City of San Juan Bautista

The "City of History"

AGENDA

SPECIAL CITY COUNCIL MEETING

CITY HALL COUNCIL CHAMBERS
311 Second Street
San Juan Bautista, California

Wednesday November 8, 2017

In compliance with the American with Disabilities Act, if you need special assistance to attend or participate in the meeting, please call the City Clerk's Office at (831) 623-4661, extension 13 at least 48 hours prior to the meeting.

Any writings or documents provided to a majority of the City Council regarding any item on this agenda will be made available for public inspection at the meeting and in the City Clerk's office located at City Hall, 311 Second Street, San Juan Bautista, California during normal business hours.

1. Call to Order
Pledge of Allegiance
Roll Call

6:00 PM

- 2. Public Comment Only on items on the agenda
- 3. Consent Items

1869

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.

- A. Approve Affidavit of Posting Agenda
- 4. Action Items
 - A. Consider Change to Youth Commission Ordinance Decreasing Membership to Seven Continued to the November 21 regular meeting for Second Reading and Adoption
 - B. Authorize Mynt Systems to Obtain Information on Community-Wide Electric Energy Usage from PG&E -- Council Member Freeman.
 - C. Vacancy on the Planning Commission
 - i. Accept Resignation of Andy Moore from the Planning Commission and Present Recognition
 - ii. Appoint New Planning Commissioner Council Member Boch (Council confirmation by majority vote)
 - D. Consider Removal of Mr. John Hopper from the San Juan Bautista Planning Commission

Action Items, continued

- E. Consider Resolution 2017-XX Approving New Sewer Rates for Earthbound Farms
- F. Consider Resolution 2017-XX Adopting a Supplemental Budget Appropriation for Road Maintenance and Rehabilitation Funding
- G. Consider Staffing and Contract Issues and Provide Direction to Staff
- H. Consider Resolution 2017-XX Authorizing the City Manager to Enter Into an Agreement with Harris and Associates for Engineering Services
- I. Approve Amendment to the Interim City Manager Contract Increasing Authorized Hours to 40/week

5. Discussion Items

- A. Fourth Street Traffic Speeds (Possible Referral to Planning Commission)
- B. City Manager Recruitment Ad Hoc Committee Report
- C. City Park Master Plan Ad Hoc Committee Report
- D. Cannabis Ad Hoc Committee Report
- E. Impact Fees Ad Hoc Committee Report
- F. Novitiate Use of Community Center (Continue to November)
- G. Early Adjournment of October 24 meeting and possible adoption of a Code of Conduct for Council Meetings

6. Comments

- A. City Council
- B. City Manager
- C. City Attorney

7. Closed Session

A. Public Employee Appointment/Employment
Title: City Manager
Pursuant to Government Code Section 54957

8. Adjournment

AFFIDAVIT OF POSTING

I, J. EDWARD TEWES, DO NOW DECLARE, UNDER THE PENALTIES OF PERJURY THAT I AM THE INTERIM CITY MANAGER FOR THE CITY OF SAN JUAN BAUTISTA, AND THAT I POSTED THREE (3) TRUE COPIES OF THE ATTACHED CITY COUNCIL MEETING AGENDA. I FURTHER DECLARE THAT I POSTED SAID AGENDA ON THE 3RD DAY OF NOVEMBER 2017, AND I POSTED THEM IN THE FOLLOWING LOCATIONS IN SAID CITY OF SAN JUAN BAUTISTA, COUNTY OF SAN BENITO, CALIFORNIA.

- 1. ON THE BULLETIN BOARD AT CITY HALL, 311 SECOND STREET.
- 2. ON THE BULLETIN BOARD AT THE CITY LIBRARY, 801 SECOND STREET.
- 3. ON THE BULLETIN BOARD AT THE ENTRANCE TO THE UNITED STATES POST OFFICE, 301 THE ALAMEDA

SIGNED AT SAN JUAN BAUTISTA, COUNTY OF SAN BENITO, CALIFORNIA, ON THE 3RD DAY OF NOVEMBER 2017.

J. EDWARD TEWES, INTERIM CITY MANAGER

STAFF REPORT - CITY COUNCIL

DATE:

October 10, 2017

SUBJECT: Energy Conservation Measures

Recommendation:

Authorize Mynt Systems to obtain information on community wide electric energy usage from PG&E.

Recommended by: Strategic Planning Committee

Background:

Private companies such as Mynt Systems evaluate community electricity use including usage in public facilities and recommends energy conservation measures. Mynt is conducting a similar study for the Aromas-San Juan School District.

PG&E requires that the City Council specifically authorize the release of the information needed for the energy audit and study.

The Strategic Planning views this effort as consistent with its charge to develop recommendations to implement the General Plan.

Fiscal Impact:

The costs and potential payback of any energy conservation measures will be evaluated upon presentation of Mynt's report and recommendations.

REVISED

CITY OF SAN JUAN BAUTISTA

STAFF REPORT - CITY COUNCIL

TO: The Honorable Mayor and Councilmembers

FROM: Trish Paetz, Deputy City Clerk

DATE: October 19, 2017

SUBJECT: VACANCY ON PLANNING COMMISSION

Discussion:

Staff received a written statement from Andy Moore announcing his resignation from the Planning Commission. Commissioner Moore is Council Member Boch's appointee. At the request of Council Member Boch, staff posted a notice in the city and on the website announcing the vacancy and asking for interested persons to submit an application to City Hall. Since that time, one individual picked up an application at City Hall, and three other individuals submitted their application. (Four people showed interest.)

Recommendation:

- Recognize and honor Andy Moore for his contribution to the community.
- Consider Commissioner Boch's appointment to the Planning Commission.

