

Minutes

City of Soledad Joint
City Council/Successor Agency
Regular Meeting

July 5, 2017

CALL TO ORDER

Mayor Ledesma called the City Council/Successor Agency Meeting to order at 5:36 p.m.

PLEDGE OF ALLEGIANCE was led by Donald Wilcox

PEACEBUILDERS' PLEDGE was led by Francine Uy

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 | Anna Velazquez (arrived at 5:40 p.m.) |
| Councilmember/Agencymember | Carla Stewart |

The Following Councilmember/Agencymember was absent when the meeting was called to order:

Councilmember/Agencymember Christopher Bourke

ADDITIONS/MODIFICATIONS TO THE AGENDA

- None

MAYOR/COUNCIL PRESENTATIONS

- None

PUBLIC COMMENT ON CLOSED SESSION ITEMS

- None

MEETING RECESSED

Mayor Ledesma recessed for Closed Session at 5:38 p.m.

MEETING RECONVENED

Mayor Ledesma reconvened from Closed Session at approximately 6:35 p.m.

CLOSED SESSION

1. The City Council of the City of Soledad will recess to closed session to meet with its designated representatives regarding labor relations matters pursuant to Government Code Section 54957.6. The employee organizations are the Soledad Police Officers' Association (SPOA), SEIU Local 521 General Unit and SEIU Local 521 Mid-Management Unit and Unrepresented employees.
2. The City Council will recess to closed session pursuant to Government Code Section 54957(b)(1)- City Manager Evaluation.
3. The City Council will recess to closed session pursuant to Government Code Section 54956.9(a)(d)(1) to confer with its attorney regarding pending litigation which has been initiated formally and to which the City is a party: Claim of Mercado.
4. The City Council will recess to closed session pursuant to Government Code Section 54956.9(a)(d)(1) to confer with its attorney regarding pending litigation which has been initiated formally and to which the City is a party: WC Claim of Gruss

CLOSED SESSION REPORTS

The City Attorney had reported that four items had been discussed.

With respect to item #1, the Council conferred with and provided direction to its representative/negotiator on labor matters. No other reportable action was taken.

With respect to item #2, the Council discussed the evaluation process and topics, instruction was provided to the City Attorney and staff on process. No other reportable action taken.

With respect to item #3, the Mercado claim was considered and denied unanimously. Direction was provided to the City Attorney. No other reportable action was taken.

With respect to item #4, the Workers Comp claim of Gruss was approved. No other reportable action was taken.

PUBLIC COMMENT

- None

MAYOR'S REPORT

- Mayor Ledesma reported that he attended the Mayor's Meeting last Monday in King City. Supervisor Simon Salinas talked about one of the big issues is the lack of mental health services in South Monterey County. They will be meeting again with other County Officials and the Health Department in Salinas later this month. Encourages the Council to share any of their ideas/thoughts to convey to Supervisor Salinas, he will pass it on.

COUNCILMEMBER ANNOUNCEMENTS AND REPORTS

- Councilmember Stewart reported that she attended the League of CA Cities Mayor & City Council Executive Forum and Leadership Workshop on June 28th, 29th and 30th and provided conference handouts to the City Council and City Manager Michael McHatten. On June 10th, she attended the Soledad High School Graduation and congratulates the Class of 2017. On June 14th she attended AMBAG, on June 21st attended the City Council Special Meeting and on June 22nd, she attended the Clean Air Leader Awards where the City of Soledad was recognized for reducing our energy usage by 8% at our City facilities, presented the Clean Air Leader Award. On July 1st she participated in a Ride-along with our Police Department and would like to give them kudos for being respectful and kind to our residents and also would like to thank our Animal Control Officer who was extremely busy going house to house, out citing people with fireworks.
- Mayor Pro Tem did not have any announcements or reports to make.
- Councilmember Velazquez reported that she attended the MST Board of Directors Meeting and the Human Resources Committee meeting on June 12th and reported that the Board approved the reduction in fares for the disabled which will begin in September. On June 21st she attended the City Council Special Meeting and on June 28th, 29th and 30th she also attended the League of CA Cities Mayor & City Council Executive Form and Leadership Workshop.

