



# City of Salinas

200 Lincoln Ave., Salinas,  
CA 93901  
www.cityofsalinas.org

## Meeting Minutes - Final

### City Council

*Mayor Joe Gunter*

*Councilmembers:*

*Scott Davis, District 1 - Tony Barrera, District 2*

*Steve McShane, District 3 - Gloria De La Rosa, District 4*

*Kimbley Craig, District 5 - John "Tony" Villegas, District 6*

*Ray E. Corpuz, Jr., City Manager*

*Christopher A. Callihan, City Attorney*

*City Clerk's Office: (831) 758-7381*

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Tuesday, March 21, 2017

4:00 PM

SALINAS ROTUNDA

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### ROLL CALL

**Present:** 7 - Councilmember Tony Barrera  
Councilmember Kimbley Craig  
Councilmember Scott Davis  
Councilmember Gloria De La Rosa  
Councilmember Steve McShane  
Councilmember John Villegas  
Mayor Joe Gunter

### CLOSED SESSION

*The following audience members commented on closed session matter a) Labor*

*Negotiations:*

*Victor Baez*

*Ray Montemayor*

*Robert Cromeenes*

*Flory Isla*

*Carlos Gonzalez*

*Eric Ruloph*

*Daniela DeBaca*

*Randy Casey*

*Abram Ortiz*

*Vicente Cortez*

*Imelda Pacheco Perez*

*Al Espindola*

*The City Council recessed to closed session at 4:13 p.m. pursuant to:*

#### [ID#17-127](#)

**a) Labor Negotiations** - Cal. Govt. Code §54957.6, conference with its designated labor representatives Ray Corpuz, City Manager; Christopher A. Callihan, City Attorney; Katherine Hogan, Senior Deputy City Attorney; Matt Pressey Finance Director; Marina Horta-Gallegos, Human Resources Officer; Sylvia Enriquez, Human Resource Analyst; and Donna Williamson, Liebert Cassidy Whitmore, regarding labor relations with Service Employees International

Union (SEIU), SEIU Supervisors, Salinas Municipal Employees Association/SEIU, Association of Management Personnel, Police Management Association, International Association of Firefighters, Fire Supervisors Association, and Confidential Non-Management Employees.

- b) Existing Litigation** - Cal. Govt. Code §54956.9(a), conference with legal counsel regarding, *Swinscoe, Todd v. City of Salinas*, Workers Compensation Appeal Board Case No. ADJ10334738.
- c) Existing Litigation** - Cal. Govt. Code §54956.9(a), conference with legal counsel regarding, *Ellsworth, Edith v. City of Salinas*, Workers Compensation Appeal Board Case No. ADJ9387720.
- d) Existing Litigation** - Cal. Govt. Code §54956.9(a), conference with legal counsel regarding, *Garcia, Margarita v. City of Salinas*, Workers Compensation Appeal Board Case No. ADJ8554183.

## PUBLIC DISCLOSURE

*The City Council reconvened in the Rotunda at 5:39 p.m.*

*Pursuant to California Government Code section §54957.1, there were no reportable actions on closed session matters.*

## GENERAL PUBLIC COMMENTS

*Received general public comment.*

## PUBLIC HEARING

### [ID#17-147](#)

#### **Community Choice Energy Program**

*Received report from Public Works Director Gary Petersen, which is filed in the City Clerk's Office as the official record.*

*The following audience members commented on the report:*

*Jyl Lutes*

*Natalie Grey*

*Al Espindola*

*Kelsey Alvarez, Monterey Bay Regional Climate Action Compact*

*Oscar Ramos*

*Dr. Lori Solorio*

*Eric Petersen*

*Demetrio Pruneda*

*Kevin Dayton, President of the Salinas Tax Payers Association*

*Bill Lipe*

*Bruce McPherson, Santa Cruz County Board of Supervisor*

*Cassandra Pameno*

*Anthony Rocha*

*Christy Toreno, Safe Ag Safe Schools*

*Lucia Calderon*

*Glenn Shaler, Monterey Bay Central Labor Council*

*Dominic Dursa*

*Cesar Lara*

*Andy Shaw*

**Upon motion by Councilmember McShane, second by Councilmember De La Rosa, Resolution 21135 establishing the Monterey Bay Community Power Authority and approving the City of Salinas as a founding member of the Authority; Ordinance 2591 authorizing the implementation of a Community Choice Energy program in the City of Salinas; directed staff to move forward on discussions and participation for City of Salinas's share of the credit guarantee were approved. The motion carried by the following vote:**

**Ayes:** 7 - Councilmember Barrera, Councilmember Craig, Councilmember Davis, Councilmember De La Rosa, Councilmember McShane, Councilmember Villegas and Mayor Gunter

