



City of San Juan Bautista

The "City of History"

Revised AGENDA

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CITY COUNCIL MEETING

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

TUESDAY ~ APRIL 18, 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

6:00 PM

**Pledge of Allegiance
Roll Call**

2. Public Comment

The public may address the City Council on items not on the agenda during the "Public Comment" portion of the meeting. Persons wishing to address the City Council will be limited to three (3) minutes. Because the item is not on the agenda, the City Council can take no action on the matter in this meeting. The City Council will hear all public comments and then, if they so desire, they will make comments, ask for clarifications from staff, or request the item be placed on a future agenda for further discussion and/or action.

3. 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.

A. Approve Affidavit of Posting Agenda

B. Approve Resolution 2017-XX for Street Closure - Car Show -May 27th, 2017

C. Approve Resolution 2017-XX Ordering Preparation of an Engineer's Report for Fiscal Year 2017-2018 for Valle Vista Landscape and Lighting Maintenance Assessment District No. 1

D. Approve Minutes for February 21, 2017 Meeting

E. Waive Reading of Ordinances and Resolutions on Tonight's Agenda Beyond Title

F. Amend Resolution 2016-49 for Williams LTD Street Closure- Rib Cook Off May 20 & 21

4. Presentations, Informational Items and Reports

A. Proclamations

i. **Water Awareness Month Proclamation – Shawn Novack**

ii. **Fremont Peak Day Proclamation – Ernest Franco**

B. Rapid Response Lay-Off Aversion Program Report by San Benito County Community Services & Workforce Development Deputy Director Enrique Arreola

C. Treasurer's Report – Treasurer Chuck Geiger

i. **Fund Balances Report – City Manager/Treasurer**

D. Sheriff's Report: Monthly Activity

E. Level One Security Report

F. Fire Chief's Report

- G. Library Report**
- H. Administrative Report**
- I. City Council Committee Reports**
- J. Strategic Plan Committee Report**

5. Public Hearing Items

- A. Consider an Ordinance Amending Article 5 “Tentative Maps,” Section 10-02-540 “Appeals” Subsection (C) of the SJBMC (Second Reading)**

6. Action Items

- A. Consider a Recommendation from the Planning Commission to Rescind Resolution 2016-45, Installation of a Stop Sign at Franklin and Third Street**
- B. Schedule Special Meeting for First Fiscal Year 2017-2018 Budget Workshop**
- C. City Clerk**
 - i. Accept Resignation of City Clerk Schobert**
 - ii. Consider Appointment of City Clerk**
- D. Consider Ordinance Banning Recreational Marijuana Sales, Cultivation and Delivery**

7. Discussion Items

- A. Consider Strategic Plan Committee Proposal for City Engaging with the Public**
- B. Consider Matching Funding in FY 17-18 for the SJB Historic Walking Tour Enhancement Project**
- C. Medical Cannabis Regulations and Safety – Mandisa Snodey**
- D. Business License Tax Update – Community Development Director Orbach**
- E. Hiring a City Manager: Report by Ad Hoc Committee**
- F. Curb Painting Schedule Citywide – Mayor Martorana**
- G. Work with San Juan/Aromas School District on Joint Use of School Basketball Courts After Hours. Includes Sharing of Insurance Costs – Council Member Freeman**
- H. Discuss Budgeting for a Grant Writer in the Next Fiscal Year – Mayor Martorana**

8. Comments

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

9. Adjournment

AFFIDAVIT OF POSTING

I, TRISH PAETZ, DO NOW DECLARE, UNDER THE PENALTIES OF PERJURY THAT I AM THE DEPUTY CITY CLERK 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 12th DAY OF APRIL 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 12th DAY OF APRIL 2017.



TRISH PAETZ, DEPUTY CITY CLERK

RESOLUTION NO. 2017-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN JUAN BAUTISTA AUTHORIZING STREET CLOSURES

BE IT RESOLVED that the Los Padrinos Car Club is authorized to close Third Street from Franklin Street to Muckelemi Street, and Washington, Mariposa, and Polk Streets between Second and Fourth Streets on Saturday, May 27 from 6:00 a.m. to 4:00 p.m. for a classic car show.

PASSED AND ADOPTED this 18th day of April 2017 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

Chris Martorana, Mayor

Connie Schobert, City Clerk

Special Event/Activities – Permit Application

Dear Event Organizer:

Thank you for your interest in holding a community event in San Juan Bautista. Special events can be important ways to build community and celebrate the City's diversity, heritage, and uniqueness. All events require a permit with approvals to ensure a well-planned and safe event. The City of San Juan Bautista has created a simplified process to help you determine what types of permits and approvals you will need. Simply fill out the enclosed community events application and submit it to the City at least 60 days before your event. Additionally, there will be fees associated your event. Your application fee is due when you submit this form. The fee schedule for applications is:

Non Profits ¹ : No street blockage and less than 250 people	\$50.00
Non Profits: No street blockage or blockage of side streets, up to one block., and less than 1,000 people	\$100.00
Non Profits: Street blockage of Second, Third or Fourth Streets and side streets between Franklin & Muckelemei and more than 1,000 people ²	\$150.00
Private Promoter Organizations ³ : No street blockage and less than 250 people	\$150.00
Private Promoter Organizations: No street blockage or blockage of side streets, up to one block., and less than 1,000 people	\$300.00
Private Promoter Organizations: Street blockage of Second, Third or Fourth Streets and side streets between Franklin & Muckelemei, and more than 1,000 people	\$600.00

Once we receive your application, one or more City representatives will contact you to let you know of any insurance, permits, approvals, or additional fees that apply. We appreciate your time and interest in planning a successful and safe event. A well-planned event translates to a successful activity that benefits everyone. If you need further assistance, call (831) 623-4661 or e-mail citymanager@san-juan-bautista.ca.us.

Please NOTE: You are required to have sanitary facilities. If you are serving or selling food you will be required to obtain a permit from the San Benito County Environment Health Department in Hollister. You are also required to coordinate all security arrangement with the San Benito County Sheriff's office.

SECTION 1: CONTACT INFORMATION

Event Title: Los Padrnos Car Show Today's Date: 4/7/2017
 Applicant: Jimmy Gonzalez
 Organization: Los Padrnos Charity Inc
 Phone: 408 710 2348 E-Mail: _____
 Mailing Address: 7571, Hana St Gilroy Ca
 Fax: _____

Event Setup Date: May 27 ²⁰¹⁷ Time: 6:00 AM Event Ends Date: May 22 ²⁰¹⁷ Time: 5:00 PM
 Event Starts Date: May 27 ²⁰¹⁷ Time: 9:00 AM Dismantle Date: May 27 ²⁰¹⁷ Time: 4:00 PM

ANTICIPATED ATTENDANCE: Total or the event: _____ Total per Day: _____

LOCATION OF EVENT (please be specific):

Main St + side street

¹ Requires proof of charitable non-profit status.

² All street closures and blockades require review and approval of the City Council.

³ Additional fees for use of public facilities may apply.

INSURANCE

The City will require that you co-insure the city ("additional insure"). Depending on your event, the minimum "coverage" will be dictated by the City's insurance carrier (PARSAC). After the application and fee is submitted the City Manager, or designee, will contact PARSAC with your proposal and the conditions of the insurance will be promptly conveyed to you.

CITY FACILITIES

Do you plan to hold your event at a City building?

☐ Yes ☒ No

If yes, which facility?

Have you reserved the facility yet?

☐ Yes ☐ No

Will this event require any City streets to be closed? (Public Works charges will apply)

☒ Yes ☐ No

If yes, please be specific on which streets and cross streets need to be closed.

Does this event involve a parade?

☐ Yes ☒ No

If yes, attach a separate page with a map of the event.

If you wish to rent barricades, chairs, tables, or other City equipment, list the equipment and numbers (charges will apply for rentals)

if you do not wish to rent the City's equipment, you will be responsible for providing appropriate barriers if your event involves a street closure:

PRIVATE PROPERTY (Private Property needs to fill out an event application only if the event's attendance will exceed 250)

Do you plan to hold your event on private property?

☐ Yes ☒ No

If yes, describe the location:

VENDORS

Will this event have vendors selling items or promoting their causes/services/products?

☒ Yes ☐ No

If yes, please note a Board of Equalization form will be required for each vendor proving that they are appropriately registered with the State of California. This link to this form is available on the City of San Juan Bautista website. Additionally, fees will be assessed on the basis of \$15/day/10 feet of vendor space for vendors on the street and \$15/day vendor for events not on the streets. Other charges may apply. Allocations are made for local not for profit booths to be exempt from these charges. Each event is allowed a minimum of 5 local non-profit 10 ft. spaces for free up to a maximum of 5% of the total number of booth feet for an event.

Will this event feature any hands-on attractions such as climbing walls, bounce-houses, or petting zoos?

☐ Yes ☒ No

If yes, please describe: (insurance coverage will be required)

FOOD AND ALCOHOL (all food preparation is subject to state regulations; provide insurance if appropriate)

If you are serving or selling food, you must obtain a permit from the San Benito County Environment Health Department.

Does your event include food concessions and/or preparation areas?

☒ Yes ☐ No

If yes, please provide a copy of your San Benito County Environmental Health Permit.

If you plan to sell or furnish alcoholic beverages at your event, you are required to obtain a permit from the State Department of Alcoholic Beverage Control. The public consumption of alcohol is illegal in some parts of the City. If your event includes the use of alcohol on City property, you will need to provide Liquor Liability Coverage on your certificate of insurance.

Does your event involve the use of alcoholic beverages?

☐ Yes ☒ No

PORTABLE REST ROOMS (These permits are handled through the San Benito County Environmental Health Department) Unless you can substantiate the sufficient availability of both Americans with Disabilities Act and non-ADA accessible facilities in the immediate area of the event site and you have written permission to use this facility, you may be required to provide portable rest room facilities at your event, which will be available to the public during your event. Please note that State Parks toilets do not qualify as event facilities unless you obtain written permission from the local State Parks office to allow use of these State owned toilets and included as part of this application.

Do you plan to provide portable rest room facilities at your event?

☒ Yes ☐ No

Please provide a copy of your San Benito County Environmental Health Permit. Please note that if you state "no", City staff will inquire as to what plans you have made to accommodate the public including written permission from the State if applicable.

LIGHTING AND SOUND

Will you be using any amplified sound (i.e. public address system)?

☒ Yes ☐ No

Will this event use any lighting?

☐ Yes ☒ No

Will you be using any type of generator?

☐ Yes ☒ No

If yes, please describe (type/location/period/noise levels, etc. Preference is given to "silent" generators):

If no, do you need electricity? (Fees will apply for use of City electricity):

Solid Waste Diversion Plan:

In accordance with State law (Public Resource Code 42648-42648.7), as a large venue, a waste reduction and recycling plan shall be developed. This plan shall estimate the amount and types of waste anticipated from the event, proposed actions to reduce the amount of waste generation related to the event, and arrangements for separation, collection and diversion from landfill of reusable and recyclable materials, as well as a tracking system that validates the final destination of the materials. The Solid Waste Diversion Plan shall be approved by the San Benito County Integrated Waste Management Regional Agency. The City has trash and recycling receptacles available for rent: Trash can and recycling rental can rates are set annually by the City Council and posted on the City's website under Forms and Fees in a document that contains all the City Service Fees. Deposits are refundable, daily rental rates are not.

As the venue contractor, you are responsible for a waste prevention strategy for all waste material generated by all venue operations and all subcontractors. Food vendors must use compostable serving products. No Styrofoam is allowed. You are encouraged to include a requirement for a "Solid Waste Diversion Plan" in your subcontract agreements.

The City of San Juan Bautista is mandated by the State of California to report annually specified information regarding large venue waste diversion programs. You are therefore required to report and provide verification of the quantity of waste disposed and recycled by this event. There is a \$150/event fine for non-reporting. Reporting is due 30 days after the event. The waste hauler can provide this information for you.

1. Please describe your plan for cleanup and removal of recyclable goods and garbage during and after your event.

The Club will be throwing garbage and recyclables

2. Please provide a description of your event, including activities, timeline, sequence of events, road closures, etc. Please note: road closures require Public Works time and the event will be billed for the actual time used.
(If additional space is required, please attach it to this application).

Car Show Road Closures for the Cars and Vendors

3. Please describe your security plan, including crowd control.

Members of Car Club

4. In order to comply with the American Disabilities Act, describe how your event will be accessible to people with disabilities.

Street and Sidewalks and portable restrooms

5. Please describe your emergency/medical plan, including your communications procedures.

Walkie talkies, Cell phones

City Benches is for public use only. It is the responsibility of the promoter to make sure all vendors are aware that public benches are NOT for vendor use at any times. Thank you. _____ Initial

Please provide a site plan/route map for your event. Attach additional sheets as necessary. The map should include:

- An outline of the event site including the names of streets or areas that are part of the venue and the surrounding area. If the event involves a moving route of any kind (such as a parade), indicate the direction of travel, including starting location and ending destination.
- Any street or lane closures and parking tow zones.
- The locations of fencing, barriers, or barricades. Include any removable fencing for emergency access.
- The location of first-aid facilities.
- The locations of all stalls, platforms booths, cooking areas, trash containers, etc.
- Food booth and cooking area configuration including all vendors cooking with flammable gases or barbecue grills.
- Generator locations and/or source of electricity.
- Placement of vehicles or trailers used for the event.
- Anticipated parking locations.
- Placement of promotional signs or banners.
- Placement of portable toilets/restroom facilities.
- Exit locations for outdoor events that are fenced.
- Locations of all other event activities



SAN BENITO COUNTY

HEALTH & HUMAN SERVICES AGENCY

GAIL NEWEL, M.D., MPH
HEALTH OFFICER

JIM RYDINGSWORD
DIRECTOR

PUBLIC HEALTH SERVICES
Healthy People in Healthy Communities

Community Event Organizer's Permit Application

(Fees are not refundable)

Date: APRIL 4th, 2017 May 27 2017 Fees: ☒ Community Event Organizer - \$189.00
☐ CEO FARMER'S MARKET - \$547.00
☐ Public Assembly per Toilet (\$2.00)
☐ Late fee \$54.00

A site plan shall accompany this application. This site plan shall consist of the following information:

- Name, address, phone, and location of temporary food facility's operator
- Number and location of restrooms
- Estimated attendance
- Number and location of hand washing units
- Number and location of shared utensil washing and/or janitorial units

The applicant shall comply with the California health and Safety Code, Article 13 (Temporary Food Facility), commencing with section 114310. Application for this permit shall be made a **MINIMUM of two weeks** prior to the event. Name, address, and phone number of each concessionaire shall accompany this form.

Name of event: Los padrinos Car Show

Date and Time of event: May 27 2017 Location of event: Downtown San Juan

Name of organizer: Los Padrinos Charity Inc

Mailing address: 7671 Forest St Gilroy Ca

Phone number: 408 413 8373 Fax number: _____

Total number of people expected: its open to Public Total number of portable toilets: 3

Number of portable toilets with hand washing: 2 Total number of food booths: 4

Name of public water system providing water: city water or store bought

Method of Liquid Waste collection and disposal: Self Remove

Method of solid waste collection and disposal: Trash Cans

I assert that I am the person or representative of the organization stated above, and that I agree that I am responsible for compliance with the California Health and Safety Code, Article 13 (Temporary Food Facility), commencing with section 114310.

Signature: [Signature]

Date: April 4 2017
May 27 2017
RD

PUBLIC HEALTH
SERVICES
439 Fourth Street
Hollister, CA 95023
831-637-5367

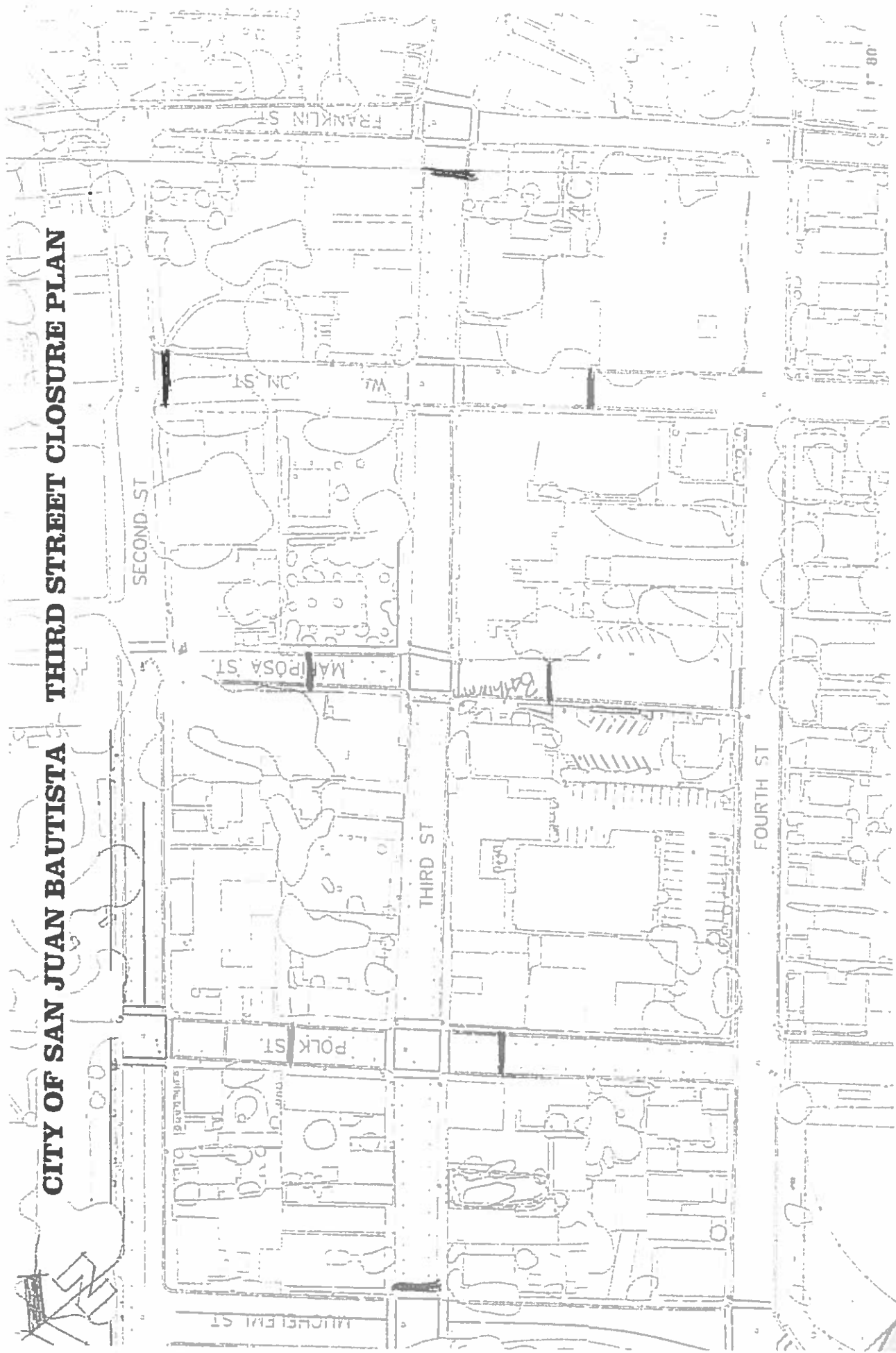
MEDICAL THERAPY
UNIT
761 South Street
Hollister, CA 95023
831-637-1989

ENVIRONMENTAL
HEALTH SERVICES
331 Tres Pinos Road, Ste C-1
Hollister, CA 95023
831-636-4035

HEALTH EDUCATION
PROGRAMS
439 Fourth Street
Hollister, CA 95023
831-637-5367

20 LK- Barranca

CITY OF SAN JUAN BAUTISTA THIRD STREET CLOSURE PLAN



RESOLUTION NO. 2017-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
SAN JUAN BAUTISTA ORDERING PREPARATION OF AN ENGINEER'S REPORT
FOR FISCAL YEAR 2017-18 FOR VALLE VISTA LANDSCAPE AND LIGHTING
MAINTENANCE ASSESSMENT DISTRICT NO. 1

WHEREAS, pursuant to the Landscaping and Lighting Act of 1972 (Streets & Highways Code Section 22500 *et seq.*) ("Act"), the City levies an annual assessment in connection with its Valle Vista Landscape and Lighting Maintenance Assessment District No. 1 ("District"); and

WHEREAS, the City Council desires to initiate proceedings for the Fiscal Year 2017-18 levy of the assessment in connection with the District.

NOW, THEREFORE, IT IS HEREBY RESOLVED by the City Council of the City of San Juan Bautista as follows:

1. That City Manager Roger Grimsley be and is hereby appointed as Engineer of Work to perform all engineering work in the conduct of said proceedings.
2. That the improvements to be maintained, and operations and services in connection with the District shall be substantially unchanged from those provided for in Fiscal Years 2011-12, 2012-13, 2013-14, 2014-15, 2015-16, and 2016-17: the maintenance, operation and servicing of street lighting and street landscaping within the district, as well as the maintenance, operation and servicing of lighting and landscaping associated with the detention basin, sanitary sewer pump station, and public park located within the district.
3. That the Engineer of Work hereby is directed to prepare and to file a report in compliance with Sections 22565 *et seq.* of the Act.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of San Juan Bautista duly held on the 18th day of April, 2017, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

Chris Martorana, Mayor

Connie Schobert, City Clerk

**CITY OF SAN JUAN BAUTISTA
CITY COUNCIL REGULAR MEETING
FEBRUARY 21, 2017
DRAFT MINUTES**

1. CALL TO ORDER – Mayor Chris Matorana called the meeting to order at 6:00 p.m.

A. PLEDGE OF ALLEGIANCE – Council Member Freeman led the pledge of allegiance.

B. ROLL CALL **Present:** Mayor Martorana, Vice Mayor West, Council Members Boch, Freeman, and DeVries

Staff Present: City Manager Grimsley, Deputy City Clerk Paetz, City Attorney Mall, Community Dev. Director Orbach

2. PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA

No public comments were received.

5A. Presentation of Plaque to Historic Resources Board Member and Planning Commissioner David Medeiros

Mayor Martorana presented a plaque to Dave Medeiros, honoring him for time served on the HRB and Planning Commission.

3. CLOSED SESSION

Conference with Legal Counsel – Anticipated Litigation

Significant exposure to litigation pursuant to paragraph (2) or (3) of subdivision (d) of Section 54956.9: Number of Cases: One)

City Attorney Mall reported out from the closed session that advice was given to Legal Counsel.

4. CONSENT ITEMS

A. Approve Affidavit of Posting Agenda

B. Approve Affidavit of Posting Public Hearing Notice

C. Approve Minutes for the January 17, 2017 Council Meeting

D. Approve Resolution 2017-03 for Street Closures for a Car Show

E. Waive Reading of Ordinances and Resolutions on Tonight's Agenda Beyond Title

F. Approve Resolution 2017-06 Nominating Melody McDonald to the ACWA/JPIA Executive Committee

A motion was made by Council Member Boch and seconded by Council Member West to approve all items on the Consent Agenda. The motion passed unanimously, 5-0.

5. PRESENTATIONS, INFORMATIONAL ITEMS AND REPORTS

A. Presentation of Plaque to David Medeiros

This item was dealt with earlier in the meeting.

B. Monthly Financial Statements and Treasurer's Report

In the City Treasurer's absence, City Manager reviewed the Treasurer's Report and the warrant list with Council. There were no public comments.

C. Sheriff's Report: Monthly Activity

Captain Taylor was present and reviewed his written report. Council Member Boch asked about an attempted burglary on Marentis Court. Council Member Freeman asks about the effectiveness of cameras. Sheriff needs to access data as soon as possible. There was no public comment.

D. Level One Security Report

JT Tomlinson of Level One Security was present and reviewed his written report. He stated he has found at least eight businesses are left unlocked overnight, and wants permission to carry pepper spray, taser and/or baton while patrolling. Council Member DeVries suggested he submit a plan staff can take to their insurance carrier.

E. Fire Chief's Report

A representative of the Hollister Fire Department was not present, and a written report was not available. There were no public comments.

F. Library Report

Council received a report. There were no public comments.

G. Administrative Report

City Manager Grimsley reviewed his report and responded to questions from the Council. There were no public comments.

H. Public Meetings and City Council Committee Reports

Council members provided highlights from the meetings where they represent the City.

6. PUBLIC HEARING ITEMS

A. Consider Amending Article 2 of Chapter 2-3 of the SJBMC Entitled "Youth Commission." Second Reading and Approval

Mayor Martorana opened the public hearing. There was no public comment. Mayor Martorana closed the public hearing.

A motion was made by Council Member Boch and seconded by Council Member Freeman approving Ordinance 2017-02, an amendment to Article 2 of Chapter 2-3 of the SJBMC Entitled "Youth Commission." The motion passed unanimously, 5-0.

B. Consider Revocation of Design Review Permit DR 2013-33 for the Brewery Project

i. Adopt Resolution 2017-XX Revoking HRB-DR 2013-33: CEQA Categorical Article 19, Section 15321(a)

City Council Member DeVries recused himself and left the dais, stating he had a professional conflict.

This item was continued from the January meeting. Staff presented an update, and requested continuing this item again pending the applicant's divorce proceeding and allowing time to speak with the applicant's wife's attorney on February 22. This item is continued to next month.

Council Member DeVries returned to the dais.

C. Consider Approving an Ordinance Authorizing the Implementation of a Community Choice Aggregation Program (First Reading)

Staff presented a report. A question and answer period followed. Ginny Johnson from the Community Choice Aggregation Program was present and responded to questions. There was discussion about the City's "shares" responsibility, and which option is the most reasonable. There were no public comments.

A motion was made by Vice Mayor West and seconded by Council Member Boch to introduce an ordinance authorizing the implementation of a Community Choice Aggregation Program. The motion passed unanimously, 5-0.

7. ACTION ITEMS

7B. Monterey Bay Community Power Authority Joint Powers Agreement

i. Consider Resolution 2017-04 Approving the Joint Powers Agreement Establishing the Monterey Bay Community Power (MBCP) Authority, Authorizing the City Council to Execute the Agreement on Behalf of the City of San Juan Bautista and Adopting California Environmental Quality Act (CEQA) Exemption Findings

ii. Letter of Credit

Staff presented a report. There was no public comment.

A motion was made by Vice Mayor West and seconded by Council Member Boch to approve the Joint Powers Agreement establishing the Monterey Bay Community Power (MBCP) Authority, Authorizing the City Council to Execute the Agreement on behalf of the City of San Juan Bautista and Adopting CEQA Exemption Findings. The motion passed unanimously, 5-0.

Whereupon, a five minute break was taken.

A. Copperleaf Subdivision Project

i. Information Requested by Council Member DeVries

Council Member DeVries posed questions to staff and the City Attorney regarding the

materials he requested and received. During public comment David Medeiros asked that clarification be provided on why the questions were being asked.

ii. Consider Resolution 2017-XX Approving the Final Map of the Copperleaf Subdivision, Tract No. 337 Together with Subdivision Agreement in Accordance with the SJBMC Chapter 10-2: CEQA Compliance, Adopted Mitigated Negative Declaration Resolution 2016-31 and 2016-57

Staff provided a report. A question and answer period followed. There was discussion about whether the developer was made to comply with Government Code Section 66458 relating to inclusionary housing, or Section 11-9-5 of the SJB Municipal Code. Copperleaf Attorney Norm Matteoni commented that the Planning Commission did not debate inclusionary housing, and all that was assumed to apply does apply. Copperleaf Representative Kathy Oestrike commented that the map was planned the same way Rancho Vista and Meritage planned theirs. City Attorney Mall suggested an agreement with the developer be developed that includes an inclusionary housing agreement.

Mayor Martorana opened the public hearing. Jaclyn Morris spoke against the project. Whereupon, Mayor Martorana voiced his displeasure with how staff had handled this project with both the Planning Commission and the City Council. There being no other comments from the public, Mayor Martorana closed the public hearing.

A motion was made by Council Member DeVries and seconded by Council Member Freeman to disapprove the final map citing nonconformance with Government Code Sections 66473 and 66458, failure to comply with inclusionary housing. The motion failed 2-3-0-0 with Council Members Martorana, Boch and West voting against.

A motion was made by Vice Mayor West and seconded by Council Member Boch to approve the final map of the Copperleaf Subdivision, Tract No. 337 together with a Subdivision Agreement and in Accordance with the SJBMC Chapter 10-2. The motion passed 3-2-0-0 with Council Members DeVries and Freeman voting against.

C. Approve Resolution 2017-XX Entering into an Agreement with iWorQ for Community Development Software, and Authorize the City Manager to Sign the Agreement

Staff presented a report. There was not public comment.

A motion was made by Council Member Boch and seconded by Council Member Freeman to enter into an agreement with iWorQ for Community Development Software, and approve resolution 2017-xx authorizing the City Manager to sign the agreement. The motion passed unanimously, 5-0.

8. DISCUSSION ITEMS

A. Seniors Council on Aging Representative

Mayor Martorana appointed Council Member Boch as the City's representative to the Seniors Council on Aging.

B. Curb Paving Schedule Citywide

Mayor Martorana asked to continue this item until the weather changes.

C. Work with San Juan/Aromas School District on Joint Use of School Basketball Courts After Hours. Includes Sharing of Insurance Costs

Council Member Freeman asked to continue this item to next month.

9. COMMENTS

A. City Council

Council Member Freeman commented that some Boy Scouts are not happy with being kicked out of the Boy Scout Hall.

