

**CITY OF SAN JUAN BAUTISTA
REGULAR CITY COUNCIL MEETING
NOVEMBER 16, 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, Edge and Freels

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

Report on the Special Closed Session Meeting of November 16, 2021 at 5:00 p.m.
City Attorney Mall reported that one matter was heard, and Council provided direction to staff. The meeting adjourned at 5:30 pm.

2. PUBLIC COMMENT

No public comment was received.

3. CONSENT ITEMS

- A. Approve Affidavit of Posting Agenda**
- B. Approve Affidavit of Posting Public Hearing Notice**
- C. Adopt the Minutes of September 21, 2021**
- D. Deny a Claim Filed by Kim Calame, Co-Owner of Bliss Blendz, LLP and Authorize Staff to Send the Notice of Rejection to the Claimant**
- E. Adopt a Resolution of the City Council of the City of San Juan Bautista Authorizing Guidelines for Temporary Parklet Design, Improvement and Use**
- F. Adopt a Resolution of the City Council of the City of San Juan Bautista Approving Street Closures for a Christmas Parade, 10k Run, the Arts & Crafts Fair and the Rib Cook Off**
- G. Adopt a Resolution of the City Council of the City of San Juan Bautista Proclaiming and Reaffirming the Existence of a Local Emergency in the City**
- H. Adopt Ordinance 2021-03 of the City Council of the City of San Juan Bautista 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) (Second Reading) (Introduced October 19, 2021)**
- I. Adopt a Resolution of the City Council of the City of San Juan Bautista Approving a Professional Services Agreement with Ridgeline Municipal Strategies LLC to Prepare a Feasibility and Financial Plan to Fulfill Requirements Set Forth by the Environmental Protection Agency Administrative Order on Consent and Terminating Its Agreement with California Municipal Advisors**
- J. 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 Public Meetings of the City Council for the Period October 19, 2021 through November 18, 2021**

Mayor Jordan commented on Item 3F, Street Closures, welcoming the opening of events in the City, and informed vendors of the City's ban on plastics and the State's new food recovery ordinance.

A motion was made by Council Member Edge and seconded by Council Member Freeman to approve all items on the Consent Agenda. The motion passed unanimously.

4. PRESENTATIONS, INFORMATIONAL ITEMS AND REPORTS

- A. PG&E Undergrounding of 10,000 Miles of Line Presentation by Kristen Doud and Darin Cline**

Presentation was received by Council. Discussion on causes of line fires and steps taken to address the problem, and undergrounding lines. PG&E has found with the drought there is more dry dust and dirt on the lines which contribute to possibility of fire. Insulators are scheduled to be washed the first week of December, with water. During public comment, Irvin Fegley asked where undergrounding will be done, and Cara Vonk commented that lines were undergrounded in the downtown sometime when resident Becky McGovern brought it to the council's attention.

- 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. Accept a Memorandum of Understanding Between San Benito County and the Cities of San Juan Bautista and Hollister for the Establishment of an Edible Food Recovery Program Consistent with California Code of Regulations, Title 14, Division 7, Chapter 12 Short Lived Climate Pollutants**

Celina Stotler of Integrated Waste Management introduced Consultant Debra Kaufman who provided a slide presentation on the subject.

A motion was made by Vice Mayor Flores and seconded by Council Member Freeman to Accept a Memorandum of Understanding between San Benito County and the Cities of San Juan Bautista and Hollister for the establishment of an Edible Food Recovery Program Consistent with California Code of Regulations, Title 14, Division 7, Chapter 12 Short Lived Climate Pollutants. The motion passed unanimously.

B. Introduction of an Ordinance of the City Council of the City of San Juan Bautista Establishing an Edible Food Recovery Program Consistent with Senate Bill 1383 and Provisions Provided by the County of San Benito

A motion was made by Vice Mayor Flores and seconded by Council Member Freeman to introduce an ordinance establishing an edible food recovery program in the City of San Juan Bautista. The motion passed unanimously.

6. ACTION ITEMS

A. Adopt a Resolution of the City Council of the City of San Juan Bautista Establishing the San Juan Bautista Economic Development Citizens Advisory Committee

Community Development Director Brian Foucht reported that at the San Juan Bautista Business Forum meeting in September, there was discussion about the need for 1) enhanced resources for local business development and support; 2) organized communication and follow up with staff and City Council regarding these concerns, and 3) ongoing liaison and follow up with economic development resources in San Benito County and through State and Federal agencies. Renee Wells of the EDC offered their assistance to staff and ultimately the citizens advisory committee when formed. Staff reported a notice has been posted and publicized seeking interested persons to serve on the committee.

A motion was made by Council Member Edge and seconded by Vice Mayor Flores to adopt Resolution 2021-65 establishing the San Juan Bautista Economic Development Citizens Advisory Committee. The motion passed unanimously.

B. Adopt a Resolution of the City Council of the City of San Juan Bautista Amending the Personnel Policies Regarding Overtime Pay and Educational Incentives

City Manager Reynolds reported that staff is asking that the Personnel Policies regarding overtime pay be amended to increase pay on holidays, and that educational incentives for becoming certified in various aspects of public works and specialization for office workers be added.

A motion was made by Council Member Edge and seconded by Council Member Freels to adopt Resolution 2021-66 Amending the Personnel Policies regarding overtime pay and educational incentives. The motion passed unanimously.

C. Award a Contract for the Franklin Circle Park Project to Joe's Landscaping and Concrete in an Amount Not to Exceed \$208,701

Contract City Engineer David Rubcic reported on the project and the bid process where Joe's Landscaping and Concrete provided the lowest bid. No public comment was received.

A motion was made by Vice Mayor Flores and seconded by Council Member Freeman to adopt Resolution 2021-67 Awarding a Contract for the Franklin Circle Park Project to Joe's Landscaping and Concrete in an amount Not to Exceed \$208,70. The motion passed unanimously.

D. Award a Contract for Construction of Bathrooms at Verutti Park to Monterey Peninsula Engineering in an Amount Not to Exceed \$267,240

City Engineer David Rubcic reported on the project and the bid process where Monterey Peninsula Engineering provided the lowest bid. No public comment was received. During public comment, Cara Vonk commented on the prefab building as not what she remembered from when it went to the Planning Commission. City Engineer Rubcic responded that it complies with the specs approved by the Planning Commission.

A motion was made by Council Member Freeman and seconded by Council Member Freels to adopt Resolution 2021-68 awarding a contract for construction of bathrooms at Verutti Park to Monterey Peninsula Engineering in an amount not to exceed \$267,240. The motion passed unanimously.

E. Adopt a Resolution of the City Council of the City of San Juan Bautista Accepting a Portion of the Improvements in the Rancho Vista Subdivision

City Engineer David Rubcic reported that public improvements in this subdivision include asphalt paving, curb, gutter, sidewalks, storm drainage systems, water systems, sanitary sewer systems, pump stations, landscaping, and other improvements. Council Member Freels was concerned with flooding over the sidewalk near the park during the heavy rains in early spring this year. City Engineer Rubcic explained that it was a different engineer, city manager and now, city council, that accepted that portion of the project. Council Member Freeman was concerned with the street striping, commenting that it did not last. The City Engineer explained that it was thermal plastic, and fortunately, there are warranty bonds in place. It is anticipated that when the striping for the roundabout is performed, the subdivision will have the striping crew repair those failed area. During public comment, Rancho Vista resident Octavio Camara commented that a culvert needs to be installed under the sidewalk or flooding will continue, the striping paint needs to be applied on clean asphalt, and the streets are cracking.

A motion was made by Council Member Edge and seconded by Council Member Freeman to adopt Resolution 2021-69x Accepting a Portion of the Improvements in the Rancho Vista Subdivision. The motion passed 4-1-0-0 with Council Member Freels voting against.

7. DISCUSSION ITEMS

A. Status of the City Council Chamber Upgrades, Agenda Software, and the Return to Live Council Meetings

City Manager Reynolds provided an update on staff's efforts to upgrade technology for the live hybrid broadcast of City Council meetings, and options to return to live meetings while the upgrades occur. Meanwhile, Council will have the opportunity to try out the Library during the Special Meeting scheduled for November 30, 2021. No public comment was received.

B. Discussion Concerning Water "Empathy" for Unplanned Water Leaks

City Manager Reynolds asked that the Council discuss whether or not the City should practice empathy towards residents whose water line breaks cause unusual

water consumption, by not charging for the water consumption that occurs when an accidental breakage of the line causes extraordinary water use. A remedy that was proposed was to offer a Balanced Payment Plan. During public comment, Cara feels bill should be compromised. Rochelle mentions utility assistance program currently available.

C. Consider Changing Council Meeting Start Time to 4:00 p.m.

City Manager Reynolds commented that equity and inclusion of everyone is the focus when deciding the time to start council meetings. The time to begin the meetings should include as many citizens as possible. Many of our citizens work outside the city, and including these residents is important. Sometimes having more meetings can reduce the time needed for the Regular meeting. The City Manager suggested that instead of changing the time, maybe the Council wants to consider have two meetings a month as this may shorten the time to complete the Regular meeting. During public comment Cara Vonk commented that if Council meetings begin earlier, Council will lose a lot of public participation.

D. Water and Wastewater Project Update

City Manager Reynolds presented and update of the Water and Wastewater Project, with the assistance of Consultant Tony Akel explains further. No public comment was received.

8. COMMENTS

A. City Council

No comments were received.

B. City Manager

No comments were received.

C. City Attorney

No comments were received.

D. Deputy City Clerk

No comments were received.

9. ADJOURNMENT

The meeting adjourned at 9:58 p.m.

Respectfully submitted,



Trish Paetz, Deputy City Clerk