

**Minutes**

City of Soledad Joint  
City Council/Successor Agency  
Regular Meeting

**January 7, 2015**

**CALL TO ORDER**

Mayor/Chairman Fred Ledesma called the City Council/Successor Agency Meeting to order at 5:30 p.m.

**PLEDGE OF ALLEGIANCE** was led by a Representative of SEIU, Local 1000.

**PEACEBUILDERS' PLEDGE** was recited.

**ROLL CALL**

The Following Councilmembers/Agencymembers were present when the meeting was called to order:

Mayor/Chair	Fred J. Ledesma
Mayor Pro Tem/Vice Chair	Alejandro Chavez
Councilmember/Agencymember	Christopher Bourke
Councilmember/Agencymember	Richard Perez
Councilmember/Agencymember	Patricia Stephens

The following Councilmembers/Agencymembers were absent:

None.

**ADDITIONS/MODIFICATIONS TO THE AGENDA**

City Manager Gonzalez stated that the City Council could go into Closed Session first to consider Closed Session Item No. 1 and then could return to closed session at the end of the meeting for the remaining closed session items.

**Council Action:** To go into Closed Session for Item No. 1 at the beginning of the meeting and go back into Closed Session at the end of the meeting for the remaining Closed Session items.

**Motion:** Moved by Councilmember Stephens, seconded by Mayor Pro Tem Chavez.

**Vote:** Motion Carried by the following vote:  
**Ayes:** Ledesma, Stephens, Chavez, Bourke, Perez  
**Noes:** None.  
**Abstain:** None.  
**Absent:** None.

**CLOSED SESSION PUBLIC COMMENT**

At this time any member of the public may address the Council/Agency on Closed Session items appearing on the agenda. Speakers shall have limited time of three (3) minutes. Please be brief and to the point.

None.

**MEETING RECESS**

Mayor Ledesma recessed to Closed Session at 5:35 p.m.

**CLOSED SESSION**

Of the four (4) items listed in the Closed Session, Item No. 1, listed below was considered:

1. The City Council of the City of Soledad will recess to closed session pursuant to Government Code Section 54956.9(a) to confer with its attorney regarding pending litigation which has been formally initiated and to which the City is a direct or related party- HMBY v. City of Soledad, et al.
2. The City Council will recess to closed session to confer with its attorney regarding litigation pursuant to Government Code Section 54956.9(d)(2) and is hereby of the opinion that a significant exposure to litigation exists.
3. The City Council will recess to closed session to confer with its attorney regarding litigation pursuant to Government Code Section 54956.9(d) (2) and is hereby of the opinion that a significant exposure to litigation exists.
4. The City Council/Successor Agency Board will meet in closed session to pursuant to Government Code Section 54957 to discuss a personnel matter – City Manager position.

**MEETING RECONVENED**

Mayor Ledesma reconvened the meeting from Closed Session at 6:12 p.m.

**CLOSED SESSION REPORTS**

With respect to item #1, City Manager Gonzalez reported that the City Council had conferred with special legal counsel. Direction was given to legal counsel. No other reportable action taken.

## **PUBLIC COMMENT**

Nicholas Manning SEIU Local 1000 Steward addressed the City Council and extended his gratitude on behalf of the group for allowing them to speak at the last meeting of December 3, 2014. He stated that funding for the "Call" lights has been appropriated by Salinas Valley State Prison (SVSP). He stated that Prison management anticipates completion to the project by March 2015.

Hilda Franco SEIU Local 1000 member addressed the City Council and stated she had been a Licensed Vocational Nurse (LVN) for ten (10) years and has seen positive growth. She mentioned that the current actions of the management team are not so good. She would like their "voices" to be heard. The group would like to have more training in emergency equipment. She stated that nurses need help with the passage of AB394. She thanked the City Council for allowing the group to voice their opinion.

Terry Straus SEIU Local 1000 member addressed the City Council and thanked them for allowing the group to speak at the previous City Council meeting on December 3, 2014.

Michael Straus SEIU Local 1000 member addressed the City Council and stated he works at SVSP and wanted to thank the City Council for allowing the group to speak at the previous City Council meeting on December 3, 2014.

**Council Comment:** Councilmember Bourke asked the group if they have asked Assemblymember Alejo and Senator Cannella for their support in AB394.

John Kern addressed the City Council and stated that Governor Brown had vetoed AB394 because he would prefer that it stays at the bargaining table.

