

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

1. CALL TO ORDER – Mayor Jim West called the meeting to order at 6:12 p.m.

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

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

Absent: Council Member DeVries absent

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

2. PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA

Andy Moore brought to Council's attention Prop B, which passed in 1977 and sunsets in 2018, a bond assessed to property owners dealing with water. Money should go towards San Juan Bautista. Interim City Manager Tewes commented he has spoken with the San Benito County Water District and County Counsel. Cara Vonk was concerned with the color of the sound wall for the Copperleaf subdivision. Shawna Freels invited the council to the ribbon cutting for the Historic Walking Tour. Jolene Cosio spoke in support of Council's attention towards the Prop B issue brought up by Andy Moore.

3. CONSENT ITEMS

A. Approve Affidavit of Posting Agenda

B. Approve Minutes for January 30, 2018 Meeting

C. Approve Resolution 2018-08 for Street Closures – Rotary Antique Faire and Historic Walking Trail Ribbon Cutting Ceremony

D. Adopt Ordinance 2018-02 Correcting Article 1, Section 3-5-160 of the Municipal Code Regarding Sewer and Water Rates (Second Reading)

E. Adopt Ordinance 2018-03 Adding Chapter 5-20-1 to the MC Reauthorizing the Collection of a Fee to Support Public, Educational, and Governmental (“PEG”) Channel /facilities Within the City (Second reading)

F. Approve Strategic Planning committee Request to Add Darryl Green to the Membership

G. Approve Resolution 2018-09 to Close Union Bank Savings Account and Invest in LAIF

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

A motion was made by Council Member Boch and seconded by Vice Mayor 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

Jill Pagaron of the San Juan Committee made a presentation and responded to questions.

B. Treasurer's Report

In City Treasurer Geiger's absence, Interim city Manager Tewes explained the Treasurer's Report and responded to questions regarding the Warrant List.

C. Monthly Construction Progress Report

Council received the report in their packet. There was no public comment.

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

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

E. Strategic Plan Committee Report

Committee Chairperson Shawna Freels provided a report and stated she would like to present a work plan of items the committee has been working on next month. There were no public comments.

5. DISCUSSION ITEMS

A. Provide Input to the Cannabis Subcommittee on the Proposed Cannabis Ordinance, the Rules and Regulations, and the Schedule for Future Action

Victor Gomez of Pinnacle Strategy reviewed the ordinance for council and responded to questions. During public comment Cara Vonk and Mirijana Tomas were concerned with the location for commercial, near the Valero gas station. Mandisa Snodley commented on proposed legislation. Andy Moore was concerned with the city's limited law enforcement contract relating to cannabis.

Council Member Boch suggested council hold a special meeting to discuss the cannabis ordinance further. A meeting was scheduled for April 4 at 2 p.m. in Council Chambers.

B. Location of Electric Vehicle Charging Stations in the City

Vice Mayor Freeman reported there is a need for more electric vehicle charging station in the City and location and funding should to be discussed.

6. ACTION ITEMS

A. Results of Traffic Speed and Calming Study

Power point presentation by Hexagon Transportation Consultants. During public comment Jolene Cosio commented that the City received funds through a Habitat for Humanity grant for a raised crosswalk at the school, which have not been spent. Cara

Vonk commented on a bike trail under the Highway 156 overpass, paid with COG funds. Rachel Ponce commented, as a Fourth Street resident, she is very disappointed with the results of the survey. Council Members were in agreement with Mrs. Ponce.

Council directed staff to look at traffic calming options.

B. Consider Resolution 2018-10 Amending Development Agreement with Meritage Homes to Provide for an Additional Payment of \$40,000 Toward the City's Water Supply Strategy

Interim City Manager Tewes reported the home builders have agreed to make a contribution in order to accelerate the acquisition of the Coke well and the lifting of the water connection moratorium. During public comment Jolene Cosio was concerned with the Meritage contribution.

A motion was made by Council Member Boch and seconded by Council Member Martorana to Amend the Development Agreement with Meritage Homes to provide for an additional payment of \$40,000 toward the City's Water Supply Strategy. The motion passed 4-0-0-1 with Council Member DeVries absent.

C. First Reading of an Ordinance Revising the Appointment Process for Planning Commissioners, Municipal Code Section 2-3-110

City Attorney Mall provided an update to the ordinance dealing with the appointment process of planning commissioners as requested at the last meeting. There was discussion. During public comment Cara Vonk suggested including in the ordinance that planning commissioners should also have qualifications to sit on the Historic Resources Board. Jolene Cosio supports changes to the ordinance.

A motion was made by Council Member Martorana and seconded by Council Member Boch to introduce an ordinance deleting the current section 2-3-110, in its entirety and adding a new section 2-3-110 to the municipal code revising the "Qualifications-Appointment-Term" of Planning Commissioners. The motion passed 4-0-0-1 with Council Member DeVries absent.