Attachments:

- Andy Moore resignation statement
- David Medeiros application
- Maria Madrigal application
- Shirley Brewer application

9-19-17

TO: CITY OF SAN JUAN BAUTISTIA
PE PLANNING COMMISSION

I AM STEPPIAL DOWN FROM THE PLANHING COMMISSION AS OF 9-1-17

al J. m____

CITY OF SAN JUAN BAUTISTA APPLICATION FOR PLANNING COMMISSION/HISTORIC RESOURCES BOARD

1.	Applicant Name: AVID MEDEIRUS
2.	Current Residence: 1026 First ST., San Juan RAUTISTA, CA 95045
	Mailing Address: PO Box 349 11 11 11 11 11
	E-mail Address: davidomedeiros@sbc.glob91.ne+
3.	Telephone Number: (Home) 31-623-4358 (Work) (Cell) 531-245-7784
4.	How long have you been a resident of San Juan Bautista? 70 ソロック
5.	Are you currently serving or have you served on a City of San Juan Bautista Board, Commission, or City Council? YES
	If yes, which one? Gom 155100 Term currently serving
	Term currently serving
6.	What motivated you to apply for this position? You may attach a separate sheet of paper.
	IAN VERY INTERESTED IN THE IMPROVENEUT
	AND SUCCESS OF THE CITY OF SAN JUAN BAUTISTA
	ACAVIABLE GOVERNMENT AND MUNICIPAL
	FRANT CITY UE INFOURTANCE TO THE COUNTY
)	STATE, AND ITS CITIZENS.
7.	What skills or attributes can you bring to the Planning Commission/HRB? You may attach a separate sheet of paper
	MANY YEARS VOLUNTERRING AS COMMITTIEL
	AlkINBER AND COMMISSIONER FOR THE CHY
	OF STB. WORKED ON SEVERAL GENERAL
	PLANS FOR THE CITY OF SJB.
8.	within the scope of that Board or Commission. With this in mind, what steps would you take to effectively exercise the Planning Commission/Historic Resources Board role? You may attach a separate sheet of paper.
	DOWHAT IT IS FAIR & RIGHT ACCORDING
	TO OUR CUREFUT GRUSPAL PLAN, ORDANANCEC
	STATE CONSTITUTION, AND THE CITIZENS OF STE
	WORK TARD AT EVERY OPPORTUNITY TO MOUR STR
9.	List any relevant education, training or experience that demonstrates your ability to effectively serve on the Planning Commission/Historic Resources Board. You may attach a separate sheet of paper.
	WAS PLANNING COMMISSONER FOR 34EAXS
	WORKED ON SEVERAL STB GENERAL PLANS.
	MENBEROF THE INTHAL STRATEGIC PLANNING
	CO.MITTE. MENBER OF THE MISSION STB
	PASERUTION FUND COMMITTEE. THAVE 3
	COLLEGE DEGRESS IN ART, FIRT HISTURY
	EDIKATION. NANAGER AT IBAN FOR ZI YEARS.

	Coant's Name DA-LID MEDE 1120 (
10.	List and provide a brief description of your current or last occupation:
4	TRUFESSION 4271ST & PHOTOERAPHED CORRENTE
	Have you attended a City Council, Planning Commission/HRB meeting. Strategic Planning Committee, Town Hall City consider.
-	THE CITY OF SJB IS A SPECIAL & BEAUTIFU
_	CITY WITH TITE RICHT GUVERNMENT & DOMBLINGDATIO
_	HARVEH MESPUNGIBLE GITIZENI PATIE
- 12. [4んり SUPPOST (コン 1141~741~ d SUSTAIN STB'S Describe your involvement in community activities, volunteer and civic organizations.
	LUORINED ACADULT SPORT DIRECTOR ATTHE (-WOUN)T
	HOLL - STRATELIC PLANNING CUMMITY - GENERA
	PLANS - MISSION STB PRESSENATION TOWD - CHATHOLIC CHURCH
13. E	Do you have any physical or mental constraints which may limit your ability to perform the duties of a Planning Commissioner/Historic Resources Board member? If yes, what can be done to accommodate these constraints?
0.0	
(Note persa	Pursuant to the Americans with Disabilities Act, the City of San Juan Bautista will make reasonable efforts to accommodate in swith qualified disabilities during the Boards and Commissions interview process. If you require special accommodation, the commissions interview process.

contact the City Clerk at lease five days in advance of any scheduled interview.) require special accommodation, please

I certify under penalty of perjury that all statements I have made on this application are true and correct. I hereby authorize the City of San Juan Bautista to investigate the accuracy of this information from any person or organization, and I release the City of San Juan Bautista and all persons and organizations from all claims and liabilities arising from such investigation or the supplying of information for such investigation. I acknowledge that any false statement or misrepresentation on this application or supplementary materials will be cause for refusal of appointment or immediate dismissal at any time during the period of my appointment.

YOUR APPLICATION IS NOT COMPLETE UNTIL IT IS SIGNED AND RETURNED.

IMPORTANT NOTICE

A Board or Commission member is a public official. As such, it is necessary to provide contact information to the public. Please note that all information provided on the form becomes a public record after it is officially filed. Please do not include any information on this form that you do not want posted on the City's web site and the

Applicants appointed to the Planning Commission and Historical Resources Board are required to file the Fair Political Practices Commission (FPPC) Statements of Economic Interest (Form 700), which are also a public record. A copy of this form is available in the City Clerk's office or by visiting www.fppc.ca.gov.

Signature of **Applicant**

Date

Please fax (831-623-4093), e-mail (deputycityclerk@san-juan-bautista.ca.us), mail or deliver to: City Hall, P. O. Box 1420, 311 Second Street, San Juan Bautista, CA 95045