B. City Manager

No comments were received.

C. City Attorney

City Attorney Mall informed the council that a motion for appeal to the Court of Appeals in San Jose was filed on the service station project; they are asking \$440,000 for attorney fees plus additional for difficulty involved, and the project will be held up until the end of the appeal.

11. Adjournment

The meeting was adjourned at 8:45 p.m.

WAIVER OF READING OF ORDINANCES

State law requires that an ordinance be read in its entirety prior to adoption unless the City Council waives reading beyond the title. Reading an entire ordinance at the meeting is extremely time-consuming; reading of the title alone usually gives the audience sufficient understanding of what the Council is considering.

To ensure that this waiver is consistently approved by the Council, Council should make the waiver at each meeting, thus, you should do it at this point on the Consent Agenda. The Council then does not have to worry about making this motion when each ordinance comes up on the agenda.

GC36934

RESOLUTION NO. 2016-49

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN JUAN BAUTISTA AUTHORIZING STREET CLOSURES

BE IT RESOLVED that Williams LTD is authorized to close Third Street between Franklin and Muckelemi Streets, and Mariposa, Washington and Polk Streets between Second and Fourth Streets on Saturday, March 25, 2017 from 6:00 a.m. until Sunday, March 26, 2017 at 5:00 p.m. for an Arts and Crafts Festival in the City of San Juan Bautista; and

BE IT FURTHER RESOLVED that Williams LTD is authorized to close Third Street between Franklin and Muckelemi Streets, and Mariposa, Washington and Polk Streets between Second and Fourth Streets on Saturday, May 20, 2017 from 2:00 a.m. until Sunday, May 21, 2017 at 6:00 p.m. for a Rib Cook Off *together with a Rotary sponsored and operated beer garden on the side streets* in the City of San Juan Bautista; and

BE IT FURTHER RESOLVED that the Double Road Race Federation is authorized to close Third Street from Washington Street to Muckelemi Street, Second Street from Muckelemi Street to Monterey Street, and First Street from Monterey Street all the way out of town on Saturday, December 17, 2016 from 7:00 a.m. to 2:00 p.m. for a 10K foot race, and

BE IT FURTHER RESOLVED that the Double Road Race Federation is authorized to close Second Street from Washington Street to Monterey Street, and First Street from Monterey Street all the way out of town on Saturday, December 17, 2016 from 7:00 a.m. to 2:00 p.m. for a 5K foot race, and

BE IT FURTHER RESOLVED that El Teatro Campesino is authorized to have a rolling street closure for a procession that will begin at 705 Fourth Street, proceed down Fourth Street to Muckelemi Street, jog over to and proceed down Third Street, and end at the San Juan School Soccer Field Parking Lot on The Alameda on Saturday, November 5, 2016, from 6:00 p.m. to 8:00 p.m. and again on Sunday, November 6, 2016 from 2:00 p.m. to 4:00 p.m., for Dia de los Muertos.

PASSED AND ADOPTED this 18th day of October 2016 by the following vote:

AYES: Lund, West, Boch, Martorana, Edge

NOES: None

ABSENT: None

ABSTAIN: None

Mayor Rick Edge

ATTEST:

Trish Paetz, Deputy City Clerk

WATER AWARENESS MONTH – MAY 2017

WHEREAS, California's arid and semiarid climate, its ambitious and evolving economy, and its continually growing population have combined to make shortages and conflicting demands the norm; and

WHEREAS, The rising concern of Climate Change could limit the state and federal governments water infrastructure due to less snow pack; and

WHEREAS, the health, welfare and quality of life for our community depends on a reliable, high quality water supply; and

WHEREAS, the need to develop a diverse portfolio approach to water supply reliability that includes a balanced combination of conservation, water reuse and new supplies is critical to our region's future; and

WHEREAS, municipal agencies and governments continue to seek cost-effective and efficient systems to obtain and deliver water to meet the needs of residents, agriculture and the economy; and,

WHEREAS, the state, county, cities and concerned citizens make strong efforts to foster wise decisions concerning water issues and water use; and,

WHEREAS, home water use and wastewater production can be significantly reduced by finding and repairing leaks, replacing inefficient toilets, washing machines, water softeners, and adopting personal water conserving practices; and

WHEREAS, the fact that California will experience periodic droughts and water conservation is critical not only during drought periods, but at all times; and

WHEREAS, landscape irrigation makes up over half of home water use - a percentage that can be significantly reduced by adjusting and monitoring irrigation systems and adopting water efficient landscaping and gardening practices; and

WHEREAS, the City of San Juan Bautista, along with local governments and water agencies are working to provide residents with cost-effective means to reduce water use and the degradation of our water supply from water softener salts; and

WHEREAS, during May 2016, the City of San Juan Bautista is inviting everyone to find out ways to save water both at work and at home;

NOW, THEREFORE, the City of San Juan Bautista does proclaim May 2016 as Water Awareness Month and urge all citizens, businesses, industries, institutions and public agencies to review their water use and water systems for water use efficiency and to contact their water supplier for water saving ideas and assistance.

City of San Juan Bautista, California

A Proclamation Declaring April 30, 2017 as Peak Day in San Juan Bautista

WHEREAS, on March 5, 1846, in defiance of the Mexican governor's order to leave Alta California, Captain John Charles Frémont moved his troops to the top of El Nido del Gabilan Peak and raised the American Flag as part of his fortifications, and

WHEREAS, in commemoration of that event, the residents of San Juan Bautista have met annually to raise the American Flag on now Frémont Peak as a patriotic gesture of civic pride and community unity and involvement, and

WHEREAS, under the leadership of Leslie L. Garratt Post 6359, Veterans of Foreign Wars and the Auxiliary, San Juan Bautista Parlor #179, Native Daughters of the Golden West, and the San Juan Bautista State Historic Park staff, the American Flag will be raised on the peak at noon by local Boy Scouts and Girl Scouts, followed by an old fashioned family picnic with a barbecue lunch and patriotic speeches in the grand old tradition, and

WHEREAS, Peak Day is also the local recognition of Loyalty Day, a special day set aside by congress for the affirmation of loyalty to the United States and the recognition of American Freedom.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of San Juan Bautista, California hereby declares April 30, 2017 as **Peak Day in San Juan Bautista** and urges its citizens to participate in the festivities in the spirit of a historic event and loyalty to our country.

City of San Juan Bautista

"The City of History"

Treasurer's Report

For the Nine Month Period Ended March 31, 2017

Financial Highlights ~

- General fund year to date change in fund balance was a positive \$251k, as compared to a positive change in fund balance of \$181K this time last year. The difference is primarily as a result of impact and planning income, offset by higher capital expenditures in the current year.
- Enterprise funds show year to date net loss of \$107k, as compared to the prior year loss of \$206k. The difference is due primarily to higher debt service costs in the prior year.
- Refer to the Profit and Loss Previous Year Comparison report for current fund balances.
- Overall cash flow (removing accruals and depreciation) was a positive \$883k for the year to date.

Budget vs. Actual ~

- General fund revenues were \$1,218k, which were higher than budgeted by \$429k. \$413k of the variance is from higher than anticipated impact and planning revenues.

- General fund expenditures were \$966k, which was lower than budget by \$87k. The lower expenses are primarily as a result of lower than anticipated contract, capital, and dues and subscription costs.
- General fund net change in fund balance was a positive \$251k, which was better than budgeted by \$516k.
- Enterprise funds revenues were \$1,150k, which was lower than budgeted by \$52k due primarily to lower than anticipated utility connection fees.
- Enterprise funds expenses were \$1,257k, which was lower than budgeted by \$167k. The majority of the variance is due to lower than anticipated capital improvement costs.
- Enterprise funds combined year to date net loss was \$107k, which was better than budgeted by \$116k. The current year to date profit includes depreciation expense of \$459k, which is a noncash item.

Budget vs. Actual by Department

For the Nine Month Period Ended March 31, 2017

	General Fund			46 - Water Enterprise Fund		
	Jul '16 - Mar 17	Budget	\$ Over Budget	Jul '16 - Mar 17	Budget	\$ Over Budget
Income						
Property Taxes						
402.000 · Secured Taxes	165,978	120,000	45,978	-		
404.000 · Unsecured Taxes	17,274	6,750	10,524	-		
403.000 · Supplemental Property Tax	-	1,250	(1,250)	-		
402.002 · Unitary Taxes	4,961	4,500	461	-		
405.000 · Triple Flip/Sales & Use Tax	-	20,000	(20,000)	-		
407.000 · VLF Swap	68,804	65,000	3,804	-		
422.000 · COPS Funding	-			-		
426.000 · HOPTR	1,219			-		
436.000 · Gas Tax 2103	-			-		
431.000 · Gas Tax 2105	-			-		
432.000 · Gas Tax 2106	-			-		
433.000 · Gas Tax 2107	-			-		
434.000 · Gas Tax 2107.5	-			-		
Total Property Taxes	258,236	217,500	40,736			
Other Tax Revenue						
406.000 · Sales Tax	251,275	300,749	(49,474)	-		
408.000 · Transient Lodging Taxes	75,737	46,000	29,737	-		
416.000 · Misc. County Taxes	123			-		
415.000 · Special Assessment	-			-		
419.000 · Other Doc. Transfer	10,950	4,500	6,450	-		
428.000 · Vehicle License Fees	2,334	600	1,734	-		
429.000 · Other Tax Revenue	9,279			-		
Total Other Tax Revenue	349,698	351,849	(2,151)			
Grant Funds						
437.000 · Library Grant	2,819			-		
495.000 · Grant Revenue	43,865			-		
Total Grant Funds	46,684					
Franchise Fees						
442.000 · Franchise Cable	3,151	6,675	(3,524)	-		
448.000 · Refuse Franchise	20,415	19,499	916	-		
Total Franchise Fees	23,566	26,174	(2,608)			
Business & Misc. Lic. & Permits						
450.000 · Business Licenses	8,319	12,500	(4,181)	-		
453.000 · Burn Permits	30			-		
470.000 · Garage Sale Permits	70	50	20	-		
472.000 · Animal Licenses	60	70	(10)	-		
490.000 · Misc. Revenue	1,702	140	1,562	-		
494.001 · Special Events	4,173	5,000	(827)	-		
Business & Misc. Lic. & Permits - Other	90					

Budget vs. Actual by Department

For the Nine Month Period Ended March 31, 2017

	General Fund			46 - Water Enterprise Fund		
	Jul '16 - Mar 17	Budget	\$ Over Budget	Jul '16 - Mar 17	Budget	\$ Over Budget
Total Business & Misc. Lic. & Permits	14,444	17,760	(3,316)	-		
Planning, Building, Eng. Permit						
458.001 • Green Fee	128	30	98	-		
459.004 • Fire Sprinkler Permit	1,258			-		
459.003 • Mechanical Permit	1,084	2,500	(1,416)	-		
459.002 • Plumbing Permit	1,486	2,200	(714)	-		
459.001 • Electrical Permit	1,888	3,300	(1,412)	-		
454.003 • Design Review	1,300	750	550	-		
454.002 • Appeal	500			-		
451.000 • Building Permits	24,605	34,000	(9,395)	-		
454.000 • Conditional Use Permit (CUP)	1,250	300	950	-		
456.000 • PUD Use Permit	-	100	(100)	-		
457.000 • Encroachment Permits	956	250	706	-		
458.000 • Sign Permits	25	250	(225)	-		
461.000 • Subdivision Fees	2,133	10,000	(7,867)	-		
467.000 • Strong Motion Impact Fees	8,473			-		
Total Planning, Building, Eng. Permit	45,086	53,680	(8,594)	-		
Chg. for Planning/Eng. Services						
458.002 • SMIP Fee	338			-		
490.001 • Misc. Revenue Planning	5,035	3,000	2,035	-		
464.000 • Engineer Inspection Fee	1,253	1,500	(247)	-		
462.000 • Engineer Plan Check Fees	3,594	4,875	(1,281)	-		
463.000 • Building Inspection Fee	76,090	5,625	70,465	-		
452.000 • Building Plan Check Fees	64,319	9,000	55,319	-		
459.000 • Remib. - Proj/Dev. Costs	100,659	750	99,909	-		
Total Chg. for Planning/Eng. Services	251,288	24,750	226,538	-		
Charges for Misc. Services						
496.002 • Administration Income	82	600	(518)	-		
496.001 • Public Document Charge	34	30	4	-		
496.000 • Library Copy Charges	1,005	675	330	-		
Total Charges for Misc. Services	1,121	1,305	(184)	-		
Utility Fees						
483.000 • Utility Connection Fees	-			-	33,750	(33,750)
486.000 • Utility Fees Commercial	1,366			84,638	118,125	(33,487)
485.000 • Utility Fees Residential	253			415,348	409,875	5,473
485.001 • Septage Charges	-			-		
493.000 • Water Meter Maint. Fees	-			12,639	1,200	11,439
Total Utility Fees	1,619			512,625	562,950	(50,325)
Impact Fees	186,656			-	34,908	(34,908)
Fines & Penalties						
421.000 • Vehicle Code Parking	-	80	(80)	-		

Budget vs. Actual by Department

For the Nine Month Period Ended March 31, 2017

	General Fund			46 - Water Enterprise Fund		
	Jul '16 - Mar 17	Budget	\$ Over Budget	Jul '16 - Mar 17	Budget	\$ Over Budget
475.000 - Library Fines	609	558	51	-	-	-
476.000 - Code Enforcement Fines	39			-		
Fines & Penalties - Other	56			-		
Total Fines & Penalties	704	638	66	-	-	-
Miscellaneous Revenue						
497.000 - Other Financing Sources	263			-		
484.000 - Interest and Penalties	544	45,000	(44,456)	6,132		
480.002 - Permits	(450)			-		
480.001 - Lease - American Tower	16,309	22,500	(6,191)	-		
438.000 - Donations	1,074	15,000	(13,926)	-		
480.000 - Rental Income	15,351	4,500	10,851	-		
482.000 - Parks & Rec Revenue	100			-		
480.003 - Reimbursed City expenses	5,562	8,000	(2,438)	-		
Total Miscellaneous Revenue	38,753	95,000	(56,247)	6,132	597,858	(79,101)
Total Income	1,217,855	788,656	429,199	518,757		

City of San Juan Bautista
Budget vs. Actual by Department
For the Nine Month Period Ended March 31, 2017

Expense	General Fund			46 - Water Enterprise Fund		
	Jul '16 - Mar 17	Budget	\$ Over Budget	Jul '16 - Mar 17	Budget	\$ Over Budget
Employee Salary, Wages, Benefit						
519.001 • Volunteer Stipend	-	280	(280)	-		
502.000 • Salaries and Wages - FT	262,771	286,964	(24,193)	54,569	33,197	21,372
504.000 • Salaries and Wages - OT	777	2,527	(1,750)	325	728	(403)
508.000 • FICA	19,381	22,432	(3,051)	3,753	2,595	1,158
510.000 • Worker's Comp	23,086	23,640	(554)	9,010	5,426	3,584
512.000 • Unemployment	579	2,935	(2,356)	-	340	(340)
514.000 • Health Insurance	35,459	37,754	(2,295)	3,264	4,688	(1,424)
518.000 • 457k Retirement Contribution	6,999	6,826	173	-	270	(270)
519.000 • Elected Official Stipend	900	2,150	(1,250)	-		
Total Employee Salary, Wages, Benefit	349,952	385,508	(35,556)	70,921	47,244	23,677
Other Personnel Expenses						
522.000 • Uniforms & Alterations	1,800	2,175	(375)	-		
524.000 • Phys., Drug 7 Psych Testing	225	575	(350)	-		
525.000 • Volunteer Firefighter Stipend	600	2,700	(2,100)	-		
526.000 • Education and Training	5,341	4,125	1,216	320		
528.000 • Travel/Per Diem/Car Allowance	3,551	3,355	196	-		
Total Other Personnel Expenses	11,517	12,930	(1,413)	320		
General and admin. expense						
647.000 • Youth Commission	-			-		
645.000 • Summer Program	3,681	2,000	1,681	-		
550.000 • Office Supplies	5,513	7,173	(1,660)	973		
558.000 • Printing and Copies	875	7,365	(6,490)	342		
548.000 • Advertising	120	1,093	(973)	-		
562.000 • Food and Beverages	2,491	1,645	846	129		
516.000 • Insurance - Liab/Bond/Auto/Prop	28,861	8,970	19,891	-		
544.000 • Computer Software Service	2,753	4,700	(1,947)	1,135		
545.000 • Computer Hardware Service	3,178	2,100	1,078	-		
530.000 • Dues and Subscriptions	20,742	44,350	(23,608)	2,601	7,000	(4,399)
634.000 • Copier Services & Lease	2,663	2,585	78	1,331		
657.001 • Filing Fees	50			-		
638.000 • Bank Charges/PR Processing	439	1,875	(1,436)	4,263		
551.000 • Postage and Freight	1,347	4,867	(3,520)	1,683	2,250	(567)
Total General and admin. expense	72,713	88,723	(16,010)	12,457	9,250	3,207
Contractual and Other Services						
600.000 • Operational Contracts	131,145	133,354	(2,209)	28,111	30,750	(2,639)
602.000 • Legal	29,388	35,835	(6,447)	-	75	(75)
604.000 • Engineering	3,671	18,000	(14,329)	-	2,250	(2,250)
604.001 • Reclamation Expense	-			-		
608.000 • Accounting	26,021	26,250	(229)	-		

City of San Juan Bautista
Budget vs. Actual by Department
For the Nine Month Period Ended March 31, 2017

	General Fund			46 - Water Enterprise Fund		
	Jul '16 - Mar 17	Budget	\$ Over Budget	Jul '16 - Mar 17	Budget	\$ Over Budget
609.000 · Building Inspection	93	700	(607)	-	-	-
610.000 · Audit	24,000	25,000	(1,000)	-	-	-
612.001 · Other Prof. Service - CMAP	820	1,800	(980)	-	-	-
612.002 · Security	2,353	408	1,945	675	600	75
612.006 · Web maintenance	3,350	937	2,413	-	-	-
614.000 · Law Enforcement	79,724	87,500	(7,776)	-	-	-
615.000 · Level One Security Patrol	15,428	40,550	(25,122)	-	-	-
618.000 · County Communications	27,440	56,000	(28,560)	-	-	-
624.000 · Janitorial	3,478	4,384	(906)	-	-	-
626.000 · Landscape Services	547	2,250	(1,703)	-	-	-
632.000 · Building Equipment Rental	-	1,750	(1,750)	-	-	-
643.003 · SBCO Mgmt Fees	4,189	-	4,189	-	-	-
654.000 · Chemical Testing	132	-	132	-	-	-
659.000 · Election Expense	7,702	3,000	4,702	-	-	-
Total Contractual and Other Services	359,481	437,718	(78,237)	28,786	33,675	(4,889)
Utilities and Misc. Expenses						
650.000 · Agg. Base Material	5,401	-	5,401	-	-	-
640.001 · Communication Radios	104	-	104	-	-	-
639.000 · Merchant processing fees	70	1,200	(1,130)	-	-	-
640.000 · Telecomm	7,595	6,807	788	579	900	(321)
642.000 · Electricity	10,379	12,301	(1,922)	18,534	22,500	(3,966)
643.001 · Water	-	-	-	-	-	-
644.000 · Street Signal	-	-	-	-	-	-
646.000 · Street Lighting	34	-	34	-	-	-
656.000 · Licenses and Permits	-	620	(620)	5,649	9,375	(3,726)
658.000 · Property Taxes	-	-	-	176	-	176
Total Utilities and Misc. Expenses	23,583	20,928	2,655	24,938	32,775	(7,837)
Equipment and Parts						
649.02 · Agg. Based Material	-	7,000	(7,000)	-	-	-
712.000 · Materials	3,697	3,500	197	-	-	-
532.01 · Equipment Rental	-	350	(350)	-	-	-
701.000 · Small Tools	278	1,000	(722)	-	-	-
702.000 · Safety Gear & First Aid	255	-	255	-	-	-
554.000 · Gasoline & Diesel Fuel	3,602	11,075	(7,473)	1,020	750	270
552.000 · Chemical and Gasses	-	2,625	(2,625)	-	5,250	(5,250)
703.000 · Books and Periodicals	1,255	1,875	(620)	-	-	-
716.000 · Parts - City Rep. Vehicles	1,678	7,125	(5,447)	-	-	-
718.000 · Parts - City Rep. Equipment	4,900	3,150	1,750	50	6,000	(5,950)
720.000 · Parts - City Rep. Water	1,665	13,300	(11,635)	14,766	16,500	(1,734)
721.000 · Fire Equipment and Supplies	735	-	735	-	-	-
722.000 · Parts - City Rep. Sewer	-	-	-	-	-	-

Budget vs. Actual by Department

For the Nine Month Period Ended March 31, 2017

	General Fund			46 - Water Enterprise Fund		
	Jul '16 - Mar 17	Budget	\$ Over Budget	Jul '16 - Mar 17	Budget	\$ Over Budget
724.000 · Parts - City Rep. Streets	1,371			60		
726.000 · Parts - City Rep. Parks	3,363	4,130	(767)	-		(12,604)
Total Equipment and Parts	22,799	55,130	(32,331)	15,896	28,500	
Maint. & Repair Services						
755.002 · Street Sign Maint. & Repair	418			-		
751.001 · Maint. & Repair Wells	-			40	7,000	(6,960)
751.000 · Claims	-			-		
752.000 · Vehicle Maint. - Outside	(129)			-		
754.000 · Equipment Maint. - Outside	1,478			-		
757.000 · Bldg Maint. - Inside	2,927	450	2,477	-	4,500	(4,500)
758.000 · Building Maint. Outside	4,228	3,250	978	-		
760.000 · Grounds Maint. - Outside	1,167	2,425	(1,258)	-		
762.000 · Streets Maint. & Paving	143	700	(557)	-		
764.000 · Water Maintenance - Outside	-			489	2,250	(1,761)
766.000 · Sewer Maint. - Plant	-			-		
Total Maint. & Repair Services	10,232	6,825	3,407	529	13,750	(13,221)
Capital Expenditures						
859.000 · Fines RWQCB	-			-		
808.000 · Equipment	-	25,000	(25,000)	-		
801.000 · Capital Purchases/Improvements	110,972	19,125	91,847	51,886	115,650	(63,764)
805.000 · Construction in Progress Reclass	-	1,050	(1,050)	-		
812.000 · Depreciation	-			210,389	210,389	-
Total Capital Expenditures	110,972	45,175	65,797	262,275	326,039	(63,764)
Fund Transfer						
General Fund				-		
Transfer G&A Expenses	5,186			-		
Gas Tax Fund	-			-		
Total Transfer G&A Expenses	-			-		
Total Fund Transfer	5,186			-		
Debt Defrayment						
854.000 · Debt Service Principal Payment	-			23,435	52,362	(28,927)
858.000 · Interest	-					
855.000 · Amortization expense	-			23,760		
858.000 · Interest - Other	-			138,106	174,781	(36,675)
Total 858.000 · Interest	-			161,866	174,781	(12,915)
Total Debt Defrayment	-			185,301	227,143	(41,842)
Total Expense	966,435	1,052,937	(86,502)	601,423	718,376	(116,953)
Net Income	251,420	(264,281)	515,701	(82,666)	(120,518)	37,852

City of San Juan Bautista
Budget vs. Actual by Department
For the Nine Month Period Ended March 31, 2017

	48 - Sewer Enterprise Fund			50 - Special Dist. - COPS		
	Jul '16 - Mar 17	Budget	\$ Over Budget	Jul '16 - Mar 17	Budget	\$ Over Budget
Income						
Property Taxes						
402.000 • Secured Taxes	-			-		
404.000 • Unsecured Taxes	-			-		
403.000 • Supplemental Property Tax	-			-		
402.002 • Unitary Taxes	-			-		
405.000 • Triple Flip/Sales & Use Tax	-			-		
407.000 • VLF Swap	-			-		
422.000 • COPS Funding	-			82,739	75,000	7,739
426.000 • HOPTR	-			-		
436.000 • Gas Tax 2103	-			-		
431.000 • Gas Tax 2105	-			-		
432.000 • Gas Tax 2106	-			-		
433.000 • Gas Tax 2107	-			-		
434.000 • Gas Tax 2107.5	-			-		
Total Property Taxes				82,739	75,000	7,739
Other Tax Revenue						
406.000 • Sales Tax	-			-		
408.000 • Transient Lodging Taxes	-			-		
416.000 • Misc. County Taxes	-			-		
415.000 • Special Assessment	-			-		
419.000 • Other Doc. Transfer	-			-		
428.000 • Vehicle License Fees	-			-		
429.000 • Other Tax Revenue	-			-		
Total Other Tax Revenue						
Grant Funds						
437.000 • Library Grant	-			-		
495.000 • Grant Revenue	-			-		
Total Grant Funds						
Franchise Fees						
442.000 • Franchise Cable	-			-		
448.000 • Refuse Franchise	-			-		
Total Franchise Fees						
Business & Misc. Lic. & Permits						
450.000 • Business Licenses	-			-		
453.000 • Burn Permits	-			-		
470.000 • Garage Sale Permits	-			-		
472.000 • Animal Licenses	-			-		
490.000 • Misc. Revenue	-			-		
494.001 • Special Events	-			-		
Business & Misc. Lic. & Permits - Other						

Budget vs. Actual by Department

For the Nine Month Period Ended March 31, 2017

	48 - Sewer Enterprise Fund			50 - Special Dist. - COPS		
	Jul '16 - Mar 17	Budget	\$ Over Budget	Jul '16 - Mar 17	Budget	\$ Over Budget
Total Business & Misc. Lic. & Permits	-			-		
Planning, Building, Eng. Permit	-			-		
458.001 - Green Fee	-			-		
459.004 - Fire Sprinkler Permit	-			-		
459.003 - Mechanical Permit	-			-		
459.002 - Plumbing Permit	-			-		
459.001 - Electrical Permit	-			-		
454.003 - Design Review	-			-		
454.002 - Appeal	-			-		
451.000 - Building Permits	-			-		
454.000 - Conditional Use Permit (CUP)	-			-		
456.000 - PUD Use Permit	-			-		
457.000 - Encroachment Permits	-			-		
458.000 - Sign Permits	-			-		
461.000 - Subdivision Fees	-			-		
467.000 - Strong Motion Impact Fees	-			-		
Total Planning, Building, Eng. Permit	-			-		
Chg. for Planning/Eng. Services	-			-		
458.002 - SMIP Fee	-			-		
490.001 - Misc. Revenue Planning	-			-		
464.000 - Engineer Inspection Fee	-			-		
462.000 - Engineer Plan Check Fees	-			-		
463.000 - Building Inspection Fee	-			-		
452.000 - Building Plan Check Fees	-			-		
459.000 - Remib. - Proj/Dev. Costs	-			-		
Total Chg. for Planning/Eng. Services	-			-		
Charges for Misc. Services	-			-		
496.002 - Administration Income	-			-		
496.001 - Public Document Charge	-			-		
496.000 - Library Copy Charges	-			-		
Total Charges for Misc. Services	-			-		
Utility Fees	-			-		
483.000 - Utility Connection Fees	-			-		
486.000 - Utility Fees Commercial	206,287	186,450	19,837	-		
485.000 - Utility Fees Residential	425,353	413,625	11,728	-		
485.001 - Septage Charges	-			-		
493.000 - Water Meter Maint. Fees	-			-		
Total Utility Fees	631,640	600,075	31,565	-		
Impact Fees	-			-		
Fines & Penalties	-			-		
421.000 - Vehicle Code Parking	-			-		

Budget vs. Actual by Department

For the Nine Month Period Ended March 31, 2017

	48 - Sewer Enterprise Fund			50 - Special Dist. - COPS		
	Jul '16 - Mar 17	Budget	\$ Over Budget	Jul '16 - Mar 17	Budget	\$ Over Budget
475.000 · Library Fines	-			-		
476.000 · Code Enforcement Fines	-			-		
Fines & Penalties - Other	-			-		
Total Fines & Penalties	-			-		
Miscellaneous Revenue						
497.000 · Other Financing Sources	-			-		
484.000 · Interest and Penalties	-	3,750	(3,750)	-		
480.002 · Permits	-			-		
480.001 · Lease - American Tower	-			-		
438.000 · Donations	-			-		
480.000 · Rental Income	-			-		
482.000 · Parks & Rec Revenue	-			-		
480.003 · Reimbursed City expenses	-			-		
Total Miscellaneous Revenue	-	3,750	(3,750)	-		
Total Income	631,640	603,825	27,815	82,739	75,000	7,739

City of San Juan Bautista
Budget vs. Actual by Department
For the Nine Month Period Ended March 31, 2017

