

## Minutes

City of Soledad Joint  
City Council/Successor Agency  
Regular Meeting

April 4, 2018

### CALL TO ORDER

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

### 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	Carla Stewart

### THE FOLLOWING COUNCILMEMBERS WERE ABSENT

Councilmember/Agencymember	Anna Velazquez
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### PUBLIC COMMENT ON CLOSED SESSION ITEMS

- None

### MEETING RECESSED FOR CLOSED SESSION

Mayor Fred Ledesma recessed to Closed Session at 5:31 p.m.

### MEETING RECONVENED

Mayor Fred Ledesma reconvened from Closed Session at approximately 6:03 p.m.

### CLOSED SESSION REPORTS

1. The City Council will recess to closed session pursuant to Government Code Section 54956.8 to give instructions to the City's negotiator regarding the sale/lease of property located at Assessor Parcel Number 257-081-022. Instructions to the negotiator may concern price and terms.

2. The City Council will recess to closed session pursuant to Government Code Section 54956.8 to give instructions to the City's negotiator concerning the purchase of property located at Assessor Parcel Number's 022-093-001 and 022-141-017. Instructions will include price and terms of payment.
3. The City Council will recess to closed session pursuant to Government Code Section 54956.8 to give instructions to the City's negotiator concerning the purchase of property located at Assessor Parcel Number 183-011-015. Instructions will include price and terms of payment.
4. The City Council will recess to closed session pursuant to Government Code Section 54956.8 to give instructions to the City's negotiator concerning the purchase of property located at Moranda Road (Assessor Parcel Number 257-091-011). Instructions will include price and terms of payment.
5. 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 whether to initiate litigation.

City Attorney Michael Rodriquez reported that Council was only able to discuss items 1 and 2. Council will be going back into closed session later in the meeting to discuss items 3, 4, and 5.

The City Attorney Michael Rodriquez reported that with respect to item #1, direction was given to staff to bring back additional information.

With respect to item #2, instructions were provided to the City's negotiators. No other reportable action was taken.

**PLEDGE OF ALLEGIANCE** was led by Alejandro Chavez

**PEACEBUILDERS' PLEDGE** was led by Chris Bourke

### **ADDITIONS/MODIFICATIONS TO THE AGENDA**

City Manager McHatten requested the following modifications to the Agenda:

- Move item B-2 after public comment
- Move item B-1 after item PH-1

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

**Motion:** Councilmember Stewart 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, Stewart  
Noes: None.  
Abstain: None.  
Absent: Velazquez

### **MAYOR/COUNCIL PRESENTATIONS**

1. Certificate of Recognition for the Soledad High School Girls Varsity Basketball 2017-2018 MTAL Championship
  - Awards were presented to the Soledad High School Girls Varsity Basketball Team and Coaches

### **PUBLIC COMMENT**

- Ms. Pauline Tomasini, 37400 Metz Rd., Soledad, came to bring awareness to the Council and the City of Soledad of the money that is needed to have 4<sup>th</sup> of July fireworks. A \$9,000 deposit should have been submitted to Pyrotechnics for the firework show as of today's date, April 4, 2018. She would hope that the City will help financially.
  - City Manager Michael McHatten added that if the City is going to vote to include any funds from the City, the next meeting is May 2<sup>nd</sup> for that vote to take place.
- Mr. Carlo Deleon, 435 Calcagno St., King City. Mr. Deleon recently moved here from Lake Charles, Louisiana, to take on the position of the Safety and Security Manager of the Lowe's that has just opened up in Salinas. He has also been asked to be a part of the South County YMCA Board of Directors. He has come to introduce himself to the Community Members and offer his time, talent and treasures.

### **BUSINESS**

- B-2 \*Consider Adoption of Resolution No. 5388/SA-2018-01, A Resolution of the City Council of the City of Soledad, Acting as the Successor Agency to the Soledad Redevelopment Agency, Authorizing a Reduction in the Term of the "Resale Restriction Agreement and Option to Purchase" on Homes in the Rancho San Vicente Residential Subdivision and Authorizing CHISPA to Assume Administration of the Restriction

City Attorney Michael Rodriguez presented the staff report.