OCT 16 2017

CITY OF SAN JUAN BAUTISTA APPLICATION FOR PLANNING COMMISSION/HISTORIC RESOURCES BOARD THE CITY CLERK

	~ 1 ~ 1
1.	Applicant Name: Maria Madrigal
2	Current Residence: (24 North Street, S5B, CA 95045
	Mailing Address: Po Box 2063, San Jose, CA 95155
	E-mail Address: <u>Mariae madrigal</u> @ hotmail. com
3.	Telephone Number: (Home) 418 7637200 (Work) 831 444 9800 (Cell) 408 7637200
4.	How long have you been a resident of San Juan Bautista? 14ear 3 months
5.	Are you currently serving or have you served on a City of San Juan Bautista Board, Commission, or City Council?
	If yes, which one? Yes Term currently serving Satisfic Hanning Con
	Term currently serving Dec 16 - Current
6	What motivated you to apply for this position? You may attach a separate sheet of paper. My love for San Juan Baufi sta, I want to see
	unprovement econonically, growth, development.
	Twant to see let thrive Now and
	for tuture yener ations
7.	What skills or attributes can you bring to the Planning Commission/HRB? You may attach a separate sheet of paper.
	Land Con Trada de Stala talla
	Hocourting - Federal & State tayes
	Business Development, Product Development
	Business Development, Product Development Design
	Business Development, Product Nevelopment
3.	The primary role of a Board or Commission member is to provide advice to the City Council on policy issues that are within the scope of that Board or Commission. With this in mind, what steps would you take to effectively exercise the
3.	Business Development; Product Nevelopment Design. The primary role of a Board or Commission member is to provide advice to the City Council on policy issues that are
3.	The primary role of a Board or Commission member is to provide advice to the City Council on policy issues that are within the scope of that Board or Commission. With this in mind, what steps would you take to effectively exercise the Planning Commission/Historic Resources Board role? You may attach a separate sheet of paper. Merchanoft Business Development trading
3.	The primary role of a Board or Commission member is to provide advice to the City Council on policy issues that are within the scope of that Board or Commission. With this in mind, what steps would you take to effectively exercise the
8.	The primary role of a Board or Commission member is to provide advice to the City Council on policy issues that are within the scope of that Board or Commission. With this in mind, what steps would you take to effectively exercise the Planning Commission/Historic Resources Board role? You may attach a separate sheet of paper. Merchanot Rusness Quelopmont tuding the Haut Busness had will appear to the Haut Busness that will appear to the San Will appear t
9.	The primary role of a Board or Commission member is to provide advice to the City Council on policy issues that are within the scope of that Board or Commission. With this in mind, what steps would you take to effectively exercise the Planning Commission/Historic Resources Board role? You may attach a separate sheet of paper. Merchanoft Business Development trading
(The primary role of a Board or Commission member is to provide advice to the City Council on policy issues that are within the scope of that Board or Commission. With this in mind, what steps would you take to effectively exercise the Planning Commission/Historic Resources Board role? You may attach a separate sheet of paper. Merchanot Rusiness Development finding the High Rusiness Davelopment finding. List any relevant education, training or experience that demonstrates your ability to effectively serve on the Planning.
(The primary role of a Board or Commission member is to provide advice to the City Council on policy issues that are within the scope of that Board or Commission. With this in mind, what steps would you take to effectively exercise the Planning Commission/Historic Resources Board role? You may attach a separate sheet of paper. Merchandt Rusness Avelopment Industry List any relevant education, training or experience that demonstrates your ability to effectively serve on the Planning Commission/Historic Resources Board. You may attach a separate sheet of paper.

Applicant's Name Maria Madrijas			
10 List and provide a brief description of your current or last occupation. 10 each May and 5787			
Clenera Designer of MADGA Design Co. Celinto at			
11. Have you attended a City Council, Planning Commission/HRB meeting. Strategic Planning Committee, Town Gally Co. Meeting, or public workshop? If so, please describe what you learned and what improvements you would suggest the			
City consider City Council Planning Commission			
Statistic Planning Committee and			
public Works regarding - Water			
12. Describe your involvement in community activities, volunteer and civic organizations			
MIMEXCA - Mexicae Imagrant Campaning			
Stationa Hanning Commette, Aminal Wolfare,			
13. Do you have any physical or mental constraints which may limit your ability to perform the duties of a Planning			
Commissioner/Historic Resources Board member? If yes, what can be done to accommodate these constraints?			
(Note: Pursuant to the Americans with Disabilities Act, the City of San Juan Bautista will make reasonable efforts to accommodate persons with qualified disabilities during the Boards and Commissions interview process. If you require special accommodation, please contact the City Clerk at lease five days in advance of any scheduled interview.)			
I certify under penalty of perjury that all statements I have made on this application are true and correct. I hereby authorize the City of San Juan Bautista to investigate the accuracy of this information from any person or organization, and I release the City of San Juan Bautista and all persons and organizations from all claims and liabilities arising from such investigation or the supplying of information for such investigation. I acknowledge that any false statement or misrepresentation on this application or supplementary materials will be cause for refusal of appointment or immediate dismissal at any time during the period of my appointment			
YOUR APPLICATION IS NOT COMPLETE UNTIL IT IS SIGNED AND RETURNED.			
IMPORTANT NOTICE			
A Board or Commission member is a public official. As such, it is necessary to provide contact information to the public. Please note that all information provided on the form becomes a public record after it is officially filed. Please do not include any information on this form that you do not want posted on the City's web site and the City's Official Roster.			
Applicants appointed to the Planning Commission and Historical Resources Board are required to file the Fair Political Practices Commission (FPPC) Statements of Economic Interest (Form 700), which are also a public record. A copy of this form is available in the City Clerk's office or by visiting www.fppc.ca.gov.			

Applicant

Signature of

Date

Oct 8,2017

Please fax (831-623-4093), e-mail (deputycityclerk@san-juan-bautista.ca.us), mail or deliver to: City Hall, P. O. Box 1420, 311 Second Street, San Juan Bautista, CA 95045

CITY OF SAN JUAN BAUTISTA APPLICATION FOR PLANNING COMMISSION/HISTORIC RESOURCES BOARD

OCT 172017

OFFICE OF THE CITY CLERK

1.	. Applicant Name: Shirley Brewer	II =	-LLIKK
2.	Current Residence: 400 San Juan Hollister Road	1.5	
	San Juan Bautista, cA Mailing Address: P.O. Box 773		
	<u>San Juan Bautista, CA</u> 95045 E-mail Address: <u>Sabrewer 1944@att.net</u>		
3.	Telephone Number: (Home) (Work)		
4.	How long have you been a resident of San Juan Bautista?		
	Are you currently serving or have you served on a City of San Juan Bautista Board, Commission, or City Council?		
25	If yes, which one? Term currently serving		
	serving Term curren	tly	
6.	. What motivated you to apply for this position? You may attach a separate sheet of paper. I have always wanted to be part of my community, to watch		
	grow and presper and to have a say in the direction that takes to have a healthy and vibrant city. I've also had a hear iousity about how decisions are made that impact where chosen to live. I know how important it is to have an upon made that upon informations from a variety of sources. (Continued on for What skills or attributes can you bring to the Planning	it <u>ea</u> ithy I have	ر (عو)
7.	What skills or attributes can you bring to the Planning Commission/HRB? You may attach a separate sheet of paper. I served on the Planning and Zoning Commission for three year term in Garfield County, co. (see attached recommendation).		
8.	The primary role of a Board or Commission member is to provi advice to the City Council on policy issues that are	de	

Planning Commission/Historic Resources Board role? You may attach a separate sheet of paper.

what steps would you take to effectively exercise the

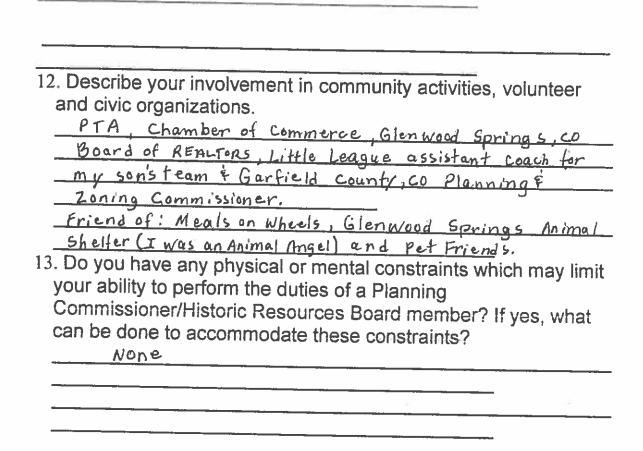
within the scope of that Board or Commission. With this in mind,

Question 6 - continued

Decisions that are made by the commission affect peoples lives so it's imperative to be informed.

