

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

November 16, 2005

CALL TO ORDER

Mayor/Chairman Richard Ortiz called the meeting to order at 6:36 p.m.

PLEDGE OF ALLEGIANCE

Fire Chief Jesse Casillas led the Pledge of Allegiance.

PEACEBUILDERS' PLEDGE

Mayor/Chairman Ortiz led the Peacebuilder's Pledge.

ROLL CALL

Present when the meeting was called to order were: Councilmember/Agencymember Christopher Bourke, Councilmember/Agencymember Stefanie De La Rosa, Councilmember/Agencymember Patricia Stephens and Mayor/Chairman Richard Ortiz. Mayor Pro Tem/Vice-Chair Juan Saavedra was absent, and requested to be excused due to a prior commitment.

MAYOR'S/CHAIRMAN'S REPORTS

None.

COUNCILMEMBER'S/AGENCYMEMBER'S ANNOUNCEMENTS

Councilmember/Agencymember De La Rosa stated that she attended the RNC meeting the previous evening.

Councilmember/Agencymember Stephens stated that she attended the Historical Society meeting on November 9th and the AMBAG meeting on November 9th. She distributed information to the Council/Agency regarding an AMBAG initiative.

COUNCILMEMBER'S/AGENCYMEMBER'S PRAISES

Councilmember/Agencymember De La Rosa praised the Community Development and Public Works Departments for the installation of the new child development center trailer. She also praised the Fire Department for their rapid response to the garage fire that week. She informed the Council that the first South County Business Expo was a success and she thanked all the volunteers and sponsors for their hard work.

Councilmember/Agencymember Bourke praised the Fire Department for their rapid response to the garage fire that week.

Mayor/Chairman Ortiz praised the Fire Department for an excellent job in protecting the other properties around the garage fire. He also recognized the two police officers who receive commendations at the previous Council meeting, which he was unable to attend.

PRESENTATIONS

Introduction of New Employees

Community Development Director Don Fleming introduced Code Enforcement Officer Lorenzo Sanchez. Mr. Sanchez thanked the Council for the opportunity to work for the City and he stated that he would try his best to work with the community members and staff.

Public Works Director Clif Price introduced Daniel Bravo, the City's newest maintenance worker. Public Works Foreman Frank Trevino stated that Daniel has been a part of his crew for the past three weeks and is already a great asset to their team. Daniel thanked the City Council for welcoming him.

Police Chief Richard Cox introduced Lieutenant Jaime Fernandez, the Police Department's newest addition. Chief Cox also thanked Sergeant David Garcia, who was the acting lieutenant while the permanent position was vacant. He thanked Sgt. Garcia for his outstanding service and for all the work he has done. Lt. Fernandez thanked everyone for the opportunity to come back to Soledad; he thanked his family and stated it was good to be home.

Councilmember/Agencymember De La Rosa welcomed Daniel Bravo to the City, and recognized Lorenzo Sanchez for his work in the fire department. She welcomed Jaime Fernandez home.

Councilmembers/Agencymembers Stephens and Bourke welcomed the new employees.

Mayor/Chairman Ortiz welcomed the new employees, and welcomed Jaime Fernandez back to the City.

Presentation of Soledad Fiesta Grants

City Manager/Executive Director Chapa stated that the event has been held for the past 14 years and all monies raised are given back to the Community. She also stated that the City is a major sponsor of the event and the event committee has requested that the award to various agencies be distributed at the Council meeting. The Mayor and Council participated in distributing the checks to the organizations present, for a total of \$28,000.

PUBLIC COMMENT

Joe Grebmeier, Chief of Police for the City of Greenfield, addressed the Council/Agency. He stated that he was present to recognize three members of the City for participating in the standardized emergency management system course. He stated that the City of Greenfield hosted a course for SEMS, which is designed for elected officials and department heads and goes over the role of elected officials during a disaster. He then recognized those that participated with a certificate of completion: Councilmember Christopher Bourke, Councilmember Stefanie De La Rosa and Fire Chief Jesse Casillas.

Aaron Casillas, News Director for KRKC Radio, addressed the Council/Agency. He requested an update on his request for a cash management report from the City. Mayor/Chairman Ortiz directed staff to follow up with Mr. Casillas in a timely fashion. Mr. Casillas requested that it be

processed as a public records request. City Manager Chapa/Executive Director stated she would follow up with Mr. Casillas the next day.

Investigator Thomas Marchese, representing the Soledad Police Officer's Association, read a letter that was printed in the Soledad Bee in response to a letter to the editor in a prior edition.