Alfred Diaz-Infante, President and Chief Executive Officer of CHISPA came to represent the families that live in the Rancho San Vicente Subdivision. Mr. Diaz-Infante spoke in support of the Resolution No. 5388/SA-2018-01

**Action:** Councilmember Bourke made a motion to adopt item B-2, Motion was seconded by Mayor Pro Tem Chavez and carried by the following vote.

**Motion:**

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

**MEETING RECESS**

Mayor Ledesma recessed Council Meeting at 6:43 p.m. for a time of socializing amongst the Team, family and Public and Council.

**MEETING RECONVENED**

Mayor Ledesma reconvened Council Meeting at 6:47 p.m.

**MAYOR'S REPORT**

- Mayor Ledesma announced that there would be a celebration on Saturday, April 7<sup>th</sup>, to reopen Gallardo Park.

**COUNCILMEMBER ANNOUNCEMENTS AND REPORTS**

- Councilmember Bourke reported that on 03/14/18 he attended the Salinas Valley Solid Waste Authority meeting. He added that he will be missing the Gallardo Park reopening celebration because he would be attending a teacher's conference in Los Angeles.
- Councilmember Stewart reported that on 03/02/18 she participated in the "Read Across America Celebration." On 03/12/18 she attended the MST Board of Directors meeting on behalf of Councilmember Velazquez. On 03/14/18 she attended the AMBAG meeting. On 03/15/18 she attended the ASIS International San Francisco Bay Area Chapter Distinguished Service awards ceremony, where Officer Tinay was honored with the Community Policing award. On 03/15/18 she attended the Rotary Reverse Draw.
- Mayor Pro Tem Chavez reported that he attended the Reverse Draw event on 03/15/18. He also attended the County of Monterey's event regarding the Cannabis monies being distributed.

**COUNCILMEMBER PRAISES**

- Councilmember Stewart praised Ms. Rosie Barroso from Girls, Inc. who has won a \$20,000 scholarship. She also praised Main Street Middle School student Megan Saquat for taking 2<sup>nd</sup> place in the County wide spelling bee. She also announced that April 14<sup>th</sup> is

the City of Soledad's low cost vaccination clinic. She also praised the SPCA for their prompt investigation and arrest of the suspect in regards to the animal cruelty case.

- Councilmember Bourke praised Pauline Tomasini for time and dedication to the community. He also praised Officer Tinay for receiving the Community Policing award.
- Mayor Pro Tem Chavez praised the South County YMCA for their basketball season. They ended their season at the All-Star tournament. He also praised the Little League for their start of the new season. He praised the City and staff for the wonderful job that has been done with the little money in this community.
- Mayor Fred Ledesma praised the Little League and the Recreation District. He feels very excited that the new complex built has two girls softball diamonds and one little league field. He praised the coaches here in Soledad, for their patience and time. He praised staff, Michael McHatten, Donald Wilcox and Brent Slama for doing an excellent job in putting the facility together. He is also very excited about the future Hartnell project.

## **PRESENTATIONS**

- Ms. Katy Castagna with United Way presented highlights of the 2-1-1 program.
- General Manager Patrick Mathews with Salinas Valley Recycles presented a presentation regarding Salinas Valley Solid Waste Authority – China's ban on recycling and how it's impacting our local communities.
- Soledad Police Chief Eric Sills presented information regarding Fourth of July. He explained the Police Department will increase enforcement in the days leading up to the 4<sup>th</sup> and even after, a total of 6 days. There will be marked cars and unmarked cars patrolling. The officers will not be able to confiscate any fireworks. The officers will be able to give a citation. Chief Sills was able to ask Chief of Police of Hollister, Chief Carlos Reynoso. Chief Reynoso said the fines in Hollister start at \$1,000 and can go up to \$5,000. Also, if they see fireworks from a certain home, the police do hold the homeowner accountable for the fireworks violation. Hollister Fire Department pairs up with the law enforcement, which adds to those looking for illegal fireworks in the City. He also said that the violators have an opportunity to have an Administrative Hearing before the Code Enforcement Officer and the Officer is able to work out a payment structure for the citation or for reducing the citation.

