

**CITY OF SAN JUAN BAUTISTA
REGULAR CITY COUNCIL MEETING
MARCH 16, 2021
MINUTES**

1. CALL TO ORDER - Mayor Leslie Jordan called the meeting to order at 6:16 p.m.

PLEDGE OF ALLEGIANCE – Mayor Jordan lead the pledge of allegiance.

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

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

2. PUBLIC COMMENT

No public comments were received.

Whereupon, City Attorney Mall reported out of closed session that no reportable action was taken, but the Council provided her with direction, and closed session ended at 5:45 p.m.

3. CONSENT ITEMS

- A. Approve Affidavit of Posting Agenda**
- B. Approve Affidavit of Posting Public Hearing Notice**
- C. Approve Minutes of the February 16, 2021 Regular City Council Meeting**
- D. Waive Reading of Ordinances and Resolutions on Tonight's Agenda Beyond Title**

A motion was made by Council Member Edge and seconded by Vice Mayor Flores to approve all items on the Consent Agenda. The motion passed unanimously, 5-0.

4. PRESENTATIONS, INFORMATIONAL ITEMS AND REPORTS

A. Presentation by the San Juan Committee

The presentation was continued to the next regular meeting.

B. Treasurer's Report and Monthly Financial Statements

City Treasurer Sabathia provided a report. There was no public comment received.

D. City Manager's Report

City Manager Reynolds provided a report. There was no public comment received.

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

Council Members reported on meetings they attended. There was no public comment received.

5. PUBLIC HEARING ITEMS

A. Consider Introduction of an Ordinance Eliminating Self Regenerating Water Softeners

City Manager Reynolds provided a report and introduced Shawn Novak of the San Benito County Water Resources Association who explained their role in providing water throughout the county as well as the programs and services they offer.

Mayor Jordan opened the public hearing. Cherie Kao asked whether the farms and processors have a plan to cut down on effluent. Ottavio Camara commented that without water softeners, there are health concerns and cost to appliances. Mayor Jordan closed the public hearing.

There was discussion amongst the council about the cost of in-home water softener systems and additives. Council Member Freeman suggested amending the ordinance to reflect that it would not go into effect until the City's water system is connected to the City of Hollister.

It was the consensus of the Council to introduce an ordinance eliminating self-regenerating water softeners and to bring back the ordinance for adoption with the amendment.

B. Approve Resolution 2021-XX Approving a Request to Remove a Previously Applied Condition of Approval (Condition 35), Relating to the Provision/ Payment of Parking fees for the Casa Rosa Development Located at 107 Third Street (APN 002-021-004) (Categorically Exempt per Section 15305 of the CEQA)

City Planner David Mack provided a report. The applicant Raeid Farhat, was present and explained his request.

Mayor Jordan opened the public hearing. Cara Vonk spoke against. Dan DeVries: How Many rental units? David – 3. Dan DeVries asked for an explanation of how the city planner computed the number of parking spaces required for Casa Rosa. City Planner Mack explained that there was an existing unit, parking is for new units. Deputy City Clerk Paetz read Cara Vonk and Emily Renzel's written comments submitted earlier. David Mack read Dan DeVries' comments, and showed aerial views with parking availability. Mayor Jordan closed the public hearing.

When Council Member Edge asked the City Manager if he has discussed with the Martorana's use of their property for parking, he responded they wanted a five year lease and improvements. Council Member Freels commented that \$25k for three parking spaces is a lot. Council Member Freeman commented he intended to get moving on the city's parking issue, and the owners of the two parking lots on private property needs to be approached about opening them up. City Manager Reynolds suggested holding the permits for occupancy, rather than parking. The applicant commented that construction costs have gone up 100%,

and \$25k will go a long way. There being no motion to adopt the resolution, the City Attorney Mall asked for a motion to deny the applicant's request.

A motion was made by Council Member Freeman and seconded by Council Member Edge to deny the applicant's request (Raeid Farhat) to remove a previously applied condition of approval (Condition 35), relating to the provision/payment of parking fees for the Casa Rosa development (SDR 2019-03) located at 107 Third Street, APN: 002-021-004. The motion passed unanimously, 5-0.

