

MINUTES
Regular Meeting
City of San Juan Bautista
CITY COUNCIL
January 19, 2010

1. **CALL TO ORDER:** The meeting was called to order by Mayor Laverone at 6:00 p.m., at City Hall.

PLEDGE OF ALLEGIANCE: Mayor Laverone led the Pledge of Allegiance.

ROLL CALL: The following members of the City Council were present: Mayor Ed Laverone, Vice Mayor Andy Moore, and Councilmembers Priscilla Hill, Rick Edge, and Maggie Bilich.

Also present: City Manager Steve Julian; Assistant City Attorney Bob Rathie; Deputy City Clerk Trish Paetz; and Project Manager Mark Davis.

2. **APPROVAL OF AGENDA:** City Manager Julian noted that, at the December City Council meeting, the Council approved pursuing an application for EECBG grant funds; that after this meeting agenda was posted it was brought to his attention that the Council must adopt a resolution authorizing submission of the application; that the application deadline is prior to the Council's February meeting. He requested that action to approve the resolution be added to this meeting agenda.

Attorney Rathie stated that there is no need for a closed session (agenda item 9).

Upon motion made by Councilmember Edge, seconded by Councilmember Hill, and unanimously carried, approval of Resolution 2010-XX Authorizing Submission of a Grant Application to the California Energy Commission's EECBG Grant Funds for Cost Effective Energy Efficient Project and Authorizing Acting City Manager to Execute Contract, was added to the meeting agenda as Action Item 6.I.

Upon motion made by Councilmember Hill, seconded by Councilmember Edge, and unanimously carried, the meeting agenda was approved as modified.

3. **PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA:** None.

4. **PRESENTATIONS, INFORMATIONAL ITEMS, AND REPORTS**

- A. **Water Infrastructure Project Report:** Project Manager Mark Davis gave a progress report on the water infrastructure project. He noted that the pellet softener plant was projected to be in operation at this time (third week in January); however, delays in delivery of ordered components caused the project to fall behind schedule.

- B. **Monthly Financial Statements:** Councilmember Laverone noted that sales tax revenue to date is ahead of projections.

C. Code Enforcement Report: City Manager Julian stated that there is nothing of significance in the Code Enforcement Report; that currently there are six code enforcements in progress for issues such as abandoned vehicles and illegal driveways.

D. Library Report: There were no questions or comments.

E. Fire Chief's Report: Fire Chief Chris Finstad reported that currently there are 26 volunteers in the Department, three of whom are in the process of testing for certification; that all equipment is in service. He stated that his department is preparing for the upcoming pancake breakfast fundraiser; that community donations for the raffle include San Juan Oaks Golf Course T-times; he projected attendance could be as high as 400 people.

The Fire Chief stated that he met with the County Battalion 5 Chief, and learned of budget cuts being considered by the County which include elimination of stipends paid to SJB Fire Department staff for responses to county calls, as well as decommission of County Engine 9312 used by the SJB Fire Department for responding to county calls. Chief Finstad estimated the cost for SJB firefighter stipends total \$8,000 to \$9,000 per year and that SJB firefighters respond to 150-200 calls in the county each year. He noted that SJB responds significantly faster for areas west of Hollister because the County engines must travel from Fairview Road.

The Fire Chief stated that if those budget cuts are approved by County Supervisors, it will not affect the residents within the City of San Juan Bautista, but it will create safety issues for San Juan Hills and Aromas area residents.

Mayor Laverone asked the Fire Chief to put the details of this issue in a memo to the City Manager. He suggested that some of the Councilmembers could discuss this issue and the concerns with County Supervisors.

F. Sheriff's Report: The Council welcomed Deputy Sheriff Rich Brown. During his report, Deputy Sheriff Brown commented that the activity report contains three months of data; that in the future the Council will receive monthly reports. Deputy Sheriff Brown stated that he will begin full shifts next week; that San Juan School has provided him a field office; and that an anonymous tip line (831-623-2914) is now in service.

G. Public Works Report –MCE Corporation: There were no questions or comments.

H. City Planner Activity Report: There were no questions or comments.

I. Report on Charter Communications Cable Franchise Audit: Deputy City Clerk Trish Paetz stated that there are no updates to report.