Expense	48 - Sewer Enterprise Fund			50 - Special Dist. - COPS		
	Jul '16 - Mar 17	Budget	\$ Over Budget	Jul '16 - Mar 17	Budget	\$ Over Budget
Employee Salary, Wages, Benefit						
519.001 - Volunteer Stipend	-			-		
502.000 - Salaries and Wages - FT	43,637	29,759	13,878	-		
504.000 - Salaries and Wages - OT	244	575	(331)	-		
508.000 - FICA	2,950	2,321	629	-		
510.000 - Worker's Comp	7,401	4,845	2,556	-		
512.000 - Unemployment	-	303	(303)	-		
514.000 - Health Insurance	2,305	4,357	(2,052)	-		
518.000 - 457k Retirement Contribution	-	246	(246)	-		
519.000 - Elected Official Stipend	-			-		
Total Employee Salary, Wages, Benefit	56,537	42,406	14,131	-		
Other Personnel Expenses						
522.000 - Uniforms & Alterations	-			-		
524.000 - Phys., Drug 7 Psych Testing	188			-		
525.000 - Volunteer Firefighter Stipend	-			-		
526.000 - Education and Training	-	375	(375)	-		
528.000 - Travel/Per Diem/Car Allowance	-			-		
Total Other Personnel Expenses	188	375	(187)	-		
General and admin. expense						
647.000 - Youth Commission	-			-		
645.000 - Summer Program	-			-		
550.000 - Office Supplies	930			-		
558.000 - Printing and Copies	342	2,250	(1,908)	-		
548.000 - Advertising	-			-		
562.000 - Food and Beverages	52			-		
516.000 - Insurance - Liab/Bond/Auto/Prop	-			-		
544.000 - Computer Software Service	-			-		
545.000 - Computer Hardware Service	-			-		
530.000 - Dues and Subscriptions	2,712	500	2,212	-		
634.000 - Copier Services & Lease	1,331			-		
657.001 - Filing Fees	-			-		
638.000 - Bank Charges/PR Processing	3,488	350	3,138	-		
551.000 - Postage and Freight	1,627			-		
Total General and admin. expense	10,482	3,100	7,382	-		
Contractual and Other Services						
600.000 - Operational Contracts	69,819	101,250	(31,431)	-		
602.000 - Legal	-	70	(70)	-		
604.000 - Engineering	-	350	(350)	-		
604.001 - Reclamation Expense	-	350	(350)	-		
608.000 - Accounting	-			-		

Budget vs. Actual by Department

For the Nine Month Period Ended March 31, 2017

	48 - Sewer Enterprise Fund			50 - Special Dist. - COPS		
	Jul '16 - Mar 17	Budget	\$ Over Budget	Jul '16 - Mar 17	Budget	\$ Over Budget
609.000 • Building Inspection	-			-		
610.000 • Audit	-			-		
612.001 • Other Prof. Service - CMAP	-			-		
612.002 • Security	876	375	501	-		
612.006 • Web maintenance	-			-		
614.000 • Law Enforcement	-			-		
615.000 • Level One Security Patrol	-			77,490	75,000	2,490
618.000 • County Communications	-			-		
624.000 • Janitorial	-			-		
626.000 • Landscape Services	-			-		
632.000 • Building Equipment Rental	-			-		
643.003 • SBCO Mgmt Fees	-			-		
654.000 • Chemical Testing	-			-		
659.000 • Election Expense	-			-		
Total Contractual and Other Services	70,695	102,395	(31,700)	77,490	75,000	2,490
Utilities and Misc. Expenses						
650.000 • Agg. Base Material	-			-		
640.001 • Communication Radios	-			-		
639.000 • Merchant processing fees	-			-		
640.000 • Telecomm	949	1,200	(251)	-		
642.000 • Electricity	63,645	54,000	9,645	-		
643.001 • Water	-	800	(800)	-		
644.000 • Street Signal	-			-		
646.000 • Street Lighting	-			-		
656.000 • Licenses and Permits	-	4,800	(4,800)	-		
658.000 • Property Taxes	-			-		
Total Utilities and Misc. Expenses	64,594	60,800	3,794			
Equipment and Parts						
649.02 • Agg. Based Material	-			-		
712.000 • Materials	-			-		
532.01 • Equipment Rental	-			-		
701.000 • Small Tools	-			-		
702.000 • Safety Gear & First Aid	-			-		
554.000 • Gasoline & Diesel Fuel	1,020	1,125	(105)	-		
552.000 • Chemical and Gases	511	4,500	(3,989)	-		
703.000 • Books and Periodicals	-			-		
716.000 • Parts - City Rep. Vehicles	-			-		
718.000 • Parts - City Rep. Equipment	32	3,750	(3,718)	-		
720.000 • Parts - City Rep. Water	-			-		
721.000 • Fire Equipment and Supplies	-			-		
722.000 • Parts - City Rep. Sewer	4,417	7,500	(3,083)	-		

Budget vs. Actual by Department

For the Nine Month Period Ended March 31, 2017

	48 - Sewer Enterprise Fund			50 - Special Dist. - COPS		
	Jul '16 - Mar 17	Budget	\$ Over Budget	Jul '16 - Mar 17	Budget	\$ Over Budget
724.000 - Parts - City Rep. Streets	-	-	-	-	-	-
726.000 - Parts - City Rep. Parks	-	-	-	-	-	-
Total Equipment and Parts	5,980	16,875	(10,895)	-	-	-
Maint. & Repair Services						
755.002 - Street Sign Maint. & Repair	-	-	-	-	-	-
751.001 - Maint. & Repair Wells	-	-	-	-	-	-
751.000 - Claims	-	500	(500)	-	-	-
752.000 - Vehicle Maint. - Outside	-	-	-	-	-	-
754.000 - Equipment Maint. - Outside	-	4,125	(4,125)	-	-	-
757.000 - Bldg Maint. - Inside	-	-	-	-	-	-
758.000 - Building Maint. Outside	-	-	-	-	-	-
760.000 - Grounds Maint. - Outside	-	-	-	-	-	-
762.000 - Streets Maint. & Paving	-	2,450	(2,450)	-	-	-
764.000 - Water Maintenance - Outside	-	-	-	-	-	-
766.000 - Sewer Maint. - Plant	11,809	7,000	4,809	-	-	-
Total Maint. & Repair Services	11,809	14,075	(2,266)	-	-	-
Capital Expenditures						
859.000 - Fines RWQCB	27,000	27,000	-	-	-	-
808.000 - Equipment	4,464	47,600	(43,136)	-	-	-
801.000 - Capital Purchases/Improvements	3,750	-	-	-	-	-
805.000 - Contruction in Progress Reclass	-	-	-	-	-	-
812.000 - Depreciation	248,812	248,812	-	-	-	-
Total Capital Expenditures	284,026	323,412	(39,386)	-	-	-
Fund Transfer						
General Fund	-	-	-	-	-	-
Transfer G&A Expenses	-	-	-	-	-	-
Gas Tax Fund	-	-	-	-	-	-
Total Transfer G&A Expenses	-	-	-	-	-	-
Total Fund Transfer	-	-	-	-	-	-
Debt Defrayment						
854.000 - Debt Service Principal Payment	19,174	-	-	-	-	-
858.000 - Interest	-	-	-	-	-	-
855.000 - Amortization expense	19,440	-	-	-	-	-
858.000 - Interest - Other	113,072	-	-	-	-	-
Total 858.000 - Interest	132,512	143,003	(29,931)	-	-	-
Total Debt Defrayment	151,686	143,003	(10,491)	-	-	-
Total Expense	655,997	143,003	8,683	-	-	-
Net Income	(24,357)	706,441	(50,444)	77,490	75,000	2,490
		(102,616)	78,259	5,249	-	5,249

Budget vs. Actual by Department

For the Nine Month Period Ended March 31, 2017

		55 - Rest. and Parking Fund		60 - Valle Vista Lighting Dist.	
		Jul '16 - Mar 17	Budget	Jul '16 - Mar 17	Budget
			\$ Over Budget		\$ Over Budget
Income					
Property Taxes					
402.000 · Secured Taxes	-	-		-	
404.000 · Unsecured Taxes	-	-		-	
403.000 · Supplemental Property Tax	-	-		-	
402.002 · Unitary Taxes	-	-		-	
405.000 · Triple Flip/Sales & Use Tax	-	-		-	
407.000 · VLF Swap	-	-		-	
422.000 · COPS Funding	-	-		-	
426.000 · HOPTR	-	-		-	
436.000 · Gas Tax 2103	-	-		-	
431.000 · Gas Tax 2105	-	-		-	
432.000 · Gas Tax 2106	-	-		-	
433.000 · Gas Tax 2107	-	-		-	
434.000 · Gas Tax 2107.5	-	-		-	
Total Property Taxes	-	-		-	
Other Tax Revenue					
406.000 · Sales Tax	-	-		-	
408.000 · Transient Lodging Taxes	16,143	-	14,268	-	
416.000 · Misc. County Taxes	-	-		-	
415.000 · Special Assessment	-	-		11,386	599
419.000 · Other Doc. Transfer	-	-		-	
428.000 · Vehicle License Fees	-	-		-	
429.000 · Other Tax Revenue	-	-		-	
Total Other Tax Revenue	16,143	-	14,268	11,386	599
Grant Funds					
437.000 · Library Grant	-	-		-	
495.000 · Grant Revenue	-	-		-	
Total Grant Funds	-	-		-	
Franchise Fees					
442.000 · Franchise Cable	-	-		-	
448.000 · Refuse Franchise	-	-		-	
Total Franchise Fees	-	-		-	
Business & Misc. Lic. & Permits					
450.000 · Business Licenses	-	-		-	
453.000 · Burn Permits	-	-		-	
470.000 · Garage Sale Permits	-	-		-	
472.000 · Animal Licenses	-	-		-	
490.000 · Misc. Revenue	-	-		-	
494.001 · Special Events	-	-		-	
Business & Misc. Lic. & Permits - Other	-	-		-	

Budget vs. Actual by Department

For the Nine Month Period Ended March 31, 2017

	55 - Rest. and Parking Fund			60 - Valle Vista Lighting Dist.		
	Jul '16 - Mar 17	Budget	\$ Over Budget	Jul '16 - Mar 17	Budget	\$ Over Budget
Total Business & Misc. Lic. & Permits	-			-		
Planning, Building, Eng. Permit	-			-		
458.001 • Green Fee	-			-		
459.004 • Fire Sprinkler Permit	-			-		
459.003 • Mechanical Permit	-			-		
459.002 • Plumbing Permit	-			-		
459.001 • Electrical Permit	-			-		
454.003 • Design Review	-			-		
454.002 • Appeal	-			-		
451.000 • Building Permits	-			-		
454.000 • Conditional Use Permit (CUP)	-			-		
456.000 • PUD Use Permit	-			-		
457.000 • Encroachment Permits	-			-		
458.000 • Sign Permits	-			-		
461.000 • Subdivision Fees	-			-		
467.000 • Strong Motion Impact Fees	-			-		
Total Planning, Building, Eng. Permit	-			-		
Chg. for Planning/Eng. Services	-			-		
458.002 • SMIP Fee	-			-		
490.001 • Misc. Revenue Planning	-			-		
464.000 • Engineer Inspection Fee	-			-		
462.000 • Engineer Plan Check Fees	-			-		
463.000 • Building Inspection Fee	-			-		
452.000 • Building Plan Check Fees	-			-		
459.000 • Remib. - Proj/Dev. Costs	-			-		
Total Chg. for Planning/Eng. Services	-			-		
Charges for Misc. Services	-			-		
496.002 • Administration Income	-			-		
496.001 • Public Document Charge	-			-		
496.000 • Library Copy Charges	-			-		
Total Charges for Misc. Services	-			-		
Utility Fees	-			-		
483.000 • Utility Connection Fees	-			-		
486.000 • Utility Fees Commercial	-			-		
485.000 • Utility Fees Residential	-			-		
485.001 • Septage Charges	-			-		
493.000 • Water Meter Maint. Fees	-			-		
Total Utility Fees	-			-		
Impact Fees	-			-		
Fines & Penalties	-			-		
421.000 • Vehicle Code Parking	-			-		

City of San Juan Bautista
Budget vs. Actual by Department
For the Nine Month Period Ended March 31, 2017

	55 - Rest. and Parking Fund			60 - Valle Vista Lighting Dist.		
	Jul '16 - Mar 17	Budget	\$ Over Budget	Jul '16 - Mar 17	Budget	\$ Over Budget
475,000 • Library Fines	-			-		
476,000 • Code Enforcement Fines	-			-		
Fines & Penalties - Other	-			-		
Total Fines & Penalties	-			-		
Miscellaneous Revenue						
497,000 • Other Financing Sources	-			-		
484,000 • Interest and Penalties	-			-		
480,002 • Permits	-			-		
480,001 • Lease - American Tower	-			-		
438,000 • Donations	-			-		
480,000 • Rental Income	-			-		
482,000 • Parks & Rec Revenue	-			-		
480,003 • Reimbursed City expenses	-			-		
Total Miscellaneous Revenue	-			-		
Total Income	16,143	1,875	14,268	11,386	10,787	599

City of San Juan Bautista
Budget vs. Actual by Department
For the Nine Month Period Ended March 31, 2017

Expense	55 - Rest. and Parking Fund			60 - Valle Vista Lighting Dist.		
	Jul '16 - Mar 17	Budget	\$ Over Budget	Jul '16 - Mar 17	Budget	\$ Over Budget
Employee Salary, Wages, Benefit						
519.001 · Volunteer Stipend	-			-		
502.000 · Salaries and Wages - FT	-			-		
504.000 · Salaries and Wages - OT	-			-		
508.000 · FICA	-			-		
510.000 · Worker's Comp	-			-		
512.000 · Unemployment	-			-		
514.000 · Health Insurance	-			-		
518.000 · 457k Retirement Contribution	-			-		
519.000 · Elected Official Stipend	-			-		
Total Employee Salary, Wages, Benefit	-			-		
Other Personnel Expenses						
522.000 · Uniforms & Alterations	-			-		
524.000 · Phys., Drug 7 Psych Testing	-			-		
525.000 · Volunteer Firefighter Stipend	-			-		
526.000 · Education and Training	-			-		
528.000 · Travel/Per Diem/Car Allowance	-			-		
Total Other Personnel Expenses	-			-		
General and admin. expense						
647.000 · Youth Commission	-			-		
645.000 · Summer Program	-			-		
550.000 · Office Supplies	-			-		
558.000 · Printing and Copies	-			-	70	(70)
548.000 · Advertising	3,000			-	70	(70)
562.000 · Food and Beverages	-			-		
516.000 · Insurance - Liab/Bond/Auto/Prop	-			-		
544.000 · Computer Software Service	-			-		
545.000 · Computer Hardware Service	-			-		
530.000 · Dues and Subscriptions	-			-		
634.000 · Copier Services & Lease	-			-		
657.001 · Filing Fees	-			-		
638.000 · Bank Charges/PR Processing	-			-		
551.000 · Postage and Freight	-			-		
Total General and admin. expense	3,000			-	140	(140)
Contractual and Other Services						
600.000 · Operational Contracts	-			-		
602.000 · Legal	-			-	70	(70)
604.000 · Engineering	-			-	400	(400)
604.001 · Reclamation Expense	-			-		
608.000 · Accounting	-			-		

City of San Juan Bautista
Budget vs. Actual by Department
For the Nine Month Period Ended March 31, 2017

	55 - Rest. and Parking Fund		60 - Valle Vista Lighting Dist.	
	Jul '16 - Mar 17	Budget	Jul '16 - Mar 17	Budget
		\$ Over Budget		\$ Over Budget
609.000 • Building Inspection	-		-	
610.000 • Audit	-		-	
612.001 • Other Prof. Service - CMAP	-		-	
612.002 • Security	-		-	
612.006 • Web maintenance	-		-	
614.000 • Law Enforcement	-		-	
615.000 • Level One Security Patrol	-		-	
618.000 • County Communications	-		-	
624.000 • Janitorial	-		-	
626.000 • Landscape Services	-		9,607	9,468
632.000 • Building Equipment Rental	-		-	139
643.003 • SBCO Mgmt Fees	-		-	
654.000 • Chemical Testing	-		-	
659.000 • Election Expense	-		-	
Total Contractual and Other Services	-		9,607	9,938
Utilities and Misc. Expenses				(331)
650.000 • Agg. Base Material	-		-	
640.001 • Communication Radios	-		-	
639.000 • Merchant processing fees	-		-	
640.000 • Telecomm	-		-	
642.000 • Electricity	-		-	1,575
643.001 • Water	-		-	(1,575)
644.000 • Street Signal	-		-	
646.000 • Street Lighting	-		-	
656.000 • Licenses and Permits	-		-	
658.000 • Property Taxes	-		-	
Total Utilities and Misc. Expenses	-		-	1,575
Equipment and Parts				(1,575)
649.02 • Agg. Based Material	-		-	
712.000 • Materials	-		-	
532.01 • Equipment Rental	-		-	
701.000 • Small Tools	-		-	
702.000 • Safety Gear & First Aid	-		-	
554.000 • Gasoline & Diesel Fuel	-		-	
552.000 • Chemical and Gases	-		-	
703.000 • Books and Periodicals	-		-	
716.000 • Parts - City Rep. Vehicles	-		-	
718.000 • Parts - City Rep. Equipment	-		-	
720.000 • Parts - City Rep. Water	-		-	
721.000 • Fire Equipment and Supplies	-		-	
722.000 • Parts - City Rep. Sewer	-		-	

City of San Juan Bautista
Budget vs. Actual by Department
For the Nine Month Period Ended March 31, 2017

	55 - Rest. and Parking Fund			60 - Valle Vista Lighting Dist.		
	Jul '16 - Mar 17	Budget	\$ Over Budget	Jul '16 - Mar 17	Budget	\$ Over Budget
724.000 · Parts - City Rep. Streets	-			-		
726.000 · Parts - City Rep. Parks	-			-		
Total Equipment and Parts	-			-		
Maint. & Repair Services						
755.002 · Street Sign Maint. & Repair	-			-		
751.001 · Maint. & Repair Wells	-			-		
751.000 · Claims	-			-		
752.000 · Vehicle Maint. - Outside	-			-		
754.000 · Equipment Maint. - Outside	-			-		
757.000 · Bldg Maint. - Inside	-			-		
758.000 · Building Maint. Outside	-			-		
760.000 · Grounds Maint. - Outside	-			-		
762.000 · Streets Maint. & Paving	-			-		
764.000 · Water Maintenance - Outside	-			-		
766.000 · Sewer Maint. - Plant	-			-		
Total Maint. & Repair Services	-			-		
Capital Expenditures						
859.000 · Fines RWQCB	-			-		
808.000 · Equipment	-			-		
801.000 · Capital Purchases/Improvements	-			-		
805.000 · Construction in Progress Reclass	-			-		
812.000 · Depreciation	-			-		
Total Capital Expenditures	-			-		
Fund Transfer						
General Fund	-			-		
Transfer G&A Expenses	-			-		
Gas Tax Fund	-			-		
Total Transfer G&A Expenses	-			-		
Total Fund Transfer	-			-		
Debt Defrayment						
854.000 · Debt Service Principal Payment	-			-		
858.000 · Interest	-			-		
855.000 · Amortization expense	-			-		
858.000 · Interest - Other	-			-		
Total 858.000 · Interest	-			-		
Total Debt Defrayment	-			-		
Total Expense	3,000			9,607	11,653	(2,046)
Net Income	13,143	1,875	11,268	1,779	(866)	2,645

City of San Juan Bautista
Budget vs. Actual by Department
For the Nine Month Period Ended March 31, 2017

	75 - Gas Tax Fund			TOTAL		
	Jul '16 - Mar 17	Budget	\$ Over Budget	Jul '16 - Mar 17	Budget	\$ Over Budget
Income						
Property Taxes						
402.000 - Secured Taxes	-			165,978	120,000	45,978
404.000 - Unsecured Taxes	-			17,274	6,750	10,524
403.000 - Supplemental Property Tax	-			-	1,250	(1,250)
402.002 - Unitary Taxes	-			4,961	4,500	461
405.000 - Triple Flip/Sales & Use Tax	-			-	20,000	(20,000)
407.000 - VLF Swap	-			68,804	65,000	3,804
422.000 - COPS Funding	-			82,739	75,000	7,739
426.000 - HOPTR	-			1,219	-	1,219
436.000 - Gas Tax 2103	3,767	9,000	(5,233)	3,767	9,000	(5,233)
431.000 - Gas Tax 2105	6,913	6,750	163	6,913	6,750	163
432.000 - Gas Tax 2106	7,208	6,750	458	7,208	6,750	458
433.000 - Gas Tax 2107	7,771	8,250	(479)	7,771	8,250	(479)
434.000 - Gas Tax 2107.5	2,000			2,000	-	2,000
Total Property Taxes	27,659	30,750	(3,091)	368,634	323,250	45,384
Other Tax Revenue						
406.000 - Sales Tax	-			251,275	300,749	(49,474)
408.000 - Transient Lodging Taxes	-			91,880	47,875	44,005
416.000 - Misc. County Taxes	-			123	-	123
415.000 - Special Assessment	-			11,386	10,787	599
419.000 - Other Doc. Transfer	-			10,950	4,500	6,450
428.000 - Vehicle License Fees	-			2,334	600	1,734
429.000 - Other Tax Revenue	-			9,279	-	9,279
Total Other Tax Revenue	-	-	-	377,227	364,511	12,716
Grant Funds						
437.000 - Library Grant	-			2,819	-	2,819
495.000 - Grant Revenue	-			43,865	-	43,865
Total Grant Funds	-	-	-	46,684	-	46,684
Franchise Fees						
442.000 - Franchise Cable	-			3,151	6,675	(3,524)
448.000 - Refuse Franchise	-			20,415	19,499	916
Total Franchise Fees	-	-	-	23,566	26,174	(2,608)
Business & Misc. Lic. & Permits						
450.000 - Business Licenses	-			8,319	12,500	(4,181)
453.000 - Burn Permits	-			30	-	30
470.000 - Garage Sale Permits	-			70	50	20
472.000 - Animal Licenses	-			60	70	(10)
490.000 - Misc. Revenue	-			1,702	140	1,562
494.001 - Special Events	-			4,173	5,000	(827)
Business & Misc. Lic. & Permits - Other	-	-	-	90	-	90

City of San Juan Bautista
Budget vs. Actual by Department
For the Nine Month Period Ended March 31, 2017

	75 - Gas Tax Fund				TOTAL	
	Jul '16 - Mar 17	Budget	\$ Over Budget	Jul '16 - Mar 17	Budget	\$ Over Budget
Total Business & Misc. Lic. & Permits	-			14,444	17,760	(3,316)
Planning, Building, Eng. Permit	-					
458.001 • Green Fee	-			128	30	98
459.004 • Fire Sprinkler Permit	-			1,258	-	1,258
459.003 • Mechanical Permit	-			1,084	2,500	(1,416)
459.002 • Plumbing Permit	-			1,486	2,200	(714)
459.001 • Electrical Permit	-			1,888	3,300	(1,412)
454.003 • Design Review	-			1,300	750	550
454.002 • Appeal	-			500	-	500
451.000 • Building Permits	-			24,605	34,000	(9,395)
454.000 • Conditional Use Permit (CUP)	-			1,250	300	950
456.000 • PUD Use Permit	-			-	100	(100)
457.000 • Encroachment Permits	-			956	250	706
458.000 • Sign Permits	-			25	250	(225)
461.000 • Subdivision Fees	-			2,133	10,000	(7,867)
467.000 • Strong Motion Impact Fees	-			8,473	-	8,473
Total Planning, Building, Eng. Permit	-			45,086	53,680	(8,594)
Chg. for Planning/Eng. Services	-					
458.002 • SMIP Fee	-			338	-	338
490.001 • Misc. Revenue Planning	-			5,035	3,000	2,035
464.000 • Engineer Inspection Fee	-			1,253	1,500	(247)
462.000 • Engineer Plan Check Fees	-			3,594	4,875	(1,281)
463.000 • Building Inspection Fee	-			76,090	5,625	70,465
452.000 • Building Plan Check Fees	-			64,319	9,000	55,319
459.000 • Remib. - Proj/Dev. Costs	-			100,659	750	99,909
Total Chg. for Planning/Eng. Services	-			251,288	24,750	226,538
Charges for Misc. Services	-					
496.002 • Administration Income	-			82	600	(518)
496.001 • Public Document Charge	-			34	30	4
496.000 • Library Copy Charges	-			1,005	675	330
Total Charges for Misc. Services	-			1,121	1,305	(184)
Utility Fees	-					
483.000 • Utility Connection Fees	-			-	33,750	(33,750)
486.000 • Utility Fees Commercial	-			292,291	304,575	(12,284)
485.000 • Utility Fees Residential	-			840,954	823,500	17,454
485.001 • Septage Charges	-			-	-	-
493.000 • Water Meter Maint. Fees	-			12,639	1,200	11,439
Total Utility Fees	-			1,145,884	1,163,025	(17,141)
Impact Fees	-			186,656	34,908	151,748
Fines & Penalties	-					
421.000 • Vehicle Code Parking	-			-	80	(80)

Budget vs. Actual by Department

For the Nine Month Period Ended March 31, 2017

	75 - Gas Tax Fund				TOTAL	
	Jul '16 - Mar 17	Budget	\$ Over Budget	Jul '16 - Mar 17	Budget	\$ Over Budget
475.000 - Library Fines	-			609	558	51
476.000 - Code Enforcement Fines	-			39	-	39
Fines & Penalties - Other	-			56	-	56
Total Fines & Penalties	-			704	638	66
Miscellaneous Revenue						
497.000 - Other Financing Sources	-			263	-	263
484.000 - Interest and Penalties	-			6,676	48,750	(42,074)
480.002 - Permits	-			(450)	-	(450)
480.001 - Lease - American Tower	-			16,309	22,500	(6,191)
438.000 - Donations	-			1,074	15,000	(13,926)
480.000 - Rental Income	-			15,351	4,500	10,851
482.000 - Parks & Rec Revenue	-			100	-	100
480.003 - Reimbursed City expenses	-			5,562	8,000	(2,438)
Total Miscellaneous Revenue	-			44,885	98,750	(53,865)
Total Income	27,659	30,750	(3,091)	2,506,179	2,108,751	397,428

City of San Juan Bautista
Budget vs. Actual by Department
For the Nine Month Period Ended March 31, 2017

	75 - Gas Tax Fund			TOTAL		
	Jul '16 - Mar 17	Budget	\$ Over Budget	Jul '16 - Mar 17	Budget	\$ Over Budget
Expense						
Employee Salary, Wages, Benefit						
519.001 · Volunteer Stipend	-			-	280	(280)
502.000 · Salaries and Wages - FT	-	360,977		360,977	349,920	11,057
504.000 · Salaries and Wages - OT	-	1,346		1,346	3,830	(2,484)
508.000 · FICA	-	26,084		26,084	27,348	(1,264)
510.000 · Worker's Comp	-	39,497		39,497	33,911	5,586
512.000 · Unemployment	-	579		579	3,578	(2,999)
514.000 · Health Insurance	-	41,028		41,028	46,799	(5,771)
518.000 · 457k Retirement Contribution	-	6,999		6,999	7,342	(343)
519.000 · Elected Official Stipend	-	900		900	2,150	(1,250)
Total Employee Salary, Wages, Benefit	-	477,410		477,410	475,158	2,252
Other Personnel Expenses						
522.000 · Uniforms & Alterations	-	1,800		1,800	2,175	(375)
524.000 · Phys., Drug 7 Psych Testing	-	413		413	575	(162)
525.000 · Volunteer Firefighter Stipend	-	600		600	2,700	(2,100)
526.000 · Education and Training	-	5,661		5,661	4,500	1,161
528.000 · Travel/Per Diem/Car Allowance	-	3,551		3,551	3,355	196
Total Other Personnel Expenses	-	12,025		12,025	13,305	(1,280)
General and admin. expense						
647.000 · Youth Commission	-	-		-	-	-
645.000 · Summer Program	-	3,681		3,681	2,000	1,681
550.000 · Office Supplies	-	7,416		7,416	7,173	243
558.000 · Printing and Copies	-	1,559		1,559	9,685	(8,126)
548.000 · Advertising	-	3,120		3,120	1,163	1,957
562.000 · Food and Beverages	-	2,672		2,672	1,645	1,027
516.000 · Insurance - Liab/Bond/Auto/Prop	-	28,861		28,861	8,970	19,891
544.000 · Computer Software Service	-	3,888		3,888	4,700	(812)
545.000 · Computer Hardware Service	-	3,178		3,178	2,100	1,078
530.000 · Dues and Subscriptions	-	26,055		26,055	51,850	(25,795)
634.000 · Copier Services & Lease	-	5,325		5,325	2,585	2,740
657.001 · Filing Fees	-	50		50	-	50
638.000 · Bank Charges/PR Processing	-	8,190		8,190	2,225	5,965
551.000 · Postage and Freight	-	4,657		4,657	7,117	(2,460)
Total General and admin. expense	-	98,652		98,652	101,213	(2,561)
Contractual and Other Services						
600.000 · Operational Contracts	-	229,075		229,075	265,354	(36,279)
602.000 · Legal	-	29,388		29,388	36,050	(6,662)
604.000 · Engineering	-	3,671		3,671	21,000	(17,329)
604.001 · Reclamation Expense	-	-		-	350	(350)
608.000 · Accounting	-	26,021		26,021	26,250	(229)

City of San Juan Bautista
Budget vs. Actual by Department
For the Nine Month Period Ended March 31, 2017