C. Appoint a Member of the Community to the Urban Growth Boundary Ad Hoc Committee

City Manager Reynolds reported that only one application was received, and it was received late. He suggested extending the application period until Friday, March 19.

A motion was made by Vice Mayor Flores and seconded by Council Member Edge to extend the period for receiving applications from the community for membership on the Urban Growth Boundary Ad Hoc Committee to March 19, at 1:00 p.m. The motion passed unanimously, 5-0.

D. Adopt Resolution 2021-07 Authorizing the City Manager to Execute a Consulting Services Agreement with Stantec Consulting Services, Inc. Group for Preparation of a Complete Bid Package and Provide Construction Support for the San Juan Bautista to Hollister Sanitary Sewer Force Main Project

City Manager Reynolds provided a report and asked for authorization to execute a consulting services agreement with Stantec Consulting Services, Inc. Group in the amount of \$1,066,410 to prepare a complete bid package and provide construction support for the sanitary sewer force main project to Hollister. City Engineer Julie Bezhad provided a slide presentation and answered questions. There was no public comment received.

A motion was made by Council Member Freeman and seconded by Vice Mayor Flores to Adopt Resolution 2021-07 Authorizing the City Manager to Execute a Consulting Services Agreement with Stantec Consulting Services, Inc. Group for Preparation of a Complete Bid Package and Provide Construction Support for the San Juan Bautista to Hollister Sanitary Sewer Force Main Project in the amount of \$1,066,410. The motion passed unanimously, 5-0.

E. Approve Resolution 2021-08 Authorizing the Mayor to Execute a Memorandum of Understanding with the San Benito County Water District for the Source Water Compliance Project

City Manager Reynolds provided a report. Water District General Manager Jeff Cattaneo provided a report and responded to questions. No public comment was received.

A motion was made by Vice Mayor Flores and seconded by Council Member Edge to Adopt Resolution 2021-08 Authorizing the Mayor to Execute a Memorandum of Understanding with the San Benito County Water District for the Source Water Compliance Project. The motion passed unanimously, 5-0.

Whereupon, City Manager Reynolds requested moving to Item 5G, and come back to the parklets item after 5G. Mayor Jordan agreed to the request.

G. Approve Resolution 2021-09 Preliminary Intention to Proceed With the Issuance of Series 2021 Bond Anticipation Notes to Finance the City's Sewer Compliance Project Sending the Waste Water to the Regional Plant in Hollister, and Appointing the Necessary Consultants in Connection Therewith

City Manager Reynolds provided a report and then introduced Dmitry Semenov of California Municipal Advisors who provided a slide presentation and responded to questions. No public comment was received.

A motion was made by Council Member Edge and seconded by Council Member Freels to Adopt Resolution 2021-09 Preliminary Intention to Proceed with the Issuance of Series 2021 Bond Anticipation Notes to Finance the City's Sewer Compliance Project Sending the Waste Water to the Regional Plant in Hollister, and Appointing the Necessary Consultants In Connection Therewith. The motion passed unanimously, 5-0.

F. Consider a Recommendation by the Planning Commission and Approve Resolution 2021-10 Extending the Term of the Temporary Parklets on Third Street One Hundred Eight Days or Until September 30, 2021

City Manager Reynolds provided a report requesting that during this State of Emergency, that the term of the transformation of Third Street and the parklets be extended until September 30, 2021; and ask that they direct staff to prepare the policies and procedures necessary for a public debate of a City policy that governs all matters related to parklets going forward, after the current State of Emergency has ended. During public comment, Jackie Morris Lopez asked if the public comments received via email could be read into the record. City Manager Reynolds reported the City received six written public comments on this item, and they were all in favor of extending the term of the parklets through September 2021. Fran Fitzharris and Yolanda Delgado also spoke in support of extending the parklets.

A motion was made by Vice Mayor Flores and seconded by Council Member Edge to Adopt Resolution 2021-10 Extending the Term of the Temporary Parklets on Third Street One Hundred Eight Days or Until September 30, 2021. The motion passed unanimously, 5-0.