J. Public Meetings and Committee Reports: Mayor Laverone reported that he attended the January 13 AMBAG meeting and that he was elected to the position of Vice President.

5. **CONSENT ACTION ITEMS:** A correction to the December 15, 2009 meeting minutes was made regarding the Mayor's committee appointments.

Upon motion made by Councilmember Bilich, seconded by Councilmember Hill, and unanimously carried, the following consent items A through E were approved:

A. Affidavit of Posting Agenda

B. November 17, 2009 Meeting Minutes

C. December 15, 2009 Meeting Minutes (*with corrections*)

D. Resolution 2010-01 for Street Closure: 2nd Street between Franklin and San Jose Streets, and 1st Street between San Jose and Ahwahnee Streets, from 9:30 a.m. to noon, January 30, 2010, for the Rotary Club Mission 10K Run.

E. Waiver of Reading, Beyond Title, of the Ordinances and Resolutions on the Agenda

6. **ACTION ITEMS**

A. Mayor's Appointment to CMAP (Community Media Access Partnership) Board:

Deputy City Clerk Paetz advised that notice of the CMAP position and request for volunteer candidates has not yet gone out to the public. The Mayor postponed this item to the next Council meeting.

B. Approve Resolution 2010-02 Authorizing Changes to Designated Signers on the City's Bank Account: Mayor Laverone stated that City checks require two authorized signatures; that he works out of town and is not available to sign checks during City Hall office hours. He recommended that his name be removed from the bank authorized signors for City checks. It was noted that the most available Councilmembers for check signing during working hours are Pricilla Hill, Maggie Bilich, and Andy Moore, and it was suggested that they be designated as the authorized check signors.

Upon motion made by Councilmember Edge, seconded by Councilmember Hill, and unanimously carried, the Board adopted Resolution 2010-02 adding to the list of authorized signors for checks, bank transfers, and wire transfers at San Benito Bank, members of the City Council: Pricilla Hill, Maggie Bilich, and Andy Moore (removing Ed Laverone's name from the draft Resolution).

C. Approve Shields Contract for Mandated Costs Reimbursement: City Manager Julian recommended approval of the proposed contract with Shields Consulting Group, Inc., for mandated cost reimbursement services. During discussion, Attorney Rathie suggested the Council's approval be subject to review and approval by the City Attorney.

Upon motion made by Councilmember Bilich, seconded by Councilmember Hill, and unanimously carried, the Board approved the contract with Shields Consulting Group,

Inc., for Mandated Costs reimbursement services, subject to legal review and approval by the City's legal counsel.

D. Approve Ordinance Adding Chapter 7-05, Refuse and Storage Containers, to City Municipal Code: Councilmembers Hill and Moore relayed various comments they received from members of the community about the proposed ordinance, specifically the fencing requirements. Comments were made that "one size doesn't fit all," and that the ordinance needs to be more flexible to accommodate the unique aspects of individual properties.

Councilmember Edge expressed concern about wording contained in the documents; that the ordinance seems to pertain only to City right of ways. Councilmember Laverone suggested the wording be changed to "visible from City right of ways."

It was consensus of the Council that this item needs more public input and further review of the language. Upon motion made by Councilmember Hill, seconded by Councilmember Bilich, and unanimously carried, this item was continued to a future meeting.

E. Provide Direction for Staff regarding Chamber of Commerce Proposed Antique Fair: City Manager Julian reported that he met with the Chamber of Commerce to hear a proposal to revive the City's antique fair under a reputable professional management company (Turnkey Projections, Inc.).

The City Manager stated that the Chamber is concerned about the negative impact due to a \$56 booth fee, established through adoption of a resolution by the SJB City Council in 1986. He recommended the Council waive the fee and require only recovery of costs incurred by the City (garbage cleanup, fire/police services, etc.).

During discussion, the City Manager pointed out the benefits to the community overall if revival of the antique fair is successful. He also spoke about waiving the booth fee as a positive measure to the success of the endeavor in spite of adversities related to the current economic times. Councilmembers agreed with the philosophy expressed by the City Manager.

During public comments, George Dias pointed out that, although the meeting agenda states antique "fair," the official name of the event is "flea market." Mr. Dias stated that the Chamber organized the antique flea market event for many years in the past; that the Chamber consists of local volunteers who do not have professional experience as event promoters. He spoke about the success and good reputation of Turnkey Events, and stated that he believes the revival of San Juan Bautista's antique flea market will be a success with support from City and the Chamber's plan to contract for professional management and promotion.

