

**CITY OF SAN JUAN BAUTISTA  
CITY COUNCIL REGULAR MEETING  
OCTOBER 16, 2012  
MINUTES**

1. **CALL TO ORDER** – Mayor Cosio called the meeting to order at 6:05 p.m.
  - A. **PLEDGE OF ALLEGIANCE** – Council Member Bilich led the pledge of allegiance.
  - B. **ROLL CALL**  
**Present:** Mayor Cosio, Vice Mayor Boch, Council Members Moore, Bilich and Edge  
**Staff Present:** City Manager Grimsley, City Attorney Thacher, Deputy City Clerk Paetz, Fire Chief John Fox  
**Staff Absent:** City Treasurer Johnson, City Clerk McIntyre
2. **PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA**

Wanda Guibert (SJB, Resident) commented on the Historical Society's open house. Halina Kleinsmith (SJB, Resident) commented on Volunteers Make a Difference Day and the Halloween Block Party, both scheduled for October 27.
3. **PRESENTATIONS, INFORMATIONAL ITEMS AND REPORTS**
  - A. **Recognition of Planning Commissioner Donna Holmes**

Mayor Cosio presented a plaque to retiring Planning Commissioner Donna Holmes and thanked her for her service to the San Juan Bautista community.
  - B. **San Benito County Update on Proposed Special District**

Julie Morris gave a Powerpoint presentation on the County proposed Library, Parks and Recreation Special District. A question and answer period followed. Mayor Cosio opened for public comment. No comments were received.
  - C. **Monthly Financial Statements – Treasurer's Report**

The City Treasurer was not present but Council received her written report. A question and answer period followed. Mayor Cosio opened for public comment. No comments were received.
  - D. **Library Report**

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

**E. Fire Chief's Report**

Council received Fire Chief John Fox's report in their packet. A question and answer period followed. Mayor Cosio opened for public comment. No comments were received.

**F. Sheriff's Report: Monthly Activity**

Deputy Brown was present and provided an activity report of crime in the City. A question and answer period followed. Mayor Cosio opened for public comment. No comments were received.

**G. Public Works Report – City Manager Grimsley**

Council received the City Manager's Public Works report in their packet. A question and answer period followed. Vice Mayor Boch was concerned with truck parking on Muckelemi Street near Monterey Street, and whether no parking signs had been installed. Council Member Moore suggested moving the no parking sign closer to the corner of San Antonio and Muckelemi Streets. Mayor Cosio asked for an update on the bike path. Mayor Cosio opened for public comment. No public comments were received.

**H. Code Enforcement Report – City Manager Grimsley**

City Council received the City Manager's report in their packet. A question and answer period followed. Mayor Cosio opened for public comment. No public comments were received.

**I. City Planner Activity Report – City Manager Grimsley**

Council received the City Manager's report in their packet. A question and answer period followed. Mayor Cosio opened for public comment. No public comments were received.

**J. City Manager Report – City Manager Grimsley**

Council received the City Manager's report in their packet. A question and answer period followed. Mayor Cosio opened for public comment. Richard Ponce (SJB, Resident) thanked the city manager for the street paving. No other comments were received.

**K. Public Meetings and Committee Reports**

Vice Mayor Boch reported on a meeting with the Water District Board, seeking assistance with financing for the pellet softening plant. Mayor Cosio commented that the committee is trying to get the lowest cost financing for better water. Council Member Moore reported on a Fire Committee meeting. Mayor Cosio reported on the Intergovernmental Committee meeting, and the AMBAG Special District for Libraries and Parks and Recreation was discussed. City Manager Grimsley commented he is involved with submitting City costs for services to County staff. Mayor Cosio reported on AMBAG, and commented that San Juan Bautista was highlighted in AMBAG's newsletter. Mayor Cosio opened public comment. No comments were received.

Whereupon Mayor Cosio reported that Council Member Edge requested to give his report on Strategic Planning (Item 6A) as he may not be able to stay for the entire meeting tonight.

