

**CITY OF SAN JUAN BAUTISTA  
CITY COUNCIL REGULAR MEETING  
FEBRUARY 16, 2016  
MINUTES**

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

**A. PLEDGE OF ALLEGIANCE** – Council Member West led the pledge of allegiance.

**B. ROLL CALL**   **Present:** Mayor Edge, Vice Mayor Martorana, Council Members Lund, Boch and West

**Staff Present:** City Manager Grimsley, City Clerk Schobert, City Attorney Mall, City Treasurer Geiger

**2. PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA**

No public comments were received.

**3. PRESENTATION BY LEAH ROWELL FOR HERO PROGRAM**

Leah Rowell gave a presentation about the Home Energy Renovation Opportunity (HERO) Program that enables residential property owners to install energy and water efficient improvements and renewable energy systems by having a special assessment put on their property tax bill. Payments are made through their local county and repaid with their property taxes over time. A question and answer period followed.

**4. CONSENT ITEMS**

**A. Approve Affidavit of Posting Agenda**

**B. Approve Affidavit of Posting Public Hearing**

**C. Approve Resolution 2016-06 Authorizing Street Closures (Williams' Events, Parade, Car Show)**

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

**E. Approve Minutes for December 15, 2015**

**F. Approve Resolution 2016-07 Consenting to the Inclusion of Properties within the City's Jurisdiction in the California HERO Program to Finance Distributed General Renewable Energy Sources, Energy and Water Efficiency Improvements and Electric Vehicle Charging Infrastructure and Approving an Amendment to a Certain Joint Powers Agreement Related Thereof**

**G. Approve Resolution 2016-08 Accepting the Fire Contract**

Items E and F were pulled from the agenda for discussion.

Council provided minor changes to the minutes.

A motion was made by Council Member West and seconded by Council Member Lund to approve Consent Items A through E, with corrections to the minutes. The motion passed unanimously, 5-0.

There was discussion on Item F, the HERO Program. During public comment John McCormick was concerned if a general contractor could be used for several projects and if HERO funds could still be used. Ms. Rowell responded, a general contractor, or multiple individuals, can be used. A question and answer period followed.

A motion was made by Council Member Boch and seconded by Vice Mayor Martorana to approve Resolution 2016-07 Consenting to the Inclusion of Properties within the City's Jurisdiction in the California HERO Program to Finance Distributed General Renewable Energy Sources, Energy and Water Efficiency Improvements and Electric Vehicle Charging Infrastructure and Approving an Amendment to a Certain Joint Powers Agreement Related Thereof. The motion passed unanimously, 5-0.

## **5. PRESENTATIONS, INFORMATIONAL ITEMS AND REPORTS**

### **A. Monthly Financial Statements and Treasurer's Report**

City Treasurer Geiger presented the Treasurer's Report and reviewed the warrant list with the Council. There were no public comments.

Item 7E, Consider Sheriff' Department Request to Equip Ford Explorer with Mobile in Car Camera System, was moved up in the agenda for consideration.

### **B. Sheriff's Report: Monthly Activity**

Captain Tony Lamonica was present and explained their request for \$18,000 for MPC and Camera for vehicle. The Sheriff's Department has already received partial funding for the project from a Community Partnership Grant but would require an additional \$18,000. Mayor Edge confirmed with Captain Lamonica that the project is good for six months. No other activity report was presented, and no action was taken at this time.

### **C. Fire Chief's Report**

A representative of the Hollister Fire Department reviewed the Fire Chief's report and responded to questions. There were no public comments.

### **D. Library Report**

Council received a report. There were no public comments.

### **E. Administrative Report**

City Manager Grimsley presented his report and responded to questions from the Council. There were no public comments.

### **G. Public Meetings and City Council Committee Reports**

Vice Mayor Martorana reported a telecommunication center for students and an aquatic center at San Benito High School, funded through a non-profit, was discussed at the

Intergovernmental meeting. Martorana also reported a transportation plan for the region was discussed at the AMBAG meeting, and April 20 is the 100<sup>th</sup> Anniversary of the Park Service. Council Member Boch reported a meeting to discuss Unmet Transit Needs will be held March 16 in Council Chambers.

Eric Gredassoff reported from the Neighborhood Watch.

## **6. PUBLIC HEARING ITEMS**

### **A. Consider Approving 2035 General Plan Documents**

- i. Consider Resolution 2016-09 Approving the 2035 General Plan Background Report**
- ii. Consider Resolution 2016-10 Approving the 2035 General Plan Environmental Impact Report**
- iii. Consider Resolution 2016-11 Approving the 2035 General Plan**

City Manager Grimsley provided a report and a list of changes from the Planning Commission. Mayor Edge opened the public hearing. No comments were received. Mayor Edge closed the public hearing. A question and answer period followed. Vice Mayor Martorana commented he attended all the public meetings for the General Plan, has reviewed the documents and is happy with the results.

A motion was made by Council Member West and seconded by Vice Mayor Martorana to approve Resolution 2016-09 Approving the 2035 General Plan Background Report. The motion passed unanimously, 5-0.

