

**CITY OF SAN JUAN BAUTISTA
CITY COUNCIL REGULAR MEETING
JANUARY 21, 2020
MINUTES**

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

PLEDGE OF ALLEGIANCE – Council Member DeVries led the Pledge of Allegiance.

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

Staff Present: City Manager Reynolds, City Attorney Mall, City Clerk Cent, Senior Planner Mack, Administrative Services Manager Paetz, Associate City Planner Kennedy

Mayor Edge requested a moment of silence to recognize former Mayor and Council Member Tony Boch who passed away the previous week.

2. PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA

Rancho Vista subdivision resident Cheri Kao Linthicum was concerned about water drainage being blocked by yard waste in the subdivision. City Manager Reynolds said staff would respond to the resident's concerns.

3. CONSENT ITEMS

A. Approve Affidavit of Posting Agenda

B. Approve Affidavit of Posting Public Hearing Notice

C. Approve Minutes of the Regular Meeting of December 17, 2019

D. Adopt Ordinance 2020-01 Rescinding the Prohibition of Marijuana Dispensaries, Sales, Private Outdoor Cultivation, and Deliveries (Removing Sections 5-14.5 and 5-14.6 From the Municipal Code)

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

F. Approve Resolution 2020-01 Authorizing Street Closure for Hollister Rotary Mission Run

Council Member DeVries made a motion to approve all items on the Consent Agenda. Second by Council Member Freeman. Vice Mayor Jordan asked to pull Item 3. F. the Resolution 2020-01 Authorizing Street Closures for Hollister Rotary Mission Run for discussion. Council Member DeVries amended his motion to approve items A. through E. Council Member Freeman seconded the amended motion. Motion passed 5-0.

3. F. Approve Resolution 2020-01 Authorizing Street Closure for Hollister Rotary Mission Run

Vice Mayor Jordan asked about food items to be served during the event as it was not clear on the application. Associate Planner Kennedy responded that only iced drinks and water would be provided for the runners. There was no public comment. Vice

Mayor Jordan made a motion to approve Resolution 2020-01 Authorizing Street Closures for the Hollister Rotary Mission Run. Second by Council Member Flores. Motion passed 5-0.

4. PRESENTATIONS, INFORMATIONAL ITEMS AND REPORTS

A. Presidential Primary Presentation by Angela Curro, San Benito County Registrar of Voters

As Angela Curro was not able to attend the meeting Francisco Diaz, SBC Elections Staff Analyst, provided a Powerpoint presentation and discussed updates and changes in the Presidential Primary Election, political party registration, and how the upcoming census affects the Elections Department. There was no public comment.

B. Monthly Financial Statements

City Manager Reynolds reviewed the report and noted the Midyear Budget Amendment was on the agenda later in the meeting. He offered to answer any questions. There was no public comment.

C. City Manager's Report

City Manager Reynolds presented his report. Council members asked questions and City Manager Reynolds responded. There was no public comment.

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

Council Member Freeman reported on AMBAG's 20/40 transportation plan, and announced that due to mergers with Santa Barbara and San Luis Obispo county agencies, there are plans to change the name of the Monterey Bay Community Power Board. Vice Mayor Jordan reported from a San Benito County Water Resources Agency meeting and reminded everyone to stop watering during the rainy season. Mayor Edge reported on the Area Agency on Aging. Council Member Flores reported on the Highway156 project, discussed at a COG meeting. There was no public comment.

E. Strategic Plan Committee Report

Associate Planner Kennedy suggested that his report be combined with agenda Item 6. B. Mayor's Formation of Ad Hoc Committee for Reviewing Strategic Plan Committee Membership and By-Laws. There was no objection. There was no public comment.

5. PUBLIC HEARING ITEMS

A. Consider an Appeal, filed by Emily Renzel, of the December 12, 2019 Planning Commission decision Approving a Site and Architectural Design Review Permit (SDR 2019-03) for a mixed use development consisting of a restaurant, bar, and residential units located at 107 Third Street, San Juan Bautista (APN: 002-021-004). (CEQA: Categorically Exempt per Section 15331).

City Manager Reynolds introduced Senior Planner/Project Manager David Mack who provided a Powerpoint presentation. A question and answer period followed regarding the previously issued permit, parking, current applicant's plans and Affordable Housing aspects of the plans and rent. Preservation Architect Michael Garavaglia addressed the

Council regarding the previous owner's plans and the current plans. Appellant Emily Renzel distributed and read from her letter regarding her appeal of the project, urging the Council to make the changes. Mayor Edge opened the public hearing. Chris Martorana commented that the parking is not sufficient, the second story walkway needs to be removed, the residences and business area should be separate, and the calculation of an additional unit is incorrect.

Whereupon, Council took a ten minute recess at 8:05 p.m.

San Juan Bautista Historical Society President Wanda Guibert distributed her letter in support of Ms. Renzel's appeal. San Juan Bautista Community Business Committee Member Bob Quaid expressed merchants' concerns with parking and the placement of trash totes on the street. Cara Vonk distributed a written statement in support of the project and asking that Secretary of the Interior Standards be followed. Tony Guaracha spoke in support of improvements to the property but felt the plan is too much for this lot. Rachel Ponce spoke against the project, commented that it is too crowded and unsafe, and parking would be a problem. Property owner Farhat discussed his project with the Council, the stairs, the permitting process, and the difficulty and expense of the project. City Attorney Mall advised the Council about new State housing laws that went into effect on January 1, 2020, changing what the City can require of a developer. Council members spoke to aspects of the project including safety, density, parking, their appreciation of Mr. Farhat for taking on the project, and considered continuing the hearing to a future date.

