

**CITY OF SAN JUAN BAUTISTA
CITY COUNCIL REGULAR MEETING
FEBRUARY 19, 2013
MINUTES**

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

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

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

Absent: City Clerk McIntyre

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

Staff Absent: Fire Chief John Fox

2. PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA

No public comments were made.

3. PRESENTATIONS, INFORMATIONAL ITEMS AND REPORTS

A. Highway 156 Presentation – Dan DeVries

Dan DeVries gave a presentation on the Highway 156 litigation against CalTrans, distributed copies of an article from the August 2011 San Juan Star, and reported it was decided in court that the EIR was inadequate whereupon CalTrans made an effort to cure. Mediation begins March 5 and DeVries is asking the City to contribute \$10,000 for attorney fees. Scott Fuller of San Juan Oaks stated the new plan would save 50 acres of prime farm land. A question and answer period followed. Council Member Cosio did not support using the public's money for this effort. Vice Mayor Moore spoke in support of contributing. Council Member Lund wanted to hear from the community before deciding to spend their money. City Attorney Thacher suggested that, as this was not an item on the agenda to take action, Council may want to call a special meeting to hear more before making a decision. Mayor Boch requested the City Manager review the budget and this item be placed on the agenda for the February 27 Workshop/Special Meeting. Mayor Boch opened for public comment: Rachel Ponce (SJB, Resident) spoke in support of the City Council addressing this issue.

B. Monthly Financial Statements – Treasurer’s Report

City Treasurer Geiger provided a report. A question and answer period followed. Mayor Boch opened for public comment. No comments were received.

C. 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.

D. Fire Chief’s Report

Fire Chief Fox was present and gave a report. A question and answer period followed. Mayor Boch opened for public comment. No comments were received.

E. Sheriff’s Report: Monthly Activity

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

F. 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 suggested bringing back "Clean Sweep" project to get people to clean up their property. Mayor Boch opened for public comment. No public comments were received.

G. Code Enforcement Report – City Manager Grimsley

Council members received the City Manager’s report in their packet, stating he would be bringing 205 The Alameda back next month to abate. A question and answer period followed. Mayor Boch was concerned with a property owner building a fence on Lang Street near the City’s property. Council Member Cosio suggested the City Manager employ 4-Leaf for code enforcement. Mayor Boch opened for public comment. No comments were received.

H. 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.

I. 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.

J. Public Meetings and Committee Reports

Council Member Cosio reported she attended the Pinnacles National Park grand opening (Hollister, Soledad and San Juan Bautista are gateways to the park) and

reported AMBAG's Regional Growth Forecast placed San Juan Bautista's growth at 0 percent. Other cities objected and AMBAG will be revisiting this at a later date. Vice Mayor Moore reported on the Fire Protection meeting and plans to respond to an RFP, and the Intergovernmental meeting report: consolidating resources. Council Member Lund reported the Motorcycle Rally meeting was mostly for Hollister, but he has met with the city manager to discuss ways to ready San Juan for the event and promote the city. Mayor Boch reported unmet transit needs was discussed at COG, he is working on getting better lighting at the underpass, and he was appointed by Supervisor Botelho to study Hwy 152. Additionally, he and the City Manager attended a Water District Board meeting where they were well received. Mayor Boch opened for 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 2013-04 for Street Closure**
- D. Adopt Ordinance 2013-01 Amending Sewer Classification for Small Shops With Limited Sewer Facilities**
- E. Approve Minutes for December 18, 2012 Meeting**

Council Member Cosio asked to pull Items 4C and 4D from the consent agenda for discussion.

A motion was made by Council Member Edge and seconded by Vice Mayor Moore to approve all Items on the consent agenda except items C and D. The motion passed unanimously.

Item 4C: Council Member Cosio had questions regarding the upcoming car show which Gold Coast Rods president Harlan McGinnis was able to answer. Mayor Boch commented that barricades need to be left up after the Easter Parade while children are present.

Item 4D: Council Member Cosio was concerned with whether applicants would be required to have low flow toilets.