Mayor Ledesma informed the group that he would be traveling to Sacramento next week to meet with Assemblymember Alejo. He stated that if the group was interested in writing a letter for the Assemblymember, he would hand deliver it on their behalf.

Frank Waggoner addressed the City Council and stated he is requesting the City to sign a Resolution in support of the Fair Tax (HR25).

City Manager Gonzalez asked Mr. Waggoner which other Cities have passed such a Resolution.

Mr. Waggoner responded that as far as he knows the City of Soledad would be the first City to adopt such a Resolution. He stated he looked forward in seeing the City Council at the next City Council meeting.

## **MAYOR'S REPORT**

Mayor Ledesma reported that he would be attending ACCAP Conference from January 12<sup>th</sup> – 14<sup>th</sup> in Sacramento. He stated he was focusing his efforts in trying to engage the farming community. He also stated he had met with the City Managers, Mayors and Police Chiefs from the other three South County Cities.

City Manager Gonzalez stated that “next steps” were discussed by the 4 South County Cities since there is no funding available now that the CalGrip Grant #6 has ended. She stated that the other Cities showed some commitment to continue working together. She stated that everyone had showed up and that staff would keep the City Council informed regarding any further meetings.

### **COUNCILMEMBER ANNOUNCEMENTS AND REPORTS**

Announcements and Reports on meetings attended by Councilmembers at City of Soledad expense as required by State law (AB1234).

Councilmember Perez reported that he had attended the Soledad-Mission Chamber of Commerce meeting and asked why they had turned down moving into the Visitors Center. He also stated he asked for the minutes of the meeting when the decision was made and who was present at the executive meeting. He asked that the City provide a letter requesting the minutes of the Executive Committee meeting where the Visitors Center item was discussed. No Council action was taken in regards to Councilmember Perez’s request. He also reported he attended the Salinas Valley Solid Waste Authority meeting.

Mayor Pro Tem Chavez reported that he had attended the TAMC Executive Committee meeting and the topic of discussion had been about the audit that Caltrans did on TAMC. Apparently Caltrans believes that TAMC owes them money. He stated that the final number that came back as being owed was roughly \$8 million but Caltrans was willing to settle for 10% over 10 years.

Councilmember Stephens reported that she had attended an MST meeting on December 8<sup>th</sup>; will attend a league Policy Committee meeting in Sacramento on January 16, 2015 and plans on attending an MST Visioning meeting on January 12, 2015.

### **COUNCILMEMBER PRAISES**

Councilmember Bourke praised City staff for their hard work and dedication at this year’s Employee Holiday Dinner. He praised everyone that had participated in the COPS Giving tree, Pauline Tomasini for her work on the Christmas Parade and all staff in general for their hard work.

Mayor Pro Tem Chavez praised City Staff for the hard work they do on a daily basis, and in particular, the work done by staff at the City Parks.

Councilmember Perez praised the staff for the hard work they do on a daily basis and their work done during the holiday season.

Mayor Ledesma stated he would like to encourage the City Council to attend next year's Employee Holiday Dinner. He felt that this year was the best celebration compared to other years.

City Manager Gonzales thanked everyone who donated towards the Employee Holiday Dinner. She stated that even though staff does fundraisers throughout the year it's not always enough for everything that needs to be purchased.

### **CONSENT CALENDAR**

City Manager Gonzalez stated that she would like to remove Consent Item Nos. C-4 and C-5. These items will be placed on a future agenda.

Mayor Ledesma stated he would like to pull Consent Item No. C-7 for separate discussion.

City Attorney Rodriguez stated that Consent Item No. C-11 needed minor modifications adding the verbiage "with exception to this amendment, all other terms remain in full force".

**Action:** Councilmember Perez made a motion to adopt the remaining items in the Consent Calendar with the noted change on Consent Item No. C-11 (noted above). Motion was seconded by Mayor Pro Tem Chavez and carried by the following vote.

