



City of San Juan Bautista

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MINUTES

REGULAR CITY COUNCIL MEETING

April 19, 2022

1. CALL TO ORDER

Mayor Jordan called the meeting to order at 6:00 p.m. via teleconference

Pledge of Allegiance was led by Council Member Edge

2. ROLL CALL: Present

Mayor Jordan

Vice Mayor Flores

Council Member Edge, Freels, Freeman

Staff Present

City Manager Reynolds; City Attorney Rathie, City Treasurer Sabathia, Assistant City Manager/Development Director Foucht; Acting City Clerk Frontella;

3. CLOSED SESSION

Item 4.a Report by City Attorney Rathie, Item B; information and direction provided, Item A; approval regarding eminent domain.

4. PUBLIC COMMENTS

This portion of the meeting is reserved for persons desiring to address the Council on matters not on this agenda. The law does not permit Council action or extended discussion of any item not on the agenda except under special circumstances. If Council action is requested, the Council may place the matter on a future agenda.

**Mayor Jordan asked for public comments, the following citizens spoke:
Kathryn Ramirez**

5. CONSENT ITEMS

All matters listed under the Consent Agenda may be enacted by one motion authorizing actions indicated for those items so designated. There will be no separate discussion of these items unless requested by a member of the City Council, a staff member, or a citizen.

Item 5.a: Approve Affidavit of Posting the Agenda

Action: Approved by motion to Consent Calendar

Item 5.b: Approve Affidavit of Posting Public Hearing Notice

Action: Approved by motion to Consent Calendar

Item 5.c: Adopt the Minutes of March 15, 2022

Action: Approved by motion to Consent Calendar

Item 5.d: Adopt the Minutes of March 8, 2022
Action: Approved by motion to Consent Calendar

Item 5.e: Adopt the Minutes of February 15, 2022
Action: Approved by motion to Consent Calendar

Item 5.f: Adopt Ordinance 2022-01 of the City of San Juan Bautista Adding Section 3-4-256 to the San Juan Bautista Municipal Code to Allow for Liens as a Remedy When Transient Occupancy Tax Is Not Remitted By An Operator
Action: This item was pulled and heard under separate motion.

MOTION 5.f: Motion by Vice Mayor Flores, seconded by Council Member Freeman to adopt Ordinance 2022-01 adding Section 3-4-256 to the Municipal Code to allow for Liens as a Remedy when Transient Occupancy Tax is not remitted by an Operator. Passed 5/0

AYES: 5 **Council Members:** Flores, Freeman, Freels, Edge, Jordan
NOES: 0

Item 5.g: Adopt Ordinance 2022-02 of the City of San Juan Bautista Increasing the Formal Bid Limit Requiring City Council Approval and Making Other Revisions to the Municipal Code (Chapter 2-8, Purchasing Procedures)
Action: This item was pulled and heard under separate motion.

MOTION 5.g: Motion by Council Member Edge, seconded by Council Member Freels to adopt Ordinance 2022-02 Increasing the Formal Bid Limit requiring City Council approval and making other Revisions to the Municipal Code (Chapter 2-8 Purchasing Procedures) Passed 5/0

AYES: 5 **Council Members:** Edge, Freels, Flores, Freeman, Jordan
NOES: 0

Item 5.h: Adopt a Resolution of the City Council of the City of San Juan Bautista Declaring the Condition of Certain Properties to Constitute a Public Nuisance and Ordering the Abatement of Weeds Thereon and Noticing a Hearing for the Receipt of Objections to the Proposed Abatement
Action: This item was pulled and heard under separate motion.

MOTION 5.h: Motion by Vice Mayor Flores, seconded by Council Member Edge to adopt a Resolution Declaring the condition of Certain Properties to Constitute a Public Nuisance and Ordering the Abatement of Weed thereon and Noticing a Hearing for the Receipt of Objections to the Proposed Abatement. Passed 5/0

AYES: 5 **Council Members:** Edge, Freels, Flores, Freeman, Jordan
NOES: 0

Item 5.i: Adopt a Resolution of the City Council of the City of San Juan Bautista Ordering Preparation of an Engineer’s Report for Fiscal Year 2022-23 for Valle Vista Landscape and Lighting Maintenance Assessment District No. 1

Action: Approved by motion to the Consent Calendar

Item 5.j: Adopt a Resolution of the City Council of the City of San Juan Bautista Approving a Temporary Name for the Park at Franklin Circle, “Franklin Circle Community Park,” And Dedicating On A Park Bench the Succulent Garden to Glenny Farney, And Recognize On A Plaque And Granite Boulder, All The Community Members That Contributed To The Development Of This Park Led By Mary And Rick Morales, and Jimmy Martin

Action: Approved by motion to the Consent Calendar

Item 5.k: 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

Action: Approved by motion to the Consent Calendar

Item 5.l: Waive Reading of Ordinances and Resolutions on the Agenda Beyond Title

Action: Approved by motion to the Consent Calendar

MOTION: Motion by Council Member Edge, seconded by Vice Mayor Flores to approve items A, B, C, D, E, I, J, K, and L as submitted to the Consent Calendar. Passed 5/0

AYES: 5 **Council Members:** Edge, Flores, Freeman, Freels, Mayor Jordan
NOES: 0

At this time, the Council moved to Consent Calendar pulled items F, G and H.

