

**CITY OF SAN JUAN BAUTISTA
CITY COUNCIL REGULAR MEETING
MARCH 21, 2017
MINUTES**

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

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

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

Absent: Council Member DeVries

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

2. PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA

No public comments were received.

3. CONSENT ITEMS

A. Approve Affidavit of Posting Agenda

B. Approve Resolution 2017-08 for Street Closures – Easter Parade

C. 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 Freeman to approve all items on the consent agenda. The motion passed unanimously, 4-0-0-1 with Council Member DeVries absent.

4. PRESENTATIONS, INFORMATIONAL ITEMS AND REPORTS

A. Presentation by San Juan Committee – Bob Quaid

Council received a report.

B. Monthly Financial Statements and Treasurer's Report

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

C. Sheriff's Report: Monthly Activity

A representative of the Sheriff's department was not present, and a written report was not available. There was no public comment.

D. Level One Security Report

A written report was provided. In the absence of a representative from Level One Security, City Manager Grimsley responded to questions. There was no public comment.

E. Fire Chief's Report

A representative of the Hollister Fire Department was not present, and a written report was not available. There were no public comments.

F. Library Report

Council received a report. There were no public comments.

G. Administrative Report

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

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 provided a report. There were no public comments.

5. PUBLIC HEARING ITEMS

A. Consider an Ordinance Amending Article 5 “Tentative Maps,” Section 10-02-540 “Appeals” Subsection (C) of the SJBMC

Community Development Director Orbach proposed amending the City’s Municipal Code to make the number of days allowed for appeal consistent with that allowed in the Subdivision Map Act. Mayor Martorana opened the public hearing. There was no public comment. Mayor Martorana closed the public hearing.

A motion was made by Council Member West and seconded by Council Member Boch to introduce an ordinance amending Article 5, “Tentative Maps,” Section 10-02-540, “Appeals” Subsection (C) of the SJBMC. The motion passed unanimously, 4-0-0-1 with Council Member DeVries absent.

B. Consider Revocation of Design Review Permit DR 2013-33 for the Brewery Project

i. Adopt Resolution 2017-09 Revoking HRB-DR 2013-33: CEQA Categorical Article 19, Section 15321(a)

Staff presented an update as this item was continued from the February meeting. The property owner was not present.

Over the last three years, work on the Brewery building at 104 The Alameda has been sporadic. Efforts by staff to establish a work schedule for the applicant to complete the project were fruitless. A letter was sent to the applicant in March 2016 advising him that failure to perform work on the project for a period of over 180 consecutive days would result in a violation of the California Building Code and San Juan Bautista’s building code. Cancellation of the building permit would result in voiding the building permit. Upon cancellation and voiding of the building permit, no work and/or site maintenance will be allowed until a new building permit is issued. Weeds have overgrown on the property, the building is deteriorating, site drainage and discharge has not been established, and the City erected a physical barrier around the building and site area to

protect the safety of pedestrians and visitors. The site and building is situated at the gateway entrance to the City's historic downtown area and the current conditions are a significant negative distraction to the entire city.

Mayor Martorana opened the public hearing. There was no public comment. Mayor Martorana closed the public hearing.

A motion was made by Council Member Boch and seconded by Vice Mayor West to approve resolution 2017-09 and revoke the building permit for 104 The Alameda. The motion passed unanimously, 4-0-0-1 with Council Member DeVries absent.

C. Monterey Bay Community Power

i. Provide Update

Staff presented an update. Brennen Jensen of Monterey Bay Community Power was present and responded to questions. There was discussion about the City's "shares" responsibility and which option is the most reasonable. Mayor Martorana opened the public hearing. David Medeiros spoke in support of the project. Bob Quaid spoke in support of the project. Mayor Martorana closed the public hearing.

ii. Consider Approving Ordinance 2017-03 Authorizing the Implementation of a Community Choice Aggregation Program (Second Reading)

A motion was made by Council Member Freeman and seconded by Council Member Boch to adopt Ordinance 2017-03 authorizing the implementation of a Community Choice Aggregation Program. The motion passed unanimously, 4-0-0-1 with Council Member DeVries absent.

