

**CITY OF SAN JUAN BAUTISTA  
CITY COUNCIL REGULAR MEETING  
JANUARY 20, 2015  
MINUTES**

**1. CALL TO ORDER** – Mayor Lund called the meeting to order at 6:00 p.m.

**A. PLEDGE OF ALLEGIANCE** – Mayor Lund led the pledge of allegiance.

**B. ROLL CALL**           **Present:** Mayor Lund, Vice Mayor Edge, Council Members Boch, West and Martorana

**Absent:** Fire Chief O'Connor, Captain Taylor, City Treasurer Geiger

**Staff Present:** City Manager Grimsley, City Clerk Schobert, City Attorney Thacher, Asst. City Planner Orbach, Asst. City Attorney Mall

**2. PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA**

DeeDee Hanania (Library employee) asks for a dog poop bag dispenser at Library, Abbe Park, Verutti Park.

**3. CONSENT ITEMS**

**A. Approve Affidavit of Posting Agenda**

**B. Approve Affidavit of Posting and Mailing Public Hearing Notice**

**C. Waive Reading of Ordinances and Resolutions on Tonight's Agenda Beyond Title**

**D. Approve Resolution 2015-01 Appointing San Benito County Health Officer for the Enforcement of all Health Laws within the City of San Juan Bautista**

A motion was made by Council Member Boch and seconded by Council Member West to approve all items on the consent agenda. The motion passed unanimously, 5-0.

**4. Closed Session – Appointment of City Attorney**

**A. Closed Session – Pursuant to Government Code Section 54957 the Council will meet in closed session to discuss the appointment of a public employee.**

**Position to be filled: City Attorney.**

Mayor Lund suggested Council not go into closed session, but move to the open session as further discussion not necessary on this subject.

**B. Open Session – Consider request to appoint Deborah A. Mall as City Attorney; consider taking action to so appoint by adopting resolution approving amendments to contract between City and Wellington Law Offices.**

City Attorney Thacher reported at a meeting with Mayor Lund and Council Member

Boch he announced he is minimizing his duties at the Wellington Law Firm and will pass on attorney representation for the City of San Juan Bautista to Deborah Mall, also with the Wellington Law Firm.

A motion was made by Council Member Boch and seconded by Council Member West to approve Resolution 2015-02, appointing Deborah A. Mall as City Attorney. The motion passed unanimously, 5-0.

Whereupon, City Attorney George Thacher left Council Chambers and Deborah Mall assumed the City Attorney seat at the dais.

## **5. PRESENTATIONS, INFORMATIONAL ITEMS AND REPORTS**

### **A. Presentation for Refinancing 2008 COP Loan – Cameron Weist, Weist Law Firm**

Cameron Weist of the Weist Law Firm presented information regarding refinancing of the City's 2008 Certificates of Participation (COP). A question and answer period followed. Council Member West was concerned with why the City would not want to extend the loan as long as possible rather than put the burden on the current rate payers. Council Member Boch commented that the present loan has a variable rate and this would be an opportunity for the City to get locked into a fixed rate while interest rates are low. Council Member Martorana asked if there is a timeline for the work to progress. Mr. Weist reported he would need longer than the date of the next meeting, February 17, to compile the information, and then explained serial bonds are at a fixed rate but have an adjustable component.

Whereupon, Mayor Lund suggested taking action immediately and proceeded with Item 7A.

### **Item 7A: Consider Resolution 2015-03 Authorizing Commencement of Proceedings to Refinance Outstanding 2008 Water and Wastewater Revenue Bonds and Appointing the Necessary Consultants in Connection Therewith**

A motion was made by Council Member Martorana and seconded by Council Member Boch to approve Resolution 2015-06 Authorizing Commencement of Proceedings to refinance outstanding 2008 Water and wastewater revenue bonds and appointing the necessary consultants therewith. The motion passed unanimously, 5-0.

### **B. Monthly Financial Statements – Treasurer's Report**

As City Treasurer Geiger was not present, City Manager Grimsley responded to Council's questions on the warrants, explaining a settlement was reached with the SSL Law Firm representing ACCORD and commended City Attorney Mall for negotiating down their \$85,000 request to \$14,000. Mayor Lund opened for public comment. No comments were received.

### **C. Sheriff's Report: Monthly Activity**

No one available to report.

#### **D. Fire Chief's Report**

No representatives of the Fire Department were present, and there was no report provide for Council in their packet.

#### **E. Library Report**

A report was provided; no comments were received.

#### **F. Administrative Report – City Manager Grimsley**

Council members received the City Manager's report in their packet. Assistant Planner Orbach updated the Council on progress being made on the General Plan EIR. A question and answer period followed. Mayor Lund opened for public comment. No comments were received.

