

**CITY OF SAN JUAN BAUTISTA
SPECIAL CITY COUNCIL MEETING
NOVEMBER 8, 2017
MINUTES**

1. CALL TO ORDER - Mayor Chris Matorana called the meeting to order at 6pm.

A. PLEDGE OF ALLEGIANCE - Vice Mayor West lead pledge of allegiance.

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

Staff Present: Interim City Manager Tewes, City Attorney Mall, City Clerk Quaid

2. PUBLIC COMMENT– Only on items on the agenda

3. CONSENT ITEMS

A. Approve Affidavit of Posting Agenda

A motion was made by Mayor Martorana and seconded by Vice Mayor West to approve all items on the Consent Agenda. Motion passed 5-0 vote.

4. ACTION ITEMS

A. Consider Change to Youth Commission Ordinance Decreasing Membership to Seven - Continued to the November 21 regular meeting for Second Reading and Adoption

B. Authorize Mynt Systems to Obtain Information on Community-Wide Electric Energy Usage from PG&E -- Council Member Freeman.

Item on pause until additional presenter arrives. Moved to later in the agenda.

C. Vacancy on the Planning Commission

i. Accept Resignation of Andy Moore from the Planning Commission and Present Recognition Mayor presented plaque for Andy Moore, was received by Councilmember Boch in Mr. Moore's absence.

ii. Appoint New Planning Commissioner – Council Member Boch(Council confirmation by majority vote)

Councilman Boch motioned to appoint David Mederios as New Planning Commissioner, seconded by Vice Mayor West. Motion passed with a 4-1 vote, Councilmember De Vries abstained.

Councilmember Freeman requested to agendaize the application process for Planning Commission Members appointment.

D. Consider Removal of Mr. John Hopper from the San Juan Bautista Planning Commission

Councilmember Freeman motioned to move item to end of meeting. Mayor moved item to end of meeting at his discretion.

B. Authorize Mynt Systems to Obtain Information on Community-Wide Electric Energy Usage from PG&E -- Council Member Freeman.

Presented by L. Austen & Seth Capron. Councilmember Freeman motioned to authorize Mynt Systems to obtain information on the community-wide electric energy usage from PG & E. Seconded by Vice Mayor West. Motions passed unanimously.

E. Consider Resolution 2017-34 Approving New Sewer Rates for Earthbound Farms

Councilmen De Vries exited room on account that he is counsel for Earthbound Farms. A representative of Earthbound Farms was present and commented on approving the phasing of new rates.

A motion was made by Vice Mayor West, as of December 2017 New Sewer Rates will apply for Earthbound Farms with no phasing period. Seconded by Councilmember Boch. Motion passed unanimously.

Recess for five minutes.

F. Consider Resolution 2017-34 Adopting a Supplemental Budget Appropriation for Road Maintenance and Rehabilitation Funding

Public Comment: E. Salinas commented on funding.

A Motion to Adopt a Supplemental Budget Appropriation for Road Maintenance and Rehabilitation Funding was made by Vice Mayor West, Seconded by Councilman Boch. Motion passed unanimously.

G. Consider Staffing and Contract Issues and Provide Direction to Staff

Presented by Interim City Manager Tewes. Councilmembers discussed.

Public Comment: Citizen commented on the process of building permits.

No action taken as next agenda item is related.

H. Consider Resolution 2017-36 Authorizing the City Manager to Enter Into an Agreement with Harris and Associates for Engineering Services

Presented by Interim City Manager Tewes. Recommended retention of Harris and Associates for Engineering Services. Councilmembers discussed.

A representative from Harris and Associates was present and gave additional information on company.

Public Comment: E. Salinas commented on how many engineering companies were considered. J. Cosio commented for the contract.

A motion was made to Authorize the City Manager to Enter into an Agreement with Harris and Associates for Engineering Services by Councilmember Boch, seconded by Vice Mayor West. Motion passed unanimously.

I. Approve Amendment to the Interim City Manager Contract Increasing Authorized Hours to 40/week

Presented by Mayor Martorana. Council discussed increasing hours. City Attorney Mall made clarification on the increase of hours.

Public Comment: B. Quaid commented on the increase of hours.

