

**Minutes**

City of Soledad Joint  
City Council/Successor Agency  
Regular Meeting

**April 15, 2020**

**CALL TO ORDER**

Mayor Ledesma called the City Council/Successor Agency Meeting to order at 5:33 p.m.

**ROLL CALL**

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

\*Due to COVID-19 all Councilmember's Participated in the meeting by conference call.

Mayor/Chair	Fred Ledesma
Mayor Pro Tem/Vice Chair	Alejandro Chavez
Councilmember/Agencymember	Marisela Lara
Councilmember/Agencymember	Anna Velazquez
Councilmember/Agencymember	Carla Strobridge Stewart

**THE FOLLOWING COUNCILMEMBER WAS ABSENT**

- None

**PUBLIC COMMENT ON CLOSED SESSION ITEMS**

- None

**MEETING RECESS FOR CLOSED SESSION**

- 5:34 p.m.

**MEETING RECONVENED**

- 5:50 p.m.

### **CLOSED SESSION ITEMS**

City Attorney Mike Rodriguez reported that by way of an earlier amendment item 2 of the closed session was taken off.

1. The City Council will recess to closed session pursuant to Government Code Section 54956.9(a)(d)(1) to confer with its attorney regarding litigation which has been formally initiated: JVKS Harvest Solutions, LLC, et al. v. City of Soledad.

### **CLOSED SESSION REPORTS**

City Attorney Mike Rodriguez reported that by way of an earlier amendment item 2 of the closed session was taken off.

1. City Attorney Michael Rodriguez reported with respect to item 1, the council conferred with its attorney regarding litigation which litigation which has be initiated by JVKS Harvest Solutions verses the City of Soledad. There was just discussion, no formal action taken. No other reportable action taken.

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

### **PEACEBUILDERS' PLEDGE**

- None

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

- None

### **PUBLIC COMMENT**

- None

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

City Manager Michael McHatten presented a verbal report and provided a written PowerPoint report of the presented information which was presented through Zoom.

Results of the Employee Satisfaction survey have been received. The Employee engagement score is +8 which is a positive score. The Direct Supervisor Effectiveness score is at 78% which is 10% above benchmark. Summary points are at 98% participation from the employees. The one person that did not take the survey did not take it because he was out having had surgery. The survey shows that employees are positive about the mission, ethical and safety practices of the City. Initial recommendations are to create a quarterly or bi-annual newsletter which would highlight services and outstanding performances and organize an employee focus group which is something that is already being done daily at 11:00 a.m.

Mayor Pro Tem Chavez said that the results look good overall. The question and result that stood out to him was "Am I likely to stay with the City of Soledad my entire career?" the result was 65%, which does not seem horrible, but he would like to see that number come up. He would like people to feel like they could stay with the City of Soledad their whole career.

City Manager McHatten replied to Mayor Pro Tem Chavez's concern.

Please look at this question being asked as the based on the employees' entire time of being here. One thing in conversation with George from Beyond Feedback; there is a low score from employees regarding employee evaluations and this score is based on the employees entire time with the City which includes the past ten years and many people had not been evaluated for 10 years. When employees are not evaluated there is no way to engage employees and help them improve.

Councilmember Velazquez said that she would really like to stress the importance on recognizing staff and supporting staff.

Mayor Fred Ledesma said that he knows that it is very important that employees continue to feel engaged and supported. They should feel recognized for the work that they are doing daily.

Councilmember Lara asked how many employees responded to the survey?

City Manager Michael McHatten responded and said every employee except for one responded to the survey. The one employee did not respond to the survey because he was out due to having surgery. Once final data is received more details can be discussed.

Councilmember Velazquez had questioned regarding the County Emergency Operations Center; she said there are phone calls that take place during the week and she wanted to know if there is someone who has been designated to be on each of those calls that take place during the week? She said that she has been on a few of those calls and noticed that Soledad had no participation in the calls. Another item that is reviewed is a report from the County and she would like to know if that report can be linked to the website so the public can have greater access to the report from the county.

