

CITY OF SAN JUAN BAUTISTA
CITY COUNCIL REGULAR MEETING
NOVEMBER 20, 2012
MINUTES

1. **CALL TO ORDER** – Mayor Cosio called the meeting to order at 6:01 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 (arrived late)

Staff Present: City Manager Grimsley, Assistant City Attorney Rathie, City Clerk McIntyre

Staff Absent: City Treasurer Johnson, Fire Chief John Fox
2. **PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA**

Sandra Knoll (Resident, SJB) was concerned with trucks coming through town. City Manager Grimsley responded that action has been taken to alleviate this problem, stating signs have been posted and citations have been issued. Council Member Moore suggested city staff provide a flier to Earthbound for their security station personnel to distribute to truckers informing them that they are violating a City ordinance when they travel through the City, and then list the fine.
3. **PRESENTATIONS, INFORMATIONAL ITEMS AND REPORTS**
 - A. **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.
 - B. **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.
 - C. **Fire Chief’s Report**

Fire Chief Fox was not present but Council received a report in their packet. A question and answer period followed. Council Member Moore commented on the Philanthropy Day Event he attended at San Juan Oaks where Fire Fighter Danny Gonzales was recognized for his work with the Explorers and where Fire Chief Fox attended as well. Mayor Cosio opened for public comment. No comments were received.

D. Sheriff's Report: Monthly Activity

Deputy Brown was present and provided a report of crime activity in the City and reminded the community that Neighborhood Watch meetings are held the third Monday of the month at San Juan School. A question and answer period followed. Mayor Cosio opened for public comment. No comments were received.

E. Public Works Report – City Manager Grimsley

Council received the City Manager's Public Works report in their packet. A question and answer period followed. Mayor Cosio commented that improvements had been made to Laseun Road by a private contractor. Mayor Cosio opened for public comment. No public comments were received.

F. 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.

G. City Planner Activity Report – City Manager Grimsley

Council received the City Manager's report in their packet. A question and answer period followed. Council Member Moore commented that the owner of Harvey's Lockup (storage) had planted grass instead of installing a sidewalk. City Manager Grimsley replied that a sidewalk will need to be installed in order to comply with the conditions of approval. Mayor Cosio opened for public comment. No public comments were received.

H. 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. No comments were received.

I. Public Meetings and Committee Reports

Fire Committee members, Mayor Cosio, Council Member Moore and City Manager Grimsley provided a report. Mayor Cosio reported on an AMBAG meeting and retreat she attended. Mayor Cosio opened public comment. No comments were received.

4. CONSENT ITEMS

A. Approve Affidavit of Posting Agenda

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

C. Approve Resolution 2012-XX for Street Closure

D. Approve Minutes for October 16, 2012 Meeting

E. Accept Library Auxiliary's Donation of \$1,000 and Approve Resolution 2012-XX Amending the Fiscal Year 2013 Budget for the Library

Council Member Edge requested that Item E be pulled from the Consent Agenda for discussion and Council Member Moore requested that Items C and D be pulled also for discussion.

A motion was made by Vice Mayor Boch and seconded by Council Member Edge to approve items A and B on the Consent Agenda. The motion passed unanimously.

Item C: Approve Resolution 2012-47 for Street Closure

Council Member Moore, representing San Juan Rotary Club, explained which streets will be closed for the Christmas Parade route and setup, and clarifying that Second Street would not be closed.

A motion was made by Vice Mayor Boch and seconded by Council Member Edge to approve resolution 2012-47 after removing Second Street from the list of streets that could be closed for the Christmas Parade route. The motion passed unanimously.

Item D: Approve Minutes for October 16, 2012 Meeting

Council Member Moore provided minor changes to the minutes involving typographical errors.

A motion was made by Council Member Edge and seconded by Vice Mayor Boch to approve the minutes for October 16, 2012 with changes. The motion passed unanimously.

Item E: Accept Library Auxiliary's Donation of \$1,000 and Approve Resolution 2012-48 Amending the Fiscal Year 2013 Budget for the Library

City Manager Grimsley stated that the resolution should clarify that the budget for the library will be increased from \$12,000 to \$13,000 because of the Auxiliary's donation to help with the cost of replacing the roof.

A motion was made by Council Member Edge and seconded by Vice Mayor Boch to approve resolution 2012-48 amending the Fiscal Year 2013 Budget for the Library. The motion passed unanimously.

5. ACTION ITEMS

A. Property Abatement Update: Consider Resolution 2012-XX, Ordering the City Manager to Abate a Nuisance at 699 Fourth Street

City Manager Grimsley introduced property owner Mike Pedregon and provided an update stating Mr. Pedregon has removed vehicles and cleared out debris. A question and answer period followed. Council Member Moore asked about a motor situated under a tree. Mr. Pedregon stated he would comply and move the remove the motor. Mayor Cosio opened for public comment. No public comments were received. No action by Council was taken.

