

**CITY OF SAN JUAN BAUTISTA
CITY COUNCIL REGULAR MEETING
AUGUST 15, 2017
MINUTES**

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

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

B. ROLL CALL Present: Mayor Martorana, Vice Mayor West, Council Members Boch, Freeman and DeVries

Staff Present: City Manager Grimsley, City Attorney Mall, Deputy City Clerk Paetz, Community Dev. Director Orbach

2. PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA

Jolene Cosio was concerned with the absence of no parking signs on San Antonio, commenting one has been removed.

3. CONSENT ITEMS

A. Approve Affidavit of Posting Agenda

B. Approve Minutes for June 20, 2017 Meeting

C. Approve Minutes for July 18, 2017 Meeting

D. Consider Resolution 2017-XX Authorizing Temporary Rolling Street Closures for Dia de los Muertos Procession

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

Council Member DeVries requested to pull Item 3D, Street Closure, for discussion and commented that since Jardines has a Dia de los Muertos procession as well it would be good for the city if El Teatro Campesino were to combine their procession with Jardines.

A motion was made by Council Member Boch and seconded by Vice Mayor West to approve all items on the consent agenda. The motion passed unanimously, 5-0.

4. PRESENTATIONS, INFORMATIONAL ITEMS AND REPORTS

A. Proclamation Honoring Jacob's Heart Children's Cancer Support Services and Declaration of Childhood Cancer Awareness Month

A proclamation was read by Mayor Martorana, honoring Jacob's Heart Children's Cancer Support Services. Staff received the proclamation in behalf of the organization.

B. Treasurer's Report

Review of the Treasurer's report was delayed pending the arrival of City Treasurer Geiger.

C. Sheriff's Report: Monthly Activity

A representative of the Sheriff's department was not present, and a written report was not available.

D. Level One Security Report

A written report was available. No one was present to review the report. There was discussion about the recent vandalism at the Valero Gas Station. Mayor Martorana reviewed the law enforcement contract scope of work and costs. Council Member Boch suggested the City look into getting another post certified person from Level One to handle truck traffic. City Manager Grimsley commented that he would consult with the City's insurance carrier and report next month. There were no public comments.

E. Fire Chief's Report

A written report was available. No one was present to review the report. There were no public comments.

B. Treasurer's Report

City Treasurer Geiger arrived to the meeting and reviewed the Treasurer's Report and the warrant list for Council. There were no public comments.

F. Library Report

Council received a report. There were no public comments.

G. Administrative Report

City Manager Grimsley and Community Development Director Orbach reviewed their report and responded to questions from the Council. During public comment Jolene Cosio was concerned with nitrates in the City water, the purple pipe (reclaimed) water project, and watering of city properties. City Manager Grimsley responded that he instructed the public works crew to hold off on watering the parks and City Hall with the nitrate situation and they did not know to start up again.

H. City Council Committee Reports

Council members provided highlights from the meetings where they represent the City.

I. Strategic Plan Committee Report

Committee Member John Freeman reported there was not a quorum for the Strategic Plan Committee but items were discussed. There were no public comments.

Whereupon, Mayor Martorana asked to move Item 5E up in the agenda as presenters were waiting in the audience.

5. ACTION ITEMS

E. Consider Resolution 2017-27 Approving the Joint Request for Proposal (RFP) and New Waste Management Franchise Agreement

Consultant Kevin McCarthy of CLG Engineering presented a report. Council Member Freeman asked about disposal of universal hazardous waste, for example, batteries,

mercury switches and CFL's. During public comment John Hopper suggested alternating the disposal site between Hollister and San Juan Bautista.

A motion was made by Council Member DeVries and seconded by Vice Mayor West to approve Resolution 2017-27 Approving the Joint Request for Proposals (RFP) and New Waste Management Franchise Agreement. The motion passed unanimously.

Whereupon, a five minute break was taken.

