

**CITY OF SAN JUAN BAUTISTA  
REGULAR CITY COUNCIL MEETING  
JUNE 18, 2019  
MINUTES**

- 1. CALL TO ORDER** –Mayor Flores called the meeting to order at 6:02 P.M.  
(The Pledge of Allegiance was recited at the beginning of the Special Meeting immediately before the Regular Meeting.)

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

**Staff Present:** Interim City Manager Tewes, Assistant City Attorney Rathie, City Clerk Cent, Associate Planner Kennedy

**Moment of Silence for Former City Clerk & Council Member Maggie Bilich:** Mayor Flores asked for a moment of silence.

**2. PUBLIC COMMENT**

Jolene Cosio spoke on the inconsistency of start times for construction projects, that stop signs on Muckelemi Street and San Juan-Hollister Road were not passed by a formal resolution of the City Council, and Public Work staff should be walking the streets to be able to see issues that need attention. Wiatt Grant introduced himself and was in favor of support for special education, the arts and youth. Jackie Morris-Lopez spoke in favor of the removal of the stop signs on Muckelemi Street and San Juan-Hollister Road, which had not been approved, and in favor of Code Enforcement on property owners on Third Street rather than the lessees.

**3. CONSENT ITEMS**

- A. Approve Affidavit of Posting Agenda**
- B. Approve Affidavit of Posting and Mailing Public Hearing Notice for Valle Vista**
- C. Approve Affidavit of Posting Public Hearing Notice for Recology**
- D. Approve Resolution 2019-23 for Street Closures for Rotary Antique and Collectibles Faire, Sesquicentennial Parade and Community Art Project**
- E. Approve Resolution 2019-24 Authorizing the Anzar High School Football and Cheer to Sell Fireworks During the July 4, 2019 Holiday**
- F. Waive Reading of Ordinances and Resolutions on Tonight's Agenda Beyond Title**

Vice Mayor Edge made a motion to approve all items listed in 3. Consent Items. Second by Council Member Jordan. Motion passed 5-0.

**4. PRESENTATIONS, INFORMATIONAL ITEMS AND REPORTS**

**A. San Benito County Saddle Horse Show and Rodeo, June 20-23**

Miss San Benito Rodeo 2019 Queen Bonnie Mansmith and Miss San Benito Rodeo 2018 Queen Kelsee French announced the events scheduled for the 2019 San Benito County Saddle Horse and Rodeo including the parade with floats and past Queens on June 22 and the Bar-B-Que Friday, Saturday and Sunday. There was no public comment.

## **B. Monthly Financial Statements**

Interim City Manager Tewes offered to address any questions of the monthly financial statements. There was no public comment.

## **C. City Manager's Report**

Interim City Manager Tewes gave his report where he covered Pacific Gas & Electric's plans to shut down power in the event of high winds during wild fire season. He stated that all PG&E customers had received a mailer regarding alerts and preparation. There was no public comment.

## **D. Building and Planning Report**

Associate Planner Kennedy offered to answer questions regarding the report. He reported that the Loraza Subdivision was approved at the June 4, 2019 Planning Commission Meeting. There was no public comment.

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

Council Member Freeman reported on the meetings he had attended: Monterey Bay Community Power, AMBAG and Intergovernmental Committee. Council Member Jordan reported on attending the Water Resource Committee. Vice Mayor Edge reported on attending the Leadership Council. Mayor Flores reported on attending LAFCO. There was no public comment.

## **F. Strategic Plan Committee Report**

Strategic Plan Committee Secretary Kennedy reported that the Strategic Plan Committee did not meet on June 6, 2019. There was no public comment.

## **5. PUBLIC HEARING ITEMS**

### **A. Valle Vista Landscape and Lighting Maintenance Assessment District No. 1**

#### **i. Adopt Resolution 2019-25 Confirming a Diagram and Assessment for Fiscal Year 2019-20**

Interim City Manager Tewes gave his report calling for a Public Hearing and that the proper notices had been mailed to the homeowners. Mayor Flores opened the Public Hearing. Public comment was received from Ken Houle regarding the retention pond and the odor coming from the lift station. Interim City Manager Tewes responded that the City intends to budget for in FY20 and maintain the retention pond, and the City will address the odor from the lift station. Leeanna Brothers asked if there will be any increase in the assessment this year. Interim City Manager Tewes responded there would be no increase this year. Ms. Brothers brought up that the street lights needed painting and repairs. Mayor Flores closed the Public Hearing. Council Member Freeman made a motion to adopt Resolution 2019-25 Confirming a Diagram and Assessment in Connection with Valle Vista Landscape and Lighting Maintenance Assessment District No. 1 for Fiscal Year 2019-20. Second by Vice Mayor Edge. Motion passed 5-0.