	75 - Gas Tax Fund				TOTAL	
	Jul '16 - Mar 17	Budget	\$ Over Budget	Jul '16 - Mar 17	Budget	\$ Over Budget
609.000 • Building Inspection	-			93	700	(607)
610.000 • Audit	-			24,000	25,000	(1,000)
612.001 • Other Prof. Service - CMAP	-			820	1,800	(980)
612.002 • Security	-			3,904	1,383	2,521
612.006 • Web maintenance	-			3,350	937	2,413
614.000 • Law Enforcement	-			157,214	162,500	(5,286)
615.000 • Level One Security Patrol	-			15,428	40,550	(25,122)
618.000 • County Communications	-			27,440	56,000	(28,560)
624.000 • Janitorial	-			3,478	4,384	(906)
626.000 • Landscape Services	-			10,154	11,718	(1,564)
632.000 • Building Equipment Rental	-			-	1,750	(1,750)
643.003 • SBCO Mgmt Fees	-			4,189	-	4,189
654.000 • Chemical Testing	-			132	-	132
659.000 • Election Expense	-			7,702	3,000	4,702
Total Contractual and Other Services	-			546,059	658,726	(112,667)
Utilities and Misc. Expenses						
650.000 • Agg. Base Material	-			5,401	-	5,401
640.001 • Communication Radios	-			104	-	104
639.000 • Merchant processing fees	-			70	1,200	(1,130)
640.000 • Telecomm	-			9,123	8,907	216
642.000 • Electricity	12,673			105,231	90,376	14,855
643.001 • Water	-			-	800	(800)
644.000 • Street Signal	314			314	-	314
646.000 • Street Lighting	-	12,000	(12,000)	34	12,000	(11,966)
656.000 • Licenses and Permits	-			5,649	14,795	(9,146)
658.000 • Property Taxes	-			176	-	176
Total Utilities and Misc. Expenses	12,987	12,000	987	126,102	128,078	(1,976)
Equipment and Parts						
649.02 • Agg. Based Material	-			-	7,000	(7,000)
712.000 • Materials	-			3,697	3,500	197
532.01 • Equipment Rental	-			-	350	(350)
701.000 • Small Tools	-			278	1,000	(722)
702.000 • Safety Gear & First Aid	-			255	-	255
554.000 • Gasoline & Diesel Fuel	-			5,642	12,950	(7,308)
552.000 • Chemical and Gasses	-			511	12,375	(11,864)
703.000 • Books and Periodicals	-			1,255	1,875	(620)
716.000 • Parts - City Rep. Vehicles	-			1,678	7,125	(5,447)
718.000 • Parts - City Rep. Equipment	-			4,982	12,900	(7,918)
720.000 • Parts - City Rep. Water	-			16,431	29,800	(13,369)
721.000 • Fire Equipment and Supplies	-			735	-	735
722.000 • Parts - City Rep. Sewer	-			4,417	7,500	(3,083)

City of San Juan Bautista
Budget vs. Actual by Department
For the Nine Month Period Ended March 31, 2017

	75 - Gas Tax Fund				TOTAL	
	Jul '16 - Mar 17	Budget	\$ Over Budget		Jul '16 - Mar 17	Budget
724.000 - Parts - City Rep. Streets	-	14,000	(14,000)		1,431	14,000
726.000 - Parts - City Rep. Parks	-				3,363	4,130
Total Equipment and Parts	-	14,000	(14,000)		44,675	114,505
Maint. & Repair Services						
755.002 - Street Sign Maint. & Repair	-	1,250	(1,250)		418	1,250
751.001 - Maint. & Repair Wells	-				40	7,000
751.000 - Claims	-				-	500
752.000 - Vehicle Maint. - Outside	-				(129)	-
754.000 - Equipment Maint. - Outside	-				1,478	8,625
757.000 - Bldg Maint. - Inside	-				2,927	450
758.000 - Building Maint. Outside	-				4,228	3,250
760.000 - Grounds Maint. - Outside	-				1,167	2,425
762.000 - Streets Maint. & Paving	-				143	3,150
764.000 - Water Maintenance - Outside	-				489	2,250
766.000 - Sewer Maint. - Plant	-				11,809	7,000
Total Maint. & Repair Services	-	1,250	(1,250)		22,570	35,900
Capital Expenditures						
859.000 - Fines RWQCB	-				27,000	27,000
808.000 - Equipment	-				4,464	72,600
801.000 - Capital Purchases/Improvements	-				166,608	134,775
805.000 - Construction in Progress Reclass	-				-	1,050
812.000 - Depreciation	-				459,201	459,201
Total Capital Expenditures	-				657,273	694,626
Fund Transfer						
General Fund	-				5,186	-
Transfer G&A Expenses						
Gas Tax Fund	(5,186)				(5,186)	(5,186)
Total Transfer G&A Expenses	(5,186)				(5,186)	(5,186)
Total Fund Transfer	(5,186)				-	-
Debt Defrayment						
854.000 - Debt Service Principal Payment	-				42,609	52,362
858.000 - Interest	-					
855.000 - Amortization expense	-				43,200	-
858.000 - Interest - Other	-				251,178	317,784
Total 858.000 - Interest	-				294,378	317,784
Total Debt Defrayment	-				336,987	370,146
Total Expense	7,801	27,250	(19,449)		2,321,753	2,591,657
Net Income	19,858	3,500	16,358		184,426	(482,906)
						667,332

City of San Juan Bautista
Profit & Loss Prev Year Comparison
 For the Nine Month Period Ended March 31, 2017

	General Fund			46 - Water Enterprise Fund		
	Jul '16 - Mar 17	Jul '15 - Mar 16	\$ Change	Jul '16 - Mar 17	Jul '15 - Mar 16	\$ Change
Income						
Property Taxes	258,236	258,409	(173)	-	-	-
Other Tax Revenue	349,698	300,131	49,567	-	-	-
Grant Funds	46,684	17,875	28,809	-	-	-
Franchise Fees	23,565	26,728	(3,163)	-	-	-
Business & Misc. Lic. & Permits	14,443	16,307	(1,864)	-	-	-
Planning, Building, Eng. Permit	45,086	29,022	16,064	-	-	-
Chg. for Planning/Eng. Services	251,287	26,028	225,259	-	-	-
Charges for Misc. Services	1,120	805	315	-	-	-
Utility Fees	1,618	-	1,618	512,624	511,890	734
Impact Fees	186,656	116,656	70,000	-	-	-
Fines & Penalties	704	1,890	(1,186)	-	-	-
Miscellaneous Revenue	38,754	63,128	(24,374)	6,132	20,188	(14,056)
Total Income	1,217,851	856,979	360,872	518,756	532,078	(13,322)
Expense						
Employee Salary, Wages, Benefit	349,950	355,930	(5,980)	70,922	48,912	22,010
Other Personnel Expenses	11,517	8,377	3,140	320	281	39
General and admin. expense	72,712	56,528	16,184	12,456	19,969	(7,513)
Contractual and Other Services	359,481	304,409	55,072	28,786	35,985	(7,199)
Utilities and Misc. Expenses	23,584	20,429	3,155	24,938	24,061	877
Equipment and Parts	22,797	23,549	(752)	15,896	28,482	(12,586)
Maint. & Repair Services	10,232	7,612	2,620	529	2,090	(1,561)
Capital Expenditures	110,972	10,000	100,972	262,274	220,389	41,885
Fund Transfer	5,186	-	5,186	-	-	-
Debt Defrayment	-	-	-	185,300	353,334	(168,034)
Total Expense	966,431	786,834	179,597	601,421	733,503	(132,082)
Net Income	251,420	70,145	181,275	(82,665)	(201,425)	118,760
Fund Balance at June 30, 2016	1,711,553			499,608		
Fund Balance at March 31, 2017	1,962,973			416,943		

City of San Juan Bautista
Profit & Loss Prev Year Comparison
 For the Nine Month Period Ended March 31, 2017

	48 - Sewer Enterprise Fund			50 - Special Dist. - COPS		
	Jul '16 - Mar 17	Jul '15 - Mar 16	\$ Change	Jul '16 - Mar 17	Jul '15 - Mar 16	\$ Change
Income						
Property Taxes	-	-	-	82,739	75,000	7,739
Other Tax Revenue	-	-	-	-	-	-
Grant Funds	-	-	-	-	-	-
Franchise Fees	-	-	-	-	-	-
Business & Misc. Lic. & Permits	-	-	-	-	-	-
Planning, Building, Eng. Permit	-	-	-	-	-	-
Chg. for Planning/Eng. Services	-	-	-	-	-	-
Charges for Misc. Services	-	-	-	-	-	-
Utility Fees	631,639	644,823	(13,184)	-	-	-
Impact Fees	-	-	-	-	-	-
Fines & Penalties	-	-	-	-	-	-
Miscellaneous Revenue	-	-	-	-	-	-
Total Income	631,639	644,823	(13,184)	82,739	75,000	7,739
Expense						
Employee Salary, Wages, Benefit	56,537	33,251	23,286	-	-	-
Other Personnel Expenses	188	-	188	-	-	-
General and admin. expense	10,482	10,002	480	-	-	-
Contractual and Other Services	70,695	97,999	(27,304)	77,490	77,490	-
Utilities and Misc. Expenses	64,594	63,184	1,410	-	-	-
Equipment and Parts	5,980	9,884	(3,904)	-	-	-
Maint. & Repair Services	11,809	7,558	4,251	-	-	-
Capital Expenditures	284,026	231,166	52,860	-	-	-
Fund Transfer	-	-	-	-	-	-
Debt Defrayment	151,685	303,683	(151,998)	-	-	-
Total Expense	655,996	756,727	(100,731)	77,490	77,490	-
Net Income	(24,357)	(111,904)	87,547	5,249	(2,490)	7,739
Fund Balance at June 30, 2016	964,573			4,640		
Fund Balance at March 31, 2017	940,216			9,889		

City of San Juan Bautista
Profit & Loss Prev Year Comparison
For the Nine Month Period Ended March 31, 2017

	55 - Rest. and Parking Fund			60 - Valle Vista Lighting Dist.		
	Jul '16 - Mar 17	Jul '15 - Mar 16	\$ Change	Jul '16 - Mar 17	Jul '15 - Mar 16	\$ Change
Income						
Property Taxes	-	-	-	-	-	-
Other Tax Revenue	16,143	10,572	5,571	11,386	11,254	132
Grant Funds	-	-	-	-	-	-
Franchise Fees	-	-	-	-	-	-
Business & Misc. Lic. & Permits	-	-	-	-	-	-
Planning, Building, Eng. Permit	-	-	-	-	-	-
Chg. for Planning/Eng. Services	-	-	-	-	-	-
Charges for Misc. Services	-	-	-	-	-	-
Utility Fees	-	-	-	-	-	-
Impact Fees	-	-	-	-	-	-
Fines & Penalties	-	-	-	-	-	-
Miscellaneous Revenue	-	-	-	-	-	-
Total Income	16,143	10,572	5,571	11,386	11,254	132
Expense						
Employee Salary, Wages, Benefit	-	-	-	-	-	-
Other Personnel Expenses	-	-	-	-	-	-
General and admin. expense	3,000	4,500	(1,500)	-	-	-
Contractual and Other Services	-	-	-	9,607	9,288	319
Utilities and Misc. Expenses	-	-	-	-	-	-
Equipment and Parts	-	-	-	-	-	-
Maint. & Repair Services	-	-	-	-	330	(330)
Capital Expenditures	-	-	-	-	-	-
Fund Transfer	-	-	-	-	-	-
Debt Defrayment	-	-	-	-	-	-
Total Expense	3,000	4,500	(1,500)	9,607	9,618	(11)
Net Income	13,143	6,072	7,071	1,779	1,636	143
Fund Balance at June 30, 2016	113,167			70,651		
Fund Balance at March 31, 2017	126,310			72,430		

City of San Juan Bautista
Profit & Loss Prev Year Comparison
 For the Nine Month Period Ended March 31, 2017

	75 - Gas Tax Fund			TOTAL		
	Jul '16 - Mar 17	Jul '15 - Mar 16	\$ Change	Jul '16 - Mar 17	Jul '15 - Mar 16	\$ Change
Income						
Property Taxes	27,658	35,236	(7,578)	368,633	368,645	(12)
Other Tax Revenue	-	-	-	377,227	321,957	55,270
Grant Funds	-	-	-	46,684	17,875	28,809
Franchise Fees	-	-	-	23,565	26,728	(3,163)
Business & Misc. Lic. & Permits	-	-	-	14,443	16,307	(1,864)
Planning, Building, Eng. Permit	-	-	-	45,086	29,022	16,064
Chg. for Planning/Eng. Services	-	-	-	251,287	26,028	225,259
Charges for Misc. Services	-	-	-	1,120	805	315
Utility Fees	-	-	-	1,145,881	1,156,713	(10,832)
Impact Fees	-	-	-	186,656	116,656	70,000
Fines & Penalties	-	-	-	704	1,890	(1,186)
Miscellaneous Revenue	-	-	-	44,886	83,316	(38,430)
Total Income	27,658	35,236	(7,578)	2,506,172	2,165,942	340,230
Expense						
Employee Salary, Wages, Benefit	-	-	-	477,409	438,093	39,316
Other Personnel Expenses	-	-	-	12,025	8,658	3,367
General and admin. expense	-	27	(27)	98,650	91,026	7,624
Contractual and Other Services	-	-	-	546,059	525,171	20,888
Utilities and Misc. Expenses	12,987	16,670	(3,683)	126,103	124,344	1,759
Equipment and Parts	-	-	-	44,673	61,915	(17,242)
Maint. & Repair Services	-	-	-	22,570	17,590	4,980
Capital Expenditures	-	6,000	(6,000)	657,272	467,555	189,717
Fund Transfer	(5,186)	-	(5,186)	-	-	-
Debt Defrayment	-	-	-	336,985	657,017	(320,032)
Total Expense	7,801	22,697	(14,896)	2,321,746	2,391,369	(69,623)
Net Income	19,857	12,539	7,318	184,426	(225,427)	409,853
Fund Balance at June 30, 2016	59,074					
Fund Balance at March 31, 2017	78,931					

City of San Juan Bautista

Warrant Listing

As of March 31, 2017

Date	Num	Name	Amount
101.000 - Union Bank			
101.001 - Operating Acct. 1948			
03/03/2017	210682	AFLAC	-304.82
03/03/2017	210683	at&t	-290.79
03/03/2017	210684	AVAYA	-210.98
03/03/2017	210685	Bracewell Engineering, Inc.	-13,265.00
03/03/2017	210686	Charter Communications	-432.02
03/03/2017	210687	Code Publishing Company	-1,093.00
03/03/2017	210688	Colleen Garrity	-161.74
03/03/2017	210689	Connie Schobert	-200.00
03/03/2017	210690	DC Frost Associates, Inc.	-3,421.35
03/03/2017	210691	Esperanza Pineda.	-500.00
03/03/2017	210692	GM Financial	-969.18
03/03/2017	210693	Granite Rock	-761.94
03/03/2017	210694	HD Supply Waterworks, LTD	-21,172.99
03/03/2017	210695	Hollister Auto Parts, Inc.	-96.32
03/03/2017	210696	Hollister Paint Company	-309.55
03/03/2017	210697	Home Depot Credit Services	-728.98
03/03/2017	210698	J.V. Oria's Rent A Fence	-225.00
03/03/2017	210699	JNM Automation	-830.63
03/03/2017	210700	P G & E	-404.09
03/03/2017	210701	Pinnacle Healthcare Hollister	-94.00
03/03/2017	210702	Rachael Hackett-Cornaggia.	-75.73
03/03/2017	210703	RB Communications	-75.00
03/03/2017	210704	Ready Refresh	-221.37
03/03/2017	210705	Roger Grimsley	-161.45
03/03/2017	210706	Rx-Tek	-613.24
03/03/2017	210707	Sentry Alarm System	-324.00
03/03/2017	210708	Smith & Enright Landscaping	-1,052.00
03/03/2017	210709	Sprint	-205.84
03/03/2017	210710	Staples	-222.71
03/03/2017	210711	State Compensation Insurance Fund	-3,013.75
03/03/2017	210712	True Value Hardware	-19.45
03/03/2017	210713	United Site Services of California, Inc.	-168.33
03/03/2017	210714	USABlueBook	-376.31
03/03/2017	210715	Wendy L. Cumming, CPA	-1,687.50
03/07/2017	210716	State Compensation Insurance Fund	-11,538.12
03/15/2017	210717	AFLAC	-304.82
03/15/2017	210718	at&t	-69.89
03/15/2017	210719	Bracewell Engineering, Inc.	-17,186.00
03/15/2017	210720	Brigantino Irrigation, Inc.	-66.24
03/15/2017	210721	CalPers 457 Plan	-1,448.81
03/15/2017	210722	Charter Communications	-239.94
03/15/2017	210723	Consolidated Plastics Company, Inc.	-249.93
03/15/2017	210724	Darlene Boyd	-99.99

**City of San Juan Bautista
Warrant Listing**

As of March 31, 2017

<u>Date</u>	<u>Num</u>	<u>Name</u>	<u>Amount</u>
03/15/2017	210725	Diane Hanania.	-315.06
03/15/2017	210726	Dorsami Reddy.	-230.00
03/15/2017	210727	Dynamic Forms	-249.51
03/15/2017	210728	Espiridior Abrego.	-400.00
03/15/2017	210729	Granite Rock	-1,287.11
03/15/2017	210730	Hollister Landscape Supply	-150.58
03/15/2017	210731	International Institute of Municipal Cler	-260.00
03/15/2017	210732	KS State Bank	-5,818.30
03/15/2017	210733	Level 1 Private Security.	-8,120.00
03/15/2017	210734	Liliana Sanchez.	-700.00
03/15/2017	210735	Maria Salcedo	-620.00
03/15/2017	210736	P G & E	-10,214.32
03/15/2017	210737	Pedro Hernandez Cruz	-700.00
03/15/2017	210738	Postmaster	-314.00
03/15/2017	210739	Rossi Bros Tire & Auto	-572.99
03/15/2017	210740	Rx-Tek	-348.00
03/15/2017	210741	San Benito County Elections	-7,701.89
03/15/2017	210742	Sandra Osuna.	-400.00
03/15/2017	210743	Sprint	-168.81
03/15/2017	210744	True Value Hardware	-26.49
03/15/2017	210745	U.S. Postmaster	-225.00
03/15/2017	210746	Uline	-41.76
03/15/2017	210747	US Bank	-7,385.25
03/15/2017	210748	Xerox	-459.85
03/22/2017	210749	Wells Fargo Bank, N.A.	-210,017.78
03/23/2017	210750	Revize LLC	-3,000.00
03/23/2017	210751	Valero Marketing & Supply	-905.35
03/23/2017	210752	Western Exterminator Company	-2,635.00
03/31/2017	210755	San Benito Engineering & Surveying, Inc.	-240.00
03/31/2017	210754	San Benito County	-27.00
Total 101.001 · Operating Acct. 1948			<u>-348,426.85</u>
Total 101.000 · Union Bank			<u>-348,426.85</u>
TOTAL			<u><u>-348,426.85</u></u>

City of San Juan Bautista
Development Impact Fee Monitoring Report
As of October 3, 2016

<u>Name</u>	<u>Project</u>	<u>Date</u>	<u>Amount</u> Total	<u>Water</u> Conn. Fee	<u>Sewer</u> Conn. Fee	<u>Traffic</u> Impact Fee	<u>Public</u> Safety Dev. Fee	<u>Park</u> In-Lieu Impact Fee	<u>Storm</u> Drain Impact Fee	<u>Library</u> Impact Fee	<u>Public/ Civic</u> Facility Impact Fee
Kraig Klaur Inc.	930 Third St.	11/19/2013	\$ 21,864	\$ 7,550	\$ 5,240	\$ 1,717	\$ 1,543	\$ 782	\$ 1,554	\$ 1,995	\$ 1,483
Kraig Klaur Inc.	906 First St.	3/7/2014	21,864	7,550	5,240	1,717	1,543	782	1,554	1,995	1,483
Kraig Klaur Inc.	904 First St.	3/21/2014	21,864	7,550	5,240	1,717	1,543	782	1,554	1,995	1,483
Al V., Inc.	14 North St.	5/20/2014	21,864	7,550	5,240	1,717	1,543	782	1,554	1,995	1,483
Ken Ottoboni	37A Monterey	8/15/2014	21,864	7,550	5,240	1,717	1,543	782	1,554	1,995	1,483
K. Klaur Inc.	87 San Anton	9/4/2015	23,332	7,550	5,240	1,717	1,543	2,250	1,554	1,995	1,483
K. Klaur Inc.	85 San Anton	9/4/2015	23,332	7,550	5,240	1,717	1,543	2,250	1,554	1,995	1,483
P.A.I. Enterprise	1113 D First	7/16/2015	23,332	7,550	5,240	1,717	1,543	2,250	1,554	1,995	1,483
K Klaur Inc.	83 San Anton	11/19/2015	23,332	7,550	5,240	1,717	1,543	2,250	1,554	1,995	1,483
K Klaur Inc.	79 San Anton	10/14/2015	23,332	7,550	5,240	1,717	1,543	2,250	1,554	1,995	1,483
P.A.I. Enterprise	1113C First	7/16/2015	23,332	7,550	5,240	1,717	1,543	2,250	1,554	1,995	1,483
Al Valles	44 Church St.	9/15/2016	23,332	7,550	5,240	1,717	1,543	2,250	1,554	1,995	1,483
Al Valles	45 Church St.	9/15/2016	23,332	7,550	5,240	1,717	1,543	2,250	1,554	1,995	1,483
Al V Inc.	415 7th St.	9/2/2016	23,332	7,550	5,240	1,717	1,543	2,250	1,554	1,995	1,483
Al V Inc.	417 7th St.	9/2/2016	23,332	7,550	5,240	1,717	1,543	2,250	1,554	1,995	1,483
Al V Inc.	419 7th St.	9/20/2016	23,332	7,550	5,240	1,717	1,543	2,250	1,554	1,995	1,483
Al V Inc.	421 7th St	9/20/2016	23,332	7,550	5,240	1,717	1,543	2,250	1,554	1,995	1,483
Everson Inc.	75 San Anton	4/29/2016	23,332	7,550	5,240	1,717	1,543	2,250	1,554	1,995	1,483
A. Nicola	407 7th St.	5/10/2016	23,332	7,550	5,240	1,717	1,543	2,250	1,554	1,995	1,483
A. Moore	505 2nd St.	7/6/2016	5,834	1,888	1,310	429	386	563	388	499	371
Elite Dev.	1111 3rd St.	10/3/2016	23,332	7,550	5,240	1,717	1,543	2,250	1,554	1,995	1,483
Elite Dev.	1109 3rd St.	5/10/2016	23,332	7,550	5,240	1,717	1,543	2,250	1,554	1,995	1,483
Total Available Funds			488,466	160,438	111,350	36,486	32,789	40,473	33,022	42,394	31,514

**City of San Juan Bautista
Development Impact Fee Monitoring Report
As of October 3, 2016**

Distributions:
Supplies - Library

1/20/2015

183

Total Distributions									
-	-	-	-	-	-	-	-	-	-
488,466	160,438	111,350	36,486	32,789	40,473	33,022	42,211	31,514	
-	-	-	-	-	-	-	-	-	-
\$ 488,466	\$ 160,438	\$ 111,350	\$ 36,486	\$ 32,789	\$ 40,473	\$ 33,022	\$ 42,211	\$ 31,514	

Net Change in Fund Balance

Fund Balance, Beginning

Fund Balance, Ending



Quarterly Report for the City of San Juan Bautista

Prepared by Captain Eric Taylor



Hours spent in the City of San Juan Bautista for 1st quarter 2017

January 200 hrs

February 199 hrs

March 124 hrs

1st Quarter Total = 523 hours (504 contracted)

Cases taken in the City of San Juan Bautista for 1st quarter 2017

JANUARY – 16 CASES

Case #: 170011
Date/Time: 01/03/2017 0840
Location: 200 block of Mission Vineyard Rd
Synopsis: A female advised she was choked and pushed to the ground by her son after accusing him of taking her prescription medication. Charges were filed for battery and Judge Tobias issued a temporary restraining order protecting the victim (with a move out order and a 100 yard stay away).

Case #: 170013
Date/Time: 01/03/2017 15:39
Location: 200 block of Mission Vineyard Rd
Synopsis: The suspect from case 17-0011 violated the emergency protective order by going back to 200 block of Mission Vineyard Rd. He made contact with the victim and also violated PC 591.5 taking a wireless communication device to prevent calling 911. He was located hiding in a shed in the area and was taken into custody.

Case #: 170033
Date/Time: 01/06/2017 23:15
Location: 59 Muckelemi St
Synopsis: An adult male left his residence with a 2-year-old male in his car. The reporting party felt the male was intoxicated when he left. The male was not located, but a case was taken for information.

Case #: 170040
Date/Time: 01/08/2017 04:30
Location: 300 block of Second St
Synopsis: The windows were broken out of two cars that were parked in a driveway. The crime was discovered the following day by Fire staff. There are no leads. Case was taken for documentation only.

Case #: 170047
Date/Time: 01/11/2017 00:51
Location: 100 block of Fifth St
Synopsis: On 01/11/17, at approximately 0051 hrs, three people were contacted in a parking lot regarding a reported disturbance. Upon contacting the listed subjects, a female was found to have a felony warrant out of Santa Cruz, one male was found to be in possession of a large piece of methamphetamine, a glass meth pipe and a replica handgun and the other male was determined to be under the influence of a controlled substance. All the listed subjects were arrested for the listed charges, transported and booked into county jail without incident.

Case #: 170056
Date/Time: 01/13/2017 14:30
Location: San Juan School
Synopsis: A 12-year-old child was injured in a fight at the school.

Case #: 170069
Date/Time: 01/17/2017 08:40
Location: 10's block of Franklin St
Synopsis: On 1/17/2017 approximately 0840 hours, Deputies responded to Franklin Street regarding shots fired. Upon arrival, the San Benito County Sheriff's Office with the assistance of the Unified Narcotic Enforcement Team (UNET) and California Highway Patrol (CHP), established a perimeter around the property. Shortly, after a male suspect was contacted and taken into custody. He was transported and booked for a Felon in Possession of a Firearm, Felon in Possession of Ammunition, Discharging a Firearm in a Gross Negligent Manner, Possession of a Firearm with Probation conditions and Under the Influence of a Controlled Substance.

Case #: 170099
Date/Time: 01/24/2017 07:05
Location: Hwy 156 @ The Alameda
Synopsis: On 1/24/2017 at approximately 0705 hours, the San Benito County Sheriff's Office responded to a call regarding a traffic collision on E/B Highway 156 and The Alameda. A traffic collision report was taken.

Case #: 170102
Date/Time: 01/24/2017 17:38
Location: Merentis Cir
Synopsis: On 01-24-17, at approx. 1738 hours, victim reported the front door to her residence had been kicked in between 1045 hours and 1600 hours. She entered the residence and discovered nothing was missing.

Case #: 170104
Date/Time: 01/25/2017 05:17
Location: 200 block of Third St
Synopsis: The door was discovered kicked in and an item had been stolen from inside a business.

Case #: 070105
Date/Time: 01/25/2017 06:30
Location: 300 block of Third St
Synopsis: On 01-25-17, at approximately 0625 hours, several commercial businesses, to include the listed victim business, all of which were closed, were discovered to have sustained front door damage and having been forcibly entered by unknown suspect(s).

Case #: 170110
Date/Time: 01/26/2017 11:30
Location: Franklin Cir
Synopsis: On listed date and time, listed vehicle was towed from listed location pursuant to 22669(a) CVC.

Case #: 170112
Date/Time: 01/26/2017 13:54
Location: Awanhee St
Synopsis: Male reported his wife and children missing. They were located safe with family in a neighboring county.

Case #: 170120
Date/Time: 01/28/2017 16:30
Location: 300 block of The Alameda
Synopsis: On listed date and time, listed suspects entered Windmill Market and stole a bottle of New Amsterdam Vodka. Suspects have not been identified at time of initial report.

Case #: 170122
Date/Time: 01/29/2017 12:48
Location: 300 block of Third St
Synopsis: On 1/29/2017 approximately 1248 hours, Reported Party reported a vandalism to the entrance door to the La Dolce Vita Home & Garden Ideas Inc. The Reporting Party was unable to provide suspect information.

Case #: 170130
Date/Time: 01/31/2017 17:43
Location: 100 block of Fourth St
Synopsis: On 01-31-17, at approx. 1743 hours, R/P called and reported he had located a hole in his garage door. Male advised on 01-17-17 his neighbor was arrested for discharging a firearm in his back yard, and thinks the hole in his garage was from that incident. A bullet was recovered and later booked into evidence.

FEBRUARY – 9 CASES

Case #: 170135
Date/Time: 02/02/2017 16:35
Location: 10 block of Muckelemi St
Synopsis: On 02/02/2017, at approximately 1635 hours, a victim contacted the Sheriff's Office to report a commercial burglary at Neil's San Juan Super Market. The victim reported various items were taken and there is no suspect information.

Case#: 170151
Date/Time: 02/08/2016 07:26
Location: 300 block of Second St
Synopsis: On 02/08/17, approximately 0726 hours, a male was found to have active warrants out of Santa Cruz County and San Benito County. He was transported to the San Benito County Jail, and he was booked for his warrants.

Case #: 170171
Date/Time: 02/12/2017 11:11
Location: 1000 Block of Third St
Synopsis: On 02/12/17, at approximately 1111hrs, a female reported her wallet, purse and cell phone missing from her residence. She suspected a family member was responsible and stole the items. She only wanted the theft documented in case anybody tried to use her identification.

Case #: 170182
Date/Time: 02/14/2017 19:56
Location: Fourth St at Mission St
Synopsis: On 02-14-17, at approx. 1956 hours, Deputies were dispatched to the area of Washington St. near Lang St. in San Juan Bautista on a report of a suspicious grey vehicle. County Communications advised the vehicle was described as a grey VW Passat with a burnt out rear taillight. Deputy Leist located the vehicle and conducted a traffic stop. Both subjects were contacted. The driver was issued a citation for 14601.1 (Driver license suspended) and released. The passenger was arrested for possession of methamphetamine and possession of a loaded firearm. The passenger was transported and booked into the County Jail.

