

CITY OF SAN JUAN BAUTISTA
CITY COUNCIL REGULAR MEETING
DECEMBER 16, 2014
MINUTES

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

A. PLEDGE OF ALLEGIANCE – Mayor Moore 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, City Clerk Schobert, Asst. City Attorney Mall, Asst. City Planner Orbach, Deputy City Clerk Paetz

2. **CEREMONIAL ITEMS: SWEARING IN OF COUNCIL MEMBERS**

A. Installation of New and Continuing City Council Members Boch, West, and Martorana

City Clerk Schobert administered the oath to continuing Council Member Tony Boch, and newly elected Council Members Jim West and Chris Martorana, as well as continuing Deputy City Clerk Trish Paetz. Whereupon, outgoing Mayor Moore passed the gavel to Vice Mayor Lund and left the dais.

B. Approve Resolution 2014-47 Declaring Election Results

A motion was made by Council Member West and seconded by Council Member Boch to approve Resolution 2014-47 declaring the results of the November 2014 General Election. The motion passed unanimously, 5-0.

C. Presentation of Plaques Honoring Outgoing City Council Members Cosio and Moore, and Volunteer Fire Fighter Chris Finstad for 20 Years Service

Vice Mayor Lund presented plaques to volunteer firefighter Chris Finstad honoring twenty years of service, and to outgoing City Council members and past mayors Jolene Cosio and Andy Moore.

D. Selection of New Mayor and Vice Mayor

Council Member Boch nominated Council Member Lund for Mayor and Council Member West seconded the nomination. Council voted and the nomination passed unanimously, 5-0.

Council Member Boch nominated Council Member Edge for Vice Mayor and Council Member Lund seconded the nomination. Council voted and the nomination passed unanimously, 5-0.

3. PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA

Wanda Guibert (SJB Resident and member of the Historical Society) announced the Historical Society has produced limited edition 2015 calendars featuring historic images from their archives. Cara Deny (SJB Resident) spoke against sewer rates charged for second dwellings, and submitted a letter with supporting documents. Sonora Vasquez (SJB Resident) reported the Rotary Club, together with volunteers, replaced the fence at Verutti Park and encouraged everyone to attend a family event that will be held at there on December 20.

4. CONSENT ITEMS

- A. Approve Affidavit of Posting Agenda**
- B. Approve Affidavit of Posting and Mailing Public Hearing Notices**
- C. Approve Affidavit of Posting Public Hearing for Appeal of Planning Commission Resolution 2014-31**
- D. Approve Minutes for the November 18, 2014 Regular Meeting**
- E. Approve Resolution 2014-57 for Street Closures**
- F. Waive Reading of Ordinances and Resolutions on Tonight's Agenda Beyond Title**

Council Member Martorana requested the minutes be pulled to correct a typographical error, and stated he could not vote on the minutes as he was not present at the meeting.

A motion was made by Council Member Boch and seconded by Vice Mayor Edge to approve the minutes. The motion passed 3-0-2-0 with Council Members Martorana and West abstaining.

A motion was made by Council Member Boch and seconded by Council Member Martorana to approve all items on the consent agenda except Item D, the minutes of the November 18, 2014 meeting. The motion passed unanimously, 5-0.

5. PRESENTATIONS, INFORMATIONAL ITEMS AND REPORTS

A. Legislative Update by Assemblymember Luis A. Alejo

Assemblymember Alejo presented an update of bills he helped pass in 2014 and what to look forward to in 2015.

Mayor Lund asked that the sheriff's report be moved up in the agenda.

D. Sheriff's Report

Captain Taylor was present and distributed a written report. A question and answer period followed. Captain Taylor clarified for Council Member Boch that any law enforcement officer could cite an individual found to be breaking a traffic law in the City. Captain Taylor confirmed for Council Member Martorana that the activity report could be provided as a spreadsheet and electronically so data could be tracked. During public comment, Jolene Cosio (SJB Resident) thanked Captain Taylor for having deputies parked at the Highway 156 and The Alameda intersection. No other comments were received.

