



City of San Juan Bautista

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REVISED AGENDA

REGULAR CITY COUNCIL MEETING

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

DECEMBER 18, 2018

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

Ask for a Moment of Silence for Jim West

2. Ceremonial Items: Swearing In of Council Members

A. Approve Resolution 2018-XX Declaring Election Results

i. Public Comment

ii. Possible Action:

Approve Resolution 2018-XX Declaring the Results of the General Municipal Election Held on Tuesday, November 6, 2018

B. Presentation of Plaques Honoring Outgoing City Council Members

Christopher Martorana, Tony Boch and Jim West (posthumously)

C. Installation of New City Council Members Cesar Flores, Leslie Jordan and

Mary Edge and New City Clerk Laura Cent

D. Selection of New Mayor

E. Selection of Vice Mayor

3. Public Comment

4. 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 Minutes for the October 16, 2018 Council Meeting

C. Approve Minutes for the November 20, 2018 Council Meeting

D. Adopt Ordinance 2018-08 Amending the City Purchasing Policies

E. Approve Resolution 2018-XX Amending the City Design Guidelines by Adding Guidelines for Streetscape Design

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

5. Presentations, Informational Items and Reports

- A. Presentation of the Fiscal Year 2018 Audit – Ryan Jolley, CPA**
- B. Monthly Financial Statements**
- C. City Manager's Report**
- D. Sheriff's Report – Sheriff Darren Thompson**
- E. Monthly Construction Report**
- F. City Engineer's Report**
- G. Building and Planning Report**
- H. Reports from City Council Appointees to Regional Organizations and Committees**
- I. Strategic Plan Committee Report (Did not meet)**

6. Action Items

A. Consider Resolution 2018-XX Accepting the Fiscal Year 2018 Audit

- i. Staff Report: City Manager LaForge
- ii. Discussion
- iii. Public Comment
- iv. Possible Action:
Approve Resolution 2018-XX Accepting the San Juan Bautista Municipal Audit for Fiscal Year 2017-2018

B. Consider Appointing Three New Members to the Historic Resources Board and Planning Commission

- i. Council Reviews Applications and Discusses Qualifications
- ii. Public Comment
- iii. Make Selection by Paper Ballot
- iv. City Clerk to Provide Ballot Count and Announce Results

C. Mayor's Council Appointments for Representative to Boards and Committees

- i. Mayor Reviews List of Boards and Committees
- ii. Discussion
- iii. Public Comment
- iv. Possible Action:
Make selections to committees and boards

D. Adopt Resolution 2018-XX Changing Signature Responsibilities on City Bank Accounts

- i. Staff Report: City Manager LaForge
- ii. Discussion
- iii. Public Comment
- iv. Possible Action:
Approve Resolution 2018-XX Authorizing Changes to the Designated Signers on the City's Bank Accounts at Union Bank

E. Reconsider Casa Rosa Structural Changes

- i. Staff Report: Associate Planner Todd Kennedy
- ii. Discussion
- iii. Public Comment
- iv. Possible Action:
Approve by Consensus Authorizing NTE \$5,000 to Secure Balcony

F. Adopt Ordinance 2018-XX Approving a City-Initiated Rezoning of Three Parcels Situated At 11 Franklin Street (APN 002-340-006 and 002-340-007), 17 Franklin (APN 002-340-003), From Public Facility (PF) District to Mixed-Use (MU) District

- i. Staff Report: Associate Planner Todd Kennedy
- ii. Discussion
- iii. Public Comment
- iv. Possible Action:

Adopt Ordinance 2018-XX Approving a City-Initiated Rezoning of Three Parcels Situated At 11 Franklin Street (APN 002-340-006 and 002-340-007), 17 Franklin (APN 002-340-003), From Public Facility (PF) District to Mixed-Use (MU) District

G. Consider an Ordinance Adding Chapter 5-32 “Cannabis Business Activities Tax Ordinance of the City Of San Juan Bautista” to Title 5 “Public Health, Safety and Welfare” of the San Juan Bautista Municipal Code and Approval of an Exemption Under the California Environmental Quality Act

- i. Staff Report: City Attorney Deborah Mall
- ii. Discussion
- iii. Public Comment
- iv. Possible Action:

Introduce An Ordinance of the City Council of the City Of San Juan Bautista Adding Chapter 5-32 “Cannabis Business Activities Tax Ordinance of the City Of San Juan Bautista” to Title 5 “Public Health, Safety And Welfare” of the San Juan Bautista Municipal Code and Approval of an Exemption Under the California Environmental Quality Act

7. Discussion Items

- A. Cannabis Business License and Planning Processes Set up**
- B. Consider Service Contract for Completion of the Housing Element**
- C. Contract with City of Hollister for Fire Protection Services**
- D. Gas Station Update on Hwy 156 and The Alameda**
- E. Celebration of Life for Jim West in January 2019**

8. Comments

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

9. Adjournment

RESOLUTION NO. 2018-XX

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN JUAN
BAUTISTA DECLARING THE RESULTS OF THE GENERAL MUNICIPAL
ELECTION HELD ON TUESDAY, NOVEMBER 6, 2018**

WHEREAS, by Resolution No. 2018-21, adopted at a regular meeting of the San Juan Bautista City Council on May 15, 2018, this Council called and set the 2018 General Municipal Election to be consolidated with the Statewide General Election to be held the same day, on November 6, 2018; and

WHEREAS, by Resolution No. 2018-21 this Council placed on the municipal election ballot the election of three (3) members of the City Council to succeed those members whose terms end; and

WHEREAS, by Resolution No. 2018-21 this Council placed on the municipal election ballot the election of City Clerk to complete the unexpired term; and

WHEREAS, by Resolution No. 2018-39 this Council placed on the municipal election ballot one (1) measure submitting to voters an ordinance imposing a cannabis business activities tax on cannabis businesses in the City of San Juan Bautista; and

WHEREAS, City has received and this Council has reviewed the official election results compiled by the County of San Benito, copy attached hereto; and

WHEREAS, this is the time and place for the Council to meet and proceed to declare the results of the 2018 General Municipal Election;

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

SECTION 1. The candidates for the three (3) available Council seats and the number of votes cast for those candidates are as follows:

	Vote Count	Percentage
César E. Flores	388	26.72
Leslie Q. Jordan	349	24.04
Mary Vazquez Edge	309	21.28
Harold Furtado Gomes	263	18.11
Jacqueline T. Morris-Lopez [Write-in]	131	9.02

Maggie Bilich [Write-in]

12

0.83

SECTION 2. On the basis of the official vote count set out in Section 1, this Council declares CÉSAR E. FLORES, LESIE Q. JORDAN and MARY VAZQUEZ EDGE elected to full four (4) year terms on the San Juan Bautista City Council.

SECTION 3. The candidate for City Clerk and the number of votes cast for that candidate are as follows:

	Vote Count	Percentage
Laura Cent	479	100.00

SECTION 4. On the basis of the official vote count set out in Section 3, this Council declares LAURA CENT elected to the office of City Clerk of the City of San Juan Bautista to serve two (2) years to complete the four (4) year term.

SECTION 5. The number of votes cast for Measure I, asking the voters to vote yes or no on the question of whether an ordinance imposing a cannabis business activities tax on cannabis businesses in the City of San Juan Bautista should be added; are as follows:

MEASURE I Vote Count: 444-yes, 235-no; Percentage: 65.39% - 34.61%

SECTION 6. On the basis of the official vote count set out in Section 5, this Council declares that Measure I passed.

THE FOREGOING RESOLUTION WAS ADOPTED at a regular meeting of the San Juan Bautista City Council held on the 18th day of December, 2018, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Mayor

ATTEST:

Laura, City Clerk

AFFIDAVIT OF POSTING

I, LAURA CENT, DO NOW DECLARE, UNDER THE PENALTIES OF PERJURY THAT I AM THE 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 DECEMBER 2018, 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 DECEMBER 2018.



LAURA CENT, CITY CLERK

**CITY OF SAN JUAN BAUTISTA
CITY COUNCIL REGULAR MEETING
OCTOBER 16, 2018
DRAFT MINUTES**

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

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

B. ROLL CALL **Present:** Mayor West, Vice Mayor Freeman, Council Member Boch.

Absent: Council Members DeVries and Martorana

Staff Present: City Manager LaForge, City Attorney Mall, Deputy City Clerk Paetz, City Engineer Dobbins

2. PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA

Wanda Guibert was concerned with the Casa Rosa building on Third Street and provided written input to the council. Ted Thoeny informed the council of his upcoming Dia de los Muertos event. Ann Fritch pointed out that designation of the City's sesquicentennial event for September 7-8, 2019 was not on this agenda.

3. CONSENT ITEMS

- A. Approve Affidavit of Posting Agenda**
- B. Approve Affidavits of Posting Public Hearing Notices for Community Facilities District, Garbage Contract, and Franklin Street Project**
- C. Approve Resolution 2018-52 for Street Closures: Jardines Dia de los Muertos Event, Double Road Race, William Ltd Antiques Faire and Rib Cookoff, Hollister Rotary Mission 10K Run**
- D. Approve Minutes for August 21, 2018 Council Meeting**
- E. Recommendation of the Appointment of Donna Holmes to the Strategic Plan Committee**
- F. Adopt Ordinance 2018-06 Approving the Addition of Chapter 5-33, Emergency Organization and Functions to Title 5 of the SJB Municipal Code**
- G. Waive Reading of Ordinances and Resolutions on Tonight's Agenda Beyond Title**

A motion was made by Council Member Boch and seconded by Vice Mayor Freeman to approve all items on the consent agenda. The motion passed unanimously, 3-0-0-2, with Council Members DeVries and Martorana absent.

4. PRESENTATIONS, INFORMATIONAL ITEMS AND REPORTS

A. Presentation of Proclamations for Ron Erickson, Founder of Early Days at the State Historic Park in San Juan Bautista, and Honoring 50 Years of AMBAG

Mayor West read the proclamations.

B. Treasurer's Report

City Manager LaForge provided a report as the City Treasurer was absent. There was no public comment.

C. City Manager's Report

City Manager LaForge reviewed her report for Council and responded to questions. There was no public comment.

D. Grant Report

City Manager LaForge reviewed her report for Council and responded to questions. There was no public comment.

E. Monthly Construction Progress Report

City Engineer Patrick Dobbins reviewed his report for Council and responded to questions. There was no public comment.

F. Community Development Report

Council received the report in their packet. There was discussion about Harvey's Lockup and Vice Mayor Freeman requested it be taken to the Planning Commission. There was no public comment.

G. City Engineer's Report

City Engineer Patrick Dobbins reviewed his report for Council and introduced Miles Farmer of Cypress Water Service, the City's new Wastewater Treatment Plant Operator whose contract was accepted by the Council last month. There was no public comment.

H. Reports from City Council Appointees to Regional Organizations and Committees

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

I. Strategic Plan Committee Report

Shawna Freels provided a report. There were no public comments.

5. PUBLIC HEARING ITEMS

A. Consider the Establishment of the Proposed Community Facilities District (CFD), the proposed rate and method of apportionment of the special taxes proposed to be levied within the CFD, and all other matters as set forth in the Resolution of Intention

Rick Clark of Harris and Associates reported on the process involved tonight in establishing the CFD. Mayor West opened the public hearing. There were no comments received. Mayor West closed the public hearing.

A motion was made by Council Member Boch and seconded by Vice Mayor Freeman to approve Resolution 2018-53 Forming and Establishing Community Facilities District No. 2018-01 and Authorizing submittal of the Levy of Special taxes to the qualified Electors of the District. The motion passed unanimously, 3-0-0-2, with Council Members DeVries and Martorana absent.

B. Hold an Election of the CFD and Consider a Resolution Declaring the Results of a Special Election in the Community Facilities District

Rick Clark of Harris and Associates proceeded with the election and opened the ballots of which there were 43 cast, representing 43 acres; all were in favor of establishing the CFD.

A motion was made by Freeman and seconded by Council Member Boch to approve Resolution 2018-54 with the Council acting in its capacity as the legislative body of the Community Facilities District No. 2018-01, declaring the results of a special election in such community facilities. The motion passed unanimously, 3-0-0-2, with Council Members DeVries and Martorana absent.

C. Introduce an Ordinance Authorizing the Levy of a Special Tax in Community Facilities District No. 2018-01

Rick Clark of Harris and Associates explained the necessity of an ordinance. No public comments were received.

A motion was made by Vice Mayor Freeman and seconded by Council Member Boch to introduce an ordinance authorizing the levy of a special tax in Community Facilities District No. 2018-01. The motion passed unanimously, 3-0-0-2, with Council Members DeVries and Martorana absent.

D. Consider Approval of Maximum Allowable Solid Waste Collection Rates Effective November 1, 2018 to June 30, 2018

Kevin McCarthy of Recology provided a report. Deputy City Clerk Paetz reported there were three protests received. No public comments were received.

A motion was made by Vice Mayor Freeman and seconded by Council Member Boch to approve Resolution 2018-55 approving maximum allowable solid waste collection rates effective November 1, 2018 to June 30, 2019. The motion passed unanimously, 3-0-0-2, with Council Members DeVries and Martorana absent.

E. Consider Action on Four Parcels Located on Franklin Street – 10 Franklin Street (APN 002-490-002), 11 Franklin Street (APN 002-340-006 and 002-340-007) and 17 Franklin Street (APN 002-340-003)

i. Consider a City-Initiated Zone Change from Public Facilities (PF) to Mixed-Use (MU). Zone Change approval is exempt from CEQA pursuant to Article 19, Sections 15315, 15331, and 15332.

Associate City Planner Todd Kennedy provided a report. Mayor West opened the public hearing. There was not public comment. Mayor West closed the public hearing. A motion was made by Council Member Boch and seconded by Vice Mayor Freeman to introduce an ordinance approving a City initiated rezoning of four parcels situated at 11 Franklin Street, 17 Franklin Street, and 10 Franklin Street from Public Facility to Mixed Use district. The motion passed unanimously, 3-0-0-2, with Council Members DeVries and Martorana absent.

ii. Consider a City Initiated General Plan Amendment. The proposed amendment is from Public Facility to Mixed Use and is exempt from CEQA pursuant to Article 19, Section 15315, 15303, 15331 and 15332.

Associate City Planner Todd Kenned provided a report. Mayor West opened the public hearing. There was not public comment. Mayor West closed the public hearing.

A motion was made by Council Member Boch and seconded by Vice Mayor Freeman to approve Resolution 2018-56 approving a City initiated General Plan amendment of four parcels situated at 11 Franklin Street, 17 Franklin Street, and 10 Franklin Street from Public Facility district to Mixed Use district. The motion passed unanimously, 3-0-0-2, with Council Members DeVries and Martorana absent.

iii. Consider a Proposed Lot Merge for 11 Franklin Street to allow the property owner to reconstruct/restore an accessory building and make interior changes within the main building and outdoor features. The lot merge is exempt from LCEQ pursuant to Article 19, Sections 15311, 15302, and 15315. Applicants: Robert and Martha Fernandez

Associate City Planner Todd Kenned provided a report. Mayor West opened the public hearing. There was not public comment. Mayor West closed the public hearing.

A motion was made by Council Member Boch and seconded by Vice Mayor Freeman to approve Resolution 2018-57 approving a lot merge for 11 Franklin Street (APN 002-340-006 and APN 002-340-007) to combine the parcels. The motion passed unanimously, 3-0-0-2, with Council Members DeVries and Martorana absent.

6. ACTION ITEMS

A. Consider Resolution Declaring the Existence of a Shelter Crisis Within the City of San Juan Bautista

John/Tony. Passes 3-0.

B. Review City Purchasing Procedures and Provide Direction to Staff

City Engineer Dobbins provided a report. Council was in agreement that changes to the city purchasing procedures is needed. Council directed staff to bring back an ordinance in November. During public comment, Jackie Morris spoke in support.

C. Award of Wastewater Treatment Plant Operator Contract

City Engineer Dobbins provided a report recommending award of a two-year contract for operation of the City's Wastewater Treatment Plant to Cypress Water Service in the amount of \$120,890/year and establish a contingency budget of \$20,000 for a total contract authorization of \$261,780. There was no public comment.

A motion was made by Council Member Boch and seconded by Vice Mayor Freeman to approve Resolution 2018-59 Authorizing a Contract with Cypress Water Service for Operation of the City's Wastewater Treatment Plant. The motion passed 3-0-0-2 with Council Members DeVries and Martorana absent.

D. Consider Extending Existing Synagro Sludge Removal Project Contract Services

City Engineer Dobbins reported that removal of sludge from the wastewater treatment plant (WWTP) would begin October 23 and residents will experience an increase in odors, noise, and expect eight to ten trucks per day, from 6 am to 6 pm for four weeks. Dobbins recommended increasing the contract so more sludge could be removed, thereby increasing capacity at the WWTP. Council directed staff to add \$100,000 to the budget for sludge removal.

7. DISCUSSION ITEMS

A. Consider Having Two City Council Meetings Each Month – Vice Mayor Freeman

Vice Mayor Freeman suggested the council begin scheduling two council meetings each month, stating it will help eliminate the need for long meetings. City Manager LaForge asked to conduct an analysis. City Attorney Mall cautioned that two meetings scheduled each month could require an increase in staff and contractors' time, and could eventually result in having two long meetings.

8. COMMENTS

A. City Council

No comments made.

B. City Manager

No comments made.

C. City Attorney

City Attorney Mall provided an update on the gas station appeal stating the appeal was argued two weeks ago, petitioners made a procedural error, the noise study was questioned, and a decision should be made in two weeks.

7. Adjournment

The meeting was adjourned at 8:03 p.m.

**CITY OF SAN JUAN BAUTISTA
CITY COUNCIL REGULAR MEETING
NOVEMBER 20, 2018
DRAFT MINUTES**

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

A. PLEDGE OF ALLEGIANCE – Mayor West led the pledge of allegiance.

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

Staff Present: City Manager LaForge, City Attorney Mall, Deputy City Clerk Paetz, City Engineer Dobbins

2. PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA

Anna Andrade, Anthony Belardes, Maricela Morales, and Richard Rodrigues spoke in support of the recently installed stop sign on Muckelemi Street.

3. CONSENT ITEMS

A. Approve Affidavit of Posting Agenda

B. Approve Resolution 2018-60 for Street Closures – Car Show & Holiday of Lights Parade

C. Approve Minutes for July 17, 2018 Council Meeting

D. Adopt Ordinance 2018-07 Authorizing the Levy of a Special Tax in Community Facilities District No. 2018-01

E. Adopt Ordinance 2018-08 Approving a City-Initiated Rezoning of Four Parcels Situated At 11 Franklin Street (APN 002-340-006 and 002-340-007), 17 Franklin (APN 002-340-003), and 10 Franklin Street (APN 002-490-002) From Public Facility (PF) District to Mixed-Use (MU) District

F. Approve Resolution 2018-61 Authorizing the City Manager to Execute Change Order #1 With Noble Pride Roofing Company for the City Hall Reroof Contract for Unanticipated Repairs

G. Approve Resolution 2018-62 Authorizing a Fumigation Contract for City Hall

H. Approve Resolution 2018-63 Authorizing a Contract for Roof Repair at the Community Hall

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

City Attorney Mall requested Council pull Item 3E from the Consent Agenda as they bound a discrepancy in the re-zoning.

A motion was made by Vice Mayor Freeman and seconded by Council Member Martorana to approve all items on the consent agenda except Item 3E, and with minor corrections to the Street Closure Resolution 2018-60. The motion passed unanimously.

4. PRESENTATIONS, INFORMATIONAL ITEMS AND REPORTS

A. Presentation of Proclamations for i. November as Golden Gate Frontier History Month, and ii. Sesquicentennial as September 7-8, 2019 in San Juan Bautista

Mayor West read the proclamations.

B. Treasurer's Report

City Manager LaForge provided a report as the City Treasurer was absent. There was no public comment.

C. City Manager's Report

City Manager LaForge reviewed her report for Council and responded to questions. There was no public comment.

D. Monthly Construction Progress Report

City Engineer Patrick Dobbins reviewed his report for Council and responded to questions. There was no public comment.

E. Community Development Report

City Planner Kennedy and Building Official Parshall responded to questions about Harvey's Lockup, La Casa Rosa, and 11 Franklin Street. During public comment Val Lopez expressed concerns by the tribe.

F. City Engineer's Report

City Engineer Patrick Dobbins reviewed his report for Council and responded to questions. There was no public comment.

G. Reports from City Council Appointees to Regional Organizations and Committees

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

H. Strategic Plan Committee Report

A representative of the Strategic Plan Committee was not present and there was no report provided. There were no public comments.

5. ACTION ITEMS

A. Introduce an Ordinance Amending the City Purchasing Procedures

City Engineer Dobbins presented his report and responded to questions. There was no public comment received.

A motion was made by Council Member Boch and seconded by Council Member Martorana to introduce an ordinance amending the City purchasing procedures. The motion passed unanimously, 5-0.

B. Consider Changes to Parking Citation Before Re-printing

Code Enforcement Officer Parshall provided a report. During public comment Cesar Flores asked how he could negate the possibility of receiving a citation if he were to leave his car parked on the street while on vacation. City Manager LaForge advised him to alert the code enforcement officer before leaving for vacation. No action was taken.

6. DISCUSSION ITEMS

A. Fourth Street Speed Control

City Manager LaForge provided a report. During public comment Cesar Flores spoke in support of traffic calming on Fourth Street and suggested bringing down a fence that affects visibility. Rachel Ponce did not support bike lanes, as they are dangerous for bike riders on narrow streets.

Council members were in support of installing a speed table/crosswalk at Fourth Street near The Alameda.

B. Define Planning Commission Scope

City Manager LaForge asked for direction regarding the Planning Commission's scope. A majority of the Council and the City Attorney agreed that the planning commission's scope is land use related projects and issues. There was no public comment.

C. Possible Meeting to Discuss Water Problems and Options

Vice Mayor Freeman suggested a special meeting be held to discuss the city's water problems, and he suggested remedies. Council Member Martorana suggested the next council could make this a priority for the city manager to work towards. There was no public comment.

D. West Hills Water Plant Water: Advantages and Costs

Vice Mayor Freeman acknowledged that he had addressed this remedy during discussion of the previous item. There was no further discussion or public comment.

E. La Casa Rosa

Vice Mayor Freeman acknowledged that this had been addressed earlier in the meeting. There was no further discussion or public comment.

F. Grant Writer for CDBG and Budget Change

Vice Mayor Freeman reported on the need for a grant writer to work towards submitting for a Community Development Block Grant. City Manager LaForge accepted the grant information provided by the vice mayor.

G. Canyon Fire Fighting and Protection Strategy

In the advent of recent wildfires in California, Council Member DeVries discussed his concern with the ability to fight fires and protect people and property in the San Juan Canyon. There was no public comment.

7. COMMENTS

A. City Council

No comments made.

B. City Manager

No comments received.

C. City Attorney

No comments received.

8. Adjournment

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



CITY OF SAN JUAN BAUTISTA CITY COUNCIL STAFF REPORT

AGENDA TITLE: **Second Reading and Adoption of Ordinance to Revise City Purchasing Procedures**

MEETING DATE: December 18, 2018

STAFF: Patrick Dobbins, City Engineer

RECOMMENDED ACTION: Consider Second Reading of Ordinance to revise Chapter 2-8 “Purchasing Procedures” of the City’s Municipal Code

BACKGROUND INFORMATION: This is in follow-up to the August 21 and October 16, 2018 City Council meetings where staff presented information on revising the City Purchasing Procedures. The direction received at the October 16, 2018 meeting was to:

1. Increase the City Manager’s authorization to \$20,000
2. To incorporate the Uniform Public Construction Cost Accounting Act (UPCCAA) into Chapter 2-8 of the City’s Municipal Code.

Staff also recommends including a Local Vendor Preference into the revised “Purchasing Procedures”

The City’s Purchasing Procedures are contained in Chapter 2-8 of the City’s Municipal Code (copy attached). The types of “goods and services” generally purchased by the city fall into the following categories:

1. Purchases of supplies, materials and equipment
2. Public Work as defined as the erection, construction, alteration, painting, repair or improvement of a City structure, building or road. Recent examples are the City Hall ReRoof Project and Wastewater Treatment Plant Sludge Removal Contract. Both projects were publicly bid after the City Engineer prepared construction documents for bidding purposes.
3. Procurement of professional services including special service or advice in accounting, engineering, legal or administrative matters by persons specially trained and competent to perform the services required (Gov’t Code § 53060).

The City Manager is the designated Purchasing Agent for the city and under the current Purchasing Policies the City Manager may authorize contracts up to \$5,000. Contracts over \$5,000 shall be approved by the City Council. For comparison purposes, the below table lists some nearby cities and the City Manager's purchasing authorization:

City	Population	City Manager Authorization
City of Hollister	36,677	\$20,000
City of Los Banos	39,183	\$30,000
City of Gilroy	57,664	\$35,000
City of Marina	21,528	\$25,000
City of Carmel	3,900	\$25,000
City of Del Rey Oaks	1,681	\$10,000

As mentioned, the proposed Ordinance will make the following revisions to Chapter 2-8 of the City's Municipal Code:

1. Increase the City Manager's authorization to \$20,000
2. Incorporate the Uniform Public Construction Cost Accounting Act (UPCCAA)
3. Add a Local Vendor Preference

FISCAL IMPACT: N/A as this is a policy discussion.

ATTACHMENTS:

1. Revised Ordinance

REVISED

ORDINANCE No. 2018-XX

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN JUAN BAUTISTA
REVISING CHAPTER 2-8 “PURCHASING PROCEDURES” OF THE
CITY OF SAN JUAN BAUTISTA MUNICIPAL CODE**

-oOo-

WHEREAS, the City Council directed staff to amend the San Juan Bautista Municipal Code to implement the Uniform Public Construction Cost Accounting Act and increase the spending authorization of the City Manager.

**THE CITY COUNCIL OF THE CITY OF SAN JUAN BAUTISTA HEREBY ORDAINS
AS FOLLOWS:**

1. Environmental Determination. The City Council hereby finds that the adoption of this Ordinance does not constitute the approval of a “project” under the California Environmental Quality Act (CEQA) pursuant to section 15060(c)(2) and (3) and 15061(b)(3) of the State CEQA Guidelines. Specifically, this Ordinance will not result in a direct or foreseeable indirect physical change in the environment as it does not authorize the construction of any new structure or other physical changes to the environment.

2. Chapter 2-8 Replaced With a New Chapter 2-8. San Juan Bautista Municipal Code Chapter 2-8 entitled “Purchasing Procedures” is replaced in full with the following, which is hereby added to the San Juan Bautista Municipal Code as set forth on the attached eight (8) pages:

“Chapter 2-8 Purchasing Procedures”

Section 2-8-01. Purpose.

In order to establish efficient procedures for the acquisition of supplies, services, equipment, and materials at the lowest possible cost commensurate with the quality needed, to dispose of surplus personal property to the best advantage of the city, to exercise positive financial control over purchases, to clearly define authority for the purchasing function, and to assure the quality of purchases, the purchasing procedures set forth in this Chapter are adopted.

Section 2-8-02. Delegation of Purchasing Authority.

The City Manager is designated as the Purchasing Agent for the city. The Purchasing Agent shall have the authority to:

- A. Purchase or contract for supplies, services, equipment, and materials required by any department in accordance with the purchasing procedures prescribed by this Chapter, any administrative regulations that the City Manager shall adopt for the internal management and operation of the purchasing procedures, and any other rules and regulations as shall be prescribed by the City Council.
- B. Negotiate and recommend execution of contracts for the purchase of supplies, services, equipment, and materials.
- C. Act to procure for the City the needed quality in supplies, services, equipment, and materials at the least expense to the city.
- D. Discourage non-competitive bidding and endeavor to obtain as full and open competition as possible on all purchases.
- E. Prescribe and maintain such forms as reasonably necessary for the operation of this Chapter.
- F. Supervise the inspection of all supplies, services and equipment purchased to insure conformance with specifications.
- G. Recommend the transfer of surplus or unused supplies and equipment between departments as needed, and the sale of surplus supplies and equipment.
- H. Join with other governmental agencies in joint purchasing endeavors where the purchasing procedures substantially conform to this Chapter and state law.
- I. Make purchases by taking advantage of valid contract terms that have been negotiated by another governmental agency pursuant to Section 2-8-03.

Section 2-8-03. Agreements with other governmental agencies.

The City Manager may authorize in writing a joint effort with any other governmental agency to purchase or contract for specified supplies, services, equipment, and materials. He/she shall ensure that such purchases or contracts by other governmental agencies conform to the procedures established by state law.

Section 2-8-04. Departmental requisition procedure.

Departments shall submit requests for supplies, services and equipment to the City Manager.

Section 2-8-05. Bidding procedures for public construction projects.

A. Purpose: The purpose of this section is to adjust the monetary limits for public construction projects which can be carried out with administrative decision, informally bid, and formally bid projects. It is the intent of the city council that this chapter shall govern the selection of contractors by the city through the bidding procedures specified in article 1, chapter 2, part 3, division 2 of the Public Contract Code section 22000 et seq., the Uniform Public Construction Cost Accounting Act.

B. Definitions: The definitions employed in article 1 of chapter 2, part 3, division 2 of the Public Contract Code section 22000 et seq., and their statutory successors shall govern the construction of this section.

Accordingly, a "public project" means any of the following:

1. Construction, reconstruction, erection, alteration, renovation, improvement, demolition, and repair work involving any publicly owned, leased, or operated facility.
2. Painting or repainting of any publicly owned, leased, or operated facility.
3. In the case of a publicly owned utility system, "public project" shall include only the construction, erection, improvement, or repair of dams, reservoirs, power plants, and electrical transmission lines of two hundred thirty thousand (230,000) volts and higher.

A "public project" does not include maintenance work, such as:

1. Routine, recurring, and usual work for the preservation or protection of any publicly owned or publicly operated facility for its intended purposes.
2. Minor repainting.
3. Resurfacing of streets and highways of less than one inch (1.0") thickness.
4. Landscape maintenance, including mowing, watering, trimming, pruning, planting, replacement of plants, and servicing of irrigation and sprinkler systems.

5. Work performed to keep, operate, and maintain publicly owned water, power, or waste disposal systems, including, but not limited to, dams, reservoirs, power plants, and electrical transmission lines of two hundred thirty thousand (230,000) volts and higher.

C. Contract Letting Procedures: Except as otherwise provided herein, the provisions of the Uniform Public Construction Cost Accounting Act, Public Contract Code Section 22000 et seq., shall be controlling.

1. List of Qualified Contractors: The responsible department head shall maintain a list of qualified contractors identified according to categories of work in accordance with Public Contract Code Section 22034 and as determined by the California Uniform Construction Cost Accounting Commission.
2. No Bidding Required: Public projects less than or equal to Forty Five Thousand Dollars (\$45,000.00) may be performed by city staff, by force account with a contractor, by negotiated contract, or by use of a purchase order, pursuant to Section 22032 of the Public Contract Code.
3. Informal Bids: The city shall follow the following informal bidding procedure for public projects of One Hundred Seventy Five Thousand Dollars (\$175,000.00) or less, or those public projects as specified in either section 22032(b) or Section 22020 of the Public Contract Code.

D. Notice: A Notice Inviting Informal Bids shall be sent to: (1) all contractors on the city's list of qualified contractors for the category of work being bid, and (2) the construction trade journals as specified in Section 22036 of the Public Contract Code and as named by the California Uniform Construction Cost Accounting Commission.

- (1) The mailing of notices to contractors and construction trade journals shall be completed not less than ten (10) calendar days before bids are due.
- (2) The notice inviting informal bids shall describe the project in general terms, how to obtain more detailed information about the project, and state the time and place for the submission of bids.

E. Authority To Award Bid: The authority to award informal contracts is hereby delegated to the city manager unless all informal bids received are in excess of One Hundred Seventy Five Thousand Dollars (\$175,000.00), in which case the city council may, by passage of a resolution by a four-fifths (4/5) vote, award the contract at the amount set forth in Section 22034(f) of the Public Contract Code or less to the lowest responsible bidder, if it determines the cost estimate of the responsible department head was reasonable.

F. Formal Bids: The city shall follow the following formal bidding procedure for public projects equal to or greater than One Hundred Seventy Five Thousand Dollars (\$175,000.00), or as specified in either Section 22032(b) or Section 22020 of the Public Contract Code.

1. Plans and Specifications: The city council shall adopt plans, specifications, and working details for all public projects that are formally bid.

2. Notice: A notice inviting formal bids shall be published and mailed as specified below.

(a) A notice inviting formal bids shall state the time and place for the receiving and opening of sealed bids and distinctly describe the project.

(b) The notice inviting formal bids shall be mailed to construction trade journals specified in section 22036 of the Public Contract Code and as named by the State's Uniform Construction Cost Accounting Commission, at least thirty (30) calendar days before the date of opening the bids.

(c) The notice inviting formal bids shall be published in a newspaper of general circulation printed and published within the jurisdiction of the city, or if none exists, in a newspaper of general circulation which is circulated within the jurisdiction of the city, at least fourteen (14) calendar days before the date of opening the bids.

(d) In addition to notice required by this section, the public agency may give such other notice as it deems proper.

G. Procedure for Award of Informal or Formal Bids:

1. If a contract is awarded, it shall be awarded to the lowest responsive and responsible bidder. If two (2) or more bids are the same and the lowest, the city council may accept the one it chooses.

2. The city council has the discretion to reject any bids presented.

3. The city council has the discretion to reject all bids, if:

(a) The city council declares that the project may be more economically performed by employees of the city; and

(b) The city furnishes written notice to the apparent low bidder that informs the bidder of the agency's intention to reject the bid. Such notice shall be mailed at least two (2) business days prior to the public hearing at which the city council intends to reject the bid.

4. If after the first invitation of bids all bids are rejected, after reevaluating its cost estimates of the project, the city shall have the option of either of the following:

(a) Abandoning the project or re-advertising for bids in the manner described by this section; or

(b) By passage of a resolution by a four-fifths (4/5) vote of the city council, declaring that the project can be performed more economically by the employees of the public agency, may have the project done by force account without further complying with the uniform public construction cost accounting act or this section.

5. No Bids Received: If no bids are received through the formal or informal procedure, the project may be performed by the employees of the city by force account, or negotiated

contract without further complying with the uniform public construction cost accounting act or this section.