#### **ii. Adopt Resolution 2019-26 Certifying Compliance with State Law with Respect to the Levying of General and Special Taxes, Assessments and Property Related Fees and Charges**

Council Member Jordan made a motion to adopt Resolution 2019-26 Certifying Compliance with State Law with Respect to the Levying of General and Special Taxes, Assessments and Property Related Fees and Charges. Second by Council Member Freeman. Motion passed 5-0.

## **B. Fiscal Year 2019-2020 Budget**

### **i. Adopt the Budget as Revised**

Interim City Manager Tewes reviewed his report. Revisions included new information from the State regarding Gas Tax revenue, conforming revenue for the Valle Vista Landscape and Lighting District, Fourth Street speed tables expenditure, funds for community art project and the San Juan Bautista Community Business Association, and salary increase for City staff. Mayor Flores opened the Public Hearing. There was no public comment. Mayor Flores closed the Public Hearing. Council Member DeVries made a motion to adopt Resolution 2019-27 Adopting the San Juan Bautista Municipal Budget for FY 2019-2020. Second by Council Member Jordan. Motion passed 5-0.

### **ii. Approve Resolution 2019-28 Making Certain Findings and Determinations in Compliance with Section XIIB Of the California Constitution (Gann Initiative)**

Interim City Manager Tewes reviewed the City's Gann Limit. Council Member Freeman made a motion to adopt Resolution 2019-28 Making Certain Findings and Determinations in Compliance with Section XIIB of the California Constitution (Gann Initiative). Second by Vice Mayor Edge. Motion passed 5-0.

### **iii. Approve Resolution 2019-29 Adopting a Holiday Schedule in Fiscal Year 2019-2020**

Interim City Manager Tewes presented the resolution for adopting the Holiday Schedule for FY 20. Council Member Jordan made a motion to adopt Resolution 2019-29 Adopting a Holiday Schedule for the Fiscal Year 2019-2020. Second by Vice Mayor Edge. Motion passed 5-0.

## **C. Adopt Resolution 2019-30 Approving an Increase to Recology Solid Waste Collection Rates, Effective July 1, 2019 to June 30, 2020**

Kathleen Gallagher of the San Benito County Integrated Waste Management Regional Agency reviewed her report. City Clerk Cent reported that four protest letters were received. Ms. Gallagher answered questions from council members. Phil Couchee, general manager of Recology, answered questions about using compressed natural gas as fuel for the trucks. There was no public comment. Vice Mayor Edge made a motion to adopt Resolution 2019-30 Approving Solid Waste Collection Rates Effective July 1, 2019 to June 30, 2020. Second by Council Member Jordan. Motion passed 5-0.

## **6. ACTION ITEMS**

### **A. Appoint City Manager**

Mayor Flores reviewed his report. There was no public comment. Council Member Freeman made a motion to adopt Resolution 2019-31 Approving an Agreement Between the City and Don Reynolds for City Manager services. Second by Vice Mayor Edge. Motion passed 5-0. The Mayor, the Council and those in the audience welcomed Mr. Reynolds, who then spoke to the Council. Mayor Flores thanked Interim City Manager Tewes for his service to the City.

### **B. Introduce an Ordinance Amending Section 2-8-050 Increasing Solicitation Thresholds in Accordance with New Thresholds Set by the State (Relative to the Bid Process)**

Interim City Manager Tewes reviewed his report. There was no public comment. Council Member Jordan made a motion to introduce an Ordinance amending Section 2-8-050 Increasing Solicitation Thresholds in Accordance with New Thresholds Set by the State. Second by Vice Mayor Edge. Motion passed 5-0.

