

Joint City Council/Redevelopment Agency Regular Meeting Minutes

October 4, 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 6:30 p.m.

PLEDGE OF ALLEGIANCE

Councilmember/Agencymember Pat Stephens led the Pledge of Allegiance.

PEACEBUILDERS' PLEDGE

All recited the Peacebuilders' Pledge.

ROLL CALL

Present when the meeting was called to order were: Councilmember/Agencymember Chris Bourke, Councilmember/Agencymember Stefanie De La Rosa, Councilmember/Agencymember Pat Stephens, Mayor Pro Tem/Vice Chair Juan Saavedra and Mayor/Chairman Richard Ortiz.

MAYOR'S/CHAIRMAN'S REPORT

Mayor/Chairman Ortiz stated that he attended the meeting with the Central Coast Rail Coordinating Council and TAMC. He said it went very well in supporting a train stop in Soledad. He said he would be going to the Statewide Rail Board Meeting on Monday, October 9th in San Jose.

COUNCILMEMBER'S/AGENCYMEMBER'S ANNOUNCEMENTS

Mayor Pro Tem/Vice Chair Saavedra stated that he attended the Back to School celebration at the Mission Shopping Center on Saturday hosted by Shaw Development.

Councilmember/Agencymember Stephens stated she also attended the Central Coast Rail Coordinating Council meeting and hoped that it would become an annual event. She said she attended a variety of events, including: Tree Committee Meeting, Back to School Event and reception for Pete Tomanio. She said the date for the tree planting will be Saturday, October 21st at 8 a.m.

Councilmember/Agencymember Bourke congratulated the City for receiving certificates of appreciation from the Monterey County Housing Authority for work on the Benito Street Project.

Councilmember/Agencymember De La Rosa said she attended the Pete Tomanio reception and he would be receiving a proclamation at the Chamber Annual Appreciation Event in February. She praised Mr. Tomanio for everything that he has done for the Soledad community.

COUNCILMEMBER'S/AGENCYMEMBER'S PRAISES

Mayor Pro Tem/Vice Chair Saavedra commended Mr. Tomanio for everything he has done.

Councilmember/Agencymember Stephens praised Mr. Tomanio for 25 years of activities with the Chamber.

Councilmember/Agencymember Bourke thanked Mr. Tomanio for his participation. He also praised Mr. Shaw for his Back to School Event.

Mayor/Chairman Ortiz echoed the praises for Mr. Tomanio. He said there were many things to say about Mr. Tomanio and what he has done for the community, including the 4th of July activities and Christmas parade. He stated that Mr. Tomanio put more effort into the community than some people that lived in town. He thanked him for everything he did.

PRESENTATIONS

None

PUBLIC COMMENT

None

CONSENT CALENDAR

Item #1: Approval of Minutes

City Council/Redevelopment Agency Special Meeting Minutes of August 30, 2006

City Council Special Meeting Minutes of September 20, 2006

Item #2: Approval of Warrants

#39661 - #39817

Item #3: Resolution No. 3876, “Authorizing the City Manager to Enter into a Memorandum of Understanding with the Monterey County Emergency Medical Services Agency for Participation in an Automatic Electronic Defibrillator Program.”

Item #4: Resolution No. 3877, “Authorizing the City Manager to Execute a Change Order with Monterey Peninsula Engineering in the Amount of \$51,573.75 as Final Payment for the SR 101/146 Off-Ramp Project and Accepting the SR 101/146 Off-Ramp Improvements.”

Item #5: Resolution No. 3878, “Authorizing the City Manager to Purchase 450 New Neptune-IT Water Meters Pursuant to Soledad Municipal Code Section 3.24.040 (A) in an Amount Not to Exceed \$90,000”.

Item #6: Resolution No. 3879, “Approving the Purchase of Two (2) Fully-Equipped Patrol Vehicles, and One (1) Administrative Vehicle, For An Amount Not to Exceed \$97,500, utilizing the City’s In-Lieu Purchase Exception.”

and

Resolution No. 3880, “Approving the Purchase of One (1) Fully-Equipped Fire Department Incident Command Vehicle For An Amount Not to Exceed \$40,000, Funded From the Vehicle Fund and General Fund, Utilizing the City’s In-Lieu Purchase Exception.”

Item #7: Resolution No. 3881, “Authorizing the City Manager to Enter into a Contract with Koff & Associates for Preparation of the City’s Classification, Compensation and Benefits Study in an Amount Not to Exceed \$39,990 and Appropriating \$9,990 from the Unallocated General Fund Balance.”

