

**CITY OF SAN JUAN BAUTISTA
CITY COUNCIL REGULAR MEETING
FEBRUARY 18, 2014
MINUTES**

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

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

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

Absent: Fire Chief Fox, City Treasurer Geiger

Staff Present: City Manager Grimsley, City Clerk McIntyre, City Attorney Thacher, Asst. City Planner Leal

2. PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA

Andy Hsia-Coron spoke about green cities around the world. Mary-Hsia Coron spoke about model green cities, provided an update since the last meeting on solar companies, and their efforts to get donations. Jim West (Resident, SJB) commented that the new sidewalk in front of his property on Franklin Street could be a liability to the City since the rest of the sidewalk has not been poured and presents a potential trip and fall situation for pedestrians.

3. PRESENTATIONS, INFORMATIONAL ITEMS AND REPORTS

Council Member Boch requested the Sheriff's report be moved up as Captain Lamonica would need to leave soon.

E. Sheriff's Report: Monthly Activity

Captain Tony Lamonica provided an activity report, reported staffing is down as the sheriff's department was losing a deputy to the new courthouse, and a presentation was made at the Neighborhood Watch Meeting.

A. Tourism District Presentation by Janelle Cox, San Benito County

Management Analyst Janelle Cox presented information in a Powerpoint presentation on the proposed establishment of a Tourism Business Improvement District in San Benito County.

B. Monthly Financial Statements, Treasurer's Report, and Mid Year Budget Review

City Treasurer Geiger was not present. City Manager Grimsley responded to questions posed by Council. Vice Mayor Lund asked the status of the sales tax

audit. City Manager Grimsley responded he has received a report from HcL and they will be making a presentation soon. Council Member Cosio suggested that becoming a green city may be a way to decrease City gas and electric costs. City Manager Grimsley responded he has looked into installing solar panels at the sewer treatment plant. Council Member Boch brought up Energy Watch as another way to decrease gas and electrical costs. Mayor Moore 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 Moore opened for public comment. No comments were received.

D. Fire Chief's Report

City of Hollister Fire Chief Mike O'Connor was not present. No report was provided. A question and answer period followed. Mayor Moore opened for public comment. No comments were received.

E. Sheriff's Report: Monthly Activity

This report was provided earlier in the meeting.

F. Public Works Report

Council members received a report in their packets concerning a recent water main leak at the corner of Pearce Lane and The Alameda, adding that he believes that the asphalt that the public works crew had to jackhammer through may have been left over from the old Highway 101. A question and answer period followed. Council Member Cosio asked if the small number of trash cans available to visitors downtown had been addressed. City Manager Grimsley responded that it appears there has been abuse by apartment dwellers and merchants as it had been found they were dumping trash into the recepticals, and suggested ways to link Recology accounts with City utility accounts. Council Member Cosio asked if public works crew could repaint red fire lanes on sidewalks in the City. City Manager Grimsley responded he would first ask the Eagle Scouts. Council Member Cosio went on to comment that some motorists ignore the stop sign at First and Ahwahnee Streets and suggested installing rumble strips. Mayor Moore opened for public comment. No public comments were received.

G. Code Enforcement Report

Council Members received a report in their packet regarding complaints from residents around town regarding the chicken over population, their destruction of property, and health and safety concerns. Assistant Planner Leal reported letters have been sent to identified community members siting violation of Chapter 2-7 of the Municipal Code and the City's ability to issue administrative citations. A question and answer period followed. Council Member Boch commented on an abandoned car at Third and North streets. Council Member Cosio suggested a letter should go out that addresses overpopulation of cats and dogs roaming, as

well as chickens. Council Member Edge pointed out that it is a violation of the penal code to allow your dog to defecate at the ball field. Mayor Moore opened for public comment. No comments were received.

H. City Planner Report

Council Members received a report in their packet. Assistant Planner Leal asked that council confirms the appeal hearing set for February 25 at 6:00 p.m. It was the consensus of Council to hold a special meeting on February 25 for a public hearing on the appeal. A question and answer period followed. Mayor Moore opened for public comment. No comments were received.

I. City Manager Report

Council Members received a report in their packet. Talks about potential method to seal off aquifers from nitrates infiltrating but must identify where the nitrates are coming from. A question and answer period followed. Mayor Moore opened for public comment. No comments were received.

J. Public Meetings and Committee Reports

Council Member Cosio reported that AMBAG voted to release the 2035 transportation plan but she voted against it because it included the Hwy. 156 expansion and she does not believe it is in the community's best interest, and Captain Lamonica was the guest speaker at the Neighborhood Watch meeting. Vice Mayor Lund reported it was reported at the Fire Meeting that EMT training was beginning, and they are getting bids to build a firehouse at the airport. Mayor Moore reported the Water Resources Association is collaborating with the City to install a water conservation banner.

