

THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF DEL REY OAKS CONVENED AT 7:00 P.M. ON TUESDAY, MAY 27, 2008 IN THE CHARLES BENSON MEMORIAL HALL, CITY HALL

Present: Council Members Clark, Edelen, Cecilio, Allion and Mayor Russell

Absent: None

Also present: City Attorney Wellington, Redevelopment Project Manager Goblirsch and Assistant Deputy City Clerk Minami

Meeting came to order at 7:00 p.m. and roll call was taken.

PUBLIC COMMENT:

MIKE VENTIMIGLIA: Asked if the rumors are true if the financial backers are pulling out of the project.

CITY ATTORNEY WELLINGTON: It's all still in negotiation.

CONSENT AGENDA:

COUNCIL MEMBER ALLION: Pulled item 3.B.2., financials.

Motion by Council Member Edelen to approve consent Agenda: All but items 3.B.2., seconded by Council Member Clark.

COUNCIL MEMBER ALLION: Likes the format of the financials and applauds staff for all of the work and the especially likes the foot notes. Wants to police the budget closer, when there is variance it needs to go to the City Council for consideration.

There was no public comment received.

Accept as submitted, passed 5-0

OLD BUSINESS: None

NEW BUSINESS:

The Council considered Item 5.A., adopt Resolution No. 2008-05, A Resolution of the City Council of the City of Del Rey Oaks adopting the County of Monterey Multi-Jurisdictional Hazard Mitigation Plan.

Motion by Council Member Edelen to approve, seconded by Council Member Clark

There was no public comment received.

Motion passed 5-0

The Council considered Item 5.B., the SPCA of Monterey County Sheltering Contract for the fiscal year ending June 30, 2009.

Motion by Council Member Clark to approve, seconded by Council Member Cecilio

There was no public comment received.

Motion passed 5-0

PUBLIC HEARING:

DEBBIE HALE, TAMC: Glad to see that this is a success. Twelve of the twelve cities have voted for this, so it is Del Rey Oaks chance to close the deal. Reviews the Sales Tax Investment Plan: 25% of the ½ % sales tax goes to the local road and street maintenance, which is flexible money for the city. Benefits to local residents: every \$1 generates nearly \$6 to our economy. Supports county's primary industries: tourism, with money coming in to towns and agriculture, with business and products being shipped out. City of Del Rey Oaks benefits: Local street and road improvement, \$1 million over 25 years. Increased bus service, bicycle and pedestrian sidewalks along hwy 218. Regional Impact Fee: Satisfies CEQA, and growth pays for growth. New construction will be required to pay impact fees. TAMC will be the Joint Powers Agency. The county and cities collect the fee, and TAMC administers sets priorities and project sponsors build projects. It is an environmentally sound plan. There is a time line for action, in June the fee ordinance has to have a 2nd reading, in July county places tax on ballot and in August the Regional fee takes effect and November 4th is the Sales tax election.

The Council considered Item 5.C.1., adopt Resolution No. 2008-06, to certify as adequate and complete the Environmental Impact Report and Addendum thereto, adopting Findings and Statement of Overriding Considerations

Motion by Council Member Edelen to approve, seconded by Council Member Clark

There was no public comment received.

Motion passed 5-0

The Council considered Item 5.C.2., adopt Resolution No. 2008-07, approving a Joint Powers Agreement to administer Regional Development Impact Fees in the County of Monterey and authorizing the Mayor to execute the Agreement on behalf of the City subject to final review and approval by the City Attorney

Motion by Council Member Clark to approve, seconded by Council Member Allion

There was no public comment received.

Motion passed 5-0

The Council considered Item 5.C.3., adopt Resolution No. 2008-08, adopting the Transportation Agency for Monterey County Investment Plan for Transportation Sales Taxes in Monterey County

Motion by Council Member Edelen to approve, seconded by Council Member Clark

There was no public comment received.

Motion passed 5-0

The Council considered Item 5.C.4., introduce Ordinance No. 263-A, adding Chapter 3.30 to the Del Rey Oaks Municipal Code establishing a Regional Development Impact Fee

Motion by Council Member Clark to approve, seconded by Council Member Cecilio

There was no public comment received.