City Manager McHatten said that either himself or Chief Wasson has participated in the calls twice a week, the call has never been missed. The County was sharing minutes from the meetings, but those minutes have not been received lately.

Mayor Ledesma pointed out there is now a scheduled Mayor's and City Manager's meeting call every Tuesday at 2:30 p.m.

## **CONSENT CALENDAR**

### **Motion:**

Councilmember Strobridge Stewart made a correction to Item C-1a.

Mayor Pro Tem Chavez made a motion to approve items C-2 and C-4 with the correction to C-1.

Motion was seconded by Councilmember Strobridge Stewart and carried by unanimous vote:

Councilmember Velazquez has requested to remove item C-3 for separate discussion. Mayor Pro Tem Chavez has requested to remove item C-5 for separate discussion.

### **Action:**

Ayes: Chavez, Strobridge Stewart, Lara, Velazquez and Ledesma

Noes: None

Abstain: None

Absent: None

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

- a. Joint City Council/Successor Agency Regular Meeting Minutes of April 01, 2020.

#### **C-2. Resolution No. 5577, A Resolution of the City Council of the City of Soledad Designating the Authorized Agents to be eligible to Received Funds from the State of California Governor's Office of Emergency Services (Cal OES Form 130)**

- Councilmember Velazquez is recommending that the Cal OES Form 130 would like the form completed with the available information before it comes to council to approve.
- City Manager McHatten said that the form is filled in daily. There was some information that could have been completed but all information had not yet been gathered when this form did go out to council in the agenda. This form was given to council as a draft. We are on schedule for submitting all forms.

#### **C-4. Review Measure Y Oversight Committee's Recommendation to the City Council for the Surplus FY 2018-2019 Measure Y Funds for Allocation in FY2019-2020.**

**Motion:**

Mayor Pro Tem Chavez made a motion to approve items C-3 and C-5. Motion was seconded by Councilmember Velazquez and carried by unanimous vote:

**Action:**

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

C-3. Resolution No. 5578, A Resolution of the City Council of the City of Soledad Approving Task Order 108 with Harris & Associates for City Engineering and Staff Augmentations Services and Authorizing the City Manager to Execute Said Amendment on Behalf of the City of Soledad

- Councilmember Velazquez had a question regarding the task order. order that will be extended until 12/31/20, are all 11 projects listed going to be completed? Or when December comes all 11 projects will no longer be moving forward?
- City Manager McHatten said all the projects should be done accordingly based on the task order. The City of Soledad does not rely on tourism which makes Soledad in better position to complete projects.

C-5. Resolution No. 5579, A Resolution of the City Council of the City of Soledad for Consideration to Declare Surplus Property.

- Mayor Pro Tem asked if the vehicles that are being surplused can be donated to a non-profit?
- City Attorney Mike Rodriguez said there has been times when surplus vehicles have been donated. There is information that would need to be gathered to make sure one non-profit is not favored over another. Both Soledad and Gonzales have donated surplus vehicles before, and so staff would need to look further into that information.

**I. PUBLIC HEARING**

- Receive the Staff report
- Open the Public Hearing
- Close the Public Hearing
- Council Action

PH-1. Ordinance No. 731, An Urgency Ordinance of the City Council of the City of Soledad Extending the Term of Urgency Ordinance No. 728 "Rescinding Interim Urgency Ordinance No. 719 and allowing employee housing with a Conditional Use Permit in the R-1.5, R-2, R-3 and C-R Zoning District with Additional Findings.

**Motion:**

Mayor Pro Tem Chavez made a motion to continue Public Hearing item No. PH-1 to a special council meeting scheduled for Friday, 04/17/2020 at 12:00 p.m. Motion was seconded by Councilmember Lara and carried by unanimous vote:

**Action:**

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

**II. BUSINESS**

B-1. Fireworks Regulation and Control in Soledad

Attorney Mike Rodriguez presented the staff report.

There was a request to revisit the fireworks regulations code; there are three different options listed in the staff report.

Councilmember Strobridge Stewart suggests this item be reviewed every year for updating.