4. CONSENT ITEMS

A. Approve Affidavit of Posting Agenda

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

C. Approve Minutes for the January 21, 2014 Regular Meeting

D. Approve Resolution 2014-03 for Street Closures

Council Member Cosio requested Item D, Resolution for Street Closures, be pulled for discussion. Council Member Boch requested Item C, minutes for approval, be pulled for discussion.

A motion was made by Council Member Edge and seconded by Council Member Lund to approve Items A and B on the consent agenda. All members of the Council being present, the motion as stated by the maker passes unanimously.

C. Approve Minutes for the January 21, 2014 Regular Meeting

Council Member Boch asked for some clarification on revisions made to the draft minutes.

Council Member Cosio pointed out that the date in the resolution for the Easter Parade event should be Sunday, April 13 rather than Saturday, April 13, and asked Margot Tankersley and Naomi Medina to clarify for her how long the streets would be closed to set up for the parade and then for the parade itself. Discussion ensued that resulted in changes being made to the street closure resolution specifying the event occurring on Sunday and not Saturday, and Nyland Road to Pearce Street would not be required to close until just before the parade begins as participants setting up at San Juan School but would not actually move onto the street until approximately 1:00 p.m. Third Street would only need to be closed until the parade ends but then children would be coming out onto the street to get over to the Mission Orchard for an Easter egg hunt. Additionally, Margot's Ice Cream Shop is the applicant but Luck's Library Auxillary, a non-profit, is sponsoring the event.

A motion was made by Council Member Cosio to approve the Minutes for the January 21, 2013 Regular meeting and Resolution 2014-03 Authorizing Street Closures in the City with the changes noted. All members of the Council being present, the motion as stated by the maker passes unanimously.

5. ACTION ITEMS

A. Introduce Ordinance Amending Chapter 11.04-110 of the Municipal Code Establishing Design and Architectural Review on the Approval of Retail Businesses, Restaurant Businesses, and Visitor Accommodations Within the City

City Manager Grimsley proposed an ordinance to amend the existing formula business ordinance. Mayor Moore opened for public comment. During public comment Dan DeVries (Resident, SJB) spoke against the ordinance, Cara Vonk (property owner, SJB) spoke against the ordinance, Margot Tankersley (proprietor, SJB) spoke against the ordinance, Mirijana Tomas (resident, SJB) spoke against the ordinance, Mary Hsia Coron (resident, Aromas) spoke against the ordinance, Real Estate Broker John McCormack spoke in favor of franchises, Andy Hsia-Coron (resident, Aromas) spoke against the ordinance, Natasha Wist (resident, Hollister) spoke against the ordinance, Sonne Reyna (resident, SJB) spoke against the ordinance. A letter of support was received from the California Restaurant Association. A question and answer period followed. Council Member Cosio spoke in favor of the city's small businesses but also for the provisions staff placed in the proposed ordinance. Council Member Boch stated the city's demographics would not attract a WalMart. Council Member Edge and Vice Mayor Lund stated they were not ready to vote tonight. Mayor Moore spoke in favor of the ordinance, stating the City needs the revenue. City Manager Grimsley read the ordinance out loud and clarified the provisions.

A motion was made by Council Member Boch and seconded by Council Member Cosio to introduce an ordinance amending Chapter 11.04-110 of the Municipal Code establishing design and architectural review on the approval of retail businesses, restaurant businesses, and visitor accommodations within the City.

All members of the Council being present, the motion as stated by the maker passed 4-1-0-0 with Council Member Edge voting against.

6. DISCUSSION ITEMS

A. Resolution to Protect the City's Groundwater and Aquifers

Mayor Moore explained that he would like for Citadel, who does drilling in the county, to have the opportunity to speak to Council before any action is taken. It was the consensus of council to wait to hear from Citadel before taking action. During public comment, Samuel Ramos (resident, Hollister) spoke against fracking. Larry Rebecchi (resident, Hollister) spoke against fracking. Natasha Wist (resident, Hollister) spoke against fracking. Andy Hsia-Coron (resident, Aromas) spoke against fracking and suggested a moratorium be placed on drilling until something can be done. Mary Hsia-Coron (resident, Aromas) spoke against fracking.

7. COMMENTS

A. City Council Members: No comments made.

B. City Manager: City Manager Grimsley commented the City is hosting the Monterey Bay Division League of California Cities monthly dinner meeting at Jardines on March 10.

C. City Attorney: No comments made.

8. ADJOURNMENT

A motion was made to adjourn the meeting at 9:00 p.m.