

**CITY OF SAN JUAN BAUTISTA
CITY COUNCIL REGULAR MEETING
OCTOBER 16, 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 Member Boch.

Absent: Council Members DeVries and Martorana

Staff Present: City Manager LaForge, City Attorney Mall, Deputy City Clerk Paetz, City Engineer Dobbins

2. PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA

Wanda Guibert was concerned with the Casa Rosa building on Third Street and provided written input to the council. Ted Thoeny informed the council of his upcoming Dia de los Muertos event. Ann Fritch pointed out that designation of the City's sesquicentennial event for September 7-8, 2019 was not on this agenda.

3. CONSENT ITEMS

A. Approve Affidavit of Posting Agenda

B. Approve Affidavits of Posting Public Hearing Notices for Community Facilities District, Garbage Contract, and Franklin Street Project

C. Approve Resolution 2018-52 for Street Closures: Jardines Dia de los Muertos Event, Double Road Race, William Ltd Antiques Faire and Rib Cookoff, Hollister Rotary Mission 10K Run

D. Approve Minutes for August 21, 2018 Council Meeting

E. Recommendation of the Appointment of Donna Holmes to the Strategic Plan Committee

F. Adopt Ordinance 2018-06 Approving the Addition of Chapter 5-33, Emergency Organization and Functions to Title 5 of the SJB Municipal Code

G. 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, 3-0-0-2, with Council Members DeVries and Martorana absent.

4. PRESENTATIONS, INFORMATIONAL ITEMS AND REPORTS

A. Presentation of Proclamations for Ron Erickson, Founder of Early Days at the State Historic Park in San Juan Bautista, and Honoring 50 Years of AMBAG

Mayor West read the proclamations.

B. Treasurer's Report

City Manager LaForge provided a report as the City Treasurer was absent. There was no public comment.

C. City Manager's Report

City Manager LaForge reviewed her report for Council and responded to questions. There was no public comment.

D. Grant Report

City Manager LaForge reviewed her report for Council and responded to questions. There was no public comment.

E. Monthly Construction Progress Report

City Engineer Patrick Dobbins reviewed his report for Council and responded to questions. There was no public comment.

F. Community Development Report

Council received the report in their packet. There was discussion about Harvey's Lockup and Vice Mayor freeman requested it be taken to the Planning Commission. There was no public comment.

G. City Engineer's Report

City Engineer Patrick Dobbins reviewed his report for Council and introduced Miles Farmer of Cypress Water Service, the City's new Wastewater Treatment Plant Operator whose contract was accepted by the Council last month. There was no public comment.

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

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

I. Strategic Plan Committee Report

Shawna Freels provided a report. There were no public comments.

5. PUBLIC HEARING ITEMS

A. Consider the Establishment of the Proposed Community Facilities District (CFD), the proposed rate and method of apportionment of the special taxes proposed to be levied within the CFD, and all other matters as set forth in the Resolution of Intention

Rick Clark of Harris and Associates reported on the process involved tonight in establishing the CFD. Mayor West opened the public hearing. There were no comments received. Mayor West closed the public hearing.

A motion was made by Council Member Boch and seconded by Vice Mayor Freeman to approve Resolution 2018-53 Forming and Establishing Community Facilities District No. 2018-01 and Authorizing submittal of the Levy of Special taxes to the qualified Electors of the District. The motion passed unanimously, 3-0-0-2, with Council Members DeVries and Martorana absent.

B. Hold an Election of the CFD and Consider a Resolution Declaring the Results of a Special Election in the Community Facilities District

Rick Clark of Harris and Associates proceeded with the election and opened the ballots of which there were 43 cast, representing 43 acres; all were in favor of establishing the CFD.

A motion was made by Freeman and seconded by Council Member Boch to approve Resolution 2018-54 with the Council acting in its capacity as the legislative body of the Community Facilities District No. 2018-01, declaring the results of a special election in such community facilities. The motion passed unanimously, 3-0-0-2, with Council Members DeVries and Martorana absent.

C. Introduce an Ordinance Authorizing the Levy of a Special Tax in Community Facilities District No. 2018-01

Rick Clark of Harris and Associates explained the necessity of an ordinance. No public comments were received.

A motion was made by Vice Mayor Freeman and seconded by Council Member Boch to introduce an ordinance authorizing the levy of a special tax in Community Facilities District No. 2018-01. The motion passed unanimously, 3-0-0-2, with Council Members DeVries and Martorana absent.

D. Consider Approval of Maximum Allowable Solid Waste Collection Rates Effective November 1, 2018 to June 30, 2018

Kevin McCarthy of Recology provided a report. Deputy City Clerk Paetz reported there were three protests received. No public comments were received.