Case #: 170190
Date/Time: 02/16/2017 11:13
Location: San Juan School
Synopsis: On 02/16/2017, at approximately 1113 hours, the reporting party contacted the Sheriff's Office to report a harassment that occurred while her daughter was at San Juan School. School administration is handling the issue.

Case #: 170193
Date/Time: 02/16/2017 20:41
Location: 59 Muckelemi St
Synopsis: Items were stolen from inside an unlocked pickup truck in the area of 59 Muckelemi St. No suspect information.

Case #: 170203
Date/Time: 02/21/2017 12:36
Location: 54 Muckelemi St
Synopsis: There was a vandalism reported to Neil's Market. The exterior of the building was "tagged," by an unknown suspect. GHOST and TSK were painted. As of the time of this report, a suspect has not been identified.

Case #: 170222
Date/Time: 02/24/2017 13:37
Location: 300 block of Sixth St
Synopsis: A male took his own life. Nobody was home and nobody else was injured when it occurred.

Case #: 170224
Date/Time: 02/24/2017 14:30
Location: 300 block of Sixth St
Synopsis: During the investigation of a suicide, Deputies located illegal narcotics and paraphernalia inside the home. A warrant was requested for the responsible party. They were not taken into custody due to the nature of the prior call.

MARCH - 7 CASES

Case #: 170256
Date/Time: 03/07/2016 13:00
Location: 2000 block of Third St
Synopsis: On 03/07/17, at approximately 1300 hrs, an adult male reported his adult daughter hit him with a broom and threatened to kill him during an argument at their residence.

Case #: 170306
Date/Time: 03/21/2017 11:19
Location: 200 block of Sixth St
Synopsis: A resident of San Juan Bautista was the victim of identity theft/fraud when she discovered her bank card had been used in several suspicious cash withdrawals and purchases in various cities (Santa Cruz, Mountain View, San Jose, Milpitas and Redwood City). Case had been forwarded to affected agencies.

Case #: 170312
Date/Time: 03/22/2017 21:57
Location: Third St at Jefferson St
Synopsis: A male was arrested for a confirmed misdemeanor warrant during a traffic stop near the intersection of Third Street and Jefferson Street. He was transported to the San Benito County Jail for housing.

Case #: 170328
Date/Time: 03/26/2017 16:00
Location: 59 Muckelemi St
Synopsis: On 3/26/2017 between 1000 and 1600 hours the San Benito County Sheriff's Office responded to a residential burglary at 59 Muckelemi Street. It was learned that several electronic items and alcohol were stolen from the residence. During the investigation, the San Benito County Sheriff's Office arrested three juvenile males involved in the burglary.

Case #: 170332
Date/Time: 03/27/2017 14:35
Location: 400 block of Sixth St
Synopsis: On 3/27/2017 at approximately 1435 hours, the San Benito County Sheriff's Office responded to a traffic collision in the 400 block of Sixth Street in San Juan Bautista. This report was taken to document the incident.

Case #: 170333
Date/Time: 03/27/2017 16:24
Location: 10's block of Monterey St
Synopsis: On 03/27/17, at approximately 1630 hrs, the victim reported domestic violence incident by her husband, who due to his age and mental health condition, was taken to Hazel Hawkins Hospital and placed on a hold as a gravely disabled adult. An Emergency Protective Order was granted and served.

Case #: 170344
Date/Time: 03/31/2017 01:45
Location: Monterey St and Muckelemi St
Synopsis: On 03/31/2017, at approximately 0217 hours, an adult female was placed under arrest for VC 2800.2, evading a peace officer with wanton disregard for the safety of others and a Santa Clara County felony warrant. This occurred during an attempted traffic stop, where she crashed her vehicle at the intersection of Monterey Street and Muckelemi Street.

TOTAL 1st QUARTER 2017 – 32 CASES

Library Report

	Oct. '16	Nov. '16	Dec. '16	Jan. '17	Feb. '17	Mar. '17
New Material	20	28	44	14	18	40
Retired Materials	260	205	389	19	0	2
Lost Items	3	8	6	7	3	4
Overdue Items	11	13	19	6	14	3
Overdue Patrons	8	8	8	5	6	3
Cards Issued	13	3	9	7	10	4
Items Checked Out	379	282	271	369	315	392
Money from Fines	40.25	50.25	21.00	54.25	25.50	20.75
Money from Faxes	10.00	12.00	8.00	29.00	20.00	19.00
Money from Copies	32.85	61.25	20.05	58.35	85.50	74.15
Money from other Charges	5.80	7.00	4.50	16.00	2.25	7.25
Patron Tally	632	609	539	476	511	662

CITY OF SAN JUAN BAUTISTA

ADMINISTRATIVE REPORT

Date: April 18, 2017

To: City Council

From: Administrative Staff

PUBLIC WORKS DEPARTMENT:

The public works crew has started their weed mowing maintenance duties on the various streets and roads. With the recent heavy rains, the grasses and weeds have grown much higher than previous years. The crew will continue mowing and trimming the grasses and weeds. Lawns at the Abbe Park, Library and City Hall are mowed and trimmed often to keep up with the rapid growth. The water crew is completing the meter installation for the large 2" or greater meters to the commercial and industrial users.

PLANNING DEPARTMENT/CODE ENFORCEMENT

Matt has prepared his report and it is attached herewith.

CITY MANAGER DEPARTMENT:

Work on well site no. 5 is progressing. The subdivision map has been recorded and the corner of lot "B" is scheduled to be staked with finished elevation grades. A test well has been scheduled for the site to determine the soil profile and depths of the gravel layers together with an e-log. Upon completion of the test well and an evaluation of the e-log and soils profile, the depth of the well can be determine as well as the annular seal.

The 18.0 acre parcel of land along San Juan -Hollister Road has recently been sold to a young couple from Salinas. This is the area the City is considering for well site no. 6. They indicated to us about developing the site with a large metal building with loading ramps to facilitate their trucking business. We spoke to them about the City's interest in a well site of approximately 0.25 acres in size. They expressed interest but did not commit until they determine their overall plans of the property. We gave them development application forms and zoning regulations for the site. We will keep the City Council informed of the ongoing dialog with the new property owners.

PLANNING DEPARTMENT/CODE ENFORCEMENT

Matt worked with applicants and the Planning Commission to get Site and Design Review Permits approved for a restaurant and residential unit at 107 Third Street and a wine and beer tasting establishment at 322 Third Street at the Planning Commission meeting on April 4, 2017. The Planning Commission also approved a Conditional Use Permit for the use of an outdoor patio as an accessory use to the wine and beer tasting establishment at 322 Third Street with the condition that they come back for review by the Planning Commission at 6 months and 12 months after opening to discuss compliance and any potential complaints the City might receive. The 18th Barrel wine and beer tasting room is tentatively scheduled to open in June.

Matt is continuing to work on setting up the iWorQ PLL software with representatives from the company. He also completed an initial training session with Carmen and Nick on Thursday, March 30, 2017. Nick is now set up with his new computer and is starting to get familiar with the iWorQ program. In addition, the spreadsheets have been created for assembling the data from old/existing permits and licenses, and Matt will be working with Trish to dedicate some staff time to inputting the data from all of the City's old paper permits, licenses, and land use applications.

The process of setting up iWorQ has also brought to light the fact that the business license fee chart for the City of San Juan Bautista is outdated, convoluted, and inequitable. Matt is working with Carmen and Roger to create an updated business license tax schedule that can be more easily applied to all businesses in San Juan Bautista. This item will be discussed later on tonight's agenda.

Matt is also assembling a small group of individuals from the San Juan Committee, the Strategic Planning Committee, and the Planning Commission to begin the initial phase of the website redesign with Revize. This effort will begin by completing the "Design Discovery Survey," which includes categories such as: colors and branding, style and feel, logo and tagline, homepage elements, and photographs that capture the organization/city's character.

The chicken relocation program has been running smoothly, with public works trapping chickens and then relocating them to a ranch on Hwy. 129 at the end of the week. Nick is reporting weekly numbers to Matt so that the City can evaluate the effectiveness of the program at a future date.

Matt is also compiling a preliminary list of locations that will need to be notified about weed abatement.

CITY OF SAN JUAN BAUTISTA

CITY COUNCIL

STAFF REPORT

DATE: April 18th, 2017

SUBJECT: Consider Amendment of SJBMC Section 10-20540 (C)

DISCUSSION: During the consideration of a recent appeal, an inconsistency was discovered between the appeal periods of the San Juan Bautista Municipal Code (SJBMC) and the Subdivision Map Act. Section 10-2-540(c) of the SJBMC states:

*Within **fifteen calendar days** after action, the subdivider or any interested person may appeal any action of the Planning Commission to the City Council. Appeals to the City Council shall be submitted in writing to the City Clerk. Said appeals shall reference the tentative map number and shall state fully the nature and extent of the appeal and the reason why it is taken. Such appeal and the hearing thereon shall be conducted in the manner provided by Government Code Section 66452.5(a) and (b) and subsection (D) of this section.*

The Subdivision Map Act, however, which is the part of the California Government Code pertaining to subdivisions (and the section called out specifically in the SJBMC section cited above), in Section 66452.5(a) states:

The subdivider, or any tenant of the subject property, in the case of a proposed conversion of residential real property to a condominium project, community apartment project, or stock cooperative project, may appeal from any action of the advisory agency with respect to a tentative map to the appeal board established by local ordinance or, if none, to the legislative body.

*The appeal shall be filed with the clerk of the appeal board, or if there is none, with the clerk of the legislative body within **10 days** after the action of the advisory agency from which the appeal is being taken. Upon the filing of an appeal, the appeal board or legislative body shall set the matter for hearing. The hearing shall be*

held within 30 days after the date of filing the appeal. Within 10 days following the conclusion of the hearing, the appeal board or legislative body shall render its decision on the appeal.

The conflict caused by the inconsistency between what is stated in SJBMC Section 10-2-540(c) and what is stated in Government Code Section 66452.5(a) presents a problem for the planning and administrative staff when handling appeals because the authority of the California Government Code supersedes that of the San Juan Bautista Municipal Code. The two sections should be consistent in the application of the number of calendar days during which an appeal can be filed. 10 days is the most commonly used appeal period in the SJBMC (see table below), and it is also consistent with the stated appeal period in Government Code Section 66452.5(a).

City of San Juan Bautista Municipal Code - Appeal Periods			
Chapter #	Chapter Title	Section #	Appeal Period (Days)
Chapter 3-3	Business Licenses	3-3-530	10
Chapter 3-4	Transient Occupancy Tax	3-4-235	15
Chapter 5-6	Weed Abatement	5-6-135	10
Chapter 5-7	Animal Regulation	5-7-330	5
Chapter 5-9	Uniform Wastewater Regulation	5-9-900	10
Chapter 5-22	Dilapidated Buildings	5-22-120	30 (court action)
Chapter 5-26	Spray Paint and Graffiti	5-26-175	10
Chapter 5-29	Massage Establishments and Massage Services	5-29-335	2
Chapter 7-8	Encroachments	7-8-605	None
Chapter 9-1	Abandoned, Wrecked, Dismantled or Inoperative Vehicles	9-1-150	5
Chapter 10-2	Subdivisions	10-2-540	15
Chapter 11-6	Historic Resources Preservation	11-6-160	5
Chapter 11-25	Appeals	11-25-030	10
Chapter 12-1	Flood Hazard Prevention	12-1-535	10

RECOMMENDATION:

To make the San Juan Bautista Municipal Code consistent with the California Government Code, staff is recommending the San Juan Bautista Municipal Code Section 10-2-540(c) be amended by an ordinance of the City Council to reflect the same 10 day appeal period stated in Government Code Section 66452.5(a).

Attachments:

Memo for Item 5A - Amend SJBMC Section 10-2-540(c) - 03-21-17

City of
San Juan Bautista

Memo

To: City Council

From: Matt Orbach

CC: Roger Grimsley, Trish Paetz

Date: March 21, 2017

Re: Revised Resolution for Item #5A - Consider Amendment of
SJBMC Section 10-20-540(C)

Members of the City Council,

Mayor Martorana pointed out to staff that the ordinance for Item #5A – “Consider Amendment of SJBMC Section 10-20-540(C)” as originally written only calls out subsections (a) and (b) of California Government Code §66452.5, which cover the right to appeal of “the subdivider, or any tenant of the subject property.” Those subsections do not cover the right of appeal for “any interested person,” which is specified in the San Juan Bautista Municipal Code (SJBMC) §10-2-540(C). Subsection (d) of California Government Code §66452.5, however, does address the right of appeal of “any interested person adversely affected by a decision of the advisory agency or appeal board,” and gives those persons the same 10 day appeal period specified in California Government Code §66452.5(a) and §66452.5(b).

To ensure that the right of appeal of “any interested person” specified in SJBMC §10-2-540(C) are included, staff revised the text of the ordinance by changing all references to “California Government Code §66452.5(a)(2)” to

simply “California Government Code §66452.5”. This revision makes the resolution inclusive of California Government Code §66452.5(d), which will ensure that the right of appeal of “any interested person” is explicitly covered.

Staff also recommends removing “(a) and (b)” from SJBMC §10-2-540(C) for the same purpose.

The revised ordinance will, therefore, reflect two changes:

1. The appeal period stated in SJBMC §10-2-540(C) has been changed to “(10)” calendar days; and
2. Subsection “(a) and (b)” in SJBMC §10-2-540(C) have been removed, leaving the more inclusive “California Government Code §66452.5”.

ORDINANCE 2017-XX

A ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN JUAN BAUTISTA AMENDING ARTICLE 5 "TENTATIVE MAPS", SECTION 10-02-540 "APPEALS" SUBSECTION (C) OF THE SAN JUAN BAUTISTA MUNICIPAL CODE

WHEREAS the San Juan Bautista Municipal has established appeal periods for various functions, duties, and administrative actions in several Chapters of the Municipal Code; and

WHEREAS appeals are designed to establish a procedural process for interested parties, customers, and applicants an opportunity to appeal legislative, administrative, discretionary, and judicial decisions or actions which have been delegated to the planning Commission, various boards, advisory commissions, and employees to the City Council; and

WHEREAS a recent land use decision of the Planning Commission was appealed to the City Council and resulted in a conflict between the City of San Juan Bautista Municipal Code and Government Code Section 66452.5; and

WHEREAS, the inconsistency between the SJBMC, Section 10-02-540 (c) and Government Code Section 66452.5 caused a procedural problem for the City Council and Planning Commission in administering the appeal process; and

WHEREAS, the Planning Commission has reviewed the inconsistency between the San Juan Bautista Municipal Code and Government Code Section 66452.5 and recommended the City Council amend Section 10-02-540 subsection (C); and

WHEREAS, the number of days of an appeal period of Section 10-02-540 (c) of the San Juan Bautista Municipal Code (15 days) and the Subdivision Map Act of the California Government Code (10 days) were found to be inconsistent in administering the appeal process and should be amended for internal consistency with the State Codes.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SAN JUAN BAUTISTA HEREBY ORDAINS AS FOLLOWS:

Section 10-02-540 Appeals, to read as follows;

(A) The City Council shall be the Appeal Board.

- (B) As used herein, the term "interested person adversely affected" means any City department, public agency, public utility, or any person claiming that the decisions is likely to result in personal economic loss or damage to his property.
- (C) Within ten (10) calendar days after action, the subdivider or any interested person may appeal any action of the Planning Commission to the City Council. Appeals to the City Council shall be submitted in writing to the City Clerk. Said appeals shall reference the project and tentative map number and shall state fully the nature and extent of the appeal, how the Planning Commission erred in their decision, and the reasons why it is taken. Such appeal and the hearing thereon shall be conducted in the manner provided by Government Code Section 66452.5 and subsection (D) of this Section
- (D) Whenever a public hearing is held pursuant to this Section, it shall be conducted as required by the Government Code Section 66451.3. Notice of the time and place thereof, and the general description of the location of the proposed subdivision shall be given at least ten(10) days before the hearing by publication once in a newspaper of general circulation in the City of San Juan Bautista. Any interested person may appear at such hearing and shall be heard.

THE FOREGOING ORDINANCE was first read at a regular meeting of the San Juan Bautista City Council on the 21st day of March, 2017, and was adopted at a regular meeting of the San Juan Bautista City Council on the 18th day of April, 2017, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

Mayor Chris Martorana

City Clerk Connie Schobert

CITY OF SAN JUAN BAUTISTA

CITY COUNCIL

STAFF REPORT

DATE: April 18th, 2017

SUBJECT: Stop Sign at Third and Franklin Street

DISCUSSION: Emily Renzel of the Casa de Anza at 101 Third Street appeared at the meeting of the Historic Resources Board to discuss the stop sign proposed at the corner in front of her antiques shop. She made a compelling argument as not to install the sign because it would culturally be dissident to the historic appearance of the Casa de Anza structure. The Historic Resources Board made a recommendation to the Planning Commission and was again presented for action. The Planning Commission in turn approved a motion recommending to the City Council the rescission of Resolution 2016-45 approving the one way directional signs for Franklin and Pearce Street and a stop sign at Franklin and Third Street.

The width of the street directly south of Franklin Street (The Alameda) is much wider than Third Street north of Franklin Street. Sight distance is a critical part of vehicles making a safe traffic movement for left, right and continuing straight through. The existing street parallel parking on each side of Third Street when occupied diminishes the sight distance significantly. The speed limits of Third Street both north and south of the intersection is 15 mph. There is no doubt the 15mph speed limits contributes to the safety of the intersection. Slower speeds allow the ability of drivers to react to situations and avoid accidents.

The problem which often occurs, particularly in the late afternoons and evening hours, is traffic exceeds the 15 mph speed limits thereby reducing the time to make a safe traffic movements at the intersection.

The city does not have 24 hour law enforcement to enforce speeding vehicles. We rely on directional, warning and regulatory signs to control and guide traffic throughout the city.

The staff has no problems eliminating the one way directions of Franklin and Pearce Street and the directional and regulatory signs that are required to make one way streets safe and legal.

Eliminating the stop signs at the Intersection of Third and Franklin Street will revert to the current status of the intersection and will continue to operate as usual. The intersection is classified as a blind intersection.

RESOLUTION NO. 2016-45

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN JUAN
BAUTISTA, AUTHORIZING A STOP SIGN AT THE INTERSECTION OF FRANKLIN
STREET WITH THIRD STREET IN COMPLIANCE WITH PROVISIONS OF
SECTION 21353 OF THE VEHICLE CODE**

WHEREAS, the City of San Juan Bautista is designated the local authority and may designate any street under its jurisdiction as a through street and may erect stops signs at any intersection under exclusive jurisdiction, and

WHEREAS, the City of San Juan has determined the need to ensure the safety and welfare of residents traveling on city streets, and

WHEREAS, the City has identified the intersection of Franklin Street and Third Street as a two way stop sign intersection pursuant to Vehicle Code Section 21353.

NOW, THEREFORE BE IT RESOLVED, that the City Council of the City of San Juan Bautista hereby authorizes the installation of a two way stop sign at the intersection at Franklin Street and Third Street and the installation of one way direction signs on Franklin Street between Third Street and Fourth Street together with do not enter signs and pavement directional markings in the southwesterly direction from Third Street to Fourth Street.

BE IT FURTHER RESOLVED that this resolution shall take effect immediately upon adoption by the City Council.

PASSED AND ADOPTED by the City Council of the City of San Juan Bautista on the 20th day of September 2016, by the following vote:

AYES: Lund, Boch, Edge

NOES: None

ABSTAIN: West

ABSENT: Mariorana

Mayor Rick Edge

ATTEST:

Connie Schobert, City Clerk

April 10, 2017

Dear Mayor, Pro-tem West & Members of the City Council:

On April 4 the Historic Resources Board voted 3-1 to ask you to rescind your decision regarding traffic changes at Third & Franklin and at Pearce Lane. I hope you will seriously consider their recommendation and rescind your previous decision.

At the risk of repeating myself, the Third & Franklin intersection is the main gateway to the San Juan Bautista Third Street Historic District as well as the principal approach to the Mission and State Historic Park. Adding so many traffic changes (and associated signs and street markings) will be deleterious to this important gateway to our historic district and I believe it will be particularly incongruous to add so much modern traffic control activity there. Any changes that diminish this historic gateway should be made only if warranted.

Normally a stop sign would be warranted if the 8 hour average traffic volume *on the main thoroughfare* is more than 300 vehicles per hour. I did 22 hours of traffic counts between 8 a.m. and 4 p.m. There were at least two counts for each of those hours and even more for the busiest time from 11 a.m. to 1 p.m. The average of ALL movements at this intersection, both turning and through traffic, was 190.5 vehicles/hour — not even two-thirds of the requirement for Third Street alone.

The average hourly pedestrian crossings of Third or the Alameda is just ten (10). Again, there is no significant vehicle/pedestrian conflict.

Five accidents within the last 12 months might also warrant a stop sign. The last reported accident at Third and Franklin was in 2002 when a drunken motorcyclist hit a pedestrian. It is doubtful that a stop sign would have prevented that accident.

Franklin between Third and Fourth averages 11.5 vehicles/hour divided approximately equally. Potential for conflict is de minimus. In over 9 years of using this block of Franklin I have NEVER experienced a conflict with an on-coming vehicle. I'm confident that Pearce Lane has similar traffic volumes.

The issue of line-of-sight has been raised. If that justification is sufficient, then every intersection on Third needs a four-way stop. Third and Franklin is actually better than most intersections because of the angle and width of the Alameda which allows cross traffic to see all the way to Highway 156.

I have collected petitions from businesses, residents, and visitors requesting that you respect the current historic integrity of this gateway intersection. Twenty nine (29) businesses, including all four at the corner of Third and Franklin have signed the petition. At least 57 San Juan residents have signed a similar petition. And 427 visitor/shoppers have also requested that you leave the current traffic configuration in place. They hail from all over California plus 14 other states and 6 other countries. Visitors are the life-blood of our community. A summary of these petitions is attached to this email.

Since there is not a documented safety issue at Third and Franklin, I respectfully request that you follow the recommendation of the Historic Resources Board and rescind the decision made last September and leave the current traffic configuration.

Thank you very much.

Sincerely,

Emily M. Renzel
Casa de Anza and Old Adobe Antiques

Attachments:
Petition summaries
Traffic count summaries

Date	Time (20 hrs total)	Total thru on Third	Vehicles/ Minute	Total Third-4th Franklin	Total 2nd-3rd Franklin	Pedestrian Crossings*
Fri, 12/30/16	(cold) 1 - 2 p.m.	194	3.23	15	50	7-15
Sat, 12/31/16	(cold) 11:15-12:15	151	2.48	10	25	10
Sat, 12/31/16	(cold) 1-2 p.m.	142	2.37	12	42	19
Sat, 12/31/16	(cold) 3-4 p.m.	154	2.57	6	32	10
Thurs, 1/5/17	(cold) 11am-noon (2 hours of counts) noon-1 p.m.	278	2.32	24 (2 hours)	94 (2 hours)	18 (2 hours)
Fri, 1/6/17	10-11 a.m.	94	1.57	11	29	8
Fri, 1/6/17	11am-noon	111	1.85	14	38	13
Fri, 2/3/17	(clear) 2-3 p.m.	149	2.48	8	36	10
Sat, 2/4/17	(clear) Noon-1 pm	167	2.78	21	52	17
Sun, 2/5/17	(cloudy) 10-11 a.m.	133	2.22	8	60	9
Sun, 2/5/17	(cloudy) 2-3 p.m.	113	1.88	8	33	19
Fri, 2/10/17	(showers) 9-10 a.m.	108	1.80	7	15	2
Fri, 2/10/17	(showers) 1-2 p.m.	154	2.57	14	47	17
Sun, 2/12/17	(sunny) 10-11 a.m.	135	2.25	8	59	10
Sun, 2/12/17	(sunny) 11-noon	178	2.97	19	109	18
Thurs, 2/16/17	(drizzle) 8-9 a.m.	119	1.98	4	14	0
Sat 2/18/17	(overcast) 10-11 a.m.	136	2.27	8	51	7
Sun 2/19/17	(overcast) 8-9 a.m.	61	1.02	3	27	3
Sun 2/19/17	(lt showers) 10-11 a.m.	137	2.28	49	13	Fri
3/17/17	(clear) 3-4 p.m.	182	3.03	73	11	
Sat 4/1/17	(clear) 9-10 a.m.	126	2.10	7	21	1
Totals	22 hours of counts	3022	2.28	236 (10.72/hr)	1038 (47.2/hr)	220 crossings (10/hr)
			137.4/Hour			

Local businesses benefit from the Historic Character of our downtown. Please reconsider the decision to make traffic control changes at Third and Franklin. Please retain the current traffic configuration and the two-way street on Franklin between Third and Fourth. (Signed by 29 business owners, including all four at 3rd & Franklin)

Signed by:

Halina Kleinsmith	Fools Gold
Bonnie Turner	Little Red Barn
Dianne Hampton	San Juan Bakery
Macedonian Palomino	Intl Vision Boutique
Barbara Conder	Visions

Piper Jaramillo	Mission Gallery
Trinie Martin	TTK Thrift
Tami Castaneda-Huaracha	Dona Esther's
Jane Merrill	Southwest Roundup
Emily Renzel	Old Adobe Antiques

Alma Paulk	Natural Wonders
Ron Paulk	Mission Clocks
Lois Long	Lois's Unique Furnishings
Kelli Hiatt	Good Eats
Patricia Bains	Mrs. B's Z-Place

Lori Wilson	Bear's Hideaway
Bruce Kleinsmith	Ano Ne Gallery
Margaret Martinez	Season's Handcrafts
Pat Riley	Pat Riley Real Estate
Mary Foletta	Washing Well

Dmitri Fridman	Vertigo Coffee
Aida Paisano	CB Realtor
Eduardo Hernandez	Posada de San Juan
Rhonda Roarcio	Mom & Pops
Debbie Hernandez	Sweet Pea Antiques

Anthony Cornaggia	Golden Wheel Antiques
Jesus Zavala	JJ's Burgers
Kathy Schipper	Schipper Design
Pat Garratt	Hawk's Peak

San Juan Bautista Resident Petition (Signed by 57 residents)

I chose to live in San Juan Bautista because of the small town historic character of Third Street, the Mission, and the State Park. Please reconsider the decision to make traffic control changes at Third and Franklin that will change this character. Please retain the current traffic control configuration and the two-way street on Franklin between Third and Fourth.

Annette Waddell

Halina Kleinsmith

Trinie Martin

Michael Pechgen?

Thomas Kock

Marianne Steeger

Georgana Gularte

Marian Sanchez

Ann Fritch

Shawna Freels

Luis Candelaria

Wanda Guibert

Leroy Todd, Jr.

Melody Donen

George Dias, Jr

Max A. Martin

Donna Holmes

Lisa Bissell

Daniel Lee

Cynthia Laptalo

Jen Jaynes ?

Steve Arzaca

Thomas Hall

Gayle Selznick

Patricia Bains

George Duncan

Bruce Kleinsmith

Tanya Ann Ross

Mary Morales

Enrique Morales

Diane Pederickson

Carmen Avarus

Michael Arzaga

Loryn Kehoe

Kathy Schipper

Jamie Barrett

Jenna Gallardo

Mary Martinez

Hayley Benfield

Amber Scribner

Jennifer Ponce

Alvaro Caldera

Isaias Merino

Manual Angulo

Theresa Brain

Harold Gomes

Mary Gomes

Vicente Pinuela Jr.

K.L. Dickie

Elinor Beningham???

Brian Steeger

Jon Escoto

Kathryn Estrada

Irvin Fegley

Cara Vonk

Carly Page

Max Martinez

OVER>>>>

Visitor Petition

We visit San Juan Bautista to enjoy the historic character of Third Street, the Mission, and the State Park. Please reconsider the decision to make traffic control changes at Third & Franklin that will change this character. Please retain the current traffic configuration and the two-way street on Franklin between Third & Fourth.

Signed by 427 people from various CA towns as well as 14 states (HI, AZ, NC, NY, MO, MI, CO, WA, PA, OR, IN, OH, NV, MD, and VA) plus Mexico, Columbia, Venezuela, Iran, Canada, and the UK

April 11, 2017

Dear Mayor Martorana & Members of the City Council:

On April 4 the Historic Resources Board voted 3-1 to recommend that City Council rescind its previous decision regarding traffic changes at Third & Franklin and at Pearce Lane. The San Juan Bautista Historical Society Board of Directors is concerned about streetscape changes that affect the San Juan Bautista Third Street Historic District. Ms. Renzel has done her due diligence and her research has demonstrated quite clearly and factually that the proposed streetscape changes are unwarranted and unjustified.

In September 2016, the City Council voted 3-0 (with Jim West abstaining and Chris Martorana absent) to move the stop signs on Third at Pearce Lane to Third at Franklin and to make Franklin Street one way between Third and Fourth. The approval also included making diagonal parking spaces on Third between the soccer field and Franklin. All of these changes require signage and street painting that detract from the ambiance of our Historic District. This is just at the entry to the District, which begins with the DeAnza Adobe (1799), one of the oldest buildings in San Juan Bautista and often the subject of photographs and art work.

At our Board Meeting earlier this year, the San Juan Bautista Historical Society Board of Directors reviewed the traffic flow changes proposed around Third & Franklin Streets. Emily Renzel shared her traffic counts, which suggest that stop signs on Third are not warranted by traffic counts or accidents. She also showed how making Franklin one way between Third and Fourth is not justified by the extremely low traffic counts there.

