

## JOINT CITY COUNCIL/CRA MINUTES

**August 23, 2010**

Mayor Cannella called the Joint City Council/CRA Meeting of August 23, 2010 to order at 7:00 p.m. with the following in attendance:

**ROLL CALL** Council Members Lane, Ochoa, Vierra, Mayor Cannella

**EXCUSED** Councilmember Durossette

**INVOCATION** by Michael Brinton, Deputy Public Works Director/Assistant City Engineer

**PLEDGE OF ALLEGIANCE** to the flag led by Mayor Cannella.

**APPROVAL OF THE MINUTES** of the regular meeting of July 12, 2010. (Councilmember Vierra Excused)

**MOTION:** Approve the minutes of the City Council Meeting and Study Session of June 14, 2010.

**MOVED:** Moved by Lane/seconded by Ochoa

**VOTE:** **Motion passed with Councilmember Vierra abstaining and Councilmember Durossette excused. (3/0/1)**

**APPROVAL OF THE MINUTES** of the regular meeting of July 26, 2010. (All Present)

**MOTION:** Approve the minutes of the Council Meeting and Study Session of June 14, 2010.

**MOVED:** Moved by Vierra/seconded by Lane

**VOTE:** **Motion passed with Councilmember Durossette excused. (4/0)**

### **CITIZEN COMMUNICATIONS**

- Jeff Benziger, announced a new book he has written and published recounting the history of Ceres. There will be a book signing at the Courier office on Thursday, August 26, 2010.
- Len Shepherd, resident, commended Jeff on his new book.

### **APPROVAL OF AGENDA AS POSTED (OR AMENDED) AND CERTIFICATION OF POSTING**

**MOTION:** Approve the Agenda as posted and certification of posting.

**MOVED:** Moved by Vierra/seconded by Lane

**VOTE:** **Motion passed with Councilmember Durossette excused. (4/0)**

**APPOINTMENTS TO BOARDS/COMMISSIONS** – None.

**CONFLICT OF INTEREST DECLARATION** – Mayor Cannella and Vice Mayor Lane declared a conflict with Item #6 stating that their firms have done work with the Ceres Unified School District within the last 12 months.

**CONSENT CALENDAR**

1. General Correspondence – **Information Only**
  - a. Recreation Department Monthly Report for May and June, 2010.
  - b. Building Division Monthly Report for July, 2010.
  - c. IT Department Monthly Report for July, 2010.
  - d. Major Project List Update.
2. Register of Audited Demands for period covering June 21 – July 28, 2010.
3. Council acceptance of the 2010 Local Agency Biennial Notice for the City of Ceres as required by the Political Reform Act. **PULLED FOR FURTHER DISCUSSION.**
4. Open the Public Review Period and Set a Public Hearing for September 13, 2010 for the 2009/10 CAPER. **PULLED FOR FURTHER DISCUSSION.**
5. Consideration of staff’s draft response letter to Turlock Irrigation District regarding the revised Draft EIR for the Hughson-Grayson 115kV Transmission Line & Substation Project. **PULLED FOR FURTHER DISCUSSION.**
6. **Resolution No. 2010-XXX** authorizing an agreement with Ceres Unified School District for School Resource Officers to provide law enforcement services to the School District. **CONTINUED TO THE MEETING OF SEPTEMBER 13, 2010 DUE TO A LACK OF A VOTING QUORUM.**
7. **Resolution No. 2010-107** accepting the Well #19R Construction of One Well and Well Pump Station Project as Complete, Approving the Balancing Contract Change Order, Authorizing the Filing of the Notice of Completion and Retention Release to the Contractor.
8. **Resolution No. 2010-108** accepting the Rockefeller Well #22 Treatment System Upgrade Project as Complete, Approving the Balancing Contract Change Order, Authorizing the Filing of the Notice of Completion and Retention Release to the Contractor.
9. **Resolution No. 2010-109** approving FY 2009/10 Carryover Appropriations and amending the FY 2010/11 Budget. **PULLED FOR FURTHER DISCUSSION.**
10. **Resolution No. 2010-110** approving the Claim of the City of Ceres to the Stanislaus Council of Governments for Non-Transit Funds and Authorizing the Director of Public Works to Sign and Submit Said Claim on Behalf of the City of Ceres.
11. **Resolution No. 2010-111** authorizing the submittal of a streamline application to the California State Department of Housing and Community Development (HCD) for funding under the Building Equity and Growth in Neighborhoods Program (BEGIN) for completion of the Dow Ranch I & II Project; the execution of a standard agreement if selected for such funding and any amendments thereto; and authorizing the City Manager and Finance Director to execute any related documents necessary to participate in the BEGIN Program.

MOTION: Approve Consent Calendar Items 1 a – d, 2, 7, 8, 10 and 11.

MOVED: Moved by Vierra/seconded by Lane

**VOTE: Motion passed with Councilmember Durossette excused. (4/0)**

**CONSIDERATION OF ITEM(S) REMOVED FROM THE CONSENT CALENDAR**

3. Council acceptance of the 2010 Local Agency Biennial Notice for the City of Ceres as required by the Political Reform Act.

Len Shepherd, resident, asked how often the report is filed.

The City Clerk responded that it is filed biennially or every other year.