A motion to Approve Amendment to the Interim City Manager Contract Increasing Authorized Hours to 40/week was made by Councilmember Freeman, seconded by Vice Mayor West. Motion passed unanimously.

5. DISCUSSION ITEMS

A. Fourth Street Traffic Speeds (Possible Referral to Planning Commission)

Councilmembers discussed traffic in San Juan Bautista.

Public Comment: R.Ponce commented against referring to Planning Commission and asked the Sheriff to be more present in San Juan. G. Dias commented on past studies and also against referring to Planning Commission. J.Cosio & E. Salinas commented on alternatives solutions to speed bumps. D.Guier, asked if the newly hired civil engineers have solutions to the speeding in town, besides speedbumps.

Mayor suggested this issue addressed to the engineering firm instead of Planning Commission. Councilmembers discussed. Councilmembers decided to direct staff to bring this issue to engineering firm instead of Planning Commission, concentrating of 4th Street.

B. City Manager Recruitment – Ad Hoc Committee Report

here are currently applicants that the Interim City Manager is reviewing.

C. City Park Master Plan – Ad Hoc Committee Report

Councilman DeVries asked Councilmembers about the number of members that should be on the committee and further direction on moving forward. Mayor Martorana suggested to refer requested to Strategic Planning Commission.

Public Comment: J.Cosio, commented on the clarification of creating a commission or a committee. Commented a committee would be more effective.

D. Cannabis – Ad Hoc Committee Report

Victor Gomez, Consultant, presented a draft of An Ordinance of the City Council of the City of San Juan Bautista adding chapter “Cannabis Facilities Regulatory Permit” to Title XXX “ Business License and Regulations” of the San Juan Bautista Municipal Code.

Council discussed Ordinance and Ad Hoc Committee.

Public Comment : G.Dias, commented against allowing Cannabis in San Juan.

M.Snoday & E. Salinas, commented on the Ordinance Draft, location of Cannabis businesses. A citizen, commented of the long application process, security, and location of Cannabis businesses.

E. Impact Fees – Ad Hoc Committee Report

Report Presented by Councilmember Freeman. Councilmembers discussed.

F. Novitiate Use of Community Center (Continue to November Regular Meeting)

G. Early Adjournment of October 24 meeting and possible adoption of a Code of Conduct for Council Meetings

Councilmember DeVries made a statement of apology to Mayor Martorana and Councilmembers on the conduct of his behavior at the October 24th meeting.

Councilmembers discussed adopting a code of conduct. Mayor Matorana suggested creating a formal proposal for the next agenda.

Public Comment: R.Ponce, E.Salinas & L.Austen commented on respect, and suggested solutions. M.Snoday & J. Lopez thanked Councilmember DeVries for apologizing. J.Cosio commented on Town Hall Meetings.

4. D. Consider Removal of Mr. John Hopper from the San Juan Bautista Planning Commission

Public Comment: M.Snody, commented on plans for moving forward with the Planning Commission. J.Morris, G.Dias & E. Salinas, commented on cause

J. Hopper commented to the Public. R.Ponce, commented that business should Councilmembers discussed. City Attorney Mall suggested to set a hearing to further discuss evidence. Councilmembers discussed Brown Act violations.

Mayor Martorana called a five minute recess to speak to the City Attorney Mall.

A vote was called by Mayor Martorana and seconded by Vice Mayor West. Motion did not pass with 2:3 vote. For: West, Boch. Against: Martorana, Freeman, De Vries.

Mayor Martorana requested Full Hearing of removal of Mr. John Hopper from the San Juan Bautista Planning Commission With Cause on next agenda.

City Attorney Mall suggested Councilmembers weigh in on item being on a future agenda. Councilmembers discussed. Councilmembers agreed to add item to next agenda.

6. COMMENTS

A. City Council

Councilmember Freeman, thanked all involved with Make a Difference Day.

B. City Manager

No comments received.

C. City Attorney

No comments received.

Where upon the Council and City Attorney went into closed session.

7. Closed Session

A. Public Employee Appointment/Employment Title: City Manager Pursuant to Government Code Section 54957

The City Attorney Mall stated there was no reportable action taken.

8. Adjournment

The meeting adjourned at 8:55 PM.