6. Emergencies: In the case of emergency when repairs or replacements are necessary, the governing body may proceed at once to replace or repair any public facility without adopting plans, specifications, strain sheets, or working details, or giving notice for bids to let contracts. The work may be done by day labor under the direction of the city, by contractor, or by a combination of the two (2). If the city chooses not to give notice for bids to let contracts, the city must comply with the provisions of the uniform public construction cost accounting act, Public Contract Code section 22050 et seq. (Ord. 2010-65, 7-6-2010; amd. Ord. 2015-88, 11-2-15)

7. Notice Inviting Bids. Notices inviting bids shall distinctly describe the project, state where bid forms and specifications may be secured, and state the time and place for the receiving and opening of sealed bids. Notices inviting bids must be posted at the City's designated posting places at least 10 days prior to bid opening.

8. Bidder's Security. All bids presented in connection with the public project shall be accompanied by bidder's security in the form and amount prescribed by Public Contract Code Sections 20170 and 20171. In all cases bidders shall be entitled to return of bid security provided that a successful bidder shall forfeit the bid security upon refusal or failure to execute the contract within ten days after the notice of award of contract has been mailed, unless the City is responsible for the delay. The City Council may, on refusal or failure of the successful bidder to execute the contract, award it to the next lowest responsible bidder. If the City Council awards the contract to the next lowest bidder, the amount of the lowest bidder's security shall be applied by the City to the difference between the low bid and the second lowest bid, and the surplus, if any, shall be returned to the lowest bidder.

9. Bid Opening Procedure. Sealed bids shall be submitted to the City Clerk and shall be identified as bids on the envelope. Bids shall be opened in public at the time and place stated in the public notice. A tabulation of all bids received shall be open for public inspection during regular business hours for a period of not less than thirty calendar days after the bid opening.

10. Rejection of Bids or No Bids Received. In its discretion, the City Council may reject any and all bids presented and re-advertise for bids. If no bids are received, the City Council may award the project by negotiated contract.

11. Award of Contracts. Contracts shall be awarded by the City Council to the lowest responsible bidder except where as otherwise provided herein.

12. Tie Bids. If two or more bids received are for the same amount or unit price, quality and service being equal, and if the public interest will not permit the delay of re-advertising for bids, the City Council may accept the one it chooses, or accept the lowest bid made by negotiation with the tie bidders, or may utilize a blind public drawing.

13. Performance Bonds. The City Manager shall have authority to require a performance bond before entering a contract in such amount as he/she finds reasonably necessary to protect the best interests of the city. If the City Manager requires a performance bond, the amount of the bond shall be described in the notice inviting bids.

Section 2-8-06. Open market procedures for purchases exclusive of public projects.

(A) Purchases of supplies, services, equipment and the sale of personal property that do not fall under Section 2-8-05 shall be by the open market procedures described in this section when the estimated value, exclusive of sales tax and freight, exceeds Twenty Thousand Dollars (\$20,000.00). Open market procedures may be dispensed with only when an emergency requires that an order be placed with the nearest available source or when the supply, service, or equipment can be obtained from only one vendor. The City Manager shall solicit open market quotes or bids by written requests to prospective vendors, by telephone, e-mail, or by public notice posted at the City's designated posting places.

(B) When entering a professional services contract, the skill or ability of the entity or person performing the services is a key component of the selection criteria. The selection should be on the basis of demonstrated competence and on the professional qualifications necessary for the satisfactory performance of the services required. Cost is only one factor in determining the selection. In these cases, the City Manager shall solicit requests for proposals or requests for quotations to prospective vendors either by mail, telephone, e-mail or by public notice posted at the designated posting places.

Section 2-8-07. Use of purchase orders.

Purchases of supplies, services, and equipment shall be made by purchase order.

Section 2-8-07.1. Encumbrance of funds only in cases of emergency.

Except in cases of emergency, a purchase order for supplies, services, equipment, or materials may not be issued unless there exists an unencumbered appropriation against which the purchase is to be charged.

Section 2-8-07.2. Written contract required for public projects and major acquisitions and sales.

A. Purchases and contracts, exceeding twenty thousand dollars (\$20,000.00), for supplies, services, equipment, and materials, and the sale of personal property shall be by written contract with:

(1) The lowest responsible bidder;

(2) In the case of sales by the city, the highest responsible bidder; or

(3) In the case of professional or personal services contracts, based on the criteria established in Section 2-8-06(b). Such purchases and contracts shall be pursuant to the procedures set forth in this Chapter.

B. All contracts regardless of amount shall be reviewed and approved by the City Attorney.

Section 2-8-07.3. Dollar limits for approvals.

- A. Purchases of supplies, services, equipment, and materials and the sales of personal property shall be approved by:
 - (1) The City Manager, if such purchases or sales do not exceed twenty thousand dollars (\$20,000.00).
 - (2) The City Council, upon recommendation of the City Manager, if such purchases or sales exceed twenty thousand dollars (\$20,000.00).
- B. All real property acquisitions or real property lease contracts, regardless of term or amount, shall be approved by the City Council.

Section 2-8-08. Determination of lowest responsible bidder.

In determining the lowest responsible bid, criteria will include, but not be limited to, the following:

- A. The extent to which the offer meets the requirements and specifications of the city;
- B. Long term and short term costs to the city, including maintenance;
- C. Impact on operational efficiency, which includes delivery requirements;
- D. Ability and reliability of the bidder and suppliers to provide and guarantee the items procured;
- E. Financial stability of the bidder.

Section 2-8-09. Local vendor preference.

- A. The city council shall be authorized to give preferences for goods and services as permitted by applicable state or federal law and specifically provided for from time to time by city council resolution or ordinance.
- B. In procurement of goods or services for the city requirements, preference shall be given to those vendors who have a local presence in the city of San Juan Bautista, provided that the price, quality, terms, delivery, and service reputation are determined to be equal by the city council under the criteria set forth in Section 2-8-08.
- C. Contracts for goods or services may be awarded to a local vendor who is not the lowest responsible bidder but who has certified that it is a local vendor pursuant to this section and if the cost difference between the local vendor and the lowest responsible bidder does not exceed five percent of the lowest responsible bid.
- D. To qualify as a local vendor the entity submitting the bid or quotation must certify to all of the following at the time that the bid or quotation is submitted:
 - 1. It has fixed facilities with employees located within the city limits;
 - 2. It has a business street address (post office box or residential address shall not suffice to establish a local presence);

3. All sales tax returns for the goods purchased must be reported to the state through a business within the geographical boundaries of the city, and the city will receive one percent or such percentage of sales tax of goods purchased as is allocable to the city from time to time under the existing state law; and

4. It has a current city business license.

E. False certifications relating to local vendor preferences shall be immediate grounds for rejection of any bid or quotation, or in the case when the bid has been awarded, shall be grounds for voiding the bid or quotation, terminating any contract, and seeking damages thereto.

Section 2-8-10. Inspection, testing and acceptance responsibility.

The responsibility for the inspection, testing and acceptance of all supplies, equipment and contractual services performed shall rest with the City Manager.

Section 2-8-11. Sale of surplus supplies and equipment.

An auction company may be used to sell surplus supplies and equipment in which the best price will be achieved on behalf of the City.

3. Severability. This ordinance and the various parts thereof are hereby declared to be severable. Should any section of this ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the ordinance as a whole, or any portion thereof other than the section so declared to be unconstitutional or invalid.

4. Effective Date. This Ordinance shall go into effect thirty (30) days after the date of its adoption.

THE FOREGOING ORDINANCE was first read at a regular meeting of the San Juan Bautista City Council on the 20th day of November 2018, and adopted at a regular meeting of the San Juan Bautista City Council on the 18th day of December, 2018 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM:

Deborah Mall, City Attorney

CITY OF SAN JUAN BAUTISTA

CITY COUNCIL

STAFF REPORT

DATE: December 4, 2018

ITEM: Amendments to the San Juan Bautista Design Guidelines

DISCUSSION:

This item was reviewed by the Historic Resources Board at their November 13, 2018 Hearing. They recommended approval to the Planning Commission with additional edits. Further documentation and edits have been made to the proposed draft section.

ACTION:

Staff recommends this item for Council Approval.

ATTACHED:

Resolution

Updated Draft Document with edits

RESOLUTION 2018-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN JUAN BAUTISTA ADOPTING A TEXT AMENDMENT TO THE CITY DESIGN GUIDELINES

WHEREAS, in 2004 the San Juan Bautista City Council passed a resolution adopting Design Guidelines per Resolution 2004-09, and

WHEREAS, the Historic Resources Board reviewed the proposed amendment at their public hearings in both April and May of 2016 and forwarded a recommendation to the Planning Commission, and

WHEREAS, the Historic Resources Board has reviewed the proposed amendment at their public hearing on November 13, 2018 and forwarded a recommendation of approval with additional changes to the Planning Commission, and

WHEREAS, the Planning Commission considered the recommendation from the Historic Resources Board and moved to recommend to City Council to adopt the amendment to amend the City Design Guidelines at their public hearing on December 4, 2018 by Resolution 2018-13, and

WHEREAS, the City Council has considered the recommendation from the Planning Commission and makes the following finding to adopt the proposed text amendment to the City Design Guidelines.

1. The proposed text amendment will further improve the City Design Guidelines.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of San Juan Bautista hereby approves and adopts the proposed amendment to the San Juan Bautista Design Guidelines.

PASSED AND ADOPTED by the City Council of the City of San Juan Bautista at a regular meeting held on December 18, 2018 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Mayor

ATTEST:

Laura Cent, City Clerk

San Juan Bautista Third Street Historic District Streetscape Guidelines

Third Street between 406 Third Street and Franklin Street (see map)

Introduction

The California State Office of Historic Preservation defines **Streetscape** as *"The visual character of a street as determined by elements such as structures, access, greenery, open space, view, and the like. The scene as may be observed along a public street or public alley composed of natural and man-made components including buildings, paving, planting, street hardware and miscellaneous structures."*

Streets are the most highly used and visible public open spaces in the city. They both welcome visitors and assist residents with daily activities. Streets define and broadcast the character and ambiance of historic San Juan Bautista, City of History, to the public, thereby becoming a main and vitally important identifying element of the city itself.

Our streetscape should be durable, safe, and attractive to celebrate our unique history, to reinforce a sense of place and economic vitality, and to promote visual continuity throughout San Juan Bautista in order to enhance our historic downtown as a destination for visiting, working, playing and living.

The San Juan Bautista Design Guidelines state, *"A consistent and coherent rhythm of structures and open spaces should be promoted along the street edge."* It is important to establish uniform elements and implement patterns that reoccur to create an overall aesthetic identity. It is the goal of these recommendations to suggest an historically sensitive and aesthetically pleasing streetscape package.

Guidelines

ADA Ramps & Curbs

Color of ADA warning pads/tactile domes/tactile paving shall be muted to blend with sidewalk color (i.e. gray or black). Curbs should be painted a more muted blue color.

Art in Public Places & Public Art

Pending. Refer to Design Guidelines.

Benches

Benches should be made of wood or other natural materials and should be located where they do not interfere with pedestrian movement.

Bicycle Racks

Bicycle racks encourage visitors to arrive by bicycle and stop in the historic downtown, rather than traveling on through. They should be firmly attached to the sidewalk and placed so as to prevent any attached bicycles from blocking pedestrian passage. Style, color and placement must be appropriate for the Third Street Historic District.

Colors

The color palette should be consistent with a two-century-old Mission town (preferably in at least a three-tone palette) and compatible with the neighboring buildings. Use of a historically recognized palette (i.e. Kelly Moore) is recommended.

Light Fixtures

The intent is to ensure that future lighting within the Third Street Historic District area is consistent and appropriate for the area's historic resources, design character, and safety needs. The design, color, and placement of poles and fixtures (in the public realm as well as lighting on private property that is visible from the public way), lighting levels, and lighting quality must be appropriate for the downtown district. See Light Ordinance.

Planters

Planters should enhance the historic Third Street Historic District, preferably using natural materials. Half barrels continue a long San Juan Bautista tradition for planters, preferably natural gray color with natural iron bands.

Rooflines

Television antennae, satellite dishes (or similar items), and mechanical equipment such as air-conditioning units shall be painted to match background (to minimize visual impact) and placed in an inconspicuous location where they will not detract from the historic character of the Third Street Historic District area.

Sidewalks

Lamp Black or other colorant should be used uniformly in new sidewalk replacements to keep the sidewalk color consistent throughout the District. Scoring and texture should match existing patterns.

Curb painting should be implemented only where needed for safety reasons and in muted colors.

Signage

To the extent possible public street signage should be minimized or customized using natural materials. See Sign Ordinance.

Trash/Recycling Receptacles

Trash/recycling receptacles and ash urns potentially occupy one of the most important roles on a streetscape. They provide people with a place to discard their trash and help to keep the streetscape clean and fresh.

Barrels are used by the State Park and have been used in San Juan Bautista for many years. The barrel should be SJB's official trash receptacle. To the extent possible appropriate secure lids should be added.

Historic Resources Board Approval of Public Improvement

The Historic Resources Board must review and approve alterations or additions to the publicly owned components of the Historic District, including curb color and road striping, crosswalks, sidewalks, signage, lighting fixtures, and street furniture such as benches, bike racks, trash receptacles

132 in order to be sure they are consistent with the above guidelines. Staff may
133 replace existing approved components in kind.

134
135 The Board must approve the choice of sidewalk material, including concrete,
136 pavers and curbstones, the design of lighting fixtures, and the material,
137 design and location of benches and trash receptacles should reinforce the
138 historic character of the District. Where possible, methods and materials of
139 public improvements should be guided by historical documentation. The
140 Board retains authority over the *appearance* of other improvements (such as
141 ADA ramps) required by other government agencies. In addition, the Board
142 must approve traffic calming measures such as speed bumps and changes to
143 directional traffic and parking standards within the Third Street Historic
144 District. These guidelines are in addition to other previously-approved City
145 Ordinances and must be in accordance with State law:
146 http://www.dot.ca.gov/construction/docs/Permanent_Pedestrian_Facilities_A
147 [DA_Compliance_Handbook.pdf](http://www.dot.ca.gov/construction/docs/Permanent_Pedestrian_Facilities_A).

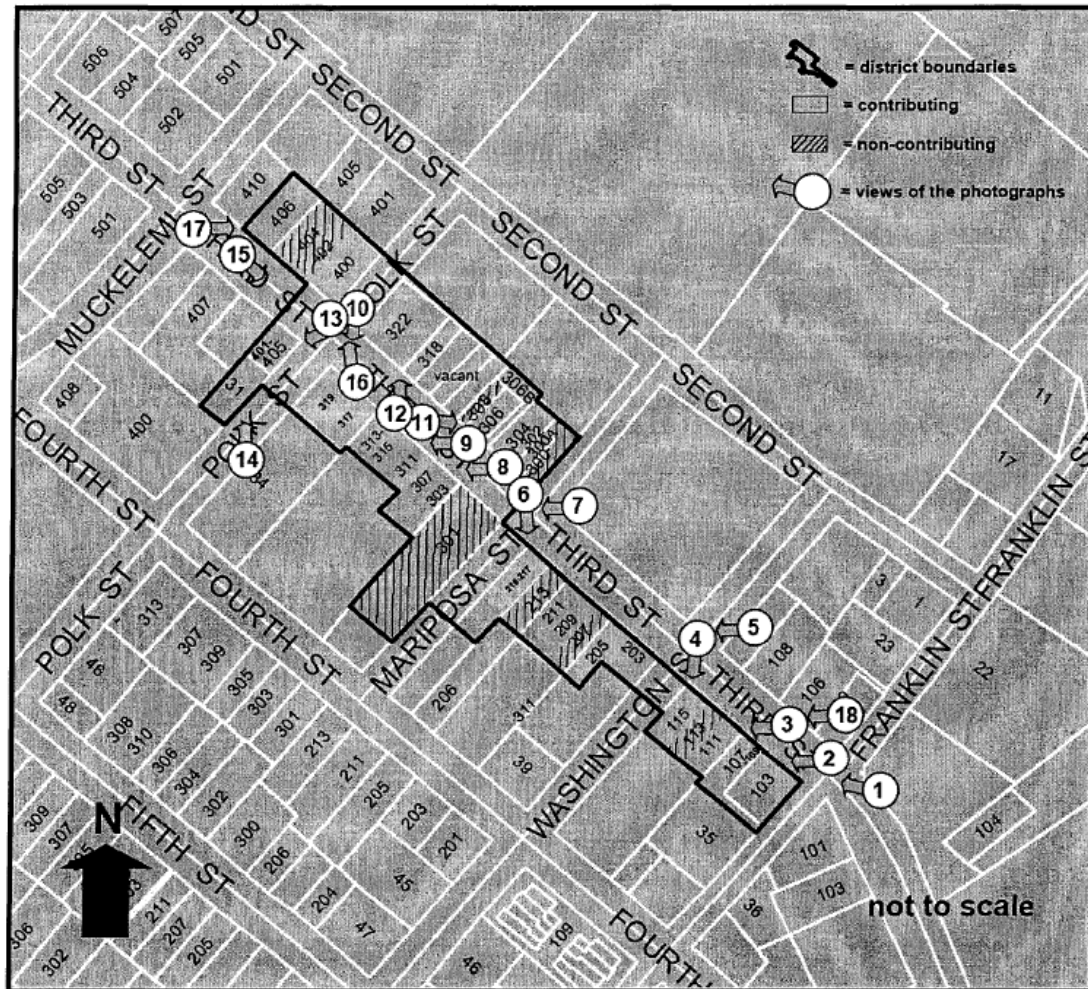
National Register of Historic Places Continuation Sheet

United States Department of the Interior
National Park Service

San Juan Bautista Third Street Historic District
San Benito County, California

Section number 10 Page 28

SKETCH MAP



149
150

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

CITY OF SAN JUAN BAUTISTA
MANAGEMENT REPORT
FOR THE YEAR ENDED JUNE 30, 2018

**TABLE OF
CONTENTS**

	<u>Page</u>
Introduction	1
Required Communications	2 - 4

BRYANT L. JOLLEY

CERTIFIED PUBLIC ACCOUNTANTS

Bryant L. Jolley C.P.A.
Ryan P. Jolley C.P.A.
Darryl L. Smith C.P.A.
Jaribu Nelson C.P.A.
Lan T. Kimoto
Jeffrey M. Schill

To the Honorable Mayor and City Council
City of San Juan Bautista, California

In planning and performing our audit of the basic financial statements of the City of San Juan Bautista (City) for the year ended June 30, 2018, in accordance with generally accepted auditing standards in the United States, we considered the City's internal control over financial reporting in order to determine our auditing procedures for the purpose of expressing our opinion on the basic financial statements, but not for the purpose of expressing an opinion on the effectiveness of the City's internal control. Accordingly, we do not express an opinion on the effectiveness of the City's internal controls.

A deficiency in internal control exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct misstatements on a timely basis. A material weakness is a deficiency, or a combination of deficiencies, in internal control such that there is a reasonable possibility that a material misstatement of the entity's financial statements will not be prevented, or detected and corrected on a timely basis.

Our consideration of internal control over financial reporting was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control over financial reporting that might be deficiencies, significant deficiencies or material weaknesses. We did not identify any deficiencies in internal control over financial reporting that we consider to be material weaknesses, as defined above.

This report is intended for the use of management, the City Council, and others within the organization, and it's not intended to be and should not be used by anyone other than these specified parties. We thank the City's staff for its cooperation during our audit.



December 7, 2018

BRYANT L. JOLLEY

CERTIFIED PUBLIC ACCOUNTANTS

Bryant L. Jolley C.P.A.
Ryan P. Jolley C.P.A.
Darryl L. Smith C.P.A.
Jaribu Nelson C.P.A.
Lan T. Kimoto
Jeffrey M. Schill

To the Honorable Mayor and City Council
City of San Juan Bautista, California

We have audited the financial statements of the City of San Juan Bautista, California (City) for the year ended June 30, 2018, and have issued our report thereon dated December 7, 2018. Professional standards require that we provide you with the following information related to our audit.

Our Responsibility under Generally Accepted Auditing Standards

As stated in our engagement letter, our responsibility, as described by professional standards, is to plan and perform our audit to obtain reasonable, but not absolute, assurance that the financial statements are free of material misstatement and are fairly presented in accordance with generally accepted accounting principles of the United States of America. Because an audit is designed to provide reasonable, but not absolute, assurance and because we did not perform a detailed examination of all transactions, there is a risk that material errors, fraud, or other illegal acts may exist and not be detected by us.

As part of our audit, we considered the internal controls of the City. Such considerations were solely for the purpose of determining our audit procedures and not to provide assurance concerning such internal control.

Planned Scope and Timing of the Audit

We performed the audit according to the planned scope and timing previously communicated to you.

Significant Accounting Policies

Management has the responsibility for selection and use of appropriate accounting policies. In accordance with the terms of our engagement letter, we will advise management about the appropriateness of accounting policies and their application. The significant accounting policies used by the City are described in the notes to the financial statements.

We noted no transactions entered into by the City during the year that were both significant and unusual, and of which, under professional standards, we are required to inform you, or transactions for which there is a lack of authoritative guidance and consensus.

Accounting Estimates

Accounting estimates are an integral part of the financial statements prepared by management and are based on management's knowledge and experience about past and current events and assumptions about future events. Certain accounting estimates are particularly sensitive because of their significance to the financial statements and because of the possibility that future events affecting them may differ significantly from those expected. There were no significant estimates affecting the financial statements.

Corrected and Uncorrected Misstatements

For purposes of this letter, professional standards define significant audit adjustments as a proposed correction of the financial statements that, in our judgment, may not have been detected except through our auditing procedures. An audit adjustment may or may not indicate matters that could have a significant effect on the City's financial reporting process (that is, cause future financial statements to be materially misstated). We did not identify any significant audit adjustments.

Disagreements with Management

For purposes of this letter, professional standards define a disagreement with management as a matter, whether or not resolved to our satisfaction, concerning a financial accounting, reporting, or auditing matter that could be significant to the financial statements or the auditor's report. We are pleased to report that no such disagreements arose during the course of the audit.

Consultation with Other Independent Accountants

In some cases, management may decide to consult with other accountants about auditing and accounting matters, similar to obtaining a "second opinion" on certain situations. Our professional standards require a consulting accountant to check with us if a consultation involves application of an accounting principle to the City's financial statements or a determination of the type of auditor's opinion that may be expressed on those statements. This is to ensure that the consultant has all of the relevant facts. To our knowledge, there were no such consultations with other accountants.

Difficulties Encountered in Performing the Audit

We encountered no significant difficulties in dealing with management in performing and completing our audit.

Management Representations

We have requested certain representations from management that are included in the management representation letter.

Other Audit Findings and Issues

We generally discuss a variety of matters, including the application of accounting principles and auditing standards, with management each year prior to retention as the governmental unit's auditors. However, these discussions occurred in the normal course of our professional relationship and our responses were not a condition to our retention.

This report is intended for the use of management, the City Council, and others within the organization, and it's not intended to be and should not be used by anyone other than these specified parties.

A handwritten signature in black ink, appearing to be "R. J. [unclear]", written in a cursive style.

December 7, 2018

CITY OF SAN JUAN BAUTISTA

**INDEPENDENT AUDITOR'S REPORT
AND
FINANCIAL STATEMENTS
JUNE 30, 2018**

TABLE OF C O N T E N T S

	<u>Page</u>
INDEPENDENT AUDITOR’S REPORT	1 – 2
BASIC FINANCIAL STATEMENTS:	
Government-Wide Financial Statements	
Statement of Net Position	3
Statement of Activities	4
Fund Financial Statements	
Balance Sheet – Governmental Funds	5
Reconciliation of Total Governmental Fund Balance to Net Position of Governmental Activities	6
Statement of Revenue, Expenditures and Changes in Fund Balance – Governmental Funds	7
Reconciliation of Statement of Revenue, Expenditures and Changes in Fund Balance of Governmental Funds to the Statement of Activities	8
Statement of Net Position – Proprietary Funds	9
Statement of Revenue, Expense and Changes in Fund Net Position – Proprietary Funds	10
Statement of Cash Flow – Proprietary Funds	11
Notes to the Basic Financial Statements	12 – 27
Required Supplementary Information	
Budgetary Comparison Schedule – General Fund	28
Budgetary Comparison Schedule – Impact Fees	29
Supplemental Only Information	
Combining Balance Sheet – Nonmajor Governmental Funds	30
Combining Statement of Revenue, Expenditures and Changes in Fund Balance – Nonmajor Governmental Funds	31
INDEPENDENT AUDITOR’S REPORT ON INTERNAL CONTROL OVER FINANCIAL REPORTING AND ON COMPLIANCE AND OTHER MATTERS BASED ON AN AUDIT OF FINANCIAL STATEMENTS PERFORMED IN ACCORDANCE WITH <i>GOVERNMENT AUDITING STANDARDS</i>	32 – 33

INDEPENDENT AUDITOR'S REPORT

To the Honorable Mayor and City Council
City of San Juan Bautista, California

Report on the Financial Statements

We have audited the accompanying financial statements of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information of the City of San Juan Bautista, California, (the City) as of and for the year ended June 30, 2018, and the related notes to the financial statements, which collectively comprise the City's basic financial statements as listed in the table of contents.

Management's Responsibility for the Financial Statements

Management is responsible for the preparation and fair presentation of these financial statements in accordance with accounting principles generally accepted in the United States of America; this includes the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

Auditor's Responsibility

Our responsibility is to express opinions on these financial statements based on our audit. We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. Accordingly, we express no such opinion. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinions.

Opinions

In our opinion, the financial statements referred to above present fairly, in all material respects, the respective financial position of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information of the City of San Juan Bautista, California, as of June 30, 2018, and the respective changes in financial position, and, where applicable, cash flows thereof for the year then ended in accordance with accounting principles generally accepted in the United States of America.

Other Matters

Required Supplementary Information

Accounting principles generally accepted in the United States of America require that the budgetary comparison information on pages 28 – 29 be presented to supplement the basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board, who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. We have applied certain limited procedures to the required supplementary information in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

Management has omitted the management's discussion and analysis that accounting principles generally accepted in the United States of America require to be presented to supplement the basic financial statements. Such missing information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board, who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. Our opinion on the basic financial statements is not affected by this missing information.

Other Information

Our audit was conducted for the purpose of forming opinions on the financial statements that collectively comprise the City's basic financial statements. The combining and individual nonmajor fund financial statements are presented for purposes of additional analysis and are not a required part of the basic financial statements.

The combining and individual nonmajor fund financial statements are the responsibility of management and were derived from and relate directly to the underlying accounting and other records used to prepare the basic financial statements. Such information has been subjected to the auditing procedures applied in the audit of the basic financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the basic financial statements or to the basic financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In our opinion, the combining and individual nonmajor fund financial statements are fairly stated in all material respects in relation to the basic financial statements as a whole.

Other Reporting Required by Government Auditing Standards

In accordance with *Government Auditing Standards*, we have also issued our report dated December 7, 2018, on our consideration of the City of San Juan Bautista's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements and other matters. The purpose of that report is to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering City of San Juan Bautista's internal control over financial reporting and compliance.



December 7, 2018

CITY OF SAN JUAN BAUTISTA

STATEMENT OF NET POSITION

JUNE 30, 2018

	Governmental Activities	Business-Type Activities	Total
ASSETS			
Cash and investments	\$ 5,324,473	\$ 2,784,351	\$ 8,108,824
Restricted cash and investments	-	1,485,267	1,485,267
Accounts receivable, net	66,407	207,761	274,168
Due from other governmental agencies	171,392	-	171,392
Internal balances	1,789,727	(1,789,727)	-
Prepaid expense and other assets	6,666	-	6,666
Capital assets (net of allowance for depreciation)	843,490	12,339,633	13,183,123
Total assets	<u>8,202,155</u>	<u>15,027,285</u>	<u>23,229,440</u>
DEFERRED OUTFLOWS OF RESOURCES			
Deferred amount on debt refunding	-	1,651,298	1,651,298
Total deferred outflows of resources	<u>-</u>	<u>1,651,298</u>	<u>1,651,298</u>
LIABILITIES			
Accounts payable and accrued expense	589,771	369,402	959,173
Accrued interest	-	103,134	103,134
Deposits	2,100	103,272	105,372
Long-term liabilities			
Due within one year	-	331,820	331,820
Due in more than one year	-	11,095,266	11,095,266
Total liabilities	<u>591,871</u>	<u>12,002,894</u>	<u>12,594,765</u>
NET POSITION			
Net investment in capital assets	843,490	912,547	1,756,037
Restricted for capital improvements	1,728,932	1,885,265	3,614,197
Restricted for specific projects and programs	177,663	-	177,663
Unrestricted/(deficit)	4,860,199	1,877,877	6,738,076
Total net position	<u>\$ 7,610,284</u>	<u>\$ 4,675,689</u>	<u>\$ 12,285,973</u>

CITY OF SAN JUAN BAUTISTA

STATEMENT OF ACTIVITIES YEAR ENDED JUNE 30, 2018

Functions/Programs	Expense	Program Revenue			Net Revenue/(Expense) and Changes in Net Position		
		Charges for Services	Operating Grants and Contributions	Capital Grants and Contributions	Primary Government		
					Governmental Activities	Business-Type Activities	Total
Primary Government							
Governmental activities							
General government	\$ 459,794	\$ 14,093	\$ -	\$ -	\$ (445,701)	\$ -	\$ (445,701)
Public works	412,415	-	51,534	-	(360,881)	-	(360,881)
Parks and recreation	68,679	6,382	-	-	(62,297)	-	(62,297)
Public safety	482,578	1,430	167,270	-	(313,878)	-	(313,878)
Community development	619,946	843,772	-	1,456,703	1,680,529	-	1,680,529
Total governmental activities	<u>2,043,412</u>	<u>865,677</u>	<u>218,804</u>	<u>1,456,703</u>	<u>497,772</u>	<u>-</u>	<u>497,772</u>
Business-type activities							
Water	920,025	1,045,222	-	1,097,517	-	1,222,714	1,222,714
Sewer	925,039	1,119,485	-	7,408	-	201,854	201,854
Total business-type activities	<u>1,845,064</u>	<u>2,164,707</u>	<u>-</u>	<u>1,104,925</u>	<u>-</u>	<u>1,424,568</u>	<u>1,424,568</u>
Total primary government	<u>\$ 3,888,476</u>	<u>\$ 3,030,384</u>	<u>\$ 218,804</u>	<u>\$ 2,561,628</u>	<u>497,772</u>	<u>1,424,568</u>	<u>1,922,340</u>
General Revenues							
Property taxes and assessments					401,740	-	401,740
Sales taxes					533,149	-	533,149
Lodging taxes					161,775	-	161,775
Franchise taxes					61,855	-	61,855
Business licenses					40,688	-	40,688
Motor vehicle in-lieu					152,400	-	152,400
Interest and rent					116,843	39,123	155,966
Other					29,252	-	29,252
Transfers					53,454	(53,454)	-
Total general revenue					<u>1,551,156</u>	<u>(14,331)</u>	<u>1,536,825</u>
Change in Net Position					2,048,928	1,410,237	3,459,165
Net Position							
Beginning of year					<u>5,561,356</u>	<u>3,265,452</u>	<u>8,826,808</u>
End of year					<u>\$ 7,610,284</u>	<u>\$ 4,675,689</u>	<u>\$ 12,285,973</u>

See accompanying notes.