B. Presentation of Fiscal Year 2014 Audit – Ryan Jolley

Ryan Jolley of the Bryant Jolley, CPA firm, presented the audit. A question and answer period followed. Mayor Lund opened for public comment. No comments were received.

C. Monthly Financial Statements and Treasurer’s Report

In City Treasurer Geiger’s absence, City Manager Grimsley presented the warrant list and financial statements. A question and answer period followed. Mayor Lund opened for public comment. No comments were received.

E. Fire Chief’s Report

As the Fire Chief was not present, Mayor Lund suggested returning to this item later in the meeting.

F. Library Report

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

G. Administrative Reports (City Manager, City Planning, Code Enforcement)

Council members were provided with a report in their packet. City Manager Grimsley reported that a temporary porta-potty was placed at Verutti Park, and Rotary and volunteers erected a new fence there as well. A question and answer period followed. Mayor Lund opened for public comment. No comments were received.

H. Public Meetings and Committee Reports

Council Member Boch reported Council’s resolution for traffic calming devices on Highway 156 would be on the COG agenda next month. Mayor Lund reported a joining powers association with city and county fire departments was discussed at the Fire Meeting. Eric Gredassoff reported more people are joining the Neighborhood Watch website but the same numbers are not in attendance at the meetings. Eric encouraged residents to report incidents to the sheriff’s office so they can track activity, and reported Sheriff Thompson will be the featured speaker at the January meeting.

6. PUBLIC HEARINGS

A. Consider Appeal of Planning Commission Approval of Initial Study and Mitigated Negative Declaration for Rancho Vista Subdivision and General Plan Amendment to Change Urban Growth Boundary and Land Use Designation

City Manager Grimsley reported that the appellant, Bob Fulton, had withdrawn his appeal.

B. Consider Approving Resolution 2014-48 Approving the Initial Study and Negative Declaration for Amendment of the 1998 General Plan Urban Growth Boundary and Land Use Designation of 38.87 acres lying adjacent to and southerly of San Juan-Hollister Road. (APN 012-190-014, 022, 038 and 039)

City Manager Grimsley reported the Planning Commission approved this change to the urban growth boundary back in April 2013. At the time, staff determined that the urban growth boundary was a planning tool establishing a boundary that showed which

properties outside the city limits and adjacent to municipal services could be annexed. However, recently it was determined that because the urban growth boundary is identified on the 1998 General Plan, a General Plan amendment would be required. For this reason, the issue is being brought back to Council. 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 Boch to approve Resolution 2014-48 approving the Initial study and Negative Declaration for amendment of the 1998 General Plan Urban Growth Boundary and Land Use Designation to Industrial, public/quasi public and Agriculture, for 38.87 acres (APN 012-190-014, 022, 038 and 039) lying adjacent to and southerly of San Juan-Hollister Road. The motion passed unanimously, 5-0.

A motion was made by Council Member West and seconded by Council Member Boch to approve Resolution 2014-49 amending the Urban Growth Boundary and Land Use Designation of the 1998 General Plan for 38.87 acres (APN 012-190-014, 022, 038 and 039) lying adjacent to and southerly of San Juan-Hollister Road. The motion passed unanimously, 5-0.

C. Consider Approving Resolution 2014-49 Amending the Urban Growth Boundary and Land Use Designation of the 1998 General Plan of 38.87 acres lying adjacent to and southerly of San Juan-Hollister Road consisting of four parcels (APN 012-190-014, 022, 038 and 039)

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 Boch to approve Resolution 2014-49 amending the Urban Growth Boundary and Land Use Designation of the 1998 General Plan for 38.87 acres (APN 012-190-014, 022, 038 and 039) lying adjacent to and southerly of San Juan-Hollister Road. The motion passed unanimously, 5-0.