A. Consider Use of Abbe Park T-Ball Area for a Temporary Dog Park

Staff provided a report. Council Member DeVries spoke in favor of the project. Council Member Boch suggests allocating \$3,000 towards a dog park. During public comment Rachel Ponce spoke against any change to the t-ball area at Abbe Park. Jolene Cosio spoke against the project. Elia Salinas commented that Council Member DeVries should recuse himself from discussion on the item as he lives within 300 feet of Abbe Park. Jill Paganan spoke against the project. Jackie Morris Lopez spoke against the project.

It was the consensus of Council to table this item to a later date.

B. Consider Cannabis Consulting Contract from Pinnacle Strategy (Victor Gomez)

Staff provided a report. A question and answer period followed. During public comment Mandisa Snodey spoke in support of the industry, and appreciates Council coming together.

A motion was made by Council Member Boch and seconded by Vice Mayor West to approve a consulting contract on cannabis policy with Pinnacle Strategy. The motion passed unanimously, 5-0.

C. Consider Documents from San Juan Committee and Disbursement of Funds

The San Juan Committee submitted the documentation requested by the City Council in order to receive the funding included for them in the City's Fiscal Year 2017/2018 Budget, and asked Council whether their questions and concerns have been answered. A question and answer period followed. During public comment Rachel Ponce spoke in support of the committee. Linda Ginn asked that the committee clarify their mission, be available more, and suggested they develop a packet with information. Jolene Cosio commented that a name is not everything. Sandra Arretche commented that there are other points of interest in San Juan. Elia Sanchez suggested they develop a website. John Hopper commented that it is hard to measure results.

Whereupon, Mayor Matorana directed staff to disperse the funds budgeted to the San Juan Committee quarterly.

D. Consider Request to Put a Monument Sign on City Property Between The Alameda, SR 156, and Nyland Road.

This item was removed from the agenda.

E. Consider Resolution 2017-27 Approving the Joint Request for Proposal (RFP) and New Waste Management Franchise Agreement

This item was discussed earlier in the meeting.

F. Consider Ordinance Banning Recreational Marijuana Sales, Cultivation and Delivery

City Attorney Mall provided a report. During public comment, Mandisa Snodey commented that restricting delivery restricts patients' rights. Jolene Cosio spoke against banning delivery. Jackie Morris Lopez suggested the Council let the consultant do his job first. Elia Salinas commented that delivery is happening, and will continue even if a ban is in place. Victor Gomez commented that having structure by ordinance is important to establishing a position. Rachel Ponce supported banning all three components.

It was the consensus of the Council to direct staff to do an environmental review and bring the same ordinance to the Planning Commission for further review and recommendation back to the Council.

G. Authorization to Purchase Portable Generators

Staff presented a report. A question and answer period followed. There was no public comment. Mayor Martorana directed the City Manager to purchase the portable generators.

H. Consider Resolution 2017-29 Authorizing the Mayor to Sign a Multi-Agency Resolution of Support for the Pinnacles Gateway Partners

Staff provided a report stating the Pinnacles Gateway Partners collaborate for the economic benefit of the region by promoting and protecting the National Park and are dedicated to helping all gateway communities benefit economically from continuing to serve the increasing number of travelers headed to Pinnacles National Park. They are looking to hire a part-time coordinator to help maintain focus and build capacity and are asking members to cost-share for this position in the near-term while they look for other sources of funding support going forward. However, the San Juan Committee included \$2,500 for this position in their funding request in fiscal year 2017/2018, so the funds have already been set aside. A question and answer period followed.

A motion was made by Council Member Boch and seconded by Council Member Freeman to approve Resolution 2017-29 Authorizing the Mayor to Sign a Multi-Agency Resolution of Support for the Pinnacles Gateway Partners. The motion passed unanimously, 5-0.