#### **G. Public Meetings and City Council Committee Reports**

Council Member Martorana reported naming streets was discussed at the Intergovernmental meeting, and Assistant Planner Orbach attended the AMBAG meeting in his absence. Council Member Boch reported COG discussed traffic calming on Highway 156 and will include San Juan Bautista in a meeting to discuss what they can offer, Hollister wants to widen Highway 25 to four lanes, and COG will determine unmet needs at a meeting on February 18. Mayor Lund reported on the Fire Protection Committee meeting where it was announced Fire Chief Mike O'Conner's will retire on January 30, and discussion is beginning on a new fire contract, but San Juan Bautista is not involved at this point. Neighborhood Watch Chairman Eric Gredasoff reported they received a presentation by Sheriff Thompson and Captain Taylor regarding having a regular schedule of deputy presence in the City versus a random presence, sheriff department staff was decreased from 90 to 45, and advised the public use 911 whenever they need to contact a sheriff, and state you are in San Juan Bautista.

### **6. PUBLIC HEARING ITEMS**

#### **A. Consider Adopting Ordinance 2015-XX Pre-zone 12.5 acres of land situated at southwest corner of San Juan-Hollister and Mission Vineyard Road to Industrial (I) APN 012-190-039. (First Reading and Introduction)**

Mayor Lund opened the public hearing. No comments were received. Mayor Lund closed the public hearing. A question and answer period followed.

A motion was made by Council Member West and seconded by Council Member Martorana affirming adoption of the Planning Commission's Resolution 2014-19 and City Council Resolution 2014-48 with findings for the Initial Study and Negative Declaration for an amendment to the 1998 General Plan, Urban Growth Boundary and Land Use Designation for 38.87 acres, consisting of 4 parcels, specifically, APN 012-190-014, 022, 038, and 039. The motion passed unanimously, 5-0.

A motion was made by Council Member West and seconded by Council Member Martorana to introduce an ordinance to pre-zone a 12.5 acre parcel of land situated at the southwest corner of San Juan-Hollister Road and Mission Vineyard Road (APN 012-190-039). The motion passed unanimously.

**B. Consider Approving Resolution 2015-05 initiating annexation proceedings for 12.5 acres of land situated at the southwest corner of San Juan-Hollister Road and Mission Vineyard Road**

Mayor Lund opened the public hearing. No comments received. Mayor Lund closed the public hearing. A question and answer period followed.

A motion was made by Council Member Martorana and seconded by Council Member West to approve Resolution 2015-04 initiating annexation proceedings for a 12.5 acre of land at the southwest corner of San Juan-Hollister Road and Mission Vineyard Road (APN 012-190-039) to be annexed into the City of San Juan Bautista. The motion passed unanimously, 5-0.

**C. Consider Adopting Ordinance 2015-01 Pre-zoning a 0.78 acre parcel of land situated at 651 San Juan-Hollister Road from Agriculture to Public/Quasi Public (APN 012-190-038) Owner: City of San Juan Bautista**

Mayor Lund opened the public hearing. No comments received. Mayor Lund closed the public hearing. A question and answer period followed.

A motion was made by Council Member Boch and seconded by Council Member West to adopt Ordinance 2015-01 rezoning a .78 acre parcel of land (APN 012-190-038) situated at 651 San Juan-Hollister Road from Agriculture to Public/Quasi Public. The motion passed unanimously, 5-0.

**D. Consider Adopting Ordinance 2015-02 Pre-zoning an 18.07 acre parcel of land situated at 375 San Juan-Hollister Road from Agriculture to Industrial. APN 012-190-022. Owners: McDonald-King-Domingues (Second Reading and Adoption)**

Mayor Lund opened the public hearing. No comments received. Mayor Lund closed the public hearing. A question and answer period followed.

A motion was made by Council Member West and seconded by Council Member Boch to adopt Ordinance 2015-02 rezoning an 18.07 acre parcel of land (APN 012-190-022) situated at 375 San Juan-Hollister Road from Agriculture to Industrial. The motion passed unanimously, 5-0.

**E. Consider Approving Resolution 2015-06 initiating annexation proceedings for 18.07 acres of land situated at 375 San Juan-Hollister Road. APN 012-190-022. Owners: McDonald-King-Domingues**

Mayor Lund opened the public hearing. No comments received. Mayor Lund closed the public hearing. A question and answer period followed.

A motion was made by Council Member West and seconded by Council Member Boch to approve Resolution 2015-06 initiating annexation proceedings for 18.07 acres of land situated at 375 San Juan-Hollister Road. The motion passed unanimously, 5-0.

