

**Minutes**

City of Soledad Joint  
City Council/Successor Agency  
Regular Meeting

**April 1, 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 Junior Nuno.

**PEACEBUILDERS' PLEDGE** was led by City Manager Gonzalez.

**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 asked the City Council to move the Closed Session items to the end of the meeting.

City Manager Gonzales asked the City Council to consider adding Business Item No. B-5 to the City Council agenda. It is to consider adoption of Resolution No. 5076. The item came up after posting of the agenda and action is needed before April 7, 2015.

**Council Action:** To add Business Item No. B-5 to the City Council agenda.

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

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

### **PUBLIC COMMENT**

Mr. Junior Nuno addressed the City Council and informed the City Council that they were considering moving their business Nuno Iron from King City to Soledad. He stated that they would like to have a shooting range where they would offer tactical training and cater to law enforcement agencies.

**Council Discussion:** Mayor Ledesma asked Mr. Nuno who he is currently working with.

Mr. Nuno replied that he was currently working with the United States Navy and Army.

Councilmember Stephens thanked Mr. Nuno for the literature he handed out and stated it will be helpful to understand his proposal better.

Mr. Nuno replied that unfortunately there is information that cannot be disclosed due to the nature of the information and confidentiality of it.

City Manager Gonzalez stated that if it was Council's wishes, staff would work with Mr. Nuno and come back later with a formal proposal.

There was Council consensus to have City staff work with Mr. Nuno on his project.

### **MAYOR'S REPORT**

Mayor Ledesma reported that he had attended the Visitors Center ribbon cutting event on March 27<sup>th</sup> and mentioned that it turned out really well.

### **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 March 11<sup>th</sup> and stated that there was discussion on the extension of Northridge Mall by 4800 sq ft.

Councilmember Stephens reported that she had attended the Visitors Center ribbon cutting event and had received all positive feedback.

Councilmember Perez reported that he had attended the Salinas Valley Solid Waste Authority Meeting on March 19<sup>th</sup>. He stated that they had postponed adopting their budget. He also reported that he had attended the Visitor Center ribbon cutting ceremony along with the other members of the Council.

Mayor Pro Tem Chavez reported that he had attended the TAMC meeting on March 25<sup>th</sup>, he stated there was nothing to report other than they would discuss frontage roads at the next scheduled meeting. He reported that he had attended the TAMC Executive meeting on April 1<sup>st</sup> and mentioned that the entire board is in agreement with moving forward with a sales tax measure.

### **COUNCILMEMBER PRAISES**

Councilmember Bourke praised Police Chief Sills for being a recipient of the WeTip Award and he also praised everyone who was involved with the Little League Opening Ceremony.

Councilmember Stephens praised Police Chief Sills for being a recipient of the WeTip Award, all of the Sports Teams at the Soledad High School, Boys Basketball, Soccer Team and she mentioned that maybe they could be recognized at a later date.

Mayor Ledesma praised Police Chief Sills for being a recipient of the WeTip Award. He also praised Public Works Director Wilcox for throwing the first pitch and praised everyone involved in making Vosti Park improvements a reality. He stated that people now have a sense of ownership.

### **CONSENT CALENDAR**

City Manager Gonzalez stated that she would like to pull Consent Item No. C-5 for further discussion.

City Manager Gonzales informed the City Council that staff had an additional handout for Consent Item No. C-4.

**Action:** Councilmember Stephens made a motion to adopt the items listed in the Consent Calendar. Motion was seconded by Councilmember Bourke 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 Special Meeting Minutes of January 21, 2015

**C-2. Approval of Warrants**

# 26957 - 27175

**C-3. Resolution No. 5071**, A Resolution of the City Council of the City of Soledad Approving a Contract between the City of Hollister and the City of Soledad for Law Enforcement Services for the 2015 Hollister Motorcycle Rally

**C-4. Resolution No. 5072**, 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 California Transportation Commission in the Amount of \$544,000 for Sidewalk/ADA Ramp Repairs and a Fitness Station Project and Authorizing the City Manager to Execute Said Agreement on Behalf of the City of Soledad