We urge you to rescind this decision and leave the present traffic control configuration. We also request that in the future, the Council refer changes such as these to the Historic Resources Board and consult the San Juan Bautista Historic Downtown Streetscape Guidelines document available on the City's website under Planning: http://www.san-juan-bautista.ca.us/wp-content/uploads/2017/01/san-juan-bautista.ca.us_sjb-historic-downtown-streetscape-guidelines-2016.pdf

Thank you for your consideration.

Sincerely,

Wanda Guibert

Wanda Guibert, President
San Juan Bautista Historical Society Board

CITY OF SAN JUAN BAUTISTA

STAFF REPORT – CITY COUNCIL

DATE: April 18th, 2017

SUBJECT: Schedule for Special meetings for
review of
proposed Budget FY 2017-2018

Suggested Special Meeting Dates for Budget review.

Thursday May 11th, 2017 or as needed

Thursday May 25th, 2017 or as needed

Thursday June 1st, 2017 or as needed

Thursday June 8th, 2017 or as needed

Connie Schobert
P.O. Box 1331
San Juan Bautista, CA 95045
March 24, 2017

Roger Grimsley
City Manager
City of San Juan Bautista
P.O. Box 1420
San Juan Bautista, CA. 95045

Letter of Resignation

It is with a heavy heart that I submit my resignation. I would like to thank you for providing me the opportunity to learn and grow with the agency but it is time for me to move on and seek other opportunities for growth. I have accepted a position with the Santa Clara County Office of the District Attorney and am very excited to learn and grow with a new agency that values integrity and professionalism.

My last day will be at the library on Friday April 7th, 2017 and my last meeting as a City Clerk will be the meeting of Tuesday April 18th, 2017. Given the recent passing of my father and my work schedule as a tutor, I will try my best to schedule a date to meet with you to discuss the transition duties and information to the best of my ability. Beginning April 10, 2017, I will no longer be available via text, email, phone during the week or during work hours.

I wish the agency and all its employees much success in coming years.

Sincerely,

Connie Schobert
Library Technician, Webmaster
AND
City Clerk

Cc: Matt Orbach, Trish Paetz, Dee Dee Hanania, Mayor Martorana

CITY OF SAN JUAN BAUTISTA

CITY COUNCIL STAFF REPORT

To: The Honorable Mayor and City Council

From: The City Attorney

RE: BAN ON RECREATIONAL MARIJUANA SALES, CULTIVATION AND DELIVERY

Date: April 12, 2017

REQUEST:

It is requested that the City Council:

1. Review the attached draft Ordinance to ban recreational sales, cultivation and delivery of recreational marijuana within City Limits; and,
2. Give direction to staff to do environmental review and bring the same or similar Ordinance to the Planning Commission, for further review and recommendation to the City Council.

BACKGROUND:

Proposition 64, the Adult Use of Marijuana Act (AUMA) was passed by the voters, last November. AUMA legalized the recreational use and cultivation of marijuana. San Juan's Ordinance must be revised to deal with recreational sales and cultivation. The State is not going to issue licenses for recreational marijuana businesses until January 1, 2018. The AUMA expressly recognizes the authority of local governments to adopt reasonable cultivation regulations, which may include a complete ban on dispensaries and private outdoor cultivation. (Health and Safety Code § 11362.2.) Local governments can choose to allow all, some, or none of the 18 different types of commercial cannabis licenses AUMA creates to span the supply chain from cultivation and manufacturing to testing, distribution, and retail sales.

There is no deadline in AUMA by which a city must adopt its own regulations or be bound only by State law. The City, should, however, adopt an ordinance well prior to the time the State estimates that it will begin to issue licenses – especially if it intends to select a dispensary or dispensaries from applicants. The State will then only issue licenses in San Juan Bautista, which comply with San Juan's regulations. A draft ordinance is attached hereto as Exhibit "A."

AUMA ESSENTIAL PROVISIONS:

1. Cultivation of Marijuana Plants

The AUMA will make it lawful for individuals to cultivate up to six marijuana plants and to possess the marijuana produced by the plants. (Health & Safety Code § 11362.1(a)(3).)

Cities can completely prohibit private outdoor cultivation, but they cannot prohibit cultivation within a private residence or within a fully enclosed and secured residential accessory structure. (Health & Safety Code § 11362.2(b)(1).) Rather, cities can “enact and enforce reasonable regulations that reasonably regulate” personal indoor cultivation. (Health & Safety Code § 11362.2(b)(1).)

2. Possession of Marijuana

The AUMA makes it lawful to possess up to 28.5 grams of cannabis plant material or 8 grams of concentrate.

The City cannot prohibit marijuana use or possession in light of Health and Safety Code section 11362.1(a), which states that it is lawful under state *and* local law for individuals to possess certain amounts of marijuana and marijuana products and to “[s]moke or ingest marijuana or marijuana products.”

The AUMA imposes certain statewide restrictions on where people can use recreational marijuana. Under proposed Health and Safety Code section 11326.3(a), individuals may not engage in the following activities:

- Smoking or ingesting marijuana or marijuana products in any public place;
- Smoking marijuana anywhere smoking tobacco is prohibited;
- Smoking marijuana within 1,000 feet of a school, day care center, or youth center, unless in or upon the grounds of a private residence and the smoke is not detectable at the school, day care center, or youth center when children are present.
- Smoking or ingesting marijuana while operating a motor vehicle, boat, vessel, aircraft or other vehicle used for transportation
- Smoking or ingesting marijuana while riding in the passenger seat or compartment of a motor vehicle, boat, vessel, aircraft or other vehicle used for transportation.

3. Regulation of Commercial Retail Establishments.

Business and Professions Code section 26200 provides that cities may “completely prohibit the establishment or operation of one or more types of businesses licensed under” the AUMA.

Cities cannot prohibit recreational marijuana distribution and transportation on public roads. (Bus. & Prof. Code § 26080(b).) The best interpretation of the AUMA is that a city could prohibit delivery of marijuana to locations inside the City as an exercise of its constitutional police power and land use authority.

The City currently has a ban on medical marijuana dispensaries. An additional ordinance is required to ban recreational marijuana dispensaries, cultivation and delivery. The City Council directed the City Attorney to return with an ordinance which bans medical marijuana dispensaries.

CONCLUSION:

If the City Council agrees with the basic concepts set forth in the attached Ordinance, it should send it back to the Planning Commission for CEQA compliance and further review.

Chapter 5-14.6 PROHIBITION OF MARIJUANA DISPENSARIES, SALES, CULTIVATION AND DELIVERY.

5-14.6-010 Definition of "Marijuana Dispensary."

(A) "Marijuana Dispensary" is defined as any facility, clinic, cooperative, club, business, retail facility, group or location, whether fixed or mobile, including any type of operation which could be licensed for use under the Adult Use of Marijuana Act, and as specifically set forth in California Business and Professions Code section 26050, where marijuana, or any marijuana infused product is produced, made available to, sold, exchanged, or distributed to any person. A marijuana dispensary shall not include the following uses, as long as the location of such use is otherwise in accordance with this code and other applicable law:

- (1) A clinic licensed pursuant to Chapter 1 of Division 2 of the Health and Safety Code.
- (2) A health care facility licensed pursuant to Chapter 2 of Division 2 of the Health and Safety Code.
- (3) A residential care facility for persons with chronic life-threatening illness licensed pursuant to Chapter 3.01 of Division 2 of the Health and Safety Code.
- (4) A residential care facility for the elderly licensed pursuant to Chapter 3.2 of Division 2 of the Health and Safety Code.
- (5) A hospice or a home health agency licensed pursuant to Chapter 8 of Division 2 of the Health and Safety Code, as long as any such use complies strictly with applicable law including, but not limited to, Health and Safety Code Section 11362.5 et seq.
- (6) Personal use, cultivation or exchange of marijuana, as legally permitted by Health and Safety Code Section 11018.

5-14.6-020 Marijuana Dispensaries Prohibited.

(A) Marijuana dispensaries are prohibited in the City of San Juan Bautista. No person shall locate, operate, own, suffer, allow to be operated or aid, abet or assist in the operation of any fixed or mobile marijuana dispensary, including any type of operation which could be licensed for use under the Adult Use of Marijuana Act, and as specifically set forth in California Business and Professions Code section 26050, within the City in any zone. The operation of a Marijuana Dispensary in the City of San Juan Bautista shall constitute a public nuisance.

5-14.6-030 Marijuana Cultivation Prohibited.

(A) Marijuana Cultivation is prohibited in the City of San Juan Bautista, in all zones, except that not more than six (6) living marijuana plants may be planted, cultivated, harvested, dried, or processed by a person over the age of twenty one (21) inside a private residence, or inside an accessory building to a private residence that is fully enclosed and secure and located upon the grounds of the private residence, as an incidental use to the primary private residential use, as permitted by the Adult Use of Marijuana Act.

5-14.6-040 Marijuana Deliveries to locations inside the City of San Juan Bautista

(A) Delivery of Marijuana or marijuana infused products for retail purposes or to exchange for goods or services, to locations inside of the City of San Juan Bautista, is prohibited.

To: San Juan Bautista City Council

From: San Juan Bautista Strategic Plan Committee

Recommendation

The Strategic Plan Committee recommends the Council create a public engagement strategy. Elements of the strategy include:

- Establishing a part-time Public Information Officer position in the 2017-18 fiscal budget
- Development of a social media presence on Facebook and Nextdoor
- City website enhancements and newsletters
- Re-instituting regular City Hall office hours of 8 a.m.- 5 p.m.

Background

San Juan Bautista is in need of a mechanism to inform and directly engage residents about the initiatives of the City. Community engagement is a growing practice among municipalities to increase the level of public participation and discussion, and to grow public trust. Tools such as social media sites, newsletters and website enhancements offering details of projects, programs and meeting actions provide community members with avenues to become informed and involved in their local government. Historically the City has provided very narrow offerings on its website and has limited public office hours of 9 a.m. - 1 p.m. This leaves residents with little ability to be anything but spectators of their City government, instead of participants.

Analysis

A growing disconnect between the citizens and government - complicated by the challenges of demographic changes, a highly mobile citizenry and increasing demands - has renewed the need for local leaders to revisit how best to engage the public regarding the issue of democracy and governance. Increased involvement by residents in government is essential as those who are affected by a decision or policy should be key in the decision making process. Developing an informative, inclusive, effective relationship, built on trust between citizens and their government, will help mend this disconnect and create a more effective City.

Public Information Officer:

The 2035 general plan strategic plan element program PF 9.1.1.3 calls for the creation of a Public Information Officer (PIO). The function of this staff member in local government is as a channel for the flow of information to the public; a single source dedicated to providing clear messaging using tools such as press releases, e-newsletters, social media and website posts. PIO's inform and engage community members, the media and local stake holder organizations about the projects, plans, events and goals of the City. Under the administrative direction of the City Manager this staff member would interact as a link between the City and its citizenry and local organizations such as the Rotary, ASJUSD, San Juan Committee, Merchants Groups and others, to provide reliability of the City's messaging.

Social Media/Website Enhancements/e-Newsletters:

A City Facebook and Nextdoor managed by a PIO will provide the public with online tools to engage and become informed about the City. Both services are widely used by cities across the nation for open dialog with citizenry, and for the dissemination of public safety and emergency preparedness information.

Website enhancements such as maintaining an ongoing library of all public meeting agenda, minutes, and packet material of the City Council and Commissions, and publishing information about projects and programs of the City are critically needed to inform community members. An e-Newsletter would offer another avenue for constituents to learn of the city's happenings.

Regular Office Hours:

As we see our community grow the need to re-institute regular office hours is abundantly clear. Limited office hours prohibits residents from conducting city business and restricts their ability to become informed about their local government. As the office is fully staffed from 8 a.m. to 5 p.m., opening the doors to City Hall would have little to no change to the staffing compliment, and would support the Council's efforts to engage the citizenry of San Juan.

Fiscal Impact

A PIO position in a part time capacity will be an ongoing expense to the city's general fund. There is no additional cost for the City to engage in social media, e-newsletter and website enhancement activities.

Conclusion

Public engagement enhances public confidence and educates the community about how their City operates. Investing in the creation of a Public Information Officer to lead this charge will offer the citizens of San Juan Bautista with a conduit to their government and will support the Council's goal of transparent governance.

CITY OF SAN JUAN BAUTISTA

CITY COUNCIL

STAFF REPORT

DATE: April 18th, 2017

SUBJECT: Staff Response to Strategic Planning Committee Community Engagement Strategy Recommendation

DISCUSSION: City staff recognizes the importance of public outreach and the need for more of it at the City of San Juan Bautista. Since being hired as the new Community Development Director, Matt Orbach has taken numerous steps towards achieving this goal, including:

- Posting full packets for City Council and Planning Commission meetings on the City website a week in advance of meetings
- Putting on the Water Forum to provide information about water sources, water delivery and infrastructure, water quality, and water fees, rates, and billing
- Adding new pages to the City website with information about water and law enforcement and making existing pages more robust
- Maintaining a list of current projects and posting project-specific planning documents to the Planning Department page of the website a week prior to Planning Commission meetings so that the public can review them for the same amount of time as Planning Commissioners
- Proposing new ways to disseminate information to City Council
- Researching web design/content management systems that will increase the transparency, accessibility, functionality, and intuitiveness of the City website and give City staff the ability to:
 - Send out emergency push notifications via email and text message to anyone who signs up
 - Create online libraries of meeting agendas, packets, and minutes (past to present)
 - Share city information via press releases, blog posts, and newsletters
 - Encourage civic engagement through: online citizen reporting; public service requests; and an informative and accurate calendar of events.

- Consolidate 'official' City information, outreach, responses to current events, and policy statements in one centralized location so citizens know where to go to ask questions and get answers.
 - Information on the City website can easily be shared on social media

Response to Specific Recommendations:

Public Information Officer (PIO)

An effective Public Information Officer must have their finger on the pulse of the organization they represent, and be ready at a moment's notice to collaborate with top City officials to formulate and disseminate 'official' City statements. A part-time PIO would be unable to fulfill this duty because they would lack the full understanding of current planning efforts, code enforcement issues, infrastructure plans and challenges, political environment, and many other local issues.

The roles and responsibilities of the recommended PIO position could, however, easily be combined with another full-time position with knowledge and experience in those areas (eg – Assistant Planner) who would be working with the City Manager, Community Development Director, Public Works, etc. on a daily basis. In the opinion of City staff, this would be a much more efficient and effective use of City resources.

Social Media/Website Enhancements/e-Newsletters

The website redesign and new content management software provided by Revize will provide the public with the "online tools to engage and become informed about the City", but in a central location and in a much more official way than a Facebook page and/or Nextdoor account, which provide services redundant to the new website capabilities. While many larger cities use programs like Facebook, Nextdoor, Twitter, etc. to give their messages greater reach, most of them have a high-quality website on which they post the 'official' information that is then shared across social media (possibly by 'champions' in the community who work with City staff to share pertinent information in groups like "What's Going On, San Juan"). The creation of that high-quality website is the first step towards increasing transparency and outreach, and it is most effective if it is done *before* pursuing supplemental outreach options such as Facebook and Nextdoor.

The new website will also offer: a library of all public meeting agendas, minutes, and packet materials for the City Council and Planning Commission; Information

about projects and programs happening in the City; e-newsletter capability; blog capability; emergency notification to email and text; etc.

Regular Office Hours

The current office hours setup (doors open from 9 a.m. to 1 p.m., but staff here until 4 p.m. and available for drop-in or appointment) has been in place since 2007, and we have rarely received complaints about it. This setup allows staff more uninterrupted time to get work done while still providing access to the public if they need assistance. Staff is also available before 9 a.m. every day if anyone wishes to meet before they go to work. There is also a drop-box for bills in front of City Hall for after-hours bill payment.

The office is only fully staffed from 9 a.m. to 4 p.m., with employees working the following hours:

- Roger: M-F, 6:00 a.m. to 4:00 p.m.
- Matt: M-Th, 7:00 a.m. to 4:00 p.m. (through end of April)
 - M-F, 7:00 a.m. to 4:00 p.m. (starting end of April)
- Carmen: M-F, 8:00 a.m. to 4:00 p.m.
- Trish: M-F, 9:00 a.m. to 5:00 p.m.

If the City Council wishes to have regular 9 a.m. to 5 p.m. office hours, we would have to shift Carmen to the same 9:00 a.m. to 5:00 p.m. as Trish and close for an hour lunch break between 12:00 p.m. and 1:00 p.m. to give Carmen a lunch break. Planning, building, engineering, and public works staff would not be available between 4 and 5 p.m.

These changes would still not make City staff available to people who work a regular 9 a.m. to 5 p.m. schedule, so it is not clear how much the four hour period between 1 p.m. and 5 p.m. “prohibits residents from conducting city business and restricts their ability to become informed about their local government,” especially when the vast majority of residents know that all they have to do to speak with staff between 1 p.m. and 4 p.m. is pick up the phone or come to the back door (or even just knock on the front door).

Fiscal Impact

Over the next several months, City staff will be working with the City Council on both staffing changes and the Fiscal Year 2017/2018 budget. There are going to be many changes, but none of them change the fact that we need every City employee to be able to perform multiple functions. Based on the current workload and future workload projections, staff does not believe that a part-time Public Information Officer is a prudent use of City funds, especially when

the PIO roles and responsibilities could easily be included as part of the roles and responsibilities of an additional full-time employee with valuable and applicable skills in one or more of the other departments.

In addition, while software such as Facebook, Nextdoor, Twitter, Snapchat, etc. and electronic media such as e-newsletters are free, the staff time required to maintain, monitor, and create the material to share on those platforms is enormous.

Conclusion

Over the last several months, City staff has been working hard on increasing the level of transparency, outreach, and public engagement at the City, but those efforts take time. The next stage of this process, especially the website redesign, will take those efforts to the next level, and staff believes that the public will be very pleased with the end product. Staff will also be putting together policies regarding social media use, issuing press releases, and formulating an official outreach strategy that will most likely eventually include an increased use of social media.

Staff recommends that City Council hold off on acting on the recommendation of the Strategic Planning Committee until after the current efforts of City staff regarding public outreach and engagement are given a chance to be implemented and evaluated.

The new Medical Cannabis Regulation and Safety Act consists of three separate bills which were enacted together on Sept 11, 2015. The bill creates a comprehensive state licensing system for the commercial cultivation, manufacture, retail sale, transport, distribution, delivery, and testing of medical cannabis. All licenses must also be approved by local governments.

The law went into effect on January 1, 2016; however, the state has said it will need until January 2018 to set up the necessary agencies, information systems, and regulations to actually begin issuing licenses. In the interim, local governments may choose to adopt new ordinances to permit or license local businesses in preparation for state licensing. Facilities currently operating in accordance with state and local laws may continue to do so until such time as their license applications are approved or denied. In the meantime, prospective applicants are strongly advised to apply to the state Board of Equalization for a Resale Permit, and to prepare for seeking approval from their local governments.

Text of Medical Cannabis Regulation Safety Act (three parts):

AB 266 (Bonta/Cooley/Jones-Sawyer/Lackey)

AB 243 (Wood)

SB 643 (McGuire)

SUMMARY:

AGENCIES AB 266 establishes a new Bureau of Medical Cannabis Regulation under the Department of Consumer Affairs. The Bureau is to establish a comprehensive internet system for keeping track of licensees and reporting the movement of commercial cannabis and cannabis products.

SB 643 & AB 243 give the Dept. of Food and Agriculture responsibility for regulating cultivation; the Dept. of Public Health for developing standards for manufacture, testing, and production and labeling of edibles; the Dept of Pesticide Regulation for developing pesticide standards; and the Depts. of Fish and Wildlife and State Water Board for protecting water quality. (Sec. 19332)

LICENSE TYPES The following license types are established under AB 266 (B&P code 19300.7)) and SB 643 (19331(g) and 19332):

- (1) Type 1 = Cultivation: Specialty outdoor. Up to 5,000 square ft of canopy, or up to 50 noncontiguous plants
- (2) Type 1A = Cultivation; Specialty indoor. Up to 5000 sq ft
- (3) Type 1B = Cultivation; Specialty mixed-light. Using exclusively artificial lighting.
- (4) Type 1C = Specialty Cottage, for cultivation using a combination of natural and supplemental artificial lighting at a maximum threshold to be determined by the licensing authority, of 2,500 square feet or less of total canopy size for mixed-light cultivation, up to 25 mature plants for outdoor cultivation, or 500 square feet or less of total canopy size for indoor cultivation, on one premises
- (5) Type 2 = Cultivation; Outdoor. Up to 5000 sq ft, using a combination of artificial and natural lighting
- (6) Type 2A = Cultivation; Indoor. 5001 -10,000 sq ft.
- (7) Type 2B = Cultivation; Mixed-light. 5001 -10,000 sq ft
- (8) Type 3 = Cultivation; Outdoor. 10,001 sq ft - 1 Acre
- (9) Type 3A = Cultivation; Indoor.. 10,001 - 22,000 sq ft
- (10) Type 3B = Cultivation; Mixed-light. 10,001 - 22,000 sq ft
- (11) Type 4 = Cultivation; Nursery.
- (k) Type 6 = Manufacturer 1 for products not using volatile solvents.
- (l) Type 7 = Manufacturer 2 for products using volatile solvents.
- (m) Type 8 = Testing
- (n) Type 10 = Dispensary; General
- (o) Type 10A = Dispensary; No more than three retail sites
- (p) Type 11 = Distribution
- (q) Type 12 = Transporter

CULTIVATION SIZE LIMITATIONS The maximum allowable size is 1 acre (43,560 sq ft) outdoors (Type 3) or 22,000 sq ft indoors (Type 3A and 3B licenses). The DFA is directed to limit the number of Type 3, 3A and 3B licenses. (AB 243, 19332(g)).

VERTICAL INTEGRATION There are complicated restrictions to prevent vertical integration (AB 266, 19328). In general, licensees can only hold licenses in up to two separate categories. Small cultivation licensee Types 1-2 may hold manufacturing or Type 10A retail licenses (limited to three dispensaries). It appears that Types 3-4 licensees can't apply for manufacturing licenses at all. However, Type 10A licensees can apply for both manufacturing and cultivation licenses, provided their total cultivation area doesn't exceed 4 acres. Also, facilities in jurisdictions that require or permit cultivation, manufacture and distribution to be integrated as of July 1, 2015 may continue to operate that way until Jan 1, 2026.

DISTRIBUTORS REQUIRED Type 11 distributors are a new kind of entity that has been created to regulate the flow of products. ALL cultivation and manufacturing licensees are required to send their products to a Type 11 licensee for quality insurance and inspection before passing them to the next stage of manufacturing or retailing. The Type 11 licensee in turn submits the product to a Type 8 laboratory for batch testing and certification. Afterwards, the sample returns to the Type 11 distributor for final inspection and execution of the contract between the cultivator and manufacturer or manufacturer and retailer. The Type 11 distributor charges a fee that covers the testing plus any applicable taxes (the act doesn't impose any new taxes, but anticipates that could happen in the near future) (AB 266, 19326)

Type 11 distributors and Type 8 testing facilities can't hold any other kind of licenses (however, licensees may have their own labs for in-house testing).

LOCAL PERMITS REQUIRED No person shall engage in commercial activity without BOTH a state license and a license, permit, or other authorization from their local government. (AB 266, 19320(a); AB 243, 11362.777 (b)).

LAWFUL ACTS Actions by licensees that are permitted by both a state license and local government are lawful and protected from arrest, prosecution, or other legal sanctions (AB 266, 19317).

GRANDFATHERING Facilities already operating in compliance with local ordinances and other laws on or before Jan 1, 2018 may continue to operate until such time as their license is approved or denied. (AB 266, 19321(c)). Facilities in operation before Jan 1, 2016 shall receive priority. Los Angeles may in any case continue to prosecute violations of Measure D.

APPLICANT QUALIFICATIONS (SB 643, 19322): Applicants must provide proof of local approval and evidence of legal right to occupy proposed location. Applicants shall submit fingerprints for DOJ background check. Cultivation licensees must declare selves "agricultural employers" as defined by Alatore-Zenovich-Dunlap-Berman Agricultural Labor Relations Act.

Licensing authority MAY deny application if applicant has been convicted of an offense substantially related to qualifications, including ANY felony controlled substance offense, violent or serious felonies, or felonies involving fraud, deceit or embezzlement, or any sanctions by a local licensing authority in the past 3 years (SB 643, 19323(a)5).

FOR-PROFIT ENTITIES are implicitly allowed under the qualifications established above. These were previously "not authorized" under SB 420, but the new licensing provisions extend to individuals, partnerships, corporations, business trusts, etc. (under the definition of "person" in AB266, 19300.5 (aj)). Likewise, applicants no longer need be patients.

CULTIVATION LICENSING The DFA shall establish a medical cannabis cultivation program. All cultivation subject to local land use regulations and permits. [The following provision was repealed by the enactment of AB 21 in Feb, 2016: In cities and counties without cultivation regulations of their own, the state shall be the sole licensing authority as of March 1, 2016 (AB 243, 11362.777 (c)4).]

TRACK & TRACE PROGRAM The DFA shall implement a unique identification program for all marijuana plants at a cultivation site, to be attached at the base of each plant. The information shall be incorporated into a "track and trace" program for each product and transaction. (SB 643, 19335 and AB 243, 11362.777 (e)). Cultivation in violation of these provisions subject to civil penalties up to twice the amount of the license fee, plus applicable criminal penalties. Fines enacted daily for each violation (SB 243, 19360).

PATIENT EXEMPTION Qualified patients are exempt from the state permit program if cultivating less than 100 square feet for personal medical use. Primary caregivers with five or fewer patients are allowed up to 500 square feet (AB 243, 11362.777(g) and SB 643, 19319). Exemption under this section does not prevent a local government from further restricting or banning the cultivation, provision, etc. of medical cannabis by individual patients or caregivers in accordance with its constitutional police powers under Section 7, Article XI of the CA Constitution (11362.777(g)).

DELIVERIES Cannabis may be delivered to qualified patients only by dispensaries and only in cities or counties where not prohibited by local ordinance. All deliveries to be documented. No locality can bar transport of delivered products through its territory. Deliveries may be taxed by local county. (AB 266, 19340). [In a separate section (19334 (a) 4) it is confusingly stated that dispensers who have no more than three dispensaries (Type 10A) shall be allowed to deliver "where expressly authorized by local ordinance." It's unclear what conditions if any apply to other, Type 10 licensed dispensers.]

MANUFACTURERS are to be licensed by DPH. The DPH shall limit the number of Type 7 licenses that produce products using volatile solvents.

TESTING (AB 266, 19341-6) The DPH shall ensure that all cannabis is tested prior to delivery to dispensaries or other businesses, and specify how often such testing shall be conducted. *** Confusingly, 19346(c) says the costs of testing are to be paid by cultivators, whereas 19326(c) (3) states that distributors shall charge for the costs of testing; since distributors serve manufacturers as well as cultivators, it doesn't make sense that testing costs for the former should be charged to the latter. *** Licensees shall use standard methods established by International Organization for Standardization approved by an accrediting body that is signatory to the International Laboratory Accreditation Cooperation Mutual Recognition Arrangement (AB 266, 19342). Licensees shall test for cannabinoids, contaminants, microbiological impurities, and other compounds spelled out in Section 19344. Licensees may conduct tests for individual qualified patients, but not certify them for resale or transfer to other licensees.

SCHOOL ZONES Cultivation and dispensary facilities must be at least 600 ft from schools (with grandfathered exceptions specified in HSC 11362.768). (SB 643, 19322 (a) 4).

TRANSPORTATION Only licensed transporters can transport cannabis or cannabis products between licensees (AB 266, 19326(a)). The bill doesn't specify whether cultivators, manufacturers, or retailers can also have transport licenses, but 19328 (a) states they can generally have at most two separate kinds of licenses. Licensed transporters shall transmit an electronic shipping manifest to the state and carry a physical copy with each shipment (SB643, 19337).

LABOR PEACE AGREEMENTS Required of all applicants with 20 employees or more (SB 643, 19322 a (6))

PACKAGING Products shall be labeled in tamper-evident packages with warning statements & information specified in Section 19347.

PRIVACY Identifying names of patients, caregivers, and medical conditions shall be kept confidential. (AB 266, 19355)

SB 420 COLLECTIVE DEFENSE SUNSET The provision in SB 420 affording legal protection to patient collectives and cooperatives, HSC 11362.775, shall sunset one year after the Bureau posts a notice on its website that licenses have commenced being issued. After that date, all cannabis collectives will have to be licensed, except for individual patient and caregiver gardens serving no more than five patients.

PHYSICIAN RECOMMENDATIONS (SB 643): There are several new provisions clarifying the duties of medical cannabis physicians; however, they don't substantially affect or impair patients' current access to medical recommendations.

- The Med Board's enforcement priorities are amended to include "Repeated acts of clearly excessive recommending of cannabis for medical purposes, or repeated acts of recommending without a good faith prior exam." (SB 643, 2220.05). This is identical to existing language regarding controlled substances, which has generally been assumed to apply to MMJ heretofore.
- It is unlawful for physicians who recommend to accept, solicit, or offer remuneration to or from a licensed facility in which they or a family member have a financial interest.
- The Med Board shall consult with the California Center for Medicinal Cannabis Research in developing medical guidelines for MJ recs.
- The recommending person shall be the patient's "attending physician" as defined in HSC 11362.7(a). Contrary to popular misconception, this is nothing new and in no way limits patients to their primary care physician. It merely restates current language in SB 420.
- Physician ads must include a warning notice that MMJ is still a federal Schedule One substance.