I am an independent thinker and will never be a "rubber stamp".

I believe it is imperative to be informed and Stay abreast of issues that affect SIB.
To seek an understanding of City ordinances and issues such the marijuana question. To be an outstanding listener and seek differing opinions. Be open minded without having a hidden agenda. Always be prepared in advance to be a part of the discussion. You should be
able to Communicate ideas effectively.
9. List any relevant education, training or experience that demonstrates your ability to effectively serve on the Planning Commission/Historic Resources Board. You may attach a separate sheet of paper.
Fin Currently serving on the SJB Strategic Planning Committee and Government Subcommittee.
I served on the Glenwood springs Planning & Zoning Commission for a period of 3 years.
Will serving in that capacity we studied the comprehensile
Land Use Code.
Applicant's Name Shirley Brewer
10. List and provide a brief description of your current or last occupation:
11. Have you attended a City Council, Planning Commission/HRB meeting, Strategic Planning Committee, Town Hall Meeting, or public workshop? If so, please describe what you learned and what improvements you would suggest the City consider.
I have attended one planning commission/HRB
meeting. I am currently amember of
the strategic Planning Committee and a member of the Government subcommittee.



(Note: Pursuant to the Americans with Disabilities Act, the City of San Juan Bautista will make reasonable efforts to accommodate persons with qualified disabilities during the Boards and Commissions interview process. If you require special accommodation, please contact the City Clerk at lease five days in advance of any scheduled interview.)

I certify under penalty of perjury that all statements I have made on this application are true and correct. I hereby authorize the City of San Juan Bautista to investigate the accuracy of this information from any person or organization, and I release the City of San Juan Bautista and all persons and organizations from all claims and liabilities arising from such investigation or the supplying of information for such investigation. I acknowledge that any false statement misrepresentation ОГ on this application supplementary materials will be cause for refusal of appointment or immediate dismissal at any time during the period of my appointment.

YOUR APPLICATION IS NOT COMPLETE UNTIL IT IS SIGNED AND RETURNED.

IMPORTANT NOTICE

A Board or Commission member is a public official. As such, it is necessary to provide contact information to the public. Please note that all information provided on the form becomes

a public record after it is officially filed. Please do not include any information on this form that you do not want posted on the City's web site and the City's Official Roster.

Applicants appointed to the Planning Commission and Historical Resources Board are required to file the Fair Political Practices Commission (FPPC) Statements of Economic Interest (Form 700), which are also a public record. A copy of this form is available in the City Clerk's office or by visiting www.fppc.ca.gov.

Signature of		Date =
Applicant Shulus	P 2	1.111.0
Manuel	BUUM	10/16/17

Please fax (831-623-4093), e-mail (<u>deputycityclerk@san-juan-bautista.ca.us</u>), mail or deliver to: City Hall, P. O. Box 1420, 311 Second Street, San Juan Bautista, CA 95045

2/17/2015

From: Cheryl Chandler charyle cherylchandler.com

Subject: FW: Recommendation for Shirley Brewer

Oct 16, 2017 at 4:54:45 PM

sabrewer1944@att.net

To whom it may concern:

I have worked with and served with Shirley on the Planning and Zoning Commission for Garfield County, Colorado. During our time that we both served I always found Shirley to be knowledgeable, well prepared for meetings, Shirley served without a personal agenda, but only to serve her County. As a Realtor she was knowledgeable, honest and straight forward. Her ethics are above reproach, always honest and above and beyond for her knowledge of the business and williness to share. If you would care to call and discuss please feel free to do so my personal cell is <u>970.379,5820</u>.

Regards,

Cheryl
Cheryl Chandler
Cheryl&Co Real Estate
120 West Fifth Street
Rifle, CO 81650
Accredited Land Consultant
Master of Real Estate
Graduate REALTORS Institute
mailto:cheryl@cherylchandler.com
970.625.4441 office
970.379.5820

STAFF REPORT - CITY COUNCIL

DATE: November 8, 2017

SUBJECT: Membership of Planning Commission

FROM: Vice Mayor, Jim West

Action Item: Consider Removal of Mr. John Hopper from the San Juan Bautista Planning Commission

Background

Attached is an excerpt from the San Juan Bautista Municipal Code which provides that a Planning Commissioner may be removed with, or without cause, by a majority vote of the Council.

<u>Recommendation</u>: It is recommended that the City Council remove Mr. John Hopper from the Planning Commission, without cause.

Article 1. Planning Commission

2-3-100 Creation.	SHARE	
-------------------	-------	--

There is hereby created a Planning Commission under "The Planning and Zoning Law" of the State of California.

2-3-105 Membership. SHARE

Said Planning Commission shall consist of five (5) members.

2-3-110 Qualifications - Appointment - Term. SHARE

- (A) Members of the Planning Commission shall be residents and registered voters of the City of San Juan Bautista and shall not be officers or management-level employees of the City at the time of their appointment and continuously during their terms of office. A Commissioner who has moved residence from the City shall be considered to have resigned from the Commission office.
- (B) Each member of the City Council shall appoint one (1) member to the Planning Commission.
- (C) At or near the beginning of his or her initial and succeeding elected or appointed term of office, each member of the City Council may nominate one (1) Commissioner who shall be appointed to the Commission, if approved by a vote of at least three (3) members of the Council. Each Commissioner's term of office shall coincide with the term of office of the City Council member who nominated him or her.
- (D) If a Commissioner vacates his or her office before the expiration of his or her term of office, the City Council member who nominated that Commissioner (or a City Council member elected or appointed to fill the remaining unexpired term of office of the City Council member who appointed the Commissioner) may nominate a replacement to serve the remainder of that Commissioner's term of office, who shall be appointed, if the nomination is approved by a vote of at least three (3) members of the Council.
- (E) If a City Council member's nomination receives less than three (3) votes, he or she may nominate additional candidates, one (1) at a time, until one (1) of them is appointed by a vote of at least three (3) members of the Council. Commissioners shall be nominated and voted upon at a single City Council meeting, unless a different procedure is approved by a majority vote of the City Council. If a City Council member fails to nominate a Commissioner within sixty (60) days after the vacancy occurs, the

Mayor, in his or her discretion, shall appoint a Commissioner subject to approval of at least three (3) members of the City Council.

