

**Minutes**

City of Soledad Joint  
City Council/Successor Agency  
Regular Meeting

**February 4, 2015**

**CALL TO ORDER**

Mayor/Chairman Fred Ledesma called the City Council/Successor Agency Meeting to order at 5:35 p.m.

**PLEDGE OF ALLEGIANCE** was led by Cub Scout Troop No. 365

**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	Patricia Stephens

The following Councilmembers/Agencymembers were absent:

Councilmember/Agencymember     Richard Perez

**ADDITIONS/MODIFICATIONS TO THE AGENDA**

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 5:55 p.m.

### **CLOSED SESSION**

Of the four (4) items listed in the Closed Session, Item No. 1, 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 pursuant to Government Code Section 54956.8 to give instructions to the City's negotiators regarding negotiations with the YMCA concerning the management and operations agreement/lease for the property located at 560 Walker Dr. Instructions to the negotiators will concern price and terms of the agreement/lease.
3. The City Council will recess to closed session to confer with its attorney regarding two items of litigation pursuant to Government Code Section 54956.9(d)(2) and is hereby of the opinion that a significant exposure to litigation exists for both matters.
4. The City Council will recess to closed session to confer with its attorney regarding litigation pursuant to Government Code Section 54956.9(d)(4)- deciding to initiate litigation.

### **MEETING RECONVENED**

Mayor Ledesma reconvened the meeting from Closed Session at 7:25 p.m.

### **CLOSED SESSION REPORTS**

With respect to item #1, City Attorney Rodriguez reported that the City Council had conferred with legal counsel and direction was provided. No other reportable action taken.

With respect to item #2, City Attorney Rodriguez reported that the City Council had conferred with the City's Negotiators in regards to the property located at 560 Walker Dr. No other reportable action taken.

With respect to item #3, City Attorney Rodriguez reported that the City Council had conferred with legal counsel and direction was provided. No other reportable action taken.

With respect to item #4, City Attorney Rodriguez reported that there had not been a need to discuss this item and no action was needed.

### **PUBLIC COMMENT**

Frank Wagener addressed the City Council to request that the City Council consider adopting a formal resolution at the next City Council meeting in support of the Fair Tax (HR25). He handed out information he had gathered from the internet regarding the Fair Tax. He expressed to the City Council that he believes this is the most important part of legislation.

Mike De La Rosa Soledad Little League Organization Board Member addressed the City Council. He stated that Soledad Resident Jessica Humboldt is the new treasurer for the board. He stated that he'd like to thank the Soledad City Council on behalf of the Little League Organization for the lights that were installed at the Little League Park. He stated he was aware there was more work ahead and they were up for the challenge. He also stated that with the lights being installed they're hoping to start a Fall League.

### **MAYOR'S REPORT**

Mayor Ledesma reported that he had attended the ACCAP meeting in Sacramento and met the person who had denied the South County Cities of the Cal Grip Grant. He stated that the majority of the people conferred as to the fact that larger cities are being awarded the Cal Grip Grants. He also stated that he had spent some time with Senator Anthony Cannella and Assembly Member Luis Alejo while he was in Sacramento. He had talked to both of them mainly regarding the prisons and farm worker housing.

### **COUNCILMEMBER ANNOUNCEMENTS AND REPORTS**

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

Councilmember Bourke reported that he had attended the AMBAG meeting on January 14<sup>th</sup>. He stated there was nothing major to report.

Councilmember Stephens reported that she had attended the MST Meeting and the League's Administrative Services Policy Committee meeting on January 16<sup>th</sup>.

Mayor Pro Tem Chavez reported that he had attended the TAMC Meeting. He stated that the TAMC Rail Policy Committee Meeting had been canceled. He informed the Council that there is a Passenger Rail Committee being formed.

### **COUNCILMEMBER PRAISES**

None.

### **CONSENT CALENDAR**

Mayor Ledesma stated he would like to pull Consent Item No. C-5 for separate discussion.

