

RESOLUTION 2020-45

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN JUAN BAUTISTA
AUTHORIZING THE CITY MANAGER TO EXECUTE A PROFESSIONAL
SERVICES AGREEMENT WITH APPLIED SURVEY RESEARCH (“ASR”) TO
CONDUCT A HOUSEHOLD INCOME SURVEY**

WHEREAS, the “Water Quality Enforcement Policy” that became effective October 5, 2017, published by State Water Resources Control Board was interpreted at that time to include the City of San Juan Bautista as a “Disadvantaged Community” or “DAC” because the City’s households met at least one of the three criteria for financial hardship, that being an average unemployment rate of more than 10%; and

WHEREAS, when a community is eligible as a DAC, if it violates the federal Clean Water Act and is fined, those fines can be applied to the cost of addressing the problem by completing a compliance project; and

WHEREAS, over the past decade, the City’s Waste Water Treatment Plant incurred many violations, mostly consisting of high levels of salt being released into the creek, but was also the recipient of many investments to resolve the issues taking full advantage of its DAC status; and

WHEREAS, in June 2019, the City was inspected by the Environmental Protection Agency, and the State’s Regional Water Quality Control Board (“RWQCB”), and they put the Interim City Manager on notice that the City was no longer eligible as a DAC; and

WHEREAS, on February 25, 2020, the City received confirmation of the RWQCB in the form of data and research that documents that the unemployment data relied upon in the past was no longer acceptable, that the City’s average unemployment has dropped to 3.5% and the fines would have to be paid in addition to fixing the waste water treatment plant problem; and

WHEREAS, the City appealed this decision, arguing that another criteria could be met if a local survey of household incomes was completed to determine exactly how many households earned below the median income levels (the median income level for a family of four in San Benito County in 2020 is \$89,000) instead of making general inferences from a broader census data base and they agreed; and

WHEREAS, the non-profit Applied Survey Research is an experienced, local and uniquely qualified firm to conduct this kind of survey for the City and the Water Board, and an Agreement is being presented to the City Council for approval only after the methods and scope of work have been approved by the RWQCB.

**NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE CITY COUNCIL AS
FOLLOWS:**

SECTION 1. That the above recitals are true and correct.

SECTION 2. The City Council of the City of San Juan Bautista, hereby confirms the need for an income survey of its residents in an effort to re-qualify as a Disadvantaged Community, and authorizes the City Manager to execute the Agreement with Applied Survey Research to complete this study.

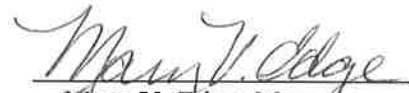
PASSED, APPROVED AND ADOPTED this 25th day of August, 2020, by the following roll call vote:

AYES: Edge, Freeman, Jordan, DeVries, Flores

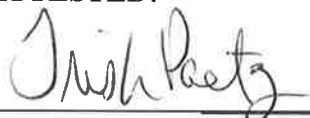
NOES: None

ABSENT: None

ABSTAIN: None


Mary V. Edge, Mayor

ATTESTED:


Trish Paetz, Deputy City Clerk