

**CITY OF SAN JUAN BAUTISTA  
REGULAR CITY COUNCIL MEETING  
OCTOBER 19, 2021  
MINUTES**

**1. CALL TO ORDER** - Mayor Leslie Jordan called the meeting to order at 6:00 p.m.

**PLEDGE OF ALLEGIANCE** – Council Member Flores lead the pledge of allegiance.

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

**Absent:** Council Members Edge and Freels

**Staff Present:** City Manager Reynolds, City Attorney Mall, Deputy City Clerk Paetz

**2. PUBLIC COMMENT**

Nancy Carlisle spoke regarding her request to fly the All Lives Matter flag.

**3. CONSENT ITEMS**

**A. Approve Affidavit of Posting Agenda**

**B. Approve Affidavit of Posting Public Hearing Notice**

**C. Adopt a Resolution of the City Council of the City of San Juan Bautista Authorizing the Execution of an “Owners Covenant Agreement Regarding Annexation and Utility Extension Agreement”**

**D. Waive Reading of Ordinances and Resolutions on Tonight’s Agenda Beyond Title**

**E. Adopt a Resolution of the City Council of the City of San Juan Bautista Regarding the Ralph M. Brown Act (Calif. Govt. Code 54950-54963) and Assembly Bill 361, Making Certain Findings, and Authorizing the City to Implement Remote Teleconferenced Pubic Meetings of the City Council for the Period October 19, 2021 Through November 18, 2021**

A motion was made by Vice Mayor Flores and seconded by Council Member Freeman to approve all items on the Consent Agenda. The motion passed 3-0-0-2, with Council Members Freels and Edge absent.

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

**A. Storm Water Resources Plan Presentation by Andrea Kingsbury of Wallace Group**

Presentation was received by Council. No public comment received.

**B. Treasurer’s Report and Monthly Financial Statements by City Treasurer Michelle Sabathia**

City Treasurer Sabathia provided a report. No public comment received.

**D. City Manager's Report**

City Manager Reynolds provided a report using slides. No public comment received.

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

Council Members reported on meetings they attended. No public comment received.

**5. PUBLIC HEARING ITEMS**

**A. Introduction of an Ordinance Amending Section 11-29-010 to Delete Reference to Second Units; Repealing Section 11-04-050, and Adding a New Section 11-04-050 to the San Juan Bautista Municipal Code to Conform with State Regulations Relating to Accessory Dwelling Units (Exempt from CEQA)**

Community Development Director Brian Foucht provided a report. Mayor Jordan opened the public hearing. EJ Sabathia asked about whether the state would try to change the City regulations included in the ordinance, and then commented that if the City waits to pass an ordinance, ADU's complying with only the state could be built. Community Development Director Foucht Brian responded that the city's ordinance could be denied by HCD. Planning Commissioner Jackie Morris Lopez explained the criteria as explained to her.

A motion was made by Vice Mayor Flores and seconded by Council Member Freeman to introduce an ordinance Amending Section 11-29-010 to Delete Reference to Second Units; Repealing Section 11-04-050, and Adding a New Section 11-04-050 to the San Juan Bautista Municipal Code to Conform with State Regulations Relating to Accessory Dwelling Units. The motion passed unanimously, 3-0-0-2 with Council Members Edge and Freels absent.

**B. Discuss Solutions to the City's Wastewater Problems and Adopt a Resolution of the City Council of the City of San Juan Bautista Accepting the Sewer Rate Study, Authorize the Proposition 218 Mailing to Rate Payers, and Set a Date for a Public Hearing**

City Manager Reynolds explained the City's wastewater problem and provided slides. Erik Helgeson of Bartle Wells and Associates explained the rate study. Mark Mandell of Mandell Municipal Consulting explained the 218 process, the mailing requirement, and setting a public hearing for 45 day out. Council Member Freeman suggested adjusting the rate to accommodate low income, while increasing the rate to commercial users. Mark Mandell and Erik Helgeson explained that according to 218 rules, adjustment cannot be made. During public comment, Jackie Morris Lopez spoke in support of Council Member Freeman's suggestion. City Attorney Mall advised that some cities do, however, offer a discount program to certain groups after the rate increase is enacted.

A motion was made by Vice Mayor Flores and seconded by Council Member Freeman to adopt Resolution 2021-53 accepting the sewer rate study, authorize the Proposition 218 mailing to rate payers, and set a date for a public hearing for December 14, 2021 at 6:00 p.m. The motion passed unanimously, 3-0-0-2 with Council Members Edge and Freels absent.

## 6. ACTION ITEMS

### **A. Adopt a Resolution of the City Council of the City of San Juan Bautista Setting Fees for Short Term Rental Permits Required by Municipal Code Section 3-9-400 and Amending the Fee for Home Occupation Permits Required by the Municipal Code Section 11-01-090**

Community Development Director Brian Foucht provided a report. During public comment, Jackie Morris Lopez spoke in support.