Ayes: Ledesma, Chavez, Bourke, Perez, Stephens  
Noes: None.  
Abstain: None.  
Absent: None

#### **C-1. Approval of Minutes**

Joint City Council/Successor Agency Regular Meeting Minutes of December 3, 2014

#### **C-2. Approval of Warrants**

# 26268 - 26562

**C-3. Resolution No. 5043**, A Resolution of the City Council of the City of Soledad Approving the Soledad-Mission Chamber of Commerce's Request for Use of the Community Center for their Annual Awards Banquet and Authorizing Sponsorship of the Event

**\*\*C-6. Resolution No. 5045,** A Resolution of the City Council of the City of Soledad Approving a Bond Expenditure Agreement Between the City of Soledad as Successor Agency to the Soledad Redevelopment Agency and the City of Soledad

**SA Resolution No. SA-2015-01,** A Resolution of the Successor Agency of the Soledad Redevelopment Agency Approving a Bond Expenditure Agreement Between the City of Soledad as Successor Agency to the Soledad Redevelopment Agency and the City of Soledad

**C-8. Resolution No. 5046,** A Resolution of the City Council of the City of Soledad Approving an “Electric Vehicle Incentive Replacement Program Reimbursement Agreement” with the Monterey Bay Unified Air Pollution Control District and Authorizing the City Manager to Execute Said Agreement on Behalf of the City of Soledad in the amount of \$27,000 for the Purchase of One Nissan Leaf EV Vehicle, and to Purchase Said Vehicle in the Amount of \$30,907.51 from “My Nissan” in Salinas, California

**C-9. Resolution No. 5047,** A Resolution of the City Council of the City of Soledad Approving an “Agreement between the Transportation Agency for Monterey County and the City of Soledad for the Allocation of Funding Approved by the Transportation Board of Directors” in the Amount of \$331,228 for Streets Maintenance Projects and Authorizing the City Manager to Execute Said Agreement on Behalf of the City of Soledad.

**\*\*C-10. SA Resolution No. SA-2015-02,** A Resolution of the Successor Agency of the Former Soledad Redevelopment Agency Accept the Construction as Complete and Authorizing the Release of Retention Payment

**C-11. Resolution No. 5048,** A Resolution of the City Council of the City of Soledad Authorizing the City Manager to Execute an Amendment to an Agreement between the City of Soledad and Monterey Bay Analytical Services, Inc. for Laboratory Services in the Amount of \$52,800.00

**C-12. Resolution No. 5049,** A Resolution of the City Council of the City of Soledad Approving an Agreement for Interim Wastewater Operator Services Between the City of Gonzales and the City of Soledad and Authorizing the City Manager to Execute an Agreement on Behalf of the City of Soledad

**C-13. Resolution No. 5050,** A Resolution of the City Council of the City of Soledad Approving an Amendment to the Consulting Services Agreement with Ford & Bonilla, LLC for Public Information Officer and Social Media Services

**The following items (C-4 & C-5) were removed from the agenda by City Manager Gonzalez.**

**C-4. Resolution No. 5044**, A Resolution of the City Council of the City of Soledad Approving a Loan Assignment and Subordination Agreement between Las Jicamas Apartments, L.P., Chispa and the City of Soledad

**\*C-5. S.H.A Resolution No. S.H.A-2015-01**, A Resolution of the Successor Housing Agency to the Soledad Redevelopment Agency Approving a Loan Assignment and Subordination Agreement Between Las Jicamas Apartments, L.P., Chispa and the Soledad Successor Housing Agency

**The following item was pulled by Mayor Ledesma for separate discussion:**

**C-7.** A Minute Motion of the City Council of the City of Soledad Approving an Agreement Between the City of Soledad and the Salinas Valley Tourism and Visitors Bureau to Operate the Soledad Visitors Center and Authorize the City Manager to Sign the Agreement

Community & Economic Development Director Slama presented the staff report to the City Council. He informed the City Council that one of the changes that has occurred is that the Soledad-Mission Chamber of Commerce is no longer going to be located inside the Visitors Center. He stated that this is a new venture for staff and we also have questions of how it's going to run. He mentioned that since the Chamber was not going to be located in the Visitors Center they had to add another day of the week to the contract for it to be open Thursday through Sunday (plus holiday Mondays).

**Council Discussion:**

Councilmember Bourke stated that the last page had some charges and asked if the City was buying these things or if the Visitors Bureau was bringing them along.

Community & Economic Development Director Slama responded that those items will belong to the City.

Councilmember Bourke stated that on the agreement there is an employee, a Manager and an Executive Director. He feels this may be too much management for 1 employee who is part-time for 4 days a week.

Community & Economic Development Director Slama explained that the employee and manager will be on site and the executive director will provide oversight.