CITY OF SAN JUAN BAUTISTA

BALANCE SHEET – GOVERNMENTAL FUNDS

JUNE 30, 2018

	General	Impact Fees	Non Major Governmental Funds	Total Governmental Funds
ASSETS				
Cash and investments	\$ 3,207,006	\$ 1,842,099	\$ 275,368	\$ 5,324,473
Accounts receivable	54,407	12,000	-	66,407
Due from other governmental agencies	133,662	-	37,730	171,392
Due from other funds	1,801,745	-	-	1,801,745
Prepaid expense and other assets	6,666	-	-	6,666
Total assets	<u>\$ 5,203,486</u>	<u>\$ 1,854,099</u>	<u>\$ 313,098</u>	<u>\$ 7,370,683</u>
LIABILITIES AND FUND BALANCE				
Liabilities				
Accounts payable and accrued expense	\$ 341,187	\$ 204,621	\$ 43,963	\$ 589,771
Due to other funds	-	-	12,018	12,018
Deposits	2,100	-	-	2,100
Total liabilities	<u>343,287</u>	<u>204,621</u>	<u>55,981</u>	<u>603,889</u>
Fund Balance				
Nonspendable				
Advances to other funds	1,801,745	-	-	1,801,745
Prepaid	6,666	-	-	6,666
Restricted				
Public safety	-	102,142	38,693	140,835
Capital improvement projects	-	1,405,949	171,532	1,577,481
Circulation improvements	-	141,387	10,064	151,451
Lighting and landscape maintenance	-	-	36,828	36,828
Unassigned	3,051,788	-	-	3,051,788
Total fund balance	<u>4,860,199</u>	<u>1,649,478</u>	<u>257,117</u>	<u>6,766,794</u>
Total liabilities and fund balance	<u>\$ 5,203,486</u>	<u>\$ 1,854,099</u>	<u>\$ 313,098</u>	<u>\$ 7,370,683</u>

CITY OF SAN JUAN BAUTISTA

RECONCILIATION OF TOTAL GOVERNMENTAL FUND BALANCE TO NET POSITION OF GOVERNMENTAL ACTIVITIES JUNE 30, 2018

Total governmental fund balances	\$ 6,766,794
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Amounts reported for governmental activities in the statement
of net position are different because:

Capital assets used in governmental activities are not financial resources and therefore are not reported in the funds	<u>843,490</u>
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Net position of governmental activities	<u><u>\$ 7,610,284</u></u>
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CITY OF SAN JUAN BAUTISTA

STATEMENT OF REVENUE, EXPENDITURES AND CHANGES IN FUND BALANCE – GOVERNMENTAL FUNDS YEAR ENDED JUNE 30, 2018

	General	Impact Fees	Non Major Governmental Funds	Total Governmental Funds
Revenue				
Taxes	\$ 1,304,575	\$ -	\$ 47,032	\$ 1,351,607
Intergovernmental	-	-	218,804	218,804
Charges for services	287,956	-	-	287,956
Licenses, permits and impact fees	576,182	1,456,703	-	2,032,885
Fines and forfeitures	1,539	-	-	1,539
Interest and rent	116,086	-	757	116,843
Other	29,252	-	-	29,252
Total revenue	<u>2,315,590</u>	<u>1,456,703</u>	<u>266,593</u>	<u>4,038,886</u>
Expenditures				
Current				
General government	459,665	-	-	459,665
Public works	236,952	-	133,421	370,373
Parks and recreation	51,778	-	-	51,778
Public safety	293,898	-	167,270	461,168
Community development	619,946	-	-	619,946
Capital outlay	58,694	-	-	58,694
Total expenditures	<u>1,720,933</u>	<u>-</u>	<u>300,691</u>	<u>2,021,624</u>
Revenue over/(under) expenditures	594,657	1,456,703	(34,098)	2,017,262
Other Financing Sources/(Uses)				
Operating transfers in	53,454	-	-	53,454
Total other financing sources (uses)	<u>53,454</u>	<u>-</u>	<u>-</u>	<u>53,454</u>
Change in Fund Balance	648,111	1,456,703	(34,098)	2,070,716
Fund Balance				
Beginning of year	4,212,088	192,775	291,215	4,696,078
End of year	<u>\$ 4,860,199</u>	<u>\$ 1,649,478</u>	<u>\$ 257,117</u>	<u>\$ 6,766,794</u>

CITY OF SAN JUAN BAUTISTA

RECONCILIATION OF STATEMENT OF REVENUE, EXPENDITURES, AND CHANGES IN FUND BALANCE OF GOVERNMENTAL FUNDS TO THE STATEMENT OF ACTIVITIES YEAR ENDED JUNE 30, 2018

Net change in fund balance - total governmental funds	\$ 2,070,716
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Amounts reported for governmental activities in the statement of activities are different because:

Depreciation expense on capital assets is reported in the Statement of Activities, but they do not require the use of current financial resources. Therefore, depreciation expense is not reported as expenditures in Governmental Funds	(80,482)
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Governmental funds report capital outlays as expenditures. However, in the statement of activities, the cost of those assets is allocated over their estimated useful lives as depreciation expense. This is the amount of capital outlay in the current period.	<u>58,694</u>
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Change in net position of governmental activities	<u>\$ 2,048,928</u>
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CITY OF SAN JUAN BAUTISTA

STATEMENT OF NET POSITION – PROPRIETARY FUNDS

JUNE 30, 2018

	<u>Business-Type Activities - Enterprise Funds</u>		
	<u>Water</u>	<u>Sewer</u>	<u>Total Proprietary Funds</u>
ASSETS			
Current assets			
Cash and investments	\$ 1,227,891	\$ 1,556,460	\$ 2,784,351
Restricted cash and investments	1,283,508	201,759	1,485,267
Accounts receivable, net	115,349	92,412	207,761
Total current assets	<u>2,626,748</u>	<u>1,850,631</u>	<u>4,477,379</u>
Non-current assets			
Property, plant and equipment (net of allowance for depreciation)	<u>6,548,552</u>	<u>5,791,081</u>	<u>12,339,633</u>
Total noncurrent assets	<u>6,548,552</u>	<u>5,791,081</u>	<u>12,339,633</u>
Total assets	<u>9,175,300</u>	<u>7,641,712</u>	<u>16,817,012</u>
DEFERRED OUTFLOWS OF RESOURCES			
Deferred amount on debt refunding	<u>908,214</u>	<u>743,084</u>	<u>1,651,298</u>
Total deferred outflows of resources	<u>908,214</u>	<u>743,084</u>	<u>1,651,298</u>
LIABILITIES			
Current liabilities			
Accounts payable and accrued expense	162,547	206,855	369,402
Accrued interest	56,724	46,410	103,134
Due to other funds	984,349	805,378	1,789,727
Deposits	103,272	-	103,272
Current portion of long-term debt	212,954	118,867	331,820
Total current liabilities	<u>1,519,846</u>	<u>1,177,510</u>	<u>2,697,355</u>
Noncurrent Liabilities			
Long-term debt	<u>6,112,245</u>	<u>4,983,022</u>	<u>11,095,266</u>
Total liabilities	<u>7,632,090</u>	<u>6,160,531</u>	<u>13,792,621</u>
NET POSITION			
Net investment in capital assets	223,354	689,193	912,547
Restricted for capital improvements	1,566,058	319,207	1,885,265
Unrestricted	662,012	1,215,865	1,877,877
Total net position	<u>\$ 2,451,424</u>	<u>\$ 2,224,265</u>	<u>\$ 4,675,689</u>

CITY OF SAN JUAN BAUTISTA

STATEMENT OF REVENUE, EXPENSE, AND CHANGES IN FUND NET POSITION – PROPRIETARY FUNDS YEAR ENDED JUNE 30, 2018

	Business-Type Activities - Enterprise Funds		
	Water	Sewer	Total Proprietary Funds
Operating Revenue			
Charges for services	\$ 829,990	\$ 879,597	\$ 1,709,587
Other fees	215,232	239,888	455,120
Total operating revenue	<u>1,045,222</u>	<u>1,119,485</u>	<u>2,164,707</u>
Operating Expense			
Contractual services and utilities	118,513	271,061	389,574
Personnel	126,250	89,613	215,863
Supplies, materials and repairs	73,076	34,694	107,770
Depreciation expense	324,560	304,732	629,292
Total operating expense	<u>642,399</u>	<u>700,100</u>	<u>1,342,499</u>
Operating income/(loss)	<u>402,823</u>	<u>419,385</u>	<u>822,208</u>
Nonoperating Revenue/(Expense)			
Development impact fees	1,097,517	7,408	1,104,925
Interest income	20,119	19,004	39,123
Interest expense	(277,626)	(224,939)	(502,565)
Total nonoperating revenue/(expense)	<u>840,010</u>	<u>(198,527)</u>	<u>641,483</u>
Net income/(loss) before transfers	1,242,833	220,858	1,463,691
Operating Transfers In/(Out)	<u>114,600</u>	<u>(168,054)</u>	<u>(53,454)</u>
Change in Net Position	<u>1,357,433</u>	<u>52,804</u>	<u>1,410,237</u>
Net Position			
Beginning of year	1,093,991	2,171,461	3,265,452
End of year	<u>\$ 2,451,424</u>	<u>\$ 2,224,265</u>	<u>\$ 4,675,689</u>

CITY OF SAN JUAN BAUTISTA

STATEMENT OF CASH FLOW - PROPRIETARY FUNDS YEAR ENDED JUNE 30, 2018

	Business-Type Activities - Enterprise Funds		
			Total Proprietary Funds
Operating Activities			
Receipts from customers and users	\$ 1,015,943	\$ 1,103,866	\$ 2,119,809
Payments for contractual services and utilities	(143,103)	(104,213)	(247,316)
Payments to employees	(126,250)	(89,613)	(215,863)
Payments to suppliers	(73,076)	(34,694)	(107,770)
Net cash provided by operating activities	<u>673,514</u>	<u>875,346</u>	<u>1,548,860</u>
Non-capital Financing Activities			
Payments and transfers (to)/from other funds	<u>114,600</u>	<u>(168,054)</u>	<u>(53,454)</u>
Net cash provided by (used in) noncapital financing activities	<u>114,600</u>	<u>(168,054)</u>	<u>(53,454)</u>
Capital and Related Financing Activities			
Payments from developers	1,097,517	7,409	1,104,926
Purchase of property, plant and equipment	(68,720)	(45,918)	(114,638)
Payments received from other funds	(29,400)	(24,053)	(53,453)
Bond premium	35,733	29,236	64,969
Principal paid on long-term debt	(210,429)	(117,605)	(328,034)
Interest paid on long-term debt	(278,657)	(225,783)	(504,440)
Net cash provided by (used in) capital and related financing activities	<u>546,044</u>	<u>(376,714)</u>	<u>169,330</u>
Investing Activities			
Interest received	<u>20,119</u>	<u>19,004</u>	<u>39,123</u>
Net cash provided by investing activities	<u>20,119</u>	<u>19,004</u>	<u>39,123</u>
Net Increase in Cash	<u>1,354,277</u>	<u>349,582</u>	<u>1,703,859</u>
Cash			
Beginning of year	<u>1,157,122</u>	<u>1,408,637</u>	<u>2,565,759</u>
End of year	<u>\$ 2,511,399</u>	<u>\$ 1,758,219</u>	<u>\$ 4,269,618</u>
Cash Flows from Operating Activities			
Operating income (loss)	\$ 402,823	\$ 419,385	\$ 822,208
Adjustments to reconcile operating income (loss) to net cash provided (used) by operating activities:			
Depreciation expense	324,560	304,732	629,292
(Increase) Decrease in Accounts Receivable	(38,556)	(15,619)	(54,175)
Increase (Decrease) in Accounts Payable, Accrued Liabilities and Deposits	(15,313)	166,848	151,535
Net Cash Provided by Operating Activities	<u>\$ 673,514</u>	<u>\$ 875,346</u>	<u>\$ 1,548,860</u>

CITY OF SAN JUAN BAUTISTA

NOTES TO THE BASIC FINANCIAL STATEMENTS YEAR ENDED JUNE 30, 2018

Note 1 – Summary of Significant Accounting Policies

The financial statements of the City of San Juan Bautista (the City) have been prepared in conformity with Accounting Principles Generally Accepted in the United States of America (GAAP) as applicable to governmental entities. The Governmental Accounting Standards Board (GASB) is the accepted standard setting body for establishing governmental accounting and financial reporting principles.

Reporting Entity

The City of San Juan Bautista, State of California (the "City"), was incorporated in 1869. The City operates under a Council-Manager form of government. The City's major operations include public safety; highways and streets; sewer and water; parks and recreation; building inspection; public improvements; planning and zoning; and general administrative services.

Basis of Presentation – Fund Accounting

Government-Wide Financial Statements – The Government-Wide Financial Statements (the Statement of Net Position and the Statement of Activities and Changes in Net Position) report information of all of the nonfiduciary activities of the primary government. For the most part, eliminations have been made to minimize the double counting of internal activities. These statements distinguish between the governmental and business-type activities of the City. Governmental activities, which normally are supported by taxes and inter-governmental revenues, are reported separately from business-type activities, which rely significantly on fees charged to external parties.

The Statement of Activities and Changes in Net Position presents a comparison between direct expenses and program revenues for each segment of the business-type activities of the City and for each function of the City's governmental activities. Direct expenses are those that are specifically associated with a program or function and are clearly identifiable to a particular function. Program revenues include 1) charges paid by the recipients of goods or services offered by the programs and 2) grants and contributions that are restricted to meeting the operational or capital requirements of a particular program. Revenues that are not classified as program revenues, including all taxes, are presented as general revenues.

Net Position is restricted when constraints placed on them are either externally imposed or are imposed by constitutional provisions or enabling legislation. Internally imposed designations of resources are not presented as restricted net position. When both restricted and unrestricted resources are available for use, generally, it is the City's policy to use restricted resources first, then unrestricted resources as they are needed.

Governmental Fund Financial Statements – The Governmental Fund Financial Statements provide information about the City's funds. Separate statements for each fund category – governmental and proprietary are presented. The emphasis of fund financial statements is on major governmental and enterprise funds, each displayed in a separate column. All remaining governmental funds are separately aggregated and reported as non-major funds.

CITY OF SAN JUAN BAUTISTA

NOTES TO THE BASIC FINANCIAL STATEMENTS YEAR ENDED JUNE 30, 2018

Note 1 – Summary of Significant Accounting Policies (Continued)

Proprietary fund operating revenues, such as charges for services, result from exchange transactions associated with the principal activity of the fund. Exchange transactions are those in which each party receives and gives up essentially equal values. Non-operating revenues, such as subsidies and investment earnings, result from non-exchange transactions or ancillary activities.

The City reports the following major governmental fund:

General Fund – The General Fund is the general operating fund of the City. It is used for all financial resources except those required legally, or by sound financial management to be accounted for in another fund. Generally, the General Fund is used to account for those traditional governmental services of the City, such as police and fire protection, planning and general administrative services.

Impact Fees Fund – The Impact Fees Fund accounts for monies received related to impact fees.

The City reports the following major enterprise funds:

Water Fund – The Water Fund accounts for the operation and maintenance of the City's water treatment and water transmission and distribution systems.

Sewer Fund – The Sewer Fund accounts for the operation and maintenance of the City's sewer system.

Basis of Accounting

The Government-Wide and Proprietary Fund Financial Statements are reported using the economic resources measurement focus and the accrual basis of accounting. Revenues are recorded when earned and expenses are recorded at the time liabilities are incurred, regardless of when the related cash flows take place. Nonexchange transactions, in which the City gives (or receives) value without directly receiving (or giving) equal value in exchange, include property and sales taxes, grants, entitlements and donations. On an accrual basis, revenue from property taxes is recognized in the fiscal year for which the taxes are levied. Revenues from sales tax are recognized when the underlying transactions take place. Revenues from grants, entitlements and donations are recognized in the fiscal year in which all eligible requirements have been satisfied.

Governmental Funds are reported using the current financial resources measurement focus and the modified accrual basis of accounting. Under this method, revenues are recognized when measurable and available. Property and sales taxes, interest, certain state and federal grants and charges for services are accrued when their receipt occurs within sixty days after the end of the accounting period so as to be both measurable and available. Expenditures are generally recorded when a liability is incurred, as under accrual accounting. However, debt service expenditures, as well as expenditures related to compensated absences and claims and judgments are recorded only when payment is due. General capital asset acquisitions are reported as expenditures in governmental funds. Proceeds of general long-term debt and capital leases are reported as other financing sources.

CITY OF SAN JUAN BAUTISTA

NOTES TO THE BASIC FINANCIAL STATEMENTS YEAR ENDED JUNE 30, 2018

Note 1 – Summary of Significant Accounting Policies (Continued)

Proprietary Funds distinguish operating revenues and expenses from non-operating items. Operating revenues and expenses generally result from providing services and producing and delivering goods in connection with a Proprietary Fund's principal ongoing operations. Revenues and expenses not meeting this definition are reported as non-operating.

Financial Statement Amounts

Cash and Investments – Cash and investments represent the City's cash bank accounts including but not limited to certificates of deposit, money market funds and cash management pools for reporting purposes in the Statement of Cash Flows. Additionally, investments with maturities of three months or less when purchased are included as cash equivalents in the Statement of Cash Flows.

The City maintains a cash and investment pool that is available for use by all funds. Interest earnings as a result of this pooling are distributed to the appropriate funds based on month end cash balances in each fund.

Accounts Receivable – Billed but unpaid services provided to individuals or non-governmental entities are recorded as accounts receivable. An allowance for doubtful accounts is provided to account for potentially uncollectible amounts.

San Benito County is responsible for the assessment, collection and apportionment of property taxes for all taxing jurisdictions. Property taxes are levied in equal installments on November 1 and February 1. They become delinquent on December 10 and April 10, respectively. The lien date is March 1 of each year. Property taxes are accounted for in the General Fund. Property tax revenues are recognized when they become measurable and available to finance current liabilities. The City considers property taxes as available if they are collected within 60 days after year end. Property tax on the unsecured roll are due on the March 1 lien date and become delinquent if unpaid on August 31. However, unsecured property taxes are not susceptible to year end accrual. The County adopted the alternative method of secured property tax apportionment available under the Revenue and Taxation Code of the State (also known as the "Teeter Plan") whereby secured property taxes were distributed to participating taxing on the basis of the tax levy, including any uncollected amounts at fiscal year-end. The County, as administrator, benefits from future collections of penalties and interest on delinquent taxes. Taxes receivable are recorded as of the date levied. The County is still using the Teeter Plan as of June 30, 2018.

The City is permitted by Article XIII A of the State of California Constitution (known as Proposition 13) to levy a maximum tax of \$1.00 per \$100 of full cash value.

Interfund Receivables/Payables – Items classified as interfund receivable/payable represent short-term lending/borrowing transactions between funds. This classification also includes the current portion of an advance to or from another fund.

Capital Assets – Capital outlays are recorded as expenditures of the General and Special Revenue Funds and as assets in the Government-Wide Financial Statements to the extent the City's capitalization threshold is met.

CITY OF SAN JUAN BAUTISTA

NOTES TO THE BASIC FINANCIAL STATEMENTS YEAR ENDED JUNE 30, 2018

Note 1 – Summary of Significant Accounting Policies (Continued)

Capital assets, which include property, plant, equipment, and infrastructure assets (e.g., roads, bridges, sidewalks, and similar items), are reported in the applicable governmental or business-type activities columns in the Government-Wide Financial Statements. Capital assets are defined by the government as assets with an initial, individual cost of more than \$1,000 and an estimated useful life in excess of one year. Such assets are recorded at historical cost or estimated historical cost if purchased or constructed. Donated capital assets are recorded at estimated fair market value at the date of donation.

The costs of normal maintenance and repairs that do not add to the value of the asset or materially extend assets lives are not capitalized. Betterments and major improvements which significantly increase values, change capacities or extend useful lives are capitalized. Upon sale or retirement of fixed assets, the cost and related accumulated depreciation are removed from the respective accounts and any resulting gain or loss is included in the results of operations.

Major outlays for capital assets and improvements are capitalized as projects are constructed. Interest incurred during the construction phase of capital assets of business-type activities are included as part of the capitalized value of the assets constructed.

Property, plant, and equipment of the primary government, as well as the component units, are depreciated using the straight line method over the following estimated useful lives:

	Years
Buildings, structures and improvements	40
Infrastructure	40
Equipment	5 - 10

Deferred Outflow/Inflows of Resources – In addition to assets, liabilities and net position, the statement of net position reports separate sections for deferred outflows of resources and deferred inflows of resources. Deferred outflows of resources represent a consumption of resources that applies to a future period(s) and will not be recognized as an outflow of resources (expense) until then. Conversely, deferred inflows of resources represent an acquisition of resources that applies to a future period(s) and will not be recognized as an inflow of resources (revenue) until that time.

The deferred charges from debt retirement relate to the defeasance costs of the City's 2008 Water and Sewer Certificates of Participation. The balance is being amortized over a twenty-eight year period.

Compensated Absences – It is the City's policy to permit all employees to accumulate earned but unused vacation and compensatory time benefits. All vacation pay is accrued when earned in the government-wide and proprietary fund financial statements.

Sick leave can be accumulated, but vesting is limited and will not be paid upon termination. For this reason, the City does not accrue any costs relating to sick leave.

CITY OF SAN JUAN BAUTISTA

NOTES TO THE BASIC FINANCIAL STATEMENTS YEAR ENDED JUNE 30, 2018

Note 1 – Summary of Significant Accounting Policies (Continued)

Long-Term Obligations – In the Government-Wide Financial Statements, and Proprietary Fund types in the fund financial statements, long-term debt and other long-term obligations are reported as liabilities in the applicable governmental activities, business-type activities, or Proprietary Fund Type Statement of Net Position. Debt principal payments of both government and business-type activities are reported as decreases in the balance of the liability on the Statement of Net Position. Bond premiums and discounts are deferred and amortized over the life of the bonds using the effective interest method. Bonds payable are reported net of the applicable bond premium or discount.

In the fund financial statements, however, debt principal payments of Governmental Funds are recognized as expenditures when paid. Governmental Fund types recognize bond premiums and discounts, as well as bond issuance costs, during the current period. The face amount of debt issued is reported as other financing sources. Premiums received on debt issuances are reported as other financing sources while discounts on debt issuances are reported as other financing uses. Issuance costs, whether or not withheld from the actual debt proceeds received, are reported as debt service expenditures.

Non-Current Governmental Assets/Liabilities – GASB Statement No. 34 eliminates the presentation of account groups, but provides for these records to be maintained and incorporates the information into the Governmental Activities column in the Government-Wide Statement of Net Position.

Net Position – The government-wide and business-type activities fund financial statements utilize a net position presentation. Net position are categorized as invested capital assets (net of related debt), restricted and unrestricted.

- *Net Investment in Capital Assets* – This category groups all capital assets, including infrastructure, into one component of net position. Accumulated depreciation and the outstanding balances of debt that are attributable to the acquisition, construction or improvement of these assets reduce the balance in this category.
- *Restricted Net Position* – This category presents external restrictions on net position imposed by creditors, grantors, contributors or laws or regulations of other governments and restrictions imposed by law through constitutional provisions or enabling legislation.
- *Unrestricted Net Position* – This category represents net position of the City, not restricted for any project or other purpose.

Fund Equity – In the fund financial statements, governmental fund balance is made up of the following components:

- *Nonspendable fund balance* typically includes inventories, prepaid items, long-term portion of loans receivable, nonfinancial assets held for resale and other items that must be maintained intact pursuant to legal or contractual requirements, such as endowments.
- *Restricted fund balance* category includes amounts that can be spent only for specific purposes imposed by creditors, grantors, contributors, or laws or regulations of other governments or through enabling legislations.

CITY OF SAN JUAN BAUTISTA

NOTES TO THE BASIC FINANCIAL STATEMENTS YEAR ENDED JUNE 30, 2018

Note 1 – Summary of Significant Accounting Policies (Continued)

- Committed fund balance classification includes amounts that can be used only for the specific purposes determined by a formal action of the City Council. The City Council has the authority to establish, modify, or rescind a fund balance commitment.
- Assigned fund balance are amounts designated by the City Council for specific purposes and do not meet the criteria to be classified as restricted or committed.
- Unassigned fund balance is the residual classification that includes all spendable amounts in the General Fund not contained in other classifications.

When expenditures are incurred for purposes for which both restricted and unrestricted (committed, assigned, or unassigned) fund balances are available, the City's policy is to apply restricted first. When expenditures are incurred for purposes for which committed, assigned, or unassigned fund balances are available, the City's policy is to apply committed fund balance first, then assigned fund balance, and finally unassigned fund balance.

Use of Estimates – The preparation of financial statements in conformity with accounting principles generally accepted in the United States of America requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities and disclosure of contingent assets and liabilities at the date of the financial statements and the reported amounts of revenues and expenditures/expenses during the reporting period. Actual results could differ from those estimates.

CITY OF SAN JUAN BAUTISTA

NOTES TO THE BASIC FINANCIAL STATEMENTS YEAR ENDED JUNE 30, 2018

Note 2 – Stewardship, Compliance and Accountability

California law authorizes the City to invest in obligations of the United States Treasury, agencies and instrumentalities, certificates of deposit or time deposits in banks and savings and loan associations which are insured by the Federal Deposit Insurance Corporation.

In accordance with applicable sections of the California Government Code and the San Juan Bautista Municipal Code, the City prepares and legally adopts an annual balanced budget on a basis consistent with accounting principles generally accepted in the United States of America. Annual appropriated budgets are adopted for the General Fund, specific Special Revenue Funds, and specific Capital Projects Funds. Budget plans are adopted for Proprietary Funds. A proposed budget is presented to the City Council during June of each year for review. The Council holds public hearings and may add to, subtract from, or change appropriations within the revenues and reserves estimated as available. Expenditures may not legally exceed budgeted appropriations at the fund level. Supplementary appropriations which alter the total expenditures of any fund, or expenditures in excess of total budgeted fund appropriations, must be approved by the City Council.

All annual appropriations lapse at fiscal year end to the extent they have not been expended or encumbered.

Note 3 – Cash and Investments

The City pools all of its cash and investments except those funds required to be held by outside fiscal agents under the provisions of bond indentures. Interest income earned on pooled cash is allocated to the various funds on average cash balances. Interest income from cash investments held with fiscal agents is credited directly to the related funds.

Cash and investments as of June 30, 2018 are classified in the accompanying financial statements as follows:

Statement of Net Position:

Cash and Investments	\$ 8,108,824
Restricted Cash and Investments	<u>1,485,267</u>
Total Cash and Investments	<u>\$ 9,594,091</u>

Cash and investments as of June 30, 2018 consist of the following:

Cash on hand	\$ 200
Deposits with Financial Institutions	6,819,676
Statewide Community Infrastructure Program	2,305,928
Local Agency Investment Fund	64,770
Held by Fiscal Agent:	
Money Market Mutual Funds	<u>403,517</u>
Total Cash and Investments	<u>\$ 9,594,091</u>

CITY OF SAN JUAN BAUTISTA

NOTES TO THE BASIC FINANCIAL STATEMENTS YEAR ENDED JUNE 30, 2018

Note 3 – Cash and Investments (Continued)

Fair Value Measurements

The framework for measuring fair value provides a fair value hierarchy that categorizes the inputs to valuation techniques used to measure fair value into three levels. The fair value hierarchy gives the highest priority to unadjusted quoted prices in active markets for identical assets or liabilities (Level 1) and lowest priority to unobservable inputs (Level 3). The three levels of the fair value hierarchy are described as follows:

- Level 1: Inputs to the valuation methodology are quoted prices (unadjusted) for identical assets or liabilities in active markets that a government can access at the measurement date.
- Level 2: Inputs to valuation methodology include inputs – other than quoted prices included within Level 1 – that are observable for an asset or liability, either directly or indirectly.
- Level 3: Inputs to the valuation methodology are unobservable and significant to the fair value measurement.

The asset's or liability's fair value measurement level within a fair value hierarchy is based on the lowest level of any input that is significant to the fair value measurement. Valuation techniques used need to maximize the use of observable inputs and minimize the use of unobservable inputs.

Following is a description of the valuation methodologies used for assets measured at fair value.

LAIF is valued based on the City's pro-rata share of the fair value provided by LAIF for the entire LAIF portfolio (Level 2 input).

The City had the following recurring fair value measurements as of June 30, 2018:

	<u>Level 1</u>	<u>Level 2</u>	<u>Level 3</u>	<u>June 30, 2018</u>
Investments by fair value level:				
Equity Securities:				
LAIF	\$ -	\$ 64,770	\$ -	\$ 64,770
Total Equity Securities	-	64,770	-	64,770
Investments carried at amortized cost:				
Bank Deposits and Cash on Hand				6,819,876
Statewide Community Infrastructure Program				2,305,928
Money Market Mutual Funds				403,517
Total Investments amortized at cost				9,529,321
Total Investments				<u>\$ 9,594,091</u>

CITY OF SAN JUAN BAUTISTA

NOTES TO THE BASIC FINANCIAL STATEMENTS YEAR ENDED JUNE 30, 2018

Note 3 – Cash and Investments (Continued)

Investments Authorized by the California Government Code and the City's Investment Policy

The table below identifies the investment types that are authorized for the City by the California Government Code (or the City's investment policy, where more restrictive). The table also identifies certain provisions of the California Government Code (or the City's investment policy, where more restrictive) that address interest rate risk, credit risk, and concentration of credit risk. The City's investment policy does not contain any specific provisions intended to limit the City's exposure to interest rate risk, credit risk, and concentration of credit risk. This table does not address investments of debt proceeds held by bond trustee that are governed by the provisions of debt agreements of the City, rather than the general provisions of the California Government Code or the City's investment policy.

Authorized Investment Type	Maximum Maturity	Minimum Credit Quality	Maximum Percentage of Portfolio	Maximum Investment In One Issuer
U.S. Treasury Obligations	5 years	None	None	None
U.S. Agency Securities	5 years	None	None	None
Banker's Acceptances	180 days	None	20%	10% or \$5 million
Commercial Paper	180 days	A	15%	10%
Negotiable Certificates of Deposit	2 years	None	30%	None
Medium-Term Notes	5 years	AA	20%	10%
Money Market Mutual Funds	N/A	AAA	20%	10%
Repurchase Agreements	1 year	None	None	None
Time Deposits	2 years	None	10%	None
County Pooled Investment Funds	N/A	N/A	None	None
Local Agency Investment Fund (LAIF)	N/A	None	\$40 million	None

CITY OF SAN JUAN BAUTISTA

NOTES TO THE BASIC FINANCIAL STATEMENTS YEAR ENDED JUNE 30, 2018

Note 3 – Cash and Investments (Continued)

Disclosures Relating to Interest Rate Risk

Interest rate risk is the risk that changes in market interest rates will adversely affect the fair value of an investment. Generally, the longer the maturity of an investment, the greater the sensitivity of its fair value to changes in market interest rates. As of June 30, 2018 the City had the following investments:

Investment Type	Amount	Maturity Date
Local Agency Investment Fund	\$ 64,770	N/A
Held by Fiscal Agent:		
Money Market Mutual Funds	<u>403,517</u>	N/A
Total	<u>\$ 468,287</u>	

Disclosures Relating to Credit Risk

Generally, credit risk is the risk that an issuer of an investment will not fulfill its obligation to the holder of the investment. This is measured by the assignment of a rating by a nationally recognized statistical rating organization. Presented below is the minimum rating required by (where applicable) the California Government Code, the City's investment policy, or debt agreements, and the actual rating as of year end for each investment type.

Investment Type	Amount	Minimum Legal Rating	Rating as of Year End Not Rated
Local Agency Investment Fund	\$ 64,770	N/A	\$ 64,770
Held by Fiscal Agent:			
Money Market Mutual Funds	<u>403,517</u>	N/A	<u>403,517</u>
Total	<u>\$ 468,287</u>		<u>\$ 468,287</u>

Concentration of Credit Risk

The investment policy of the City contains no limitations on the amount that can be invested in any one issuer beyond that stipulated by the California Government Code. At times, the City's bank accounts may exceed federally insured limits. The City has not experienced any losses in such accounts and believes it is not exposed to any significant credit risk on its cash and cash equivalents.

CITY OF SAN JUAN BAUTISTA

NOTES TO THE BASIC FINANCIAL STATEMENTS YEAR ENDED JUNE 30, 2018

Note 3 – Cash and Investments (Continued)

Custodial Credit Risk

Custodial credit risk for *deposits* is the risk that, in the event of the failure of a depository financial institution, a government will not be able to recover its deposits or will not be able to recover collateral securities that are in the possession of an outside party. The California Government Code and the City's investment policy do not contain legal or policy requirements that would limit the exposure to custodial credit risk for deposits, other than the following provision for deposits: The California Government Code requires that a financial institution secure deposits made by state or local governmental units by pledging securities in an undivided collateral pool held by a depository regulated under state law (unless so waived by the governmental unit). The market value of the pledged securities in the collateral pool must equal at least 110% of the total amount deposited by the public agencies. As of June 30, 2018, the carrying amount of the City's bank deposits was \$6,819,676, and the respective bank balances totaled \$6,853,733, of the total bank balance. Of the bank balances, only \$250,000 is insured through the Federal Depository Insurance Company. The remaining balance is to be collateralized by the bank.

The custodial risk for investments is the risk that, in the event of the failure of the counterparty to a transaction, a government will not be able to recover the value of its investment or collateral securities that are in the possession of another party. The California Government Code and the City's investment policy do not contain legal or policy requirements that would limit the exposure to custodial credit risk for investments. With respect to investments, custodial credit risk generally applies only to direct investments in marketable securities. Custodial credit risk does not apply to a local government's indirect investment in securities through the use of mutual funds or government investment pools (such as LAIF).

Investment in State Investment Pool

The City is a voluntary participant in the Local Agency Investment Fund (LAIF) that is regulated by the California Government Code under the oversight of the Treasurer of the State of California. The fair value of the City's investment in this pool is reported in the accompanying financial statements at amounts based upon the City's pro-rata share of the fair value provided by LAIF for the entire LAIF portfolio (in relation to the amortized cost of that portfolio). The balance available for withdrawal is based on the accounting records maintained by LAIF, which are recorded on an amortized cost basis.

CITY OF SAN JUAN BAUTISTA

NOTES TO THE BASIC FINANCIAL STATEMENTS YEAR ENDED JUNE 30, 2018

Note 4 – Capital Assets

Capital asset activity for the year ended June 30, 2018, was as follows:

	Balance July 1, 2017	Additions	Retirements	Balance June 30, 2018
<u>Governmental Activities</u>				
Capital assets, not being depreciated				
Land	\$ 22,610	\$ -	\$ -	\$ 22,610
Total capital assets, not being depreciated	<u>22,610</u>	<u>-</u>	<u>-</u>	<u>22,610</u>
Capital assets, being depreciated				
Buildings and improvements	1,123,418	21,200	-	1,144,618
Infrastructure	610,819	-	-	610,819
Machinery and equipment	900,716	37,494	-	938,210
Total capital assets, being depreciated	<u>2,634,953</u>	<u>58,694</u>	<u>-</u>	<u>2,693,647</u>
Less accumulated depreciation for:				
Buildings and improvements	(709,054)	(25,936)	-	(734,990)
Infrastructure	(252,767)	(25,585)	-	(278,352)
Machinery and equipment	(830,464)	(28,961)	-	(859,425)
Total accumulated depreciation	<u>(1,792,285)</u>	<u>(80,482)</u>	<u>-</u>	<u>(1,872,767)</u>
Total capital assets, being depreciated, net	<u>842,668</u>	<u>(21,788)</u>	<u>-</u>	<u>820,880</u>
Governmental activities capital assets, net	<u>\$ 865,278</u>	<u>\$ (21,788)</u>	<u>\$ -</u>	<u>\$ 843,490</u>
<u>Business-Type Activities</u>				
Capital assets, not being depreciated				
Land	\$ 234,783	\$ -	\$ -	\$ 234,783
Total capital assets, not being depreciated	<u>234,783</u>	<u>-</u>	<u>-</u>	<u>234,783</u>
Capital assets, being depreciated				
Building	323,861	-	-	323,861
Improvements other than buildings	17,901,932	57,343	-	17,959,275
Machinery and equipment	686,523	57,295	-	743,818
Total capital assets, being depreciated	<u>18,912,316</u>	<u>114,638</u>	<u>-</u>	<u>19,026,954</u>
Less: accumulated depreciation	<u>(6,292,812)</u>	<u>(629,292)</u>	<u>-</u>	<u>(6,922,104)</u>
Total capital assets, being depreciated, net	<u>12,619,504</u>	<u>(514,654)</u>	<u>-</u>	<u>12,104,850</u>
Business-type activities capital assets, net	<u>\$ 12,854,287</u>	<u>\$ (514,654)</u>	<u>\$ -</u>	<u>\$ 12,339,633</u>

NOTES TO THE BASIC FINANCIAL STATEMENTS
YEAR ENDED JUNE 30, 2018

Note 4 – Capital Assets (Continued)

Depreciation expense was charged to the following functions in the Statement of Activities:

Governmental Functions:

General Government	\$	129
Public Works		42,042
Parks and Recreation		16,901
Public Safety		21,410
	\$	<u>80,482</u>

Business-Type Functions:

Water	\$	324,560
Sewer		304,732
	\$	<u>629,292</u>

Note 5 – Long-Term Debt

The City generally incurs long-term debt to finance projects or purchase assets which will have useful lives equal to or greater than the related debt.