**Motion:**

Direction was provided to staff.  
No Action taken for this item

- B-2. Consider the Recommendation of the City's Affordable Housing Subcommittee on the 1904 Monterey Street Multi Family Housing Projects Compliance with the City's Inclusionary Housing Ordinance and Provide Staff with Direction.

City Attorney Mike Rodriguez presented the staff report.

Councilmember Strobridge Stewart said that the housing committee did also discuss a penalty for every month that the builder did not build the units, also, there was no agreement to five moderates, the committee was still in the process of negotiating.

Councilmember Velazquez agreed with Councilmember Strobridge Stewart in that there was still discussion taking place. The builder was to provide financials to make sure that there would be very low and low-income units. She would like to make sure that the developer is help accountable and there will be repercussions if he does not stay in compliance.

Mayor Ledesma opened the meeting for Public Comment.

Developer Mr. Brad Slama gave comment. He said this project started in 2013. When the project first started there were 28 units that they were planning to get approved and ended up with 26 units. Affordable housing was never discussed during that time. There are provisions in the affordable housing code that describe that during the planning application that there must be a brief description of the proposal, including the method to provide inclusionary housing requirement. The City is having this conversation with developers right now, prior to construction taking place during the planning phase, prior to a building permit getting issued. That conversation never happened in this process; the conversation was never brought up. Unfortunately, they have used an outside planning contractor and when the condition was brought up that was left in the contractor told him not to worry about the condition, he would not have to worry about the condition. His understanding the entire way from 2013 was that he was not doing affordable housing. He had no ill will or ill intent the entire process. If he had known that he needed to do affordable housing, he would have not signed the lease that he signed. He signed the lease prior to the City's Ordinance. He would never want to go against the City. He found out a month ago that the City does want him to comply with the condition even though there is has been no frame work the entire way, and now he has been placed in a major bind of trying to fulfil a lease but at the same time provide affordable housing. He is an advocate for affordable housing and has no problem with affordable housing. He is willing to negotiate with the City to provide better affordable housing. The project on 8<sup>th</sup> street has four bedroom units, the project at 1904 has two bedroom units and they are willing to offer the same amount of units that they would have on the current project but on a bigger scale and he has no problem doing low income but he does want to make sure that the negotiation allows for fairness. There was no time or the proper setting with Councilmember Strobridge Stewart and Councilmember Velazquez to really hash it out. He feels they did get to a place where they all felt they could get to a decision. He is asking for a little time to offer up good results for the City with better units at a new location and be able to prove that the units will get done and have financial burdens if they do not.

Councilmember Strobridge Stewart suggests that a date is established right now for the next subcommittee meeting and Mr. Slama would also have to have the financial information that Councilmembers Strobridge Stewart and Councilmember Velazquez asked for and that meeting would need to happen via teleconference again. She also asked if he would send the financial data in advance of the meeting.

Mr. Brad Slama suggested April 30, 2020 for the next meeting. He will be sending the data in advance.

Mayor Ledesma asked that the subcommittee meet with Brad Slama and bring this item back to the next scheduled regular council meeting of May 06, 2020.

Councilmember Strobridge Stewart asked that Attorney Mike Rodriguez if the protocol for Covid-19 can be provided. She would like to get that in writing before the employees arrive.

Attorney Mike Rodriguez said that is a protocol that was developed by Monterey County. The attorney for Mr. Slama said he will be providing that.

Councilmember Velazquez asked if they are asking about the advisory with instructions and guidance from the county and representative from the Farm Bureau and the Grow-Shippers Association. The advisory does talk about employee housing. She would like to know what their protocols and making sure that is in compliance with what is being provided by Monterey County.

Councilmember Strobridge Stewart added that she does not want to just see Monterey County's protocol, the council should see their protocol on their letter head describing what they are doing.

