

Minutes

City of Soledad Joint  
City Council/Successor Agency/Housing Authority of The City of Soledad  
Regular Meeting

March 2, 2016

**CALL TO ORDER**

Mayor Ledesma called the City Council/Successor Agency/ Housing Authority of the City of Soledad Meeting to order at 5:30 p.m.

**PLEDGE OF ALLEGIANCE** was led by Destiny Ramirez, Soledad High School Student

**PEACEBUILDERS' PLEDGE** was led by Destiny Ramirez, Soledad High School Student

**ROLL CALL**

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

Mayor/Chair	Fred 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**

Acting City Manager, Don Wilcox, requested the following modifications to the Agenda:

- Awards will be given to Soledad Lady Aztec's Soccer League
- Introduction of new Police Officer to Soledad, Chris Tyler.
- Adding a list of surplus items to Consent Item C-4
- Correction on Item B-2; General Municipal Election to be held on Tuesday, November 8, 2016, not on November 1, 2016 as originally noted.
- Adding a Closed Session item No. 3 – HMBY v. City of Soledad

**Action:** To accept presented additions and modifications to the agenda.

**Motion:** Councilmember Stephens made a motion to amend the agenda as noted above. Motion seconded by Councilmember Bourke and carried by the following vote:

Ayes:            Ledesma, Chavez, Bourke, Stephens  
Noes:            None.

Abstain: None.  
Absent: Perez

### **MAYOR/COUNCIL PRESENTATIONS**

- Awards were presented to Soledad Lady Aztec's Soccer Team and Coaches

### **MEETING RECESS**

Mayor Ledesma recessed Council Meeting at 5:50 pm for a time of socializing amongst the Team, family and Public and Council.

### **MEETING RECONVENED**

Mayor Ledesma reconvened Council Meeting at 5:54 pm

- Introduction of new Officer to Soledad, Chris Tyler.

### **PUBLIC COMMENT ON ITEMS NOT APPEARING ON AGENDA**

- Mrs. Stephanie Ashter, 1061 Santa Inez, Soledad/ 4 year resident regarding the city's new Noise Ordinance; She asked what can be done about animals disturbing people with ongoing barking?

Councilmember Stephens assured Mrs. Stephanie Ashter that she may call the non-emergency number regarding this matter.

### **MAYOR'S REPORT**

- Mayor Ledesma reported that he has received a call/complaint from a Local Business Owner very upset about vendors with no business license operating along the streets of Soledad. He suggests there needs to be a phone number put in place for business owners to be able to call to report such activity. Staff provided Code Enforcement Officer contact info for these types of complaints

### **COUNCILMEMBER ANNOUNCEMENTS AND REPORTS**

Mayor Pro Tem Chavez reported he attended T.A.M.C. meeting 02/24/2016 and an Executive T.A.M.C. meeting on 03/02/2016

Councilmember Stephens reported she had attended an MST meeting on 02/28/2016.

Councilmember Bourke reported that he attended an AMBAG meeting.

## **COUNCILMEMBER PRAISES**

Councilmember Bourke praised the Our Lady of Solitude Church Youth Group & Tri Cities for progress on Main St; they were responsible for picking up 268 lbs. of trash.

Mayor Pro Tem Chavez praised the Soledad High School Lady Aztec's Soccer Team and other city youth sports teams.

Mayor Ledesma praised the Visitor's Center and Liza Jo on its success. Also, the Y.M.C.A. for all of their labor and effort into the city's youth.