In governmental fund types, debt discounts and issuance costs are recognized in the current period. Debt discounts and issuance costs incurred in proprietary funds are deferred and amortized over the term of the debt using the bonds-outstanding method, which approximates the effective interest method. The City's debt transactions are summarized below and discussed in detail thereafter:

	Balance July 1, 2017	Additions	Retirements	Balance June 30, 2018	Current Portion
<u>Business-Type Activities Long Term Debt</u>					
Truck Capital Lease	\$ 8,268	\$ -	\$ 3,576	\$ 4,692	\$ 3,733
Water Meter Note Payable	157,166	-	67,087	90,079	68,087
2015 Enterprise Revenue Bonds	11,395,000	-	250,000	11,145,000	260,000
Plus Unamortized Premium on Bond	194,685	-	7,370	187,315	7,370
Total Business-Type Activities Debt	<u>\$ 11,755,119</u>	<u>\$ -</u>	<u>\$ 328,033</u>	<u>\$ 11,427,086</u>	<u>\$ 339,190</u>

Long-term debt payable at June 30, 2018 was comprised of the following individual issues:

Truck Capital Lease – In December of 2016, the City entered into a capital lease agreement with GM Financial for the purchase of a truck. Interest and principal payments of \$969 are payable quarterly, with interest at 4.3 percent through September 2019.

Water Meter Note Payable – In June of 2016, the City entered into a loan agreement for \$203,966 with Trigen Leasing LLC for the purchase of water meters. Terms of the note call for monthly payments of \$5,818 including interest at 2.96 percent, which begins October 2016 and will mature in October 2019.

CITY OF SAN JUAN BAUTISTA

NOTES TO THE BASIC FINANCIAL STATEMENTS YEAR ENDED JUNE 30, 2018

Note 5 – Long-Term Debt (Continued)

2015 Enterprise Revenue Bonds – In December 2015, the City issued Series 2015 Enterprise Revenue Bonds for the principal amount of \$11,640,000. The issuance was to refund the outstanding principal balance of the 2008 Water and Sewer COP and the Pavex Note payable described above. In addition, the proceeds of the sale of the bond were used to provide funding to improve the City's water system as well as paying the costs of issuance. The reacquisition price exceeded the net carrying amount of the old debt by \$1,819,135. The City refunded the above debts to reduce its total debt service over 28 years by \$4,125,856 and to obtain an economic gain (difference between the present values of debt service payments on the old and new debt) of \$1,947,479. The bonds bear interest ranging from 3.0% to 5.0% and are payable semi-annually commencing April 2016 through October 2043. Debt service is secured by a pledge of net revenues of the City's Water and Sewer Systems. The City covenants that it shall prescribe, revise and collect such charges for the services and facilities of the water and sewer systems which shall produce revenues sufficient in each fiscal year to provide gross revenues which are sufficient to pay all water and sewer operation and maintenance costs and all bond installment payments and produce net water and sewer revenues equal to at least 1.25 times debt service coming due and payable during such fiscal year. The City is in compliance with those covenants as of June 30, 2018. Cash basis debt service paid during the fiscal year ended June 30, 2018 totaled \$666,288. Total water and sewer system net revenues calculated in accordance with the covenants were \$2,542,094 and net revenue available for debt service was 3.82 times debt service at June 30, 2018.

The annual requirement to amortize the principal and interest on long-term debt at June 30, 2018, were as follows:

Years ending June 30,	Principal	Interest
2019	\$ 331,820	\$ 410,514
2020	287,951	399,575
2021	275,000	388,638
2022	285,000	377,438
2023	300,000	365,738
2024-2028	1,720,000	1,595,940
2029-2033	2,065,000	1,252,398
2034-2038	2,420,000	891,439
2039-2043	2,915,000	400,594
2044	640,000	12,000
	<u>\$ 11,239,771</u>	<u>\$ 6,094,274</u>
Net of unamortized premiums	<u>187,315</u>	
Net long-term debt	<u>\$ 11,427,086</u>	

CITY OF SAN JUAN BAUTISTA

NOTES TO THE BASIC FINANCIAL STATEMENTS YEAR ENDED JUNE 30, 2018

Note 6 – Deferred Compensation Plan

On October 1, 1999, the City established a deferred compensation plan for its employees which provides them an opportunity to save for retirement. The plan meets the requirements of Internal Revenue Code Section 457. Under the plan, employees make tax deferred contributions up to the limits established by the Internal Revenue Service. The contributions made to the plan may be withdrawn only upon retirement separation from service, death or unforeseeable emergency. Employees are 100% vested in their contributions from the first date of participation. The plan provides for varying matching contributions.

The plan is administered by the City. The participants are offered a choice of investment options and make their own investment decisions. The City has fiduciary obligation for due care in the administration of the plan, but is not responsible for the investments or performance results of the investment products offered under the plan, therefore, the City is not required to report these funds on the City's financial statements.

Note 7 – Risk Management

The City of San Juan Bautista is insured under the Public Agency Risk Sharing Authority of California (PARSAC) liability program. Protection is afforded for "bodily injury, property damage, personal injury and public officials' errors and omissions, subject to certain limitations".

Limit of protection - \$995,000 ultimate net loss as the result of any occurrence because of bodily injury, property damage, personal injury or public officials' errors and omissions or any combination thereof in excess of the retained limit.

Retained limit - \$5,000 ultimate net loss as the result of any occurrence because of bodily injury, property damage, personal injury or public officials' errors and omissions or any combination thereof.

Complete audited financial statements for PARSAC can be obtained from PARSAC's office at 1525 Response Road, Suite One, Sacramento, CA 95815.

Note 8 – Advances

In August 2016 the City formalized an advance agreement between the City's General Fund and the Water and Sewer Funds for the amount of \$1,895,844. The amount is payable by the Water and Sewer Funds to the General Fund over a period of 29 years at an interest rate of 1.5 percent payable in annual payments of \$81,102.

Advances from and to balances as of June 30, 2018 are as follows:

	<u>Advance From</u>	<u>Advance To</u>
Major Governmental Funds:		
General Fund	\$ -	\$ 1,801,745
Proprietary Funds:		
Water Fund	984,349	-
Sewer Fund	805,378	-
Nonmajor Governmental Funds:		
Maintenance Districts Fund	12,018	-
	<u>\$ 1,801,745</u>	<u>\$ 1,801,745</u>

CITY OF SAN JUAN BAUTISTA

NOTES TO THE BASIC FINANCIAL STATEMENTS YEAR ENDED JUNE 30, 2018

Note 9 – Interfund Transfers

With the City Council approval, resources may be transferred from one City fund to another. The purpose of the majority of transfers is to reimburse a fund that has made expenditures on behalf of another fund. Transfers within fund types have been eliminated with the government-wide financial statements. Transfers in and out for the year ended June 30, 2018 consisted of the following:

	<u>Transfers In</u>	<u>Transfers Out</u>
Major Governmental Funds:		
General Fund	\$ 53,454	\$ -
Proprietary Funds:		
Water Fund	114,600	-
Sewer Fund	-	(168,054)
	<u>\$ 168,054</u>	<u>\$ (168,054)</u>

Note 10 – Subsequent Events

The City evaluated subsequent events for recognition and disclosure through December 7, 2018, the date which these financial statements were available to be issued. Management concluded that no material subsequent events have occurred since June 30, 2018 that required recognition or disclosure in such financial statements.

REQUIRED SUPPLEMENTARY INFORMATION

CITY OF SAN JUAN BAUTISTA

BUDGETARY COMPARISON SCHEDULE

GENERAL FUND

YEAR ENDED JUNE 30, 2018

	Budgeted Amounts		Actual Amounts	Variance with Final Budget Positive/ (Negative)
	Original	Final		
Revenue				
Taxes	\$ 1,208,000	\$ 1,227,500	\$ 1,304,575	\$ 77,075
Intergovernmental	15,000	15,000	-	(15,000)
Charges for services	41,500	41,500	287,956	246,456
Licenses, permits and impact fees	206,820	206,820	576,182	369,362
Fines and forfeitures	1,800	800	1,539	739
Interest and rent	75,000	75,000	116,086	41,086
Other	5,800	8,150	29,252	21,102
Total revenue	<u>1,553,920</u>	<u>1,574,770</u>	<u>2,315,590</u>	<u>740,820</u>
Expenditures				
Current				
General government	467,654	418,222	459,665	(41,443)
Public works	340,667	294,540	236,952	57,588
Parks and recreation	70,748	58,595	51,778	6,817
Public safety	523,570	521,712	293,898	227,814
Community development	227,593	242,220	619,946	(377,726)
Capital outlay	92,400	84,000	58,694	25,306
Total expenditures	<u>1,722,632</u>	<u>1,619,289</u>	<u>1,720,933</u>	<u>(101,644)</u>
Revenue over (under) expenditures	(168,712)	(44,519)	594,657	639,176
Other Financing Sources				
Transfers in (out) - net	<u>(5,000)</u>	<u>(5,000)</u>	<u>53,454</u>	<u>58,454</u>
Net Change in Fund Balance	<u>\$ (173,712)</u>	<u>\$ (49,519)</u>	648,111	<u>\$ 697,630</u>
Fund Balance				
Beginning of year			4,212,088	
End of year			<u>\$ 4,860,199</u>	

CITY OF SAN JUAN BAUTISTA

BUDGETARY COMPARISON SCHEDULE IMPACT FEES FUND YEAR ENDED JUNE 30, 2018

	Budgeted Amounts		Actual	Variance with
	Original	Final	Amounts	Final Budget
				Positive/ (Negative)
Revenue				
Licenses, permits and impact fees	\$ -	\$ -	\$ 1,456,703	\$ 1,456,703
Total revenue	-	-	1,456,703	1,456,703
Expenditures				
Current				
General government	12,000	12,000	-	12,000
Total expenditures	12,000	12,000	-	12,000
Net Change in Fund Balance	<u>\$ (12,000)</u>	<u>\$ (12,000)</u>	1,456,703	<u>\$ 1,468,703</u>
Fund Balance				
Beginning of year			192,775	
End of year			<u>\$ 1,649,478</u>	

SUPPLEMENTAL ONLY INFORMATION

CITY OF SAN JUAN BAUTISTA

COMBINING BALANCE SHEET NON-MAJOR GOVERNMENTAL FUNDS JUNE 30, 2018

	Special Revenue Funds					
	COPS Grant	Public Parking Fund	Gas Tax Fund	Roads & Restrooms Fund	Maintenance Districts	Non-major Governmental Funds
ASSETS						
Cash and investments	\$ 16,922	\$ 17,447	\$ 11,697	\$ 154,085	\$ 75,217	\$ 275,368
Due from other governmental agencies	37,730	-	-	-	-	37,730
Total assets	<u>\$ 54,652</u>	<u>\$ 17,447</u>	<u>\$ 11,697</u>	<u>\$ 154,085</u>	<u>\$ 75,217</u>	<u>\$ 313,098</u>
LIABILITIES AND FUND BALANCE						
Liabilities						
Accounts payable and accrued expense	\$ 15,959	\$ -	\$ 1,633	\$ -	\$ 26,371	\$ 43,963
Due to other funds	-	-	-	-	12,018	12,018
Total liabilities	<u>15,959</u>	<u>-</u>	<u>1,633</u>	<u>-</u>	<u>38,389</u>	<u>55,981</u>
Fund Balance						
Restricted						
Public safety	38,693	-	-	-	-	38,693
Capital improvement projects	-	17,447	-	154,085	-	171,532
Circulation improvements	-	-	10,064	-	-	10,064
Lighting and landscape maintenance	-	-	-	-	36,828	36,828
Total fund balance	<u>38,693</u>	<u>17,447</u>	<u>10,064</u>	<u>154,085</u>	<u>36,828</u>	<u>257,117</u>
Total liabilities and fund balance	<u>\$ 54,652</u>	<u>\$ 17,447</u>	<u>\$ 11,697</u>	<u>\$ 154,085</u>	<u>\$ 75,217</u>	<u>\$ 313,098</u>

CITY OF SAN JUAN BAUTISTA

COMBINING STATEMENT OF REVENUE, EXPENDITURES AND CHANGES IN FUND BALANCE NON-MAJOR GOVERNMENTAL FUNDS YEAR ENDED JUNE 30, 2018

	Special Revenue Funds					
	COPS Grant	Public Parking Fund	Gas Tax Fund	Roads & Restrooms Fund	Maintenance Districts	Non-major Governmental Funds
Revenue						
Taxes	\$ -	\$ -	\$ -	\$ 26,968	\$ 20,064	\$ 47,032
Intergovernmental	167,270	-	51,534	-	-	218,804
Interest	-	-	757	-	-	757
Total revenue	<u>167,270</u>	<u>-</u>	<u>52,291</u>	<u>26,968</u>	<u>20,064</u>	<u>266,593</u>
Expenditures						
Current						
Public works	-	-	73,562	-	59,859	133,421
Public safety	167,270	-	-	-	-	167,270
Total expenditures	<u>167,270</u>	<u>-</u>	<u>73,562</u>	<u>-</u>	<u>59,859</u>	<u>300,691</u>
Change in Fund Balance	-	-	(21,271)	26,968	(39,795)	(34,098)
Fund Balance						
Beginning of year	<u>38,693</u>	<u>17,447</u>	<u>31,335</u>	<u>127,117</u>	<u>76,623</u>	<u>291,215</u>
End of year	<u>\$ 38,693</u>	<u>\$ 17,447</u>	<u>\$ 10,064</u>	<u>\$ 154,085</u>	<u>\$ 36,828</u>	<u>\$ 257,117</u>

**INDEPENDENT AUDITOR'S REPORT ON INTERNAL CONTROL
OVER FINANCIAL REPORTING AND ON COMPLIANCE AND OTHER
MATTERS BASED ON AN AUDIT OF FINANCIAL STATEMENTS
PERFORMED IN ACCORDANCE WITH *GOVERNMENT AUDITING STANDARDS***

To the Honorable Mayor and City Council
City of San Juan Bautista, California

We have audited, in accordance with the auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States, the financial statements of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information of the City of San Juan Bautista, California, (the "City") as of and for the year ended June 30, 2018, and the related notes to the financial statements, which collectively comprise City's basic financial statements, and have issued our report thereon dated December 7, 2018.

Internal Control Over Financial Reporting

In planning and performing our audit of the financial statements, we considered the City's internal control over financial reporting (internal control) to determine the audit procedures that are appropriate in the circumstances for the purpose of expressing our opinions on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of City's internal control. Accordingly, we do not express an opinion on the effectiveness of City's internal control.

A *deficiency in internal control* exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, misstatements on a timely basis. A *material weakness* is a deficiency, or a combination of deficiencies, in internal control, such that there is a reasonable possibility that a material misstatement of the entity's financial statements will not be prevented, or detected and corrected on a timely basis. A *significant deficiency* is a deficiency, or a combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance.

Our consideration of internal control was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control that might be material weaknesses or, significant deficiencies. Given these limitations, during our audit we did not identify any deficiencies in internal control that we consider to be material weaknesses. However, material weaknesses may exist that have not been identified.

Compliance and Other Matters

As part of obtaining reasonable assurance about whether City's financial statements are free from material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit, and accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance or other matters that are required to be reported under *Government Auditing Standards*.

Purpose of this Report

The purpose of this report is solely to describe the scope of our testing of internal control and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the entity's internal control or on compliance. This report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the entity's internal control and compliance. Accordingly, this communication is not suitable for any other purpose.

A handwritten signature in black ink, appearing to be "M. J. [unclear]", written in a cursive style.

December 7, 2018

City of San Juan Bautista
Revenues ~ Budget Vs. Actual
For the Four Month Period Ended October 31, 2018

REVENUES	FY18	FY19	Annual		YTD	
<u>Fund</u>	<u>Actuals</u>	<u>Actuals</u>	<u>Budget</u>	<u>Difference</u>	<u>33%</u>	<u>Notes</u>
General Fund	170,283	266,727	2,442,564	2,175,837	11%	A
Special Revenue Funds:						
Community Development	4,488	54,182	566,817	512,635	10%	B
COPS	48,491	37,559	100,000	62,441	38%	
Rest. & Roads Fund	9,406	10,781	25,600	14,819	42%	
Valle Vista LLD	-	-	27,884	27,884	0%	C
Gas Tax Fund	16,865	16,267	360,750	344,483	5%	D
Enterprise Funds:						
Water						
Operations	290,677	319,183	768,000	448,817	42%	
Capital	17,496	287,704	1,154,090	866,386	25%	E
Sewer						
Operations	307,351	318,808	832,000	513,192	38%	
Capital	5,000	70,130	594,114	523,984	12%	E
TOTAL Funds	699,774	1,114,614	6,871,819	5,757,205	16%	

A ~ General Fund revenues are typically received later in the year, as a large revenue stream, property taxes are not generally received until mid-year. Additionally, income was higher than last year due to more sales tax and TOT taxes in the current year.

B ~ Community development revenue is higher than last year due to the increase in development activity in the current year. Revenue is periodic and will not always align with budget.

C ~ As explained in note A, the Valle Vista Lighting District revenue is received near the middle of the fiscal year.

D ~ Gas tax revenue is below budget due to a budgeted line item fund a significant road project. Those budgeted funds of \$316k have not yet been received.

E ~ Capital projects occur at various times during the year, as such the percent will not always match the same as the percentage of year completed.

City of San Juan Bautista
Expenditures ~ Budget Vs. Actual
For the Four Month Period Ended October 31, 2018

EXPENDITURES	FY18	FY19	Annual		YTD	
<u>Fund</u>	<u>Actuals</u>	<u>Actuals</u>	<u>Budget</u>	<u>Variance</u>	<u>33%</u>	<u>Note</u>
General Fund:						
City Council	26,611	5,734	34,769	29,035	16%	
City Attorney	7,466	16,050	50,000	33,950	32%	
City Manager	11,812	8,250	42,612	34,362	19%	
City Clerk	30,324	36,465	122,124	85,659	30%	
City Treasurer	244	236	340	104	69%	
Finance and Accounting	37,019	33,461	141,747	108,286	24%	
City Library	15,521	21,374	110,541	89,167	19%	
Fire Department	82,732	62,260	241,865	179,605	26%	
Law Enforcement	34,537	88,454	279,950	191,496	32%	
Animal Control	1,500	3,598	10,000	6,402	36%	
PW - Streets (Operations)	40,916	51,726	182,590	130,864	28%	
PW - Streets (Capital)	1,750	-	795,500	795,500	0%	A
PW - Parks & Grounds (Operations)	43,020	56,913	182,715	125,802	31%	
PW - Parks and Grounds (Capital)	16,200	7,095	131,500	124,405	5%	A
General Government	21,917	17,746	50,500	32,754	35%	
Total General Fund Expenditures	371,569	409,362	2,376,753	1,967,391	17%	
Special Revenue Funds:						
Community Development:						
Engineering	3,810	51,410	150,497	99,087	34%	
Building	9,419	80,509	139,966	59,457	58%	B
Planning	55,954	47,422	207,731	160,309	23%	
COPS	38,807	33,333	100,000	66,667	33%	
Rest. & Roads Fund	-	-	75,000	75,000	0%	C
Valle Vista LLD	6,630	7,002	27,884	20,882	25%	
Gas Tax Fund	6,352	5,914	409,803	403,889	1%	D
Enterprise Funds:						
Water:						
Operations	233,398	203,791	894,222	690,431	23%	
Capital	93,506	255,087	630,861	375,774	40%	E
Sewer						
Operations	179,313	228,166	961,407	733,241	24%	
Capital	151,791	119,773	514,213	394,440	23%	E
TOTAL Funds	1,150,549	1,441,769	6,488,337	5,046,568	22%	

City of San Juan Bautista
Expenditures ~ Budget Vs. Actual
For the Four Month Period Ended October 31, 2018

Footnotes:

- A** ~ Capital projects occur at various times during the year, as such the percent will not always match the same as the percentage of year completed.
- B** ~ Engineering and building costs are periodic, based on the level of services needed. This line item will not always match the same percentage as the percentage for the year completed.
- C** ~ A large part of the Restroom and Road Fund budget is slated for projects that will occur sporadically during the year.
- D** ~ A large part of the Gas Tax Fund budget is slated for street projects that will occur sporadically during the year.
- E** ~ The expenses in this fund are capital in nature and will be incurred sporadically throughout the year.

Additional note ~ Many department expenditures are below budget due to a position for a Community Development Director has not yet been filled. That position's costs would have been allocated among many departments.

City of San Juan Bautista

Warrant Listing

As of November 30, 2018

Item #5B
City Council Meeting
December 18, 2018

Date	Num	Name	Amount
101.000 - Union Bank			
101.001 - Operating Acct. 1948			
11/09/2018	212118	4Leaf, Inc.	-11,652.40
11/09/2018	212119	Accent Clean & Sweep, Inc.	-1,705.00
11/09/2018	212120	All Clear Water Services	-3,227.50
11/09/2018	212121	at&t	-272.73
11/09/2018	212122	AVAYA	-210.98
11/09/2018	212123	Brigantino Irrigation, Inc.	-313.15
11/09/2018	212124	C & N Tractors	-375.08
11/09/2018	212125	Core & Main	-17,067.55
11/09/2018	212126	Design Line & Granger	-433.00
11/09/2018	212127	Employment Development Department	-175.97
11/09/2018	212128	Fehr Engineering Company, Inc.	-5,509.00
11/09/2018	212129	Graniterock	-959.99
11/09/2018	212130	Harris & Associates	-4,822.50
11/09/2018	212131	Hollister Auto Parts, Inc.	-255.50
11/09/2018	212132	Level 1 Private Security.	-9,280.00
11/09/2018	212133	Maggiora Bros. Drilling Inc.	-2,800.00
11/09/2018	212134	Mc Kinnon Lumber Co., Inc.	-1,073.68
11/09/2018	212135	Michaele LaForge	-500.00
11/09/2018	212136	Michelle Ortiz.	-700.00
11/09/2018	212137	Monterey Bay Analytical Services	-328.00
11/09/2018	212138	Monterey County Health Department	-130.00
11/09/2018	212139	P G & E	-1,635.23
11/09/2018	212140	R & B Company	-1,847.83
11/09/2018	212141	Rx-Tek	-95.00
11/09/2018	212142	True Value Hardware	-114.64
11/09/2018	212143	U.S. Postmaster	-900.00
11/09/2018	212144	United Site Services of California, Inc.	-318.85
11/09/2018	212145	Wendy L. Cumming, CPA	-4,313.75
11/09/2018	212146	US Bank	-4,991.92
11/13/2018	212147	Harris & Associates	-58,124.54
11/13/2018	212148	Harris & Associates	-66,057.90
11/13/2018	212149	Harris & Associates	-51,306.25
11/19/2018	212151	Abbott's Pro Power	-84.80
11/19/2018	212152	ACWA Health Benefits Authority	-6,781.81
11/19/2018	212153	AFLAC	-150.57
11/19/2018	212154	Alma & Gilberto Ilagor.	-700.00
11/19/2018	212155	American Floor Sanding, Inc.	-1,650.00
11/19/2018	212156	American Supply Company.	-131.25
11/19/2018	212157	at&t	-70.08
11/19/2018	212158	Blanca Rangel.	-700.00
11/19/2018	212159	Carmen Lujan	-44.69
11/19/2018	212160	Charter Communications	-114.97
11/19/2018	212161	De Lage Landen Public Finance	-969.18

**City of San Juan Bautista
Warrant Listing**

As of November 30, 2018

<u>Date</u>	<u>Num</u>	<u>Name</u>	<u>Amount</u>
11/19/2018	212162	Enrique Hernandez	-81.18
11/19/2018	212163	Freitas + Freitas	-14,871.25
11/19/2018	212164	Harris & Associates	-19,456.98
11/19/2018	212165	Hillyard	-18.73
11/19/2018	212166	Hollister Auto Parts, Inc.	-67.55
11/19/2018	212167	Jessica Gavlick	-88.28
11/19/2018	212168	KBA Docusys	-208.56
11/19/2018	212169	KS State Bank	-5,818.30
11/19/2018	212170	Laura Barreras	-174.40
11/19/2018	212171	Mary Lou Andrade Tax Collector SBC	-80.54
11/19/2018	212172	Michaele LaForge	-616.16
11/19/2018	212173	Monterey Bay Analytical Services	-638.90
11/19/2018	212174	P G & E	-10,283.62
11/19/2018	212175	Paul Champion	-572.20
11/19/2018	212176	Sentry Alarm System	-342.00
11/19/2018	212177	Sprint	-116.17
Total 101.001 - Operating Acct. 1948			<u>-316,330.11</u>
Total 101.000 - Union Bank			<u>-316,330.11</u>
TOTAL			<u><u>-316,330.11</u></u>

AGENDA TITLE: City Manager Project Progress and General State of Affairs Update

MEETING DATE: December 18, 2018

DEPARTMENT HEAD: Michael LaForge, City Manager

Safety:

- No issues

HR:

- Will hire one more full-time skilled PW employee. In final stages of selection.
- Staff celebration for PW went well
- Hired new grant writer Enrique Arreola – CDBG focus only
- Christmas party for staff is Dec 19th
- Conducted comprehensive new city council training

Fire:

Police and Code enforcement:

- Good teamwork with SO, Level 1 and City Staff on Lady of Guadalupe parade. Followed up w/ Mission staff and they were very complimentary of teamwork and support. They would like to do more citywide events and help bring more out of town parishioners to spend their money in our city.

Community Development:

- Planning and Building – see staff report

Parks and Recreation:

- Community Center and Abbe Park waivers, insurance, cleaning and electrical bill delta costs will be monitored so that we can enter into a cost recovery agreement with the groups. Waivers must be signed and filed with city prior to participation.
- Fourth discussion conducted with Aromas, San Juan School Superintendent occurred last week to discuss vision for activity center (CDBG funded). Key elements of the vision: property between soccer field and tennis courts will be used. Current modular will be replaced by a multifunction headquarters. SJB health and wellbeing HQ vision enable/support the following: pre-school, boys and girls club, Park and Rec activity center, health and well-being activities, equipment check-out desk, rec calendar, arts.
- CDBG grant update: Due to the need for a housing element, City will be submitting for the May 2019 grant which will give us enough time to complete the housing element.

Buildings and Parks:

Sewer:

- Sludge removal project complete 40% removed, Synagro removing operation
- Cypress, the City Engineer, and City Manager are working with local WWTP engineer on a high-level design for sustaining sludge handling. This will be presented in the 2020 budget review

Water:

- Well #6 plans and project details are available upon request. DDW sign off and build moratorium lift scheduled for NLT Dec 19
- Discoloration/Iron issues will be minimized once well 6 is on line and well 5 becomes emergency back up
- Fe/Mn plant will be online as early as late Dec, not later than mid Feb depending on weather. Plant is built and awaiting slab which will be cured and fully ready by Dec 7. Full plan set and project plan available upon request.
- Well #5 now on PG&E power vs generator

Streets:

- San Juan Hollister Road from the Alameda to well 5 is complete



Memorandum

To: Michael LaForge, City of San Juan Bautista

From: Patrick M. Dobbins, City Engineer

Date: December 11, 2018

**Subject: City Engineer Development Construction Report
Rancho Vista and Copper Leaf Projects**

Construction activities on the two major development projects include the following during November:

RANCHO VISTA

November 1 through November 2

- 1- Tier Fencing Inc. continued with the installation of the wooden fence along Third Street as well as other locations throughout the project. Inspector verified the work was done according to plans.
- 2- XL Landscape Development continued to plant trees and associated irrigation throughout the project.
- 3- XL Landscape Development started work on the foundation for stairway at the corner of Third Street and Trailside Court.

November 5 through November 9

- 1- DeSilva Gates placed aggregate base and prepared First St. for paving operation. In addition, they prepared the intersection of Third St. and Church St., corner of Third St. and Lavagnino Drive. Inspector verified, tested and approved for paving.
- 2- DeSilva Gates paved Third St. and Church St., corner of Trailside Dr. and Third St., and First St. (known as the entrance of the project). Inspector verified the work was done according to plans except for First Street. The contractor is aware and will correct the work.
- 3- XL Landscape Development continued working on the stairway installation at the corner of Third St. and Trailside Ct.
- 4- Tier Fencing Inc. continued the installation of a wooden fence at Third St. as well as other locations throughout the project. Inspector verified the work was done according to plans.

November 12 through November 16

- 1- Tier Fencing Inc. continued with the installation of the wooden fence at the corner of Lavagnino Dr. and Third St. as well as other locations throughout the project.
- 2- XL Landscape Development continued to plant trees throughout the project and installed irrigation lines. Inspector verified the work was done according to plans.



November 19 through November 23

- 1- Marques Pipelines and Hudson Excavation Inc. worked together on getting sewer lift station operational. Inspector observed the technical installation of two pumps and both of them were functioning correctly. PG&E observed the installation of the electrical connections done by the contractors and verified they were working correctly.
- 2- Tier Fencing Inc. continued with the installation of the wooden fence at the corner of Lavagnino Dr. and Third St. as well as other locations throughout the project.
- 3- XL Landscape Development continued to plant trees and install associated irrigation throughout the project. Inspector verified the work was done according to plans.

November 26 through November 30

No construction activities this week due to rain. SWPPP crew placed BMP's throughout the project and prevented storm water runoff.

Photos: Rancho Vista: Fence Installation at Lavagnino Dr. & Third St.





Harris & Associates

Rancho Vista: Paving at Third St. & Church St. Intersection



Rancho Vista Project: Conduit Installation at Garner St. & Third St.





Rancho Vista Project: Marques Pipeline & Hudson Excavation Inc. Wiring and Pump Installation all Completed



COPPER LEAF SUBDIVISION

November 1 through November 2

- 1- Cupertino Electric, a subcontractor for PG&E, continued to remove the overhead electrical wiring. In addition, they worked on switching the electric wiring underground on San Juan Hollister Rd. and inside the subdivision.
- 2- Seatec continued installing pull boxes for water meters as well as connecting water lines inside the boxes throughout the subdivision. For now the plan would be to use jumper to feed the homes with water until the city provides water meters to the developer. This was confirmed with City PW Staff.

November 5 through November 9

- 1- Subcontractor Galante Bros. continued grading and compacting subgrade on Copper Leaf Lane. Inspector observed the work and compaction tests met specification requirements.
- 2- Cupertino Electric Inc., a subcontractor for PG&E, continued to remove the overhead wiring. In addition, they worked on switching the electric wiring underground on San Juan Hollister Rd. and inside the subdivision.
- 3- Seatec continued installing pull boxes for water meters as well as connecting water lines inside the boxes throughout the subdivision. Seatec is also preparing them for the meters to be installed throughout the subdivision.



November 12 through November 16

- 1- O'Grady Paving started pulverizing the existing pavement along San Juan Hollister Road. They prepared sub-grade and they got it ready for asphalt paving. All grinding material was kept inside and placed where the new playground will be constructed
- 2- Seatec continued installing pull boxes for water meters as well as connecting water lines inside the boxes throughout the subdivision. Seatec is also continued preparing them for the meters to be installed throughout the subdivision.
- 3- Aparicio Cement Contractors formed the curb and gutter at the corner of Copper Leaf Lane.

November 19 through November 23

- 1- Aparicio Cement Contractors placed concrete for the curb and gutter on the corner of Cooper Leaf Lane.
- 2- O'Grady Paving Inc. started placing aggregate base and setting up grades on San Juan Hollister Rd. In addition, O'Grady Paving Inc. prepared the playground site for asphalt pavement. All grinding material was kept inside and placed where the new park will be constructed.

November 26 through November 30

- 1- Aparicio Cement Contractors formed the sidewalk on the corner of Copper Leaf Ln. and placed concrete.

Photos:

Copperleaf Project: Roadway Embankment above the Old Well





Harris & Associates

Copperleaf Project: Underground Utility and Storm Water Pipes Installation



**Copperleaf Project: Grinding Pavement at San Juan Hollister Rd. /
Formed Curb Gutter and Sidewalk at Copper Leaf Ln.**





Harris & Associates

Copperleaf Project: Concrete Pour for Curb and Gutter at Copper Leaf Ln.