Item #8: **Resolution No. 3882**, “Authorizing the City Manager or Designee Access to Sales and Use Tax Records Pursuant to Revenue and Taxation Code Section 7056.”

MOTION: The Consent Calendar (Items #1, 2, 3, 4, 5, 6, 7 and 8) was approved by a unanimous vote on a motion made by Councilmember/Agencymember Bourke and a second by Mayor Pro Tem/Vice Chairman Saavedra.

PUBLIC HEARING

Item #9: * **Resolution No. 298**, “Accepting the Closeout Report for CDBG #03-STBG-1871 “Housing Rehabilitation Loan Program,” and Authorizing the Filing of Said Report.”

Staff Presentation

Economic Development Director requested that the Agency continue the item to October 18th.

MOTION: Resolution No. 298 was continued to the meeting of October 18th by a unanimous vote on a motion made by Agencymember De La Rosa and a second by Agencymember Bourke.

Item #10: **Resolution No. 3883**, “Adopting the Amended 2005 Urban Water Management Plan for the City of Soledad.”

Staff Presentation

Public Works Director Price stated that the action taken would be adopting the Amended 2005 Urban Water Management Plan and all Agencies comments had been included in the Plan.

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. 3883 was adopted by a unanimous vote on a motion made by Councilmember Bourke and a second by Councilmember Stephens.

Item #11: **Resolution No. 3884**, “Approving the Engineer’s Report, for the City of Soledad Benefit Assessment District No. 2, Orchard Villas/Miravale II, Levy and Collection of Assessments within Such District for Fiscal Year 2006/2007 and Confirming Diagrams and Assessments Pursuant to the Benefit Assessment Act of 1982 and as Provided by Article XIII D of the California Constitution.”

Staff Presentation

Assistant City Manager De La Rosa requested that Resolution No. 3884 be continued to the meeting of October 18, 2006. He said that Staff had received comments late last week from developers who had questions about the language in the Engineers Report.

MOTION: Resolution No. 3884 was continued to the meeting of October 18, 2006 by a unanimous vote on a motion made by Mayor Pro Tem Saavedra and a second by Councilmember De La Rosa.

Item #12: **Resolution No. 3885**, “Approving the Engineer’s Report, for the Annexation of Territory to the City of Soledad Park and Open Space Maintenance Assessment District No. 1, as Annexation No. 1, Orchard Villas/Miravale II, Levy and Collection of Assessments within Such Annexation for Fiscal Year 2006/2007 and Confirming Diagrams and Assessments Pursuant to the Landscape and Lighting Act of 1972 and as Provided by Article XIII D of the California Constitution.”

Staff Presentation

Assistant City Manager De La Rosa requested that Resolution No. 3885 be continued to the meeting of October 18, 2006. He said that Staff had received comments late last week from developers who had questions about the language in the Engineers Report.

MOTION: Resolution No. 3885 was continued to the meeting of October 18, 2006 by a unanimous vote on a motion made by Councilmember Stephens and a second by Councilmember Bourke.

BUSINESS

Item #13: * Discuss and Provide Staff with Direction Regarding a Lease Agreement Between the Soledad Redevelopment Agency and Soledad Yard Services for Use of Agency Property Located at the Eastern End of Los Coches Drive. (*continued from September 20, 2006 meeting*)

Assistant Executive Director De La Rosa stated that Staff had received a letter from the Zepeda’s new legal counsel, which is new counsel since the last meeting. He said that their counsel was asking that the item be continued and that it not be considered at an open session. Assistant Executive Director De La Rosa said that the Zepeda’s legal counsel was also asking for a subcommittee of two members of the Agency and Staff to review the item.

Maria Zepeda distributed a list to the Agency of things their business does for the Soledad Community.

MOTION: The item was tabled and Staff was directed to meet with the Zepedas within the next thirty days by a unanimous vote on a motion made by Agencymember Bourke and a second by Agencymember Stephens.

Executive Director Chapa suggested that it be no more than thirty days as Staff has spent a lot of time and effort on the item.

Vice Chair Saavedra suggested that Staff make the recommendation to the Agency after meeting with the Zepeda’s and their legal counsel.

Chairman Ortiz asked Staff if thirty days was sufficient time. Executive Director Chapa responded that it was and that if there were any difficulties she would bring the item back to the Agency.