## **CONSENT CALENDAR**

**Council Action:** To adopt items C-1 through C-7 on the Consent Calendar.

**Motion:** Councilmember Stephens made a motion to adopt items C-1 through C-7 on the consent Calendar. Motion was seconded by Councilmember Bourke and carried by the following vote:

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

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

- a) Joint City Council/Successor Agency Regular Meeting Minutes of February 3, 2016

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

# 29200 - 29479

### **C-3. Resolution No. 5155, A Resolution of the City Council of the City of Soledad Approving an Amendment to the Interagency agreement with the Monterey County Health Department, Behavioral Health Crisis Negotiation Team and Authorizing the City Manager to Execute the Amendment**

### **C-4. Resolution No. 5156, A Resolution of the City Council of the City of Soledad declaring surplus equipment and authorizing the sale, donation or disposal of such property**

### **C-5. Resolution No. 5157, A Resolution of the City Council of the City of Soledad Approving an Agreement to conduct the Los Coches Business Park area Traffic Optimization Study and prepare a final report with TJKM Transportation**

Consultants, Inc., and Authorizing the City Manager to Execute said Agreement on behalf of the City of Soledad

**C-6.** **Resolution No. 5158**, A Resolution of the City Council of the City of Soledad Approving an Agreement with Consultant Angel Johnstone for the Implementation and Administration of the city's Community Development Block Grant (CDBG) Business Assistance Loan Program and Authorizing the City Manager to Execute the Agreement on behalf of the City of Soledad

**C-7** Receive and Accept City of Soledad Monthly Department Activity Reports

### **PUBLIC HEARING**

**PH-1** Consider Waiver of Second reading, Adoption and Reading by Title only of Ordinance No. 699, An Ordinance of the City Council of the City of Soledad Amending Chapters 9.09- Noise and 9.12-Outdoor use of Sound Equipment of Title 9-Public Peace, Morals and Welfare of the Soledad Municipal Code. The Public Hearing was opened for public comment. There being no public comment, the mayor closed the Public Hearing.

City Attorney Michael Rodriguez presented the Staff Report

**Council Action:** To adopt the Waiver of Second reading, Adoption and Reading by Title only of Ordinance No. 699, An Ordinance of the City Council of the City of Soledad.

**Motion:** Motion made by Councilmember Bourke, seconded by Councilmember Stephens and carried by the following vote:

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

**PH-2** **Resolution No. 5159**, A Resolution of the City Council of the City of Soledad certifying an Addendum to the final Environmental Impact Report – Miravale Partnership – Hambey Property (Bryant Canyon Channel Improvements) The Public Hearing was opened for public comment. There being no public comment, the mayor closed the Public Hearing.

Community Development Director Brent Slama presented the Staff Report

**Council Action:** To adopt Resolution No. 5159.

**Motion:** Motion made by Councilmember Stephens, seconded by Councilmember Bourke and carried by the following vote:

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

**BUSINESS**

**B-1** Visitor Center Annual Report

Craig Kaufman approached the Council and gave handouts of information about the Soledad Visitors Center. He also gave a verbal presentation stating the visitors Center has been in operation for one year and has had 1,400 visitors, 131 of which were international visitors. Liza Jo Duffy also gave a verbal presentation for the Visitors Center stating many Geologists visit the Pinnacles. She also gave special thanks to Graig Stephens with the Historical Society, Joe Gonzalez at the Y.M.C.A. and The Rotary, Soledad.

**Council Action:**

To receive and accept the Visitors Center Annual Report.

**B-2** Consider Authorizing Staff to Prepare a Resolution Submitting to the Qualified Electors of the City at the General Municipal Election to be Held on Tuesday, November 1, 2016 an Ordinance Regarding the Rate of the City's Transient Occupancy Tax and Provide Staff Further Direction in the Matter.

Acting City Manager, Don Wilcox noted the correction of the date for the General Municipal Election to be Held on Tuesday, November 8, 2016, not on November 1, 2016 as noted above.

**Council Action:**

To receive and accept the staff report presented, with noted change of the date.

**Motion:** Motion made by Councilmember Stephens, seconded by Councilmember Chavez and carried by the following vote:

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

**B-3** Receive and Accept by Minute Motion various South County YMCA reports

Joe Gonzalez, Executive Director, South County Y.M.C.A. gave a verbal and slide presentation.

**Council Action:**

To receive and accept various South County YMCA reports.  
No other action taken.