4. Open the Public Review Period and Set a Public Hearing for September 13, 2010 for the FY2009/10 CAPER

Len Shepherd, resident, asked for an explanation of the acronym CAPER.

Bryan Briggs, Redevelopment/Economic Development Manager stated that the Stanislaus County Consortium, consisting of the cities of Oakdale, Patterson, Newman, Ceres, Waterford and the County receives annual allocation of funds for Community Development Block Grant and Emergency Shelter Grant activities. One requirement of the program is to prepare a Consolidated Annual Performance Evaluation Report (CAPER), make it available for a fifteen-day public review period, conduct a public hearing and submit the report to the Department of Housing and Urban Development (HUD).

5. Consideration of staff's draft response letter to Turlock Irrigation District regarding the revised Draft ERI for the Hughson-Grayson 115kV Transmission Line and Substation Project.

Len Shepherd, resident, asked for a brief update on the project.

Tom Westbrook, Building/Planning Manager, addressed Mr. Shepherd stating that the Turlock Irrigation District is building a new substation so there can be more reliability and power in the Ceres area. The substation will begin in Hughson and travel west to a proposed substation along Grayson Road. The original route was going to bring it west of Highway 99 primarily along Grayson Road. The City Council responded and suggested that TID examine additional alternatives. TID has done the additional alternatives and this response letter is requesting the Turlock Irrigation District select an alternative that goes down the existing transmission line corridor on TID lateral #2. So instead of two new high capacity transmission lines you would have one that would have two facilities on it.

9. **Resolution No. 2010-109** approving FY 2009/10 Carryover Appropriations and amending the FY 2010/11 Budget.

Len Shepherd, resident, asked if the funds we were carrying over were funds that were not used last year and being carried over to this year to the same projects.

Staff confirmed that funds that were used last year are being carried over to the new fiscal year.

MOTION: Approve Consent Calendar Items 3, 4, 5 and 9.

MOVED: Moved by Lane/seconded by Ochoa

**VOTE: Motion passed with Councilmember Durossette excused. (4/0)**

**UNFINISHED BUSINESS** - None

**PUBLIC HEARING**

12. Public Hearing – hold Host Jurisdiction Public Hearing regarding the issuance of \$11,000,000 of Tax Exempt “Privacy Activity Bonds” pursuant to Section 147(f) of the Internal Revenue Code and adopt **Resolution No. 2010-112** approving the issuance of Multi-family Housing Revenue Bonds by the California Statewide Communities Development Authority (CSCDA) solely for the purposes of Internal Revenue Code 147(f).

Bryan Briggs, Redevelopment/Economic Development Manager, addressed Council stating that while the staff report and Resolution state \$11,000,000 in bonds, the \$11,000,000 is actually the principle amount. The total amount including fees will be \$12,015,000. The Resolution will be amended to reflect the total amount.

Mr. Briggs further stated that this item is a request to approve the TEFRA Hearing which will allow the City Council to take testimony from the Public in regards to the project that is being proposed. The project is rehabilitation of 100 units of multi-family housing on Whitmore known as the Casa Grande Apartment Complex. The Developer is proposing to use State bonds and tax credits to rehabilitate the Casa Grande Apartment Complex. The developer also hopes that at some point in the future, pursuant to Agency approval, to utilize Redevelopment Agency Funds to complete the renovations. This item is to approve the issuance of bonds from the State. The State requires that the local agency approve the issuance of the bonds for the project and give an opportunity for the citizens to speak in favor or against the project.

Council expressed concern that by approving the TEFRA Hearing, we are implying that we are in favor of the project and willing to support it financially with Redevelopment funding should the developer request it.

Staff responded that approval of the TEFRA Hearing in no way implies that the City is willing to commit financing. The TEFRA Hearing is a requirement of the State. It must be held 30 days prior to the close of the deal. If the developer is not able to secure funding within the deadline, the State will not issue the bonds and the project will not move forward. This in no way indicates the Council’s support for allocating or not allocating funds for the project.

7:22 p.m. The Public Hearing was opened.

Len Shepherd, resident asked if the CRA does give money to the project, will it be a loan or a grant?

Staff responded that it is premature to answer questions this early.

7:24 p.m. There being no further comments, the Public Hearing was closed.

MOTION: Approve **Resolution No. 2010-112** with the amendment that the bond amount be changed from \$11,000,000 to \$12,015,000.

MOVED: Moved by Ochoa/seconded by Lane

**VOTE: Motion passed with Councilmember Durossette excused. (4/0)**

**NEW BUSINESS** – None

**COUNCILMEMBER REFERRALS** – None.

**REPORTS** – None.

**CRA CLOSED SESSION – No Closed Session was held.**

CONFERENCE WITH REAL PROPERTY NEGOTIATOR

Property: 2732 5<sup>th</sup> Street

Property: 3100 E. Whitmore Ave.

Negotiating parties: Brad Kilger, Executive Director or his designee

Under negotiation: Instruction may include price, terms of payment or both

Purpose of Proposed Acquisition: General purposes consistent with the Redevelopment Agency's Plan, including provision of affordable housing and preservation of an historical resource.

*Pursuant to Gov't Code Section 54956.8*

There being no further business, Mayor Cannella adjourned the meeting at 7:31 p.m.

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Anthony Cannella, Mayor

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Cindy Heidorn, CMC, City Clerk