Fire Chief Steve Negro. Chief Negro thanked his wife and the Council for the opportunity.

PUBLIC COMMENT

Jack Franscioni, Oldtown Soledad Beautification Association, stated that everything was completed at the building for the grand opening Thursday August 3rd from 5 to 7. He invited the Council, Staff and Community to attend event. He also expressed concerns for safety at the new elementary school. Staff confirmed that they had addressed the issue.

Francisco Barajas, 1114 San Fernando, read a letter he had prepared for the Council. In his letter he expressed his concern for public safety and his support of the police officers. He also read the letter in Spanish.

Jennifer Alvarado, wife of Police Officer Jorge Alvarado, addressed the Council. She stated that the Officers deserve an increase in pay because they put their life on the line everyday and with every call they respond to. She said the cost of living in Monterey County is excessive and it is difficult for them to make ends meet.

Susan Burke, 334 Rockrose Street, addressed the Council. She stated that she lived across the street from the recent homicide. She thanked the previous speakers and echoed their concerns. She said the Council should give the officers what they deserve.

Alicia Rodriguez, wife of Police Officer Jose Rodriguez, stated she was present to support the officers. She said she is a wife and mother of three and she worries every day for her husband's safety until he returns home. She said she is concerned about his support and back up when he responds to a call due to the understaffing of the department. She stated that until the City offers a better benefit package and keeps up with the cost of living they will not be able to retain good officers.

Elmer Cavachini, President of Soledad Historical Society, provided the Council with a progress report. He said the Society had received a grant from the Harden Foundation to use as start up money for the museum and they also received a donation from the City of Soledad. He said they had also moved the storage items to the site at the 4 Hermanos building.

Sergio Sanchez, SEIU, stated he was present to support the Police Officers. He encouraged the Council to take care of the Officers because it would affect members of the community and thousands of children. He stated that in a recent survey of residents, Soledad's number 1 concern was public safety, with healthcare being number 6. He encouraged the Council to keep Officers/Firefighters working for the City with incentives. He said the community wants to feel safe and he had confidence that the Council would do the right thing.

Anthony Chavez, 350 Market Street, stated he was an immigrant and long time resident of Soledad. He said the Officers wages are important because their life is at risk every day on the job. He said currently there is only 1 officer per 1,000 residents and the City needed more officers. He also said it was important to education the community. He told the Council they could contact him at 678-1858 if they would like to speak to him.

CONSENT CALENDAR

Item #1: Approval of Minutes

None

CONSENT CALENDAR ITEM #2 WAS PULLED FOR DISCUSSION BY COUNCILMEMBER/AGENCYMEMBER BOURKE

Item #2: Approval of Warrants
#39233 - #39333

Item #3: Resolution No. 3844, "Canceling the Regular Meeting of September 6, 2006."

CONSENT CALENDAR ITEM #4 WAS PULLED FOR DISCUSSION BY CITY ATTORNEY RODRIQUEZ

Item #4: Resolution No. 3843, "Authorizing the City Manager to Enter into an Agreement with the TRACNET Corporation to Provide a Multi-Agency Records Management System for the Police Department."

Item #5: Resolution No. 3844, "Authorizing the City Manager to Enter Into an Agreement with the County of Monterey and Other Agencies for the Engineering of a Monterey County Operational Area Emergency Communications System (NGEN)."

MOTION: The Consent Calendar (Items # 3 and 5) was approved by a majority vote on a motion made by Councilmember/Agencymember Bourke and a second by Councilmember/Agencymember De La Rosa.

CONSENT CALENDAR ITEM #2 WAS PULLED FOR DISCUSSION BY COUNCILMEMBER/AGENCYMEMBER BOURKE

Item #2: Approval of Warrants
#39233 - #39333

Councilmember/Agencymember Bourke requested that Check #39300 be removed (OSBA) as payment was issued twice on the check. City Manager Chapa stated that Staff would void the check and reissue a check for the appropriate amount.

MOTION: Consent Calendar Item #2 was approved by a majority vote on a motion made by Councilmember/Agencymember Bourke and a second by Councilmember/Agencymember De La Rosa.

CONSENT CALENDAR ITEM #4 WAS PULLED FOR DISCUSSION BY CITY ATTORNEY RODRIQUEZ

Item #4: Resolution No. 3843, "Authorizing the City Manager to Enter into an Agreement with the TRACNET Corporation to Provide a Multi-Agency Records Management System for the Police Department."

City Attorney Rodriguez requested that the resolution be modified by allowing approval of the agreement in substantial form and not full form. He said our neighboring cities were able to negotiate additional changes that he felt the City of Soledad should have as well. He requested direction to amend the agreement administratively once all issues had been resolved.

MOTION: Resolution No. 3843 was adopted by a majority vote on a motion made by Councilmember/Agencymember De La Rosa and a second by Councilmember/Agencymember Bourke.