**Motion:** Motion made by Councilmember Stephens, seconded by Councilmember Bourke and carried by the following vote:

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

**B-4** **Resolution No. CSSHA-2016-01**, A Resolution of the Board of Commissioners of the Housing Authority of the City of Soledad (HACS) Authorizing the City Manager Adela P. Gonzalez, as Interim Executive Director of HACS, to Execute an Escrow Agreement by and Between the U.S. Department of Housing and Urban Development (HUD), HACS 9PHA), and Rabobank, N.A. (Escrow Agent) in order to facilitate Receipt of Payment against HACS Seller Take-Back Note from Monterey Affordable Housing , L.P. to HACS in the amount of \$496,537.00

Mark Hartunian, Economic Development/Housing Program Coordinator, presented the staff report.

He asked the Council to please strike out the first “Now Therefore” section on page 5 in the staff report; the section does not apply to this resolution and was inadvertently placed.

Councilmember Bourke did bring to question, since the item was in cooperation with the Housing Authority of the City of Soledad, did the meeting need to be closed and reopened referencing the time of discussion.

City Attorney Mike Rodriquez stated it did not.

**Council Action:**

To adopt Resolution No. CSSHA-2016-01 with noted changes to staff report.

**Motion:** Motion made by Councilmember Bourke, seconded by Councilmember Stephens and carried by the following vote:

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

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

- None.

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

Acting City Manager Don Wilcox polled Council regarding attending a special meeting on March 16 to consider approval of a draft Lease Option Agreement with Foundation WindPower, for a 2<sup>nd</sup> Wind Turbine facility at the Soledad WRF as discussed at the April 1, 2015 Council Meeting.

Mayor Ledesma said he was available  
Councilmember Bourke said he was available  
Councilmember Stephens said she was available  
Councilmember Chavez said he was available.

### **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 would like for staff to bring back to City Council some ideas on how to address the gambling at Vosti Park.
- Mayor Ledesma would also like to address having a phone number set up for Business Owners to be able to freely call and report vendors operating without a business License.

### **PUBLIC COMMENT ON CLOSED SESSION ITEM**

- None

### **CLOSED SESSION**

Mayor Ledesma recessed to Closed Session at 7:30 p.m.

**CLOSED SESSION ITEMS NO. 1, 2 and 3.**

1. The City Council /Successor Agency will recess to closed session pursuant to Government Code Section 54956.8 to give instruction to the City's real property negotiator concerning property located at APN No. 022-292-025, APN No. 022-292-026, and APN No. 022-292-029. Instructions to the negotiator will concern price, terms of payment and other relevant conditions. City/Successor Agency Negotiator: Adela P. Gonzalez, City Manager/ Executive Director.
2. 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.
3. 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.

**MEETING RECONVENED**

Mayor Ledesma reconvened from Closed Session at 8:30 p.m.

**CLOSED SESSION REPORTS**

The City Attorney reported that with respect to item #1, City Council conferred with legal counsel. No other reportable action was taken.

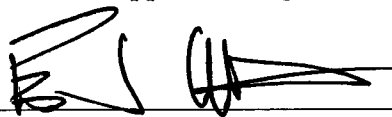
With respect to item #2, City Council conferred with legal counsel and provided direction. No other reportable action taken.

With respect to item #3, City Council received an update from staff. No other reportable action taken.

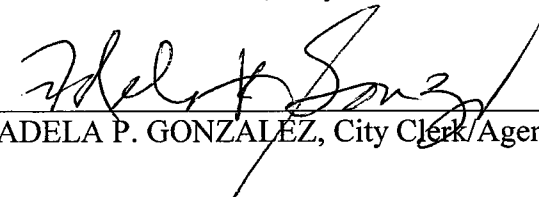
**ADJOURNMENT**

Mayor adjourned the meeting at 8:31 p.m.

Minutes Approved: April 6, 2016



FRED J. LEDESMA, Mayor/Chairman



ADELA P. GONZALEZ, City Clerk/Agency Secretary