D. Consider Introducing an Ordinance for the Pre-zoning of .78 acres of land situated at 651 San Juan-Hollister Road from Agriculture to Public/Quasi Public. APN 012-190-039. Owner: City of San Juan Bautista.

City Manager Grimsley reported this .78 acre parcel of land is owned by the City and is occupied with the City's Well #3 and future water treatment facility. 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 Boch and seconded by Council Member West to introduce an ordinance for the pre-zoning of .78 acres of land (APN 012-190-039) situated at 651 San Juan-Hollister Road from Agriculture to public/quasi public. The motion passed unanimously, 5-0.

E. Consider Introduction of an Ordinance for the Pre-zoning of 18.07 acres of land situated at 375 San Juan-Hollister Road from Agriculture to Industrial. APN 012-190-022. Owners: McDonald-King-Dominguez.

City Manager Grimsley reported the applicant has requested annexation into the city limits and rezoning for this 18.07 acre parcel of land, for orderly growth and development with industrial uses as allowed in the City zoning code. Applicant Ron Dominguez was present. 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 Boch and seconded by Council Member West to introduce an ordinance for the pre-zoning of 18.07 acres of land situated at 375 San Juan-Hollister Road (APN 012-190-022) from Agriculture to Industrial. The motion passed unanimously, 5-0.

F. Consider Introduction of an Ordinance for the Pre-zoning of 1.63 acres of land situated at 600 Lasuen Drive from Agriculture to Public/Quasi Public. APN 012-140-027. Owner: City of San Juan Bautista.

City Manager Grimsley reported this 1.63 acre parcel of land is owned by the City and is occupied with the City's 1.2 million gallon reservoir. 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 Boch and seconded by Council Member West to introduce an ordinance for the rezoning of 1.63 acres of land situated at 600 Lasuen Drive from Agriculture to Public /Quasi Public. The motion passed unanimously, 5-0.

G. Consider Introduction of an Ordinance for the Pre-zoning of 2.72 acres of land situated at 65 Monterey Street from Agriculture to Public/Quasi Public. Owner: San Juan Cemetery District.

City Manager Grimsley reported this 2.72 acre parcel of land is owned by the San Juan Cemetery District and is occupied and used as a public cemetery.

Whereupon, Council Member Boch left the dais as he is a member of the San Juan Cemetery District Board.

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 to introduce an ordinance for the rezoning of 2.72 acres 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 Adopting Resolution 2014-50 Approving the Draft Initial Study and Mitigated Negative Declaration for Rancho Vista Subdivision Project to Change the Urban Growth Boundary and Land Use Designation of the Area from Agriculture to Low Density Residential. APN 002-220-006.

City Manager Grimsley reported planning laws allow a local agency to change their general plan up to four times each year. The changes are not restricted to individual properties but can be collective, for example, multiple areas comprised of several properties as well.

Mayor Lund opened the public hearing. Jolene Cosio (SJB Resident) spoke in support of the project. Shawna Freels (SJB Resident) spoke in opposition of the project. Rosa Loaysa (SJB area property owner) spoke in support of the project. Eric Gredassoff (SJB Resident) was concerned with the advent of major traffic congestion on Third Street as a result of construction of multiple projects. Written public comment received from John Freeman (SJB Resident) was presented and clarified by City Manager Grimsley. No other comments were received. Mayor Lund closed the public hearing. A question and answer period followed. Bob Fulton the applicant provided input on the project.

A motion was made by Council Member West and seconded by Council Member Edge to approve Resolution 2014-50 adopting the draft initial study, mitigated negative declaration and mitigation monitoring program for the Rancho Vista subdivision project consisting of 28.35 acres (APN 002-220-006) at the north end of the city on the west side of San Juan Highway. The motion passed unanimously, 5-0.