Councilmember Bourke asked that if the City receives the \$3.2 million of bond proceeds can the money be used for the Visitors Center.

Community & Economic Development Director Slama responded that those proceeds could only be used for capital expenses and not on-going expenses.

Craig Kaufman addressed the City Council and stated that he should have the Visitors Center finished in about a week and a half. He stated that the City needed to build on the relationship with the wineries. He stated that his role is about finding ways to make the Visitors Center self sustaining.

Mayor Ledesma asked how many people visit the Visitors Center in Salinas.

Mr. Kaufman replied that they receive about 5,500 Visitors a year.

Councilmember Stephens stated that her fear is that the small family owned businesses will get lost in with big retail restaurant advertisements that have big signage.

Mr. Kaufman assured the City Council that most people visiting want to experience local food.

Councilmember Stephens stated that the function of the Visitors Center to her is to promote small family owned local businesses. She would like to see a change on Front Street for the best.

Councilmember Bourke stated that at time he can see tour buses passing Soledad on the freeway and asked if there was a way to make Soledad a stop on their way.

Mr. Kaufman stated that was a possibility and could add it to the infrastructure.

**Council Action:** To adopt by Minute Motion the Agreement with the Salinas Valley Tourism and Visitors Bureau.

**Motion:** Moved by Councilmember Perez, seconded by Mayor Pro Tem Chavez.

**Vote:** Motion Carried by the following vote:  
**Ayes:** Ledesma, Stephens, Chavez, Bourke, Perez  
**Noes:** None.  
**Abstain:** None.  
**Absent:** None.

## **BUSINESS**

**B-1. Resolution No. 5051,** A Resolution of the City Council of the City of Soledad Accepting the 2014-15 Mid-Year Budget Update and Authorizing Amendments to the City of Soledad Budget for Fiscal Year 2014-15

City Manager Gonzalez addressed the City Council and presented the staff report. She stated that this was a five (5) month snap shot of the budget which is roughly about 42% of the year. She mentioned that the revenues looked light and that was mainly because most of the City's revenues come in during the month of December.

Assistant to the City Manager Stella Sandoval addressed the City Council and did a mid-year update to the City Council. She informed the City Council that property tax was coming in; in December. She stated that some cleanup adjustments needed to be made in the Non-Department budget. She asked them to look at Exhibit D for additional adjustments that need to be done and is asking that the City Council approve the proposed adjustments.

**Council Discussion:** Councilmember Bourke stated that maybe the Soledad Rural Fire District needed a reminder. He asked if staff anticipated that Measure Y will bring in more than \$1.3 million.

Finance Director Mike Howard stated that the City needs to be cautious; after speaking with HdL he was informed that out of the area vendors have caught on and have filed claims because they believe they shouldn't have paid the additional 1% sales tax.

Mayor Pro Tem Chavez stated that he saw JEA & Associates listed in Exhibit D and was not aware that we were going to start paying them for lobbying services again.

City Manager Gonzalez responded that Mr. John Arriaga with JEA had asked if they could start receiving funds again for their services now that the City was seeing blue skies. She stated she informed him that for the remainder of the fiscal year she would restore a monthly fee of \$2,000. She also stated that for the past two years he's been doing work for the City pro-bono.

Councilmember Stephens stated she would like this item monitored as to what he's doing for the City and would like to re-access his services once the budget for FY 15-16 is being mapped out.

**Council Action:** To adopt Resolution No. 5051.

**Motion:** Moved by Councilmember Bourke, seconded by Councilmember Stephens.

**Vote:** Motion Carried by the following vote:  
**Ayes:** Ledesma, Stephens, Chavez, Bourke, Perez

Noes: None.  
Abstain: None.  
Absent: None.

**B-2.** Review, Discuss and Update the City of Soledad Council Committees Roster

City Manager Gonzalez presented the staff report to the City Council. She stated that every year the City Council reassesses the Committee Roster and decided to place on the agenda for the City Council to review.

**Council Discussion:** Mayor Ledesma asked City Council if they were happy with their assigned committees. He then stated that if any member of the Council was interested in coming off or on a committee that they put their request in directly to him or through Executive Assistant to the City Manager Claudia Moreno.

**B-3. Resolution No. 5052,** A Resolution of the City Council of the City of Soledad Adopting the City of Soledad's Water Shortage Contingency Plan Update

Public Works Director Wilcox presented the staff report to the City Council. He informed the City Council that the City is not in a panic mode but regardless we have to obey the State's regulations. He stated students from the NJROTC group at Soledad High School would be distributing door hangers to all of the residents in Soledad.