6. ACTION ITEMS

A. Consider Options for the Regulation and Taxing of Recreational Marijuana Sales and Cultivation

City Attorney Mall presented a report and advised putting in place a ban on the cultivation of non-medical marijuana until the November 2018 election when a tax can be proposed. During public comment, Bob Quaid spoke in against a ban. Jackie Morris commented that Tuolumne County put in place a temporary ban. David Medeiros spoke in support of a ban. A question and answer period followed. It was the consensus of the Council to have the City Attorney bring back an ordinance to ban cultivation of non-medical marijuana cultivation at the next meeting. Considered sunset on ban.

Whereupon, a ten minute break was taken.

B. Consider Service Contract for Fumigation of City Hall for Pest Infestation

City Manager Grimsley explained City Hall has a termite problem and asked to move forward with a fumigation service contract with Western Exterminators. There was no public comment. A motion was made by Vice Mayor West and seconded by Council Member Freeman to award a contract for fumigation services to Western Exterminators in the amount of \$5,270. The motion passed unanimously, 4-0-0-1 with Council Member DeVries absent.

C. Consider Contract for City Website Redesign

Staff presented a proposal to redesign the City's website. After careful evaluation and consideration of several website design companies, Community Development Director Orbach recommended that the City Council direct the City Manager to enter into a service agreement with Revize for website redesign and content management services, which will include a one-time setup fee of \$7,500 and an annual fee for services of \$1,800. There was no public comment.

A motion was made by Vice Mayor West and seconded by Council Member Boch to approve Resolution 2017-10 authorizing a service agreement with Revize for website redesign and content management service. The motion passed unanimously, 4-0-0-1 with Council Member DeVries absent.

D. City Council Deny Claim Filed by Alma Sosa on March 3, 2017 and Forward to PARSAC for Investigation and Processing

Staff reported that they had received a claim for the death of Alexis Colon who was struck and killed by a motorist when he attempted to cross Highway 156 at The Alameda in September 2016. Upon receipt, staff forwarded the claim to PARSAC for investigation and processing. Staff recommends denying the claim. There was no public comment.

A motion was made by Council Member Boch and seconded by Vice Mayor West to deny a claim filed by Alma Sosa on March 3, 2017. The motion passed unanimously, 4-0-0-1 with Council Member DeVries absent.

Council directed Administrative Services Manager Paetz to send a letter to Alma Sosa, letting her know the claim was denied.

7. DISCUSSION ITEMS

A. Develop a Process for Hiring a City Manager

Council discussed different options for hiring a new city manager after City Manager Grimsley steps down in July 2017. City Attorney Mall suggested hiring a recruiter. During public comment, Rachel Ponce suggested selection should be made during a public meeting. Jackie Morris suggested promoting from within the City staff. Mall suggested getting a facilitator from the Panetta Institute. A question and answer period followed. Mayor Martorana formed an ad hoc committee consisting of himself and Council Member Freeman to develop a process and recruit for city manager candidates.

B. Curb Paving Schedule Citywide

Mayor Martorana asked to continue this item until after the rainy season.

C. Work with San Juan/Aromas School District on Joint Use of School Basketball Courts After Hours. Includes Sharing of Insurance Costs

Council Member Freeman asked to continue this item to next month.

D. Use of the Old Boy Scout Building/Public Works Offices

Council Member Freeman commented that some Boy Scouts are not happy with having

to relocate from the City-owned Boy Scout Hall at the Public Works Corporation Yard on Jefferson Street. During public comment, Service Club Member Bob Quaid commented that the Service Club pays the Scouts' charter, they have relocated to the VFW Hall, and he is not aware that this is an issue with the Scouts.

E. Discuss Budgeting for a Grant Writer in the Next Fiscal Year

Mayor Martorana presents. Council Member Freeman commented that during the public workshop back in January, the public felt finding grants is a priority for the City. Mayor Martorana stated he would investigate methods of hiring a grant writer and report back next month.

8. COMMENTS

A. City Council

No comments were received.

B. City Manager

City Manager Grimsley asked if the Youth Commission could use a City pickup to pull their float in the Easter parade.

C. City Attorney

City Attorney Mall reminded the Council of the recent ruling that use of an electric device to conduct city business constitutes a public record and as such, is subject to the Public Records Act.

11. Adjournment

The meeting was adjourned at 9:33 p.m.