**C-6.** City of Soledad Monthly Department Activity Reports

**C-7. Resolution No. 5075**, 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

**The following item was pulled by City Manager Gonzalez for separate discussion:**

**C-5. Resolution No. 5073**, A Resolution of the City Council of the City of Soledad Approving a "Vehicle Sales Agreement with Carmel Area Wastewater District" for the Purchase of a 1995 GMC Van Fully Equipped with Sewer Line Video Inspection Equipment in the Amount of \$25,000 and Authorizing the City Manager to Execute Said Agreement

Public Works Director Wilcox presented the staff report to the City Council. He stated he would like to clarify that the amount of the purchase is not just for a 1995 GMC Van but it was more for the equipment that is inside the van. He stated that the equipment and the van are in good condition because they have only been used for specific projects. He said this van could be used for certain projects instead of hiring someone.

**Council Discussion:**

Mayor Pro Tem Chavez asked for the age of the equipment.

Public Works Director Wilcox stated that the equipment was about three years old and there was only about 30,000 miles on the van.

Councilmember Bourke asked if the staff that was going to operate the equipment had the training to operate it.

Public Works Director Wilcox responded that there would be someone coming to explain the use of the equipment with staff, but that the use was pretty straight forward.

**Council Action:** To adopt Resolution No. 5073.

**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.

## **BUSINESS**

### **B-1.** Acceptance of the City and Soledad Successor Agency's Audited Financial Statements for Fiscal Year 2013-2014

City Manager Gonzalez presented the staff report to the City Council. She stated that Auditor Bryant Jolley was at the meeting as well as Finance Director Mike Howard to answer any questions the Council may have.

Mr. Jolley addressed the City Council and informed them that it was a clean audit and that he concurred with the information presented. He commended the City Council for being proactive. He stated that the Water/Sewer Fund were very healthy. He stated that the Water Fund has a deficit, but is aware that the City has taken measures to correct the deficit with the water rate increases. He said all other funds are operating as intended and had no comments on those. He suggested that the City continue to be frugal.

**Council Action:** To accept the City and Soledad Successor Agency's Audited Financial Statements for FY 13-14.

**Motion:** Moved by Council/Agencymember Bourke, seconded by Mayor Pro Tem/Vice Chair Chavez.

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

**B-2.** Receive and take Action concerning the Measure "Y" Oversight Committee's Allocation Recommendations for FY 2015-2016 and other Related Recommendations

City Manager Gonzales presented the staff report to the City Council. She informed the City Council that the Oversight Committee had made a slightly different recommendation. Economic Development was moved from 11% to 9%, they requested that the Visitor Center operation cost be paid out of Transient Occupancy Tax (TOT) and that the Council adopt a policy on committing 100% of TOT receipts to be used to pay for economic development activities.

**Council Discussion:** Mayor Ledesma stated that Council would like to make sure that the TOT is being monitored.

Councilmember Stephens suggested raising the City's TOT at some point.

**Council Action:** There was a consensus from the City Council to place the City's Transient Occupancy Tax on the ballot for the next election.

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

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

**B-3.** Review, Discuss and Provide Direction Regarding an Additional Wind Energy Project Proposal Site Lease Rental Rate

Public Works Director Wilcox presented the staff report to the City Council. He stated that Foundation Windpower is suggesting an additional Wind Turbine that is 50 feet taller than the one the City already has. He stated that Steve Sherr from Foundation Windpower was present to answer any questions that the Council may have.

**Council Discussion:** Mayor Pro Tem Chavez stated he felt it would be better to say \$70,000 per year.

Mr. Shear stated that the first few years are the toughest due to the federal grants.

Mayor Ledesma stated he would like to add to the agreement a piece where it would clearly state that the wind turbines be taken down in case they are no longer producing as desired.

City Attorney Rodriguez stated they are proposing an "escalator" fee structure and stated that Foundation Windpower would like to see the rent agreement locked before moving forward.

**Council Action:** A minute motion to accept the stated payment structure presented.

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

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

**B-4. Resolution No. 5074,** A Resolution of the City Council of the City of Soledad Approving a Three Year Agreement for Professional Services with David Taussig and Associates, Inc. in an Amount Not-to-Exceed \$35,250 to Provide Annual Engineering Reports for Various Assessment Districts and Authorizing the City Manager to Execute Said Agreement on Behalf of the City

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

**Council Action:** To adopt Resolution No. 5074.

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

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

**B-5. Resolution No. 5076,** A Resolution of the City Council of the City of Soledad Opposing Proposed Amendments to the Monterey County General Plan to Implement Settlement of Litigation Initiated by Landwatch and the Open Monterey Project

City Manager Gonzalez presented the staff report to the City Council. She mentioned that staff had reviewed the documents and it seemed to make sense. She stated she felt it was a good idea.

