

**CITY OF SAN JUAN BAUTISTA
CITY COUNCIL REGULAR MEETING
DECEMBER 18, 2012
MINUTES**

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

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

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

Staff Present: City Manager Grimsley, City Attorney Thacher, City Clerk McIntyre, Deputy City Clerk Paetz

Staff Absent: Fire Chief John Fox, City Treasurer Geiger

Mayor Cosio requested a moment of silence for Robert Paradice, former City Council Member and City Clerk, and for the families affected by the shooting in New Town, Connecticut earlier this week.

2. CEREMONIAL ITEMS

A. Approve Resolution 2012-49 Declaring Election Results

A motion was made by Council Member Boch and seconded by Council Member Moore to approve Resolution 2012-49 declaring the results from the November 6, 2012 election. The motion passed unanimously.

B. Installation of New and Continuing City Council Members Robert Lund and Rick Edge, Continuing City Clerk Linda McIntyre and New City Treasurer Chuck Geiger

Deputy City Clerk Paetz administered the oath of office to new City Council Member Robert Lund and continuing City Council Member Rick Edge and City Clerk Linda McIntyre. Chuck Geiger was not present.

C. Presentation of Plaques Honoring Outgoing City Officials Maggie Bilich and Colleen Johnson

Mayor Cosio presented a plaque to Maggie Bilich recognizing her service to the community as city council member. Colleen Johnson was not present.

D. Selection of New Mayor and Vice Mayor

A motion was made by Council Member Edge and seconded by Council Member Moore to nominate Council Member Boch as Mayor. The motion passed unanimously. Whereupon, the gavel was passed to Mayor Tony Boch.

A motion was made by Council Member Cosio and seconded by Council Member Lund to nominate Council Member Moore as Vice Mayor. The motion passed unanimously.

3. PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA

Rachel Ponce (SJB, Resident) congratulated the new City Council and commented that she has observed that residents of San Juan Bautista are not provided the same County services as residents of Hollister, for example, the YMCA. Whereupon Council Member Cosio stated she would take Mrs. Ponce's comments to the next meeting with the County on formation of a special district.

4. PRESENTATIONS, INFORMATIONAL ITEMS AND REPORTS

A. Monthly Financial Statements – Treasurer's Report

The City Treasurer was not present but Council received a written report. City Manager Grimsley commented that the Fiscal Year 2012 Annual Audit is underway in City Hall. A question and answer period followed. Mayor Boch opened for public comment. No comments were received.

B. Library Report

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

C. Fire Chief's Report

Fire Chief Fox was not present and there was no written report. Whereupon, Council Member and Volunteer Firefighter Lund commented on fire and rescue activity during the month. A question and answer period followed. Mayor Boch 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, which included a dog running at large and mauling of a chicken, and distributed a schedule and announcement of Neighborhood Watch meetings. A question and answer period followed. Mayor Boch opened for public comment. No comments were received.

E. Public Works Report – City Manager Grimsley

Council members received the City Manager's Public Works report in their packet. A question and answer period followed. Council Member Cosio was concerned with signage for the public bathrooms. City Manager Grimsley replied that he was shopping for a better price before purchasing. Mayor Boch opened for public comment. No public comments were received.

F. Code Enforcement Report – City Manager Grimsley

Council members received the City Manager’s report in their packet. A question and answer period followed. Council Member Cosio was concerned with the number of neon signs posted in shop windows. Mayor Boch opened for public comment. Rachel Ponce (SJB, Resident) commented that the City has an ordinance addressing posting of neon signs. No other public comments were received.

G. City Planner Activity Report – City Manager Grimsley

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

H. City Manager Report – City Manager Grimsley

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

Whereupon Supervisor Anthony Botelho arrived to the meeting and congratulated new and continuing City Officials.

I. Public Meetings and Committee Reports

Council Member Cosio reported that AMBAG elected new officers. Council Member Moore reported on the Intergovernmental Committee meeting. Mayor Boch opened for public comment. No comments were received.

5. CONSENT ITEMS

A. Approve Affidavit of Posting Agenda

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

C. Approve Resolution 2012-50 for Street Closure

D. Approve Minutes for September 18, 2012 Meeting

A motion was made by Vice Mayor Moore and seconded by Council Member Cosio to approve all items on the Consent Agenda. The motion passed unanimously.

6. ACTION ITEMS

A. Property Abatement: 301 Seventh Street

City Manager Grimsley presented a report stating the property owner has not made an effort to clean up the front yard and remove the trash and debris from her property and he is commencing with enforcement action. A question and answer period followed. A hearing was set for the next City Council meeting, January 15, at 6:00 p.m. Mayor Boch opened for public comment. No comments were received.

B. Update on 5-Year Capital Plan

City Manager Grimsley presented an update on the 5 Year Capital Plan and presented a cost analysis in matrix form. A workshop was set for Thursday, January 10 at 6:00 p.m. in Council Chambers.

C. Parking Citations/Fines

i. Approve Resolution 2012-51 Setting Parking Fines Pursuant to Municipal Code Section 7-4-700

ii. Consider and Approve Administrative Citation Process

City Attorney Thacher lead in a discussion about the administrative citation process and consideration of hiring a consultant versus assigning the responsibility to staff, to run plates and administer all processes involved. A question and answer period followed. Council Member Moore suggested consulting with Sheriff Thompson because he was a traffic cop. A motion was made by Council Member Cosio and seconded by Council Member Lund to approve the process in the report. The motion passed unanimously.