Sgt. David Garcia, representing the Soledad Police Officer's Association, read a letter that was addressed to the Council regarding the Soledad Police Chief and the Officer's support of the Police Chief.

CONSENT CALENDAR

Item #1: Approval of Minutes

City Council Regular Meeting September 21, 2005

Item #2: Approval of Warrants

#37218 - #37440

Item #3: Resolution No. 3700, "Authorizing the City Manager to Enter into a Five Year Lease Agreement with First Municipal Leasing Corporation for the Purchase of a New Street Sweeper for an Amount Not to Exceed \$143,378.60 through the City's In Lieu Purchasing Exception."

Item #4: Resolution No. 3701, " Accepting Public Improvements Associated with the Soledad Mission Shopping Center."

MOTION: The Consent Calendar (Items # 1, 2, 3 and 4) was approved on a majority vote on a motion made by Councilmember/Agencymember Bourke and second by Councilmember/Agencymember Stephens.

PUBLIC HEARINGS

Item #5: Ordinance No. 624, "Amending Chapter 5.36 – "Cardrooms" of Title 5 – "Business Taxes, Licenses and Regulations" of the Soledad Municipal Code."

Staff Presentation

Don Fleming addressed the Council. He stated that this item was initially brought before the Council in October, and then was followed up with a first reading at the November 2nd City Council Meeting. He stated that the item was set for a public hearing that evening and requested that it be read by title only.

Opening and Closing of Public Hearing

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

MOTION: Ordinance No. 624 was adopted and read by title only on a motion made by Councilmember Bourke and a second by Mayor Ortiz, by a majority vote.

BUSINESS

Item #6: **Resolution No. 3702**, “Approving the Democratic National Committee’s Request for Use of the Community Center and Authorizing Use of Approximately Twelve City Hours.”

Assistant City Manager De La Rosa addressed the Council. He stated that the City had received a request from the Democratic National Committee for use of City Hours at the Community Center to sponsor a Leadership Forum on November 19th. He stated the event is open to the public. He also informed the Council that this is the first request the City has received from an organization of this kind and currently there is no policy in place relating to it. Assistant City Manager De La Rosa then reviewed the ramifications of approving such a request and also suggested that the Council consider a policy of some kind relating to this issue. He asked the Council for direction.

Councilmember Bourke started the discussion and stated that he felt the City should remain non-partisan and the Democratic National Committee should pay for the hours like everyone else. The entire Council agreed.

MOTION: Resolution No. 3702 was denied by a majority vote on a motion made by Councilmember Bourke and second by Councilmember Stephens.

Item #7: ***Resolution No. 273**, “Accepting the Preliminary Plan for the Proposed 2006 Amendment to the Redevelopment Plan for the Soledad Redevelopment Project, Authorizing the Preparation of Required Preliminary Report, Directing Transmittal of Certain Documents and Information, and Establishing a Year of Last Equalized Assessment Roll to be Used for Allocation of Taxes.”

Assistant City Manager De La Rosa addressed the Council. He stated that at the November 10th Planning Commission meeting, the Commission approved this item. He also mentioned that the Planning Commissioners requested to be more involved in the process so there is a greater deal of understanding relating to this subject. Assistant City Manager De La Rosa reviewed the staff report and asked the Agency for their input.

MOTION: Resolution No. 273 was approved by a majority vote on a motion made by Agencymember Bourke and a second by Agencymember De La Rosa.

CITY COUNCIL COMMITTEE UPDATES

- a) **Street Naming** – None.
- b) **Energy Plant** – None.
- c) **Miravale Section 16** – None.
- d) **Development Review** – None.
- e) **Overall Landscape Review** –None.
- f) **ADA** – The Council requested that this committee be removed from the list.
- g) **Revolving Loan Fund** – None.
- h) **Oldtown Soledad Beautification Association** – Councilmember De La Rosa stated she was unable to attend the last meeting.

- i) **Parks** – Assistant City Manager stated Staff was still working with the consultant to place the back stops in the appropriate locations per the Council’s request.
- j) **Redevelopment Neighborhoods** – Councilmember De La Rosa stated she had attended the meeting the previous evening and they discussed trees and the use of code enforcement to inform residents of the trees that are/are not permitted. She stated they also discussed lights and postponed the field trip to the alleys until the first part of next year.
- k) **CAC** – None.
- l) **SR146 (Roads)** – None.
- m) **Tree** – Councilmember Stephens stated there will be a meeting on November 29th.
- n) **Wastewater Treatment Plant** – This was reviewed under City Manager’s Update.
- o) **Soledad Historical Society** - Councilmember Stephens stated the Historical Society met the previous Wednesday and there was a lot of discussion in regards to Mr. Agha’s offer of providing a storage unit. After a great deal of discussion it was decided that it was not the best option for the historical articles that need to be stored. She stated she, Mayor Ortiz and City Manager Chapa will be meeting with two representatives from the Historical Society on Thursday, November 17th at 4 p.m.