Enactment No: RES 21135; ORD 2591

**Upon motion by Councilmember De La Rosa, second by Councilmember McShane, the City Council authorized the Mayor to appoint two representatives to the governing board to serve as a primary and alternate on the newly formed Monterey Bay Community Power Board of Directors at a future date accordingly. The motion carried by the following vote:**

**Ayes:** 7 - Councilmember Barrera, Councilmember Craig, Councilmember Davis, Councilmember De La Rosa, Councilmember McShane, Councilmember Villegas and Mayor Gunter

Enactment No: RES 21135; ORD 2591

[ID#17-152](#)

**Conditional Use Permit 2016-019**

*Received report from Planning Manager Courtney Grossman, which is filed in the City Clerk's Office as the official record.*

*The following audience members commented on the report:*

*Angelita Partido*

*Frank Saunders, Downtown Business Owner*

*Joel Panzer, Downtown Business Owner*

*Al Espindola*

*Mary Ann Worden*

*Eric Petersen*

*Alex Dabit, Applicant*

*Dominic Dursa*

*Leo De La Rosa*

*Matt Huerta, Planning Commissioner*

*Ken Steen, Salinas City Center Improvement Association*

**Upon motion by Councilmember McShane, second by Councilmember Craig, Resolution 21136 finding the use Categorically Exempt from the California Environmental Quality Act (CEQA), overturning the Planning Commission's denial and approving Conditional Use Permit 2016-019 was approved. The motion carried by the following vote:**

**Ayes:** 5 - Councilmember Craig, Councilmember Davis, Councilmember McShane, Councilmember Villegas and Mayor Gunter

**Noes:** 2 - Councilmember Barrera and Councilmember De La Rosa

Enactment No: RES 21136

**ADMINISTRATIVE REPORT****[ID#17-145](#) Parking Enforcement Activities Update**

*Received report from Public Works Director Gary Petersen, which is filed in the City Clerk's Office as the official record.*

*The following audience members commented on the report:*

*Joel Panzer, Downtown Business Owners*

*Eric Petersen*

*Leo De La Rosa*

*Mary Ann Worden*

*Michael Harper, Serco*

**Received Interim Report on the parking enforcement activities.**

**CONSENT AGENDA****[ID#17-043](#) Minutes**

**Tabled minutes of January 24, 2017; February 7, 2017; and February 21, 2017.**

**[ID#17-153](#) Financial Claims Report**

**Upon motion by Councilmember Craig, second by Councilmember McShane, the financial claims report was approved. The motion carried by the following vote:**

**Ayes:** 6 - Councilmember Craig, Councilmember Davis, Councilmember De La Rosa, Councilmember McShane, Councilmember Villegas and Mayor Gunter

**Absent:** 1 - Councilmember Barrera

**[ID#17-081](#) Housing Element Annual Progress Report for 2016**

**Upon motion by Councilmember Craig, second by Councilmember McShane, Resolution 21137 accepting the Housing Element Annual Progress Report for 2016 and authorizing its submittal to the California Department of Housing and Community Development and the Governor's Office of Planning and Research was approved. The motion carried by the following vote:**

**Ayes:** 7 - Councilmember Barrera, Councilmember Craig, Councilmember Davis, Councilmember De La Rosa, Councilmember McShane, Councilmember Villegas and Mayor Gunter

Enactment No: RES 21137

**[ID#17-122](#) Ordinance regarding the qualifications for members of City Commissions, Committees, and Boards**

**Tabled Ordinance allowing residents of the United States and city of Salinas who are not United States citizens to serve as members of City Commissions, Committee, and Boards.**

**[ID#17-131](#) Residential Permit Parking Program - El Paso Place Opt Out Request**

Upon motion by Councilmember Craig, second by Councilmember McShane, Resolution 21138 approving the opt out request from residents from El Paso Place to be removed from the District 3A Residential Permit Parking Program was approved. The motion carried by the following vote:

**Ayes:** 6 - Councilmember Craig, Councilmember Davis, Councilmember De La Rosa, Councilmember McShane, Councilmember Villegas and Mayor Gunter

**Absent:** 1 - Councilmember Barrera

Enactment No: RES 21138

[ID#17-141](#)

**Assessment of Fair Housing (AFH) Regional Collaboration Agreement**

Upon motion by Councilmember De La Rosa, second by Councilmember McShane, Resolution 21139 authorizing the Assessment of Fair Housing (AFH) Regional Collaboration Agreement between the City of Salinas, County of Monterey - Urban County, City of Monterey, City of Seaside and Housing Authority of the County of Monterey (HACM) was approved. The motion carried by the following vote:

**Ayes:** 6 - Councilmember Craig, Councilmember Davis, Councilmember De La Rosa, Councilmember McShane, Councilmember Villegas and Mayor Gunter

**Absent:** 1 - Councilmember Barrera

Enactment No: RES 21139

[ID#17-148](#)