COUNCILMEMBER PRAISES

- Councilmember Velazquez praised the 4th of July Committee for their efforts in organizing the parade and festivities at the park
- Councilmember Stewart - none
- Mayor Pro Tem Chavez - none
- Mayor Ledesma praised the Little League Team (10 and Under TOC) who won the district championship. He would like to invite Coach Henry and the players for recognition at next month's City Council Meeting.

MAYOR/COUNCIL PRESENTATIONS

- None

CONSENT CALENDAR

Action: Mayor Pro Tem Chavez made a motion to adopt items C-1 through C-15 on the consent Calendar. Motion was seconded by Mayor Ledesma and carried by the following vote:

Motion

Ayes: Stewart, Chavez, Velazquez and Ledesma
Noes: None
Abstain: None
Absent: Bourke

C-1. Approval of Minutes

- a. Joint City Council/Successor Agency Regular Meeting Minutes of June 7, 2017
- b. Joint City Council/Successor Agency Special Meeting Minutes of June 21, 2017

C-2. Approval of Warrants

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- C-3. Resolution Nos. 5306 & 5307, Resolutions of the City Council of the City of Soledad Approving a Memorandum of Understanding between the City of Soledad and the Service Employees International Union – Local 521 Relating to the Mid-Management Unit for the Term of July 1, 2017 through June 30, 2019 and Approving a Memorandum of Understanding Between the City of Soledad and the Service Employees International Union – Local 521 Relating to the General Unit for the Term of July 1, 2017 through June 30, 2019 *(The involved contracts will be completed in final form in time for distribution at the Council meeting)*

- C-4. Street Closure of Main Street between Market and Monterey Streets on Sunday, August 13, 2017 for the 31st Annual Our Lady of Solitude Church Fiesta

- C-5. Resolution No. 5308, 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 \$451,795 for Streets Maintenance Projects and Authorizing the City Manager to Execute said Agreement on behalf of the City of Soledad

- C-6. Resolution No. 5309, A Resolution of the City Council of the City of Soledad Considering the Approval of Measure X Master Programs Funding Agreement between the Transportation Agency for Monterey County and the City of Soledad and Authorizing the City Manager to Execute Said Agreement on behalf of the City of Soledad

- C-7. Resolution No. 5310, A Resolution of the City Council of the City of Soledad Certifying Compliance with State Law with Respect to the Levy of General and Special Taxes, Assessments and Property-Release Fees and Charges for Fiscal Year 2017/2018

- C-8. Resolution No. 5311, A Resolution of the City Council of the City of Soledad Approving a Task Order with Harris and Associates in the Amount of \$38,980 for Construction Management and Inspection Services for the Well 6 Rehabilitation Project and Authorizing the City manager to Execute Said Task Order on Behalf of the City of Soledad

- C-9. Resolution No. 5312, A Resolution of the City Council of the City of Soledad Approving and Authorizing the City Manager to execute a "Direct Agreement" between the City, Foundation Windpower, LLC, Foundation HA Energy Generation, LLC, Foundation CA Fund VII Master Tenant, LLC, and Foundation CA Fund VII Owner, LLC, for the Benefit of ZB, N.A. dba National Bank of Arizona

- C-10. Resolution No. 5313, A Resolution of the City Council of the City of Soledad Approving a Contract Agreement Change Order #4 in an Amount Not-to-Exceed \$6,642.48 and Accepting the Construction of the Nestles Road Extension Project as Complete by Don Chapin Company, Inc., and Authorizing the Release of Retention Payment

- C-11. Resolution No. 5314, A Resolution of the City Council of the City of Soledad Approving a Consulting Services Agreement with ProUsys Technology Management, Inc., for Two Years of General On-Call Supervisory Control and Data Acquisition Support Services and Task Order No. 1 in the Amount of \$47,376 for On-Boarding Services
- C-12. Resolution No. 5315, A Resolution of the City Council of the City of Soledad Approving Participation in the Institute For Local Government's Recognition Program, the Beacon Program
- C-13. Resolution No. 5316, A Resolution of the City Council of the City of Soledad Declaring Surplus Equipment and Authorizing the Sale, Donation or Disposal of Outdated and Obsolete X-26 Tasers and their Accessories
- C-14. Consideration of a Resolution of Support for the Pinnacles Gateway Partners
- C-15. Receive and Accept City of Soledad Monthly Department Activity Reports