6. PRESENTATIONS, PROCLAMATIONS, INFORMATIONAL ITEMS AND REPORTS

Item 6.a: Proclamation Thanking LULAC for Donation of Laptops for the Library

Item 6.b: Proclamation for Public Works Week, May 15 – 21, 2022

Item 6.c: Proclamation for City Clerk’s Week, May 1 – 7, 2022

Item 6.d: Central Coast Community Energy Annual Member Agency Presentation

Item 6.e: Microenterprise Home Kitchen Operations Program (MEHKO) Presentation by San Benito County Analyst Graciela Rodriguez and Roya Bagheri

- Item 6.f:** San Benito County Sheriff's Office Presentation by Deputy Ryan Miller
- Item 6.g:** Treasurer's Report and Monthly Financial Statements by City Treasurer Michelle Sabathia
- Item 6.h:** City Manager's Report
- Item 6.i:** Reports from City Council Representatives to Regional Organizations and Committees

The above items were presented to Council with Mayor Jordan reading the proclamation into the record and presenting to each representative.

7. PUBLIC HEARING ITEMS

- Item 7.a:** Consider Appeal by Jesus Zavala of the Planning Commission's Action Denying a Conditional Use Permit for an Alcoholic Beverage Control License Type 47 License (On Sale General – Eating Place). The Appeal will be heard by the City Council regarding: 1) a Conditional Use Permit to allow the establishment of a bar on the main floor; and 2) a Conditional Use Permit to allow on-site alcohol sales/consumption. The project has been determined to be exempt from CEQA per Guidelines Sections 15303 and 15305.

Mayor Jordan opened the Public Hearing for anyone to speak in favor of or in opposition to this item. The Acting City Clerk Frontella read a public comment from Yolanda Delgado into the record, also commenting was Rachel Ponce.

Seeing no other comments from the public, Mayor Jordan closed the Public Hearing regarding this item.

- Motion 7.a: Motion by Council Member Edge, seconded by Council Member Freeman to Adopt a Resolution of the City Council of the City of San Juan Bautista Approving a Use Permit to Allow the Establishment of a Restaurant with Bar and Related On-Site Alcohol Sales/Consumption on the Main Floor of a Mixed-Use Building; for the Property Located at 205 The Alameda, at the Intersection of The Alameda and Pearce Street, APN: 002-460-001 and 002-460-002. Passed 5/0**

AYES: 5 Council Members: Edge, Flores, Freeman, Freels, Mayor Jordan
NOES: 0

- Item 7.b:** Water Shortage Emergency; Pursuant to Section 350-359 of the California Water Code, the City of San Juan Bautista may declare a water shortage emergency condition to prevail within the area whenever it finds and determines that the ordinary demands and requirements of water consumers cannot be satisfied without depleting the water supply for human consumption,

sanitation, and fire protection. The Declaration shall be made only after a public hearing at which consumers of such water supply shall have an opportunity to be heard to protest the declaration.

Mayor Jordan opened the Public Hearing for anyone to speak in favor of or in opposition to this item.

Seeing no comments from the public, Mayor Jordan closed the Public Hearing regarding this item.

Council directed staff to bring back an Ordinance (emergency) regarding fee to County.

Motion 7.b: Motion by Vice Mayor Flores, seconded by Council Member Freeman to Adopt a Resolution of the City Council of the City of San Juan Bautista Declaring a State of Emergency Due to Drought and Imposition of Water Conservation Regulations. Passed 5/0

AYES: 5 Council Members: Edge, Flores, Freeman, Freels, Mayor Jordan
NOES: 0

8. ACTION ITEMS

Item 8.a: Appeal by Dante Bains of Sewer Connection Fee at 507 Third Street

Action: This item was pulled and not heard at this time

Item 8.b: Adopt Strategic Plan and Review Status of Fiscal Year 2022-2023 Budget

Action: This item was postponed by consensus of the members of the City Council.

Item 8.C: Adopt a Resolution of the City Council of the City of San Juan Bautista Authorizing the San Benito County Arts Council (Arts Council) Installation of a Mural on the Luck Library. Passed 4/1

Motion 8.c: Motion by Vice Mayor Flores, seconded by Council member Freeman to adopt the Resolution Authorizing the San Benito County Arts Council (Arts Council) Installation of a Mural on the Luck Library.

AYES: 4 Council Members: Edge, Flores, Freeman, Mayor Jordan
NOES: 1 Council Member: Freels

Item 8.d: Adopt a Resolution of the City Council of the City of San Juan Bautista Authorizing Closure of Mariposa Street Between Second and Third Streets to Enable a Farmers Market Every Sunday Between 9:30 AM – 2 PM

A lengthy discussion ensued regarding this item, a public comment was read into the record by Acting City Clerk Frontella and received by Dan DeVries.

Action: This item was tabled by consensus of the members of the City Council.

Item 8.e: Appoint City Clerk for the Period Ending December 2022

Action: This item was postponed by consensus of the members of the City Council.

9. DISCUSSION

Item 9.a: Microenterprise Home Kitchen Operations Program (MEHKO)
Graciela Rodriguez and Roya Bagheri gave a presentation of the MEHKO program

Item 9.b: COVID-19 Update

Action: This item was postponed by consensus of the members of the City Council.

Item 9.c: Water and Wastewater Update

Action: This item was postponed by consensus of the members of the City Council.

10. FUTURE AGENDA ITEMS

Currently, it was the consensus of Council to limit presentation from outside agencies to 10 minutes.

11. COMMENTS

- Item 11.a: City Council
- Item 11.b: City Manager
- Item 11.c: City Attorney

12. ADJOURNMENT – There being no further business, Mayor Jordan adjourned this meeting at 10:52 p.m.

Respectfully submitted

**Lori Frontella, MMC
Acting City Clerk**