

**CITY OF SAN JUAN BAUTISTA  
CITY COUNCIL REGULAR MEETING**

**OCTOBER 21, 2014**

**MINUTES**

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

**A. PLEDGE OF ALLEGIANCE** – Council Member Cosio led the Pledge of Allegiance.

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

**Staff Present:** City Manager Grimsley, Deputy City Clerk Paetz, Asst. City Attorney Mall, Asst. City Planner Orbach

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

Gabriella Candalaria (SJB, Resident) spoke about a trailer fire in town and spoke in support of the City taking action on abating the property where the fire was located. Patricia Bains (SJB merchant) requested more trash cans in the downtown near her store. City Manager Grimsley responded that Recology has not been able to assist the City in getting merchants to comply with requirements to subscribe to garbage service. Council Member Cosio spoke in support of having more trash cans in the downtown area. Eric Gredassoff (Resident, SJB) spoke in regards to the construction project site at the end of Third Street where a preschool was previously located, and complained about a wall the owner had erected, and invited Council Members to view the project. Vice Mayor Lund commented that the project would be subject to design review if the lot is split.

Mayor Moore requested Item 5A; Appeal Hearing for a Fuel Station, Convenience Store, and Quick Serve Restaurant, and Item 6C; Prop 13 Reform, be postponed to the November regular meeting.

A motion was made by Vice Mayor Lund and seconded by Council Member Edge to continue Items 5A and 6C to the regular City Council meeting of November 18. The motion passed unanimously, 5-0.

Mayor Moore then requested that Item 6E, Consider Public Hearing for the Abatement of a Public Nuisance of the Property at 205 The Alameda, be continued to a special meeting as it required 10 day noticing.

A motion was made by Council Member Edge and seconded by Council Member Boch to continue Item 6E to a Special Meeting to be held November 3 at 6:00 p.m. The motion passed unanimously, 5-0.

### **3. CONSENT ITEMS**

- A. Approve Affidavit of Posting Agenda**
- B. Approve Affidavit of Posting and Mailing Public Hearing Notice**
- C. Approve Affidavit of Posting Notice of Intent to Adopt Mitigated Negative Declaration**
- D. Approve Minutes for the September 16, 2014 Regular Meeting**
- E. Approve Minutes for the April 9, 2014 Special Meeting**
- F. Approve Minutes for the May 7, 2014 Special Meeting**
- G. Approve Resolution 2014-40 for a Dia de Los Muertos Procession**
- H. Waive Reading of Ordinances and Resolutions on Tonight's Agenda Beyond Title**

Council Member Edge requested that Item 3D, Minutes for September 16, 2014, be pulled from the consent agenda for discussion.

A motion was made by Council Member Boch and seconded by Council Member Cosio to approve all items on the consent agenda after pulling the minutes for September 16, 2014. The motion passed unanimously, 5-0.

Council Member Edge advised of a section of the minutes that were incomplete and requested they be brought back next month for approval after completed. No motion or vote was recorded.

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

#### **A. Monthly Financial Statements and Treasurer's Report**

As City Treasurer Geiger was not present, City Manager Grimsley responded to questions from the Council regarding items in the warrants list. Mayor Moore opened for public comment. No comments were received.

#### **B. Sheriff's Report**

Captain Eric Taylor was not present but Council received his report earlier. Council Member Cosio asked whether oral or written monthly reports were required in the contract with the Sheriff's Department. Mayor Moore commented that there would be a presentation by First Alarm later in the meeting. Mayor Moore opened for public comment. No comments were received.

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

As Fire Chief Mike O'Connor was not present. Mayor Moore opened for public comment. Lupe Candelaria (Resident, SJB) commented that a petition is being circulated regarding the trailer fire. No other comments were received.

#### **D. Library Report**

Council members were provided with a report in their packet. A question and answer period followed. Mayor Moore opened for public comment. No comments were received.

### **E. Administrative Reports (City Manager, City Planning, Code Enforcement)**

Council members were provided with a report in their packet. A question and answer period followed. Council Member Cosio commented that Four Leaf could help with code enforcement. Mayor Moore opened for public comment. Eric Gredasoff (Resident, SJB) commented that it would be helpful to have a “fill in the blanks” complaint form on the City website. No other comments were received.

### **F. Public Meetings and Committee Reports**

Council Member Cosio deferred to Eric Gredasoff to report on the Neighborhood Watch Meeting. During Gredasoff’s report, he informed the public that their website is [www.nwsjb.com](http://www.nwsjb.com). Council Member Cosio reported on AMBAG’s Hero and Pace grant programs, the Historical Society open house, and the Strategic Planning Committee Meeting. Vice Mayor Lund reported it was announced at the Fire Meeting that a trailer was purchased for Station 3 and Leo Alvarez was appointed as Battalion Chief. Mayor Moore reported it was announced at the Intergovernmental Meeting that they received \$1.5 million in grant funds for housing for the homeless in San Benito County.

## **5. PUBLIC HEARING ITEMS**

**A. The appeal filed February 11, 2014 by Dan DeVries on behalf of Leal Vineyard Inc. of the Planning Commission approval of a Conditional Use Permit (CUP 2014-101) and a Design Review Permit (DR 2014-101) for a fuel station, convenience store, and a quick serve restaurant proposed for property located at 404 The Alameda and Hwy 156 in the City of San Juan Bautista, APN 002-52-012. At the public hearing the City Council will consider:**

**i. Adopting Resolution 2014-XX, approving the Mitigated Negative Declaration with mitigation measures and a mitigation monitoring program for the project at 404 The Alameda**

**ii. Adopting Resolution 2014-XX, denying the appeal and affirm the action of the Planning Commission I whole or in part and may add, modify or delete conditions as it deems necessary or proper, or reverse the action of the Planning Commission and affirm the appeal to deny the project.**

This item was continued to the City Council Meeting of November 18, 2014.