Motion passed 5-0

Council Member Clark-Yes

Council Member Edelen-Yes

Council Member Allion-Yes

Council Member Cecilio-Yes

Mayor Russell-Yes

The Council considered Item 5.C.5., adopt Resolution No. 2008-09, determining the initial amount of Regional Development Impact Fees.

Motion by Council Member Edelen to approve, seconded by Council Member Clark

There was no public comment received.

Motion passed 5-0

PUBLIC COMMENT:

BETH BENOIT: When the developers pay the impact fee will it go to Fort Ord, or will Hwy 218 get improved with that money?

CITY ATTORNEY WELLINGTON: That will be in connection with E.I.R. and the council will take that into consideration.

REDEVELOPMENT PROJECT MANAGER GOBLIRSH: The 10 million dollar tax increment can be used for 218 improvements, as long as it is proven that it is needed.

COUNCIL MEMBER ALLION: What happens if the city doesn't generate as many fees as the county estimated. The numbers might be off, due to the economy.

DEBBIE HALE: There will always be peaks and valleys. They tried to be conservative, and it is hard to tell over 25 years.

The Council considered Item 5.D., adopt Resolution 2008-10, A Resolution Authorizing Construction of City Monument Signs without Competitive Bidding.

CITY ATTORNEY WELLINGTON: The drawings and locations have been reviewed by Clayton Neill and Ron Langford. The council has seen the drawings in the past. Five to seven different local masons will be contacted for bids and they will work off of the drawings from Mike Zuccaro.

PUBLIC COMMENT:

MIKE VENTIMIGLIA: Is there is a minimum bid ordinance that requires the city to go out to bid.

CITY ATTORNEY WELLINGTON: It is a State Law, and the city can approve the resolution to go out without competitive bids.

Motion by Council Member Clark to approve, seconded by Council Member Edelen

There were no further public comments received.

Motion passed 5-0

CITY ATTORNEY WELLINGTON: Gave direction to staff to follow up with Clayton Neill.

STAFF REPORTS: None

COUNCIL REPORTS:

COUNCIL MEMBER CLARK: Reported on MST approves the 2009 budget, with no fair increases and no budget cuts.

COUNCIL MEMBER EDELEN: Reported on TAMC, and thanked the residents that make comments. It sparked the ice plants being cleared along 218.

COUNCIL MEMBER CECILIO: Reported on Salinas Valley Mosquito Abatement District, reports of West Nile is down.

COUNCIL MEMBER ALLION: Reported that he hasn't been able to attend the AMBAG meetings the last few months. Friday is his last day at CTB and that will leave more time to work on city business.

MAYOR RUSSELL: Reported on the Land Swap event. Attended the memorial for Jerry Smith. Attended the MRWPCA workshop with the City Attorney Wellington.

PUBLIC COMMENT:

PAM NELSON: Not enough back up information with agenda, no memo for each item, no staff report. Asked for memo or reports to explain the items on agenda.

8:05p.m.: Adjourned to closed session.

8:15 p.m.: Closed Session

The City Council considered the two items listed on its closed session agenda, one a personnel evaluation matter and the other having to do with real property negotiations, as listed. At 9:20 p.m. the Council concluded its consideration of the first matter and, excusing Vice-Mayor Edelen and Council

Member Cecilio, who reside near the real property in question, the Council took up the second matter. At 9:50 p.m. the Council came back in to open session and the city attorney announced that the Council had considered the two agenda items, and that as to the first matter the City Council acted unanimously 1) to continue Chief Langford in his position as Chief of Police and 2) pursuant to his written contract, and by mutual agreement with him, to give Chief Langford 30 days' written notice that his services as Acting City Manager are no longer required. As to the second matter the Council received information and gave directions to its real property negotiators; no other action was taken.

9:51 p.m.: Adjourned to the next regular meeting.

Next meeting: June 24, 2008 at 7:00 p.m.

APPROVED:
