

**CITY OF SAN JUAN BAUTISTA
SPECIAL CITY COUNCIL MEETING
DECEMBER 14, 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, and Edge

Absent: Council Member Freels

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

2. CONSENT ITEMS

- A. Approve the Affidavit of Posting Agenda**
- B. Approve the Affidavit of Posting and Mailing of a Public Hearing Notice**
- C. Approve Modified Memorandum of Understanding Between San Benito County and the Cities of San Juan Bautista and Hollister for the implementation of Senate Bill 1383 and Establishment of an Edible Food Recovery Program Consistent with California Code of Regulations, Title 14, Division 7, Chapter 12 Short Lived Climate Pollutants**

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, 4-0-0-1, with Council Member Freels absent.

3. PUBLIC HEARING ITEMS

- A. Adopt Resolution 2021-71 Approving a Mitigated Negative Declaration for the Force Main Project, and Approve the Preliminary Design Report for the San Juan Bautista Sanitary Sewer Force Main Project**

City Manager Reynolds provided a report. Steven Beck of Stantec explained their preliminary design report for the Sanitary Sewer Force Main Project. EMC Representative Teri Wissler explained preparation and posting of the Mitigated Negative Declaration. Mayor Jordan opened the public hearing. Jackie Morris Lopez asks for clarification whether this is a water or waste water project. Mayor Jordan closed the public hearing.

A motion was made by Council Member Freeman and seconded by Vice Mayor Flores to Adopt Resolution 2021-71 Approving a Mitigated Negative Declaration for the Force Main Project, and Approve the Preliminary Design Report for the San Juan Bautista Sanitary Sewer Force Main Project. The motion passed unanimously, 4-0-0-1 with Council Member Freels absent.

B. Conduct Protest Hearing Pursuant to Proposition 218 with Respect to Proposed Sewer Rates and Consider Introduction of an Ordinance Increasing Sewer Rates and Amending Section 3-5-150 of the San Juan Bautista Municipal Code Regarding Sewer Rates

City Manager Reynolds introduced Erik Helgeson of Bartle Wells and Associates who was contracted to perform the sewer rate study. Helgeson reported the proposed sewer rates increase will help fund the force main project. He also reported Proposition 218 states that a customer's rates must not generate revenues in excess of the cost of service for which the fee is charged, and customers are given the opportunity to protest the rate increase.

Mayor Jordan opened the public hearing. Jackie Morris Lopez made an oral protest. Moira Casey made an oral protest and commented she was told when purchasing property in the Rancho Vista subdivision that there was no problem with the water. Joe Klaus made an oral protest.

Deputy City Clerk Paetz reported she received three writings in City Hall, purporting to be protests prior to the meeting tonight, and three oral protests that were made at this hearing. Even if all of these protests are assumed to be valid, this is below the threshold for a majority protest. Therefore, there is no majority protest.

A motion was made by Council Member Edge and seconded by Council Member Freeman to introduce an ordinance increasing sewer rates and amending Section 3-5-150 of the San Juan Bautista Municipal Code regarding sewer rates. The motion passed unanimously 4-0-0-1 with Council Member Freels absent.

The Council agreed that this was a difficult decision to make, and required reading through lots of materials, studies, and more.

4. ADJOURNMENT

The meeting adjourned at 7:12 p.m.

Respectfully submitted,



Trish Paetz, Deputy City Clerk