## **CONSENT CALENDAR**

**Action:** Items C-8 was pulled for separate discussion and presentation by Councilmember Bourke. Councilmember Stewart asked for minor corrections to be made to C-1a and C-4 and she would like to pull C-2 for separate discussion. Bourke made a motion to adopt items C-1a through C-9, with the minor corrections of items C-1a and C-4 and also adding wording to item

C-8, the draft EIR letter. Motion was seconded by Mayor Pro Tem Chavez and carried by the following vote.

**Motion:**

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

**C-1 Approval of Minutes**

- a. Joint City Council/Successor Agency Regular Meeting Minutes of March 7, 2018
- b. Joint City Council/Successor Agency Special Meeting Minutes of March 21, 2018

C-3 Resolution No. 5382, A Resolution of the City Council of the City of Soledad to Approve and Support Proposition 69 on the June 2018 Ballot to Preserve Transportation Funding and Opposing Efforts to Repeal the Road Repair and Accountability Act of 2017. (SB 1)

C-4 Resolution No. 5383, A Resolution of the City Council of the City of Soledad to Approve and Support Proposition 68, The California Drought, Water, Parks, Climate, Coastal Protection and Outdoor Access for All Act of 2018.

C-5 Resolution No. 5384, A Resolution of the City Council of the City of Soledad to Accept a List of Projects Funded by SB 1: The Road Repair and Accountability Act for Fiscal Year 2018/2019.

C-6 Resolution No. 5385, A Resolution of the City Council of the City of Soledad Accepting the Deed of Easement for Public Street and Pedestrian Purposes as Part of the Improvement Requirements of the Main Street Middle School Developments.

C-7 Resolution No. 5386, A Resolution of the City Council of the City of Soledad Authorizing the City Manager to Submit an Application for Financial Assistance Through the California Disaster Assistance Act.

C-9 Receive and Accept City of Soledad Monthly Department Activity Reports

**Item C-2 Approval of Warrants**

# 035229 – 035443

Councilmember Stewart pulled this item for separate discussion. While reading the warrants she noticed that there were no warrants for the SPCA, but there was almost \$8,000 in warrants for Veterinary emergency services.

Chief Sills responded to Councilmember Stewart.

He said that Soledad had a hoarding case on December 27, 2017. Twenty-eight dogs were found at the home through search warrant and 10 of those dogs needed medical attention. The Soledad Police department did need to pay that bill but they have submitted paperwork for restitution of that bill.

**Item C-8 Approve Comment Letter from the City of Soledad to the Monterey County RMA-Planning Department in Response to the Public Review Draft Recirculated EIR for the Paraiso Hot Springs Resort Project.**

Councilmember Bourke pulled this item for separate discussion. His question is why is there no mention of a price for the restitution for the removal of the historic cottages and he would like to know the reasoning for not putting a price.

Community and Economic Development Director Brent Slama presented the staff report.

Councilmember Bourke would like stronger language be put into the letter.

Mayor Ledesma added that Soledad will be directly impacted by this project but has never been contacted by the Supervisor, his staff or the County of Monterey. We have never been asked our opinion regarding this project.

Mayor Pro Tem Chavez would like Tax revenue sharing language be added to the letter.

**PUBLIC HEARING**

- Receive the Staff report
- Open the Public Hearing at 8:47p.m.
- Close the Public Hearing at 9:02p.m.
- Council Action

1. Ordinance No. 716, An Ordinance of the City Council of the City of Soledad Amending Provisions of Chapter 5.36- Cardrooms of the Soledad Municipal Code Modifying Limitations on Games Played and Betting Limits.