PESTICIDE STANDARDS shall be promulgated by DFA and Dept of Pesticide Regulation (SB643, 19332).

ORGANIC CERTIFICATION will be made available by DFA by Jan 1, 2020, federal law permitting. (SB643, 19332.5(a))

APPELLATIONS OF ORIGIN The bureau MAY establish appellations of origin for cannabis grown in California. No product may be marketed as coming from a county where it was not grown. (SB643, 19332.5(b-d)).

FEES and FUNDING Each licensing authority shall establish a scale of application, licensing and renewal fees, based upon the cost of enforcement. Fees shall be scaled dependent on the size of the business. (AB 243, 19350 (c)). A Medical Cannabis Regulation and Safety Act Fund is established in the state treasury to receive fees and penalties assessed under the act. \$10 million is allocated to DCA to begin operations, with the possibility of an additional operating loan of \$10 million from the General Fund (AB 243, 19352). The Bureau shall use the fund for a grant program to assist in state and local agencies in enforcement and remediation of environmental impacts from cultivation. (AB 243, 19351)

COUNTY TAXATION Counties may levy a tax on the cultivating, dispensing, producing, processing, distributing, etc., of medical cannabis subject to standard voter approval requirements. (Many cities already exercise this authority, but the authority of counties to do so has been unclear heretofore). (SB 643, 19348)

Text of Medical Cannabis Regulation Safety Act (three parts):

AB 266 (Bonta/Cooley/Jones-Sawyer/Lackey)

AB 243 (Wood)

SB 643 (McGuire)

Sarah Armstrong, Directory of Industry Affairs for Americans for Safe Access, compiled this list of the deadlines in the bills:

July 1, 2015 – Date by which those claiming vertical integration had to be operating a vertically integrated business. (AB 266 Section 19328 (c1))

January 1, 2016 – date on which AB 266, AB 243 and SB 643 will take effect. (See: the end of the legislative summaries in all three bills)

January 1, 2016 – Beginning business operating date for cannabis businesses who are eligible for priority licensing. “In issuing licenses, the licensing authority shall prioritize any facility or entity that can demonstrate to the authority’s satisfaction that it was in operation and in good standing with the local jurisdiction by January 1, 2016.” (AB 266 Section 19321 (c))

January 1, 2017 - By January 1, 2017, the Division of Occupational Safety and Health shall convene an advisory committee to evaluate whether there is a need to develop industry-specific regulations related to the activities of facilities issued a license. (AB 266 Labor Code Amendment Sec. 7 147.5)

July 1, 2017 - By July 1, 2017, the advisory committee shall present to the board its findings and recommendations for consideration by the board. (AB 266 Labor Code Amendment Sec. 7 147.5)

July 1, 2017 - By July 1, 2017, the board shall render a decision regarding the adoption of industry-specific regulations pursuant to this section. (AB 266 Labor Code Amendment Sec. 7 147.5)

January 1, 2018 – “a facility or entity that is operating in compliance with local zoning ordinances and other state and local requirements on or before January 1, 2018, may continue its operations until its application for licensure is approved or denied pursuant to this chapter.” (AB 266 Section 19321 (c))

January 1, 2020 - Not later than January 1, 2020, the Department of Food and Agriculture in conjunction with the Bureau, shall make available a certified organic designation and organic certification program for medical marijuana, if permitted under federal law and the National Organic Program. (SB 643 Section 19332.5(a))

January 1, 2022 - Date by which the loan of up to \$10,000,000. 00 from the general fund to establish the Medical Cannabis Regulation and Safety Act has to be repaid. If the fees collected by that time don’t repay the loan, they will begin using funds that come from imposing penalties to repay the loan. (AB 243 Section 19351 (b) (1))

March 1, 2023 - Beginning on March 1, 2023, and on or before March 1 of each following year, each licensing authority shall prepare and submit to the Legislature an annual report on the authority’s activities and post the report on the authority’s Internet Web Site. (AB 266 Section 19353)

January 1, 2026 – The date Type 10A Paragraph on licensing become inoperative “A Type 10A licensee may apply for a Type 6 or 7 state license and hold a 1, 1A, 1B, 2, 2A, 2B, 3, 3A, 3B, 4 or combination thereof if, under the 1, 1A, 1B, 2, 2A, 2B, 3, 3A, 3B, 4 or combination of licenses thereof, no more than four acres of total canopy size of cultivation by the licensee is occurring throughout the state during the period that the respective licenses are valid... This paragraph shall become inoperative on January 1, 2026.” ((AB 266 Section 19328 (a) (9))

January 1, 2026 – Date vertical integration section of AB 266 is repealed. (AB 266 Section 19328 (d))

UPDATE 2/3/2016 - Gov. Brown signed an urgency bill (AB21 - Wood) to delete a provision requiring localities to regulate cultivation by March 1, 2016 or else defer to state regulations. The bill also deletes language that explicitly authorized local governments to ban storage, cultivation, provision, transport, etc. by patients and caregivers.

UPDATE 1/7/2016 - A "clean up bill" on MMRSA, AB 1575, has been introduced. with new regulations on "virtual dispensaries" (delivery services); it ends the 2026 sunset on 10A licensees holding multiple licenses and leaves it up to the bureau to review by 2025; it amends rules on testing and residual levels of volatile solvents; it clarifies that cities and counties can add fees and taxes on top of state fees; it clarifies that a collective "may operate for profit, not for profit, or any combination thereof"; and it clarifies (in three places) that certain criminal statutes do not apply to licensees under the new law.

UPDATE October 9, 2015 - Governor Brown has signed the bills.

Standard Application Requirements

Application Requirements for All CMMLUO Clearances or Permits

- ☐ If cultivation involves the conversion of timberland as defined under section 4526 of the Public Resources Code, a copy of a less-than-3-acre conversion exemption or timberland conversion permit, approved by the California Department of Forestry and Fire Protection (CAL-FIRE). For a 3-acre conversion permit, please visit: <http://bit.ly/1Lfc7hX>. Alternately, for existing operations occupying sites created through prior unauthorized conversion of timberland, evidence may be provided showing that the landowner has completed a civil or criminal process and/or entered into a negotiated settlement with CAL-FIRE.
- ☐ If the applicant is not the recorded title owner of the parcel, written consent of the owner for the application with original signature and notary acknowledgement is required.
- ☐ **Site Plan Showing:**
 - ☐ The entire parcel, including easements, streams, springs, ponds and other surface water features.
 - ☐ The location and area for cultivation on the parcel with dimensions of the area for cultivation and setbacks from property lines.
 - ☐ All areas of ground disturbance or surface water disturbance associated with cultivation activities, including: access roads, water diversions, culverts, ponds, dams, graded flats, and other related features.
 - ☐ If the area for cultivation is within 1/4 mile (1,320 ft.) of a school, school bus stop, church or other place of religious worship, public park, or Tribal Cultural Resource, the site plan shall include dimensions showing that the distance from the location of such features to the nearest point of the cultivation area is at least 600 feet.
- ☐ **A cultivation and operations plan** that meets or exceeds minimum legal standards for water storage, conservation and use; drainage, runoff and erosion control; watershed and habitat protection; proper storage of fertilizers, pesticides, and other regulated products to be used on the parcel, and a description of cultivation activities (outdoor, indoor, mixed light) with the approximate date(s) cannabis cultivation activities have been conducted on the parcel prior to February 2016, if applicable, and schedule of activities during each month of the growing and harvesting season.
- ☐ Copy of the statement of water diversion, or other permit, license or registration filed with the State Water Resources Control Board, Division of Water Rights, if applicable. Visit <http://bit.ly/20TzySk> for more information.
- ☐ Description of water source, storage, irrigation plan, and projected water usage.
- ☐ Copy of Notice of Intent and Monitoring Self-Certification and other documents filed with the North Coast Regional Water Quality Control Board demonstrating enrollment in Tier 1, 2 or 3, North Coast Regional Water Quality Control Board Order No. 2015-0023, or any substantially equivalent rule that may be subsequently adopted by the County of Humboldt or other responsible agency.
- ☐ If any on-site or off-site component of the cultivation facility, including access roads, water supply grading or terracing impacts the bed or bank of any stream or other watercourse, a copy of the Streambed Alteration Permit needs to be obtained from the Department of Fish & Wildlife.
- ☐ If the source of water is a well, provide a copy of the County well permit.
- ☐ For indoor cultivation facilities, identify the source of electrical power and how it will meet with the energy requirements, and plan for compliance with applicable County Building Codes.

All commercial cultivation, processing, manufacture, or distribution of cannabis for medical use shall operate in compliance with this section, as well as all applicable state and local laws.

Performance Standards for Cultivation and Processing Activities:

All cannabis farms must adhere to County performance standards. Failure to meet these standards may result in license revocation and substantial fines. These standards include, but may not be limited to:

- ☐ **Compliance Agreements and Provisional Licensing:** Cannabis cultivation shall be conducted in compliance with all laws. If upon inspection for the initial application, violations of are discovered, an approved Compliance Agreement must be signed by the applicant, and the relevant enforcement agencies, to cure violations as soon as possible, but in no more than two years of date of issuance of a provisional permit. Applicants shall provide plans for curing such violations to the Planning & Building Department within one year of issuance of the provisional clearance or permit. Once the violations are cured, the permit will no longer be provisional. The violations subject to a compliance agreement shall be related to land conversion, on-site grading, electricity usage, water usage, agricultural discharges, and similar matters and limited to those improvements, facilities, buildings and sites that are used for commercial cannabis activity, and shall not extend to personal residences or other structures that are not used for commercial cannabis activity.
- ☐ **Valid State License(s):** Possession of a current, valid required State Medical Marijuana license(s) issued in accordance with the MMRSA.
- ☐ **Water Sources:** Generally, water used for the cultivation of cannabis needs to be sourced on-site from a permitted well or diversion. With water diversions or withdrawals substantially altering a waterbody's bed, bank or channel, a Streambed Alteration Permit may be required.
- ☐ **Surface Water: You Must Comply with all State Law, Including, But Not Limited to:**
 - ❖ A statement of diversion of surface water as required by Water Code Section 5101, or other applicable permit, license, or registration. For more information, visit <http://calsalmon.org/programs/water-rights-education>.
 - ❖ Where surface water diversion provides any part of the water supply for irrigation of cannabis cultivation, the applicant shall either: (1) consent to (a) forebear from any such diversion during the period from May 15th to October 31st of each year and (b) establish on-site water storage for retention of wet season flows sufficient to provide adequate irrigation water for the size of the area to be cultivated; or (2) submit a water management plan prepared by a qualified person such as a licensed engineer, hydrologist, or similar qualified professional, that establishes minimum water storage and forbearance period, if required, based upon local site conditions; or (3) obtain approval from the NCRWQCB through enrollment pursuant to NCRWQCB Order No. 2015-0023 and/or preparation of a Water Resources Protection Plan.
- ☐ **Well Water:** If using water from a well, the well must be permitted by the county, for more information please see <http://bit.ly/1SGUTCr>.
- ☐ **Bulk Water Trucking:** Is prohibited, except for emergencies. For purposes of this provision, "emergency" is defined as "a sudden, unexpected occurrence demanding immediate action."
- ☐ **Streambed Alteration Permit:** Fish and Game Code section 1602 requires a permit prior to commencing any activity that may: substantially divert or obstruct the natural flow of any river, stream or lake; substantially change or use any material from the bed, channel or bank of any river, stream, or lake. For more information, please see <http://bit.ly/23VJL8b>.

Performance Standards for Cultivation and Processing Activities:

- ☐ **Setbacks:** Depending on your property, you may need to setback your cultivation area away from schools, wetlands, parks, etc.
- ☐ **Property Line:** 30 foot setback, unless waived or reduced with the express consent of the adjacent property owner and occupant.
- ☐ **School, School Bus Stop, Church or Other Place of Religious Worship, Public Park, or Tribal Cultural Resource:** 600 foot setback.
- ☐ **Watercourses, Wetlands and "Environmentally Sensitive Habitat Areas":** Maintain required setbacks as described in the County Streamside Management Area Ordinance. See <http://www.humboldt.gov.org/DocumentCenter/Home/View/198> for more information on the Streamside Management Ordinance. Where enhanced, reduced, or modified watercourse or wetland setbacks have been agreed to by the operator and NCRWQCB under enrollment pursuant to NCRWQB Order No. 2015-0023 and/or preparation of a Water Resources Protection Plan, these may control and supersede any setback applied pursuant to the Streamside Management Ordinance.
- ☐ **Meet Regional Water Board Order:** Enroll and maintain enrollment in the North Coast Regional Water Quality Control Board Order No. 2015-0023, or for operations which no enrollment is required by the Order, such as those below 2,000 sq. ft. of cultivation area, adhere to all standard conditions applicable to Tier 1 dischargers. See page 18 of this guide for information on the Water Board Order.
- ☐ **On-Site Inspection:** Consent to an annual on-site compliance inspection, with at least 24 hours prior notice, to be conducted by appropriate County officials during regular business hours (Monday - Friday, 9:00 am - 5:00 pm, excluding holidays).
- ☐ **Dangerous Chemicals:** Proper storage or use of any fuels, fertilizer, pesticide, fungicide, rodenticide, or herbicide. Any uses of pesticide products shall be in compliance with State pesticide laws and regulations enforced by the County Agricultural Commissioner's Office and the California Department of Pesticide Regulation.
- ☐ **Fees:** Pay all applicable application and annual inspection fees.
- ☐ **Special Conditions:** Comply with any special conditions applicable to that permit or parcel which may be imposed as a condition of any Special Permit or Use Permit.
- ☐ **Generator Noise:** The noise produced by a generator used for cannabis cultivation shall not be audible by humans from neighboring residences, (no more than 60 decibels measured at the property line).
- ☐ **Storage of Fuel:** Fuel shall be stored and handled in compliance with applicable state and local laws and regulations, and in such a way that no spillage occurs.
- ☐ **Those cultivators using artificial lighting for mixed-light cultivation** shall shield greenhouses so that little to no light escapes. Light shall not escape at a level that is visible from neighboring properties between sunset and sunrise.

Retirement, Remediation, and Relocation (RRR) of Cannabis Sites. Sites eligible for RRR Incentives shall be those that were in operation on or before January 1, 2016 and are located in TC, FR, TPZ, U, RA, AG, or AE zones with source of irrigation water without DWR water right, or DFW streambed alteration permit on parcels with slopes in excess of 15%. See section 55.4.14.3 of CMLUO for more information.

Humboldt Artisanal Branding. The County shall develop a program for recognition of commercial cannabis cultivators meeting the following criteria: Cultivation area of 3,000 sq ft or less, operated permit holder who resides on the same parcel as the cultivation site; grown exclusively with natural light; and meets organic standards.

Integrity
Innovation
Stewardship
Diversity
Unity

California Cannabis Guide



GROW YOUR
BUSINESS
WITH US

Dear Entrepreneurs,

This is an unprecedented time of opportunity for entrepreneurs to start medical cannabis businesses in California.

California was the first state to pass legal medical cannabis legislation and is estimated to account for nearly half of the national legalized market.

Since the passing of Proposition 215 in 1996, California physicians are able to recommend medical cannabis for any chronic condition or medical symptom that substantially impacts an individual's quality of life. This allows for a greater, wider-ranging and more diverse population of qualifying individuals than many other states where qualifying conditions are more restricted.

The market is growing quickly

The medical cannabis market is growing quickly. As of April 2016, 24 states and the District of Columbia currently have laws legalizing marijuana in some form. According to New Frontier Research, the size of the legal cannabis market is expected to exceed \$15 Billion in revenue by 2020, up from \$4.7B in 2015.

GRC has fostered a projection model for California that has been derived from statistical data provided by Colorado and Arizona—states with medical marijuana economies that mirror that of California—and is able to more accurately identify patient demand in the state. Using this model, GRC can locate and identify specific areas for potential growth and expansion in the industry.

In California, GRC projects the legal market for medical cannabis at \$2.5-5 billion in annual revenue. This figure is expected to reach upward of \$7 billion by 2020 – with the potential to grow much higher if voters pass the Adult Use of Marijuana Act ballot initiative (Prop 64) in November 2016.

This guide will help you understand California's unique cannabis landscape

This guide is intended for entrepreneurs who are interested in starting cannabis businesses in California. It provides insight into the business opportunities and strategies available for burgeoning businesses in this fast-growing market.

The guide provides an overview of:

- California's laws
- Proposed state license types
- Opportunities and risks of cannabis businesses
- California's dual licensing system and the importance of local policy
- And more helpful notes for California's cannabis industry

Let's get started.

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Understanding California's Changing Laws

In October 2015, Governor Jerry Brown signed the Medical Marijuana Regulation and Safety Act (MMRSA) into law. The MMRSA establishes a framework for future medical marijuana regulations and a statewide licensing program.

The MMRSA is in large part a much-delayed reaction to the changing federal landscape for legal marijuana. In particular, the 2013 Cole Memo established guidance to not enforce federal prohibition against cannabis businesses compliant with state systems with "strong and effective regulatory and enforcement systems" that limit threats to federal priorities spelled out in the memo. California's previous unclear patchwork of local laws and guidance around collective or cooperative models did not adequately address these priorities.

The MMRSA will not take effect until 2018. Until that time, all local and county level ordinances pertaining to the cultivation, manufacturing, and distribution of medical marijuana should be followed. This includes maintaining the proper collective/cooperative business model and paperwork to remain in compliance. Although the MMRSA is to be implemented on the statewide level, it should be noted that local level jurisdiction will continue to have and exercise full legal authority – even after the MMRSA has taken effect. Subsequently, this means that local governments will continue to have the right to ban commercial cannabis.

The next two pages provide an overview of the technical details of California's state-level laws and the licenses available for cannabis businesses under the MMRSA.

How to stay informed

It is important to note that California continues to develop state-level regulations, and that local governments are evolving their regulations as well.

- **The California Department of Food & Agriculture** (licensing cultivators and track and trace) mailing list: <https://www.cdfa.ca.gov/is/mccp/>
- **The Department of Public Health** (licensing manufacturers, testing labs) mailing list: <http://www.cdph.ca.gov/programs/Pages/OMCS.aspx>
- **The Department of Consumer Affairs** (licensing transporters, distributors, dispensaries) email alerts: <http://bmcr.ca.gov/>
- Use the **California Legislative Information** system to subscribe to updates on bills using the terms "marijuana" or "cannabis": <https://leginfo.ca.gov/faces/loginClient.xhtml>
- Join the **California Growers Association** [Executive Director Hezekiah Allen and his team have had major influence in MMRSA]: <http://www.calgrowersassociation.org/>

Reference: California's Cannabis Laws

Prop 215 Compassionate Use Act (1996)

The first successful State medical cannabis initiative in the US

SB 420 Medical Marijuana Program Act (2003)

Legislative guidance clarifying Prop 215, imposing a typical limit of 6 mature or 12 immature cannabis plants per patient, and explicitly allowing patients to associate collectively for cultivation.

*A **collective** is an entity that enables medical cannabis users to legally obtain medical cannabis. All collective members must have valid medical cannabis recommendations or cards*

***Until 2018**, all California cannabis businesses operate as collectives.*

Attorney General Guidelines (2008)

Directive to law enforcement affirming the legality of storefront dispensaries and presenting a roadmap for local ordinance

MMRSA Medical Marijuana Regulation and Safety Act (2015)

A package of bills that creates a licensing and oversight framework for the commercial medical cannabis industry. Regulations are not yet written

- Requires every level of the commercial medical cannabis industry to obtain both a local permit and, in 2018, a state license
- Does not include a delivery-only license
- Allows medical cannabis delivery except where there are local bans
- Clean-up bill AB 1575, still pending, proposes License Type 10B: Non-Traditional Dispensary, which includes delivery-only businesses
- Other proposed bills clarify training, edibles, taxation, and more

AUMA Adult Use of Marijuana Act (2016 initiative, not yet law)

This ballot initiative would legalize adult use of marijuana, and builds on the MMRSA structure

- Offers "priority" license issuance for businesses operating "in compliance with the Compassionate Use Act and its implementing laws before September 1, 2016"

Reference: MMRSA License Types

From AB 266 (19300.7 and 19328) and SB 643 (19331(g)).

Cultivation

Tier 1: Specialty. Up to 5,000 sq ft of canopy.

License 1: Specialty Outdoor. Alternative size: up to 50 mature plants on noncontiguous plots. No supplemental lighting.

License 1A: Specialty Indoor. Exclusively artificial lighting.

License 1B: Specialty Mixed-Light. Both natural and artificial lighting.

Tier 2: Small. Between 5,001 and 10,000 sq ft of canopy.

License 2: Small Outdoor. No supplemental lighting.

License 2A: Small Indoor. Exclusively artificial lighting.

License 2B: Small Mixed-Light. Both natural and artificial lighting.

Tier 3. Over 10,001 sq ft. Max size varies.

These licenses will be limited in number, and can only be combined with other licenses under the "3-1-4" vertical integration model

License 3: Outdoor. 10,001 sq ft to one acre of canopy.

License 3A: Indoor. 10,001 to 22,000 sq ft of canopy. Exclusively artificial lighting.

License 3B: Mixed Light. 10,001 to 22,000 sq ft of canopy. Both natural and artificial lighting.

License 4: Nursery. Clones, immature plants, seeds; no mature plants.

Processing

License 6: Manufacturer 1. Not using volatile solvents.

License 7: Manufacturer 2. Using volatile solvents.

Testing Laboratory

License 8: Testing. May not have any other cannabis license type.

Dispensary

Under proposed legislation, "dispensary" will include both "storefront" and "nonstorefront" (including delivery).

License 10. Cannot be combined with other license types, but can have an unlimited number of type 10 licenses.

License 10A. No more than three retail sites, but may have other license types.

Distribution

License 11. Must also have a transporter license. May not hold any other cannabis business license. Responsible for sending final samples to testing.

Transporter

License 12. Authorized to move cannabis between licensee premises.

How to decide on your prospective business

Whether you are interested in applying for a license to cultivate, manufacture, dispense, deliver, or test medical marijuana, there are many factors to consider.

You should begin by considering your own personal background and experience; as well as, the overall strengths (and weaknesses) of your team. This is critical to success. The day to day on the ground realities of operating various types of cannabis businesses must be carefully examined and accounted for before you begin laying the groundwork for any cannabis business.

Below we provide an overview of some of these factors, opportunities, and risks for different types of cannabis-related businesses.

All cannabis-related business must consider the inherent extraordinary risks and challenges beyond that of a typical startup and small business. The goal of this table is to illuminate where the additional risks and opportunities lie to best inform business owners and investors in the cannabis space.

Industry	Risk	Profit	State License	Start Up	ROI timeline	Additional Notes
Cultivation Indoor	Very High	Very High	Yes	\$50K - \$5M Not including real estate	One to two successful harvests 6-8 months	<ul style="list-style-type: none"> Indoor-specific: Input costs for light and electricity, higher cost on expendables. Subject to market pricing. Indoor currently highest priced product. Plants are living objects vulnerable to pests and viruses. Success is dependent on outcome. Strain selection critical. Weather conditions can be a significant factor. Subject to market pricing. Outdoor currently lowest priced product. Plants are living objects vulnerable to pests and viruses. Success is dependent on outcome. Strain selection critical.
Cultivation Outdoor	High	High	Yes	<50K - 250K+ Not including real estate	One successful fall harvest after starting on new moon in Feb	<ul style="list-style-type: none"> Greenhouse current sweet spot of the market. Considered most consistent quality. Weather conditions can be a factor in start-up costs and strain selection. Subject to market pricing. Greenhouse pricing typically between indoor and outdoor. Plants are living objects vulnerable to pests and
Cultivation Greenhouse [Light dep]	High	High	Yes	<100K to 1M+ Not including real estate	One to two successful harvests 4-8 months	<ul style="list-style-type: none"> Plants are living objects vulnerable to pests and

Medical Dispensary	Very High	Yes	250K - 1M+	3-5 years, depending on market	<p>viruses. Success is dependent on outcome.</p> <ul style="list-style-type: none"> Strain selection critical. Highly political. Requires deep roots in the community. Deep knowledge and charisma required. Educating your community and leaders, patient care consultants, and patients. Justifying the business repeatedly. Selecting, evaluating, recommending the best products. Banking and cash handling concerns at the forefront.
Extractions	High	Yes	1M - 2M	Varies.	<ul style="list-style-type: none"> Distinction between volatile and non-volatile. Non-volatile may be allowed in more areas. Volatile will require significantly more infrastructure investment for safety. Quality technology and hardware recommended. Technical expertise and chemical/pharmaceutical understanding required, including deep understanding of temperature's effects on both cannabinoids and terpenes.
Edibles, Topicals & Infused Products	High	Yes	80K - 100K	Varies.	<ul style="list-style-type: none"> Industry continues development of best practices and standards. Infused products considered not food and not drugs, but both sets of best practices relevant. Consistent dosage critical. Overdosing with edibles and attractiveness to children are critical issues that are still being addressed in the most mature regulatory systems.
Distribution/Transport	High	Yes	Varies.	Varies.	<ul style="list-style-type: none"> Specific business model is unclear for distributors. Pivotal piece is coordinating final quality control check with independent testing lab and final transportation to retail outlets. Distributors must have a transportation license, and may have no other cannabis-related license. Distributors will need a local license at each distribution center. Security risks extremely high during shipments.

Delivery	High	Med	Yes	<50K - 100K+	3-5 years, depending on market and ability to scale.	<ul style="list-style-type: none"> Extremely high physical risk for drivers. Product selection and consistent ability to satisfy demand is critical. Competition high due to low barriers to entry.
Labs	Med	Med	Yes	>1M	Varies.	<ul style="list-style-type: none"> Technical expertise and chemical understanding required. Up to date awareness of pesticide requirements and restrictions. Concerns about collusion. Necessity of impartiality. Safety of patients is your responsibility. Industry continues to need development of testing standards.
Tourism	Low	Med	No	50K - 250K+	1-3 years, depending on business model.	<ul style="list-style-type: none"> Under current medical conditions, must have clear plan to verify patient status. Adult use would lead to rapid expansion and competition in this space. Early adopters may have an advantage. California's 200 million tourists annually are a very tempting market.
Education/School	Low	Low	No	Varies.	Breaking even may be a challenge.	<ul style="list-style-type: none"> Saturated marketplace. Difficult to compete with existing institutions. Other types of organizations offer free webinars and workshops as marketing.
Service Firms (Research, consulting, software)	Low	Low	No	Variable \$50K+	Varies	<ul style="list-style-type: none"> Need clear marketing advantage. Wide variety of business models. Lots of competition. Networking and reputation-building are critical. Investment a challenge even with ancillary services for this industry.

How to find a location

Choosing a location gets very complicated, very fast. In the cannabis industry, you are going to be best served staying close to home and establishing your business somewhere that you already have a series of strong professional, political and business relationships.

It is also important to recognize that advocates have given their blood, sweat, tears, and more to create space for this industry. Moving to a "friendly" city requires serious consideration of how to contribute to that community beyond providing jobs. It requires supporting the politics that have now enabled the medicalization of cannabis.

Here in California this is especially important. The 20 years under Prop 215 and the collective model of Chapter 420 – and all the related trials and raids – have built a fierce community of activists at the core of the cannabis industry. It has also built a history of municipal authority and different compromises in each city.

New entrepreneurs need to understand that under the circumstances, getting involved in this industry can be complex.

To get an idea of what this means, below we look at commercial cannabis cultivation, and how local permitting looks at the county level today.

Commercial Cannabis Cultivation in California Counties

With the MMRSA, California instituted a dual licensing system for the cannabis industry. Under this system, all commercial cannabis businesses must have a local permit prior to applying for a state business license (forthcoming in 2018). Each municipality is allowed to set its own requirements for those local permits – or to ban them entirely. An unintended (and since retracted) deadline in the MMRSA led to widespread bans early in 2016, even in areas that intended to offer permits for commercial cannabis businesses later.

This map offers an overview of current local permitting opportunities for commercial cannabis cultivation across California. Only a handful of jurisdictions are currently accepting permit applications, but several are discussing whether and how to regulate this industry.

Note: this map only shows county-level information, which applies only in unincorporated areas of the county. Incorporated areas each have their own ordinance.

The following map was developed by Green Rush Consulting with information last updated on August 2, 2016. Thanks also to Ellen Komp of Cal NORML, who is tracking legislation in hundreds of California jurisdictions with an emphasis on personal growing by medical patients.

Key factors when starting your business

Once you have decided on the type of business to create and where to focus, there are some critical factors to keep in mind as you set up the business structure.

- Learn about trademark law when choosing your name. Something distinctive and not descriptive is easier to protect than a name that includes "weed" or "canna" – and it may be a problem for banking.
- Talk to your accountant about the tax implications of your entity formation. LLCs have to file a gross receipts tax; based on the scale of your business, is it better to incorporate?
- While you can structure your business in many different ways (sole proprietor, LLC, Corporation, B-Corp, etc), for now you must operate on a not-for-profit basis – but you cannot file for 501(c)3 status because cannabis is federally illegal.
- Talk to your lawyer about what you have to do to maintain the liability protection from your entity. Make sure you understand (and follow!) your by-laws.