**L. Strategic Planning – Council Member Edge**

Council Member Edge reported he will have a list of committee members for the next meeting. A question and answer period followed. City Attorney Thacher reminded the Council that the committee would be subject to the Brown Act and all meetings posted accordingly. Mayor Cosio opened for public comment. Richard Ponce (SJB, Resident) was concerned with how the selection of committee members is being conducted. Council Member Moore suggested posting a notice for interested persons to contact City Hall or Council Member Edge. Council agreed with the suggestion. No other comments were received.

**4. CONSENT ITEMS**

- A. Approve Affidavit of Posting Agenda**
- B. Approve Affidavit of Posting Public Hearing**
- C. Waive Reading of Ordinances and Resolutions on Tonight’s Agenda Beyond Title**
- D. Approve Resolution 2012-40 for Street Closures**
- E. Approve Minutes for August 21, 2012 Meeting**

A motion was made by Council member Bilich and seconded by Vice Mayor Boch to approve all items on the Consent Agenda. The motion passed unanimously.

**5. ACTION ITEMS**

**A. Property Abatement Update**

**i. Consider Resolution 2012-XX Ordering the City Manager to Abate a Nuisance at 699 Fourth Street**

City Manager Grimsley reported that the property owner is present tonight and there is still a lot that needs to be cleaned up on the property. A question and answer period followed. Property owner Michael Pedregon requested he be allowed more time to clean up debris and register a truck parked on the property. Mayor Cosio was concerned with an overgrown shrub which could make access to his home difficult in the event of fire. Mayor Cosio opened the public hearing. No public comments were received. Mayor Cosio closed the public hearing.

A motion was made by Council Member Bilich and seconded by Council Member Edge to continue this item to the next meeting so the property owner could continue cleaning up his property and register his vehicle. The motion passed 4-0-1-0 with Council Member Boch abstaining because his residence is within 300 feet of the property in question.

**B. Public Hearing for a Planned Unit Development – Assessor Parcels No. 002-026-011 and 002-026-012**

**i. Consider Resolution 2012-41 Approving a Mitigated Negative Declaration for Assessor Parcel Nos. 002-026-011 and 002-026-012**

Council members received the City Manager's staff report in their packet. A question and answer period followed. Council Member Edge was concerned with whether the streets inside the project are public or private, if there would be access to City fire and police services, and whether handicapped parking would be provided. City Manager Grimsley responded that the streets inside the project will be private, and the ratio of handicapped parking would be in line with ADA requirements. Vice Mayor Boch asked about the fence that borders the cemetery, and project engineer Allen Andrade responded that a break in the fence would be provided for access between the cemetery property and Third Street. There was discussion about residents parking in driveways.

Mayor Cosio opened the public hearing. Brian Dutton (Resident, SJB) was concerned with traffic. John Freeman (Resident, SJB) was concerned with the project density. City Manager Grimsley responded that all these issues had already been brought before the Planning Commission during five months of public hearings, or addressed in the EIR (Environmental Impact Report), before the project could get to the point of presentation to the City Council. No other comments were received. Mayor Cosio closed the public hearing.

A motion was made by Council Member Bilich and seconded by Vice Mayor Boch to approve Resolution 2012-41, approving a mitigated negative declaration for a planned unit development permit for assessor parcel numbers 002-026-011 and 012. The motion passes unanimously.

**ii. Consider Resolution 2012-42 Approving a Planned Unit Development Permit for Assessor Parcel Nos. 002-026-011 and 002-026-012**

During the question and answer period, Council Member Moore asked whether the City can dictate the number of bedrooms or square footage of each unit. Project Architect Jeff Kind explained what is proposed and City manager Grimsley stated that the architectural review would come back to Council later. Council Member Edge stressed that Council must support the Planning Commission's decision in order to avoid an outcome like with the Pace project. He explained to Council what evolved with that project several years ago; the City Council disapproved the project after the Planning Commission had gone through the process and approved the project. As a result, the City was taken to court and lost and the project was decided by others, and the City had to accept their decisions. Mayor Cosio opened the public hearing. No comments were received. Mayor Cosio closed the public hearing.