City Attorney Michael Rodriguez presented the staff report. Tammy Massa, Owner of the Pinnacle Casino Bar and Grill and her staff were present and available to answer questions.

#### **Council Discussion:**

- Mayor Pro Tem Chavez thought there was already a list of games allowed by the State of California.
  - City Attorney Michael Rodriguez said the cardroom operator would need to submit an application for each game that you want to have in your approved, pursuant under the Gambling Control Act.
- Councilmember Bourke asked if there would be any provisions for big winners leaving the casino.
  - Ms. Massa said security staff often walks people to their car. Staff will even go get their car for them.
- Councilmember Stewart asked if the Pinnacle Casino has already applied for the Alcohol permit and also does the casino have an emergency Exit and would the Police be doing checks on the bar. She is concerned that once the betting limit is increased, people will know that the business will have more cash on-hand and that there is only one armed security guard.
  - Ms. Massa said that the business has applied for the alcohol license, but the poster notice to the public needs to remain on the door of the building for 30 days before moving forward. She said there is a back door to the building that is an emergency exit, but only an exit, the door cannot open from the outside, only the inside.
  - Chief Sills said that the police would be doing checks. Officers have already been to the business to look around.
  - Mr. Jeremy Cantu, security at the Casino said that currently there is only one armed security guard in the morning and at night, but with the increase with the bar. In line with the Ordinance, the Chief of Police would be able to direct the Security department in if there needs to be more security.
- Councilmember Stewart said that she is fine with the Ordinance but would like to revisit everything in six months. At that time she would like to see statistics from the police department if there has been an increase in that area.
- Chief Eric Sills would like to know what provision would be done for people leaving the Casino walking home.
  - Mr. Jeremy Cantu said that there is possibility of reaching out to a taxi service and also there are 25 surveillance cameras around the area, so security staff would be able to see people leaving up to a point.
- Chief Sills asked if the Police Department would be able to have access remotely to the Casino security system.

- Ms. Tammy Massa said the police can absolutely have access to the security system.
- Councilmember Bourke asked if it is possible to restripe the curb in front of the business for “Taxi only”, so there would be a guaranteed spot for a taxi to park.
  - Public Works Director Don Wilcox said that the spot would need to be assessed to see if it displaces an ADA spot and also the owner must be willing to give up front parking spaces for that purpose.
- Councilmember Stewart feels that it will be key for the Pinnacle Bar and Casino to be active in the community and so the public can see that there are rules in place and the business is reputable, working with the police and surveillance cameras in place.
- City Attorney Michael Rodriguez asked what games are currently being played currently at the Casino.
  - Mr. Jeremy Cantu said that the games being played are 21<sup>st</sup> Century Black Jack, Texas Holdem, 2 forms of Pagani, 5 Card Draw (Mexican Poker).
  - Mr. Cantu said that the Department of Justice did come and audit the location. They did a thorough audit of regulations and Policy and Procedures. They also shared business practices and accounting practices. They did pass that audit.

#### Public Comments:

- Ms. Tammy Massa, Owner of 955 Front Street introduced the staff at Pinnacle Casino Bar and Grill; General Manager Jeremy Cantu, Armed Security Guard Adam, Floor and Chip Manager Darcy. She thanked the Council for working with them and giving the issue attention. She was happy that they will be getting to apply for approval to play the games in the casino that people want to play. They are happy to be able to start the process. She added that she would really appreciate moving forward with the betting limits
- Mr. Jeremy Cantu introduced himself. He is the General Manager of Pinnacle Casino Bar and Grill. His experience is that he was Shift Manager at Bankers Casino in Salinas, General Manager at Paso Robles Casino, Paso Robles, CA. and also Shift Manager at Aviator Casino in Delano, CA. He is licensed by the California Gaming commission. He has gone through a Department of Justice background check of finances. He has never gone to jail. He added that he appreciates the time that Council is taking to look over the games and the bet limit. They have been conducting business with only the hundred dollar limit and they have lost business because of the betting limit, but have continued to follow the rules of the betting limits. Section C states has information about the betting limits, he and other staff visited other casino’s in Salinas and Marina and they were allowed to play 4 or 5 hands as long as they did not go over the betting limits, but this is not possible at their place of business. He asks that Section C be taken out of the Ordinance because this is causing the Pinnacle Casino Bar and Grill to lose money because people cannot play the hands they can play at other local casino’s.
- Councilmember Bourke clarified that Mr. Cantu is asking the Council to remove in section 5.36.034, C.