PUBLIC HEARING

Item #6: **Resolution No. 3817**, “Determining the Appropriations Limit for Fiscal Year 2006-07 Pursuant to Article XIII ‘B’ of the California Constitution.” (*continued from July 19, 2006 Council/RDA Meeting*)

City Manager Chapa requested that Resolution No. 3817 be continued to the meeting of August 16th for approval along with the City Budget.

MOTION: Resolution No. 3817 was continued to the Council meeting of August 16th by a majority vote on a motion made by Councilmember Bourke and a second by Councilmember De La Rosa.

BUSINESS

Item #7: Appointment of One Commissioner to the Soledad Planning Commission

Acting Mayor Stephens stated that there had been an error in the Commissioners term and the item should be tabled.

MOTION: Item #7 was tabled by a majority vote on a motion made by Councilmember De La Rosa and a second by Councilmember Bourke.

Item #8: Review, Discuss and Accept the Impact Fees Report and Provide Staff with Direction on Adoption of the Impact Fees Report Prepared by MuniFinancial

Public Works Director Price presented the staff report and stated that he notified local developers and asked for their input on the impact fees. He said that he had received several comments and will set a closing date for comments.

Jeff Kay, MuniFinancial, addressed the Council. He reviewed how they approached the impact fee calculation based on a review of the City’s growth within the next 20-25 years. He presented a PowerPoint Presentation on the development of the fees and also the break down by development type (residential and commercial). He said that the Council could adopt lower fees than what was proposed.

He reviewed the six categories of the report and said that growth should pay its own way and also that the study complies with Government Code Section 66001. He said there is a component of facility costs that cannot come from impact fees and then reviewed the breakdown of the proposed public facilities fee summary. He said they are currently in a comment period, receiving comments from developers. He also stated that if there were existing tentative maps the old fees may be locked in, but there was a possibility that a fee increase could be phased in.

Councilmember Bourke asked if the price of inflation was considered. He stated the fees would continue to be updated via a simple inflation adjustment, as necessary. Mr. Kay stated that land and construction costs do not increase at the same rate. Councilmember Bourke stated that since the impact fee was started several things had changed in the City and he asked if that information had been included. Mr. Kay responded that Staff had been forwarding the necessary documents and information as it became available. Acting Mayor Stephens asked if the inflationary component that needed to be updated yearly was something Staff could take care of. Mr. Kay suggested that Staff handle it since it was very straight forward.

MOTION: Staff was directed to continue to get input from builders, developers and staff by a majority vote on a motion made by Councilmember Bourke and a second by Councilmember De La Rosa.

Item #9: Resolution No. 3845, “Authorizing the Submittal of a Financial Assistance Application for the City Wastewater Treatment Plant Expansion Project, Appointing the City Manager as the Authorized Representative for the City of Soledad and Approving the Reimbursement of Said Loan/Grant.”

Public Works Director Price presented the staff report and stated that the resolution served three purposes. He said that the State Officials suggested that the City merge the agreements into one resolution rather than two. He presented the Council with a flow chart of the application process and reviewed it on the overhead projector.

Acting Mayor Stephens asked how long it would take from the point the City was at currently until construction. Public Works Director Price said that he anticipated construction to start in December of 2007. Councilmember De La Rosa asked if once approved would it negate the need to issue bonds. Public Works Director Price said that the Resolution allows for issuance of bonds.

MOTION: Resolution No. 3845 was adopted by a majority vote on a motion made by Councilmember Bourke and a second by Councilmember De La Rosa.

Item #10: Resolution No. 3846, “Authorizing the City Manager to Execute and Agreement with Black and Veatch, Inc. in an Amount not to exceed \$5,120,452 for Engineering Design and Project Management through Facility Construction and Startup for Upgrade and Expansion of the Soledad Wastewater Treatment and Disposal Facilities.”

Public Works Director Price presented the staff report and stated that the design consisted of three major components broken into two phases: design and construction. He said that the Resolution is for the maximum dollars available and if for some reason it is less, the Resolution covers that possibility. He stated that on July 19th the item was brought before the Council for award and Staff was instructed to negotiate the contract with the assistance of the City Manager and Mayor. He said that they discussed every component of the project page by page and asked Black and Veatch to add items, which they did at no cost.

MOTION: Resolution No. 3846 was adopted by a majority vote on a motion made by Councilmember Bourke and a second by Councilmember De La Rosa.

Item #11: Review and Provide Direction to Staff on Art in Public Places Ordinance

Community Development Director Fleming presented the staff report and stated that Staff had been working for some time to provide an ordinance to Council on an art in public places policy. He said it was before the Council for their input, comments or changes to the proposal.

Councilmember Bourke asked about the Development Review Committee (DRC) reviewing the art. He suggested that an arts committee or commission be created for approval of items, possibly individuals appointed by the Council.

Councilmember De La Rosa stated that the DRC review was her only concern as well. She suggested that the committee get input from local non-profits on the art.

Councilmember Bourke suggested that Staff get input from other cities regarding their art commissions and committees. Councilmember Stephens said that she was in support of art in public places in the community, but would also like to get input from the public and the local non-profits.