**C. Consider Whether to Adopt a City Position on the San Benito County Zone Changes Implementing the Commercial Regional Land Use Designation**

Council Member DeVries recused himself and left the Chamber at 7:01 P.M. Interim City Manager Tewes reviewed his report. Cara Vonk from San Juan Bautista and Tom Karis from Aromas opposed the County's zone changes. Matthew Beachy from Aromas asked the Council not to support the re-zone. Kollin Kosmicki, who lives in the County, opposed the County's zone changes. Gina Paolini from Aromas and Vice President of Preserve Our Rural Communities, asked the City to not support the County's zone change. Jackie Morris from San Juan Bautista and Andy Hsia-Coron from Aromas spoke in opposition to the County's zone change. Mary Hsia-Coron from Aromas spoke that the re-zoning should not be allowed unless there is more study done. Jolene Cosio from San Juan Bautista, opposed the County's zoning change. Council members offered their comments. Vice Mayor Edge disclosed that she had discussed the subject with Andy Hsia-Coron and Mary Hsia-Coron. Council Member Freeman disclosed that he had discussed the subject with Council Member DeVries, Mary Shaw Perone, Cara Vonk and many others including some in Aromas. Vice Mayor Edge made a motion to draft a letter to the San Benito County Board of Supervisors stating the City Council's opposition to the County's zone changes and giving direction to Assistant City Attorney Rathie to assist with drafting the letter. Second by Council Member Jordan. Motion passed 4-0-1 with Council Member DeVries recused. Council Member DeVries returned to his seat at the dais at 7:34 P.M.

**D. Approve the Reimbursement Agreement with Meritage Homes for Installation of an 18-Inch Sewer Main**

Interim City Manager Tewes reviewed his report. Tony Boch asked about what the amount of the reimbursement is. Interim City Manager Tewes responded \$513,800 and change. Council members asked questions to which Interim City Manager Tewes responded. Discussion from council members continued. Joline Cosio asked what percentage had been paid. Interim City Manager Tewes responded half had been received. Council Member Jordan made a motion to approve a reimbursement agreement with Meritage Homes for installation of an 18-inch sewer main. Second by Council Member Freeman. Motion passed 5-0.

**E. Review Proposed Amendments to Meritage Development Agreement and Set a Public Hearing for July 16, 2019**

Interim City Manager Tewes went over his staff report in detail, including how fees were determined and the current dispute about the fees. Jackie Morris-Lopez spoke in favor of a public hearing on this matter. Vice Mayor Edge made a motion to set a Public Hearing for July 16, 2019 to Amend the Meritage Development Agreement. Second by Council Member Freeman. Motion passed 5-0.

**F. Approve Text for Plaque for Sesquicentennial**

Wanda Guibert, President of the San Juan Bautista Historical Society gave a report. Mayor Flores asked if he would have a conflict with this Action Item as he is a member of the San Francisco council of E Clampus Vitus. Assistant City Attorney Rathie answered he believed there is not a conflict in this context. John, a member of E Clampus Vitus, gave more details regarding the plaque. There was no public comment. Council Member Freeman made a motion approving the final Text for the Plaque for the Sesquicentennial. Second by Council Member Jordan. Motion passed 5-0.

**7. COMMENTS**

**A. City Council**

Mayor Flores thank members of the audience for attending. Council Member Freeman requested that an AirB&B tax be a discussion item on the next City Council agenda.

**B. City Manager**

Interim City Manager Tewes thanked the Council for the opportunity to serve on a second occasion.

**C. City Attorney**

Assistant City Attorney Rathie reported City Attorney Mall sends her regards and will return July 8. He also confirmed that the letter requested in Item 6C be for the July 23 San Benito County Board of Supervisors meeting and that the draft letter be brought back to the City Council at the July 16, 2019 meeting. He requested if any Council Members should be delegated to work with him on the letter. Vice Mayor Edge volunteered to do so.

**8. ADJOURNMENT**

A motion to adjourn was made by Council Member Jordan. Second by Vice Mayor Edge. Motion carried 5-0. The meeting was adjourned at 8:03 P.M.

  
Mary Vazquez Edge, Vice Mayor

ATTEST:

  
Laura Cent, City Clerk