A motion was made by Council Member Freeman and seconded by Mayor Jordan to adopt Resolution 2021-54 Setting Fees for Short Term Rental Permits Required by Municipal Code Section 3-9-400 and Amending the Fee for Home Occupation Permits Required by the Municipal Code Section 11-01-090. The motion passed unanimously, 3-0-0-2 with Council Members Freels and Edge absent.

### **B. Adopt a Resolution of the City Council of the City of San Juan Bautista Establishing Supplemental Occupancy and Uses Standards and Procedures for Short Term Rental Permits**

Community Development Director Brian Foucht provided a report. No public comment received.

A motion was made by Council Member Edge and seconded by Council Member Freels to adopt Resolution 2021-55 Establishing Supplemental Occupancy and Uses Standards and Procedures for Short Term Rental Permits. The motion passed unanimously, 3-0-0-2 with Council Members Edge and Freels absent.

### **C. Adopt a Resolution of the City Council of the City of San Juan Bautista Approving an Agreement Between the City and the Edmundo Loayza, Trustee of the Edmundo M. Loayza Living Trust dated January 6, 1987, Rosa Loayza, Trustee of the Rosa Loayza 2002 Revocable Trust Dated December 13, 2002 to set the date of valuation for property required for a public improvement**

City Attorney Mall explained the Loayza's request, and advised the roundabout could start immediately with the passage of this resolution. During public comment, City Attorney Mall read from a written public comment submitted by Loayza's attorney, Jackie Zschielle regarding the "taking of property." City Manager Reynolds reported there would be a preconstruction meeting later this week and notices have been mailed to neighbors.

A motion was made by Council Member Freeman and seconded by Vice Mayor Flores to adopt Resolution 2021-56 Approving an Agreement between the City and the Loayzas to set the date of valuation for property required for a public improvement. The motion passed unanimously, 3-0-0-2 with Council Members Edge and Freels absent.

**D. Adopt a Resolution of the City Council of the City of San Juan Bautista Establishing a Dedicated Sheriff Deputy Assigned to the City**

City Manager Reynolds provided a report. During public comment, Jackie Morris Lopez spoke in support.

A motion was made by Vice Mayor Flores and seconded by Council Member Freeman to adopt Resolution 2021-58 Establishing a dedicated sheriff deputy assigned to the City. The motion passed unanimously, 3-0-0-2 with Council Members Edge and Freels absent.

**E. Adopt a Resolution of the City Council of the City of San Juan Bautista Approving a Job Description for Maintenance Worker I/II**

City Manager Reynolds provided a report, stating the job description removes the credentials and will ultimately offer premium pay for certifications for training received relative to the positions. No public comment received.

A motion was made by Council Member Edge and seconded by Council Member Freels to adopt Resolution 2021-59 approving a job description for Maintenance Worker I/II. The motion passed unanimously, 3-0-0-2 with Council Members Edge and Freels absent.

**F. Adopt a Resolution of the City Council of the City of San Juan Bautista Approving a Job Description for Office Technician**

City Manager Reynolds provided a report stating Office Technician is a little less technical, less salary. There was no public comment.

A motion was made by Council Member Freeman and seconded by Vice Mayor Flores to adopt Resolution 2021-60 approving a job description for Office Technician. The motion passed unanimously, 3-0-0-2 with Council Members Edge and Freels absent.

**7. DISCUSSION ITEMS**

**A. Formation of a City Council Standing Committee for Business Improvement, Resiliency, and Overall Community Economic Development**

Community Development Director Foucht provided a report. No public comment received. Council directed staff to proceed with posting for interested persons to apply for membership on the committee.

**B. County Request to Amend City Use of \$231,284 Community Development Block Grant Funds C.A.R.E.S Act V2 and V3.**

City Manager Reynolds introduced Enrique Arreola, Deputy Director of the San Benito County Community Services and Workforce Development to explain the county's intent. Council Member Freeman advocated for the City to submit a request for grant funds individually. City Manager Reynolds explained that he would need to contact California Consulting and HCD for a timeline of applying for funds, and the process would include public community meetings where the public decides the best use of funds. No public comment was received.

**8. FUTURE AGENDA ITEMS**

City Manager Reynolds reported that the next Council meeting agenda will include the following items: How to spend the CARES Act money and discussion about changing the Council meeting time to 4 pm.

**9. COMMENTS**

**A. City Council**

Vice Mayor Flores reminded everyone that there would be a LAFCO presentation on Wednesday at the Ridgemark Golf Club. Council Member Freeman reminded everyone that there would be an Integrated Waste Management meeting on Friday to solve issues. Mayor Jordan reported Bliss Blendz opened Friday in San Juan Bautista. Vice Mayor Flores reported Congressman Robert Rivas will be at Bears Hideaway in San Juan, and there will be a workshop on redistricting at the Community Hall on Friday.

**B. City Manager**

City Manager Reynolds thanked everyone.

**C. City Attorney**

No comments were received.

**D. Deputy City Clerk**

No comments were received.

**10. ADJOURNMENT**

The meeting adjourned at 9:43 p.m.



Trish Paetz, Deputy City Clerk