

**CITY OF SAN JUAN BAUTISTA
REGULAR CITY COUNCIL MEETING
MARCH 19, 2019
MINUTES**

1. CALL TO ORDER –Mayor Flores called the meeting to order at 6:00 P.M.

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

ROLL CALL Present: Mayor Flores, Vice Mayor Edge, Council Members DeVries, Freeman and Jordan

Staff Present: Interim City Manager Tewes, City Attorney Mall, City Clerk Cent, Associate Planner Kennedy

2. PUBLIC COMMENT

Sandra Arretche described an incident that occurred on March 2, 2019 with Level 1 Private Security. Vanessa Gonzalez introduced herself as the Field Representative for State Senator Anna Caballero. Darlene Boyd commented there were two un-noticed meetings on December 18, 2018 and January 22, 2019 and she requested what was discussed be disclosed. Jackie Morris-Lopez commented there have been several complaints about the stop signs in front of the Mission Garden Apartments and that the installation should be revisited, removed and a study done. City Attorney Mall responded to Ms. Boyd's comment regarding January 22, 2019 that she met with Council Member Jordan regarding a possible conflict of interest and no one else.

3. CONSENT ITEMS

A. Approve Affidavit of Posting Agenda

B. Approve Minutes for the February 19, 2019 Regular Meeting

C. Approve Minutes for the February 25, 2019 Special Meeting

D. Approve Resolution 2019-11 Confirming Appointments to Commissions, Committees and Regional Boards

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

Council Member Freeman requested that Item 3D be pulled from the Consent Items. Council Member Jordan made a motion to approve the Consent Items except for Item 3D. Second by Vice Mayor Edge. Motion passed 5-0.

3D. Approve Resolution 2019-11 Confirming Appointments to Commissions, Committees and Regional Boards

Interim City Manager Tewes reviewed his staff report. There was discussion between Council Members and staff. Public comment was received from Darlene Boyd reading sections of the Brown Act and requesting a revote of the selection of the members of the Planning Commission. City Attorney Mall and Interim City Manager Tewes listed options to rectify the issue including placing on the next meeting's agenda and identification of the ballots, or a revote, and to approve Resolution 2019-11 without the

Planning Commission. There was more discussion from Council Members. Public comment was received from Jackie Morris-Lopez that the process to choose the Planning Commission was corrupted. Council Members and staff continued to discuss. Public comment was received from Mirijana Tomas that the most qualified candidates were not appointed to the Planning Commission and that the procedure needs to be addressed. Council Member Jordan made a motion to Approve Resolution 2019-11 Confirming Appointments to Commissions, Committees and Regional Boards and that identifying the ballots for selecting members of the Planning Commission be placed on the agenda for the next City Council Meeting. Second by Council Member DeVries. Motion passed 5-0.

4. PRESENTATIONS, INFORMATIONAL ITEMS AND REPORTS

A. Presentation by San Benito County Public Health Services – Proposal for Smoke Free Outdoor Dining in the City

A PowerPoint presentation was made by Laura Calderon of San Benito County Public Health Services. She requested that the City Council consider an ordinance to formalize smoke-free outdoor dining within the City of San Juan Bautista. Letters of support from local restaurants and Breathe California of the Bay Area were distributed. Public comment was received from Dr. Gail Newel, Public Health Officer of San Benito County, supporting the ordinance and offering her expert opinion to the Council. Public comment was received from San Juan Bautista resident Erica in favor of the proposed ordinance. Marcus Edwards, General Manager of Jardines de San Juan, spoke in favor of the proposed ordinance. There were questions and comments from Council Members. Mayor Flores directed staff to place an ordinance for smoke-free outdoor dining in the City of San Juan Bautista on the agenda for the next City Council Meeting.

B. Monthly Financial Statements

Interim City Manager Tewes reviewed the monthly financial statements for Council. There was no public comment. Council Members asked questions about items on the monthly financial statements.

C. City Manager's Report

Interim City Manager Tewes gave a report including the schedule for the Fiscal Year 2020 Budget. There was no public comment.

D. Building and Planning Report

Associate Planner Kennedy presented the report. Interim City Manager Tewes answered questions from Council Members regard the Casa Rosa abatement. Council Member DeVries requested a joint meeting with the Historic Resources Board to discuss and approve what would be done to La Casa Rosa in the abatement. Public comment was received from Mirijana Tomas requesting the City expedite the abatement before the next rain storm. Council Members posed more questions regarding items on the report, which were answered by Associate Planner Kennedy and Interim City Manager Tewes.

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

Council Member Freeman pointed out that he is on the Monterey Bay Community Power Authority Policy Board and that Resolution 2019-11 approved earlier in the meeting had MBCPA Operations Board listed. Interim City Manager Tewes will have Resolution 2019-11 corrected to reflect that Council Member Freeman is a member of the MBCPA Policy Board. Mayor Flores reported that he is the Chairperson of San Benito Council of Governments. Council Member Freeman reported on AMBAG and MBCPA. There was no public comment.

F. Strategic Plan Committee Report

Strategic Plan Committee Secretary Kennedy reported on the upcoming event on March 30, Indigenous Peoples Spring Equinox. Secretary Kennedy responded to questions from Council Members. There was no public comment.

At this point in the meeting, Interim City Manager Tewes added to his City Manager's Report that the Planning Commission/Historic Resources Board is considering recommending to the City Council to separate the two bodies. This would require a change to the ordinance to have two separate organizations. There was no public comment.

5. ACTION ITEMS

A. Approve Performance Bonus for Michaele LaForge per Agreement

Mayor Flores reviewed his report. Public comment was received from Jackie Morris-Lopez in opposition to the bonus and asked what the benchmarks were. Vice Mayor Edge made a motion to Approve a Performance Bonus for Michaele LaForge per Agreement for \$10,000. Second by Council Member Jordan. Motion passed 5-0.

B. Approve Appointment of J. Edward Tewes as Interim City Manager and Authorize Mayor to Sign Agreement

Public comment was received from Darlene Boyd who spoke in favor of appointing Mr. Tewes as Interim City Manager. Jackie Morris-Lopez asked that the Council approve the appointment of Mr. Tewes as Interim City Manager. Council Member DeVries made a motion to Approve the Appointment of J. Edward Tewes as Interim City Manager and Authorize the Mayor to Sign an Agreement. Second by Vice Mayor Edge. Motion passed, 5-0.

C. Approve Proposed Deferred Improvements Agreement for Midnight Express and Authorize the City Manager to Execute It on Behalf of the City

Council Member DeVries recused himself stating at one time he represented the applicant, and left the Chamber at 7:37 P.M. Interim City Manager Tewes reviewed his staff report. Council Member Freeman requested that a "Dig Once" policy be considered for the entire City. There was no public comment. Council Member Freeman made a motion to Approve the Proposed Deferred Improvements Agreement for Midnight Express and Authorize the City Manager to Execute It on Behalf of the City. Second by

Council Member Jordan. Motion passed, 4-0, with Council Member DeVries recused. At 7:42 P.M. Council Member DeVries returned to his seat in the Chamber.

6. DISCUSSION ITEMS

A. City Manager Recruitment Update

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

B. Weekly Old Town Block Party – Mayor Flores

Mayor Flores pulled this item as he had not had any response. There was no public comment.

7. COMMENTS

A. City Council

No comments received.

B. City Manager

No comments received.

C. City Attorney

No comments received.

8. ADJOURNMENT

The meeting was adjourned at 7:44 P.M.


César E. Flores, Mayor

ATTEST:


Laura Cent, City Clerk