

**CITY OF SAN JUAN BAUTISTA
CITY COUNCIL REGULAR MEETING**

MAY 21, 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

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

Staff Absent: City Clerk McIntyre, City Treasurer Geiger, Fire Chief Fox

2. PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA

Chairperson of the Historic Resources Board Wanda Guibert was concerned with the preservation and care of the City's heritage roses and requested the City become involved in their preservation. Loryn Kehoe-Ross offered her services and as a resources for preservation of old roses.

3. PRESENTATIONS, INFORMATIONAL ITEMS AND REPORTS

A. National Preservation Month Recognition

Planning Commission Chairman Ernest Franco presented a letter to Ron and Alma Paulk recognizing them for the significant improvements made to their property on Third Street, thereby enhancing and maintaining the overall commercial district and helping to attract visitors to the City.

B. Presentation by San Juan Committee

Kim Bautista presented an update on the San Juan Committee's activities. A question and answer period followed. Council Member Cosio commented the Committee is making an impact, more people are coming into the City, and suggested the Committee resume its practice of having a booth at events.

C. Monthly Financial Statements – Treasurer's Report

Council Members were provided with the monthly financial statements and treasurer's report in their packet. A question and answer period followed. Council Member Edge was concerned with the loss from enterprise funds revenue which may be attributed to loss of septage haulers. City Manager Grimsley commented that the increased charges

from Bracewell were a result of the reclaimed water project. Mayor Boch opened for public comment. No comments were received.

D. 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.

E. Fire Chief's Report

Council members were provided with a report in their packets. Fire Chief Fox was not present. A question and answer period followed. Mayor Boch opened for public comment. No comments were received.

F. Sheriff's Report: Monthly Activity

Deputy Brown was present and reported there has been an increase in the number of car thefts in the city. A question and answer period followed. Mayor Boch opened for public comment. No comments were received.

G. 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. Mayor Boch opened for public comment. No public comments were received.

H. Code Enforcement 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.

I. 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.

J. 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.

K. Public Meetings and Committee Reports

Council Member Cosio reported AMBAG is refining their Regional Growth Forecast numbers for 2035, CalTrans will begin building a super highway in 2015, and she attended a sustainable community forum. Council Member Edge reported on the Strategic Planning Committee meeting. During public comment Bob Reid asked whether the City's Historic Plan was meant to be the City's Strategic Plan. Mayor Boch reported on a recent COG meeting where a subcommittee was formed to discuss utilizing taxicabs for Dial a Ride, but the cost to San Juan residents would be \$18. 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 2013-13 for Street Closure**
- D. Approve Resolution 2013-14 Authorizing the San Juan Bautista Pre-School to Sell Fireworks for the July 4, 2013 Holiday**
- E. Approve Resolution 2013-11 Approving the Report Prepared in Connection with the Fiscal Year 2013-14 Levy of Assessments in Connection with Valle Vista Landscape and Lighting Maintenance Assessment District No. 1**
- F. Approve Resolution 2013-12 Declaring Its Intention to Levy and Collect Assessments Within Valle Vista Landscape and Lighting Maintenance Assessment District No. 1 for Fiscal Year 2013-14 and Setting the Time and Place for a Hearing on Said Assessment**
- G. Approve Resolution 2013-15 Setting Parking Fines Pursuant to City Municipal Code Section 7-4-700**
- H. Approve Minutes for March 19, 2013 Regular Meeting**

Council Member Cosio asked to pull Items 4C, D, and G from the consent agenda for discussion, and to table Item 4H, as Deputy City Clerk Paetz said the minutes for March 19, 2013 were not available.

A motion was made by Council Member Edge and seconded by Council Member Lund to approve all Items on the consent agenda except Items 4C, D, G and H. The motion passed unanimously.

Item 4C: Approve Resolution 2013-13 for Street Closure

Council Member Cosio asked why the State Park cannot leave their bathrooms or the rose garden (orchard lot) open during street events. Mayor Boch asked the City Manager to relay those comments to the State Park. Council Member Cosio did not support the sale of personal items or items other than agricultural being sold at the Farmers Market, and commented that not all Saturdays are available for the Farmers Market. The promoter was present and agreed to the council members that only agricultural items would be sold at the Farmers Market.

A motion was made by Council Member Cosio and seconded by Council Member Lund to approve Resolution 2013-13 authorizing street closures. The motion passed unanimously.

Item 4D: Approve Resolution 2013-14 Authorizing Fireworks to be Sold in the City

Council Member Cosio was concerned with the legality of fireworks sales in San Benito County.

A motion was made by Council Member Edge and seconded by Vice Mayor Moore to approve Resolution 2013-14 authorizing the San Juan Bautista Pre-School to sell fireworks for the July 4, 2013 holiday. The motion passed unanimously.

Item #4G: Approve Resolution Setting Parking Fines

Council Member Cosio asked about the status of the printing of ticket books. City Attorney Thacher commented that this resolution increases the previously proposed parking fines to account for payments to San Benito County for court costs.