- Mayor Ledesma commended the team of employees and feels the establishments is very nice. It is not good that the past owner/business had a very bad operation and had a very bad reputation, but this new establishments will get past that and people will begin to see what a nice place the business it.
- Mayor Pro Tem Chavez asked how long the process of changing the betting limits will take.
  - City Attorney Michael Rodriguez said that both himself and Chief Eric Sills will be in contact with Pinnacle Casino Bar and Grill and the betting limits should be able to be set at the May Regular Council meeting.
- Justin from King City came and spoke in support of Pinnacle Casino Bar and Grill.

**Council Action:**

To adopt Ordinance No. 716

**Motion:**

Motion made to adopt Ordinance No. 716 with the deletion of C1 by Councilmember Bourke, Seconded by Mayor Pro Tem Chavez and carried by the following vote:

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

**BUSINESS**

- B-1** Resolution No. 5387, A Resolution of the City Council of the City of Soledad Approving a Contract for Construction Services with Granite Construction Company in an Amount Not-to-Exceed \$697,697.00 for the Metz Road Traffic Calming Project and Authorizing the City Manager to Execute Said Contract on Behalf of the City of Soledad.

Public Works Director Don Wilcox presented the staff report.

**Council Action:**

To adopt Resolution No. 5387

**Motion:**

Motion made to adopt Resolution No. 5387 by Councilmember Stewart, Seconded by Councilmember Bourke and carried by the following vote:

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

**MEETING RECESS**

Mayor Ledesma recessed Council Meeting for a short break at 9:13 p.m.

**MEETING RECONVENED**

Mayor Ledesma reconvened Council Meeting at 9:18 p.m.

**STUDY SESSION NO. 1**

1. Study Session to Review, Discuss and Provide Direction From the City Council for the Long Term Use of the Museum Building.

City Manager Michael McHatten presented the staff report.

Craig Stephens commented on behalf of the museum. He presented a computer generated drawing of plans for the museum. The Historical Society has been trying very hard to meet the requirements of a matching grant opportunity called the California Small Museum Grant. This particular grant is looking for small museums that serve under privileged areas and works with schools.

Councilmember Bourke clarified;

1. They would like to get the lease on the museum building extended.
2. They would like to have the property in the back of the museum.
3. They would like a longer termination clause because three months is not enough and they would like another 15 years added onto their lease.

Mayor Ledesma voiced his concerns:

1. He is concerned with the age of the group. All of the members are older in age and he fears when Mr. Stephens can't do this anymore, who would continue the museum? There are no younger members.
2. The age of the building is a concern. In the foreseeable future the building will need a lot of money to restore and repair.
3. He feels that there are other uses for the property, if it was available. He feels the museum building project is not a viable project.

Mayor Pro Tem Chavez said that if the City is interested in moving forward with this then the Council needs to partner with the museum to go after the grant and support them to be able to get the grant. He said the City needs to be flexible and make sure that the City can help and would need to make sure that the language of the contract is correct. There should be an escape clause in the contract in case there ever comes a time when the Historical Society does not have the members to help run it.

Craig Stephens pointed out that the grant does require a match. The Historical Society can make the match on their own and they do not expect any money from the City.

Councilmember Stewart agrees with Councilmember Bourke in that she hopes the contract can have the 15 years plus 1 year with the termination clause. She feels the museum is very important and does very important work in the community.