Richard Ponce spoke in favor of waiving booth fees for the antique flea market. He stated that local and area antique dealers are excited about the prospect of reviving the event.

Upon motion made by Councilmember Hill, seconded by Councilmember Bilich, and unanimously carried, the Board waived booth fees for the Chamber of Commerce

antique flea market and authorized the City Manager to work with the Chamber to ensure cost reimbursement to the City.

F. Select Method for Recruiting City Planner and Approve Budget: City Manager Julian reported that he is still in the process of developing a job description and budget for city planner services; he requested postponement of this agenda item to the February City Council meeting. By unanimous consensus of the City Council, this item was deferred to the February City Council meeting.

G. Report by Ad Hoc Committee on Review of Public Works Contractor Request for Proposals: Councilmember Moore stated that he and Councilmember Bilich have been meeting with the City Manager to work on a request for proposals (RFP). He stated that he would like to have a broad range of input through the use of a community drop box at City Hall.

The City Manager advised that he received information from various cities which was requested by the Ad Hoc Committee; that he will schedule a meeting with committee members Moore and Bilich to review the information and finalize specifications for the City's RFP for a public works contractor.

H. Mayor's Appointment of Members to Ad Hoc Committee to Develop City's Strategic Plan: Mayor Laverone reported that he mailed information and requests for committee participation to twelve individuals, and has received six responses so far; that he will follow up by personal phone contact. Mayor Laverone stated that he expects a good cross section of the community to be present at the January 23 Town Hall meeting, where he will solicit community volunteers.

The Mayor spoke about final selection of Ad Hoc Committee members at the City Council's February meeting. The City attorney advised that the item should be agendized as two separate actions: (a) formation of the committee and (b) appointment of committee members. Attorney Rathie noted that Strategic Plan Ad Hoc Committee meetings will be subject to the Brown Act.

I. Resolution 2010-03 Authorizing Submission of Grant Application to California Energy Commission's EECBG Grant Funds for Cost Effective Energy Efficient Project and Authorizing Acting City Manager to Execute Contract: City Manager Julian stated that the EECBG grant would provide funding for streetlight replacement resulting in a savings of \$2,000 to \$3,000 per year in energy costs.

Upon motion made by Councilmember Hill, seconded by Councilmember Edge, and unanimously carried, the Board adopted Resolution 2010-03 Authorizing Submission of Grant Application to California Energy Commission's EECBG Grant Funding Program for Cost Effective Energy Efficient Project and Authorizing Acting City Manager to Execute the Contract.

7. SET FUTURE AGENDA ITEMS: It was noted that the next regular meeting of the City Council is February 16, 2010. During discussion of agenda items, Mayor Laverone requested that the Council consider the use of videotapes of City Council meetings to make "action minutes" available to the public. He asked City Manager Julian to prepare an analysis that includes cost factors.

Councilmember Bilich requested that the Council consider animal shelter issues and options for contracting with the Hollister animal shelter. Mayor Laverone requested that this issue be placed on the Council's agenda and that the City Manager prepare a cost analysis report and recommendations for Council review.

Councilmember Hill noted that MCE prohibits its employees from handling animal control issues. City Manager Julian commented that specific insurance is required if the City allows employees to handle animals in an animal control capacity.

Councilmember Moore asked how the City responds to animal control issues; for example, a citizen's call about a vicious stray dog. The City Manager explained that law enforcement is contacted, which usually results in assistance from the Hollister Animal Shelter; subsequently the City is billed by the City of Hollister for animal control services.

8. COMMENTS

A. City Council: Councilmember Hill reported that the next Neighborhood Watch meeting will be held on February 8 at the Deputy Sheriff's field station at San Juan School. She stated that approximately fifty people attended the last meeting and heard an outstanding presentation on gangs given by Undersheriff Turturici.

B. City Manager: No comments.

C. City Attorney: No comments.

9. ADJOURN: Upon motion made by councilmember Edge, seconded by Councilmember Hill, and unanimously carried, the meeting was adjourned at 6:53 p.m.

Ed Laverone, Mayor

ATTEST:

Trish Paetz, Deputy City Clerk