Once you have your business entity

The cannabis industry has a lot of oversight. Because marijuana is a Schedule I drug, it is considered illegal federally. Strictly complying with every rule is critical to protecting yourself from federal prosecution.

All commercial cannabis businesses in California currently must operate as not-for-profit collectives. Starting in 2018 that requirement goes away, and instead businesses must have a local permit and a state license. See the next page to see how collectives work.

Local compliance: the State of California very carefully protects and prioritizes the rights of local jurisdictions to regulate or ban cannabis businesses. That means every city and county is different. Find your local regulations and read them.

In practice, what do I do?

- ✓ Create a compliance binder for your headquarters
- ✓ Develop written standard operating procedures
- ✓ Read local and state regulations and make sure all applicable laws are covered in your SOPs – or hire consultants to do this for you

Setting up a collective

"A collective should be an organization that merely facilitates the collaborative efforts of patient and caregiver members – including the allocation of costs and revenues . . . The collective should not purchase marijuana from, or sell to, non-members, instead it should only provide a means for facilitating or coordinating transactions between members."

Attorney General Brown guidelines (2008)

Current requirements in order to operate within the existing legal framework:

- Non-profit operation (does not need to be a 501(c)3 but cannot make a personal/group profit)
 - "Sales" only in exchange for fees reasonably calculated to cover overhead costs and operating expenses, or for services rendered, or free to members of the collective
- Business license, sales tax, seller's permit
- Membership application and verification – this is part of State mandate to prevent diversion for non-medical purposes
 - Written membership application
 - Verify status as qualified patient or primary caregiver
 - Verify valid state medical marijuana identification card OR
 - Verify the physician's identity and state licensing status AND
 - Retain a copy of the physician's recommendation or identification card
 - Sign membership agreement
 - Do not distribute marijuana to non-members
 - Do not use marijuana for other than medical purposes
 - Have membership records "reasonably available"
 - Track when recommendation/card expires
 - Exclude anyone without a valid card or who is caught diverting marijuana for non-medical use
- Acquire marijuana only from members of the collective
- Sell marijuana only to members of the collective
- Maintain accurate records and follow accepted cash handling practices
- Inventory should not be out of proportion to collective members

"The cycle should be a closed circuit of marijuana cultivation and consumption with no purchases or sales to or from non-members"

Attorney General Brown guidelines (2008)

Note: Collective requirements will no longer apply when MMRSA (and/or AUMA) enters force in 2018.

10 risks to be wary of in the cannabis industry

All businesses (specifically those that touch the plant) experience the following challenges – many of which are rooted in security concerns. High-value cannabis and the inevitable cash make this industry a target, but community concerns about diversion and the safety of minors also raise the security profile.

While most of these apply for all states, this is intended for California businesses.

1. **Cannabis is currently Federally Illegal.** Dispensaries and cultivation sites are still being raided and people are still being unfairly prosecuted for possession. Compliance is your protection. Lynette Shaw's 100 percent compliant record was pivotal to her winning her defense against federal prosecution – and in winning local officials to her side. Compliance binders have helped collective cultivators respond to law enforcement.
2. **Banking is not yet open to cannabis.** This is a cash and carry business, increasing security risks and creating challenges surrounding ALL payments required to normally run a businesses. (payroll, rents, utilities, taxes, etc.)
3. **Public acceptance is wavering.** California is a "Patchwork Quilt" of varying legislative landscapes. Many areas across the state have bans in place prohibiting cannabis, even previously existent "compliant businesses" from operating.
4. **Volatile Landscape.** Due to the nature of the full marketplace, all businesses experience the volatility at different levels. There are just fear and anxieties as well as a rush to "Do More Now". All are affected whether it is within their internal operations OR from the external forces affecting their internal operations.
5. **Exorbitant & Confusing taxes.** If the business is "allowed" locally, then they are mandated to pay the unique and exorbitant 280E taxes that make it tricky for a business to be profitable. The current non-profit structure is unsustainable.
6. **Cultural clashes and vulnerabilities.** Many current operators are transitioning from an underground market where basic business acumen was not only unnecessary, but could actually put their business in harm's way (keeping receipts, contracts, anything in writing). Many are also dealing with the repercussions of the very real Drug War: PTSD from SWAT raids, abuse by police, loss of children and family, and incarcerations. Many investors coming into the space are unfamiliar with the culture surrounding the movement that is now

turning into a legal industry. This may be one of the most important factors to consider when entering into the space.

7. **Product Quality Control and Lab Testing is essentially undefined.** There are no standards set in place and a lot of collusion.
8. **California is Lawsuit Happy.** For many of the reasons mentioned in 6, many new and emerging businesses will experience some sort of litigation caused by disagreements, mismatched partnerships, lack of protective contracts put into place, and generally anything else that people want to sue for. We do not explore it in this report, but suffice to say that the legal profession is highly profitable within the cannabis industry.
9. **White Collar Crime is REAL and Rampant.** Operators in this space are vulnerable, profit expectations are high, and regular financial services are unavailable. Law enforcement and regulators are often seen as trouble. As a result, swindlers, scam artists, frauds, and thieves have a broad scope for action. We've witnessed a lot – including individuals forging state documents to "prove" their compliance. **BACKGROUND CHECK EVERYONE!** But don't rely only on background checks. They can tell you what people have done wrong in the past, but they cannot tell you what people will do wrong in the future. Trusting your gut and putting the appropriate precautions into place can help to protect from the real criminals out there.
10. **Employees are also patients, operators and consumers.** Cannabis businesses provide a new and interesting challenging for the Human Resources department. Many of the best-qualified employees are also patients relying on regular cannabis consumption. Defining the role of acceptable usage of cannabis in the workplace should be up to the employer, listed in the employee manual, and evaluated based on performance. We've struggled with this in the beginning before our own rules were put into place where managers would step out to smoke with other staff. As a business owner, we chose to monitor performance while suggesting the manager wait until AFTER the workday to consume medical cannabis with their employees.

Hiring for Diversity & Social Justice

As a brand new economic space with strong ties to social justice movements, the cannabis industry is a unique opportunity for diversity and equity. It also has a unique historical context, as communities of color have been disproportionately affected by the war on drugs. As the cannabis market comes into the legal space, those communities are being excluded from these opportunities, in large part because of past drug-related offenses.

California is acting as a leader in trying to reverse this trend. The MMRSA states, "An applicant shall not be denied a state license if the denial is based solely on ... a conviction or act that is substantially related to the qualifications, functions or duties of the business or profession for which the application is made." (Sec. 11, 19324) The proposed ballot initiative for the Adult Use of Marijuana Act (AUMA) follows in the same vein.

Oakland has taken this to the next level with the equity provision in its own municipal ordinance. This ordinance requires that for every "general" cannabis licensee, the city must license at least one "equity" applicant. One of the qualifying definitions for these "equity" licenses relates to past marijuana convictions in the war on drugs.

Green Rush Consulting urges you to join this trend in your hiring practices.

Consider hiring from communities that would otherwise be marginalized or excluded from this business opportunity, or that have been disproportionately affected by the war on drugs.

Consider hiring people of color. Consider hiring women. Consider hiring from the LGBTQ community. Consider hiring medical cannabis patients.

Consider hiring employees who have cannabis-related convictions on their record.

The cannabis industry is built on the backs of advocates and decades of advocacy.

Own your role in contributing to social justice.

Advocacy. To enter into the cannabis space is to become not only an advocate, but also an activist. It is necessary to have a clear understanding and respect for the significant hardships endured by individuals who have fought to end prohibition for the last 47 years



Green Rush Consulting can help with all or most of these phases. Contact us at 510-479-7327 to book a consultation.

How much will it cost?

It depends.

Costs vary dramatically based on your goals, your state, the regulations, and more.

- To open a dispensary, we recommend a minimum of \$500,000.
- To start commercial cultivation, we recommend a minimum of \$1,000,000.

Will I need to have all the funding myself?

- Not necessarily. Many entrepreneurs partner with investors to start their businesses. Always be wary of State requirements for local ownership or background checks of anyone with an ownership stake. Currently California does not require that owners live in state but that could change and you should also be aware of any local jurisdiction residency requirements which may differ from the state regulations.
- As with any business, do your due diligence and vet any prospective investor before entering any agreements.
- Be aware that getting a business loan from a standard financial institution for this industry is difficult to impossible.

When should I start?

As soon as possible. Before a license application process becomes available, you need to be prepared. Ideally, this will include a business plan, an expert team, and at the very least a lead on a location.

Writing your license application will also take time. We estimate a minimum of 8 weeks for most State license application processes, and preferably more – which almost always requires starting before the application is available.

How long will it take?

Although it depends on the state, it typically takes several months to construct a winning application, and several more months to learn you have been approved. After this, you will need to finalize the build-out of your facilities, establish your logistics and operations, and then pass inspection before you can open your doors.

How much money can I make?

This varies dramatically based on your location and the scale of your operation. Some states require a cannabis business to operate as a non-profit, affecting how revenue is allocated by the Company each fiscal year. Other states allow business entities to operate as a corporation, or a

variation of this model, allowing companies to benefit from the tax incentives and legal protections afforded by the corporate structure. Regardless, there is no single, definitive answer to this question. At GRC, we work with clients to develop financial pro formas that are customized to best suit your specific business vision.

Dispensaries can post gross profits of \$1,000,000 or more in the first year. Many do not reach that level but are still profitable. Cultivation facilities typically have lower gross profits, at least the first year, but as operations become more efficient the return on investment (ROI) can be significantly higher than dispensaries in years 2-3. These numbers are affected by too many factors to give a solid estimate.

Additional Resources

The goal of this guide is to provide you with an overall view of the California cannabis industry, and early considerations as you think about starting a business. Like all businesses, "the devil is in the details" – The more you drill down into the many aspects of this niche the better prepared you will be to make informed decisions.

These organizations are a good place to start getting a more in-depth understanding.

Community groups

- [East Bay Cannabis Community](#)
- [California City & County Ban Watch](#)

California cannabis advocacy groups

- [California NORML](#)
- [California Growers Association](#)
- [Supernova Women](#)

National cannabis groups

- [MPP: Marijuana Policy Project](#)
- [NCIA: National Cannabis Industry Association](#)
- [NORML: National Organization for the Reform of Marijuana Laws](#)
- [SSDP: Students for Sensible Drug Policy](#)
- [Women Grow](#)

California State Departments developing cannabis regulations

- [Bureau of Medical Cannabis Regulation](#)
- [Department of Consumer Affairs](#)
- [Department of Food and Agriculture](#)
- [Department of Fish and Wildlife](#)
- [Department of Pesticide Regulation](#)
- [State Water Resources Control Board](#)
- [Department of Public Health](#)

About Green Rush Consulting

In a heavily regulated industry, building a successful brand requires a breadth of experience and the flexibility to adapt and pivot as circumstances change.

At Green Rush Consulting, we help build cannabis businesses that thrive.

The GRC team collectively represents decades of success in the cannabis industry, with hands-on experience in dispensaries, cultivation, regulatory analysis and application development. We know how to strategically navigate the complex and bureaucratic processes involved with state licensing.

From business planning and regulatory compliance to best practices in cultivation and dispensaries, our experts will provide the support you need to succeed. We thoroughly research new markets, developing the analysis needed to support your business goals.

We have secured licenses and supported businesses in states with a wide array of regulatory and business environments, including Arizona, California, Connecticut, Illinois, Nevada, New Jersey, Oregon, and Washington.

Frequently Asked Questions

How do I get into the cannabis industry?

Our first recommendation is to educate and advocate before diving into your own unique entrepreneurial contribution.

1. Educate

Learn about the movement, the industry, and its needs. If you haven't already, start to follow the major organizations helping to push the drug policy agenda across the U.S. Identify organizations that are working to change laws in your own state. Look into the latest on Google news, or even better, set up Google Alerts for key phrases like "[Your state] + medical marijuana news."

If you're not sure where to start, try:

- [Marijuana Policy Project](#)
- [Drug Policy Alliance](#)
- [NORML](#)
- [Marijuana Business Daily](#)

2. Advocate

Depending on how far along the state process is, you may have more power to shape the marijuana industry than you think. Even after a law has passed, the state still needs to develop regulations to implement that law. Local governments are also involved, often through zoning requirements. By getting involved at different levels of government programs, you can help establish industry best practices for your state and local area.

What are the first steps for my cannabis business?

- What is your vision?
- Decide what type of business you want to operate, and where you want to operate. Find out if the opportunity is legal. Rinse and repeat until you find a winning combination.
- Determine the role you want to have in the business.
- Build your team. Make sure you have the expertise required. If you need to seek funding, showcasing talent and history of success will be critical.
- Secure funding. This may require a business plan, financial pro forma, or other documentation.
- Understand the state and local requirements.
- Seek appropriate real estate.
- Develop a license application.



GROW YOUR
BUSINESS
WITH US

CONTACT US WITH QUESTIONS OR COMMENTS
(510) 479-7327
SERVICES@GREENRUSHCONSULTING.COM

CITY OF SAN JUAN BAUTISTA

CITY COUNCIL

STAFF REPORT

DATE: April 18th, 2017

SUBJECT: Business License Tax Update

DISCUSSION: While setting up the new iWorQ PLL software, staff became aware of the fact that the City's Business License Tax is outdated, convoluted, and inequitable. The following analysis describes the history of the current business license tax, issues, and ways in which the Business License Tax could be updated.

ANALYSIS:

Ordinance 216 (1991)

The bracket system that appears on the City's current business license application, which uses the total annual gross receipts of businesses in the City of San Juan Bautista to determine their license tax amount, was established by Ordinance 216 in 1991. That bracket system, located in Section 19 (see Figure 1 below), topped out at the "Over \$195,000" category, with the maximum license tax being \$210.00.

Figure 1: Ordinance 216 (1991), Section 19

SECTION 19		
LICENSE TAX -- GROSS RECEIPTS		
Every person carrying on one or more of the businesses enumerated in Section 20 shall pay an annual license tax on the total annual gross receipts of said business or businesses based on the following bracket system:		
\$000,000 - \$ 10,000		\$ 30.00
10,001 - 45,000		60.00
45,001 - 95,000		120.00
95,001 - 145,000		150.00
145,001 - 195,000		180.00
Over \$195,000		210.00
December 5, 1991		-11-

Section 20 named ~112 business types that were required to “pay a license tax on gross receipts as set forth in Section 19.”

Section 22 then listed twenty-five “professions or vocations” that were only required to pay a flat tax of \$150.00, supposedly because they were professions “without sales tax records.” The logic behind that differentiation, however, would seem to be at odds with the definition given for “Gross Receipts”, which the section defined as:

The total amount of the sale price of all sales and the total amount charged or received for the performance of any act, service or employment of whatever nature it may be, for which a charge is made or credit allowed, whether or not such service, act, or employment is done as a part of or in connection with the sale of goods, wares or merchandise.

Sections 23 through 47 then listed a smorgasbord of other types of businesses, from realtors to wrestling exhibitions, and their associated flat license tax amounts.

Ordinance 2006-02 (2006)

In 2006, Ordinance 2006-02 removed the bracket system contained in Section 19 of Ordinance 216 and replaced it with the ‘system’ shown in Figure 2 below (and in Attachment 1).

Figure 2: Ordinance 2006-02, §3-3-615 “Tax – Amounts”

Gross Receipts (in dollars)	Tax (mil per dollar)
First 250,000	At 1.00
Next 250,000	At 0.25
Next 500,000	At 0.125
All over 1,000,000	At 0.05

It is unclear exactly how this was meant to be applied, and there is no explanation of how it was supposed to be used in the ordinance.

§3-3-615 also lists forty-one business types with associated flat tax amounts and five different flat tax amounts for special event/tent sales.

Current Practice

The current Business License Application contains a sheet titled "Exhibit A - Amend Section 3-2-615 Tax - Amounts" that contains the "San Juan Bautista 2014 Fee Chart" (see Attachment 2). This chart, however, contains both a modified version of the old bracket system, the 2006 'system,' and the long list of flat license tax categories. Conversations with staff members revealed no small amount of confusion regarding where this hybrid came from and/or how it is being applied. Research into this issue revealed that it has, in fact, been applied in a way that, at best, could be described as inconsistent.

Those conversations also revealed the fact that it is common practice to simply charge applicants the same amount that they were charged the previous year without ever looking at the most recent year's annual gross receipts.

OTHER APPROACHES:

A brief survey of other local municipalities showed that there are many different approaches to business license taxes in our neighboring communities:

- **City of Monterey**
 - Gross receipts of \$25,000 or less per annum, the sum of \$26.
 - Gross receipts in excess of \$25,000 per annum, the sum of \$26 plus 0.15% of gross receipts in excess of \$25,000 per annum.
- **City of Gilroy**
 - Regressive tax
 - Gross receipts from \$0 to \$40,000 are \$40
 - Gross receipts between \$40,001 and \$1,140,000 go up by \$40 for every \$100,000 increase (e.g. - \$40,001 to \$140,000 is \$80, \$140,001 to \$240,000 is \$120, etc.)
 - Gross receipts between \$1,140,001 and \$17,740,000 go up by \$20 for every \$200,000 increase (e.g. - \$1,140,001 to \$1,340,000 is \$340, \$1,340,001 to \$1,540,000 is \$360, etc.)
- **City of Salinas**
 - Gross receipts under \$25,000 pay \$25.
 - Gross receipts between \$25,001 and \$100,000 go up by \$50 for every \$50,000 increase (e.g. - \$50,001 to \$100,000 is \$100).
 - Gross receipts between \$100,001 and \$300,000 go up by \$50 for every \$100,000 increase (e.g. - \$100,001 to \$200,000 is \$150).
 - Gross receipts between \$300,001 and \$1,000,000 go up by \$100 for every \$100,000 increase (e.g. - \$800,001 to \$900,000 is \$800).
 - Gross receipts greater than \$1,000,001 pay \$100 for each \$100,000 over \$1,000,000.

- **City of Santa Cruz**
 - Class System
 - Class A Business (Retail, wholesale, contract, construction, manufacturing) pays \$145.15 base tax plus \$2.55 per employee.
 - Class B Business (Services, hotels and motels, apartment houses, commercial property renting or leasing, recreation and entertainment services and facilities) pays \$145.15 base tax plus \$4.95 per employee.
 - Class C Business (Professions including, but not limited to, accountants, architects, attorneys, auctioneers, chiropractors, dentists, engineers, insurance brokers, medical/health professions, physicians, real estate brokers, security brokers, and veterinarians) pays \$145.15 base tax plus \$7.40 per employee.

TEMPORARY BUSINESS LICENSES

There are several categories called out in SJBMC §3-3-615 "Tax – Amounts" that involve special events such as circuses, boxing and wrestling matches, and tent sales. Most of those large events could be required to apply for a special event permit, which has its own set of fees and an associated \$15/booth tax for vendors associated with the event, so it would be unnecessary to call them out specifically in a revised version of SJBMC §3-3-615.

It would, however, make sense to include a reduced-price, short-term, business license tax for vendors at small events and individuals/businesses that will only be here for a short period of time and would not require a special event permit, such as farmers selling produce at a local farmer's market. The amount should be lower than the annual business license tax amount of \$30. A \$15 tax similar to the booth tax at permitted special events could be appropriate.

FISCAL IMPACT

The ~210 business licenses in the City of San Juan Bautista bring in ~\$25,000 a year in revenue to the City. Staff has requested a spreadsheet from the finance department containing the gross receipts and license tax amounts for all of those business licenses (without business names or license numbers) in order to examine: (1) the relationships between the gross receipts and license taxes paid and (2) the distribution of license taxes paid. This information will allow staff to analyze:

- How many license holders are currently over- or under-paying for their licenses

- How many license holders fall into each gross receipt bracket
- What the fiscal impact of an updated ordinance could be

CONCLUSION:

The goal of updating the business license tax is to make it up-to-date, understandable, and equitable for both our business license applicants and city staff. Staff should also consider how the new business license tax amounts compare to what our local businesses were paying previously.

In order to facilitate the discussion, staff has created two update options for the Council to consider: a regressive tax (similar to the City of Gilroy) and a proportional tax (similar to the City of Monterey).

RECOMMENDED ACTION:

- (A) Direct staff to bring back an ordinance replacing the existing 'system' of computing business license taxes and all of the random flat tax business license categories in SJBMC §3-3-615 with a simple regressive tax schedule or proportional tax schedule and a temporary business license tax.

Attachments:

SJBMC §3-3-615 "Tax - Amounts"

San Juan Bautista 2014 Fee Chart

New Business License Tax Option 1 - Regressive Tax - 04-18-17

New Business License Tax Option 2 - Proportional Tax - 04-18-17

Chapter 3-3 BUSINESS LICENSES

3-3-615 Tax – Amounts. SHARE

(A) Every person who engages in business within the City, unless exempted pursuant to SJBMC 3-3-400 or required to pay a flat fee in subsection (B) of this section, shall pay an annual license tax on the total annual gross receipts of said business or businesses based on the following system (with a minimum tax of thirty dollars (\$30.00)):

Gross Receipts (in dollars)	Tax (mil per dollar)
First 250,000	At 1.00
Next 250,000	At 0.25
Next 500,000	At 0.125
All over 1,000,000	At 0.05

(B) The following businesses shall pay the flat tax enumerated below:

Accountant	(\$150.00/year)
Acupuncturist	(\$150.00/year)
Appraiser	(\$150.00/year)
Architect	(\$150.00/year)
Assayer	(\$150.00/year)
Attorney	(\$150.00/year)
Auctions	(\$250.00/year)
Bookkeeper	(\$150.00/year)
Boxing	
-500 seats	(\$50.00/day)
+500 seats	(\$100.00/day)
Broker	(\$150.00/year)
Bail	

Bonds

Insurance

Real estate

Stocks

Etc.

Buses (\$25.00/year per
vehicle)

Carnival (\$150.00/day)

Circus (\$150.00/day)

Chemist (\$150.00/year)

Chiropractor (\$150.00/year)

Dentist (\$150.00/year)

Doctor (\$150.00/year)

Engineer (\$150.00/year)

Film production (\$100.00/day)

Geologist (\$150.00/year)

Laundry (\$100.00/year)

Newspaper (\$150.00/year)

Optometrist (\$150.00/year)

Pawnbroker (\$100.00/year)

Pickup/delivery

Retail (\$40.00/year first
truck)

(\$15.00/year
additional truck)

Wholesale (\$30.00/year first
truck)

	(\$10.00/year additional truck)
Professionals, misc.	(\$150.00/year)
Real estate	
Rentals	(\$150.00/year)
Sales	(\$150.00/year)
Surgeon	(\$150.00/year)
Motorized taxicabs	(\$25.00/year per vehicle)
Nonmotorized taxicabs, pedicabs, wagons and carriages	(\$15.00/year per vehicle)
Therapy	(\$150.00/year)
Physical	
Psychology	
Etc.	
Veterinarian	(\$150.00/year)
Wrestling	
-500 seats	(\$50.00/year)
+500 seats	(\$100.00/year)

(C) The following special events rates shall apply:

Tent sales:

Cars	(\$5.00/vehicle/7-day)
SUV/truck	(\$10.00/vehicle/7-day)
Trailer	(\$25.00/trailer/7-day)
Motor home	(\$20.00/vehicle/7-day)

Other special events vendors will be required to purchase a regular retail business license.

Exhibit A

Amend Section 3-2-615 Tax – Amounts

(A) Every person who engages in business within the city, unless exempted pursuant to SJPMC 3-3-400 or required to pay a flat fee in subsection (B) of the section, shall pay an annual license tax on the total annual gross receipts of said business of businesses based on the following system (with a minimum tax of thirty-five dollars (\$35.00))

San Juan Bautista 2014 Fee Chart

Annual Gross Receipts	Business License Fee
Up to \$10,000	\$30.00
\$10,001 to \$45,000	\$60.00
\$45,001 to \$95,000	\$120.00
\$95,001 to \$145,000	\$150.00
\$145,001 to \$195,000	\$210.00

Gross Receipts	Tax (Mill per Dollar)
First 250,000	At 1.00
Next 250,000	At 0.25
Next 500,000	At 0.125
All Over 1,000,000	At 0.05

(B) The following businesses shall pay the flat tax enumerated below:

Accountant	(\$150.00/year)	Dentist	(\$150.00/year)	Veterinarian	(\$150.00/yea
Acupuncturist	(\$150.00/year)	Doctor	(\$150.00/year)		
Appraiser	(\$150.00/year)	Engineer	(\$150.00/year)	Wrestling Promoter/Event	
Architect	(\$150.00/year)	Film Production	(\$ 100.00/day)	<500seats (\$50.00/day)	
Attorney	(\$150.00/year)	Geologist	(\$150.00/year)	>500seats (\$100.00/day)	
Auctions/Auctioneer	(\$250.00/year)	Laundry Mat	(\$100.00/year)		
Bookkeeper	(\$150.00/year)	Landscaper	(\$150.00/year)		
Boxing Promoter/Events <500 seats		Newspaper Publisher	(\$150.00/year)		
(\$ 60.00/day - >500 seats (\$100.00/day)		Newspaper Deliver	(\$ 150.00/year)		
Broker	(\$150.00/year)	Optometrist	(\$150.00/year)		
Bail		Pawnbroker/Pawn shop	(\$150.00/year)		
Bonds		Pickup Delivery Retail	(\$ 40.00/year first		
Insurance		Trk) (\$15.00/year additional trucks)			
Real Estate		Wholesale (\$30.00/year first truck)			
Stocks		(\$10.00/year additional trucks)			
Others		Professional, Misc.	(\$150.00/year)		
Buses	(\$25.00/year per vehicle)	Real Estate Rental	(\$150.00/year)		
Carnival	(\$ 150.00/day)	Real Estate Sales	(\$150.00/year)		
Circus	(\$ 150.00/day)	Surgeon	(\$150.00/year)		
Chemist	(\$150.00/year)	Taxi Cab	(\$25.00/year per vehicle)		
Contractor	(150.00/year)	Non-motorized taxicab	(\$15.00/year)		
Chiropractor	(\$150.00/year)	Therapy Physical	(\$150.00/year)		
		Psychology	(\$150.00/year		
		Etc.	(\$150.00/year)		

(C) The following special sales events shall apply:

Tent Sales: Cars/Trucks /SUV
(\$5.00/ vehicle/7 day)

Trailers (\$10.00/ trailer/7-day)
Motor Home (\$25.00/vehicle/7-day)

Other special sales events vendors will
required to purchase regular retail
business license.

"Under Federal and State Law, Compliance with disability access laws is a serious and significant responsibility that applies to all public. You may obtain information about your legal obligations and how to comply with disability access laws at the following agencies:

The Division of the e State Architect at WWW.dgs.ca.gov/dsa/Home.aspx.

The Department of Rehabilitation at WWW.rehab.cahwnet.gov

The California Commission of Disability Access at WWW.cdda.ca.gov

New Business License Tax Option 1 - Regressive Tax

Annual Gross Receipts	Business License Tax	Tax/Sales Increment Ratio	Tax as % of Gross Receipts
Up to \$10,000	\$30.00	\$30/\$10,000	0.3%
\$10,001 to \$50,000	\$60.00	\$30/\$40,000	0.075%
\$50,001 to \$100,000	\$90.00	\$30/\$50,000	0.06%
\$100,001 to \$150,000	\$120.00		
\$150,001 to \$200,000	\$150.00		
\$200,001 to \$250,000	\$180.00		
\$250,001 to \$300,000	\$210.00		
\$300,001 to \$350,000	\$240.00		
\$350,001 to \$400,000	\$270.00		
\$400,001 to \$450,000	\$300.00		
\$450,001 to \$500,000	\$330.00		
\$500,001 to \$600,000	\$350.00	\$20/\$100,000	0.02%
\$600,001 to \$700,000	\$370.00		
\$700,001 to \$800,000	\$390.00		
\$800,001 to \$900,000	\$410.00		
\$900,001 to \$1,000,000	\$430.00		
\$1,000,001 to \$1,250,000	\$450.00	\$20/\$250,000	0.008%
\$1,250,001 to \$1,500,000	\$470.00		
\$1,500,001 to \$1,750,000	\$490.00		
\$1,750,001 to \$2,000,000	\$510.00		
\$2,000,001 to \$3,000,000	\$530.00	\$20/\$1,000,000	0.002%
\$3,000,001 to \$4,000,000	\$550.00		
\$4,000,001 to \$5,000,000	\$570.00		
\$5,000,000 and Up	\$10/\$1,000,000	\$10/\$1,000,000	0.001%

New Business License Tax Option 2 - Proportional Tax

Annual Gross Receipts	Business License Tax @ 0.02%	Proportional Tax Plus Base Tax	Tax as % of Gross Receipts
Under \$25,000	\$30	\$30	Flat Fee
\$25,001	\$5	\$35	0.140%
\$100,000	\$20	\$50	0.050%
\$200,000	\$40	\$70	0.035%
\$300,000	\$60	\$90	0.030%
\$400,000	\$80	\$110	0.028%
\$500,000	\$100	\$130	0.026%
\$600,000	\$120	\$150	0.025%
\$700,000	\$140	\$170	0.024%
\$800,000	\$160	\$190	0.024%
\$900,000	\$180	\$210	0.023%
\$1,000,000	\$200	\$230	0.023%
\$1,500,000	\$300	\$330	0.022%
\$2,000,000	\$400	\$430	0.022%
\$2,500,000	\$500	\$530	0.021%
\$3,000,000	\$600	\$630	0.021%
Over \$3,000,000	Gross Receipts x 0.02%	Gross Receipts x 0.02% + \$30	<0.021%