I. Consider Adopting Resolution 2014-51 Amending the General Plan and Changing the Urban Growth Boundary and Land Use Designation from Agriculture to Low Density Residential for 28.3 acres of land lying north of Creek Bridge Subdivision and westerly of San Juan Highway. The purpose of the amendment is for consideration of an application for the Rancho Vista Subdivision Project. APN 002-220-006.

A motion was made by Council Member Boch and seconded by Council Member Martorana to approve Resolution 2014-51 amending the Urban Growth Boundary of the 1998 General Plan and changing the Land Use Designation from agriculture to low density residential for 28.3 acres of land north of Creek Bridge Subdivision and west of San Juan Highway. The motion passed unanimously, 5-0.

Whereupon, a five minute recess was taken.

Item 5E, Fire Chief's Report

Chief O'Connor arrived to the meeting and reported everything ran well during the two months he was gone, and he would provide an end of the year presentation for the Fire Committee meeting on January 8.

Mayor Lund requested Item 7F be moved up in the agenda.

Item 7F, Consider Establishing a Youth Committee

Strategic Planning Committee members Shawna Freels and John Freeman presented a proposal to establish a Youth Committee. Mayor Lund opened for public comment. No comments were received. A question and answer period followed. It was the consensus of Council that the City Attorney would review the proposed ordinance before bringing it back to the Council. No action was taken at this time.

7. ACTION ITEMS

A. Consider Resolution 2014-52 Accepting the FY 2014 Audit

The audit report was provided earlier in the meeting by Ryan Jolley. Mayor Lund opened for public comment. No comments were received. A question and answer period followed.

A motion was made by Vice Mayor Edge and seconded by Council Member Martorana to approve Resolution 2014-52 accepting the fiscal year 2014 audit. The motion passed unanimously, 5-0.

B. Consider Resolution 2014-53 Establishing Compensation for the Office of City Clerk

City Manager Grimsley reported that the municipal code provides that compensation can be provided to the City Treasurer and City Clerk. At this time, the City Treasurer receives compensation in the form of expenses paid for trainings. City Manager Grimsley asked that the Council establish compensation for newly appointed City Clerk Connie Schobert in the amount of \$100 per month, as has been provided for past San Juan Bautista city clerks. Mayor Lund opened for public comment. No comments were received. A question and answer period followed.

A motion was made by Council Member Boch and seconded by Council Member Martorana to approve Resolution 2014-53 establishing compensation for the City Clerk. The motion passed unanimously, 5-0.

C. Consider a Proposal for a Water Rate Study Performed by Bartle Wells Associates

City Manager Grimsley reported, in order to remain compliant with the certificates of participation (COP) and bondholders' requirements, a water rate study needs to be conducted and a reasonable proposal was submitted by Bartle Wells. Mayor Lund opened for public comment. No public comments were received. A question and answer period followed.

A motion was made by Council Member West and seconded by Council Member Boch to approve Resolution 2014-54 accepting a proposal for a water rate study to be performed by Bartle Wells Associates. The motion passed unanimously, 5-0.

D. Consider Proposal to Renew Lease with AVAYA for Telephone System in City Hall

City Administrative Services Manager Trish Paetz reported that the existing contract for telephones in City Hall with Avaya had come to its end. Staff compared AVAYA's proposed contracted rates with others and have found them to be reasonable. Staff

proposes that the City enter into a new contract with AVAYA. Mayor Lund opened for public comment. No comments were received. A question and answer period followed.

A motion was made by Council Member Martorana and seconded by Council Member West to approve Resolution 2014-55 to renew a lease with AVAYA for a new telephone system in City Hall. The motion passed unanimously, 5-0.

E. Adopt Resolution 2014-56 Changing Signatures on City Bank Accounts and Wire Transfers

City Administrative Services Manager Trish Paetz reported that signatories on City bank accounts, and for wire transfers, at Union Bank, need to be changed to reflect the new council. Mayor Lund opened for public comment. No comments were received. A question and answer period followed. Mayor Lund and Council Member West volunteered to be signers on City bank accounts.