**Monterey Regional Water Pollution Control Agency Cost Sharing Agreement**

Upon motion by Councilmember Craig, second by Councilmember McShane, Resolution 21140 authorizing a cost sharing agreement with Monterey Regional Water Pollution Control Agency for engineering services in an amount not to exceed \$72,000 was approved. The motion carried by the following vote:

**Ayes:** 6 - Councilmember Craig, Councilmember Davis, Councilmember De La Rosa, Councilmember McShane, Councilmember Villegas and Mayor Gunter

**Absent:** 1 - Councilmember Barrera

Enactment No: RES 21140

[ID#17-154](#)

**Local State of Emergency Response and Recovery Budget**

Upon motion by Councilmember Craig, second by Councilmember McShane, Resolution 21141 proclaiming a state of emergency in the City caused by a succession of winter storms during the month of February; and Resolution 21142 approving a \$1,560,000 supplemental appropriation in the Capital Projects Fund to advance fund the disaster recovery costs associated with the recent storm were approved. The motion carried by the following vote:

**Ayes:** 6 - Councilmember Craig, Councilmember Davis, Councilmember De La Rosa, Councilmember McShane, Councilmember Villegas and Mayor Gunter

**Absent:** 1 - Councilmember Barrera

Enactment No: RES 21141; RES 21142

**COUNCILMEMBERS' REPORTS, APPOINTMENTS AND FUTURE AGENDA ITEMS**

*Councilmember McShane announced he is hosting an immigration forum on April 10, 2017 in the Rotunda at 6:00 p.m. in response to the public interest surrounding immigration. He invited the community to participate in a day of service by attending Salinas United Day on April 22, 2017.*

*Councilmember Villegas reported that he attended the National League of Cities Conference in Washington, D.C., where he had the opportunity to attend an immigration policy forum. He requested the sanctuary cities resolution comes back to the Council for consideration. Request was second by Councilmember De La Rosa with the condition that her concerns surrounding immigration and sanctuary cities also be included in the re-write.*

*Councilmember Craig reported she is attending the Transportation Agency for Monterey County (TAMC) board meeting on March 22, 2017, where they will discuss the eminent domain process for the Intermodal Transportation Center Project development. She reported that she attended the Salinas Valley Solid Waste Authority (SVSWA) meeting where they approved a request to increase staffing at the transfer station with approval of a rate increase. Councilmember Craig further requested a presentation from SVSWA regarding both the rate increase and an agency update. Councilmember Craig reported she attended the Monterey Bay Air Resources Board meeting, where the Board approved a wood chipper for \$100,000 to address the emergency storm cleanup particularly in North Monterey County.*

*Councilmember Davis reported that he attended the National League of Cities Conference in Washington, D.C., where he had the opportunity to attend a session on technology and how to make cities more efficient. He expressed particular interest in using technology in conjunction with Shotspotter integrated with street lights/LED to increase safety. Councilmember Davis requested a report from the Permit Center regarding practices and policies for obtaining development permits and an update on the Citygate action plan.*

*In response, City Manager Corpuz stated that the Citygate action plan update is scheduled for Council consideration in April or May.*

*Councilmember Davis requested the development of policies and procedures to revoke Conditional Use Permits when necessary and as a means to provide more enforcement resources.*

*Councilmember Barrera reported that he attended the Community Meeting on March 20 regarding immigration and commended the Mexican Consul for clarifying the legal rights of undocumented residents. He reported that he also attended the National League of Cities Conference as a representative of Monterey Salinas Transit and stated that there are ongoing efforts at the state level to reduce funding for transportation. MST will continue to work with Congressman Jimmy Panetta to secure transportation funding. Councilmember Barrera encouraged the community to reach out to Congress regarding the ongoing immigration concerns.*

*Councilmember De La Rosa reported that she attended the 85th Filipino Community Installation of Officers dinner and stated it was a successful event. Councilmember De La Rosa reported that she attended the immigration forum on March 20, along with Mayor Gunter and was a very informative event.*

*Mayor Gunter announced he attended numerous events include the Hartnell Little League opening day, Ichiki-kushikino Sister City Delegation Dinner, the Outstanding Women of the Year event with guest speaker Salinas Chief Adele Fresé, and the Fireworks Stand Lottery. He encouraged the Council and members of the public to show support for the great things that are going on around the City by attending local events. In closing, Mayor Gunter stated that at the immigration forum on March 20, he had the opportunity to meet with the Mexican Consul, Mauricio Toussaint Ribot. He added that Mr. Toussaint Ribot encouraged the City to continue reaching out to the State legislators to address comprehensive immigration reform as that is where the change needs to occur.*

**ADJOURNMENT**

*Meeting adjourned at 9:32 p.m.*

**APPROVED:**

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**Joe Gunter, Mayor**

**ATTEST:**

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**Patricia M. Barajas, City Clerk**