**Action:** Councilmember Bourke made a motion to adopt the remaining items in the Consent Calendar. Motion was seconded by Councilmember Stephens and carried by the following vote.

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

**C-1. Approval of Minutes**

Joint City Council/Successor Agency Regular Meeting Minutes of January 7, 2015

**C-2. Approval of Warrants**

# 26563 -

**C-3. Resolution No. 5054**, A Resolution of the City Council of the City of Soledad Authorizing the Destruction of Certain City Records as Provided by Section 34090 of the Government Code of the State of California

**C-4. Resolution No. 5055**, A Resolution of the City Council of the City of Soledad Considering the Liberty Chapel Church Request for Use of the Soledad Community Center on October 31, 2015 for their Annual Harvest Night Event, and Authorizing Sponsorship of the Event

**C-6. Resolution No. 5057/SA-2015-02**, A Joint Resolution of the City Council of the City of Soledad/City Council as Successor Agency to the Soledad Redevelopment Agency Approving a Second Amendment to the Revised and Restated "Employment Agreement-City Manager/Successor Agency Director" dated March 1, 2012 with Adela Gonzalez

**C-7. Resolution No. 5058**, A Resolution of the City Council of the City of Soledad Authorizing Repair Work to the City's Sewer Line By Monterey Peninsula Engineering in an Amount not to Exceed \$15,800

**C-8. Resolution No. 5059**, A Resolution of the City Council of the City of Soledad Accepting and Approving a Proposal and Authorizing the City Manager to Execute a Purchase Order on Behalf of the City in the amount of \$112,514.99 with Wilo USA, LLC for the Water Reclamation Facility Anoxic Mixers Replacement Project

**C-9. Resolution No. 5060**, Adopt a Resolution of the City Council of the City of Soledad Approving the Transfer of Three (3) Government Use Parcels from the

Successor Agency to the Redevelopment Agency of the City of Soledad and Approving Certain Related Actions

**\*C-10. SA Resolution No. SA-2015-01**, A Resolution of the Successor Agency to the Redevelopment Agency of the City of Soledad Approving the Transfer of Three (3) Government Use Parcels to the City of Soledad and Approving Certain Related Actions

The following item was pulled by Mayor Ledesma for separate discussion.

**C-5. Resolution No. 5056**, A Resolution of the City Council of the City of Soledad Approving a Revised Job Classification of Code Enforcement and Community Service Officer

City Manager Gonzalez presented the staff report to the City Council. She stated that the job description for the most part had remained the same as before it was placed in "in-active" status and that only some modifications were made to reflect the needs of the community. She also informed the City Council that she had left the salary at the same level and the same bargaining unit as before.

**Council Action:** To adopt Resolution No. 5056.

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

**Vote:** Motion Carried by the following vote:

**Ayes:** Ledesma, Stephens, Chavez, Bourke

**Noes:** None

**Abstain:** None

**Absent:** Perez

**PUBLIC HEARING**

**PH-1. Ordinance No. 688**, ZONING ORDINANCE AMENDMENT 2014-01 Introduction and First Reading of an Ordinance initiated by the Planning Commission of the City of Soledad to amend Chapter 17.36.020 of the Municipal Code of the City of Soledad to make city-wide amendments to the off-street parking standards for various residential land uses located in Table 17.36.020 and make further amendments to amend existing parking stall sizes.

**Ordinance No. 689**, ZONING ORDINANCE AMENDMENT 2014-02 Introduction and First Reading Initiated by the Planning Commission of the City of Soledad to amend Chapter 17.12.040 and 17.14.040 of the Municipal Code of the City of Soledad to make city-wide additions and amendments to the existing open space

requirements for multifamily residential projects located in the R-2 Medium Density Multifamily Residential District and the R-3 High-Density Multifamily Residential District

Community and Economic Development Director Slama presented the staff report to the City Council.

**Council Discussion:** Councilmember Bourke thanked the Soledad Planning Commission for bringing this item forward. He felt that this item had been thought out thoroughly.