A motion was made by Mayor Lund and seconded by Council Member West to approve Resolution 2014-56 changing signatures on City bank accounts and for wire transfers at Union Bank. The motion passed unanimously, 5-0.

F. Consider Establishing a Youth Committee

This item was discussed earlier in the meeting.

G. Consider Petition for Annexation: Dale Coke

City Manager Grimsley reported Dale Coke has submitted a petition for annexation for a 12.5 acre parcel of land situated at the southwest corner of San Juan-Hollister and Mission Vineyard Roads and designated as agriculture.

A motion was made by Council Member Boch and seconded by Vice Mayor Lund to approve a petition for annexation submitted by Dale Coke, for a 12.5 acre parcel of land situated at the southwest corner of San Juan-Hollister and Mission Vineyard Roads and designated as agriculture. The motion passed unanimously, 5-0.

H. Consider Request of City Attorney that Council Appoint a Two Person Council Committee to Discuss a Representation Matter with the City Attorney

City Attorney Thacher requested that council appoint a two person committee to discuss a representation matter with the City Attorney. Whereupon, Mayor Lund appointed himself and Council Member Boch to a committee to discuss a representation matter with the City Attorney.

I. Consider Changes to Strategic Planning Committee Membership

Strategic Planning Committee Chairman John Freeman asked that the Council consider changes in membership to the Strategic Planning Committee as Bob Reid has asked to be removed. It was decided, as other changes were anticipated, that this item be continued to the next council meeting. No action was taken at this time.

8. DISCUSSION ITEMS

A. New Council Members' Appointments to Planning Commission-Historic Resources Board

With the change of council, new appointments to the Planning Commission/Historic Resources Board are necessary.

Whereupon, appointments were made as follows; Council Member West appointed current Planning Commissioner Ernest Franco, Council Member Martorana appointed current Planning Commissioner Wanda Guibert, and continuing Council Member Boch re-appointed Pat Garratt to the Planning Commission.

B. Mayor’s Selection of Representatives to Boards and Committees

Mayor Lund selected representatives to boards and committees as follows:

<i>Organization</i>	<i>Primary</i>	<i>Secondary</i>	<i>Meeting Times</i>	<i>Remuneration</i>
LAFCO	Rick Edge	Tony Boch	4 th Thursday 6:00 pm	None
AMBAG	Chris Martorana	Rick Edge	2 nd Wednesday 7:00 pm	\$50
COG	Tony Boch	Jim West	3 rd Thursday 2:00 pm + daytime special meetings	\$100
WRA	Jim West	Robert Lund	Monthly 1 st Thursday	None
West Nile Virus (San Benito County)	Robert Lund	Tony Boch	Monthly 4 th Wednesday 3:15 pm	None
Integrated Waste Mgmt.-Local Task Force	Tony Boch	Robert Lund	Meets annually.	None
Monterey Bay Unified Air Pollution Control Board (rotates between Hstr. & S.Cruz Co. cities)	Hollister	S. Cruz County City	3 rd Wednesday 1:30 pm Rotating membership	\$100
Fire Protection	Jim West & Robert Lund	---	Monthly 1 st Thursday 8:30 am	None
Neighborhood Watch	Chris Martorana	---	Monthly	None
CMAP		---	Monthly	None
Intergovernmental Committee	Chris Martorana & Robert Lund	---	Monthly 1 st Thursday 10:30 am	None
Ad Hoc Committee for Infrastructure Project Funding	Chris Martorana & Tony Boch		As needed.	None
Ad Hoc Committee for Parking Within the City	Jim West & Tony Boch			None
Ad Hoc Committee for Outside Services	Robert Lund & Tony Boch			None
Investment Advisory Committee	Rick Edge, CM, Treas., Accountant			None

Discussion ensued regarding the status of a representative to CMAP. It was decided to allow staff time to investigate and bring this item back next month.

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.