Kurt Gollnick Chief Operating Officer of Scheid Vineyards gave a historical overview to the City Council.

**Council Discussion:**

Councilmember Bourke stated that it was very complicated because Landwatch is suing Monterey County.

City Attorney Rodriguez informed the City Council that in order to make an impact on this it had to be adopted before April 28<sup>th</sup>. He stated that he personally has not had the opportunity to review and that it would be based on total confidence on his integrity.

Councilmember Stephens stated she spoke to Amy from Landwatch and stated she had asked her how they expected small communities to survive if they oppose to Economic Development. She stated she would have a great deal of confidence without reading the actual document word for word.

Mayor Ledesma informed the City Council that Landwatch also wanted to stop events of 150 people or more from happening which would mean no events at the wineries or weddings.

**Council Action:** To adopt Resolution No. 5076.

**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.

**PUBLIC COMMENT**

Mayor Ledesma reopened the Public Comment section to accommodate a constituent.

John Serna, 1353 Appalachian, stated he appreciated the job the City Council is doing. He informed the City Council that on March 15<sup>th</sup> he was walking from Lassens Market on San Vicente Rd. He started to smell chemicals, he asked the gentlemen what they were spraying and they replied that it was Roundup. He told them that it was not wise to spray Roundup in mid-day when the wind is blowing. He felt that it was out of line to do that since there are children playing nearby. He then thought about it and realized that the reason they were spraying at that time is that they didn't want the roundup to fly onto their ranch. He stated he wanted to come before the City Council to voice his concerns and because he would like to be able to take a walk without having to smell such chemicals.

**Council Discussion:**

Councilmember Bourke stated that this was part of a bigger issue. He mentioned that Monterey County has highest rate of exposure to chemicals. He then thanked him for coming forward and expressing his concerns.

**COUNCILMEMBER'S COMMITTEE REPORTS**

None.

**CITY MANAGER'S REPORT**

City Manager Gonzales informed the City Council that on Monday, April 13<sup>th</sup> at 6:00 p.m. there would be a joint meeting of the City Council and the 4C4P.

**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.

Councilmember Perez stated he would like to receive an update on Los Coches. He also stated he would like to know if street lights could be increased around the Little League Park.

**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 7:05 p.m.

**CLOSED SESSION**

Of the three (3) items listed in the Closed Session, Item Nos. 1, 2, & 3, listed below were considered:

1. 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 and to which the City is a party - Claim of Fernando G. Canchola
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 and to which the City is a party - Claim of Pacific Gas & Electric Company
3. The City Council will recess to Closed Session pursuant to Government Code Section 54956.8 to give instructions to the City's real property negotiator concerning property located at APN #'s 022-221-004. Instructions to the negotiator will concern price, terms of payment and other relevant conditions. City Negotiator: Adela P. Gonzalez, City Manager.

**MEETING RECONVENED**

Mayor Ledesma reconvened the meeting from Closed Session at 7:50 p.m.

**CLOSED SESSION REPORTS**

With respect to item #1, City Attorney Rodriguez reported that the claim had been unanimously denied. No other reportable action taken.


With respect to item #2, City Attorney Rodriguez reported that the claim had been unanimously denied. No other reportable action taken.

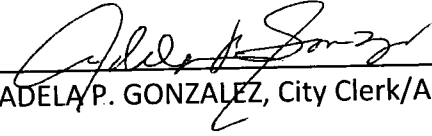
With respect to item #3, City Attorney Rodriguez reported that the City Council had provided direction to the City's Negotiator. No other reportable action was taken.

**ADJOURNMENT**

There being no other business to come before the Council/Agency, Mayor/Chair Ledesma adjourned the meeting at 7:51 p.m.

Approved: July 1, 2015.

  
FRED J. LEDESMA, Mayor/Chairman

  
ADELA P. GONZALEZ, City Clerk/Agency Secretary