(F) Within thirty (30) days from the effective date of the City ordinance which adds this subsection, the Mayor shall designate the initial nominating Council member for each filled and vacant position on the Planning Commission. Following the Mayor's designation, the Council shall undertake the nomination, appointment and confirmation procedures described in subsections (B) through (E) of this Section to nominate, appoint and confirm the members of the Planning Commission who will initially take office subject to the provisions of this section.

2-3-115 Removal, SHARE

Any regular member of the Commission may be removed with good cause or without cause by a vote of at least three (3) members of the Council and such action shall be final and not subject to review.

2-3-120 Officers. SHARE

The Planning Commission shall elect a Chairman and a Vice Chairman from among the regular members, and shall appoint a Secretary who need not be a member of the Commission, for the terms and in the manner set forth in the by-laws of the Commission.

2-3-125 By-laws - Records. SHARE

The Planning Commission shall adopt by-laws providing for the method of electing officers, time and place of regular meetings of the Commission, which shall be held at least once a month, and such other rules as may be necessary for the transaction of the business of the Commission, and shall keep a public record of its resolutions, transactions, findings, and determinations.

2-3-130 Absences, SHARE

A Planning Commission member who is absent without excuse from two (2) official meetings of the Planning Commission in a six (6) month period shall automatically forfeit his position on the Planning Commission. The Chairman of the Planning Commission shall have the authority to determine whether or not an absence from an official meeting of the Commission is excused or unexcused, and all excused absences shall be reported as such in the minutes of the meeting from which the absence occurred. The standard which the chairman must use in determining whether an absence is to be excused or unexcused is whether or not the average conscientious member of the Planning Commission would probably be absent under similar condition.

When it is determined that a member of the Planning Commission has been absent without excuse from two (2) official Planning Commission meetings in a six (6) month period, the secretary of the Planning Commission shall promptly inform the City Council and the member whose position has been forfeited.

2-3-135 Meeting place. SHARE

Permission is hereby granted to the Planning Commission to use the Council Chambers in the City Hall as the place for its meetings or such other public facility within the corporate limits as deemed by the Planning Commission and the City Council to be appropriate and convenient for the conducting of such meetings, providing that such meetings shall not conflict with meetings of the City Council.

STAFF REPORT - CITY COUNCIL

Date: November 8, 2017 (Revising previous report of Oct 17)

Subject: Outside the City Sewer Rates

Recommended by: J. Edward Tewes, Interim City Manager

Recommendation: By resolution, approve the proposed rates for Earthbound Farms

Background:

This is a revised staff report to reflect two circumstances that have arisen since the preparation of the report for the October 17, 2017 Council meeting:

- 1. Because the Council was unable to take action earlier, the implementation date for the new rates should begin with the December 2017 billing.
- 2. The extraordinary wastewater discharges from Earthbound are likely to end in February 2018 so the need for easing the "rate shock" of significantly higher bills is reduced.

The wastewater flows, in gallons, from Earthbound over the past year are shown in the following table:

Oct-16	641,973
Nov-16	499,447
Dec-16	466,983
Jan-17	774,487
Feb-17	568,030
Mar-17	518,807
Apr-17	518,721
May-17	711,295
Jun-17	731,689
Jul-17	1,673,299
Aug-17	1,412,039
Sep-17	1,765,980

City staff was recently advised that the flows are expected to be reduced in February when renovation of settlement ponds are complete and the plant's wash water can be disposed of onsite rather than discharged to the City sewer. As a result, the flows will be reduced to more normal levels that are expected from nonindustrial water use, and the amount of the monthly bills will return to levels comparable to other sewer users. Accordingly, the phase in period to the new variable rates is recommended to be from December 2017 to March 2018.

Recommendation:

The recommended rates are as follows:

December 2017 – March 2018: The Earthbound rate will be the adopted base rate of \$81.56 plus 75% of the approved rates for similar customers: or (0.75) (\$8.84/1000 gallons) = \$6.63

April 2018 – June 2018 the Earthbound rate will be the adopted base rate of \$81.56 + \$8.84/gallon

July 2018 – and thereafter: The Earthbound rate will be the approved rates for similar customers

RESOLUTION NO. 2017 – XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN JUAN BAUTISTA APPROVING NEW SEWER RATES FOR EARTHBOUND FARMS

Whereas, Earthbound Farms has asked to revise the current flat rate of \$6225 per month to a variable rate; and

Whereas, the current flat rate was established in 2006 and has not been subsequently revised; and

Whereas, the City adopted new water and sewer rates in 2015 to comply with Proposition 218 and to fully recover costs; and

Whereas, the rate study did not identify a separate "outside" rate for customers outside the city limits; and

Whereas, at least one other "outside" customer is charged the equivalent rate applicable to inside the city customers; and

Whereas, the City wishes to give Earthbound the opportunity to plan for the increased monthly bills.

Now, therefore be it resolved that the sewer rates for Earthbound Farms shall be:

For the period December 2017 through March 2018: \$81.56 per month plus \$6.63/1000 gallons

Beginning in April 2018 and each period thereafter, the rate shall be the same rate as that established for inside city customers

Adopted by the City Council of the City of San Juan Bautista at a meeting held on the 8th day of November, 2017, by the following vote:

Ayes: Noes: Absent: Abstain:	
ATTEST:	Chris Martorana, Mayor
Mackenzie Quaid, City Clerk	

STAFF REPORT - CITY COUNCIL

Date: October 17, 2017

1

Subject: Outside the City Sewer Rates

Recommended by: J. Edward Tewes, Interim City Manager

Recommendation: By resolution, approve the proposed rates for Earthbound Farms

Background:

The City Council has adopted both water and wastewater rates based on a rate study in 2015 conducted in compliance with Proposition 218 that requires rates to be no more than necessary to cover clearly identified costs. The water rates include a special rate for "outside" customers based on an analysis contained in the rate study. However, there is no established "outside" rate for sewer users.