Mayor Pro Tem Chavez asked if the open space would be public space.

Community & Economic Development Director Slama responded that the space could be considered private or communal space. He stated it would put open space at fifty percent (50%).

City Attorney Rodriguez suggested that for ordinance no. 689 the wording could be changed from "shall" to "should", as it relates to views to open space from units, and designating that the open space should be approved by staff or the Planning Commission as appropriate based on the size of the project.

Councilmember Bourke asked if a laundry room or recreation room could be considered "open space".

Community & Economic Development Director Slama responded that it would be considered "public space" and not "open space".

**Public Comment:** None.

**Council Action:** To read by title only Ordinance No. 688.

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

**Vote:** Motion Carried by the following vote:

Ayes: Ledesma, Stephens, Chavez, Bourke

Noes: None

Abstain: None

Absent: Perez

**Council Action:** To read by title only Ordinance No. 689, with the following noted changes:

Change the language in the Exhibit "A" from "shall" to "should", as it relates to views to open space from the units.

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

**Vote:** Motion Carried by the following vote:

**Ayes:** Ledesma, Stephens, Chavez, Bourke

**Noes:** None

**Abstain:** None

**Absent:** Perez

### **BUSINESS**

**B-1.** **Resolution No. 5061,** A Resolution of the City Council of the City of Soledad Authorizing the City Manager to Execute Amendment No. 2 to the City's State Revolving Fund Loan with the State Water Resources Control Board Changing the Term from Twenty to Thirty Years

Public Works Director Wilcox presented the staff report to the City Council.

**Council Action:** To adopt Resolution No. 5061.

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

**Vote:** Motion Carried by the following vote:

**Ayes:** Ledesma, Stephens, Chavez, Bourke

**Noes:** None

**Abstain:** None

**Absent:** Perez

**B-2.** Review, Discuss and Provide Direction Regarding Catching Up on Deferred Maintenance of Existing General Fund Funded Facilities

Public Works Director Wilcox presented the staff report to the City Council.

**Council Discussion:** Councilmember Bourke stated he liked the idea of forming a Facilities Committee.

Councilmember Stephens and Mayor Pro Tem Chavez stated they concurred with Councilmember Bourke's suggestion. The City Council came to a consensus that the committee should have 5 members.

City Manager Gonzalez asked if the City Council would like to be part of the committee.

Mayor Pro Tem Chavez replied that Council could determine their participation at a future meeting.

### **COUNCILMEMBER'S COMMITTEE REPORTS**

None.

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

City Manager Gonzalez reported that staff is currently working on a homeless issue near the High School. She stated that staff had made contact with the Monterey County Health Department to offer assistance to the individual. She also stated that the Police Department may tow the vehicle as it does not have current license plate tags.

City Manager Gonzalez also reported that City Council had been invited to attend a Hero Award on March 5<sup>th</sup>, where the 4C4P regional collaborative will receive a Hero Award. She stated that Foundation Windpower is interested in adding up to two (2) more wind turbines.

Public Works Director Wilcox stated that the request from Foundation Windpower would need to go through the Planning Commission first and would then come back to the City Council for final approval.

City Attorney Rodriguez informed the City Council that this request should go more smoothly as this would be more of a Lease Agreement with Foundation Windpower for the property.

City Manager Gonzalez informed the City Council that on February 23, 2015, the City would be hosting the Salinas Valley Mayors and City Managers meeting.

### **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 Ledesma commented that the Water Board Director would like to have a meeting with City staff.

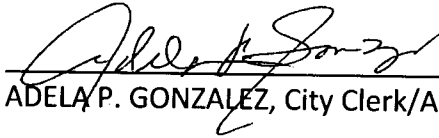
### **ADJOURNMENT**

There being no other business to come before the Council/Agency, Mayor/Chair Ledesma adjourned the meeting at 8:20 p.m.

Approved: March 4, 2015.



FRED J. LEDESMA, Mayor/Chairman



ADELA P. GONZALEZ, City Clerk/Agency Secretary