**B. Introduce an Ordinance Amending Chapter 11-10 of the Municipal Code Dealing with Signs**

This item was continued to the City Council Meeting of November 18, 2014.

## **6. ACTION ITEMS**

**A. Consider Appointment of City Clerk**

City Manager Grimsley explained the process and options; appointment versus election. A question and answer period followed. Council Member Cosio spoke against holding a special election because it would be too costly. Mayor Moore opened for public

comment. City Clerk Applicant Shawna Freels further explained the process to the Council. No other comments were received.

A motion was made by Council Member Boch and seconded by Council Member Edge to appoint a city clerk rather than hold a special election. The motion passed unanimously, 5-0.

City Manager Grimsley explained there are two applicants, Shawna Freels and Connie Schobert. Shawna Freels expressed her qualifications for the position, and Council provided questions of her. Connie Schobert express her qualifications for the position, and Council provided questions of her. A question and answer period followed. Mayor Moore opened for public comment. Chris Martorana (Resident, SJB) supported Shawna Freels for City Clerk.

A motion was made by Council Member Cosio and seconded by Council Member Boch to appoint Connie Schobert to the unexpired term of City Clerk. There was discussion to continue this process to November 3 to provide for more public input. No action was taken on the motion and second.

It was the consensus of the Council to continue this item to the Special Meeting of November 3, 2014.

**B. Consider Ratification of Selection of Sonora Vasquez to Honor on Philanthropy Day**

Mayor Moore explained that earlier this month, Richard Ponce had suggested to Council Members that they select Sonora Vasquez to honor on Philanthropy Day, November 13, 2014.

A motion was made by Council Member Boch and seconded by Vice Mayor Lund to ratify selection of Sonora Vasquez to honor on Philanthropy Day. The motion passed unanimously, 5-0.

Whereupon, a ten minute break was taken; the meeting resumed at 7:25 p.m.

Whereas, Fire Chief Mike O'Connor was now present, he provided his report: a \$300,000 grant was used to purchase breathing apparatus, and the Fire Department responded to a trailer fire.

**C. Consider Approval of Prop 13 Reform**

This item was continued to the City Council meeting of November 18, 2014.

**D. Consider Approval of City's Stand on Fracking (and Measure J)**

Measure J proponent Andy Hsia Coron provided a brief presentation on fracking and Measure J. Measure J opponent Christina Chavez Wyatt provided a presentation. Mayor Moore opened for public comment. Richard Bianchi, Farm Bureau President, spoke against Measure J. Brad Sullivan (Hollister resident) spoke against Measure J. Maureen Wruck (Salinas resident) spoke against measure J. Chris Martorana

(Resident, SJB) spoke in favor of Measure J. John Eade (San Benito County resident) spoke against Measure J. Dr. Martin Jones (Hollister resident) spoke in favor of Measure J. Mary Hsia Coron (Aromas resident) spoke in favor of Measure J. Margie Barrios (San Benito County resident and Supervisor) spoke against Measure J. Joe Morris (SJB area resident) spoke in favor of Measure J. Dr. Stephen Scheer spoke in favor of Measure J. A question and answer period followed. Council Member Boch considered the risk to City water by fracking. Council Member Cosio supported Measure J. Council Member Edge supported Measure J. Vice Mayor Lund felt Measure J was not well written. Mayor Moore agreed with Vice Mayor Lund.

A motion was made by Council Member Cosio and seconded by Council Member Edge to oppose fracking in the City of San Juan Bautista, and support Measure J. The motion passed 3-2, with Vice Mayor Lund and Mayor Moore voting against the motion.

**E. Consider Setting a Public Hearing for the Abatement of a Public Nuisance of the Property at 205 The Alameda (APN 002-460-001 & 002)**

This item was continued to a special meeting of November 3, 2014.

**7. DISCUSSION ITEMS**

Whereupon, Mayor Moore requested Item 7C be taken immediately.

**C. First Alarm Security Service**

Representatives made a presentation and responded to questions. It was decided to continue this to the November 3, 2014 Special Meeting.

**A. Report by Subcommittee to Consider Options to Parking in the City.**

City Manager Grimsley provided a report and update.

**B. Community Choice Aggregation**

Assistant City Planner Orbach stated he had tried to contact Brennan Jensen, she never responded.

Whereupon, Council went into closed session at 9:32 p.m.

**8. CLOSED SESSION**

**Pursuant to California GC Section 54956.9(a-d), the Council will meet in closed session to discuss existing litigation. Case Name: Alliance of Concerned Citizens Organized for Responsible Development v. City of San Juan Bautista and City Council of San Juan Bautista (Real Party in Interest: Harbhajan Dadwal), San Benito County Superior Court, Case Number CUI-14-00072.**

Whereupon, Assistant City Attorney Mall reported that during Closed Session discussion was conducted with legal counsel, direction was given to counsel, and there was nothing more to report out.

**9. COMMENTS**

**A. City Council Members:** No comments made.

**B. City Manager:** No comments made.

**C. City Attorney:** No comments made.

**10. ADJOURNMENT**

A motion was made to adjourn the meeting at 10:00 p.m.