City of San Juan Bautista City Engineering Projects (12/11/2018)

CIP No.	Project Name	Description	Status	Tasks / Issues / Notes	Start Date	End Date	Likelihood of Completion (Red or Green)
	WASTEWATER						
CIP 33	Sludge Removal	Remove 435 tons of sludge from Pond 2 and haul to landfill for disposal	Synagro-WWT was awarded \$370,000 contract at 9/18/18 City Council meeting. At the 10/16/18 City Council Meeting, City staff received authorization for an additional \$100,000 in project funding. First day of operation was 10/25/18. Contract work was completed on 12/5/18 with disposal of 439 dried tons. Contractor is demobilizing and restoring staging area site.	Coordinated with staff at San Benito County on a lower disposal fee at John Smith Landfill. City PW Staff prepared the staging site (cut/clear weeds and grading work)	Concept Plan/Cost: April/May 2018 Prep Bid Document: July 2018 Bid Period: August 2018 Contract Award: Sept 2018 Construct: Oct/Nov/Dec 2018		
	Contract Operation of Wastewater Treatment Plant	Issued Request for Proposal for WWTP Contract Plant Operator (CPO)	Cypress Water Service took over 11/1/18 and in addition to operating the WWTP, they have been assistin with sludge removal efforts and capital planning efforts. CPO and City Engineer met with specialty contractor on 12/7/18 regarding potential upgrade for improving sludge removal. Contractor is planning on performing no-cost pilot test at the WWTP		Prep RFP: August 2018 RFP Period: Sept 2018 Contract Award: Oct 2018 Begin Services: Nov 1, 2018		
CIP 36	WWTP Capital Planning	Determine repairs and upgrades to ensure plant operation and compliance with RWQCB Permit	At 8/21/18 meeting, City Council approved contract with Dudek Consulting for Risk Analysis/Capital Planning Study. Draft Risk Analysis/Capital Planning Study was received from Dudek on 9/28/18. Capital Planning Meeting focused on electrical service, stand-by generator and related electrical items was held on 11/29/18		Contract Award: August 2018 Prepare CIP Study: Sept - Oct 2018		
CIP 36	Sewer Master Plan	Have Consultant prepare Sewer Master Plan	This is in FY 2019/20 Budget	Per 6/28/18 meeting with City Manager, will include preparation of Sewer Master Plan as optional item in Request for Proposals for Water Master Plan	Prep RFP: Jan 2019 RFP Period: Feb 2019 Contract Award: May 2019 Prepare Master Plan: June - Dec 2019		
	WATER						
CIP 27	Water Master Plan	Select Consultant through RFP process to prepare Water Master Plan	Draft a RFP for city staff's review		Prep RFP: Dec 2018 RFP Period: Jan 2019 Contract Award: March 2019 Prepare Master Plan: April 2019 - August 2019		
	Well 5	Complete Well Project	Worked with electrical engineer and well contractor to install PGE meter in advance of PGE installing permanent power. PG&E meter was set on 12/6/18 allowing for electrical service. Generator was removed from the site				
	ROADS / PARKING / SIDEWALKS / TRAILS						

City of San Juan Bautista City Engineering Projects (12/11/2018)

CIP No.	Project Name	Description	Status	Tasks / Issues / Notes	Start Date	End Date	Likelihood of Completion (Red or Green)
CIP 9	3rd between Tualmeme and Muckeleme	Repave street	Preparing Concept Layout in order to prepare Cost Estimate	On 9/07/18 Project Engineer visited the site to observe pavement conditions and note wet utilities - Obtain Geotechnical Report for new pavement section	Concept Plan/Cost: Dec 2018 Prep Bid Document: Jan 2019 Bid Period: Feb 2019 Contract Award: April 2019 Construct: May/June2019	6/30/2019	
CIP 11	Muckeleme Street between 4th and Monterey	Reconstruct half-street	Preparing Concept Layout in order to prepare Cost Estimate	- On 9/07/18 Project Engineer visited the site to observe pavement conditions and note wet utilities - Obtain Geotechnical Report for new pavement section	Concept Plan/Cost: Dec 2018 Prep Bid Document: Jan 2019 Bid Period: Feb 2019 Contract Award: April 2019 Construct: May/June2019	6/30/2019	
CIP 12	5th Street between Franklin to Mission	Reconstruct street	Preparing Concept Layout in order to prepare Cost Estimate	- On 9/07/18 Project Engineer visited the site to observe pavement conditions and note wet utilities - Need to obtain Geotechnical Report for new pavement section	Concept Plan/Cost: Dec 2018 Prep Bid Document: Jan 2019 Bid Period: Feb 2019 Contract Award: April 2019 Construct: May/June2019	6/30/2019	
	Traffic Calming measures along Fourth Street	Install Traffic Calming measures (edge stripe to narrow through lanes, 25 MPH speed signs, etc)	Working on City PW staff to stripe the roadway	- City PW staff to use in-house striping machine or borrow striping machine from City of Hollister			
BUILDINGS AND PARKS							
Carry-over	City Hall ReRoof	ReRoof City Hall	On 8/28/19 received \$94,217 quote from Noble Pride Roofing. On 9/12/18 received a revised quote for \$90,959. Prepared city agreement based on revised quote. 10/18/18 was first day of work. Extensive damage to the roof was found after the contractor removed the tiles. This resulted in a \$26,300 Change Order.	At 8/21/18 meeting City Council authorized negotiating contract with Noble Pride Roofing.	Prep Bid Document: done ReBid: July 2018 Contract Award: At August 2018 City Council Mtg Field Work: Oct/Nov 2018		
	Verutti Park Restrooms	Replace porta-potty with permanent restroom building	On 11/27/18 City Engineer received old incomplete plans from city staff and visited the site. City Engineer staff has redrafted the plans and met with City PW staff to review draft plans	City PW staff will construct new restroom when plans are complete and approved by City Planning Commission.	Prepare Plans/Specifications: Dec 2018 Planning Commission Approval: January 2019 Site Work: January/February 2019		
SPECIAL PROJECTS							
	City GIS Map		on 4/13/18 Rene Anchietta of SB County completed an initial mapping effort	City PW Staff should review GIS map to confirm water, sewer and storm drain facilities			
	Seventh Street Sewer/Storm Drain Repair	On 9/20/18 city PW staff asked for help determining options for addressing deficiencies in the storm and sewer lines near the intersection of Seventh Street/Polk Street	City PW Staff removed and replace the failed concrete sewer line with new HDPE pipe	On 9/24/18 Harris Assoc met at the site with City PW Staff, reviewed the city plans, prepared a plan sheet of the existing wet utilities and developed replacement approach			
SINGLE LOT DEVELOPMENT PROJECTS							

City of San Juan Bautista City Engineering Projects (12/11/2018)

CIP No.	Project Name	Description	Status	Tasks / Issues / Notes	Start Date	End Date	Likelihood of Completion (Red or Green)
	Midnight Express	Construct 5,000 SF building for ag-produce transfer operation	On 10/9/18 we returned review comments on first submittal of site plan to City staff. On 11/1/18 Permit Technician and City Engineer met with the applicant and their consultants and discussed their interest in adjusting the project conditions to allow for phasing the project due to their financing				
	Harveys Lockup	Frontage improvements along Church Street related to building permit	Met with builder owner rep several times to discuss sidewalk and driveway work on Church Street. Gave approval to place concrete after inspecting forms				
	609 Third Street (Vonk/Fegley)	Add Accessory Dwelling Unit in rear yard	On 9/18/18 we returned review comments on first submittal of site plan to City staff				
	507 Third Street (Dante Bains)	Street frontage improvements related to building permit	On 9/18/18 we returned review comments on first submittal of site plan to City staff				
	Casa Rosa (107 Third Street)	Structural Assessment of Building	Assisted City Planner over last two weeks with review of submitted qualification letters from several structural engineers to provide a structural assessment				
	Laursen Street (McGovert)	Site improvements related to building permit for new residential unit	On 11/13/18 we returned review comments on first submittal of site plan to City staff				

	Current Building and Planning Projects	Issues/Notes/general info	Status	Permit Issuance	Violations	Comments/Complaints Questions	Likelihood of Completion (Red or Green)
	Building/Planning						
1	Casa Rosa	Project not Approved - Violation issued due to work on the interior of the structure without permits or plans. Contact has been made with the property owner. City Staff had a meeting with the owner on 7/30/18. He described the situation and how it evolved into the situation right now. Staff stressed the importance of getting the building back into compliance. Further review is taking place and fines are being assessed, A Structural Engineer Report has been produced and sent to City Staff on 12/10/18. Will be presented to Council on 12/18/18	Project was approved by HRB as minor alteration (4/4/17). Scope of work indicates major alteration.	Site Design and Review performed by HRB and Planning Commission approved in April of 2017. No building permits applied for or approved.	building violation issued - Stop Work Order - work commenced without building permit. Building Official would like to inspect current condition of the building. Mandatory inspection needed.	Staff has contacted the architect and internal discussions were discussed about the integrity of the building. Planning met with Historic Society. Staff has been in contact with the applicant. Further discussion is anticipated. Staff did inspections at the site and found serious concerns related to the integrity of the building. Staff wants the sidewalk back open and the building put back into the original state. Structural Engineer produced a report with recommendations. Being presented to Council on 12/18/18. (12/11/18).	Unknown. Work is on hold because project needs an architect to draft plans and a structural engineer to assess the building.
2	Fault Line Restaurant	Project has not started due to the required work having to go through the Historical Resources Board. Garage was damaged by a tree fall in 2/17. Further building review is needed for the demolished garage. Historic review is required per City Code that references the inventory.	Council passed the First Reading of the Zone Change, the General Plan Amendment, and the Lot Merger. Second Reading is being scheduled for the 12/18/18 Council Meeting.	Project is on hold pending zone change completion	none	Staff is working with the applicant to finish the accessory building and ultimately reopen the restaurant. The item for the second reading was done on 12/18/18, but was placed on hold. The Native American Tribes need to be consulted with prior to any general plan adoption. Staff has reached out to list of tribes received and got positive feedback. Proposal is to amend the zone change so it covers 17 and 11 Franklin street. No issues identified from the tribes on those properties. (12/11/18)	12/18 second Council Reading
3	10 Franklin existing construction and demolition	approved per permit in 2015. construction has been ongoing. A new address was assigned from the existing structures to the large multi-family structure in June of 2018.	phase 1 for the multi-unit building construction	yes. For the large multi-family building and a remodel for one of the existing homes onsite	none	It is anticipated to demolish at least one of the other buildings onsite. Addresses have been assigned. The property is included in the rezoning proposal with 11 Franklin. The property owner has given the ok to include his property in that change. The second reading of the zone change did not happen because the Native American Tribes need to be included. They expressed concern about burials in or around the site. This property is not being included with the Zone Change at this time. (12/11/18)	possibly by the end of 2018 per the applicant.
4	Harvey's Lockup	progress is being made on the frontage & right-of-way improvements. Interior sprinklers have been installed in one area of the building, but need to cover the entire building per Fire Code. Fire Alarm and smoke detectors are being reviewed for next phases.	frontage work is in progress. Fire sprinkler work and prevention system to be completed when frontage work is complete.	No active building permits. Encroachment permit to be pulled as needed.		Requirements of conditions of approval are in progress. Commission reviewed the case 11/13/18. Staff presented the findings and the applicants provided testimony. Commission supports to continue working with the business owner to take the necessary steps to resolve the matter and meet the requirements as indicated in the signed agreement. No action was taken. After discussion and agreement with the owner, the full sprinkler and prevention system is anticipated to be fully installed by the end of 2020. (12/11/18)	Owner is working with his contractor to install heat and smoke detection systems.
5	Rancho Vista Subdivision	42 active permits. 1 application is on hold because of design.	Under Construction	42 active permits. 1 application is on hold because of design.	none	Construction is ongoing. Water moratorium is still in place. Staff needs to do reassign an address for one of the lots to correct a consistency issue. (10/26/18)	To be Determined - Estimate of Early 2019

	Current Building and Planning Projects	Issues/Notes/general info	Status	Permit Issuance	Violations	Comments/Complaints Questions	Likelihood of Completion (Red or Green)
6	Copperleaf Subdivision	20 permits issued as of 6-15-18	Under Construction	Permits have been issued	n/a	Applicant has been granted the deffering of two Impact fees pending agreement with city. Traffic and Park development fee held until approved agreement or Final Inspection on each project. Staff to issue addresses for the lots for clarification and consistency. (10/26/18)	To be Determined - Estimate of Winter 2019
7	Building Department activity.	Work continues on both subdivisions while smaller projects take place inside the city. Notable Projects include Midnight Express Warehouse undergoing plan check and Hillside Vista (D'Ambrosia) Model homes are undergoing plan check. (10/26/2018)	n/a	n/a	none	Code Enforcement is making regular rounds to check for work being done without permits and violations of the Municipal Code.	n/a
8	Well 3 and 6 exchange/Minor subdivision on Mission Vineyard and Old San Juan Road	NOE has been recorded and sent to the State for Minor Subdivision.	Well 6 work is moving forward	no permits issued	none	NOE and CEQA worksheet for the Waterboard has been completed and filed at the County Clerk's Office.	August of 2018 for the the completion of the exchange process that includes map recording
9	70 Muckelemi-No Project name	Applicant wishes to demolish residence that is inside the historical inventory to make way for future projects. The process is being reviewed and staff is coming up with options for the applicant. The intention is to come up with an alternative instead of demolition.	applicant is inquiring about the process involved in demolition.	no	In September of 2017 it was anticipated to hear the case about abating the nuisance by City Council. The item did not make the agenda.	Staff did a field inspection at the site on Monday, July 9, 2018. Discovered the structure is in exceedingly poor condition. Staff met with the property owner on 12/6/18. Staff is researching some information about the property and pending items. Staff to follow up with the applicant (12/11/18)	No-ETA yet.
10	Brewery	Project is showing activity towards deed to perfect and continuation of project towards to completion. Weed cleanup direction has been given to the property owner.	no applications yet, working with owner for first submittal.	No permits issued	none	Staff is working with the property owner. Met with the property owner on 12/5/18. Went through the case and a revised set of plans. Working on restarting the process. Staff to follow up with the applicant (12/11/18).	no-ETA yet
11	General Plan Timeline	General Plan was updated and adopted in 2/16. Staff has been gathering information about the General Plan and the city limits. Adjustments to move city limits to property lines are being discussed. The housing element is being reviewed to track and turn in our housing numbers. We need to do so per State requirement.	n/a	n/a	n/a	Staff is working on getting the Housing Element squared away for the State. Staff met with Lafco on 8/16/18 and went over the areas where property lines are bisected by city limits. The area where the Faultline Resturant is moving forward with the zone change. That is the first waive of the general plan cleanup. (10/26/18)	n/a
New Development							
1	Hillside Vistas	First Phase Approved	Phase 1 completed and anticipated to be built out. Phase 2 to come.	New plan submittal undergoing plan check as of 10/9/18. Planning and Engineering Approval of Models. Building is currently performing Plan Check. (11/08/2018)	none	Staff has received revised master plan set on 10/26/18. That is being reviewed and stamped off. (10/26/18)	The developer has met with staff. Eager to continue with the project

	Current Building and Planning Projects	Issues/Notes/general info	Status	Permit Issuance	Violations	Comments/Complaints Questions	Likelihood of Completion (Red or Green)
2	Loazza (957 First Street - 4 Parcel Minor Subdivision)	Review has started. Waiting for application payment. Applicants need to be notified they need to pay their application fees all upfront. Staff and City Manager discussed and that was the decision made.	CEQA review completed. Staff is starting review. Working out payment options.	No permits issued	none	Awating the \$5,000 payment at this time. One of the commissioners called in stating there is construction activity taking place. Staff reviewed this. The property owner claims they are cleaning out the existing building and doing some repair work. Staff met with them on 8/15/18. They are working on getting the agreement documents per the roundabout squared away before they proceed with their project. Staff also briefed them about the public records request from the neighboring property owner.	unknown
3	Gas Station to be located along The Alameda and Hwy 156	staff is working with the applicant to help move the project forward.	on hold	no permits have been issued	none	Staff is gathering case material. Gathering case due diligence at this time. (12/11/18)	Court ruled in favor of the project
5	410 Third Street - Peppertree Building	A series of building permits and minor alterations reviewed and issued. All for maintenace and upkeep of the property. They include residing, reroofing, dryrot repair, repaint, and a tenant improvement.	All approved and issued. The tenant improvement came in on 10/31/18.	All building permits filed thus far have been issued. No issues identified. The building is non-historic, but is located within the third street historic histriect.	n/a	A repainting application was then filed. The proposed colors all met the design guidelines and staff approved it administratively per Minor Alteration. On 10/31/18, another Minor Alteration Application was turned in. This is for a tenant improvement for an existing suite. No building expansion is proposed. Project should all be complete by the second week of January per the applicant.	No issues per staff review. Compliance is being met.
6	404 and 406 Third Street - Proposed Vietnamese Bistro and residential unit expansion	The property owners wish to open a new Bistro inside an existing building downtown. They also wish to relocate permanently to town and expand upon an existing residential unit in the rear of 406 third Street	Application submitted	No permits have been issued. A health permit has been issued previously, but no permits from the City.	n/a	Case was heard as a Minor Alteration to Planning Commission on December 4, 2018. Was approved with Conditions. Working on finalizing the resolutions. (12/11/18)	Case was approved by Planning Commission
7	Midnight Express	Approved by Commission Resolution. Plan set has been sbmitted for permit review. Comments have been issued. Awating for resubmittal with those comments met. (10/26/18).	Permit application is under building review. Planning and Engineering has issued comments.	Building permit application for warehouse submitted. Address issued of 451 San Juan-Hollister Road.	n/a	Discussion about the development took place and phasing in parts of the development were discussed. Possible changes to the conditions of approval may be discussed. The applicant submitted a letter asking for changes to the project. They would like to reduce the intensity of the project scope by reducring the size of the building (12/11/18)	staff has issued first round of comments after review.
	Infrastructure						
	Traffic Circle						
	Parking						
	Signage						

RESOLUTION 2018-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN JUAN BAUTISTA ACCEPTING THE SAN JUAN BAUTISTA MUNICIPAL AUDIT FOR FISCAL YEAR 2017-2018

WHEREAS, the City of San Juan Bautista is required under the laws of the State of California to have their financial statements audited annually, and

WHEREAS, an audit of the City's financial statements was conducted by Independent Auditor Bryant L. Jolley, CPA, and

WHEREAS, the City Council held a meeting on December 18, 2018 where, in accordance with all State and Municipal Code requirements, they reviewed the audit.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of San Juan Bautista accepts the FY 2017-2018 San Juan Bautista Municipal Audit.

PASSED AND ADOPTED by the City Council of the City of San Juan Bautista at a regular meeting held on the 18th day of December 2018, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Mayor

ATTEST:

Laura Cent, City Clerk

Darlene S. Boyd
PO Box 1003
San Juan Bautista, CA 95045
831-901-2518

November 27, 2018

Dear City of San Juan Bautista,

It is with anticipation of maintaining an active role in this city's present and future that I write this letter. I have enjoyed the past two years of training and experience being part of our city's government as a member of the Historic Resources Board and Planning Commission. I enjoy the relationships that I have developed in this position and would love to continue serving in an official capacity. I particularly enjoy analyzing, synthesizing and evaluating best practice decisions for the continued maintenance and growth of this community. I would like to continue to encourage projects that add value economically and aesthetically and promote integrity to the unique character of our community and its citizens. I particularly enjoy my continued research and outside connections with other city officials to heighten my own and our city's expertise.

Thank you for considering me for a continued position on the Historical Resources Board and the Planning Commission.

Sincerely yours,

Darlene Boyd
Member SJB HRB
Planning Commissioner

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

1. Applicant Name: Darlene Boyd
2. Current Residence: 22 North Street
Mailing Address: P.O. Box 1003, SJB, CA 95045
E-mail Address: d.boyd@san-juan-bautista.ca.us darlenesboyd@gmail.com
3. Telephone Number: (Home) 831-623-2750 (Work) _____ (Cell) 831-801-2578
4. How long have you been a resident of San Juan Bautista? July 2002
5. Are you currently serving or have you served on a City of San Juan Bautista Board, Commission, or City Council?
If yes, which one? 2017-2019 HRB Term currently serving yes
2017-2019 PC Term currently serving yes
6. What motivated you to apply for this position? You may attach a separate sheet of paper.
I have enjoyed my short tenure of both of these boards/commissions and would like to continue to play an active decision making part in our city's present and future directions.
7. What skills or attributes can you bring to the Planning Commission/HRB? You may attach a separate sheet of paper.
I am quite capable of analyzing, synthesizing and evaluating many facets of continued city development while also carrying a vision of where ~~the~~ the city may need to go to maintain its character.
8. The primary role of a Board or Commission member is to provide advice to the City Council on policy issues that are within the scope of that Board or Commission. With this in mind, what steps would you take to effectively exercise the Planning Commission/Historic Resources Board role? You may attach a separate sheet of paper.
To continue to research and deliberate upcoming projects, while also considering how they fit into an overall vision of the city's character
9. List any relevant education, training or experience that demonstrates your ability to effectively serve on the Planning Commission/Historic Resources Board. You may attach a separate sheet of paper.
I now have 2 years experience on both the HRB + PC as well as attending trainings from the League of Cities both years. I also continue to auto educate through periodical reading, online related websites and tapping into my own institutional knowledge base.

Applicant's Name Darlene Boyd

10. List and provide a brief description of your current or last occupation:

Retired school teacher: curriculum planning & implementation, crowd control, advocacy, collaboration

11. Have you attended a City Council, Planning Commission/HRB meeting, Strategic Planning Committee, Town Hall Meeting, or public workshop? If so, please describe what you learned and what improvements you would suggest the City consider.

1) minimize damages left from our previous admin.
2) encourage economic development through smart growth
3) work to obtain/maintain public trust through transparency
4) Continue to refine & improve a vision of SJB's potential

12. Describe your involvement in community activities, volunteer and civic organizations.

Volunteer: HRB-PC, CAB (Community Action Board) for County of SB, 150th Anniversary sub-committee for marketing & promotion

13. Do you have any physical or mental constraints which may limit your ability to perform the duties of a Planning Commissioner/Historic Resources Board member? If yes, what can be done to accommodate these constraints?

no

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

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

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

IMPORTANT NOTICE

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

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

Signature of
Applicant

Darlene S. Boyd

Date

Nov. 27, 2018

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

Luis Matchain

59 Muckelemi St. Apt. 103
San Juan Bautista, CA - 95045
(831) 313-8703
lmatchain@gmail.com

December 03 2018

City of San Juan Bautista
311 Second Street
PO Box 1420
San Juan Bautista, CA 95045


Michaele LaForge
City Manager

Dear Michaele, I submit this Letter of interest for Planning Commission/Historic Resources Board Open Seat, I would to be considered for such four years term position.

Application is attached.

Please don't hesitate to communicate to me by phone or email for further questions.

Best Regards,
Luis Matchain



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

1. Applicant Name: LUIS MATCHAIN
2. Current Residence: 59 MUÑELES ST. APT. 103, SAN JUAN BAUTISTA
Mailing Address: lmatchain@gmail.com / SAME AS RESIDENCE
E-mail Address: lmatchain@gmail.com / matchain@aol.com
3. Telephone Number: (Home) _____ (Work) _____ (Cell) (831) 313-8703
4. How long have you been a resident of San Juan Bautista? 7 YRS.
5. Are you currently serving or have you served on a City of San Juan Bautista Board, Commission, or City Council?
If yes, which one? HRB Term currently serving 2005-2006
Term currently serving _____
6. What motivated you to apply for this position? You may attach a separate sheet of paper.
I'M MOTIVATED BY THE WILLINGNESS TO COLLABORATE MORE BROADLY WITH THE CURRENT ADMINISTRATION OF THE CITY. CONTRIBUTE WITH IDEAS AND EXPERIENCE FOR THE BEST DEVELOPMENT OF SAN JUAN.
7. What skills or attributes can you bring to the Planning Commission/HRB? You may attach a separate sheet of paper.
HAVE MORE THAN 25 YEARS OF EXPERIENCE IN THE CONSTRUCTION, DESIGN, OF HOMES, RESIDENCES, HOME/RESIDENTIAL DEVELOPMENTS AND COMMERCIAL DEVELOPMENTS. RECENTLY ADDING SELF-SUSTAINING DESIGN TO THIS DEVELOPMENTS AND ECO-TECHNOLOGIES.
8. The primary role of a Board or Commission member is to provide advice to the City Council on policy issues that are within the scope of that Board or Commission. With this in mind, what steps would you take to effectively exercise the Planning Commission/Historic Resources Board role? You may attach a separate sheet of paper.
TO HAVE A FUNCTIONAL BUILDING^{DEPT.} IN THE CITY OF SAN JUAN.
REORDER CURRENT MASTER PLAN OF SAN JUAN
BOOST COMMERCIAL ZONE IN SAN JUAN
IMPROVE WATER, AND STREETS INFRASTRUCTURE
9. List any relevant education, training or experience that demonstrates your ability to effectively serve on the Planning Commission/Historic Resources Board. You may attach a separate sheet of paper.
BACHELORS DEGREE AS ENGINEER-ARCHITECT (IPN-ESIA)
CONT. EDU. BY AIA. (ADA UPDATES, ETC.)

Applicant's Name LOIS MATCAA IN

10. List and provide a brief description of your current or last occupation:

WORKING AS ARCHITECT BOTH MEXICO AND USA, DESIGNING
RESIDENCES AND HOMES / COMMERCIAL DEVELOPMENTS.

11. Have you attended a City Council, Planning Commission/HRB meeting, Strategic Planning Committee, Town Hall Meeting, or public workshop? If so, please describe what you learned and what improvements you would suggest the City consider.

NOT RECENTLY

12. Describe your involvement in community activities, volunteer and civic organizations.

MEMBER OF ROTARY CLUB OF SAN JUAN BAPTISTA.
BOARD MEMBER OF SAN BENITO HEALTH FOUNDATION

13. Do you have any physical or mental constraints which may limit your ability to perform the duties of a Planning Commissioner/Historic Resources Board member? If yes, what can be done to accommodate these constraints?

NONE.

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

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

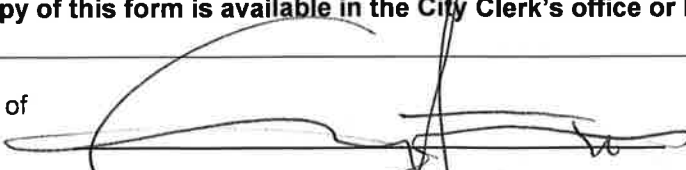
YOUR APPLICATION IS NOT COMPLETE UNTIL IT IS SIGNED AND RETURNED.

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Signature of
Applicant



Date

11/26/2018

Please fax (831-623-4993), e-mail (deputycityclerk@san-juan-bautista.ca.us), mail or deliver to: City Hall, P. O. Box 1420, 311 Second Street, San Juan Bautista, CA 95045

City Council Board and Committee Membership Responsibilities

<i>Organization</i>	<i>Primary</i>	<i>Secondary</i>	<i>Meeting Times</i>	<i>Remuneration</i>
LAFCO		Dan DeVries	4 th Thursday 6:00 pm	None
AMBAG	John Freeman		2 nd Wednesday 7:00 pm	\$50
COG			3 rd Thursday 2:00 pm + daytime special meetings	\$100
WRA	John Freeman		Monthly 1 st Thursday	None
West Nile Virus (San Benito County)			Monthly 4 th Wednesday 3:15 pm	None
Integrated Waste Mgmt.-Local Task Force			Meets annually.	None
Monterey Bay Unified Air Pollution Control District Board (alternates between Hstr. & S.Cruz Co. cities)	Hollister	S. Cruz County City	3 rd Wednesday 1:30 pm Rotating membership	\$100
Fire Protection			Monthly 1 st Thursday 8:30 am	None
CMAF	Art Testani	---	Monthly	None
Intergovernmental Committee			Monthly, 1 st Thursday 10:30 am	None
Ad Hoc Committee for Infrastructure Project Funding			As needed.	None
Ad Hoc Committee for Parking Within the City			As needed.	None
Ad Hoc Committee for Sheriff Contract	Dan DeVries		As needed.	None
Cannabis Ad Hoc Committee	Dan DeVries			
Investment Advisory Committee	Dan Devries, CM, Treas., Accountant		As needed.	
San Benito Homeless Planning Group		----	Monthly, 2 nd Monday 2:00 pm	

RESOLUTION 2018-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN JUAN BAUTISTA AUTHORIZING CHANGES TO THE DESIGNATED SIGNERS ON THE CITY'S BANK ACCOUNTS AT UNION BANK

WHEREAS, Jim West and Charles Anthony Boch are no longer members of the City Council for the City of San Juan Bautista, and

WHEREAS, Council Members _____ and _____ have been selected as having signature authority on City bank accounts at Union Bank.

NOW, THEREFORE, BE IT RESOLVED THAT THE CITY COUNCIL hereby requests Union Bank remove Jim West and Charles Anthony Boch from the City bank accounts, and add _____ and _____ as authorized signers on City bank accounts.

FURTHER, the City Council hereby confirms that the total list of signatories consists of Charles Geiger, Michael LaForge, John Freeman, _____ and _____ and all previously authorized check signers are hereby revoked. This shall be in effect for the checking account, and

FURTHER, the City Council hereby authorizes Wendy Cumming, CPA to have access to bank information but *not* added as a check signer.

PASSED AND ADOPTED this 18th day of December 2018 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST:

Mayor

City Clerk



REVISED

CITY OF SAN JUAN BAUTISTA CITY COUNCIL STAFF REPORT

AGENDA TITLE: **Revised-City Review of Casa Rosa Status and Structural Engineers Report**

MEETING DATE: December 18, 2018

SUBMITTED BY: Todd Kennedy, Associate Planner

CURRENT STATUS AND NEXTS STEPS:

1. Owners first reached out to CM March 16, 2016
2. Owners purchased property
3. Owners demolished property without a permit late 2016
4. City staff was aware that the property was being demolished 2015/2016
5. Project went through planning process and was approved by PC and HRB April 4, 2017
6. No permits were ever issued
7. City red tagged April 2018 and when new staff started investigating case and discovered no demo permits were ever issued. Owner was notified and assured the city he would correct.
8. Owner came to City Hall to hear potential citations he was facing. He claimed that he had approval from the city to do demo. August 2018
9. Sidewalk under balcony was safety barricaded Sept 2018 when contractor hired by a potential buyer complained about the safety of the building
10. Search for structural engineering firm began Sept 2018
11. Structural engineer hired Oct 2018
12. Structural assessment conducted Nov 2018
13. Structural eng report complete Dec 10 2018
14. Notice sent to owner to giving him report and opportunity to fix the building to make it safe, pay for the report and admin expenses or the city will declare the building a nuisance property and proceed with abatement, city will fix it and lien property for expenses incurred Dec 14 2018
15. Owner has until Dec 24, 2018 to tell respond, Jan 14, 2019 to obtain permit to fix bldg.; Jan 24, 2019 to complete the safety fix
16. If owner does not respond, then the city will declare the property a nuisance, abate it, do work and lien property

ATTACHMENTS:

1. Structural Engineers Report
2. 12/14/18 Letter to owner



City of San Juan Bautista

The "City of History"

ADDITIONAL

City of San Juan Bautista Compliance Order

P.O. Box 1420
311 Second Street
San Juan Bautista
California 95045
(831) 623-4661
Fax (831)623-4093

City Council
Mayor
Jim West

Vice Mayor
John Freeman

Councilmember
Tony Boch

Councilmember
Chris Martorana

Councilmember
Dan DeVries

City Manager
Michael LaForge

City Clerk
Mackenzie Quaid

City Treasurer
Chuck Geiger

Fire Chief
John Fox

Owner: Greg Burda
Date: 12/14/18
Location: 107 Third Street

Dear Mr. Burda,

This notice is in regard to your property of 107 Third Street in the City of San Juan Bautista. We contracted a Structural Engineer to perform an inspection and report of the structural integrity of the building.

In the report, attached to this Compliance Order, are the requirements to restore integrity to the structure. The estimated cost to make the building safe is \$15,000.00 – \$20,000.00. You have the option to initiate the repairs to the building, but the steps listed below must be taken:

1. Let the city know that you plan to complete items in the report attached by the 24th of December, 2018.
2. Obtain a Building Permit by the 14th of January, 2019.
3. Complete the repairs, beginning with the Balcony reinforcement by the 24th of January, 2019.

Should no response or initial application be presented to the city within such timeline, the city will be forced to initiate the procedure in regards to Dilapidated Buildings contained in the San Juan Bautista Municipal Code, Section 5-22. The Chapter dictates the following process:

1. Notice to Abate Nuisance hearing is posted 10 days prior to hearing by City Council.
2. The hearing shall proceed with testimony of Staff and testimony of the owner if present.
3. If found a nuisance, a Resolution will be passed declaring the nuisance directing the owner to action within 30 days.
4. If 30 days elapses or if the owner is unable to complete the order, the City will take action to abate.
5. An account of expenses after completion by city is brought to City Council to be assessed against the property in the form of a lien.



City of San Juan Bautista

The "City of History"

ADDITIONAL

City of San Juan Bautista Compliance Order

P.O. Box 1420
311 Second Street
San Juan Bautista
California 95045
(831) 623-4661
Fax (831)623-4093

City Council

Mayor
Jim West

Vice Mayor
John Freeman

Councilmember
Tony Boch

Councilmember
Chris Martorana

Councilmember
Dan DeVries

City Manager
Michael LaForge

City Clerk
Mackenzie Quaid

City Treasurer
Chuck Geiger

Fire Chief
John Fox

Owner: Greg Burda

Date: 12/14/2018

Location: 107 Third Street

Please respond at your earliest convenience.

Sincerely,

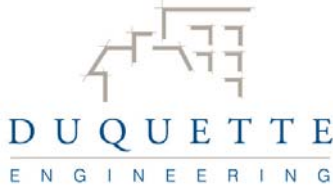
Timothy Parshall
Code Enforcement - City of San Juan Bautista

December 10, 2018

City of San Juan Bautista
Planning Department
311 Second Street
PO Box 1420
San Juan Bautista, CA 95045

Attention: Todd Kennedy

Subject: 107 3rd Street, San Juan Bautista, California



Duquette Engineering made a site visit to the subject property on November 20, 2018. We were able to gain access to both the exterior and interior of the structure. Our observations are as follows;

General Conditions

- Construction on the project was started and then has stopped.
- The large additions in the rear of the property have all been demolished, leaving the rear wall and foundation of the historic portion of the building open, loose plywood has been placed over the opening in the wall.
- The interior finishes in the historic portion of the building have all been removed.
- A large area of the first floor has been removed and a foundation strengthening has been poured along the front wall. No details for this work were provided.

Safety Risks

In general there are three areas of risk;

- 1) Life safety risk to the occupants. Since the building is unoccupied at this time and conceivably will remain so until construction is completed there is no life safety risk to occupants. The condition of the building is what would be industry standard for any construction project of this type.
- 2) Life safety risk to the public or neighboring properties. The overall structure should not be considered dangerous. The existing siding provides sufficient lateral bracing to make the structure stable. There are two areas of concern;
 - a. The existing unreinforced chimney is unbraced. The risk to the public is low but in a seismic event it will most likely collapse into the side yard.
 - b. The front porch cover/second floor balcony is not showing any sign of distress but there are areas of significant rot on the outer edge. This edge is where the diagonal braces attach. The concern is that the deterioration might cause a failure. Since this front porch cover/second floor balcony is over the public R/W it would seem prudent to provide a secondary support until repairs and an engineered solution that allow the structure to remain as it was originally constructed. This is a condition that exists in the front of many of the buildings on Third Street. Most have already provided this type of support. Please see the attached sketches.

4340 Stevens Creek Blvd.
Suite 200
San Jose, CA 95129

Phone: (408) 615-9200
Fax: (408) 615-9900

- 3) Risk to the historic resource. This structure is a part of the historic downtown and steps should be taken to insure that this historic building will remain a part of the downtown well into the future. There are several conditions that pose a risk to the structure itself. These conditions are often tolerated for a short time during the construction process but in this case construction has stopped and it does not appear that it will begin again for some time. Steps should be taken to mitigate further damage to the building in the following areas, some of which have already been mentioned above;
- a. The unbraced unreinforced chimney.
 - b. The rot in the front porch cover/second floor balcony.
 - c. The lack of interior finish. The existing walls are only braced by the existing straight siding. Siding is sufficient to prevent collapse however it is not sufficient to prevent raking of the structure during a seismic event. Steps should be taken to add at least one 4 foot full height panel on each exterior wall and also on the interior wall the runs down the middle of the building. The plywood should be nailed with 10d @ 4" o.c. edges and 12" o.c. in the field.
 - d. The structure is open to the elements in several locations. This condition allows the wind and rain into the building. It also allows animals to occupy the building. Allowing these conditions to continue, will add to the deterioration of the structure.