H. Approve Settlement with Meritage Homes for Double Payment of Water Impact/Improvement Fees

City Manager Reynolds provided a report asking for authorization to execute a settlement agreement with Meritage Homes to refund the developer for double payment to the City for water impact/improvement fees.

A motion was made by Council Member Edge and seconded by Council Member Freels to the conditions of a settlement with Meritage Homes for Double payment of water impact/improvement fees. The motion passed unanimously, 5-0.

I. Approve Resolution 2021-11 Approving a Letter of Agreement, and Accepting Land Dedication from Rosa and Edmundo Loayza, Owners of the Subdivision at 957 First Street, to be Used to Construct the First Street Roundabout

City Manager Reynolds provided a report. Edmundo Loayza was present, and made comments. During public comment, Jackie Morris Lopez asks about Loayza's donation. Jim Liebold suggested a temporary detour across Loayza's land during construction. City Engineer Bezhad responded that she presented the idea to both the Loayzas and Meritage Homes and was told it would cost too much. City Manager Reynolds responded to Jackie Morris Lopez's question with a slide of the terms of the agreement as listed in a letter to the Loayza's.

Terms

By agreeing to the terms of this letter, and to expedite the construction of the Roundabout, the Loayzas agree to:

- a. Accept the 100% construction drawings dated 12/07/2020 of the roundabout as presented;*
- b. Dedicate the approximately 5,500 square feet of right-of-way to the City within 7 days of signing this letter;*
- c. To not interfere with or cause to slow down the construction of the roundabout in anyway;*
- d. Add as a condition of approval on future development plans the dedication of the sewer parcel to the City.*
- e. After credits from the City meet the value of the dedicated right-of-way, agree to pay additional processing fees required to develop their property per the fee schedule that is applicable when fees are paid, and current consulting rates when approved by City Council.*
- f. The value of the parcel being dedicated and the value of City's directly incurred expenses since the approval of Resolution 2019-14 (June 4, 2019) and anticipated fees to be paid will be determined within 60-days of the signing of this Letter.*
- g. Agree to pay for the anticipated public improvements indicated in the improvement plans not limited to but including a cul-de-sac, street lights, storm drains, sidewalks and fencing on First Street as needed, and the sewer easement from First Street making it open for public access and use.*

A motion was made by Vice Mayor Flores and seconded by Council Member Freeman to Adopt Resolution 2021-11 Approving a Letter of Agreement, and Accepting Land Dedication from Rosa and Edmundo Loayza, Owners of the

Subdivision at 957 First Street, to be Used to Construct the First Street Roundabout. The motion passed unanimously, 5-0.

6. DISCUSSION ITEMS

A. Provide Update on Water and Wastewater Distribution System

Enhancements and Compliance with the Environmental Protection Agency

City Manager Reynolds presents from slides. No public comments were received.

B. Traffic Calming Options on First Street

City Manager Reynolds provided a report and asked that the Council provide feedback to the staff regarding traffic calming on First Street and other parts of the City. During public comment, Michael Ponce spoke in support and suggested the Sheriff move from the VFW on Monterey to First Street and cite the speeders.

C. Update on COVID-19 and Affects to our Community and San Benito County

City Manager Reynolds provided a report. No public comment was received.

7. COMMENTS

A. City Council

Council Member Freels asked to dedicate this meeting to longtime San Juan Bautista resident Vince "Bobo" Pinuela who passed away recently. Council Member Edge commented on the LULAC taskforce meeting with Jimmy Panetta, and reported a letter of support was driven over by San Benito County Supervisor Mark Medina. She further commented, we need more COVID vaccines.

B. City Manager

Will work on technology.

C. City Attorney

No comments were received.

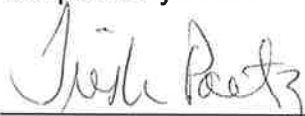
D. City Clerk

No comments were received.

8. ADJOURNMENT

The meeting adjourned at 9:03 p.m.

Respectfully submitted,



Trish Paetz, Deputy City Clerk