I. Consider Priority List of Road Repairs for Funding Under SB1

City Manager/City Engineer Grimsley provided a report stating recently adopted Senate Bill 1, the Road Repair and Accountability Act of 2017 provides funding for road repair and improvements and is funded through a new 12 cent per gallon gas tax and 20 cent per gallon diesel tax. Legislation requires agencies to prepare a list of potential projects, with description and location, estimated cost, estimated time of completion and a useful life analysis for each project. Staff provided Council with a priority project map and a

priority project list and requested feedback and prioritization of the identified projects. The deadline for submittal to the State of California is October 16.

During public comment Bob Quaid suggested work at the bottom of Lang Street where he resides, as well as Old Lang Street should be a priority. Rachel Ponce supports resurfacing of Third Street. Written public comment by Cara Vonk suggested Third and Jefferson Streets should be a priority. No action was taken.

J. Consider Approval of Memorandum of Agreement between the County of San Benito and San Benito County Cities Regarding Credit Guaranty for Monterey Bay Community Power (Pending vote by Council to add to the agenda.)

A motion was made by DeVries and seconded by Boch to add this item to the agenda. The motion passed unanimously.

Staff provided a report and recommend signing and committing \$38K, pointing out there has never been a default.

A motion was made by Council Member Freeman and seconded by Council Member Boch to Approve the Memorandum of Agreement between the County of San Benito and San Benito County Cities regarding a Credit Guaranty for Monterey Bay Community Power, and authorize the Mayor to sign the agreement. The motion passed unanimously, 5-0.

6. DISCUSSION ITEMS

A. Hiring a City Manager – Ad Hoc Committee Report

Mayor Martorana provided a report stating currently the City has received nine applications for the position.

Whereupon, City Manager Grimsley asked that Item D be moved up in the agenda as the presenters were in the audience.

D. Novitiate Use of Community Center

The Old Mission San Juan Bautista is in the process of being renovated for seismic concerns. Mission Architect Brett Brenkwitz reported the church will be shut down for nine months, and they are asking the City for the use of the Community Center as a temporary location for mass to be conducted. A question and answer period followed. Whereupon, Council Member DeVries suggested improvements be made to the Mission parking lot adjacent to the Community Center for the parishers to park during mass, and be made available for future use by the City. Bob Quaid asked the Mission architect whether Casa Maria could be made available for City nonprofits to use during the time the Mission is using the Community Center. No action was taken. This item is continued to the next meeting.

B. City Park Master Plan – Ad Hoc Committee Report

Council Member DeVries reported a kick off meeting to gather input is scheduled for September 15 at 7:00 p.m. at Vertigo Coffee. No public comments were received.

C. Impact Fees – Ad Hoc Committee Report

Council Member Freeman reported the ad hoc committee would develop a list of projects. During public comment Julie Morris Lopez commented that this would be for future projects.

D. Novitiate Use of Community Center

This item was dealt with earlier in the meeting.

E. Selection of Volunteer to Honor on Philanthropy Day (November 15)

Continued for further discussion and action next month.

F. Available Courses of Action to Address Public Nuisances at Brewery and Complex at the Corner of Fourth and Muckelemi Streets

Staff presented a report. A question and answer period followed. During public comment, Julie Morris Lopez rats have become a problem at this location and, if no action is taken, there may be legal ramifications to the city.

G. Possible Citation/Infraction for Cost of Security Patrol to Secure Open Businesses

Mayor Martorana presents. City Attorney Mall advises it is not common for cities to cite someone for not securing their business, and suggested asking Level One Security not to wait around for the business owner or public works to secure the business door, and that Level One should not be publicizing unsecured businesses in their report. There was no public comment.

7. COMMENTS

A. City Council

Mayor Martorana reported there wouldl be a ribbon cutting at the 18th Barrel this week.

B. City Manager/Community Development Director

No comments were received.

C. City Attorney

No comments were received.

8. Adjournment

The meeting was adjourned at 9:55 p.m.