A motion was made by Council Member Cosio and seconded by Vice Mayor Moore to approve Items C and D on the consent agenda. The motion passed unanimously.

5. ACTION ITEMS

A. Consider Property Abatement: 301 Seventh Street

City Manager Grimsley stated the property owner is moving ahead and desired to provide her with a few more weeks to continue cleaning up. A question and answer period followed. Mayor Boch opened for public comment. No comments

were received. It was the consensus of council to continue this item to the next regular meeting. No further action was taken.

B. Parking Citations/Fines

City Manager Grimsley stated the new ordinance is in effect. Ticket books with envelope for making payment directly to City Hall will be printed up. No action by Council was taken.

C. Consider Proposed Modifications to Development Impact Fees; Direct Staff to Prepare Required Documents

City Manager Grimsley presented and City Attorney Thacher provided input.

A motion was made by Council Member Cosio and seconded by Council Member Lund to direct staff to prepare the required documents for amending the development impact fees. The motion passed unanimously.

D. Water/Sewer Rate CPI (Cost of Living) Increase

City Manager Grimsley explained that the municipal code provides that staff can adjust water and sewer rates annually using the consumer price index. Last year staff mistakenly increased the rates by 3.7 percent rather than the actual CPI of 3.2 percent. Therefore, he recommends increasing the rates this year by 1.7 percent. Mayor Boch opened for public comment. Rachel Ponce (SJB, Resident) spoke against a cost of living increase to water and sewer rates, pointing out the difficulty for those on a fixed income to pay their water bill, but the City allows businesses to get away with posting illegal signs. Bob Quaid (SJB, Resident) pointed out that sewer together with water increase would amount to an increase of \$2 to \$3 each month. A question and answer period followed. Vice Mayor Moore suggested holding off on rate increase until after working with the Water District. City Manager Grimsley commented that, although alright to hold off for one year, subsequent years without an increase could get away from us. Mayor Boch spoke in support of holding off at this time but warned that residents can't expect to get cheap water; the City provided cheap water for many years. No action was taken.

6. DISCUSSION ITEMS

A. Enforcement of Commercial Vehicles Over Three Ton Weight Limit

City Manager Grimsley reported he had ordered signs to post in the county because the county did not move on this fast enough, so it's now up to law enforcement.

B. Strategic Planning Update

Council Member Edge reported he is getting accurate contact information for all committee members, updating his committee member list and will be looking at dates to meet convenient to all members.

C. Initial Study/Mitigated Negative Declaration for SEP (Supplemental Environmental Project) on City Recycled Water Distribution

City Manager Grimsley explained the distribution and posting process underway for the public hearing scheduled to take place at the March 19, 2013 City Council Meeting.

D. Ordinance 2007-04, Restrictions on Franchise Businesses

City Manager Grimsley explained that this topic was presented to the Historic Resources Board and Planning Commission and their overall feeling was to rescind the ordinance as it portrays a negative attitude to new businesses wanting to locate to the City. However, their concerns are to protect the historical and cultural ambience of the downtown area and maintain the early California bucolic atmosphere the City presently provides to visitors. They feel the ordinance should be flexible and open by allowing new businesses, whether individual or franchised, to locate and setup shop within the city, but administer firm architectural control to ensure all businesses are compatible to the history of San Juan Bautista.

A motion was made by Mayor Boch and seconded by Council Member Edge to direct staff to prepare a new ordinance that allows franchises but with strict architectural controls. The motion passed unanimously.

7. SET FUTURE AGENDA ITEMS

Council Member Edge requested this item be removed from all future agendas.

8. COMMENTS

A. City Council Members: Mayor Boch announced that San Benito County Farm Bureau is hosting their annual Farm Day on March 19 beginning at 10:30 a.m. at Bolado Park, and the IBEW is hosting a plug in electric vehicles training seminar in Castroville on March 12 where breakfast and lunch will be provided.

B. City Manager: No comments received.

C. City Attorney: No comments received.

9. ADJOURNMENT

A motion was made to adjourn the meeting at 8:50 p.m.

Mayor Tony Boch

ATTEST:

Trish Paetz, Deputy City Clerk