Council Member DeVries made a motion to Approve Resolution 2020-02 to Deny the Appeal Filed by Emily Renzel of the December 12, 2019 Planning Commission Decision Approving a Site and Architectural Design Review Permit (SDR 2019-03) for a Mixed Use Development Consisting of a Restaurant, Bar, and Residential Units Located at 107 Third Street, San Juan Bautista (APN: 002-021-004), and adding a \$25,000 in-lieu parking fee be paid or three parking spaces be provided for five years before the first building permits are issued, and the applicant provide a solution for the placement of garbage totes on the street. Second by Council Member Freeman. Whereupon, Council Member DeVries amended his motion to include approval of Resolution 2020-03, Making a Determination for a Categorical Exemption for Site and Design Review (SDR 2019-03) for a Mixed Use Development Consisting of a Restaurant, Bar, and Residential Units Located at 107 Third Street, San Juan Bautista (APN: 002-021-004), and approve Resolution 2020-04 Approving a Site and Architectural Design Review Permit (SDR 2019-03) for a Mixed Use Development Consisting of a Restaurant, Bar, and Residential Units Located at 107 Third Street, San Juan Bautista (APN: 002-021-004). Second of the amended motion by Council Member Freeman. Motion passed 5-0.

6. ACTION ITEMS

A. Adopt Resolution 2020-05 Changing Signature Responsibilities on City Bank Accounts

City Manager Reynolds stated this action was to add Mayor Edge as a signer on the City's bank accounts. There was no public comment. Council Member Flores made a

motion to adopt Resolution 2020-05 Authorizing Changes to the Designated Signers on the City's Bank Accounts at Union Bank. Second by Council Member Freeman. Motion passed 5-0.

4. E. Strategic Plan Committee Report and

6. B. Mayor's Formation of Ad Hoc Committee for Reviewing Strategic Plan Committee Membership and By-Laws

Associate Planner Kennedy reviewed the minutes included in the packet and reported on the current status of the Committee. Mayor Edge announced the formation of an ad hoc committee, and the Strategic Plan Committee will not meet in February. City Manager Reynolds suggested Council hold Strategic Plan workshop where the Strategic Plan committee would be discussed. During public comment Chris Martorana spoke in support of the Council workshop. Rachel Ponce, an original member of the Committee, suggested the Council define the goals of the Committee and discuss with the subcommittee Chairs. Beverly Meamber spoke in support of the work of the Strategic Plan Committee but agreed their direction needs to be redefined, and commented on the process of appointing members to the committee.

Mayor Edge appointed herself, Council Member Flores and City Manager Reynolds to an ad hoc committee for reviewing the Strategic Plan Committee membership and by-laws.

C. Update Mayor's Selection of Representatives to Local Boards and Committees

City Manager Reynolds introduced the item. Mayor Edge reviewed the list of local boards and committees and made several new assignments. There was no public comment. Council Member Flores made a motion to accept the changes as recorded by Mayor Edge. Second by Council Member DeVries. Motion passed 5-0.

D. Midyear FY2020 Budget Amendment

City Manager Reynolds reviewed his staff report. Council Member Freeman did not support combining the water/sewer rate study with the CityGate review. City Manager Reynolds responded the CityGate work would be a higher level of review. During public comment Emily Renzel asked for \$2,000 for walking trail brochures. City Manager Reynolds suggested that funding for the walking trail brochures could be allocated from funds left over from the 150th Celebration.

Council Member Flores made a motion to adopt Resolution 2020-06 Making Certain Findings in Relation to the FY 2019/20 Budget and Approving Certain Adjustments at the Mid-Year to Account for Several Small Variances From the Original FY 2019/20 Budget. Second by Vice Mayor Jordan. Motion passed 5-0.

E. Approve Resolution 2020-07 Adopting Cannabis Tax Rate

Victor Gomez of Pinnacle Strategy reviewed the report and the history of the cannabis tax. Council Member Freeman asked about Monterey County's cannabis tax, and Mr. Gomez responded that it was lowered after growers complained. Mr. Gomez anticipates opening the applications process by March 1, 2020 through the City's website. There was no public comment. Council Member Freeman made a motion to adopt Resolution

2020-07 Adopting Cannabis Business Tax Rates. Second by Council Member Flores.
Motion passed 5-0.

7. DISCUSSION ITEMS

A. Ban on Plastics/Disposable Food Ware Draft Ordinance Status

City Manager Reynolds reviewed his report and the work done by the California State University, Monterey Bay (CSUMB) students, including edits to the draft ordinance. CSUMB Professor Fernandez reviewed the survey students provided to businesses. During public comment SJB Community Business Association representative Bob Quaid asked about the timeframe, what education would be available, what kinds of plastic would be banned, and method of enforcement. City Manager Reynolds asked Council members to provide him with feedback before the Council meeting in February. Natalie of San Benito County Integrated Waste Management clarified what types of bags would be banned relative to type of business, and commented on the need for clarification and stronger language on what is recyclable. City Attorney Mall commented there has been pushback from the food industry due to food leaking.

B. Change the Municipal Code Section Dealing with Driving Oversize Vehicles on City Streets – Rich Brown, Code Enforcement Officer

City Attorney Mall advised the Council to table this discussion, as it might not be legal to give a ticket without identifying the driver, so changing the code may not be feasible.

8. COMMENTS

A. City Council

Council Member DeVries and other Council members thanked those involved from CSUMB on the Plastics Ban Ordinance.

B. City Manager

No comments received.

C. City Attorney

No comments received.

9. ADJOURNMENT

Council Member Flores made a motion to adjourn. Second by Vice Mayor Jordan.
Motion passed 5-0. The meeting was adjourned at 10:05 P.M.

ATTEST:



Laura Cent, City Clerk



Mary Vasquez Edge, Mayor