Pursuant to an agreement that was last reviewed in 2006, Earthbound Farms, a food processing facility outside the city limits, has discharged domestic wastewater, and occasionally, "wash water" into the City's sewer system. There is sufficient capacity in the system to accommodate Earthbound Farms.

The charges to Earthbound are based on a monthly reading of an effluent flow meter, and a flat rate of \$6325/month established in 2006. For more than ten years Earthbound has been charged considerably

less than what would have been paid had they been charged the adopted variable rates applicable to all other customers.

Both the City and Earthbound would like to update the flat rate agreement. Earthbound would like to have a variable rate similar to all other customers whose discharge flow varies from month to month. The City has an interest in updating the rate structure to more closely align with the rates applicable to customers within the city. There is one other "outside" customer who is charged the "inside" rates established by the Council. Equity requires that all "outside" customers be treated similarly.

The City's sewer rates are based on consumption of municipal water. Because Earthbound is not on City water, there is no water meter to read. Instead, Earthbound's effluent is metered and reported monthly. Outside customers are required to have a sewer flow meter.

Nonetheless, because the Earthbound rate has not been adjusted in over ten years, we recognize that an immediate increase could provide "sticker shock". Accordingly, it is recommended that the new Earthbound rates be phased in over a 19 month period beginning with the November 2017 bill. After the phase in period, beginning with the July 2019 Earthbound would be charged the same rate as all other commercial sewer customers in accordance with this schedule:

November 2017 – June 2018: The Earthbound rate will be adopted base rate of \$81.56 plus 75% of the approved rates for similar customers: or (0.75) (\$8.84/1000 gallons) = \$6.63

July 2018 – June 2019 the Earthbound rate will be the adopted base rate of \$82.79 + 75% of the approved rates for similar customers or: (0.75) (\$8.97/1000 gallons) = \$6.6725

July 2019 – and thereafter: the Earthbound rate will be the approved rates for similar customers; in FY 20 the adopted base rate is \$84.03 and \$9.10/1000 gallons

Under the recommended rates, Earthbound's sewer bill for August 2017 would have been nearly \$12,500 rather than the decade old flat rate of \$6325.

Earthbound has been advised of this recommendation, and remains concerned about the extent of the increases while acknowledging that there have no rate adjustments since 2006. They suggest that the economic impact of the plant ought to be considered in establishing the rates. Other businesses may

make similar arguments, but good public policy and Proposition 218 make clear: rates should not exceed costs and there should be no cross subsidies from one customer class to another.

Fiscal Impact:

The fiscal impact on the sewer enterprise fund will depend on the volume of wastewater discharged to the City's sewer system. If the volume of recent months was sustained, revenues could increase by \$50,000 annually. However, the variable rate will provide an incentive for Earthbound to accelerate plans for alternative disposal of the food processing wash water and the amount of any increased revenue will be uncertain.

CITY COUNCIL

STAFF REPORT

DATE:

August 15th, 2017

SUBJECT:

Consider Priority List of Road Repairs for Funding Under SB1

Description: Senate Bill 1 recently adopted the Road Repair and Accountability Act of 2017. The act will provide road funding for repair and improvements. It is funded through the new 0.12 cent per gallon gas tax and 0.20 cent per gallon for diesel fund. The legislation requires agencies to prepare a list of potential projects with a description and location, an estimated cost, an estimated time of completion and a useful life analysis for each project. The funding available to the City of San Juan Bautista this year is \$10,520 due to the fact that the tax was not in place for a full year. That amount is projected to increase in subsequent years.

Recommended Action: In order to submit the project list for consideration, the City needs to be able to demonstrate that the Road Maintenance and Rehabilitation Account (RMRA) funds are included in the Fiscal Year 2017-2018 (FY 17-18) budget. Since these funds were not included in the FY 17-18 budget that was approved on June 20th, staff recommends that the City Council adopt Resolution 2017-XX, "A Resolution of the City Council of the City of San Juan Bautista Adopting a Supplemental Budget Appropriation for Road Maintenance and Rehabilitation Funding."

SB 1 ROAD REPAIR AND ACCOUNTABILITY ACT OF 2017 (RMRA FUNDS)

<u>Description & Location</u> <u>Estimated Cost</u> <u>Estimate Completion</u> <u>Useful Life</u>

- Mucklemi 4th to San Antonio St Half St. Reconst. 4" AC, 12" AB
- \$ 245,000

October 2017

- Mucklemi San 1000' Antonio to Monterey Reconst. 4" AC 12" AB Half – 480' <8,200 s.f.>
- The Alameda 156 to San Juan-Hollister Rd 520' 21,000 s.f. Grind and 2.5" AC overlay
- San Juan-Hollister Rd
 The Alameda to Mission
 3300 full -1230' <22,100 s.f.>
 Grind & 2.5" overlay
- 5. Donner & Ahwahnee Cap Seal 46,000 s.f.
- 6. Lang Street Capo Seal 69,000 s.f.
- 7. Lang Street Reconst. 140'x22'=3100 s.f. 4"AC 12" AB w/Lime treatment
- Fifth St. Mission to Franklin 480' 18,500 s.f. 2.5"AC/8" AB

- Third Street Tahualami to Muckelemi 780' Full. St. w/ storm, sewer, water. 31,000 s.f. 2.5" AC 12" AB
- 10. First St. Monterey to Donner 890'x40' Grind and Overlay 36,000 s.f. 2.5" AC
- 11. Monterey & Muckelemi Intersection Improv.
- 12. Fourth & The Alameda Intersection Improv.
- 13.Third Street Muckelemi To Franklin St. 1140' w/ Sewer, water, storm 4" AC 12" AB
- 14. Monterey St. Church To Muckelemi 400' 15,000 s.f. Reconst. 4"AC/12"AB
- 15. Polk St. 2nd to 4th St. 520'- 18,500 s.f. 2.5" AC 8" AB
- 16. Polk St. 4th to 7th St. 1090'- 39,500 s.f. 2.5" AC 8"AB
- 17.San Jose St. 2nd to 4^{lh}.St. 455'- 10,500 s.f. 2.5"AC 8" AB