If you have any question, please do not hesitate to contact me at (408) 615-9200 or via email at spd@duquette-eng.com.

Very Truly Yours,
DUQUETTE ENGINEERING
Steven P. Duquette SE
President





Front Elevation



Rear Elevation



New foundation strengthening at front exterior wall. Note the demolished floor framing.



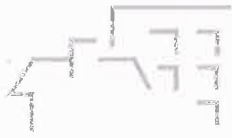
Unbraced unreinforced chimney at exterior.



Unbraced unreinforced chimney at interior.



Front Porch Cover/Second Floor Balcony



DUQUETTE
ENGINEERING

4340 Stevens Creek Blvd.
Suite 200
San Jose, CA 95129

Phone: (408) 615-9200
Fax: (408) 625-9900

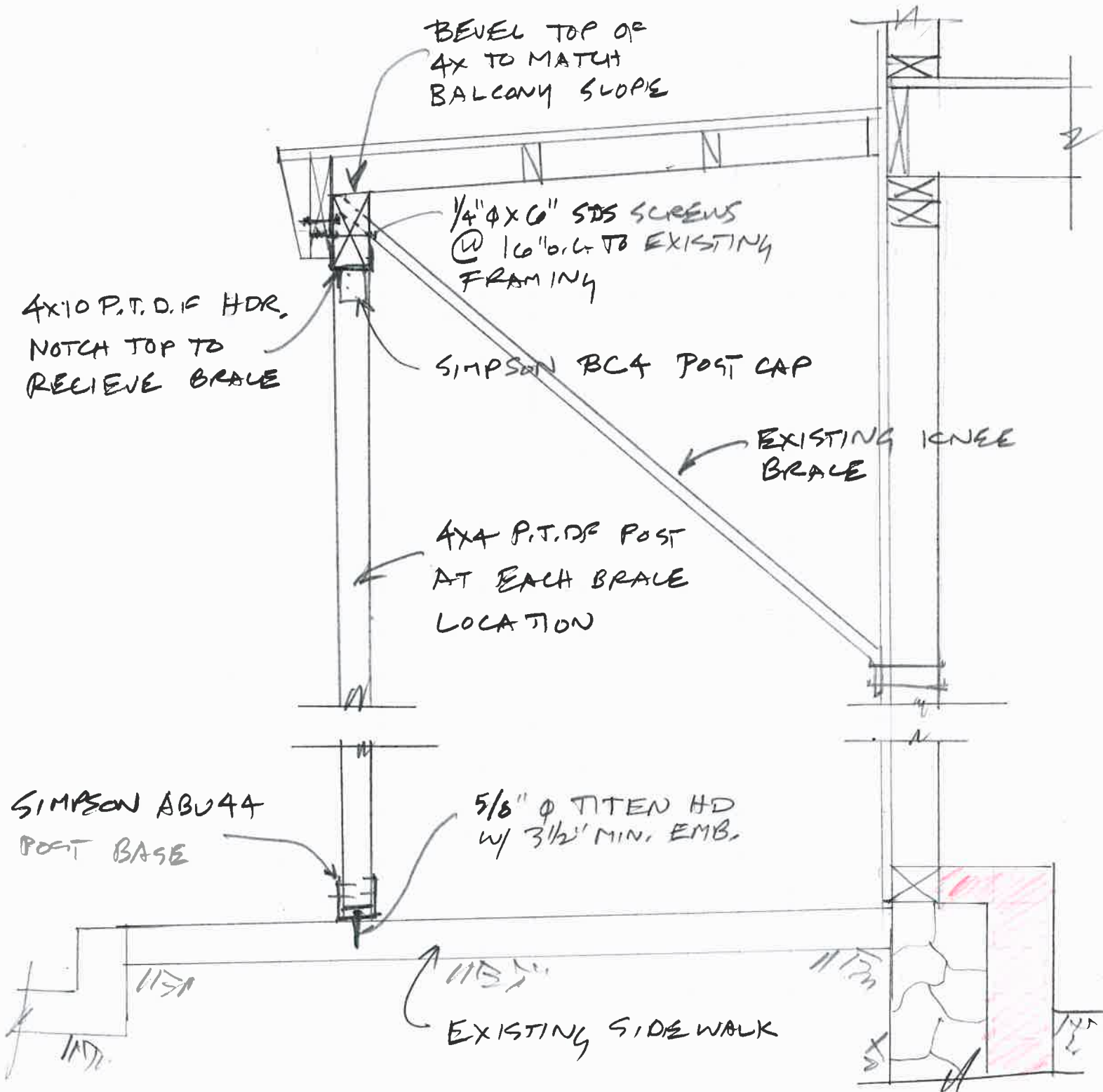
Sheet: 7 OF 7

Date: 12/10/2018

Job #: 17-0055.1

Project: 107 Third Street, San Juan Bautista -
Consultation

By: SPD





CITY OF SAN JUAN BAUTISTA CITY COUNCIL STAFF REPORT

AGENDA TITLE: Second Reading to Approve a Categorical Exemption under CEQA and a City Initiated Zone Change for parcels located at 11 and 17 Franklin Street from Public Facility (PF) to Mixed-Use (MU).

MEETING DATE: December 18, 2018

SUBMITTED BY: Todd Kennedy, Associate Planner

RECOMMENDED ACTION: Approve a City-Initiated Zone Change from Public Facility (PF) to Mixed Use (MU) for the properties located at 11 Franklin Street (APN 002-340-006 and 002-340-007) and 17 Franklin Street (APN 002-340-003) and tabling the zone change for 10 Franklin until Amah Mutsun Tribal Band concerns have been addressed.

BACKGROUND INFORMATION:

City Council considered the zone change at their meetings on October 16, 2018 and on November 20, 2018. The City initiated zone change recommended by staff included property at 10 Franklin Street (APN 002-490-002). At the November 20th hearing, concern was raised by the Amah Mutsun Tribal Band (AMTB) regarding the 10 Franklin parcel being part of an Indian burial ground. The AMTB requested that further review be done on 10 Franklin property and the Council continued the second reading to the December City Council meeting. AMTB does not have the same concerns with 11 and 17 Franklin.

Staff is recommending that the City Council approve the zone change for 11 and 17 Franklin but not for 10 Franklin until the City can address whether the property is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Article 19, Sections, 15300.2 15305, 15303, 15331, and 15332. Pursuant to CEQA Guidelines Section 15300.2 a categorical exemption "shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances." Without further examination regarding whether this zone change impacts on tribal resources at 10 Franklin, staff is not comfortable supporting a categorical exemption for the parcel. Staff has made findings to support a categorical exemption for the remaining sites. It is noted that this action is a zone change back to an original classification, which presents no impact on the environment. No development is approved as a result of this action. Any further development of 11 and 17 Franklin Street, will require CEQA review.

REVISED

Item 6F
City Council Meeting
December 18, 2018

ATTACHMENTS:

1. Draft Ordinance
2. CEQA Memo
3. Current Zoning Map
4. Zoning Map with Proposed Zone Change

ORDINANCE 2018 - XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN JUAN BAUTISTA APPROVING A CITY-INITIATED ZONE CHANGE OF THREE PARCELS SITUATED AT 11 FRANKLIN STREET (APN 002-340-006 AND 002-340-007) AND 17 FRANKLIN STREET (APN 002-340-003) FROM PUBLIC FACILITY (PF) DISTRICT TO MIXED-USE (MU) DISTRICT

WHEREAS, the City Council received a recommendation from the Planning Commission by a unanimous vote to rezone Assessor Parcel No. 002-340-006 and 002-340-007 situated at 11 Franklin Street, Assessor Parcel No. 002-340-003 situated 17 Franklin Street, Assessor Parcel No. 002-490-002 situated at 10 Franklin Street within the City of San Juan Bautista, and

WHEREAS, the City Council reviewed the recommendation from the Planning Commission and received the staff report describing the properties necessary for rezoning the parcels, and

WHEREAS, the City Council finds that the properties are within the existing City boundary, and public utility services are available to serve the property, and

WHEREAS, the Environmental Impact Report for the General Plan Update to change the Zoning Classification for the four parcels adjacent to Franklin Street northeasterly of Second Street from Public Facility to Mixed-Use was approved by the City Council on February 16, 2016 by Resolution 2016-10, and

WHEREAS, the City Council reviewed the staff report for the project together with findings that the proposed rezoning is categorically exempt from CEQA (California Environmental Quality Act) review, and

WHEREAS, it was discovered that further review for 10 Franklin Street (APN 002-490-002) has been determined as necessary and will not be included in this Zone Change, and

WHEREAS, the City Council determined that the rezoning of the parcels to the zoning classification of MU – Mixed-Use is consistent with the existing land use and the parcels will be consistent with the previous 1998 General Plan and Land Use Designation as intended by the property owners and the City of San Juan Bautista.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of San Juan Bautista hereby amends current Zoning Classification of the of the following parcels listed below.

11 Franklin Street – APN/Parcel ID 002-340-006 and 002-340-007

17 Franklin Street – APN/Parcel ID 002-340-003

To be amended from Public Facility (PF) to Mixed-Use (MU).

THE FOREGOING ORDINANCE was first read at a regular meeting of the San Juan Bautista City Council on _____ and was adopted at a regular meeting of the San Juan Bautista City Council on _____ by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Mayor

ATTEST:

Laura Cent, City Clerk



ADDITIONAL

City of San Juan Bautista

The "City of History"

Project Description

This project includes a Zone Change for three parcels located along Franklin Street in San Juan Bautista. The addresses and parcel numbers are as follows.

- 11 Franklin Street – APN 002-340-006 and 002-340-007
- 17 Franklin Street – APN 002-340-003

This project is City-Initiated and being put forward in order to make a correction to the current Zoning Map. Before the Zoning Map was updated in 2016, those parcels were zoned Mixed-Use (MU). After the Zoning Map Update, those parcels were rezoned to Public Facility (PF). That change was unintended and created an issue for the subject parcels by making them non-conforming. One of the properties currently has a residential use onsite and the other one has a restaurant onsite. Staff's goal is to amend this error identified in the Zoning Map.

Qualifications for a Categorical Exemption

California Environmental Quality Act (CEQA) Guidelines Section 15300 includes a list of classes of projects which have been determined not to have a significant effect on the environment and are exempt from the provisions of CEQA.

Per CEQA Guidelines Section 15300.2 (Exceptions), there are the following exceptions to the use of a categorical exemption:

- (b) Cumulative Impact. All exemptions for these classes are inapplicable when the cumulative impact of successive project of the same type in the same place, over time is significant.
- (c) Significant Effect. A categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances.
- (d) Scenic Highways. A categorical exemption shall not be used for a project which may result in damage to scenic resources, including but not limited to, trees, historic buildings, rock outcroppings, or similar resources, within a highway officially designated as a state scenic highway. This does not apply to improvements which are required as mitigation by an adopted negative declaration or certified EIR.

ADDITIONAL

- (e) Hazardous Waste Sites. A categorical exemption shall not be used for a project located on a site which is included on any list compiled pursuant to Section 65962.5 of the Government Code.
- (f) Historical Resources. A categorical exemption shall not be used for a project which may cause a substantial adverse change in the significance of a historic resource.

Project Findings in Support of a Categorical Exemption

Based on an examination of the Project and supporting information, the following statements are true and the Project would not trigger any categorical exemption exceptions per Section 15300.2 of the CEQA Guidelines:

- (b) Cumulative Impacts: The Project is a Zone Change for two properties to make a correction of the current Zoning Map. There are no proposals for development in any way. The only development is a reconstruction in kind of an 820 square foot accessory building located at 11 Franklin Street. There are no other development proposals to take place on these sites.
- (c) Significant Effects: The existing land use taking place is one residential use at 17 Franklin Street and no changes proposed to that site. There is an existing restaurant building located at 11 Franklin Street that includes a gazebo. Previously, there was an accessory building located onsite used for parking and storage purposes. That building was demolished because of damages that happened. The building is proposed to be reconstructed in kind and in its original location and using the original footprint and foundation elements. A Zone Change to MU would enable building to be restored and reconstructed in its original form and design. Based on this review, there is no indication a significant effect on the environment will take occur.
- (d) Scenic Highways: The Project site is not located near any highway that is officially designated as a state scenic highway or county scenic highway, or eligible for designation, according to the California Scenic Highway Mapping system.
- (e) Hazardous Waste Sites: The Project is located within city limits and has a residential unit and a restaurant currently onsite, and it is not located on a site included on any list compiled pursuant to the California Environmental Protection Agency (Cortese List). Research was conducted on lists that comprise the Cortese List, and no lists include the project site or any hazardous materials sites within the vicinity of the site.
- (g) Historical Resources: This Project includes a zone change on two properties located at both 17 Franklin Street and 11 Franklin Street. Both properties are listed in the City of San Juan Bautista Inventory of Historic Resources. Located at 17 Franklin Street is a historic residential property. No changes or alterations are proposed onsite. Located at 11 Franklin Street, there is an existing restaurant with a gazebo, and a previously existing 820 square foot accessory building. This


ADDITIONAL

building is documented in the City's inventory as part of the historic property. This building is proposed to be reconstructed in kind and using its original footprint and location. By this reconstruction, a historic resource is being rehabilitated and putting back into the standards indicated in the City's inventory. No other alterations or developments are taking place at this location. After reviewing this project with the Native American Tribes provided to the City from the Native American Heritage Commission, there are no issues with this project. It was stated that if there is any significant ground disturbance, an archeologist must be on site and the workers should be informed of the area where they are working. The scope of work does not appear to trigger any ground disturbance than what has been since the building was first built. Furthermore, this project was reviewed with the State Park Staff. It was agreed with the Native American Tribes. There does not appear to be any significant effects to historic or cultural resources. However, any future development proposed onsite will require an archeological survey. As stated, the only development proposed is the reconstruction of an 820 square foot building in kind. Therefore, this project will not cause a substantial adverse change in the significance of any historic resources.


This Project constitutes a single and complete project and functions independently of any other improvements to meet the stated purpose. For the reasons stated above, this Project is categorically exempt from CEQA.





Legend


 San Juan Bautista City Limit


Zoning


 Agriculture


 Business Park/Com


 Commercial


 High Density Residential


 Industrial


 Low Density Residential

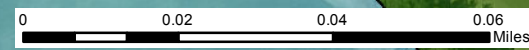
 Medium Density Residential

 Mixed-Use

 Open Space


 Public Facility

 Single Family Residential








Legend


 San Juan Bautista City Limit


Zoning


 Agriculture


 Business Park/Com


 Commercial


 High Density Residential


 Industrial


 Low Density Residential

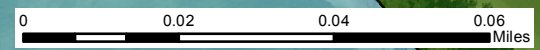
 Medium Density Residential

 Mixed-Use

 Open Space

 Public Facility

 Single Family Residential



CITY OF SAN JUAN BAUTISTA
CITY COUNCIL STAFF REPORT

To: The Honorable Mayor and Council Members

From: The City Attorney

RE: ADOPTION OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN JUAN BAUTISTA ADDING CHAPTER 5-32 “CANNABIS BUSINESS ACTIVITIES TAX ORDINANCE OF THE CITY OF SAN JUAN BAUTISTA” TO TITLE 5 “PUBLIC HEALTH, SAFETY AND WELFARE” OF THE SAN JUAN BAUTISTA MUNICIPAL CODE AND APPROVAL OF AN EXEMPTION UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

Date: December 11, 2018

REQUEST:

It is requested that the City Council:

1. Approve the environmental review; and
2. Review and approve by first and second reading the attached Ordinance to tax cannabis business activities.

BACKGROUND

The City Council placed a ballot measure on the ballot for the November General Election for the voters to approve a general tax on cannabis business activities. The November Election results were certified on November 28, 2018 and the measure passed by more than 50% of the vote. For purposes of Proposition 218, the measure has passed and an ordinance can now be adopted to implement the tax.

ENVIRONMENTAL REVIEW

The approval of this Ordinance is exempt from the California Environmental Quality Act (Public Resources Code §§ 21000 et seq. (“CEQA”) and 14 Cal. Code Reg. §§ 15000 et seq. (“CEQA Guidelines”), and would not be a project pursuant to 14 CCR 15378(3)(4),(5)

DISCUSSION

Pursuant to Section 5-31-290 of the City Code, the Cannabis Facilities Regulatory Permit Ordinance does not “become operative and applications for a regulatory permit ... shall not be accepted by the City Manager or designee, nor a regulatory permit issued unless both of the following occur:

- (1) The City Council submits a City tax on cannabis facilities to the voters, the voters approve the tax, and the tax is certified by the County pursuant to Section 15372 of the California Elections Code.

(2) Written implementing regulations have been approved by the City Council for the type of cannabis facility permit for which application is sought. The City Council may impose such conditions of approval as it deems appropriate.

The voters approved the City tax on cannabis activities and the election result was certified. The City Council previously reviewed the Ordinance to tax cannabis business activities, which is attached as Exhibit "A." The City was required to wait until the tax was approved by the majority of the voters at a General Election, as required by Proposition 218, until it formally adopted the Ordinance. Since that has occurred, enactment of the Ordinance is now required by a first reading at the December meeting and second reading in January.

It is noted that permits will not be issued until written implementing regulations are approved by the City Council. Such regulations have been drafted but there have been staff changes since the regulations were drafted. The City Manager will need to ensure that the regulations present a viable procedure for accepting, selecting and issuing permits and that there is adequate staffing. The City Council may want to appoint a new member to the ad hoc committee, to replace Council Member Martorana, for final review of the Regulations and other tasks as required by the City Manager. The final version of the Regulations will then be presented to the City Council for adoption by resolution, together with an Ordinance to repeal the current ban on all cannabis related activities. It will take two readings of the Ordinance and a wait of thirty days for it to be effective. The process for issuing permits can then commence.

CONCLUSION

It is recommended that the City Council approve the attached Ordinance and direct staff to return with the Regulations, for adoption by resolution.

Exhibit “A”

**ORDINANCE NO.
XXXX**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN JUAN
BAUTISTA ADDING CHAPTER 5 . 3 2 “CANNABIS BUSINESS ACTIVITIES TAX
ORDINANCE OF THE CITY OF SAN JUAN BAUTISTA” TO TITLE 5 “PUBLIC
HEALTH, SAFETY AND WELFARE” OF THE SAN JUAN BAUTISTA
MUNICIPAL CODE**

Section 1. EVIDENCE

The City Council has considered all of the evidence submitted into the administrative record, which includes, but is not limited to, public comments, both written and oral, received and/or submitted at, or prior to the City Council’s consideration of this Ordinance.

**Section 2. ADDING CHAPTER 5.32 “CANNABIS BUSINESS ACTIVITIES TAX
ORDINANCE OF THE CITY OF SAN JUAN BAUTISTA” TO THE SAN JUAN
BAUTISTA MUNICIPAL CODE**

Title 5 “PUBLIC HEALTH, SAFETY AND WELFARE” of the San Juan Bautista Municipal Code shall be amended to add in its entirety as follows:

Chapter 5.32

CANNABIS BUSINESS ACTIVITIES TAX

Sections:

5.32.010	Title
5.32.020	Authority and Purpose
5.32.030	Intent
5.32.040	General Tax
5.32.050	Definitions
5.32.060	Tax Imposed
5.32.070	Exemptions
5.32.080	Tax, Penalties, Interest, and Fees as a Debt
5.32.90	Administration
5.32.100	Registration; Change of Ownership
5.32.110	Reporting and Remittance of Tax
5.32.120	Deficiency
5.32.130	Delinquency; Notice Not Required By City
5.32.140	Penalties, Fees, and Interest
5.32.150	Waiver of Penalties
5.32.160	Refunds; Credits

- 5.32.170 Notice of Assessment
- 5.32.180 Assessment Hearing
- 5.32.190 Appeal From Assessment Hearing
- 5.32.200 Enforcement
- 5.32.210 Apportionment
- 5.32.220 Constitutionality and Legality
- 5.32.230 Recordkeeping; Audit
- 5.32.240 Other Licenses, Permits, Tax, Fees, or Charges
- 5.32.250 Payment of Tax Does Not Authorize Unlawful Activities
- 5.32.260 Manner of Giving Notice
- 5.32.270 Unlawful Activities Designated; Misdemeanor
- 5.32.280 Violation; Taxes Not Waived
- 5.32.290 Severability
- 5.32.300 Remedies Cumulative
- 5.32.310 Amendment or Repeal

5.32.010- TITLE.

This article shall be known as the “Cannabis Business Activities Tax Ordinance of the City of San Juan Bautista.”

5.32.020- AUTHORITY AND PURPOSE.

- (A) This article is adopted pursuant to the MAUCRSA, specifically California Revenue and Taxation Code Section 34021.5, as may be amended, California Government Code Section 53724, California Elections Code Section 9217, and upon approval by the electorate in accordance with Section 2 of Article XIII C of the Constitution of the State of California and Government Code Section 53723.
- (B) This article is adopted to achieve the following purposes, among others, and directs that the provisions herein be interpreted in order to accomplish those purposes:
 - a. To impose a tax upon cannabis businesses for the privilege of engaging in cannabis business activities, whether medicinal or non-medicinal, in the City of San Juan Bautista.
 - b. To specify the type of tax, the rate of tax to be levied, and the method of collection.
 - c. To comply with all requirements of imposition of a general tax, such tax to become operative only if submitted to the electorate and approved by a majority vote of the voters voting in the election on the issue.

5.32.030 - INTENT.

- (A) This article is enacted solely for the purpose of raising revenue for general City purposes, and is not intended to be regulatory.
- (B) Nothing in this article is intended, nor shall be construed, to exempt cannabis businesses from compliance with all applicable provisions of the San Juan Bautista Municipal Code and all other applicable State and federal laws.
- (C) The intent of this article is to levy a tax on all cannabis businesses that operate in the City, regardless of whether such business would have been legal at the time this article was enacted. Nothing in this article shall be interpreted to authorize or permit

any cannabis business activity that would not otherwise be legal or permissible under laws applicable to the activity at the time the activity is undertaken.

- (D) The Cannabis Business Activities Tax is levied based upon gross receipts and/or square footage of cannabis plant canopy, depending on the type of cannabis business activity in which a cannabis business is engaged.
- (E) The Cannabis Business Activities Tax is an excise tax, i.e., it is not a sales and use tax, a transaction and use tax, a tax upon income, a tax upon real property, or any other type of tax.

5.32.040 - GENERAL TAX.

The Cannabis Business Activities Tax is a general tax enacted solely for general governmental purposes of the City and not for specific purposes. All of the proceeds from the tax imposed by this article shall be placed in the City's general fund and used for unrestricted general revenue purposes.

5.32.050 - DEFINITIONS.

- (A) "Cannabis" means all parts of the plant *Cannabis Sativa* Linnaeus, *Cannabis Indica*, or *Cannabis Ruderalis*, whether growing or not; the seeds thereof; the resin, whether crude or purified, extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds, or resin. "Cannabis" also means the separated resin, whether crude or purified, obtained from cannabis. "Cannabis" does not include the mature stalks of the plant, fiber produced from the stalks, oil or cake made from the seeds of the plant, any other compound, manufacture, salt, derivative, mixture, or preparation of the mature stalks (except the resin extracted therefrom), fiber, oil, or cake, or the sterilized seed of the plant which is incapable of germination. For the purpose of this division, "cannabis" does not mean "industrial hemp" as defined by Section 11018.5 of the Health and Safety Code.
- (B) "Cannabis business," means any person engaged in any cannabis business activity, as those terms are defined in this article.
- (C) "Cannabis business activity" or "cannabis business operation" shall have the meaning set forth in California Business and Professions Code Section 26001, subdivision (k). Cannabis business activity does not include personal cultivation as defined by Health and Safety Code Section 11362.2, as may be amended.
- (D) "Cannabis Business Activities Tax" means the tax due under this article for engaging in cannabis business activities in the City.
- (E) "Cannabis products" shall have the same meaning set forth in Revenue and Taxation Code Section 34010, subdivision (g).
- (F) "Canopy," "canopy area," "plant canopy," "plants canopy area," or "cultivation area" means the cumulative total square footage of all areas occupied by any portion of a cannabis plant, inclusive of all vertical planes, whether contiguous or non-contiguous, including the space between plants within the canopy area, on any one site as calculated by the City Manager, or their designee, but does not include aisles or other open areas outside the canopy area. The canopy includes, but is not limited to, the area occupied by cannabis plant seeds, seedlings, immature plants, mature plants, or any cannabis plant, or part thereof, in any stage of processing, including

- harvesting, drying, curing, trimming, etc.
- (G) “City” means the City of San Juan Bautista.
- (H)
- “Cultivation” means any activity involving the propagation, planting, growing, harvesting, or processing, as defined in this article, of one or more cannabis plants, or any part thereof, in any location, indoor or outdoor, including from within a fully enclosed and secure building or structure.
- (I) “Cultivator” means a person engaged in the cultivation of cannabis.
- (J) “Delivery” shall have the same meaning set forth in California Business and Professions Code Section 26001, subdivision (p).
- (K) “Distributor” means a person engaged in the distribution of cannabis and/or cannabis products between cannabis businesses.
- (L) “Distribution” means the procurement, sale, and transport of cannabis and cannabis products.
- (M) “Engaged in [cannabis business activities]” means the means the commencing, conducting, operating, managing or carrying on of a cannabis business and the exercise of corporate or franchise powers, whether done as owner, or by means of an officer, agent, manager, employee, or otherwise, whether operating from a fixed location in the City or coming into the City from an outside location to engage in such activities. A person shall be deemed engaged in cannabis business activities within the City if:
- (1) Such person or person's employee maintains a fixed place of business within the City for the benefit or partial benefit of such person;
 - (2) Such person or person's employee owns or leases real property within the City for business purposes;
 - (3) Such person or person's employee regularly maintains a stock of tangible personal property in the City for sale in the ordinary course of business;
 - (4) Such person or person's employee regularly conducts solicitation of business within the City;
 - (5) Such person or person's employee performs work or renders services in the City; and
 - (6) Such person or person's employee utilizes the streets within the City in connection with the operation of motor vehicles for business purposes.
- The foregoing specified activities shall not be a limitation on the meaning of “engaged in [cannabis business activities].”
- (N) “Gross Receipts” shall have the same meaning as set forth in California Revenue and Taxation Code Section 6012.
- (O) “Manufacture” means the production, preparation, propagation, or compounding of cannabis or cannabis products either directly or indirectly or by extraction methods, or independently by means of chemical synthesis, or by a combination of extraction and chemical synthesis.
- (P) “Manufacturer” means a person engaged in the manufacture of cannabis and/or cannabis products.
- (Q) “MAUCRSA” means the Medicinal and Adult-Use Cannabis Regulation and Safety Act, California Business and Professions Code Section 26000 et seq.

- (R) “Microbusiness” shall have the meaning set forth in the California Business and Professions Code Section 26070, subdivision (a)(3)(A).
- (S) “Non-medicinal cannabis” means cannabis used for adult-use, recreational, or non-medicinal purposes.
- (T) “Nursery” means a cannabis business that engaged only in the production of cannabis clones, immature plants, seeds, and other agricultural products used specifically for the planting, propagation, and cultivation of cannabis.
- (U) “Person” means an individual, firm, partnership, joint venture, association, corporation, cooperative, company, collective, organization, business, and/or entity.
- (V) “Process” or “processing” means all cannabis business activities associated with drying, curing, grading, trimming, storing, packaging, and labeling of raw cannabis, or any part thereof, for transport.
- (W) “Propagate” or “propagation” means to cultivate immature plants from cannabis plant cuttings or seeds.
- (X) “Retail sale,” “sell,” and “to sell” include any transaction whereby, for any consideration, title to cannabis or cannabis products is transferred from one person to another, and includes the delivery of cannabis or cannabis products pursuant to an order placed for the purchase of the same and soliciting or receiving an order for the same, but does not include the return of cannabis or cannabis products by a cannabis permittee to the cannabis permittee from whom the cannabis or cannabis product was purchased.
- (Y) “Retailer” means a person engaged in the retail or sale of cannabis and/or cannabis products.
- (Z) “Testing laboratory” or “laboratory” means a laboratory, facility, or entity in California that offers or performs tests of cannabis or cannabis products and that is accredited by an accrediting body that is independent from all other persons involved in commercial cannabis activity in the state.
- (AA) “Transport” or “transportation” means the transfer of cannabis from the licensed cannabis business site of one MAUCRSA licensee to the licensed cannabis business site of another MAUCRSA licensee for the purposes of conducting cannabis business activities as authorized pursuant to California Business and Professions Code Section 26000 et seq. Cannabis may only be transported inside of a commercial vehicle or trailer and may not be visible or identifiable from outside of the commercial vehicle or trailer. Transportation by means of aircraft, watercraft, drones, rail, human powered vehicles, and unmanned vehicles is prohibited. The County shall not prevent the carriage of cannabis or cannabis products on public roads by a MAUCRSA licensee acting in compliance with State law to transport cannabis or cannabis products from the licensed cannabis business site of one MAUCRSA licensee to the licensed cannabis business site of another MAUCRSA licensee.
- (BB) “Transporter” means a person engaged in the transportation of cannabis and/or cannabis products between cannabis businesses.

5.32.06- TAX IMPOSED.

- (A) There is established and imposed a Cannabis Business Activities Tax at the rates

set forth in this article.

- (B) Each person engaged in any cannabis business activity in the City, regardless if the cannabis business has been issued a permit to operate lawfully in the City or is operating unlawfully, shall pay an annual Cannabis Business Activities Tax. Said tax shall be imposed upon any and all cannabis business activities, regardless of whether the activity is undertaken individually, collectively, or cooperatively, and regardless of whether the activity is for compensation or gratuitous.
- (C) Tax on Cultivation Type Cannabis Business Activities.

1. Every person who is engaged in cultivation type cannabis business activities in the City shall pay an annual Cannabis Business Activities Tax, which shall be determined on a square footage basis, i.e., the “canopy” as that term is defined herein.
2. The minimum and maximum rates of the Cannabis Business Activities Tax for cultivation type cannabis business activities shall be as follows:

Cannabis Business Activity Type: Cultivation	Minimum	Maximum
Nursery	\$3.00	\$12.00
Outdoor (specialty cottage)	\$3.00	\$12.00
Outdoor (specialty)	\$3.00	\$12.00
Outdoor (small)	\$3.00	\$12.00
Outdoor (medium)	\$3.00	\$12.00
Outdoor (large)	\$3.00	\$12.00
Indoor (specialty cottage)	\$3.00	\$12.00
Indoor (specialty)	\$3.00	\$12.00
Indoor (small)	\$3.00	\$12.00
Indoor (medium)	\$3.00	\$12.00
Indoor (large)	\$3.00	\$12.00
Mixed-Light (specialty cottage)	\$3.00	\$12.00
Mixed-Light (specialty)	\$3.00	\$12.00
Mixed-Light (small)	\$3.00	\$12.00
Mixed Light (medium)	\$3.00	\$12.00
Mixed-Light (large)	\$3.00	\$12.00

3. Beginning on July 1, 2020, and on July 1 of each succeeding fiscal year thereafter, the Cannabis Business Activities Tax imposed by this Subdivision shall increase by the most recent change in the annual average of the Consumer Price Index (“CPI”) for all urban consumers in the San-Francisco-Oakland-San-Jose areas as published by the United States Government Bureau of Labor Statistics. However, no CPI adjustment

resulting in a decrease of any tax imposed by this subdivision shall be made.

4. The City Council may, in its discretion, at any time by resolution or ordinance, set the initial rate and/or adjust the tax rate for all persons engaged in any cannabis business activity in the City, or establish differing tax rates for different categories of cannabis businesses, including medicinal or non-medicinal cannabis businesses, subject to the minimum and maximum rates established in Subdivisions (C)(2) and (C)(3) above.

(D) Tax on Distribution Type Cannabis Business Activities.

1. Every person who is engaged in distribution type cannabis business activities in the City shall pay an annual Cannabis Business Activities Tax, which shall be determined on a gross receipts per fiscal year basis.
2. The minimum and maximum rates of the Cannabis Business Activities Tax for distribution type cannabis business activities shall be as follows:

Cannabis Business Activity Type: Distribution	Minimum	Maximum
Distributor	2%	8%
Distributor (Transportation-Only)	0.5%	8%

3. The City Council may, in its discretion, at any time by resolution or ordinance, set the initial rate and/or adjust the tax rate for all persons engaged in any cannabis business activity in the City, or establish differing tax rates for different categories of cannabis businesses, including medicinal or non-medicinal cannabis businesses, subject to the minimum and maximum rates established in Subdivision (D)(2) above.

(E) Tax on Manufacturing Type Cannabis Business Activities.

1. Every person who is engaged in manufacturing type cannabis business activities in the City shall pay an annual Cannabis Business Activities Tax, which shall be determined on a gross receipts per fiscal year basis.
2. The minimum and maximum rates of the Cannabis Business Activities Tax for manufacturing type cannabis business activities shall be as follows:

Cannabis Business Activity Type: Manufacturing	Minimum	Maximum
Manufacturing (Level 1)	2%	8%
Manufacturing (Level 2)	2%	8%

3. The City Council may, in its discretion, at any time by resolution or ordinance, set the initial rate and/or adjust the tax rate for all persons

engaged in any cannabis business activity in the City, or establish differing tax rates for different categories of cannabis businesses, including medicinal or non-medicinal cannabis businesses, subject to the minimum and maximum rates established in Subdivision (E)(2) above.

(F) Tax on Microbusiness Type Cannabis Business Activities.

1. Every person who is engaged in microbusiness type cannabis business activities in the City, which shall be determined on a gross receipts per fiscal year basis.
2. The minimum and maximum rates of the Cannabis Business Activities Tax for microbusiness type cannabis business activities shall be as follows:

Cannabis Business Activity Type: Microbusiness	Minimum	Maximum
Microbusiness (Retailer)	2%	8%
Microbusiness (Non-Retailer)	2%	8%

3. The City Council may, in its discretion, at any time by resolution or ordinance, set the initial rate and/or adjust the tax rate for all persons engaged in any cannabis business activity in the City, or establish differing tax rates for different categories of cannabis businesses, including medicinal or non-medicinal cannabis businesses, subject to the minimum and maximum rates established in Subdivision (F)(2) above.