Both Mayor Ledesma and Mayor Pro Tem Chavez are also agreeable to have the contract have the 15 years plus 1 year with the termination clause.

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

- None

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

City Manager Michael McHatten reported that the Council has his report; a few highlighted items are:

1. Staff had a conference call with Taussig to discuss community outreach plans based on the survey data. Taussig has provided a draft marketing plan. Staff is now waiting to schedule a conference call to talk about that plan and see how the City can make that work.
2. The Council needs to reschedule the joint meeting with the School Board. Tim Vanoli is now polling the School Board and the high school for the date for the space.
3. April 7<sup>th</sup> at 11:00 a.m. will be having the Grand Opening of Gallardo Park.
4. He said he has had preliminary discussions with CalFire regarding an update to their current contract. This should be going before the Council in May.
5. Staff is working on the final touches of the Master Fee schedule and the TOT audit.

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

- Mayor Pro Tem Chavez has three items:
  1. He would like to have a study session with Hartnell to look at the planned campus. He realizes there is a design group, but Council would like to also see what is being planned.
  2. He would like to know the possibility of bringing healthcare to the Council.
  3. He would like to know if the Council meeting can close in memory and honor of Martin Luther King Jr. since today is the 50<sup>th</sup> anniversary of his death.
- Councilmember Bourke has two items:
  1. United Way 2-1-1 is asking for a donation; the City normally gives one thousand towards the program, but they are asking for five or six thousand this time.

2. Pauline Tomasini also asked for money for the 4<sup>th</sup> of July Fireworks.

- Councilmember Stewart has seven items:
  1. She would like Council to invite and recognize the Main Street Middle School student, Megan Saquat for taking 2<sup>nd</sup> place in the County wide spelling bee.
  2. She would also like to invite and recognize Rosie Barroso from Girls, Inc. who has won a \$20,000 scholarship.
  3. Will the homes behind Foods Co. remain? There is a big drug issue and parvo (Canine Parvovirus disease) issue with the animals at that location.
  4. She would like to know if there were any updates in regards to the hit and run of Mr. Rafael Monarres Cardenas that took place on San Vicente Road. If there have been no updates she would like the information to be posted again on the Police Department's Facebook page.
  5. She would like to know how individuals can be nominated to serve on the Centennial committee.
  6. The DA's office and the Monterey County Rape Crisis Center has just put out new posters regarding human trafficking. She asked is the City can get copies of the posters and hang the posters on the back of bathroom stalls inside of our local fast food restaurants.
  7. The MST Taxi-voucher program has no South County location for the voucher distribution. She asked and was told there is no local taxi company that has gone through the permitting process to be a part of the program. She would like to know if the South County City Managers can come together and reach out to the South County taxi companies to see if any of them would want to be a part of the program.
  
- Mayor Fred Ledesma has two items:
  1. He would like to discuss further the lot on Soledad Street.
  2. He also really likes the new stop light.

### **MEETING RECESSED FOR CLOSED SESSION**

Mayor Fred Ledesma recessed to Closed Session at 9:50 p.m.

### **MEETING RECONVENED**

Mayor Fred Ledesma reconvened from Closed Session at approximately 10:24 p.m.

### **CLOSED SESSION REPORTS**

The City Attorney Michael Rodriguez reported that with respect to item #5, Council conferred with its attorney. No other reportable action taken.


The City Attorney Michael Rodriguez reported that with respect to item #4; item 4 was pulled and there was no discussion or consideration regarding the matter.

The City Attorney Michael Rodriguez reported that with respect to item #3, Council conferred with its negotiator and provided direction. No other reportable action taken.

**ADJOURNMENT**

Mayor Ledesma adjourned the meeting at 10:26 p.m.

Minutes Approved: May 2, 2018



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FRED J. LEDESMA, Mayor/Chairman



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MICHAEL MCHATTEN, City Clerk/Agency Secretary