18. Fifth St. Polk to Washington 590'- 22,500 s.f. 2.5" AC 8" AB

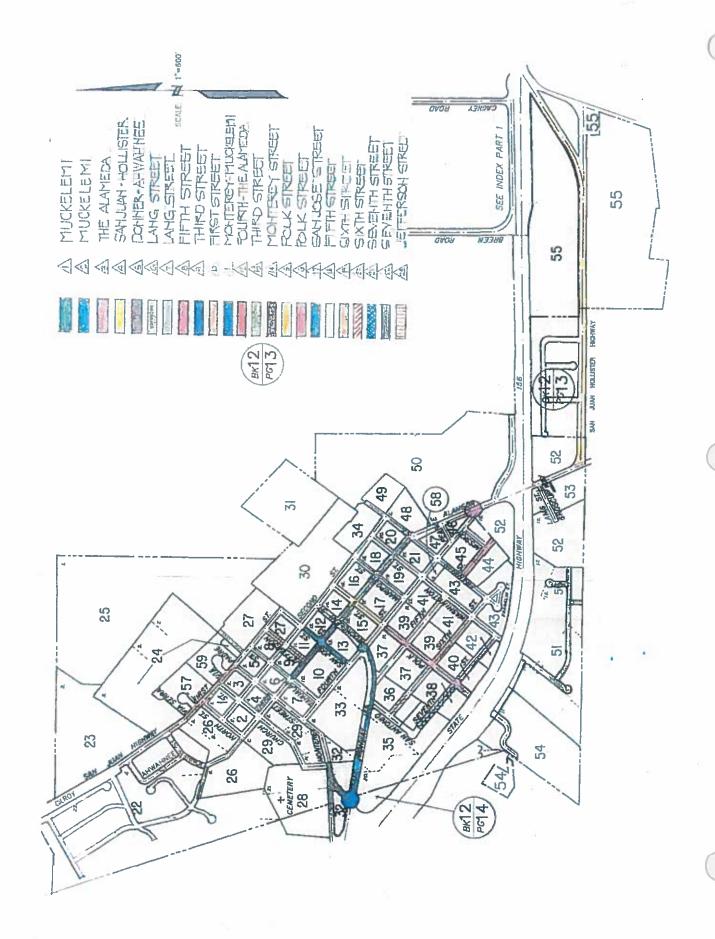
19.Sixth St. Polk to Washington 590' – 22,500 S.f. 2.5" AC 8" AB

20. Sixth St. San Antonio to Polk Str. 630' 22,600 s.f. Grind and overlay

21. Seventh St. Polk to San Antonio St. 630'- 22,000 s.f. Grind and overlay

22. Seventh St. Polk to Washington St. 585'- 22,000 s.f. 2.5" AC 8" AB

23. Jefferson First to 3rd St. 2.5 " AC on 8" AB



RESOLUTION NO. 2017-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN JUAN BAUTISTA ADOPTING A SUPPLEMENTAL BUDGET APPROPRIATION FOR ROAD MAINTENANCE AND REHABILITATION FUNDING

WHEREAS, Senate Bill 1 recently adopted the Road Repair and Accountability Act of 2017; and

WHEREAS, the act will provide road funding for repair and improvements through a new 0.12 cent per gallon gas tax and 0.20 cent per gallon diesel tax; and

WHEREAS, the legislation requires agencies to prepare a list of potential projects with a description, location, estimated cost, estimated date of completion, and useful life analysis for each project; and

WHEREAS, the funding available for the City of San Juan Bautista in Fiscal Year 2017-2018 (FY 17-18), once the project list is submitted and approved, is \$10,520; and

WHEREAS, in order to submit the list of potential projects and receive funding, the City is required to demonstrate that the Road Maintenance and Rehabilitation Account (RMRA) funds are included in the FY 17-18 budget; and

WHEREAS, the RMRA funds were not included in the FY 17-18 budget; and

WHEREAS, the funds can be added to the FY 17-18 budget through a supplemental budget appropriation.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of San Juan Bautista hereby adopts a supplemental budget appropriation including \$10,520 of revenue from the Road Maintenance and Rehabilitation Account (RMRA) in the Special Revenues Fund: Gasoline Tax and Transportation Revenue Fund, for the Muckelemi Street reconstruction project.

PASSED AND ADOPTED this 8th day of November 2017 by the following vote:

AYES:		
NOES:		
ABSENT:		
ABSTAIN:		
ATTEST:	,	Mayor Chris Martorana
Mackenzie Quaid, City Clerk		

STAFF REPORT - CITY COUNCIL

DATE:

October 17, 2017

SUBJECT:

Update on Staffing and Contract Services

PREPARED AND RECOMMENDED BY: J. Edward Tewes,

Interim City Manager

RECOMMENDATION: Consider the staffing and contract issues and provide direction to staff as appropriate

Background:

This is an update on changes in staffing and the retention of private contractors to perform designated tasks.

With the recent vacancies in the positions of City Engineer and the Community Development Director it is necessary to contract with private vendors for designated tasks and functions. The steps described below should be considered "interim" pending a complete review and recommendation by the next full time City Manager.

Building Plan Check, Permits and Inspection

The City has retained 4 Leaf, Inc. to perform these tasks under a contract authorized by the Council on September 19, 2017. They are on board, and have instituted new procedures and processes to expedite customer requests for service. The temporary moratorium on new permits and inspections has been lifted. The contractor's work is performed in accordance with the approved hourly rates, and is offset by applicant fees.

I have authorized 4 Leaf to conduct a thorough review of the City's own fee schedule to ensure that we are meeting the requirements of the Building Code and fully recovering the City's costs. The Council should have a report and recommendation on the fee revisions, if any, at your November 21 meeting.

Planning, Zoning and Sign Permits; Code Enforcement and Environmental Review

An individual with significant experience in planning and community development functions has been retained by 4 Leaf and will be assigned to San Juan Bautista. Pursuant to the approved contract we have hourly rates established for the community development work, but we are still evaluating whether it will be necessary to have regular (but limited) "office hours" in addition to the task work driven by applications for review. Here too, we will be reviewing the City's rate structure to ensure full cost recovery.

I am aware of at least one development proposal for an industrial/commercial use that will require staff review of zoning standards, and may require the processing of a conditional use permit. This work would be done by the contract employee.