PUBLIC HEARING NO. 1

- Receive the Staff report
- Open the Public Hearing 7:04 p.m.
- Close the Public Hearing 7:05 p.m.
- Council Action

Zoning Ordinance Amendment 2017-02 - Consideration of a request by Juvencio Chavez and Delicia's Bakery located at 836 Monterey Street, Soledad, CA 93960 to Amend the Downtown Specific Plan to Permit the Sale of Off-Site Beer and Wine at the Premises

Community and Economic Development Director Brent Slama presented the Staff Report.

Councilmember Velazquez made a public disclosure that she was contacted by a member of the family in terms of a denial letter they received. She interpreted what the letter said in regards to the City's position. She would like amended language to be made clear.

The Public Hearing was opened. There being no Public comment, Mayor Ledesma closed the Public Hearing.

Council Action: Accept Planning Commission's recommendation to allow Delicia's Bakery to be grandfathered in to obtain off-site permit and direct staff to come up with appropriate language.

Motion: Motion made to provide Staff direction by Mayor Pro Tem Chavez, Seconded by Councilmember Stewart and carried by the following vote:

Ayes: Ledesma, Chavez, Stewart and Velazquez
Noes: None
Abstain: None
Absent: Bourke

PUBLIC HEARING NO. 2

- Receive the Staff report
- Open the Public Hearing 7:35 p.m.
- Close the Public Hearing 7:36 p.m.
- Council Action

Resolution Nos. 5318, 5319, 5320, 5321 & 5322, Resolutions of the City Council of the City of Soledad Ordering the Levy and Collection of Assessments within the Diamond Ridge Benefit Assessment District No, 1 (Miravale I), the Diamond Ridge Parks and Open Space Maintenance Assessment District No. 1 (Miravale I), the Parks and Open Space Maintenance Assessment District No. 1, Orchard Villas/Miravale II, the Benefit Assessment District No. 2, Orchard Villas/Miravale II, and the Rancho San Vicente Parks and Open Spaces Maintenance Assessment District

Public Works Director Don Wilcox presented the Staff Report.

City Attorney Mike Rodriguez discussed how conflicts of Districts would be handled among Council.

Councilmembers Chavez and Stewart stated on record that they had a conflict with Resolutions 5318 and 5319 since they both reside within the Diamond Ridge Subdivision in which the involved Benefit and Parks and Open Space Assessment Districts are located. However, in order to take action on the resolutions, which was necessitated by the need to approve the involved assessments in time to have the same transmitted to the County Assessor's Office by no later than August 1, one of the conflicted council members was required to participate in the proceedings in order to have a quorum of three vote on the matter. Councilmember Chavez was chosen by lot to participate, while Councilmember Stewart recused herself.

- (a) Resolution No. 5318, Ordering the Levy and Collection of Assessments within the Diamond Ridge Benefit Assessment District No. 1 (Miravale I) for Fiscal Year 2017/2018.
- (b) Resolution No. 5319, Ordering the Levy and Collection of Assessments within the Diamond Ridge Parks and Open Space Maintenance Assessment District No. 1 (Miravale I) for Fiscal Year 2017/2018.

The Public Hearing was opened. There being no Public comment, Mayor Ledesma closed the Public Hearing.

Council Action: To adopt Resolution No. 5318 and 5319

Motion: Motion made to adopt by Councilmember Velazquez, Seconded by Mayor Ledesma and carried by the following vote:

Ayes: Ledesma, Chavez and Velazquez
Noes: None
Abstain: Stewart
Absent: Bourke

- (c) Resolution No. 5320, Ordering the Levy and Collection of Assessments within the Parks and Open Space Maintenance Assessment District No. 1, Annexation No. 1, Orchard Villas/Miravale II for Fiscal Year 2017/2018.
- (d) Resolution No. 5321, Ordering the Levy and Collection of Assessments within the Benefit Assessment District No. 2, Orchard Villas/Miravale II for Fiscal Year 2017/2018.
- (e) Resolution No. 5322, Ordering the Levy and Collection of Assessments within the Rancho San Vicente Parks and Open Spaces Maintenance Assessment District for Fiscal Year 2017/2018.