(G) Tax on Retailer Type Cannabis Business Activities.

1. Every person who is engaged in retailer type cannabis business activities in the City shall pay an annual Cannabis Business Activities Tax, which shall be determined on a gross receipts per fiscal year basis.
2. The minimum and maximum rates of the Cannabis Business Activities Tax for retailer type cannabis business activities shall be as follows:

Cannabis Business Activity Type: Retailer	Minimum	Maximum
Retailer (Delivery-Only)	3%	10%
Retailer	3%	10%

3. The City Council may, in its discretion, at any time by resolution or ordinance, set the initial rate and/or adjust the tax rate for all persons engaged in any cannabis business activity in the City, or establish differing tax rates for different categories of cannabis businesses, including medicinal or non-medicinal cannabis businesses, subject to the minimum and maximum rates established in Subdivision (G)(2) above.

(H) Tax on Testing Laboratory Type Cannabis Business Activities.

1. Every person who is engaged in testing laboratory type cannabis business activities in the City shall pay an annual Cannabis Business Activities Tax, which shall be determined on a gross receipts per fiscal year basis.
2. The minimum and maximum rates of the Cannabis Business Activities Tax for testing laboratory type cannabis business activities shall be as follows:

Cannabis Business Activity Type: Testing Laboratory	Minimum	Maximum
Testing Laboratory	1%	5%

3. The City Council may, in its discretion, at any time by resolution or ordinance, set the initial rate and/or adjust the tax rate for all persons engaged in any cannabis business activity in the City establish differing tax rates for different categories of cannabis businesses, including medicinal or non-medicinal cannabis businesses, subject to the minimum and maximum rates established in Subdivision (H)(2) above.
 - (I) Notwithstanding the foregoing, the City Council, in its discretion, at any time by ordinance, exempt or except certain categories of cannabis business activities from the Cannabis Business Activities Tax.

5.32.070 - EXEMPTIONS.

- (A) The provisions of this article shall not apply to personal cannabis cultivation, as defined by Health and Safety Code Section 11362.2, as may be amended.
- (B) The provisions of this article shall not apply to personal use of cannabis that is expressly exempted from state licensing requirements, and for which the individual receives no compensation whatsoever related to that personal use, including, personal non-medicinal use, as defined by Health and Safety Code Section 11362.1, as may be amended, or personal medicinal use, as defined by Health and Safety Code Section 11362.7 et seq., as may be amended.

5.32.080 - TAX, PENALTIES, INTEREST, AND FEES AS A DEBT.

- (A) The amount of any tax imposed by this article shall be deemed a debt owed to the City.
- (B) Any penalties, interest and/or fees required to be paid under the provisions of this article shall also be deemed a debt owed to the City.
- (C) Any person owing any tax, penalties, interest and/or fees shall be liable in an action brought in the name of the City for the recovery of such debt. The provisions of this Section shall not be deemed a limitation upon the right of the City to bring any other action including criminal, civil and equitable actions, based upon the failure to pay the tax imposed by this article or the failure to comply with any of the provisions hereof.

5.32.090 - ADMINISTRATION.

- (A) It shall be the duty of the City Manager, or his or her designee, to collect the taxes, penalties, fees, and perform the duties required by this article.
- (B) For purposes of administration and enforcement of this article generally, the City

Manager may from time to time promulgate such administrative rules and procedures consistent with the purpose, intent, and express terms of this article as they deem necessary to implement or clarify such provisions or aid in enforcement.

- (C) The City Manager may take such administrative actions as needed to administer the tax, including but not limited to;
1. Provide to all cannabis business activities taxpayers forms for the reporting of the tax;
 2. Provide information to any taxpayer concerning the provisions of this article;
 3. Receive and record all taxes remitted to the City as provided in this article;
 4. Maintain records of taxpayer reports and taxes collected pursuant to this article;
 5. Assess penalties and interest to taxpayers pursuant to this article; or waive such penalties and interest when there is demonstrated evidence of extenuating circumstances that were clearly beyond the control of the taxpayer; and
 6. Determine amounts owed and enforce collection pursuant to this article.

5.32.100 - REGISTRATION; CHANGE OF OWNERSHIP.

- (A) In order that the City will have an accurate record of persons liable for paying the Cannabis Business Activities Tax hereunder, prior to commencing cannabis business activities, each person engaged in any cannabis business activity shall register such cannabis business with the City Manager, submitting any information deemed necessary by the City Manager, including, but not limited to, the type(s) of cannabis business activities in which said person is engaged.
- (B) In the event that there is a change in ownership of any cannabis business:
1. The new owner is required to submit an updated registration form to the City Manager.
 2. The new owner is subject to an audit by the City Manager or his or her designee.
 3. Unless otherwise provided by law, it is the joint and several liability of both the seller and buyer to remit any tax due up until the date of sale; otherwise, a Certificate of Delinquent Cannabis Business Activities Tax Lien may be filed against both the seller and/or buyer in an amount determined by the City Manager.

5.32.110 - REPORTING AND REMITTANCE OF TAX.

- (A) The Cannabis Business Activities Tax imposed by this article shall be imposed on a fiscal year basis and shall be due and payable in quarterly installments as follows:
1. If the Cannabis Business Activities Tax is owed on cultivation type cannabis business activities, the tax due shall be based on the square footage of the cannabis business' canopy as determined by the City Manager and the quarterly rate shall be twenty-five percent (25%) of the applicable annual rate. The tax will not be prorated or adjusted for any canopy area authorized by the City Manager which was not utilized for cultivation. However, if the cultivation begins in the middle of a fiscal year, the City

Manager shall prorate, in monthly increments, the amount due for the fiscal year.

2. If the Cannabis Business Activities Tax is owed on cannabis business activities other than cultivation type cannabis business activities, the tax due shall be based on the gross receipts for the quarter.
- (B) The tax for each fiscal quarter shall be due and payable on that same date as the statement for the fiscal quarter is due. The tax due shall be no less than the quarterly installment due, but the taxpayer may at any time pay the entire amount due for the given fiscal year.
- (C) Each person owing a Cannabis Business Activities Tax shall, on or before the last day of the month following the close of each fiscal year quarter:
1. File with the City Manager a statement of the tax owed for that fiscal quarter and the basis for calculating that tax. The City Manager may require that the statement be submitted on a form prescribed by the City Manager.
 2. Remit to the City Manager the tax due.
- (D) The City Manager may, in his/her discretion, establish shorter report and payment periods for any taxpayer as the City Manager deems necessary to ensure collection of the Cannabis Business Activities Tax.
- (E) The City Manager may, in his/her discretion as part of administering the Cannabis Business Activities Tax, modify the form of payment and take such other administrative actions as needed to facilitate collection of the tax.
- (F) Upon cessation of a cannabis business for any reason, tax statements and payments for all outstanding taxes owed to the City shall be immediately due to the City. Tax statements and remittances will be deemed timely made if actually received by the City Manager within thirty (30) calendar days following cessation of the cannabis business activity; otherwise the taxes shall be deemed delinquent and subject to penalties hereunder.
- (G) Any person required to remit taxes in excess of one-hundred thousand dollars (\$100,000.00) in any given fiscal year shall be required to make remittances on a monthly basis in the succeeding fiscal year. Said remittances shall be due on or before the last day of the month following the last day of the preceding month.
- (H) The correctness of any tax return filed pursuant to this article shall be subject to audit and verification by the City Manager, or designee, who is authorized and empowered to inspect and audit the books and records of any cannabis business. No cannabis business shall refuse or fail to allow the City Manager, or designee, to inspect and audit such books and records, or shall refuse or fail to provide such additional information as requested by the City Manager, or designee.
- (I) For the purposes of this Section, “on or before” shall be interpreted as: (1) hand delivery; or (2) postal delivery of a properly stamped and addressed envelope containing the return and full amount of the tax to the United States Postal Service. Delivery to the Postal Service must be verified by cancellation by the Postal Service showing a postmark date no later than midnight on the date the tax is due. If the due date of the tax falls on a United States Post Office closure date, the tax due date shall be the next business day (excluding federal holidays). Private postal meter strips and dates shall not be considered evidence of delivery to the United States Postal Service.

- (J) Whenever any payment, statement, report, request or other communication is due, it must be received by the City Manager on or before the final due date. In accordance with Subdivision (I) of this Section, a postmark may be accepted as timely remittance. If the due date falls on Saturday, Sunday or a holiday, the due date shall be the next regular business day on which the City is open to the public.

5.32.120 - DEFICIENCY.

- (A) If the City Manager is not satisfied that any return filed as required under the provisions of this article is correct, or that the amount of tax is correctly computed, he/she may compute and determine the amount to be paid and make a deficiency determination upon the basis of the facts contained in the statement or upon the basis of any information in his/her possession or that may come into his/her possession within three (3) calendar years of the date the tax was originally due and payable.
- (B) One or more deficiency determinations of the amount of tax due for a period or periods may be made.
- (C) When a person discontinues engaging in a business, a deficiency determination may be made at any time within three (3) calendar years thereafter as to any liability arising from engaging in such business whether or not a deficiency determination is/was issued prior to the date the tax would otherwise be due, or issued after the discontinuation of the business.
- (D) Whenever a deficiency determination is made, a notice shall be given to the person concerned in accordance with Section 5.32.260.

5.32.130 - DELINQUENCY; NOTICE NOT REQUIRED BY CITY.

- (A) Unless otherwise specifically provided under other provisions of this article, the taxes required to be paid pursuant to this article shall be deemed delinquent if not received by the City Manager on or before the due date as specified in Section 5.32.110.
- (B) The City Manager is not required to send a delinquency or other notice or bill to any person subject to the provisions of this article. Failure to send such notice or bill shall not affect the validity of any tax or penalty due under the provisions of this article.

5.32.140 - PENALTIES, FEES, AND INTEREST.

- (A) The Cannabis Business Activities Tax shall be that amount due and payable from the first day in which the person was engaged in cannabis business activities in the City, together with all applicable penalties, fees, and interest calculated in accordance with this Section.
- (B) Any person who fails or refuses to pay any Cannabis Business Activities Tax required to be paid pursuant to this article on or before the due date shall pay penalties, fees, and interest as follows:
 - 1. **Initial Delinquency.** A penalty equal to twelve and a half percent (12.5%) of the amount of the tax, in addition to the amount of the tax.
 - 2. **Continuing Delinquency.** If the tax remains unpaid for a period exceeding thirty (30) calendar days beyond the date on which the remittance first

became delinquent, an additional penalty equal to twelve and a half percent (12.5%) of the amount of the tax, shall be imposed.

3. **Bank Fees.** Whenever a check or electronic payment is submitted in payment of a Cannabis Business Activities Tax and the payment is subsequently returned unpaid by the bank for any reason, the taxpayer will be liable for the tax amount due plus any bank fees, penalties and interest as provided for in this Section, and any other amount allowed under State law.
 4. **Interest.** In addition to the penalties and/or fees amounts imposed, interest shall be applied at the rate of one and one-half percent (1.5%) per month on the first day of the month for the full month, and will continue to accrue monthly on the tax and penalty until the balance is paid in full.
- (C) In addition to the foregoing amounts, if the City determines that any remittance of the Cannabis Business Activities Tax due under this article is due to fraud or fraudulent, a penalty of twenty-five percent (25%) of the amount of the tax that should have been paid shall be added thereto in addition to penalties and interest otherwise stated in this article and any other penalties allowed by law.

5.32.150 - WAIVER OF PENALTIES.

The City Manager may waive the penalties imposed upon any person under Section 5.32/140, if:

- (A) The person engaged in cannabis business activities requests a waiver of penalties by submitting a Request for Waiver to the City Manager within ten (10) calendar days after issuance of a Notice of Assessment.
- (B) The person provides evidence satisfactory to the City Manager that failure to pay timely was due to circumstances beyond the control of the person and occurred notwithstanding the exercise of ordinary care and the absence of willful neglect, and the person paid the delinquent Cannabis Business Activities Tax and accrued interest owed the County prior to applying to the City Manager for a waiver.
- (C) Upon receipt of satisfactory evidence, the City Manager may waive penalties in an amount not to exceed five-thousand dollars (\$5,000.00).
- (D) If the Request for Waiver exceeds five-thousand dollars (\$5,000.00), such request shall be approved only by the City Council.
- (E) The amount determined to be owed to the City shall be due immediately. Remittances will be deemed timely made if actually received by the City Manager within ten (10) calendar days; otherwise the taxes shall be deemed delinquent and subject to penalties under Section 5.32.140.
- (F) The waiver provisions specified in this Section shall not apply to any interest accrued on the delinquent tax.
- (G) A waiver under this Section may only be granted once during any twenty-four (24) month period.

5.32.160 - REFUNDS; CREDITS.

- (A) No refund shall be made of any tax collected pursuant to this article, except as provided in this Section.

- (B) No refund of any tax collected pursuant to this article shall be made because of cessation of the cannabis business activity, discontinuation, dissolution, or other termination of the cannabis business.
- (C) Whenever the amount of any tax or penalty under this article has been overpaid, paid more than once, or has been erroneously or illegally collected or received by the City under this article, it may be refunded to the claimant who paid the tax; provided a written claim, stating under penalty of perjury under the laws of the State of California the specific grounds upon which the claim is founded, is filed with the City Manager within one (1) calendar year of the date of payment. The claim shall be on forms furnished by the City Manager.
- (D) Any person entitled to a refund of Cannabis Business Activities Taxes paid hereunder may elect, in writing, to have such refund applied as a credit against such person's taxes which will become due for the next fiscal year quarter.
- (E) In the event that the Cannabis Business Activities Tax was erroneously paid and the error is attributable to the City, the City shall refund the amount of tax paid up to one (1) calendar year from when the error was identified, provided in no case, shall a claim for payment be made more than three years from the date of the actual payment of the tax.
- (F) The City Manager, his or her designee or any other City officer charged with the administration of this article, shall have the right to examine and audit all the books and business records of the claimant in order to determine the eligibility of the claimant to the claimed refund. No claim for refund shall be allowed if the claimant refuses to allow such examination of claimant's books and business records after request by the City Manager, his or her designee or any other City officer charged with the administration of this article, to do so.
- (G) The City Manager may collect a fee adopted by the City Council to pay for the cost of examination and audit should the books and records be provided in a form insufficient to allow the City Manager to make a determination on the claim for the refund.
- (H) No refund of any tax collected pursuant to this article shall be made because of the discontinuation, dissolution, or other termination of a cannabis business.

5.32.170 - NOTICE OF ASSESSMENT.

- (A) Under any of the following circumstances, the City Manager may issue a Notice of Assessment of the amount of tax owed by a person under this article at any time:
 - 1. If the person has not filed a complete statement required under the provisions of this article;
 - 2. If the person has not paid the tax due under the provisions of this article;
 - 3. If the person has not, after demand by the City Manager, filed a corrected statement, or furnished to the City Manager adequate substantiation of the information contained in a statement already filed, or paid any additional amount of tax due under the provisions of this article.
- (B) The Notice of Assessment shall be served in accordance with Section 5.32.260.
- (C) The Notice of Assessment shall separately set forth the amount of any tax due. The amount due shall include the amount of any penalties or interest accrued on each amount through the date of the Notice of Assessment.

- (D) If the amount of tax due is unknown, the City Manager may estimate the amount of tax due based on consideration of all information within their knowledge concerning the business and activities of the person assessed. For purposes of estimating the amount of tax due, there shall be a rebuttable presumption that the minimum amount of tax due is the same as the maximum amount of tax due during any quarter during the previous fiscal year.

5.32.180 - ASSESSMENT HEARING.

- (A) Within ten (10) calendar days after the date of service of the Notice of Assessment, the person may apply in writing to the City Manager for a hearing on the assessment.
- (B) If application for a hearing is not made within the time herein prescribed, the tax, penalties, fees, and/or interest determined by the City Manager shall become final and conclusive, and shall be immediately due and payable.
- (C) If such application is made, the City Manager shall, upon receipt of such application, cause the matter to be set for hearing. The hearing shall be held not fewer than ten (10) calendar days, and not more than forty-five (45) calendar days from receipt of the written request for hearing, unless a later date is agreed to by the City Manager and the person requesting the hearing.
- (D) Notice of the hearing shall be given by the City Manager to the person requesting such hearing not fewer than five (5) business days prior to such hearing. The notice shall set the date, time and place for hearing and shall order the person requesting the hearing to show cause why such amount specified in the Notice of Assessment should not be confirmed.
- (E) The person requesting the hearing may appear and offer evidence at the hearing why the assessment as determined by the City Manager should not be confirmed and fixed as the tax, penalties, fees, and/or interest due.
- (F) After such hearing the City Manager shall determine the proper tax to be charged and shall issue, in accordance with Section 5.32.260, a Notice of Determination of Tax Due to the person requesting the hearing stating the City Manager's determination and the amount of tax, penalties, fees, and interest.
- (G) The amount determined to be due shall be payable after fifteen (15) calendar days of written notice unless it is appealed to the City Council.

5.32.190 - APPEAL FROM ASSESSMENT HEARING.

Any person aggrieved by any decision of the City Manager with respect to the amount of tax, interest, penalties and fees, if any, due under this article may appeal to the City Council by filing a Notice of Appeal with the City Clerk within fifteen (15) days of service of the Notice of Determination of Tax Due. The City Clerk, or his or her designee, shall fix a time and place for hearing such appeal, and the City Clerk, or his or her designee, shall give notice in writing to such person at the last known address. The decision of the City Council shall be final and conclusive and shall be served upon the appellant in accordance with Section 5.32.260. Any amount found to be owed to the County shall be immediately due and payable upon the service of the decision.

5.32.200 - ENFORCEMENT.

- (A) In addition to any other remedies available under federal, state, or local law, if any

amount required to be paid to the City under this article is not paid when due, the City Manager may, within three (3) calendar years after the amount is due, record a certificate of lien specifying the amount of taxes, fees, interest and penalties due, and the name and address of the individual or business as it appears on the records of City Manager. The lien shall also specify that the City Manager has complied with all provisions of this article in the determination of the amount required to be paid. From the time of the filing for record, the amount required to be paid, together with penalties, fees and interest thereon, constitutes a lien upon all real property in the City owned by the individual or business, or subsequently acquired by the individual or business before the lien expires. The lien has the force, effect, and priority of a judgment lien and shall continue for ten (10) calendar years from filing of the certificate unless sooner released or otherwise discharged.

- (B) At any time within three (3) calendar years after any individual or business is delinquent in the payment of any amount required to be paid under this article or within three (3) calendar years after the last recording of a certificate of lien under Subdivision (B) of this Section, the City Manager may issue a warrant for the enforcement of any liens and for the collection of any amount required to be paid to the City under this article. The warrant shall be directed to the Sheriff and shall have the same effect as a writ of execution. The warrant shall be levied and sale made pursuant to it in the same manner and with the same effect as a levy of and a sale pursuant to a writ of execution. The City Manager may pay or advance to the Sheriff, the same fees, commissions and expenses for service provided by law for similar services pursuant to a writ of execution.
- (C) At any time within three (3) calendar years after recording a lien against any individual or business, if the lien is not discharged and released in full, the City Manager may forthwith seize any asset or property, real or personal (including bank account), of the operator and sell at public auction the asset or property, or a sufficient part of it to pay the amount due together with any penalties and interest imposed for the delinquency and any cost incurred on account of the seizure and sale. Assets or property of the business subject to seizure and sale subject to this article shall not include any assets or property which is exempt from execution under the provisions of Code of Civil Procedure.
- (D) Suspension or revocation of a cannabis permit. Revocation shall be subject to the procedures set forth in San Juan Bautista Municipal Code, as may be enacted in the future. The following shall constitute grounds for suspending or revoking a cannabis permit, in addition to any additional grounds identified in the San Juan Bautista Municipal Code:
 - 1. Failure to pay any cannabis business tax due under this article within thirty (30) calendar days of the due date.
 - 2. Failure to cooperate with the City Manager, or designee, as determined by City Manager, or designee, during an audit pursuant to this article.
 - 3. Underpaying any business tax due under this article in any period by fifty percent (50%) or more.
 - 4. If the City determines that the nonpayment of any Cannabis Business Activities Tax due under this article is due to fraud.

5.32.210 - APPORTIONMENT.

If a person subject to the Cannabis Business Activities Tax is operating both within and outside the City, it is the intent of the City to apply Cannabis Business Activities Tax so that the measure of the tax fairly reflects the proportion of the taxed activity actually carried on in the unincorporated area of the City. To the extent federal or State law requires that any tax due from any taxpayer be apportioned, the taxpayer may indicate said apportionment on their tax return. The City Manager may promulgate administrative procedures for apportionment in accordance with state law.

5.32.220 - CONSTITUTIONALITY AND LEGALITY.

This tax is intended to be applied in a manner consistent with the United States and California Constitutions and State law. None of the tax provided for by this article shall be applied in a manner that causes an undue burden upon interstate commerce, a violation of the equal protection and due process clauses of the Constitutions of the United States or the State of California or a violation of any other provision of the California Constitution or state law.

5.32.230 - RECORDKEEPING; AUDIT.

- (A) It shall be the duty of every person liable for the collection and payment to the City of any tax imposed by this article to keep and preserve, for a period of at least seven (7) calendar years, all records as may be necessary to determine the amount of such tax as they may have been liable for the collection of and payment to the City, which records the City Manager or their designee shall have the right to inspect at all reasonable times, including, but not limited to, records containing information related to the amount of cannabis and/or cannabis products sold and/or transferred. Said records shall be full, true, and accurate.
- (B) The City Manager shall have the power to audit and examine all books and records of persons engaged in cannabis business activities, including both State and federal income tax returns, California sales tax returns, or other evidence documenting the square footage of canopy and/or gross receipts of persons engaged in cannabis business, and, where necessary, all equipment, of any person engaged in cannabis business activities in the City, for the purpose of ascertaining the amount of Cannabis Business Activities Tax, if any, required to be paid by the provisions of this article, and for the purpose of verifying any statements or any item thereof when filed by any person pursuant to this article.
- (C) Upon demand by the City Manager, each person liable for the collection and payment to the City of any tax imposed by this article shall make the records, together with any track and trace reports, shipping documents or sales invoices pertaining to such cannabis and/or cannabis products available for inspection by the City Manager at all reasonable times.
- (D) If any person refuses to make available for audit, examination, or verification such books, records or equipment as the City Manager requests, the City Manager may, after full consideration of all information within their knowledge concerning the cannabis business activities of the person so refusing, make an assessment in the manner provided in Section 5.32.170 of any taxes estimated to be due. The City Manager may collect a fee adopted by the City Council to pay for the cost of examination and audit should the books and records be provided in a form

insufficient to allow the City Manager to make a determination of tax due.

5.32.240 - OTHER LICENSES, PERMITS, TAX, FEES, OR CHARGES.

- (A) The tax imposed hereunder does not limit or prohibit the levy or collection of any other license, permit or service fee, tax, fee, or charge upon, or related to, any cannabis business activity.
- (B) Nothing contained in this article shall be deemed to repeal, amend, be in lieu of, replace or in any way affect any requirements for any permit or license required by, under or by virtue of any provision of any other title or chapter of this Code or any other ordinance or resolution of the City, nor be deemed to repeal, amend, be in lieu of, replace or in any way affect any tax, fee or other charge imposed, assessed or required by, under or by virtue of any other title or chapter of this Code or any other ordinance or resolution of the City. Any references made or contained in any other title or chapter of this code to any licenses, license taxes, fees, or charges, or to any schedule of license fees, shall be deemed to refer to the licenses, license taxes, fees or charges, or schedule of license fees, provided for in other titles or chapters of this Code.

5.32.250 - PAYMENT OF TAX DOES NOT AUTHORIZE UNLAWFUL ACTIVITIES.

- (A) The payment of a Cannabis Business Activities Tax required by this article, and which is acceptance by the City, shall not entitle any person to carry on any cannabis business activity unless that person has complied with all of the requirements of this Code and all other applicable State laws.
- (B) No tax paid under the provisions of this article shall be construed as authorizing the conduct or continuance of any illegal or unlawful business, or any business in violation of any local or State law.

5.32.260 - MANNER OF GIVING NOTICE.

- (A) Any notice required to be given hereunder by the City to any person shall be sufficiently given or served if it is served upon the person either by personal delivery, or by a deposit of the notice in the United States mail, postage prepaid thereon, addressed to the person at the address of the location of the business or to such other address as they shall register with the City Manager for the purpose of receiving notices provided under this article; or, should the person have no address registered with the City Manager for such purpose, then to such person's last known address. For the purposes of this article, a service by mail is complete at the time of deposit in the United States mail.
- (B) Failure of any person to receive any notice required by this article to be given shall not affect the validity of any proceedings taken thereto.

5.32.270 - UNLAWFUL ACTIVITIES DESIGNATED; MISDEMEANOR.

Any person violating any of the provision of this article shall be deemed guilty of a misdemeanor, punishable by a fine of not more than five-hundred dollars (\$500.00), or by imprisonment for a period of not more than six (6) months, or by both such fine and imprisonment.

5.32.280 - VIOLATION; TAXES NOT WAIVED.

The conviction and punishment of any person for failure to pay the required tax shall not excuse or exempt such person from any civil action for the tax debt unpaid at the time of such conviction. No civil action shall prevent a criminal prosecution for any violation of the provisions of this Chapter or of any state law requiring the payment of all taxes.

5.32.290 - SEVERABILITY.

If any provision of this article, or its application to any person or circumstance, is determined by a court of competent jurisdiction to be unlawful, unenforceable or otherwise void, that determination shall have no effect on any other provision of this article or the application of this article to any other person or circumstance and, to that end, the provisions hereof are severable.

5.32.300 - REMEDIES CUMULATIVE.

All remedies and penalties prescribed by this article or which are available under any other provision of the San Juan Bautista Municipal Code and any other provision of law or equity are cumulative. The use of one or more remedies by the article shall not bar the use of any other remedy for the purpose of enforcing the provisions of this article.

5.32.310 - AMENDMENT OR REPEAL.

Chapter 5.32 of the San Juan Bautista Municipal Code may be repealed or amended by the City Council without a vote of the people to the extent allowed by law. However, as required by Article XIII C of the California Constitution, voter approval is required for any amendment that would increase the maximum rate of any tax levied pursuant to this article, that would increase the maximum rate specified for each category of cannabis business activity or that otherwise constitute a tax increase for which voter approval is required by Article XIII C of the California Constitution.

The following actions shall not constitute an increase of the rate of a tax:

- (A) The setting of the rate of any tax authorized hereunder to a rate that is no higher than the maximum rate set by this article, including the authorized cost of living adjustment, or the restoration of the rate of the tax to a rate that is no higher than the maximum rate set by this article, including the cost of living adjustment, if the City Council has acted to reduce the rate of the tax; or
- (B) An action that interprets or clarifies the methodology of the tax, or any definition applicable to the tax, so long as interpretation or clarification (even if contrary to some prior interpretation or clarification) is not inconsistent with the language of this article; or
- (C) The collection of the tax imposed by this article, even if the article had, for some period of time, failed to collect the tax; or
- (D) The establishment or discontinuation of a class of persons that is exempted or excepted from the tax hereunder.

SECTION 2. If any section, subdivision, sentence, clause, portion, or phrase of this Ordinance is for any reason held illegal, invalid, or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions hereof. The City Council hereby declares that it would have passed this chapter and each section, subdivision, sentence, clause, portion, or phrase hereof, irrespective of the fact that any one or more sections, subdivisions, sentences, clauses, or phrases be declared illegal, invalid or unconstitutional.

SECTION 3. The City Council hereby finds that this Ordinance is not subject to review under the California Environmental Quality Act (CEQA) because the Cannabis Business Activities Tax is a general tax that can be used for any legitimate government purpose and therefore it is not a “project” pursuant to CEQA Guidelines Section 15378, subdivision (b)(4) and is therefore exempt.

SECTION 4. STATEMENT OF HOW THE TAX MAY BE SPENT. All revenue from the taxes imposed by Chapter 5.32 of the San Juan Bautista Municipal Code for the privilege of engaging in cannabis business activities in the City are enacted solely for general governmental purposes for the City and not for specific purposes. The revenue from these taxes shall be placed in the City's general fund and can be spent for unrestricted general revenue purposes.

SECTION 5. MAJORITY APPROVAL; EFFECTIVE DATE. This ordinance shall only be effective if approved by a majority vote of the voters voting in the election on the issue. If approved by the voters, this ordinance shall become effective upon adoption and as soon thereafter as allowed by law.

THE FOREGOING ORDINANCE was first read at a regular meeting of the San Juan Bautista City Council on the 18th day of December 2018, and adopted at a regular meeting of the San Juan Bautista City Council on the 15th day of January, 2019 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM:

Deborah Mall, City Attorney

CITY OF SAN JUAN BAUTISTA

STAFF REPORT

Date: December 18, 2018
To: City Council
From: City Manager, Michael LaForge
Subject: **Cannabis Business License and Planning Processes Set up**

Staff recommends that City staff work with Hollister City staff to develop a playbook on how to operationalize the ability to process and govern new cannabis business licenses, land development, inspections. Staff is targeting to have cannabis related processes, forms, codes in place by end of January 2019.

Background: San Juan Bautista Staff is hosting a workshop on Dec 12, 2018 and Hollister cannabis experts are sharing their process, answering questions.

Analysis: After workshop, SJB staff will develop an action plan to operationalize cities ability to process cannabis related businesses and development, i.e. forms, process, policy and any required muni code changes.

Fiscal Review: Staff will assess costs and or potential outsourcing of processing to Hollister and bring back to council for approval.



REVISED

CITY OF SAN JUAN BAUTISTA CITY COUNCIL STAFF REPORT

AGENDA TITLE: Housing Element
MEETING DATE: December 18, 2018
SUBMITTED BY: Todd Kennedy, Associate Planner

RECOMMENDED ACTION:

Direct Staff to negotiate a contract in order to update the SJB housing element.

BACKGROUND INFORMATION:

The City adopted a general plan on February 16, 2016, but the necessary review and reporting has not occurred and a mandatory update is required in the near future. It included a housing element covering years 2009 to 2014. Per Government Code Section 65583 the housing element shall be updated within 5 years of 2014. The deadline for current housing element update is end of 2019.

ANALYSIS:

- 1) These are technical issues and staff currently does not have the in-house resources or time to accomplish what is required by law to bring San Juan Bautista into compliance with the State Department of Housing and Community Development (HCD).
- 2) There are significant penalties if the Housing Element is not correctly updated and reporting has not occurred.
- 3) If the housing element is outdated or expired, the City is left open to developers where they would have the ability to develop housing in SJB that would satisfy State Housing Law and SJB could potentially take on more than its fair share of the regional housing needs.
- 4) A current housing element is prerequisite for CDBG grants.
- 5) Many smaller cities routinely contract with outside firms to provide the expertise and ability necessary to interact with the HCD.
- 6) Local planning services company, EMC, has been highly recommended by several cities in our region.
- 7) Staff has met with EMC twice and would like to enter into an agreement with them.

FISCAL REVIEW:

Estimated costs for supplemental planning services is \$5,000/month



CITY OF SAN JUAN BAUTISTA CITY COUNCIL STAFF REPORT

AGENDA TITLE: **Fire Protection Services Contract Remaining Items**
MEETING DATE: December 18, 2018
SUBMITTED BY: Trish Paetz, Administrative Services Manager

City of Hollister submitted a signed contract. Whereupon, the contract was forwarded to PARSAC for their review. Hollister's liability limits were not in compliance with PARSAC, so the contract was forwarded back to Hollister last week with new limits, as well as request to include a clause about independent contractor.

Staff anticipates the contract will be ready for Council approval by January.



CITY OF SAN JUAN BAUTISTA CITY COUNCIL STAFF REPORT

AGENDA TITLE: Gas Station Update on Hwy 156 and The Alameda
MEETING DATE: December 18, 2018
SUBMITTED BY: Todd Kennedy, Associate Planner

RECOMMENDED ACTION: Discussion and informational item only. To get City Council and the public baselined on the journey of this project and next steps.

BACKGROUND INFORMATION:

This item has been prepared in response to a request made by a City Council Member on December 11, 2018.

This item includes an update from staff on a Service Station and Convenience Store located on the Southeast Corner of State Hwy 156 and The Alameda in San Juan Bautista. This proposal went through the City Review Process, but entered litigation.

Please see the Procedural Timeline Below.

1. Applicant met with planning staff in September and October 2013.
2. Applicant submitted an informal project review November 21, 2013.
3. Planning Commission received and conducted informal presentation for applicant on December 3, 2013.
4. Applicant submitted Design Review and Conditional Use Permit application on December 20, 2013.
5. Planning Commission conducted a public hearing on the project on January 7, 2014. Commission continued the hearing to January 23, 2014.
6. Planning Commission held a special meeting on January 23, 2014 on the Proposed Project to allow public input. No action taken.
7. Planning Commission conducted a public hearing and approved the project on February 4, 2014.
8. Appeal by Leal Vineyards filed on February 11, 2014.
9. City Council held appeal hearing on March 18, 2014 and continued it to a Special meeting on April 9, 2014.
10. On April 9, 2014, the City Council continued the appeal hearing to a date after the 30 day review and comment period ended from the State Clearinghouse. (September 4, 2014) CEQA allows the City to accept public comment and revise the environmental documents accordingly, and that is what the City Council did at the April 9, 2014 meeting. The City Council can now decide the matter de novo per City Code Section 11-25-080.

11. Appellant and appellant's attorney did not receive notice of the Initial study, mitigated negative declaration, mitigation measures and monitoring program. Complaint to City on September 3, 2014.
12. Review and comment period extended for 20 days from September 9, 2014 to September 29, 2014.
13. A public hearing regarding the adoption of the Initial Study and Mitigated Negative Declaration was set for October 21, 2014. Staff realized that this did not provide an adequate amount of time for public comment, so the Notice of Intent to Adopt a Mitigated Negative Declaration was recirculated and included the statements "All comments received between October 14, 2014 and 5 P.M. on November 13, 2014 will be considered by the City of San Juan Bautista" (in order to give the public 30 days to comment on the document) and "when the matter is called on the agenda on October 21st, the City Council will continue the matter to a date and time certain and the public hearing will later be heard on that date at that time." This ensured that the public noticing requirements were fully met.
14. At the City Council meeting on October 21, 2014, the Council continued the public hearing on the adoption of the IS-MND to November 18, 2014. The appeal hearing for the project was set for November 18, 2014 as well.
15. Resolution 2014-44 was issued by City Council on November 18, 2014 denying the appeal.
16. City Staff was informed on November 27, 2018, that the City of San Juan Bautista was successful in defending its approval of the Gas Station and Convenience Store at the Court of Appeals.
17. City Staff met with the applicant on November 30, 2018 to discuss the project and determined next steps.
18. Next Step: Dadwahl to provide development plan set.