A motion was made by Vice Mayor Martorana and seconded by Council Member Lund to approve Resolution 2016-10 Approving the 2035 General Plan Environmental Impact Report with findings. The motion passed unanimously, 5-0.

A motion was made by Council Member West and seconded by Council Member Boch to approve Resolution 2016-11 Approving the 2035 General Plan. The motion passed unanimously, 5-0.

## **7. ACTION ITEMS**

### **A. Consider a Reimbursement Agreement between the County of San Benito, City of SJB, and the Rotary Club of SJB for Improvements to Verutti Park – Sara Fontanos, County Management Analyst**

Council Member West recused himself as his employer, Granite Rock, made a donation of materials for the project.

City Manager Grimsley reported the City is indemnifying the property. There was no public comment. City Attorney Mall said a minute order giving the mayor authority to sign the agreement would be adequate.

A motion was made by Council Member Boch and seconded by Vice Mayor Martorana to approve the agreement and authorize the mayor to sign the document. The motion

passed 4-0-0-1 with Council Member West absent.

Whereupon, Council Member West returned to the dais.

**B. Consider Resolution 2016-12 Authorizing Street Closures for Farmers Market**

The event coordinator, Juan Carlos Gonzales, was present to answer questions. City Manager Grimsley presents, in the past, everything was being sold at the farmers market except agricultural products. City restaurantors were not happy with the food items being sold. Vice Mayor Martorana added that other scheduled special events have priority in the downtown on their scheduled, for example, Williams' Limited Rib Cookoff and Arts and Crafts.

A motion was made by Vice Mayor Martorana and seconded by Council Member Boch to approve Resolution 2016-12, approving the closing of Washington Street from Second Street to Third Street for a farmers market with the conditions that 67% (2/3) of the goods are agriculture products, and that the promoter will coordinate, work with or, if required, terminate the Farmer's Market event on those Sundays when other approved street events occur. The motion passed unanimously, 5-0.

**C. Consider Resolution 2016-XX Establishing a Water and Sewer Payment Plan for Limited Income Individuals**

City Manager Grimsley presented a water and sewer payment plan for limited income individuals and reminded the Council that if placed in effect, the General Fund would subsidize the program. Whereupon, City Attorney Mall explained that the City cannot force a customer to pay more to provide for another customer to get a discount. A question and answer period followed. Council directed staff to ask PG&E what percentage of San Juan Bautista residents are on the CARE program. No decision on the payment plan for limited income individuals was taken at this time.

**D. Consider Opposing Senate Bill 876 (Liu) Homeless/Enforcement of Local Ordinances**

City manager Grimsley presented a report, brought to his attention by the League of California Cities. No public comment was received. A question and answer period followed. Council directed staff to send a letter to Senator Carol Liu stating the City's opposition to Senate Bill 876; Homeless/Enforcement of Local ordinances.

**E. Consider Sheriff's Department Request to Equip Ford Explorer with Mobile in Car Camera System**

This item was discussed earlier in the meeting.

**F. Consider Appointment of New Planning Commissioner**

This item was continued to the next regular meeting.

**8. DISCUSSION ITEMS**

**A. Replacement of Fire Department Sign**

Council Member Lund reported the "Volunteer Fire Department" sign was removed and

placed with other fire department memorabilia in the fire house. He suggested another sign be hung, "Eagle Hook & Ladder" with the date of inception (circa 1869). A question and answer period followed. Vice Mayor Martorana stated he wants the sign up immediately (Eagle Hook & Ladder). During public comment Georgana Gularte of the Historical Society commented she can provide memorabilia and commemorate the volunteer fire department's existence.

### **B. Recommendation on Public Safety by the Strategic Plan Committee**

Strategic Planning Committee chairman John Freeman presented the committee's suggestion that the City bring on a patrol person, trained in code enforcement and ticketing and install cameras in the downtown. He also commented that he would appreciate accurate stats from the Sheriff's Department. A question and answer period followed. Council Member Boch was concerned with whether a private patrol company would work with the Sheriff's office. City Attorney Mall reminded Council that insurance was an issue when private patrol was discussed before. Council directed the city manager to evaluate the cost and have a discussion with the City's liability insurance carrier.

### **C. Youth Commission Advisor Job Description**

This item was continued to the next regular meeting.

## **9. CLOSED SESSION**

**Conference with Legal Counsel. Existing Litigation. Pursuant to California Government Code Section 54956.9, Paragraph (1) of subdivision (d), the Council will meet in closed session to discuss existing litigation. Case Name: Alliance of Concerned Citizens Organized for Responsible Development v. City of San Juan Bautista, San Benito County Superior Court, Case #CU-14-00166.**

City Attorney Mall reported out of closed session that there was nothing to report.

## **10. COMMENTS**

### **A. City Council**

No comments were received.

### **B. City Manager**

No comments were received.

### **C. City Attorney**

No comments were received.

## **11. Adjournment**

The meeting was adjourned at 9:30 p.m.