**Council Discussion:** Councilmember Bourke asked how the water restrictions will affect the Soledad Unified School District.

Public Works Director Wilcox replied that he didn't mention it in the staff report, but sport fields are exempt.

**Council Action:** To adopt Resolution No. 5052.

**Motion:** Moved by Councilmember Stephens, seconded by Councilmember Perez.

**Vote:** Motion Carried by the following vote:  
Ayes: Ledesma, Stephens, Chavez, Bourke, Perez  
Noes: None.  
Abstain: None.  
Absent: None.

**COUNCILMEMBER'S COMMITTEE REPORTS**

Councilmember Bourke stated there was no committee report, but would like to water fountain at the Little League Park fixed. He also stated that the basketball courts at the little league needed nets.

### **CITY MANAGER'S REPORT**

City Manager Gonzalez reported that Staff had done some research on the military banners in the City of Ridgecrest. She stated that the program is run entirely by citizens and not the City. She is not sure if it's something that the American Legion of Soledad would like to take on, she will contact them to find out.

Mayor Ledesma suggested also contacting the NJROTC group to see if they'd be interested.

City Manager Gonzalez reported that in regards to the Code Enforcement position, staff is currently working on filling the Police Officer positions. She stated that when time permits, staff will work on updating the code enforcement officer job description.

City Manager Gonzalez stated that in regards to energy efficiency, she was in the process of setting up a meeting with the SEED Program. She stated that she would like to see solar panels placed on each City owned building.

### **COUNCILMEMBER'S ITEMS AND FUTURE AGENDA ITEMS**

Comments from the Councilmembers on general items of concern and on matters that they wish to put on future agendas.

Mayor Pro Tem Chavez stated he would like to see staff focus on the Code Enforcement position.

Councilmember Stephens stated she would like to receive continuous updates in regards to the Police Department calls. She feels that when residents call her with questions, she is not informed of what is happening in the City.

Chief Sills stated he would prepare something for the City Council.

Councilmember Bourke asked staff to repair the water fountain and the plaque at the Little League Park and to include a description as to who Mr. Chester Aaroe was.

### **MEETING RECESS**

Mayor Ledesma recessed to Closed Session at 7:55 p.m.

### **CLOSED SESSION**

Of the four (4) items listed in the Closed Session, Item Nos. 2, 3, & 4, listed below were considered:

1. The City Council of the City of Soledad will recess to closed session pursuant to Government Code Section 54956.9(a) to confer with its attorney regarding pending litigation which has been formally initiated and to which the City is a direct or related party- HMBY v. City of Soledad, et al.

2. The City Council will recess to closed session to confer with its attorney regarding litigation pursuant to Government Code Section 54956.9(d)(2) and is hereby of the opinion that a significant exposure to litigation exists.
3. The City Council will recess to closed session to confer with its attorney regarding litigation pursuant to Government Code Section 54956.9(d) (2) and is hereby of the opinion that a significant exposure to litigation exists.
4. The City Council/Successor Agency Board will meet in closed session to pursuant to Government Code Section 54957 to discuss a personnel matter – City Manager position.

**Mayor Pro Tem Chavez left the meeting at 8:10 p.m.**

**MEETING RECONVENED**

Mayor Ledesma reconvened the meeting from Closed Session at 8:20 p.m.

**CLOSED SESSION REPORTS**

With respect to item #2, City Attorney Rodriquez reported that the City Council had provided direction to legal counsel. No other reportable action was taken.

With respect to item #3, City Attorney Rodriquez reported that the claim had been unanimously denied. No other reportable action taken.

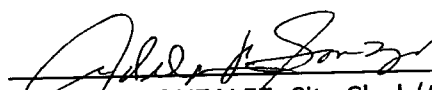
With respect to item #4, City Attorney Rodriquez reported that this item had been continued to the next City Council meeting scheduled for January 21, 2015. No other reportable action taken.

**ADJOURNMENT**

There being no other business to come before the Council/Agency, Mayor/Chair Ledesma adjourned the meeting at 8:21 p.m.

Approved: February 4, 2015.

  
FRED J. LEDESMA, Mayor/Chairman

  
ADELA P. GONZALEZ, City Clerk/Agency Secretary