A motion was made by Vice Mayor Freeman and seconded by Council Member Boch to approve Resolution 2018-55 approving maximum allowable solid waste collection rates effective November 1, 2018 to June 30, 2019. The motion passed unanimously, 3-0-0-2, with Council Members DeVries and Martorana absent.

E. Consider Action on Four Parcels Located on Franklin Street – 10 Franklin Street (APN 002-490-002), 11 Franklin Street (APN 002-340-006 and 002-340-007) and 17 Franklin Street (APN 002-340-003)

i. Consider a City-Initiated Zone Change from Public Facilities (PF) to Mixed-Use (MU). Zone Change approval is exempt from CEQA pursuant to Article 19, Sections 15315, 15331, and 15332.

Associate City Planner Todd Kennedy provided a report. Mayor West opened the public hearing. There was not public comment. Mayor West closed the public hearing. A motion was made by Council Member Boch and seconded by Vice Mayor Freeman to introduce an ordinance approving a City initiated rezoning of four parcels situated at 11 Franklin Street, 17 Franklin Street, and 10 Franklin Street from Public Facility to Mixed Use district. The motion passed unanimously, 3-0-0-2, with Council Members DeVries and Martorana absent.

ii. Consider a City Initiated General Plan Amendment. The proposed amendment is from Public Facility to Mixed Use and is exempt from CEQA pursuant to Article 19, Section 15315, 15303, 15331 and 15332.

Associate City Planner Todd Kenned provided a report. Mayor West opened the public hearing. There was not public comment. Mayor West closed the public hearing.

A motion was made by Council Member Boch and seconded by Vice Mayor Freeman to approve Resolution 2018-56 approving a City initiated General Plan amendment of four parcels situated at 11 Franklin Street, 17 Franklin Street, and 10 Franklin Street from Public Facility district to Mixed Use district. The motion passed unanimously, 3-0-0-2, with Council Members DeVries and Martorana absent.

iii. Consider a Proposed Lot Merge for 11 Franklin Street to allow the property owner to reconstruct/restore an accessory building and make interior changes within the main building and outdoor features. The lot merge is exempt from LCEQ pursuant to Article 19, Sections 15311, 15302, and 15315. Applicants: Robert and Martha Fernandez

Associate City Planner Todd Kenned provided a report. Mayor West opened the public hearing. There was not public comment. Mayor West closed the public hearing.

A motion was made by Council Member Boch and seconded by Vice Mayor Freeman to approve Resolution 2018-57 approving a lot merge for 11 Franklin Street (APN 002-340-006 and APN 002-340-007) to combine the parcels. The motion passed unanimously, 3-0-0-2, with Council Members DeVries and Martorana absent.

6. ACTION ITEMS

A. Consider Resolution Declaring the Existence of a Shelter Crisis Within the City of San Juan Bautista

John/Tony. Passes 3-0.

B. Review City Purchasing Procedures and Provide Direction to Staff

City Engineer Dobbins provided a report. Council was in agreement that changes to the city purchasing procedures is needed. Council directed staff to bring back an ordinance in November. During public comment, Jackie Morris spoke in support.

C. Award of Wastewater Treatment Plant Operator Contract

City Engineer Dobbins provided a report recommending award of a two-year contract for operation of the City's Wastewater Treatment Plant to Cypress Water Service in the amount of \$120,890/year and establish a contingency budget of \$20,000 for a total contract authorization of \$261,780. There was no public comment.

A motion was made by Council Member Boch and seconded by Vice Mayor Freeman to approve Resolution 2018-59 Authorizing a Contract with Cypress Water Service for Operation of the City's Wastewater Treatment Plant. The motion passed 3-0-0-2 with Council Members DeVries and Martorana absent.

D. Consider Extending Existing Synagro Sludge Removal Project Contract Services

City Engineer Dobbins reported that removal of sludge from the wastewater treatment plant (WWTP) would begin October 23 and residents will experience an increase in odors, noise, and expect eight to ten trucks per day, from 6 am to 6 pm for four weeks. Dobbins recommended increasing the contract so more sludge could be removed, thereby increasing capacity at the WWTP. Council directed staff to add \$100,000 to the budget for sludge removal.

7. DISCUSSION ITEMS

A. Consider Having Two City Council Meetings Each Month – Vice Mayor Freeman

Vice Mayor Freeman suggested the council begin scheduling two council meetings each month, stating it will help eliminate the need for long meetings. City Manager LaForge asked to conduct an analysis. City Attorney Mall cautioned that two meetings scheduled each month could require an increase in staff and contractors' time, and could eventually result in having two long meetings.

8. COMMENTS

A. City Council

No comments made.

B. City Manager

No comments made.

C. City Attorney

City Attorney Mall provided an update on the gas station appeal stating the appeal was argued two weeks ago, petitioners made a procedural error, the noise study was questioned, and a decision should be made in two weeks.

7. Adjournment

The meeting was adjourned at 8:03 p.m.