Item #14: * **Resolution No. 297**, “Adopting the Agency’s Housing Rehabilitation Loan Program, Policies and Guidelines.” (continued from September 20, 2006 meeting)

Economic Development Director Rodriguez presented the staff report. He stated that the item had been continued from the previous meeting because the Agency had not received a full copy of the proposed guidelines. He stated that in the guidelines Staff was proposing that the increment eligibility be raised to moderate income, since it requires much more effort for low and very low income property owners. He stated that the maximum loan amount was raised to \$50,000, and that a lot of homes were in the upper price range because of the cap on the amount of the rehabilitation loan. He stated in the guidelines there were included provisions for senior citizens, disabled citizen and emergencies. He said that the interest rate would be 3% for moderate income and 0% for others.

Vice Chair Saavedra asked if Staff was recapturing the money as it rolled back into the Agency. Executive Director Chapa stated that Staff keeps track of that and had already been before the Agency with amounts to be spent on other projects. Vice Chair Saavedra asked to receive an update on the dollar amount. Agencymember Bourke asked if applicants would be handled on need or first come first served. Economic Development Director Rodriguez responded that it would be by need first, and then by first come first served.

Agency Attorney Rodriquez stated that he was recommending an additional change on Page 11 that the Agency has established a list of contractors qualified to do the work, and they have met the minimum qualifications, however the list is not necessarily an endorsement of the work performed.

MOTION: Resolution No. 297 was adopted with modifications by a unanimous vote on a motion made by Agencymember Bourke and a second by Agencymember Stephens.

Item #15: **Ordinance No. 637**, “Adding New Chapter 14.06- “Public Facilities Development Impact Fees” to Title 14- “Impact Mitigation Fees” of the Soledad Municipal Code.” (First Reading)

Finance Officer Smith stated that this was the first step in the four step process that was started on August 2nd. He said that Staff was recommending adoption of the Ordinance and on October 18th will be the 2nd hearing in addition to the Public Hearing. He said that throughout the process Staff had received comments and they have been addressed and incorporated throughout the document.

Councilmember Stephens asked that any reference to the City of Gonzales in the document be changed to the City of Soledad (last page section 3 and 4).

MOTION: Ordinance No. 637 was approved and read by title only by a unanimous vote on a motion made by Mayor Pro Tem Saavedra and a second by Councilmember De La Rosa.

Item #16: Review, Discuss, and Provide Staff with Direction on the Policy for Administration and Financing of Assessment and Mello-Roos Community Facilities District. *(continued from September 20, 2006 meeting)*

Assistant City Manager De La Rosa presented the staff report. He stated that the Mello-Roos Community Facilities Act of 1982 (the "Act") was adopted by the State of California as a method for financing infrastructure improvements and services associated with new developments and since its adoption, many local jurisdictions throughout California have utilized the Act to provide an alternative financing mechanism in an attempt to keep home prices down. He said that on May 3, 2000, the City Council approved establishment of a Financial Policy for administration and financing of Assessment and Mello-Roos Community Facilities Districts.

Assistant City Manager De La Rosa reviewed that over the past six years; the City had utilized the financing tool and had formed two Assessment Districts, three Community Facility Districts (CFD's), and is in the process of forming two more CFD's. Assistant City Manager De La Rosa stated that it should be noted that the Policy addresses two separate financing tools "Assessment Districts" and Community Facility Districts". He said that although the two forms of Districts achieve the same purpose, there were differences in formation requirements and proceedings. He reviewed the pros and cons of the formation of an Assessment and/or Community Facilities Districts, including the property owners being burdened with the payment of District taxes as well as the high cost of a home which may include the cost of improvements.

He said that Staff was presenting the information in order to determine if the Council is still interested in utilizing Assessment Districts and CFD's as possible financing tools and whether the Council desires to make any changes to its existing Financial Policy. He then reviewed a PowerPoint presentation which had been distributed to the Council with their Agenda packets.

Mayor Pro Tem Saavedra asked if the property owners were made aware of the Assessment Districts/CFD's prior to the purchase of their home. Assistant City Manager De La Rosa stated that they were informed and would have to acknowledge the amount by signing a form. Mayor Ortiz asked if it was possible to go to the older parts of town with the Assessment Districts/CFD's. Assistant City Manager De La Rosa stated that it was possible, however it would require at least 50% of the residents, whereas it is much easier for new developments because just the developer has to sign off on it. City Manager Chapa stated that Staff would recommend that the City maintain Assessment Districts for landscaping, streets, parks, storm drains and public safety. Assistant City Manager De La Rosa stated that Assessment Districts have no life, and can continue on until the residents decide they no longer want to pay the City and at the point the City would have to come up with funds from the General Fund.