D. Consider Approving Participation by Edenridge Homes in the SCIP Program

Interim City Manager Tewes reported. No public comment was received.

A motion was made by Vice Mayor Freeman and seconded by Council member Boch to approve participation by Edenbridge Homes in SCIP (Statewide Community Infrastructure Program). The motion passed 4-0-0-1 with Council Member DeVries absent.

E. Consider Extending American Tower Cell Tower Lease

Interim City Manager Tewes reported. During public comment Cara Vonk commented that the original contract called for American Tower to landscape and maintain the area. A motion was made by Vice Mayor Freeman and seconded by Council member Boch to approve Resolution 2018-11 extending a lease agreement with American Tower Corporation. The motion passed 4-0-0-1 with Council Member DeVries absent.

F. Recommendation by Strategic Planning Committee to Designate a Portion of the City Owned Property Located between Washington and Lang Streets as a Future Location of a Dog Park and Community Garden

Committee Chairperson Shawna Freels provided a report. Mayor West felt it inhibits public input if the council decides how property will be used. During public comment Bob Quaid commented he does not support council conversation. Mandisa Snodey, committee member, explains process how they got this far. Concern with whether there is a deed restriction that this can only be a park. Heidi Balz suggested this item requires more work before coming to council. Rachel Ponce commented they will need water there. Mirijana Toma spoke in support of small parks for tourists. No action was taken.

G. Consider Purchase of Telemetry Equipment to Connect to Reservoir

Assistant Michaele LaForge provided a report and distributed a proposal from Maggiora. No public comment was received. More information will be provided at a later date.

A motion was made by Council Member Martorana and seconded by Vice Mayor Freeman to purchase telemetry equipment. The motion passed 4-0-0-1 with Council Member DeVries absent.

H. Consider Resolution 2018-XX Adopting a Code of Ethics Policy – Subcommittee Report

Subcommittee members Chris Martorana and John Freeman provided a policy. There was discussion. Council determined the policy would extend commissioners as well. The item will be brought back next month for approval after corrections are made to typographical errors. No public comments were received.

I. Removal of John Hopper from the Planning Commission with Cause

- Adopt a motion to “remove from the table” the agenda item to conduct a hearing for removal of Chairman Hopper from the PC with Cause**
- Conduct the hearing and consider a motion to remove Mr. Hopper with Cause**

Council Member Martorana explained the issues that substantiate a hearing with cause for removal of Mr. Hopper from the Planning Commission. Mr. Hopper was not present and was not represented. There was discussion.

A motion was made by Council Member Martorana and seconded by Mayor West to remove from the table the agenda item to conduct a hearing for removal of chairman hopper from the pc with cause. The motion passed 3-1-0-1 with Council Member Freeman voting against and Council Member DeVries absent.

During public comment Rachel Ponce, Cara Vonk, Mandisa Snodey, Jolene Cosio, and Mirijana Tomas supported the action taken by Council.

Whereupon, Council Member Martorana presented the issues that substantiate the removal of Mr. Hopper, specifically:

1. Represented himself as a council member to Level One Security outside Daisy's Saloon
2. Intoxicated at a Parks planning meeting
3. Intoxicated at the October 24 city council meeting
4. Lied to Council Member Martorana approximately three times

During public comment, Cara Vonk spoke in support of Mr. Hopper as a member of the Planning Commission.

A motion was made by Council Member Martorana and seconded by Council Member Boch to remove Hopper with cause, and directed staff to send him a letter letting him know. The motion passed 3-1-0-1 with Council Member Freeman voting against and Council Member DeVries absent.

J. Formal Appointment of City Manager

Mayor Jim West announced the council's appointment of Michaela LaForge as the new City Manager in the City of San Juan Bautista. Her contract is effective April 2, 2018; salary is \$120,000; she will receive a \$500/month car allowance, six weeks of vacation, six months of severance, and will be reviewed annually. Ms. LaForge will get an additional bonus of \$20,000 commensurate with deliverables, specifically \$5,000 for staying on budget, \$5,000 for bringing on a Community Development Director, and \$5,000 for bringing on a Public Works Director. During public comment, Bob Quaid asked about a pellet plant for the city. Leslie Austin spoke in support of the Council's selection of Michaela LaForge.

A motion was made by Council Member Martorana and seconded by Council Member Boch to approve Resolution 2018-12 appointing Michaela LaForge as city manager and authorizing the mayor to execute a city manager employment agreement. The motion passed 4-0-0-1 with Council Member DeVries absent.

7. COMMENTS

A. City Council

Mayor West thanked Interim City Manager Ed Tewes.

B. City Manager

Interim City Manager Tewes stated he enjoyed working with everyone.

C. City Attorney

City Attorney Mall thanked Mr. Tewes.

8. Adjournment

The meeting was adjourned at 10:15 p.m.

Mayor Jim West

ATTEST:

Trish Paetz, Deputy City Clerk