Councilmember De La Rosa asked for an example of a fee for an applicant. Community Development Director Fleming stated that so far he has it based on total construction cost, so if a project was \$1M, it would be 1% of that amount in art or compensation.

Councilmember Bourke asked what would be done if someone valued their art for more then the City valued their art. Community Development Director Fleming stated that it would then need to be appraised.

Item #12: Designation of Voting Delegate and Alternate for the 2006 League of California Cities Annual Conference

City Manager Chapa presented the staff report and stated that typically in the past the Mayor and Mayor Pro Tem have been appointed to serve as the voting delegate and alternate.

MOTION: Mayor Ortiz was appointed to serve as the Voting Delegate and Mayor Pro Tem Saavedra was appointed to serve as the Alternate Voting Delegate for the 2006 League of California Cities Annual Conference by a majority vote on a motion made by Councilmember Bourke and a second by Councilmember De La Rosa.

Item #13: **Resolution No. 3847**, “Authorizing the Placement of an ‘All-Way Stop Control’ at the Intersection of Orchard Lane and San Antonio and ‘Stop Signs’ at the Intersection of Orchard Lane and Gabilan Drive”.

Public Works Director Price presented the staff report and reviewed on the overhead projector different angles of which you would be able to view the Stop Sign. He said that Staff met with the City Engineer, Fire Chief and the School District Staff and discussed alternatives and traffic. He said that the Stop Signs were warranted under three categories.

Councilmember De La Rosa suggested that in the future the cost of such improvements be included in the developer’s improvement plan.

MOTION: Resolution No. 3847 was adopted by a majority vote on a motion made by Councilmember Bourke and a second by Councilmember De La Rosa.

COUNCILMEMBER'S/AGENCYMEMBER'S COMMITTEE UPDATES

- a) **Street Naming** - None
- b) **Miravale Section 16** - None
- c) **Development Review** - None
- d) **Overall Landscape Review** - None
- e) **Revolving Loan Fund** - None
- f) **Oldtown Soledad Beautification Association** - None
- g) **Parks** - None
- h) **Redevelopment Neighborhoods** - None
- i) **CAC** - None
- j) **SR146 (Roads)** – Public Works Director Price stated they will be having a meeting on August 9th.
- k) **Tree** – Community Development Director Fleming stated the tree planting had been postponed and the committee will be setting a new date at their next meeting.
- l) **Wastewater Treatment Plant** - None
- m) **Soledad Historical Society** – None
- n) **Soledad Emergency Plan** - None

CITY MANAGER'S/EXECUTIVE DIRECTOR'S REPORT

- a) Council Requests – Status Table

City Manager Chapa stated that AB53 will be heard on Monday before the appropriations committee. She asked the Council if any of them were interested in attending with her. Acting Mayor Stephens stated she was interested.

Councilmember Stephens asked about item number 2 on the status table, stating that it should be tree estimates for the City and OSBA, and the item was mostly related to getting estimates for rehab projects for then the façade program. City Manager Chapa stated that most of the improvements were taking place downtown which is why they were included in the rehab projects.

Councilmember Bourke stated that there were several items on the list that could be moved to the completed list.

Councilmember De La Rosa requested that a copy of the public safety survey done by MuniFinancial be forwarded to her.

COUNCILMEMBER’S/AGENCYMEMBER’S ITEMS

Councilmember De La Rosa stated that she is working on the 2nd Annual South County Expo, which the Chamber is hoping to host in November. She said that if anyone was interested in volunteering or being a sponsor to contact her.

Councilmember Bourke requested verification as to the number of officers on duty the night of the homicide on Rockrose Street. He also requested that the Fire Chief do an evaluation of the BioMass Plant to determine if there are any fire hazards or public health hazards.

Acting Mayor Stephens suggested that the Council start to reserve the 4th Wednesday of every month for needed workshops or special meetings so Staff has an easier time scheduling. She asked that everyone pencil in the 4th Wednesday of the month.

City Attorney Rodriquez said that it sounded like an informal meeting so it does not need to come back for approval.

CLOSED SESSION

At 8:22 p.m. Acting Mayor/Chairman Stephens 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.
3. The City Council will recess to closed session to consider personnel matters pursuant to Government Code Section 54957- Recruitment and Retention Considerations for Managerial Positions - Employment Contracts

MEETING RECONVENED

At 9:05 p.m. Acting Mayor/Chairman Stephens reconvened the meeting from Closed Session.

REPORT OF ACTION TAKEN IN CLOSED SESSION

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

1. Council conferred with legal counsel. No other reportable action was taken.
2. Council conferred with legal counsel. No other reportable action was taken.
3. Council conferred with legal counsel. No other reportable action was taken.

ADJOURNMENT

There being no other business to come before the Council/Agency, Acting Mayor/Chairman Stephens adjourned the meeting at 9:07 p.m.

RICHARD V. ORTIZ, Mayor/Chairman

Approved: August 16, 2006

NOELIA F. CHAPA, City Clerk/Agency Clerk