City Engineering

The City has need for engineering services in the following areas:

Land development (subdivision and parcel map processing)

Construction management and inspection of new infrastructure installed by private development

Design engineering for minor projects

Project management for City sponsored capital projects (including grants management)

Development of infrastructure systems master plans and multiyear capital improvement programs (CIP) to match available funds with objectives

In the recent past, the City received these services primarily from city staff, but we no longer have the expertise and required professional registrations to perform some of the functions. The model we are working with now is similar to that used in other small communities including some in Monterey County.

Work on private development will be recovered by fees. Work on City projects (master plans and CIP) will be costs of those projects and will be payable from Water and Sewer user charges, grants or general revenues depending on the nature of the project.

I am reviewing proposals from qualified firms to do this work on a task basis pending any reorganization recommended by the next full time City Manager. For urgent priority utility projects related to improvements at the wastewater treatment plant and the new wells, I have asked Bracewell Engineering to take

on additional responsibilities. For the balance of interim assignments I will have a recommendation for you on November 17.

Future Organization

The City's limited financial resources and budget will dictate the service delivery model, but there are on-going needs for professional support that must be addressed. Whether with permanent or part-time staff or contractors, the following functions needed to be organized, with accountability clearly assigned:

Public Safety (police and fire)

Administrative Services (Personnel, Budget and Accounting)

Public Works (streets, street trees, drainage, parks, public buildings)

Utilities (water and wastewater operations and capital projects)

Community Development (planning, building, environmental compliance)

As I continue to assess the City's needs, capabilities, and resources, I may bring you recommendations for contracting or staffing of these functions.

Fiscal Impact:

The costs of the staffing and contract plan for the balance of the calendar year will be within the adopted budget which itself estimated revenue from application and inspection fees. However, it is appropriate to review all the budget assumptions and current estimated costs in a "mid year" budget review in January 2018. It is likely that there will be recommendations for revising fees to ensure full cost recovery.

ADMINISTRATION REPORT

Date:

October 20, 2017

To:

City Council

From:

Interim City Manager Ed Tewes

Subject:

ENGINEERING SERVICES CONTRACT

Recommendation:

Authorize City Manager to enter into an agreement with Harris and Associates in a form approved by the City Attorney, and consistent with Harris' proposal of October 10, 2017, and the terms outlined in this staff report.

Background:

In the light of the recent resignation of the City Engineer, it is necessary to contract for a variety of contract services on a task order basis in order to implement public projects and review private land development applications and construction.

The scope of services includes:

Design of public projects

- Project management including bidding, contract management, grants management
- Land development review, processing of plans, and inspection of public improvements
- Other services required to be performed by the "City Engineer" under State Law and the San Juan Bautista Municipal Code

The contract services model is used in many small communities in the region and even by larger communities for specialized services.

The Council has already approved a master services agreement with 4 Leaf, Inc which includes potential City Engineer services. However, additional proposals were sought in order to match the City's needs with the capabilities of the firms.

The criteria for review included:

- Experience and capabilities of the principal engineer assigned
- Responsiveness
- The range of positions available in the "back office" to provide professional and administrative support
- Experience and capabilities in land development
- Experience working with small communities
- Familiarity with and understanding of San Juan Bautista issues
- Hourly fee schedule

The three proposals reviewed were:

- 4Leaf, Inc (who submitted a supplemental proposal on October 12, 2017 focusing on City Engineer Services)
- CSG Consultants, Inc (October 11, 2017)
- Harris and Associates (October 12, 2017)

Based on the needs of the City, I am recommending that we contract with Harris.

The contract will not be a monthly retainer or guaranteed minimum fee. Rather, work will be done in accordance with a "Task Order" with estimated hours and assignment of staff which has been approved in advance by the City Manager. Immediate services are needed to inspect the public improvements in the two subdivisions under construction and to manage the installation of the new water wells.

At least initially, the costs of the City engineering services will be paid by land development fees or attributable to the capital projects themselves, such as water and sewer funds or transportation grants. It is possible that in the future there may be "general fund" capital projects or services that would have to be paid by General Fund discretionary revenues, but that is not the case in the current fiscal year, and would be specifically authorized in future budgets if necessary.

RESOLUTION NO. 2017-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN JUAN BAUTISTA APPROVING AN AGREEMENT BETWEEN THE CITY AND HARRIS AND ASSOCIATES FOR ENGINEERING SERVICES

RECITAL

A. The City Council of the City of San Juan Bautista has reviewed the agreement between the City of San Juan Bautista and Harris and Associates for Engineering Services.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SAN JUAN BAUTISTA, CALIFORNIA, DOES RESOLVE AS FOLLOWS:

SECTION 1. The Contract is hereby approved and the City Manager is authorized to execute the Contract on behalf of the City.

PASSED, APPROVED, AND ADOPTED at a Special Meeting of the City Council held on November 8, 2017, by the following vote:

Mackenzie Quaid, City Clerk	_
ATTEST:	Chris Martorana, Mayor
ABSENT:	
ABSTAIN:	
NOES:	
AYES:	

STAFF REPORT - CITY COUNCIL

Date: November 8, 2017

Subject: Interim City Manager Contract

Recommended by: Chris Martorana, Mayor

Recommendation: Approve an amendment to the Interim City Manager's employment contract to authorize up to 40 hours per week

Background:

On September 19, 2017 the Council appointed Ed Tewes as Interim City Manager and approved an employment contract that limited Mr. Tewes' hours to 32 hours per week.

In light of the workload, and transition in other city staff, it is recommended that Mr. Tewes' authorized hours be increased to 40 hours per week.

Fiscal Impact:

Based on Tewes' rate of \$50 per hour, this increase would increase the City's costs during his tenure by \$400 per week. There are budgetary savings because Mr. Tewes is not receiving other benefits such as health insurance, sick or vacation leave.

STAFF REPORT - CITY COUNCIL

DATE: November 8, 2017

SUBJECT: Discussion of Early Adjournment of October 24 meeting and possible adoption of a Code of Conduct for Council Meetings

From: Chris Martorana, Mayor

<u>Discussion Item:</u> In the light of the early adjournment of the October 24, 2017 special meeting, members of the community and Councilmembers themselves have asked for the opportunity to discuss standards for participation by councilmembers and staff.

Background:

Several cities in California have adopted a code of conduct for participation by councilmembers and staff at council meetings. They generally focus on the need for preparation prior to the meeting, attentiveness during the meeting, and respect for the participants in the meeting including the public.

It is now appropriate for Council to consider adopting a formal policy for participation by councilmembers and staff. If it is determined that such a policy should be adopted, the Mayor will appoint a subcommittee to draft it and bring it back for Council action as soon as possible.