Councilmember Bourke asked if it was possible to use an Assessment District for Section 16 to help maintain the golf course. Assistant City Manager De La Rosa stated that the golf course would be looked at as open space maintenance.

The City Council requested no proposed changes.

Item #17: Review, Discuss, Accept Staff Response to City Council Report (Management Letter), June 30, 2005 Prepared by TCA Partners, June 30, 2006.

Finance Officer Smith presented the staff report. He stated that the purpose was to address issues brought up in the letter from the Auditor regarding year end closing, general ledger closing and other issues. He said that the auditors also talked about staffing levels and existing computer systems which were not included in the report.

Councilmember Bourke stated why the budget did not address staffing levels or the computer system. He asked if the department was understaffed. Finance Officer Smith stated that the department needed one or two more people.

Councilmember Stephens requested that at mid-year budget the two issues be addressed. Councilmember Bourke asked Finance Officer Smith to be an advocate for the department and put together a wish list at the beginning of the year for the department.

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** – Councilmember De La Rosa stated that the main topic at the last meeting was the Wind and Wine Festival.
- g) **Parks** – Councilmember Bourke asked about the naming of the Diamond Ridge parks – he said he was under the impression that the parks would be named for esteemed members of the community rather than by the street they were located on.
- h) **Redevelopment Neighborhoods** – Councilmember De La Rosa said there was no quorum at the last meeting.
- i) **CAC** - None
- j) **SR146 (Roads)** - None
- k) **Tree** – Councilmember Stephens said there was a meeting the previous week.
- l) **Wastewater Treatment Plant** - None
- m) **Soledad Historical Society** – Councilmember Stephens said there would be a meeting the following Wednesday.

CITY MANAGER'S/EXECUTIVE DIRECTOR'S REPORT

Council Requests – Status Table

City Manager Chapa reviewed the Status Table with the Council. There were no questions or comments.

COUNCILMEMBER'S/AGENCYMEMBER'S ITEMS

Councilmember De La Rosa stated that a member of the Chamber of Commerce would be coming before the Council for sponsorship of the South County Expo. She said they anticipate approximately fifty booths, and it would be a good opportunity for businesses and any interested public.

She reminded everyone that the Candidate's Forum was Thursday, October 5th at the La Hacienda. She also said that she has been noticing that there have been a lot of big rigs parked in residential areas and even driveways.

Councilmember Stephens asked if Staff could facilitate a meeting with the merchants in the 500 block of Front Street regarding their dumpsters that are all around the parking lots. She said she would like them to come up with a plan to spruce up the appearance. She also challenged each Department Director to have their budget done in time and adopted by July 1st.

Councilmember Bourke stated that there have been a lot of big trucks on Front Street. He also said he was concerned about the lack of warning signs that are supposed to go on the unreinforced masonry buildings in town. Community Development Director Fleming said that all the building owners had been notified that they needed to do it, but only one has done it so far. He said he has not had time to follow up with the rest. Councilmember Bourke asked if the vetoing of SB276 delays anything for the City. Public Works Director Price stated that he would be contracting the same people regarding renewing the lease and seeing if the City can get a 20 year lease with the provision of the State Revolving Fund.

Councilmember Bourke asked that for the mid-year budget review the City look at a contract with a consultant to develop an Emergency Plan. He said he would also like to look at the possibility of requiring that property be set aside to build low income housing for teachers with impact fees paying the development of the houses, and the school district owning the homes.

Mayor Ortiz asked Staff to look into the possibility of bringing Simon Salinas in to Soledad. He said the only place he could find room would be at the fire office where there are two meeting rooms to put up a partition in one of the rooms. He directed Staff to bring back a report to the Council with information, clarification, cost, etc.

Councilmember Stephens asked that Staff be creative in finding a location, either public or private, for an office for Simon Salinas. Mayor Ortiz stated that he may be out of town for the October 18th Council meeting.

CLOSED SESSION

None

ADJOURNMENT

There being no other business to come before the Council/Agency, Mayor/Chairman Ortiz adjourned the meeting at 7:43 p.m.

RICHARD V. ORTIZ, Mayor/Chairman

Approved: October 18, 2006

NOELIA F. CHAPA, City Clerk/Agency Clerk