Attorney Mike Rodriguez said the item that was contemplated this evening was to give direction to prepare a deferral agreement that would allow and set fourth a set of terms. If this is not approved, then staff will need further direction to continue negotiations. His understanding is that there will be a meeting held on April 30, 2020 and wait and see if the parties are able to come to an agreement. The agreement would address the issue regarding if people show up to occupy the the units between now and April 30<sup>th</sup>. The other option would be to not enter into an agreement and occupants would not be able to occupy the units.

Councilmember Velazquez added to be clear on the third bullet point, can the City also include the wording of very low income, low income and moderate so that it does not just say affordable housing, please make the language clear.

Mr. Brad Slama asked for some form of occupancy as of this meeting and he also wanted to bring up that he can comply with the regular condition by putting five units at the facility but they will also be bringing into the scenario is a mixed facility of H2-A workers and regular very low, low and moderate tenants and what he is trying to do is not have that mix of tenants because that would make it very hard for the current tenants.

Councilmember Velazquez said that is not an option for her as a councilmember.

Mayor Ledesma agreed with Councilmember Velazquez. He hopes that Councilmember Strobridge Stewart and Councilmember Velazquez can come up with a solution.

Councilmember Velazquez said she does not support this if the lawsuit is not dismissed.

Attorney Mike Rodriguez said dismissing the lawsuit is one of the deal points; the lawsuit must be dismissed in order to have a signed agreement.

Councilmember Strobridge Stewart agrees with Councilmember Velazquez and added that if a motion is made to support the recommendation it would be with the modification just discussed?

**Motion:** Councilmember Strobridge Stewart made a motion to approve the recommendations from the subcommittee with the modifications discussed. Motion was seconded by Councilmember Lara and carried by unanimous vote.

**Action:**

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

B-3. Councilmember Goals

City Manager Michael McHatten presented the staff report and PowerPoint presentation.

- Councilmember Velazquez would like to know more about the sister-city program and feels concerned that there is already identification of the goals before doing analysis.
- City Manager McHatten said the City's former intern Louie Alcantar was able to find a lot of good information regarding the sister-city program that can be shared in a workshop fashion in the next coming months and at that time council can give more clarifying direction to move forward.
- Councilmember Velazquez is concerned that not having someone as a housing planning manager has been detrimental and very concerning. She would like there to be someone more focused on the issues and finding solutions.
- City Manager McHatten said when and if the next annexation comes the City should look at looking into an Economic Development Director and housing should be a part of that job because that would be a part of economic development job. He is not saying to give up on housing, he is saying to take focus off an economic development director until such time that we either have an annexation or have an infill or someone decides to tear a

property down and start something different. Economic Development needs to come first.

- Councilmember Velazquez said that she disagrees with because the City did not have a housing planning manager before and there has been a lot of economic development that happened in the City in the last 10 to 15 years. Not having a planning person that could instrumentally address the issues that we are dealing with now with housing, has made a big difference. She feels like this is critical and a part of the economic development.
- Mayor Fred Ledesma does agree with Councilmember Velazquez. The City does lack in that we did not have a real housing plan and now this is our opportunity to do that.
- Mayor Pro Tem would like to hire someone in economic development that could handle the housing piece. Having the person to make certain that the City is in compliance with housing.
- City Manager McHatten does not want Council to think that he does not want to do housing. This is the beginning of framework. As the City moves forward there will be recommendations that will describe org charts and essential duties. Instead of a housing manager, the City is looking into an associate planner and housing would be a part of that position.
- Mayor Pro Tem Chavez agrees with what City Manager McHatten is saying. The framework that is coming forward now is better than what the City has had in the past.

A workshop type discussion is scheduled on 05/06/20 regarding the councilmember goals.

**Motion:**

No Action taken for this item

**Action:**

Ayes: Velazquez, Chavez, Lara, Strobridge Stewart and Ledesma

Noes: None

Abstain: None

Absent: None

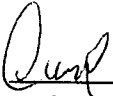
**III. ADJOURNMENT**

Mayor Ledesma adjourned the Regular meeting at 8:10 p.m.

Minutes Approved: May 06, 2020



FRED J. LEDESMA, Mayor/Chairman



MICHAEL MCHATTEN, City Clerk/Agency Secretary