Council Action: To adopt Resolution No. 5320, 5321 and 5322

Motion: Motion made to adopt by Mayor Pro Tem Chavez, Seconded by Councilmember Stewart and carried by the following vote:

Ayes: Ledesma, Chavez, Stewart and Velazquez
Noes: None
Abstain: None
Absent: Bourke

BUSINESS

B-1. Consideration of an Appointment to the Planning Commission

Community and Economic Development Director Brent Slama presented the Staff Report. No applications to consider at this time.

Council Action:

No action taken.

B-2. Review of the Current City of Soledad Inclusionary Housing Ordinance

Community and Economic Development Director Brent Slama presented the Staff Report.

- Councilmember Stewart made a request to have this item continued to the August or September meeting when we have a full Council.
- Mayor Pro Tem suggested we take a look at what the City of Salinas recently did on how affordable housing should be done.
- Councilmember Velazquez also suggested we take a look at the City of Salinas' Technical Advisory Committee and analyze the benefits of forming a committee.

Council Action:

No action taken.

B-3. Resolution No. 5323, A Resolution of the City Council of the City of Soledad Approving an Agreement for Construction Services with Nor-Cal Pump & Well Drilling, Inc. in an Amount Not-to-Exceed \$159,964 for the Well #6 Rehabilitation Project and Authorizing the City Manager to Execute Said Agreement on Behalf of the City

Public Works Director Donald Wilcox presented the Staff Report.

Council Action: To adopt Resolution No. 5323

Motion: Motion made to adopt by Councilmember Stewart, Seconded by Councilmember Velazquez and carried by the following vote:

Ayes: Ledesma, Chavez, Stewart and Velazquez
Noes: None
Abstain: None
Absent: Bourke

COUNCILMEMBER'S COMMITTEE REPORTS

- None

CITY MANAGER'S REPORT

City Manager McHatten provided a verbal update. He reported that he attended a meeting with the School District on July 5th. On June 26th he attended the South Valley Mayors and City Managers meeting and met with Anna Caballero. At that meeting they discussed CalGrip and AB-1 funding.

COUNCILMEMBER'S ITEMS AND FUTURE AGENDA ITEMS

Councilmember Velazquez had three items:

1. She would like an update on the progress of the City's website
2. She would like a report back on the status of Council's Goals
3. She would like Staff and Council to consider a change in the Council meeting time to a later time and possibly adding an additional meeting each month.

Councilmember Stewart had two items:

1. She would like to possibly amend the firework ordinance before next 4th of July. Possibly have additional meetings to educate the public.
2. The Chamber is currently looking for office space and would like to perhaps have the Chamber and Visitor's Center work together.

Mayor Pro Tem Chavez had two items:

1. He would like Council to receive an update on the theatre and the ARCO station.
2. He would like to have the fireworks citation stats printed on the water bills as well as the stats on the number of homeowners who were educated on the fireworks.

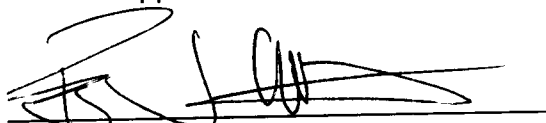
Mayor Ledesma had one item:

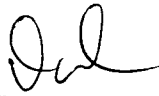
1. He would like to recognize Tim Vanoli, new Superintendent at the Soledad Unified School District, at the August City Council meeting.

ADJOURNMENT

Mayor adjourned the meeting at 8:09 p.m.

Minutes Approved: August 2, 2017


FRED J. LEDESMA, Mayor/Chairman



MICHAEL MCHATTEN, City Clerk/Agency Secretary