B. Update on 5-Year Capital Plan

City Manager Grimsley presented an update on the 5 Year Capital Plan and describes his plan to present a cost analysis in matrix form to Council next month. No action by Council was taken.

6. DISCUSSION ITEMS

A. Strategic Planning

Council Member Edge reported he will contact the stakeholders.

B. Report by Ad Hoc Committee for Outside Services

Mayor Cosio stated the committee has not had a reason to meet and there was no report at this time.

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

Vice Mayor Boch reported City Attorney Thacher had been provided with information to develop a resolution setting parking fines. Council requested that this item come back to them next month in the form of a resolution from the City Attorney.

D. Proposed County Special District – Library, Parks and Recreation

City Manager Grimsley provided a staff report for Council in their packets stating his concerns for whether the City would want to relinquish control and operation of the library and its parks to a board of directors of a special taxing district. A question and answer period followed. Council Member Edge expressed support for the city manager's position stating he did not support Luck Library becoming part of the County's special district. Vice Mayor Boch agreed with Council Member Edge. Council Member Moore commented that libraries may have been included in the special district study because the County's library was in need of funding. Council Member Bilich supports a special district that would provide a recreation program for San Juan residents. Mayor Cosio, a member of the Special District committee, agreed with Council Member Edge.

Mayor Cosio opened for public comment. Bob Reid (San Juan Star Reporter) explained the convergence of libraries, fire protection services and parks was a result of the need for funds, and supports Luck Library being included. Richard Ponce (Resident, SJB) commented that the City never received money from the Rancho Larios development. Georgana Gularte (Resident, SJB) reminded Council that this is simply a study. Linda McIntyre (Resident, SJB) commented that San Juan residents would not be prohibited from utilizing the San Benito River Parkway, and she's not in favor of paying more property taxes. Council Member Moore suggested the City Manager let the County know they are not in favor of including Luck Library in a special district.

E. Proposed Changes to Rental of Right of Way Agreement

City Manager Grimsley explained that the City is still having difficulty with bars that rent the City right of way because alcohol is being consumed outside, guests

are loitering outside the doorways and smoking, and smoke from barbecues creates a nuisance. Council Member Moore suggested telling bar owners when they purchase a right of way agreement to control the activity of their patrons.

Mayor Cosio opened for public comment. Richard Ponce (SJB, Resident) suggested barbecues only be allowed in the back, and commented that the City's ability to enforce its laws is the issue. Bob Reid (San Juan Star Reporter) suggested that the San Juan Committee interface with merchants.

Council directed the city manager to communicate to bars that they must comply, and investigate the capabilities of having barbecues in the back.

F. Investment Policy

Council received the City Manager's staff report in their packets. A question and answer period followed. Mayor Cosio opened for public comment. No comments were received. The City Manager was instructed to present a draft investment policy next month.

G. Sewer Rate Analysis

Council received the City Manager's staff report in their packets. A question and answer period followed. Mayor Cosio did not support decreasing the sewer rate for, 1) stores with apartments above that are on the same water meter line, and 2) apartments, because there are so many 800 sq. ft. homes that would not get the same benefit.

Mayor Cosio opened for public comment. Richard Ponce (SJB, Resident) supports decreasing the sewer rate for small businesses as a means of extending good will, and it may help with getting them to comply with the sign ordinance. The city manager was instructed to bring this item back next month with more findings.

H. Feral Chicken Ordinance

Council Member Bilich stated she wants Council to revisit the ordinances that prohibits the feeding of feral chickens. She explained she has stopped feeding chickens and the results of her survey of three health departments provides that there is no disease that can be passed from chickens to humans. Council Member Moore commented that there are roosters being kept with hens on Fifth Street.

Mayor Cosio opened for public comment. Richard Ponce (Resident, SJB) commented that a certain council member does not abide by the ordinance. The consensus of Council was not to revisit the ordinance.

7. SET FUTURE AGENDA ITEMS

Resolution on setting parking fines, semi-truck abatement, investment policy, reduction in small business sewer fee.

8. COMMENTS

A. City Council Members: Wished everyone a Happy Thanksgiving and encouraged everyone to support and attend dinners.

B. City Manager: No comments.

C. City Attorney: No comments.

9. ADJOURNMENT

A motion was made to adjourn the meeting at 8:40 p.m.

Jolene Cosio, Mayor

ATTEST:

Trish Paetz, Deputy City Clerk