**F. Consider Adopting Ordinance 2015-03 Pre-zoning a 1.63 acre parcel of land situated at 600 Lausen Drive from Agriculture to Public/Quasi Public. APN 012-140-027. Owner: City of San Juan Bautista (Second Reading and Adoption)**

Mayor Lund opened the public hearing. No comments received. Mayor Lund closed the public hearing. A question and answer period followed.

A motion was made by Council Member Matorana and seconded by Vice Mayor Edge to adopt Ordinance 2015-03 pre-zoning a 1.63 acre parcel of land situated at 600 Lausen Drive from Agriculture to Public/Quasi Public. The motion passed unanimously, 5-0.

**G. Consider Adopting Ordinance 2015-04 Pre-zoning a 2.72 acre parcel of land situated at 65 Monterey Street from Agriculture to Public/Quasi Public. APN 002-280-001. Owner: San Juan Cemetery District (Second Reading and Adoption)**

Whereupon, Council Member Boch recused himself and left the dais because he is a Board Member for the San Juan Cemetery District.

Mayor Lund opened the public hearing. No comments received. Mayor Lund closed the public hearing. A question and answer period followed.

A motion was made by Council Member Boch and seconded by Council Member West to adopt Ordinance 2015-04 pre-zoning a 2.72 acre parcel of land situated at 65 Monterey Street from Agriculture to Public/Quasi Public. The motion passed 4-0-1-0 with Council Member Boch absent.

Whereupon, Council Member Boch returned to the dais.

**H. Consider an Ordinance Amending SJBMC, Chapter 11-10, Signs (First Reading and Introduction)**

This item was continued.

**7. ACTION ITEMS**

**A. Consider Resolution 2015-03 Authorizing Commencement of Proceedings to Refinance Outstanding 2008 Water and Wastewater Revenue Bonds and Appointing the Necessary Consultants in Connection Therewith**

This resolution was passed earlier in the meeting, after the presentation by Cameron Weist.

**B. Consider Resolution 2015-XX Appointing a Financial Team for the Refinancing of 2008 Debt**

This was included in Resolution 2015-03, passed earlier in the meeting.

**C. Consider an Ordinance 2015-XX Establishing a San Juan Bautista Youth Commission**

A presentation by members of the Strategic Planning Committee was received during the January 20, 2015 Council meeting. Assistant Planner Orbach pointed out establishment of a Youth Commission is part of the Draft General Plan. Wellington Law Office reviewed the ordinance and it is ready for adoption.

A motion was made by Council Member Martorana and seconded by Council Member Boch to introduce an ordinance establishing a San Juan Bautista Youth Commission. The motion passed unanimously, 5-0.

**D. Consider Resolution 2015-07 Approving an Agreement with Juan Pacheco for Agricultural Water Use from Well No. 3**

City Manager Grimsley reported this well has been off line.

Mayor Lund opened for public comment. No comment were received. A question and answer period followed. Mayor Lund asked if the water from Well No. 3 could be used to fight fires. Grimsley responded that the well is off line from the City's water system and is not accessible to run water to hydrants.

A motion was made by Council Member Martorana and seconded by Council Member Boch to approve Resolution 2015-07 approving an agreement with Juan Pacheco for Agricultural Water Use from Well No. 3. The motion passed unanimously, 5-0.

**E. Consider Changes to Strategic Planning Committee Membership**

Council Member Martorana asked that the council consider changes to the Strategic Planning Committee membership, adding Eric Gredassoff, Jesus Zaballa from JJ's Burgers, and Wanda Guibert.

A motion was made by Council Member Martorana and seconded by Vice Mayor Edge to appoint Eric Gredassoff, Jesus Zaballa, and Wanda Guibert to the Strategic Planning Committee. The motion passed unanimously, 5-0.

**F. Consider Selection of CMAP Representative**

City Administrative Services Manager Trish Paetz reported that council had requested staff to research whether San Juan Bautista had a representative to CMAP. Paetz reported that two years ago Council had selected Al Stroebel, who was recommended by the previous CMAP Director Kathy Bisbee, but Mr. Stroebel never accepted the position. Recently, Bob Reid informed staff that he desires to be the City's CMAP representative. There was discussion on the issue. Whereupon, Council requested staff re-post the position and report back to Council next month with the requirements for becoming a CMAP Board member.

## **8. COMMENTS**

### **A. City Council**

Vice Mayor Edge commented that he has not seen the new police vehicle that the City purchased for the Sheriff's department to use when patrolling San Juan Bautista.

### **B. City Manager**

No comments were made.

### **C. City Attorney**

No comments were made.

## **9. ADJOURN**

The meeting adjourned at 8:17 p.m.