A motion was made by Council Member Edge and seconded by Council Member Bilich to approve Resolution 2012-42, approving a planned unit development permit for assessor parcel number 002-026-011 and 012. The motion passed unanimously.

Whereupon, Council Member Edge left the meeting at 8:10 p.m.

**C. Approve Resolution 2012-43 Authorizing Mayor to Sign 911 Services Agreement with San Benito County**

Council received the resolution and agreement in their packet. A question and answer period followed. Mayor Cosio opened for public comment. No comments were received.

A motion was made by Council Member Bilich and seconded by Vice Mayor Boch to approve Resolution 2012-43, authorizing the mayor to sign a 911 services agreement with San Benito County. The motion passed 4-0-0-1 with Council Member Edge absent.

**D. Approve Resolution 2012-44 Authorizing Mayor to Sign an Agreement with San Benito County to Provide Fire Services and Emergency Response**

Council received the resolution and agreement in their packet. A question and answer period followed. There was discussion whether the City had adequate insurance coverage as required in the agreement. Mayor Cosio opened for public comment. No comments were received.

A motion was made by Council Member Bilich and seconded by Council Member Moore to approve Resolution 2012-44 authorizing the mayor to sign an agreement with San Benito County to provide fire services and emergency response subject to verification that the City has \$5 million insurance coverage. The motion passed 4-0-0-1 with Council Member Edge absent.

**E. Approve Resolution 2012-45 Authorizing Application for Federal Excess Personal Property in Accordance with United States Forest Service Cooperative Forestry Assistance Act (CFAA) of 1978**

A motion was made by Council Member Bilich and seconded by Council Member Moore to approve Resolution 2012-45 authorizing an application for Federal Excess Personal Property in accordance with the United States Forest Service Cooperative Forestry Assistance Act (CFAA) of 1978. The motion passed 4-0-0-1 with Council Members Edge absent.

Whereupon Vice Mayor Boch left the dais.

**F. Approve Resolution 2012-46 Amending the Fiscal Year 2013 Budget for the Fire Department Budget (Account No. 20-702, Fire Gear/Safety Equipment) to \$10,750**

A motion was made by Council Member Moore and seconded by Council Member Bilich to approve Resolution 2012-46 amending the Fiscal Year 2013 Budget for the Fire Department Budget (Account No. 20-702, Fire Gear/Safety Equipment) to \$10,750. The motion passed 3-0-0-2 with council Members Edge and Boch absent for the vote.

Whereupon Vice Mayor Boch returned to the dais.

**G. Selection of City Volunteer to Recognize on Philanthropy Day  
(November 15, 2012)**

Mayor Cosio recommended honoring Volunteer Fire Fighter Danny Gonzales at the National Philanthropy Day dinner at San Juan Oaks on November 15 for his work with the Fire Explorer Program, and asked Council Member Moore to accompany Mr. Gonzales and his wife to the event.

A motion was made by Council Member Bilich and seconded by Vice Mayor Boch to recognize Volunteer Fire Fighter Danny Gonzales on National Philanthropy Day. The motion passed 4-0-0-1 with Council Member Edge absent.

**6. DISCUSSION ITEMS**

**A. Strategic Planning**

This item was moved to Item 3L and discussed.

**B. Report by Ad Hoc Committee for Outside Services**

No report was provided and Mayor Cosio suggested taking action on this item next month.

**C. Report by Ad Hoc Committee for Parking Within the City**

This item was discussed earlier in the agenda.

**7. SET FUTURE AGENDA ITEMS**

Mayor Cosio requested changes to the citation book and the Five Year Capital Plan be placed on the agenda for next month, and a noise ordinance be brought forward at another time.

**8. COMMENTS**

**A. City Council Members:** Council Member Moore reported anyone wanting to enter a float or vehicle in the Christmas Parade on December 1 should contact him for an application.

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

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

**9. ADJOURNMENT**

A motion was made to adjourn the meeting at 8:35 p.m.

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Mayor Cosio

ATTEST:

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Trish Paetz, Deputy City Clerk

