

**CITY OF SAN JUAN BAUTISTA
CITY COUNCIL REGULAR MEETING
FEBRUARY 20, 2018
MINUTES**

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

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

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

Council Member DeVries arrived at 6:07 p.m.

Staff Present: Interim City Manager Tewes, City Attorney Mall, Deputy City Clerk Paetz

2. PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA

Ray Stevenson suggested speed bumps be installed on Washington street between Lang and Fourth Streets to slow down speeding traffic, and conducted a speed survey together with his children. Ruben Lopez voiced concerned with city water quality, the directional flow of traffic into the Windmill Market complex, meetings at the Community Hall, and loss of events at the old rodeo grounds at the Mission. Jackie Morris voiced concern with traffic on Mission Street and suggested making the street one-way.

3. CONSENT ITEMS

A. Approve Affidavit of Posting Agenda

B. Approve Affidavit of Posting Public Hearing Notice

C. Approve Resolution 2018-05 for Street Closure for Easter Parade

D. Approve Minutes for December 19, 2017 Meeting

E. Approve Minutes for January 16, 2018 Meeting

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

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

4. PRESENTATIONS, INFORMATIONAL ITEMS AND REPORTS

A. Treasurer's Report

City Treasurer Geiger presented the Treasurer's Report. Interim City Manager Tewes provided the Finance Committee's report on moving funds into LAIF.

B. Monthly Construction Progress Report

A report was provided by Harris and Associates. There was discussion about an obstruction in the stream bed.

C. Reports from City Council Appointees to Regional Organizations and Committees

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

D. Strategic Plan Committee Report

Vice Mayor Freeman provided a report. There were no public comments.

5. PUBLIC HEARING ITEMS

A. Consider Updating Planning Department Application Fees and Certain Development Impact Fees

City Planner James Walgren provided a report. Vice Mayor Freeman was concerned with codes for seismic safety. Council Member Boch was concerned whether a nexus was used to determine the fees. Mayor West opened the public hearing. No public comments were received. Mayor West closed the public hearing.

A motion was made by Council Member Boch and seconded by Vice Mayor Freeman to approve Resolution 2018-06 setting planning application fees. The motion passed unanimously, 5-0.

6. ACTION ITEMS

A. Consider Increasing the Fiscal Year 2018 Budget for the Cost of Mailing Parks Locator Cards Sponsored by REACH

Staff provided a report. Valerie Egland of REACH was present. There was no public comment received.

A motion was made by Council Member Martorana and seconded by Council Member DeVries to amend the fiscal year 2018 budget by \$500 to pay for costs to mail parks locator cards to addresses in the 95045 zip code. The motion passed unanimously, 5-0.

B. Consider a Resolution Supporting SB5, the California Drought, Water, Parks, Climate, Coastal Protection and Outdoor Access for All Act of 2018

Staff provided a report. During public comment, Mandisa Snodey announced the Parks Master Plan meetings were in progress. Jolene Cosio was concerned with how funds are derived.

A motion was made by Council Member Martorana and seconded by Council Member Boch to adopt Resolution 2018-07 supporting SB5, the California Drought, Water, Parks, Climate, Coastal Protection and Outdoor Access for All Act of 2018. The motion passed unanimously, 5-0.

C. Introduction of an Ordinance Correcting Article 1, Section 3-5-160 of the Municipal Code Regarding Sewer and Water Rates

Staff provided a report, stating this is a correction to an ordinance. There was no public comment received.

A motion was made by Council Member Boch and seconded by Council Member Martorana to introduce an Ordinance Correcting Article 1, Section 3-5-160 of the Municipal Code regarding sewer and water rates. The motion passed unanimously, 5-0.

D. Consider Adoption of an Urgency Ordinance Reauthorizing the Collection of a Fee to Support Public, Educational, and Governmental (“PEG”) Channel Facilities Within the City

City Attorney Mall provided a report, stating the urgency ordinance is only good for 40 days. There was no public comment received.

A motion was made by Council Member Martorana and seconded by Council Member DeVries to adopt Ordinance 2018-01 Reauthorizing the Collection of a Fee to Support Public, Educational, and Governmental (“PEG”) Channel Facilities Within the City. The motion passed unanimously, 5-0.

E. Consider Introduction of an Ordinance Adding Chapter 5-20-18 to the Municipal Code Reauthorizing the Collection of a Fee to Support Public, Educational, and Governmental (“PEG”) Channel Facilities Within the City

City Attorney Mall provided a report, stating this ordinance would go into effect after the urgency ordinance is no longer in effect.

A motion was made by Council Member Martorana and seconded by Council Member DeVries to Introduce an Ordinance Reauthorizing the Collection of a Fee to Support Public, Educational, and Governmental (“PEG”) Channel Facilities Within the City. The motion passed unanimously, 5-0.

Whereupon, Council took a five minute recess at 7:18 p.m.

F. Consider Extending American Cell Tower Lease

Interim City Manager Tewes presented a report. Council Member DeVries wanted a camouflaged cell tower. Vice Mayor Freeman commented that technology could switch up in five years. Council Member Martorana directed staff to see if there are options. During public comment, Jolene Cosio was concerned whether ATC can take down or add another tower. Jackie Morris was concerned with cell phone service.

A motion was made by Council Member DeVries and seconded by Council Member Martorana to instruct the city manager to re-open negotiations with the cell tower company. The motion passed unanimously, 5-0.

G. Consider Changes to Planning Commissioner Selection Process Ordinance 2-3-110 and Provide Direction to Staff

Council Member Freeman addressed this item. There was discussion amongst Council. During public comment Jolene Cosio, Dave Medeiros, Ruben Lopez and Jackie Morris spoke in support.

A motion was made by Council Member DeVries and seconded by Council Member Martorana to instruct staff to make changes to the ordinance that address their concerns. The motion passed unanimously, 5-0.

H. Hearing for Removal of John Hopper from the Planning Commission with Cause

John Hopper was not present. City Attorney Mall explained the process. During public comment, Jolene Cosio, Reuben Lopez, and Mandisa Snodey spoke in support.

A motion was made by Vice Mayor Freeman and seconded by Council Member DeVries to table this item until a council member puts it back on the agenda. The motion passed 3-2-0-0 with Council Members Boch and Martorana voting against.

7. DISCUSSION ITEMS

A. Update on old Waste Franchise Renewal

Interim City Manager Tewes provided a report. There was no public comment.

B. Code of Conduct – Subcommittee Report

Council Member Martorana reported, and stated the title has been changed to “code of ethics.” There was discussion.

8. COMMENTS

A. City Council

Council Member Freeman asked that electric vehicle charging stations be placed on the agenda for discussion next month.

B. City Manager/Community Development Director

No comments were received.

C. City Attorney

No comments were received.

9. Closed Session

**Conference with Real Property Negotiator. Approximately 0.8 acre portion of APN 002-055-009. City Negotiator: J. Edward Tewes, Interim City Manager
Property Owner Negotiator: Dale Coke. Under Negotiation: Price and Terms Pursuant to Government Code Section 54956.8**

During public comment Bob Cosio reminded Council of a past deal with George Dias. Jolene Cosio reminded Council of a past deal with Mr. Vacarazza.

Council adjourned to Closed Session with the interim city manager and city attorney at 8:45 p.m.

10. Adjournment

The meeting adjourned in memory of long-time resident Al Horley who passed away earlier this month.

Mayor Jim West

ATTEST:

Trish Paetz, Deputy City Clerk

City Council Meeting Minutes – February 20, 2018