Council members then reviewed the resolution setting parking fines. There was discussion about other violations that could be written on the citation book. A motion was made by Council Member Cosio and seconded by Council Member Edge to accept the letter as is and the ticket book with blanks, remove the violations for cell phone use, unlicensed dog, and excessive noise. The motion passed unanimously.

D. Approve Resolution 2012-XX Adopting an Investment Policy

City Manager Grimsley presented a report to council in their packet, together with comments from City Accountant Cumming. City Attorney Thacher advised that this is a generic, standard policy, consistent with State law. A question and answer period followed. Council Member Edge did not support some of the real estate investments proposed. City Manager Grimsley suggested a committee consisting of the City Treasurer, the City Accountant, the City Manager, and a member of the City Council be formed to review the policy and make recommendations. Mayor Boch asked whether all the City's funds would be FDIC insured if it was all held in one bank. City Clerk McIntyre explained that to her knowledge city funds are covered according to a certain provision, which the city accountant could explain. Council Member Cosio was concerned with the city managing their debt rather than being concerned with getting a quarter to 1% on investments.

It was the consensus of Council to bring this item back next month with new recommendation by the city manager, city accountant, and city treasurer.

E. Adopt Resolution 2012-XX Sewer Classification of Small Shops With Limited Sewer Facilities

City Council received the City Manager's staff report in their packet. As a resolution was not provided, City Manager Grimsley asked that this item be held over to the next meeting. A question and answer period followed. Mayor Boch opened for public

comment. Chris Martorana (SJB, Resident) commented that if rates are lowered, merchants may allow guests to use the bathrooms in their store. No action was taken. This item was continued to the next regular council meeting.

F. Adopt Resolution 2012-52 Development Application Fees

City Manager Grimsley provided a staff report. A question and answer period followed. Council Member Cosio commented that if development application fees are decreased and the city were to go back to contracting for planning services, then fees would need to be raised, which would require a 218 process. City Attorney Thacher clarified the 218 process. Mayor Boch opened for public comment. No comments were received.

A motion was made by Council Member Edge and seconded by Council Member Lund to approve Resolution 2012-52 setting planning application fees. The motion passed unanimously.

G. Approve Emergency Funding for Fine to California Regional Water Quality Control Board Order R3-2012-0040 SEP Project

City Manager Grimsley presented financial information showing the effect the fine would have on the budget. A question and answer period followed. Mayor Boch opened for public comment. No comments were received.

A motion was made by Council Member Cosio and seconded by Council Member Edge to pay fine from the sewer and water funds to comply with the CRWQC Board order for a Supplemental Environmental Project (SEP) and direct the city manager to continue with plans to install a pellet softener plant. The motion passed unanimously.

H. Adopt Resolution 2012-53 Changing Signatures on City Bank Accounts and Wire Transfers

A motion was made by Council Member Cosio and seconded by Council Member Lund to adopt Resolution 2012-53 changing the signatories on City bank accounts and wire transfers. The motion passed unanimously.

7. DISCUSSION ITEMS

A. Strategic Planning

Council Member Edge distributed a list of persons interested in being on the Strategic Planning Committee. Council directed staff to bring this back next month in the form of a resolution.

B. Report by Ad Hoc Committee for Water Delivery Services

Mayor Boch and Vice Mayor Moore presented a report. No action taken.

C. Proposed Changes to Rental of Right of Way Agreement

City Manager Grimsley gave a report. A question and answer period followed. City Manager Grimsley was directed to inform shopkeepers they need to manage the problems brought about by their use of the public right of way. No changes were made to the agreement form at this time.

D. Enforcement of Commercial Vehicles Over Three Ton Weight Limit

City Manager Grimsley provided a flyer for truckers coming out of the vegetable packing facilities north of the city, informing them of the penalties association with driving through the city to access the highway. A question and answer period followed. Council Member Cosio commented she would bring the issue up at the Intergovernmental Committee meeting.

E. Impact Fee Analysis and Criteria. Establish “Nexus” Requirement

City Manager Grimsley provided the City Council with a staff report and analysis of costs to substantiate changes to the impact fees. He stated the County and City of Hollister have lowered their fees substantially. A question and answer period followed. Council Member Cosio felt the fees may be too low. City Manager Grimsley stated he would fine tune his analysis and bring it back next month. Mayor Boch opened for public comment. No comments were received.

8. SET FUTURE AGENDA ITEMS

City Clerk McIntyre provided a list of items to carry over or add to next month’s meeting agenda.

9. COMMENTS

A. City Council Members: Reminder that the annual bonfire is scheduled for December 21. Vice Mayor Moore stated he is happy with the progress the City is making, Council Member Lund commended City Manager Grimsley for the work he has done to improve the city.

B. City Manager: City Manager Grimsley commented that included in the council packet was information on how voters in other communities elected to increase sales tax.

C. City Attorney: No comments.

9. ADJOURNMENT

A motion was made to adjourn the meeting at 9:05 p.m.

Tony Boch, Mayor

ATTEST:

Trish Paetz, Deputy City Clerk