CITY MANAGER’S REPORT

- a) Update of Emergency Work at the Wastewater Treatment Plant

Public Works Director Price provided an update to the work at the Wastewater Treatment Plant. He stated that the weather is cooperating with their improvements. He informed the Council he will be sending formal letters to both wardens at the prisons concerning the wastewater rate study. Public Works Director Price stated he will be forwarding to the Council several reports in the next few weeks including a long term waste management plan, salt sampling program and facilities plan for Prop 50 funds, which he stated he hoped to get to the Council by November 23rd and also the urban water management plan which will be forwarded to the Council for December 7th.

Councilmember De La Rosa asked if Public Works Director Price followed up with Senator Denham’s aide regarding the information they requested. Public Works Director Price stated that he had sent her a lengthy email in addition to several attachments. Mayor Ortiz thanked Councilmember De La Rosa for sitting in at the meeting with Senator Denham for him while he was out of town.

- b) Council Requests – Status Table

Councilmember De La Rosa requested an update on Item #7 on the Status Table regarding the street lights. She also stated that there were some completed items that had not been dropped off the list yet. Councilmember De La Rosa also reminded staff that Councilmember Bourke had requested a copy of the Soledad Housing Authority’s relocation plan and five-year plan. City Manager Chapa stated that staff expects to have the relocation plan for the Council in January. Assistant City Manager De La Rosa informed the Council that the Soledad Housing Authority notified the City that the five-year plan will be out for public review in December and the Council will receive a copy at that time. He also informed the Council that the Soledad Housing Authority will be asking the Council to approve the relocation plan in January, at the request of Councilmember Bourke who requested that the Council adopt the plan first.

CITY COUNCIL ITEMS

City Manager Chapa reminded the Council about the special City Council meeting on Friday November 18th regarding the moratorium.

Councilmember De La Rosa stated that there are many street lights out around town and that it might be advisable for Staff to do an evening drive to take down the street light information.

Councilmember Bourke asked if Staff could contact the PG&E outreach representative to express the City's concerns in PG&E's lack of response.

Mayor Ortiz asked that staff bring back to the Council the item to review sidewalks in regards to the new requirements. He stated he has a problem with the added cost and doesn't feel that residents and business owners will do much to repair the sidewalks. City Manager Chapa stated that could be added to the agenda of December 21st in order to allow Staff time to gather pertinent information.

Councilmember De La Rosa suggested that the previous idea of having a program to assist people with repair of their sidewalks be included with the Mayor's item.

Councilmember De La Rosa also notified the Council that she submitted a letter of appeal regarding parking and felt the Council should discuss the parking in the downtown area and suggested bringing it before the Council after the first of the year. Councilmember Stephens agreed and suggested that the Downtown Business Association be included. Mayor Ortiz asked if the item was part of the ordinance being reviewed. Community Development Director Fleming stated that parking is part of the review and is scheduled to come before a joint meeting of the Council and Planning Commission.

CLOSED SESSION

At 8:00 p.m. Mayor Ortiz called for a recess to convene to Closed Session to discuss the following items:

1. The City Council will recess to closed session pursuant to Government Code Section 54956.8 to give instructions to the Council's negotiators regarding negotiations with HMBY concerning the lease/purchase/exchange of property located at San Vicente Road. Instructions will include price and term.
2. The City Council will recess to closed session pursuant to Government Code Section 54956.9 (a) to confer with its attorney regarding pending litigation which has been initiated formally – Linda Randall.

MEETING RECONVENED

At 8:22 p.m. Mayor Ortiz reconvened the meeting from Closed Session.

REPORT OF ACTION TAKEN IN CLOSED SESSION

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

Item #1: Council conferred with legal counsel and provided direction. Item was continued to the meeting of December 7th. No other reportable action taken.

Item #2: Council conferred with City's negotiators. No other reportable action was taken.

ADJOURNMENT

There being no other business to come before the Council/Agency, Mayor/Chairman Ortiz adjourned the meeting at 8:25 p.m. on a motion by Mayor/Chairman Ortiz and a second by Councilmember/Agencymember Stephens.

RICHARD V. ORTIZ, Mayor/Chairman

Approved: December 7, 2005

NOELIA F. CHAPA, City Clerk/Agency Clerk