A motion was made by Council Member Edge and seconded by Council Member Cosio to approve Resolution 2013-15 setting parking fines pursuant to City Municipal Code Section 7-4-700. The motion passed unanimously.

5. ACTION ITEMS

A. Consider Selection of CMAP Representative

Council received Deputy City Clerk Paetz's staff report in their packet. A question and answer period followed. Council directed staff to post a notice announcing a vacancy on the CMAP Board.

B. Consider Resolution 2013-16 to Accept the Recology Report for the Annual Rate Adjustment Notification Report

San Benito County Integrated Waste Management Director Mandy Rose presented Recology's report for the Annual Rate Adjustment Notification. A question and answer period followed. Mayor Boch opened for public comment. No comments were received.

A motion was made by Council Member Edge and seconded by Council Member Cosio to approve Resolution 2013-16 accepting the Recology Report for the Annual Rate Adjustment Notification Report. The motion passed unanimously.

C. Consider Ordinance Adopting Rules and Regulations for Connecting to City Water Services Pursuant to Section 6-4-115 of the Municipal Code

City Manager Grimsley explained that over the last several decades, water service has been provided to properties outside the city limits with no provisions for future annexation. Ultimately, the city is required to improve and maintain the waterlines to these areas when there is no written agreement to pay for the improvement and/or to annex. The City Manager proposed to Council changing the city's rules and regulations to reflect a binding irrevocable offer to annex the property into the corporate limits of the city when the boundaries are adjusted to, and adjacent to, the property requesting water service.

A motion was made by Council Member Cosio and seconded by Vice Mayor Moore to introduce an ordinance amending Article 1 of Chapter 6-4 of the municipal code to add Sections 6-4-111 and 6-4-112 requiring annexation of extra-territorial property connecting to water service, and to impose certain reconnection fees. The motion passed unanimously.

D. Request by Council Member Edge that the Council Consider Additions to Membership on the Strategic Planning Committee

A motion was made by Council Member Cosio and seconded by Council Member Edge to accept changes to the Strategic Planning Committee membership. The motion passed unanimously.

E. Consider Water/Sewer Rate Increase Per Consumer Price Index Percentage, as Provided in SJB MC Chapter 3-5-160

City Manager Grimsley reported that this item was proposed to Council at their February meeting but was tabled after the public expressed concerns. Each year, in accordance with Chapter 3-5, Section 3-5-160 of the municipal code, the Council can adjust the water and sewer rates by an amount equal to the Consumer Price Index. In 2011 the rate was adjusted 3.7%, but the actual rate was 3.2%. The rate for 2012 was 2.2%. In accordance with the code, a rate of 2.2% could be applied. However, the rate last year was .5% higher than the actual rate. This year staff is asking the Council to adjust the sewer and water rates by 1.7%. A question and answer period followed. Mayor Boch opened for public comment.

Rachel Ponce (SJB, Resident) asked what costs the increase will cover. City Manager Grimsley responded that it would cover increased energy costs. Mayor Boch added the Water Resources Board, fire, and to pay back the general fund.

A motion was made by Council Member Edge and seconded by Council Member Cosio to accept the water/sewer rate increase at 1.7% for the remainder of 2013. The motion passed unanimously.

F. Award Reclaimed Water Extension Project Bid

City Manager Grimsley reported that seven bids were received for phase one of the reclaimed water improvement project (or, SEP) and Nor Cal Contractors was the lowest bidder at \$35,799.50.

A motion was made by Council Member Lund and seconded by Council Member Edge to approve Resolution 2013-17, awarding a contract for the San Juan Bautista Reclaimed Water Extension project to Nor Cal Contractors. The motion passed unanimously.

G. Approve Resolution 2013-XX Authorizing Mayor to Sign Contract with the City of Hollister to Provide Fire Protection Services.

This item was tabled pending the City of Hollister City Council vote on the contract.

6. DISCUSSION ITEMS

A. Community Hall User Policies

City Manager Grimsley explained that while the use of the Community Hall has increased, revenues have decreased. This is due to the number of non-profit organizations that use the facilities without paying any fees, coupled with the deferred maintenance accumulating each year. At some point, maintenance of the facility will be a major City expense to repair, refurbish or replace the facilities. The City Manager asked that Council discuss ways to establish a cost neutral policy that will insure the necessary funding to maintain and preserve the structure. A question and answer period followed. Council Member Cosio supported charging \$20 per use to non profits but felt \$25 was too high. City Council directed staff to contact the non profits that use the community hall and let them know this is being considered so they will have an opportunity to comment. The item was tabled to the next meeting.

7. COMMENTS

A. City Council Members: Council Member Cosio commented that it was nice to hear a report by the San Juan Committee. Council Member Lund commented that the Rib Cook-off Street Event was a success. Mayor Boch agreed and commented he proposed to the promoter that they bring another event to town.

B. City Manager: No comments received.

C. City Attorney: No comments received.

8. ADJOURNMENT

A motion was made to adjourn the meeting at 8:11 p.m.