Note: No action can take place for 40 days after the court decision. Estimated to be available at the end of January 2019.

ATTACHMENTS:

1. Resolution 2014-44 with conditions of Approval
2. Resolution 2014-04 with Conditions of Approval
3. Plan Set
4. Caltrans Letter
5. Excerpt from the 1998 General Plan

RESOLUTION 2014-44

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN JUAN
BAUTISTA DENYING AN APPEAL FILED
FEBRUARY 11, 2014 BY DAN DEVRIES ON BEHALF OF LEAL VINEYARD
INC., OF PLANNING COMMISSION APPROVAL OF USE PERMIT
APPLICATION NO. CUP 2014-11 AND DESIGN REVIEW APPLICATION
NO. DR 2014-11 FOR A FUEL STATION, CONVENIENCE STORE,
AND QUICK SERVE RESTAURANT AT 404-408 THE ALAMEDA AND
APPROVING BOTH APPLICATIONS WITH FINDINGS AND CONDITIONS OF
APPROVAL FOLLOWING DE NOVO PUBLIC HEARING**

WHEREAS, Harbhajan (Harvey) Dadwal (sometimes herein referred to as "Applicant"), pursuant to Title 11 ("Zoning") of the San Juan Bautista Municipal Code, has applied for a conditional use permit (No. CUP 2014-101) and a site plan and design review permit (No. DR 2014-11), on property designated in the General Plan as general commercial and zoned accordingly, and located at 404-408 The Alameda (APN: 002-52-012) in the City of San Juan Bautista, for a development (sometimes herein referred to as "Project") of a single story building consisting of a separate 2,980 square foot convenience store, a separate 3,342 square foot quick serve restaurant, a covered fuel island with 6 pumps and 12 fuel dispensing stations, 46 on-site parking spaces, trash enclosure, landscaping, irrigation system, on-site storm drain retention and bio filter system, bicycle parking facilities, electric vehicle charging station, traffic channelization, on-site lighting, directional signage, driveway entrance and exits, perimeter architectural fencing, pedestrian sidewalks and traffic safety crosswalk striping; and

WHEREAS, the building is proposed to be divided into two commercial functions with (1) a small convenience store, central retail and fuel checkout counter, and (2) a restaurant with dining room accommodations; and

WHEREAS, the applications were reviewed and considered by the San Juan Bautista Planning Commission at duly noticed meetings and hearings held on January 7, 2014, January 23, 2014, and February 4, 2014; and

WHEREAS, following hearings, the Planning Commission approved a mitigated negative declaration for the Project, and then proceeded to approve the Project, i.e. CUP 2014-11 and DR 2014-11, with mitigation measures and conditions, all as set out in Planning Commission Resolution 2014-04; and

WHEREAS, on February 11, 2014, Daniel J. DeVries, Esq., on behalf of Leal Vineyards, Inc. (sometimes referred to herein as "Appellant") filed an appeal of the Planning Commission approvals described immediately above; and

WHEREAS, a hearing on the appeal was held by this Council on March 18, 2014, and April 9, 2014 and was legally, continued to November 18, 2014; and

WHEREAS, the initial study, mitigated negative declaration and mitigation monitoring program prepared for the Project have been prepared, noticed, and submitted

for review and previously approved according to law, with all resolutions, approvals, documents and findings incorporated into this Resolution as if fully set forth herein; and

WHEREAS, at the hearing on appeal on November 18, 2014, this Council, having reviewed all materials included with the agenda packet regarding the appeal, heard and considered all comments and materials made and submitted by Appellant, Applicant, staff, and other interested parties; and

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SAN JUAN BAUTISTA, HEREBY RESOLVES AS FOLLOWS;

Section 1. This Council adopts the Findings attached as Exhibit "A". In addition to the substantial evidence recited in Exhibit "A," substantial evidence in support of the findings is included in the 13 page report entitled "CITY OF SAN JUAN BAUTISTA, ADDITIONAL INFORMATION TO STAFF REPORT," included with the materials reviewed and considered by this Council, and said report is hereby incorporated herein by this reference. The findings are further supported by the conditions of approval, mitigation measures, and mitigation monitoring program, and narrative set out in the record in the Staff Reports and the Initial Study-Mitigated Negative Declaration.

Section 2. The Conditions of Approval attached as Exhibit "B" are hereby approved.

Section 3. Based on the foregoing, this Council concludes, determines, and orders as follows:

1. The appeal is denied.
2. The action of the Planning Commission to approve applications CUP 2014-11 and DR 2014-11 is approved.
3. The Project is approved, subject to the conditions and mitigation measures imposed by the Planning Commission by its Resolution 2014-04, Exhibit "C" hereto.


PASSED AND ADOPTED, at a duly noticed meeting of the City Council of the City of San Juan Bautista held on the 18th day of November, 2014 by the following vote:

AYES: Cosio, Boch, Lund, Edge, Moore

NOES: None

ABSENT: None

ABSTAIN: None


Andy Moore Mayor

ATTEST:



Connie Schobert, City Clerk

EXHIBIT "B"

CONDITIONS OF APPROVAL

Fuel Station, Convenient Store and Quick Serve Restaurant

1. The applicant shall enter into a project development agreement with the City of San Juan Bautista to construct the proposed project as submitted herewith conforming to the architectural style and appearance as submitted and approved by the Planning Commission and subsequently approved by the City Council on appeal of the Planning Commission.
2. The applicant shall enter into an indemnification and hold harmless agreement with the City of San Juan Bautista for the approval of the project and an agreement to pay processing fees for land use application and access to project site.
3. The applicant or contractor shall obtain an encroachment permit for any work performed within the City of San Juan Bautista public right of way.
4. The applicant shall submit for and obtain a grading permit for the site including drainage provisions and compliance with flood zone elevation requirements.
5. The applicant shall remove all existing driveway approaches that are not being used, replace them with a vertical face curb, gutter, and sidewalk and install new commercial concrete driveways at the entrance and exit conforming to the approved site plan and to City standards.
6. The applicant shall repair and reconstruct all damaged and broken sidewalks along the frontage of The Alameda and construct the sidewalk as shown on the final approved site plan.
7. The applicant shall install a new 8" diameter sanitary sewer line from the existing manhole at the intersection of The Alameda and Lang Street westerly for a distance of 35 feet west. The invert elevation of the 8" diameter sewer line at the manhole shall be provided by the City.
8. The applicant shall remove a 7 foot wide strip of asphalt pavement adjacent to the lip of gutter and replace with 8" thick aggregate class 2 base rock and 2-1/2" thick asphalt pavement for a distant of approximately 240 feet. The asphalt widening surface edge shall conform to the existing pavement edge. A slurry seal coat shall be apply to the new asphalt and existing pavement from the lip of gutter to the centerline

of The Alameda for a distance from the intersection with State Route 156 to the south limits of the project site, approximately 310 feet.

9. The applicant shall install pavement markings and striping for traffic channelization along the frontage of the property to provide a left or right turn lane for ingress and egress. The striping and pavement marking shall be done after the completion of the asphalt widening and slurry seal coat work. The striping and channelization shall conform to the approved striping plan for the project.
10. The applicant shall obtain a building permit for the buildings and fuel islands to ensure that it conforms to the uniform building codes, municipal building codes, and all applicable energy codes required. The building plan and fuel island shall conform to the architectural style presented and approved by the City Council.
11. The applicant shall submit a landscaping and irrigation plan to the City for review by the Planning Commission and obtain approval prior to issuance of an occupancy permit to any of the buildings or structures.
12. The applicant shall submit a site development plan including drainage, curbs, trash enclosure, on-site driveways, asphalt pavement, striping, electric charge station, and bicycle rack. Drainage shall conform to the State Storm Water Pollution Prevention Plan guidelines and best management practices.
13. The applicant shall submit an on-site lighting plan conforming to the city's dark sky regulations and provide hooded shield deflectors on all lighting fixtures. All lighting within the fuel island and in the parking area shall be directed downward or deflected in a direction away from the residential homes on the west side of The Alameda. All on-site exterior lighting shall be equipped with warm white illumination.
14. The applicant shall enter into a maintenance agreement with the City for continual maintenance of the landscaping and irrigations system for all landscaping and irrigation installed on the site.
15. The applicant shall install a minimum 7 foot high architectural perimeter fence along the southerly property line and a 4 foot high architectural perimeter fence along the easterly property line as shown on the approved plans. (See Mitigation Measure NOI-1 of MND.)
16. The applicant shall submit a sign permit application to install signs on all buildings. The application shall include one free standing monument type

sign situated in the landscaping planter area adjacent to State Highway 156. All signs shall conform to the City's sign ordinance.

17. The applicant shall install fire hydrants on the project site as shown upon the approved site plan. The fire hydrants shall conform to the City standards and approved by the Fire chief. A fire sprinkler system shall be installed on all structures conforming to the fire standard title 13.
18. The applicant shall contribute \$200,000 for the construction of a deceleration and right turn lane on the south side of State Highway 156 at The Alameda intersection. The applicant shall enter a reimbursable agreement with the city for reimbursement of all cost of the improvements that are in excess of the fair share cost of the projects requirement to improvement the deceleration lane. (See Mitigation Measure TRA-1 of MND.)
19. Construction on the site shall be restricted to the hours of 7:00 A.M. to 6:00 P.M. Monday through Saturday. No construction shall be allowed on Sundays. (See Mitigation Measure NOI-2 of MND.)
20. The applicant shall restrict all loud noises, vibratory equipment, trucks backup devices, and gas powered compaction tools to hours between 9:00 A.M. to 4:00 P.M. during the permitted days of construction. No construction will be allowed on Sunday unless it is within a confined building where all noises are contained inside the building. (See Mitigation Measure NOI-2 of MND.)
21. The applicant shall have the following note placed upon all construction plans and drawings of the project:

If prehistoric or historic archaeological resources or human remains are unexpectedly discovered during construction, work shall be halted within 50 meters (160 feet more or less) of the find until it can be evaluated by a qualified professional archaeologist. If the find is determined to be significant, appropriate mitigation measures shall be formulated and implemented. (See Mitigation Measure CR-1 of MND.)
22. The applicant shall pay all planning, building permit, site and building inspection fees, school impact fees and City of San Juan Bautista development impact fees upon issuance of a building permit.
23. The applicant shall obtain all right of way easements required and all easement to be abandoned or relocated prior to commencement of

construction. The applicant shall provide copies of all easements or the abandonment to the City.

24. The applicant shall provide copies to the City of the soils report and all compaction tests performed on the site during grading, excavation and embankment operations. (See Mitigation Measures GEO-1 of MND.)
25. The applicant shall submit to the City and obtain approval for an erosion control plan conforming to SWPPP guidelines during all grading activities and a letter or statement from the contractor that all work complies with the guidelines.
26. The applicant shall submit to the City and Health Department a hazardous waste management plan together with emergency contact information.
27. The applicant shall submit to the City a solid waste disposal plan if required.
28. The applicant shall obtain and submit a copy of the Monterey Bay Air Pollution Control District permit to the City.
29. The applicant shall obtain the necessary permits from the San Benito Health Department to conduct food related business within the proposed restaurant and convenience store prior to operations. A copy of the permit shall be provided to the City.
30. The applicant shall incorporate in the site development plan accommodation for a minimum of 8 bicycle parking spaces.
31. The applicant shall install domestic water services to the property and pay the required connection permit fees. Water service can be master metered or individually metered to each business. The applicant shall obtain an encroachment permit for water service lateral connection within the City right of way.
32. The applicant shall post a note on the improvement plans that all grading activities at the project site shall cease during high wind periods. The City Planning Department shall be contacted when construction is delayed due to high winds.
33. The applicant shall request and obtain a final inspection before a certificate of occupancy for the building permits are issued, prior to the onset of business operations.

34. Applicant shall install pavement traffic marking signs along The Alameda from the intersection of State Highway 156 to south end of the project as shown on the channelization plans prior to occupancy.
35. Applicant shall dedicate a strip of land ten feet in width along the frontage of The Alameda for future widening of The Alameda.
36. The applicant shall pay a fair share cost for the construction of a round-a-bout intersection at the intersection of The Alameda, San Juan-Hollister Road, and Salinas Grade Road. The fair share cost analysis shall be prepared by the City and shall be based upon traffic movements from the proposed project to the proposed round-a-bout intersection.
37. The applicant shall install two architectural street lights conforming to the type, standards, and style of the San Juan Bautista Historic Third Street along the frontage of The Alameda. The light shall be energized from the existing utility poles by underground conduit and electrical junction boxes.
38. The exterior of the proposed building shall be constructed using non-reflective materials including non-mirrored glass, painted metal panel treatments and non-reflective wall surfaces. (See Mitigation Measure AE-1 of MND.)
39. The applicant shall insure that the exterior of the proposed building shall be constructed and maintained using non-reflective materials including non-mirrored glass, painted metal panel treatments and non-reflective wall surfaces (See Mitigation Measure AE-1 of MND).

RESOLUTION 2014-04

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SAN JUAN BAUTISTA APPROVING THE DESIGN REVIEW APPLICATION AND CONDITIONAL USE PERMIT FOR HARBHAJAN S. DADWAL AT 404 THE ALAMEDA, PROJECT NO. DR 2014-101 AND CUP 2014-101

WHEREAS, the Planning Commission of the City of San Juan Bautista conducted a public hearing on January 7, 2014, a special meeting for public input and comments on January 23, 2014 and a public hearing on February 4, 2014, and

WHEREAS, the Planning Commission has reviewed the project staff report, considered information of the California Environmental Quality Act regulations, received oral comments and public testimony on the project, mitigation measures and recommended conditions of approval, and

WHEREAS, the applicant has agreed to the conditions of approval and the mitigation measures that would reduce the impacts of the project to less than significant level, and

WHEREAS, the Planning Commission has determined that in light of the whole record before the Commission, the proposed project DR-2014-101 and CUP 2014-101 will not have a significant effect on the environment of the project site and surrounding area.

NOW THEREFORE BE IT RESOLVED, that the Planning Commission of the City of San Juan Bautista hereby approves the Design Review Project No. DR 2014-101 and CUP 2014-101 subject to the conditions and mitigation measures outlined on Exhibit "A" attached hereto and made a part of this Resolution.

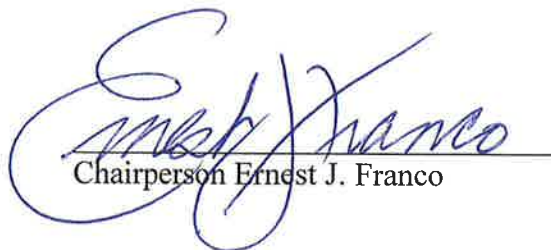
PASSED AND ADOPTED by the Planning Commission of the City of San Juan Bautista on the 4th day of February, 2014 by the following vote:

AYES: Franco, Garratt, Gularte, Guibert

NOES: None

ABSENT: Medeiros

ABSTAIN: None


Chairperson Ernest J. Franco

ATTEST:


Deputy City Clerk Trish Paetz

EXHIBIT A

MITIGATION MEASURES AND CONDITIONS OF APPROVAL FOR PROJECT NO. DR 2014-101 AND CUP 2014-101

MM-1 The applicant shall enter into an agreement with the City of San Juan Bautista to construct the proposed project as approved by the Planning Commission, conforming to the architectural style and appearance as submitted and approved by the Planning Commission.

MM-2 The applicant shall enter into a hold harmless agreement with the City of San Juan Bautista for the approval of the project.

MM-3 The applicant or contractor shall obtain an encroachment permit for any work performed within the public right of ways.

MM-4 The applicant shall submit an on-site grading plan to the City and obtain a permit for all grading work performed.

MM-5 The applicant shall remove existing driveway approaches that are not used and install new concrete driveways conforming to the approved site plan and to City standards.

MM-6 The applicant shall repair and reconstruct all damaged and broken sidewalks along the frontage of the property, and the sidewalk will be widened to a width of not less than seven (7) feet along the frontage of The Alameda.

MM-7 The applicant shall install a new fire hydrant on the frontage of the property at the northerly corner with State Highway 156; exact location to be determined by the Fire Department.

MM-8 The applicant shall remove a seven (7) feet wide strip of asphalt pavement and base adjacent to the lip of gutter and replace with 8" class 2 aggregate base rock and 2-1/2" thick asphalt pavement for a distant of 240 feet, more or less.

MM-9 The applicant shall install channelization lane striping and markings along the frontage of the property for a left turn lane and pavement lane markings at the entrance and exit approach per the approved site plan and channelization plan for The Alameda.

MM-10 The applicant shall obtain a building permit for the buildings, canopy, and fuel island, conforming to the uniform building codes, fire code, municipal building codes and all state energy code requirements.

MM-11 The applicant shall submit a landscaping and irrigation plan to the City prior to issuance of a building permit. Landscaping plan shall include all planting areas adjacent to the driveway and parking areas, landscaping and storm drainage areas as shown on the approved site plan.

MM-12 The applicant shall submit a site development plan including on-site drainage provisions, curbs, trash enclosure, on-site driveways, asphalt pavement, on-site pavement markings, handicap parking stalls, directional signs, information signs and ingress and egress signs.

MM-13 The applicant shall submit an on-site light plan conforming to the City's dark sky ordinance with provisions for shields on all lighting fixtures. All light fixtures shall be directed away from the residential homes on the west side of The Alameda.

MM-14 The applicant shall enter into an agreement with the City for continual maintenance of the landscaping and irrigation systems.

MM-15 The applicant shall install an architectural perimeter fence along the northeast property line.

MM-16 The applicant shall submit a sign application to the City for a master comprehensive freestanding sign and all other signs to and on the building or property.

MM-17 The applicant shall install a 4" diameter FDC fire line and PIV assembly from the proposed planter area at the southwest corner of the property to the building, the location to be determined by the Fire Dept.

MM-18 The applicant shall enter into a deferred improvement agreement for an acceleration and deceleration lane on the eastbound State Highway 156 right of way. The applicant shall be responsible to obtain the necessary encroachment permits and all other permits required by CalTrans to construct the improvements when required.

MM-19 The applicant shall restrict the hours of construction to from 7:30 A.M. to 6:00 P.M. Monday thru Saturday.

MM-20 The applicant shall restrict all loud noises, vibratory equipment, truck backup devices and gas powered compaction tools to hours between 9:00 A.M. to 4:00 P.M. Monday thru Saturday.

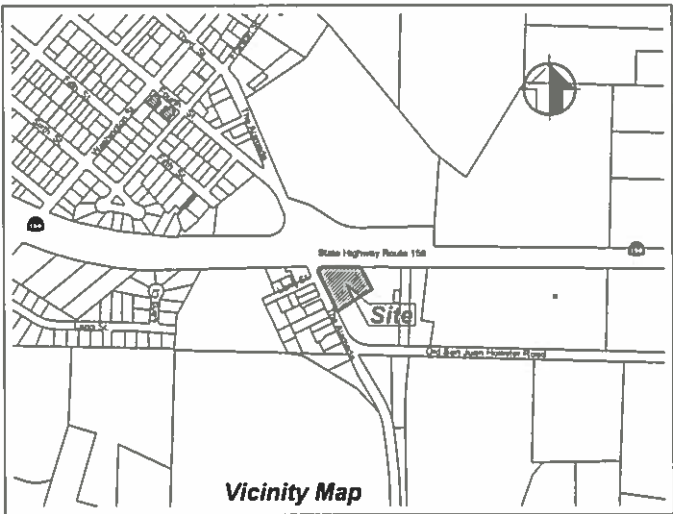
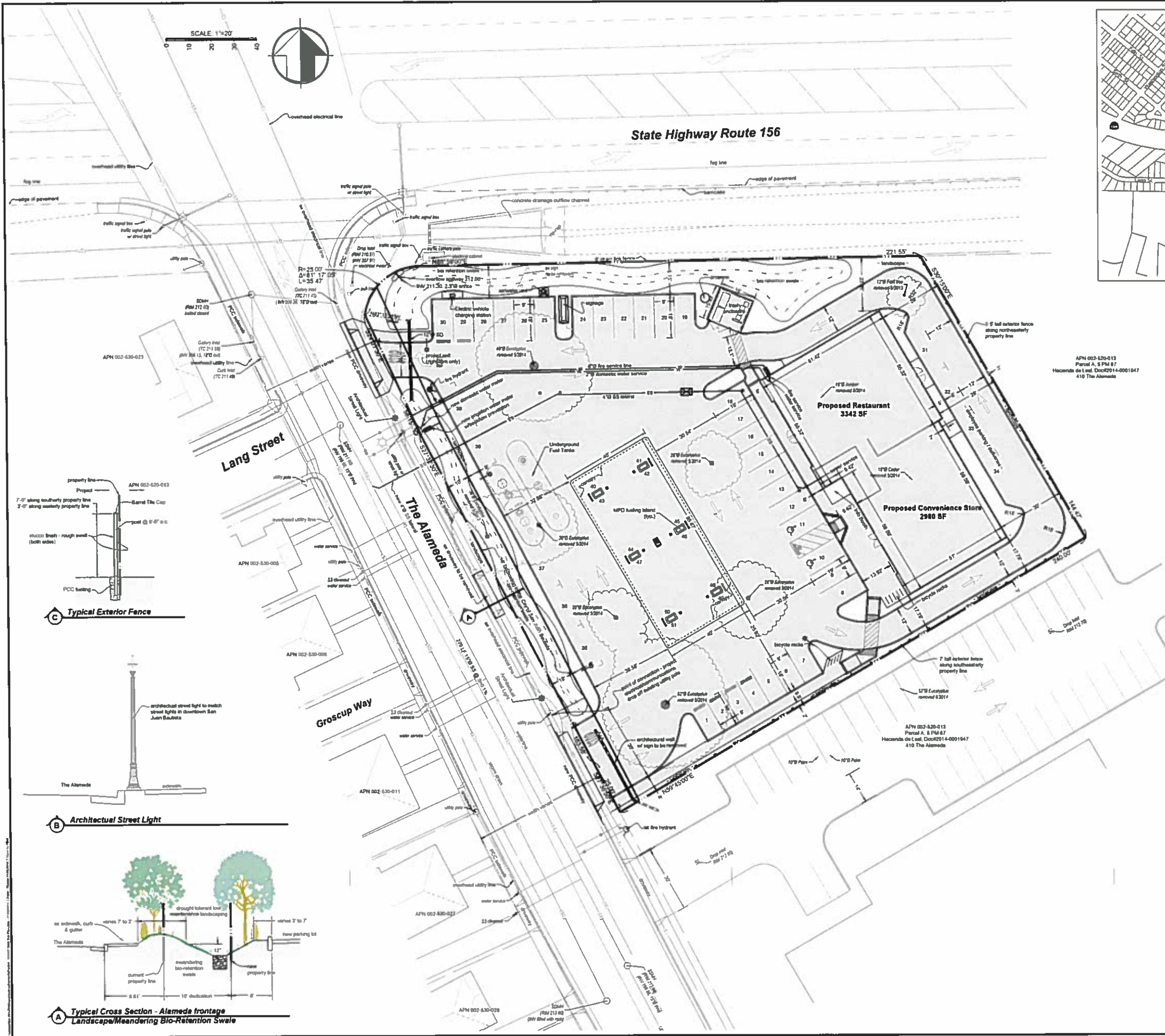
MM-21 The applicant shall require the following note to be placed upon all construction plans and drawing of the project.

"If prehistoric or historic archaeological resources or human remains are unexpectedly discovered during construction, work shall be halted within 50 meters (160 feet more or less) of the find until it can be evaluated by a qualified professional archeologist. If the find is determined to be significant, appropriate mitigation measures shall be formulated and implemented".

MM-22 The applicant shall pay all fees required to the City and School Districts prior to issuance of a building permit.

MM-23 The applicant shall secure all right of way easements necessary for the project and provide copies to the City prior to commencing work.

- MM-24** The applicant shall provide copies of all soils compaction tests and results to the City.
- MM-25** The applicant shall submit to the City an erosion control plan conforming to SWPP guidelines and best management practices.
- MM-26** The applicant shall submit to the City a hazardous waste management plan.
- MM-27** The applicant shall submit to the City a solid waste disposal plan.
- MM-28** The applicant shall submit to the City a copy of the Monterey Bay Air Pollution Control District permit if required.
- MM-29** The applicant shall obtain the necessary permits from the San Benito County Health Department to conduct and operate all food related businesses within the proposed project.
- MM-30** The applicant shall cause the site development plan to incorporate bicycle parking facilities, and provide an area for obtaining water and compressed air for vehicles and bicycles.
- MM-31** The applicant shall install a sanitary sewer service lateral to the property, pay the required connection fees and secure the necessary encroachment permit.
- MM-32** The applicant shall install a domestic water service lateral to the property, pay the required connection fees and secure the necessary encroachment permit.
- MM-33** The applicant shall restrict all grading activities during high wind periods that exceed 25 mph.
- MM-34** The applicant shall install directional traffic control signs along The Alameda per the channelization plan and on-site per the approved site plan.
- MM-35** The applicant shall install "KEEP CLEAR" pavement markings and "DO NOT BLOCK" signs in the north and southbound direction of The Alameda/Lang Street intersection.
- MM-36** The applicant shall install a "NO LEFT TURN" sign facing traffic exiting the property at the north exiting only driveway.
- MM-37** The applicant shall install a "DO NOT ENTER" sign facing traffic on The Alameda at the north exiting only driveway.
- MM-38** The applicant shall install "STOP" signs at each of the exit driveways of the project site.
- MM-39** The applicant shall dedicate a strip of land ten (10) feet in width along the frontage of the property.
- MM-40** The applicant shall construct an information kiosk center, promoting San Juan Bautista and its goods and services, at the front of the convenience center. Size and location shall be determined by the applicant.



Owner:
SJB Development Inc.
1534 D Fremont Blvd
San Jose, CA 95125
650.224.9191
hdsdwal@aol.com

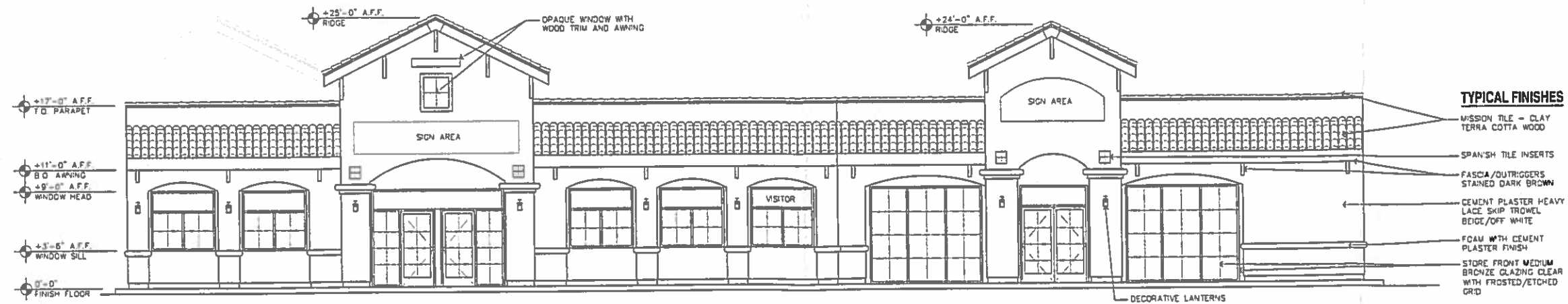
Project Applicant:
Harbison (Harvey) Dadwal
1534 D Fremont Blvd, Suite D
San Jose, CA 95125
650.224.9191
hdsdwal@aol.com

Project Engineer:
MH engineering
Allen Andrade RCE 58384, LS 7741
18075 Vineyard Blvd.
Morgan Hill, CA 95037
408.779.7301
allena@mhengineering.com

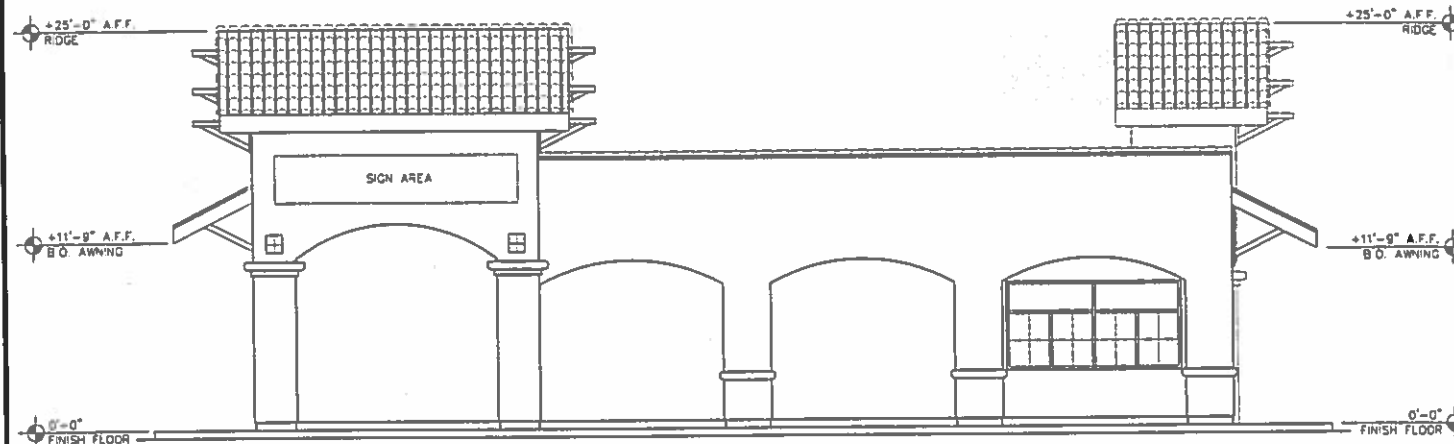
Project Information:
Project Name: Dadwal Commercial Development
Location: Southeast Corner of The Alameda & Highway 156
Assessor's Parcel Number: 002-520-012
General Plan Designation: Commercial
Zoning Designation: C2 - General Commercial
Existing Land Use: vacant
Proposed Land Use: commercial
Total Area: 48,602 SF (1.12 acres)

Parking Provided:
12 stalls - Fuel Bay
13 stalls - Convenience Store
26 stalls - Restaurant
51 stalls - Total Parking Provided

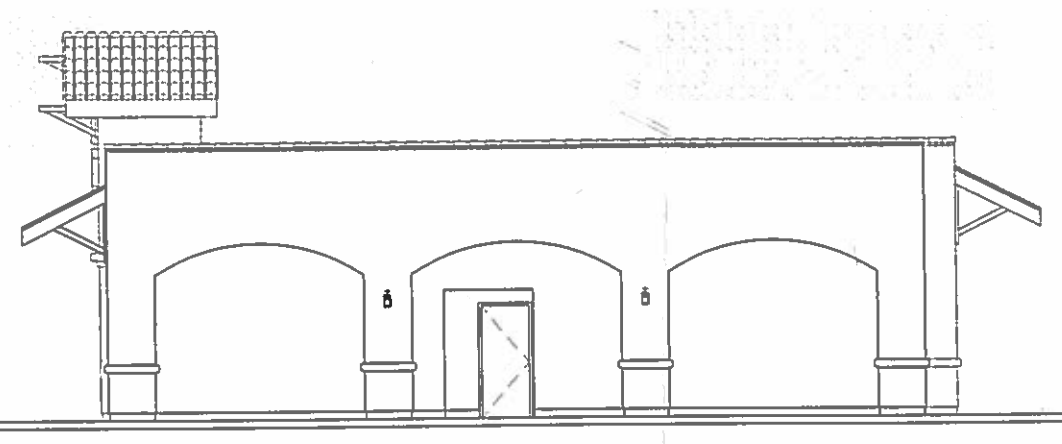
2 ADA van accessible stalls provided
4 compact stalls provided (7.5%)



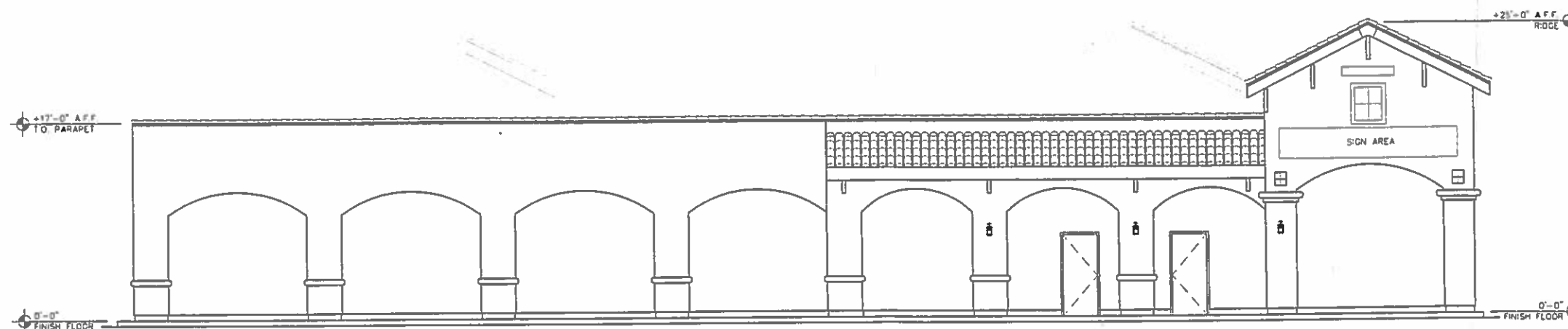
WEST ELEVATION
SCALE: 3/16"=1'-0"



NORTH ELEVATION
SCALE: 3/16"=1'-0"



SOUTH ELEVATION
SCALE: 3/16"=1'-0"



EAST ELEVATION
SCALE: 3/16"=1'-0"

CLIENT



18215 72ND AVENUE SOUTH
KENT, WA 98032
(425)251-6222
(425)251-8782 FAX

CIVIL, ENGINEERING, LAND PLANNING,
SURVEYING, ENVIRONMENTAL SERVICES

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SCALE

DEVELOPMENT INFORMATION

ARCO NTI
CUSTOM 2900 sq/pm
W/ Q.S.R.
FUEL CANOPY
W/ 6 MPD's

SITE ADDRESS

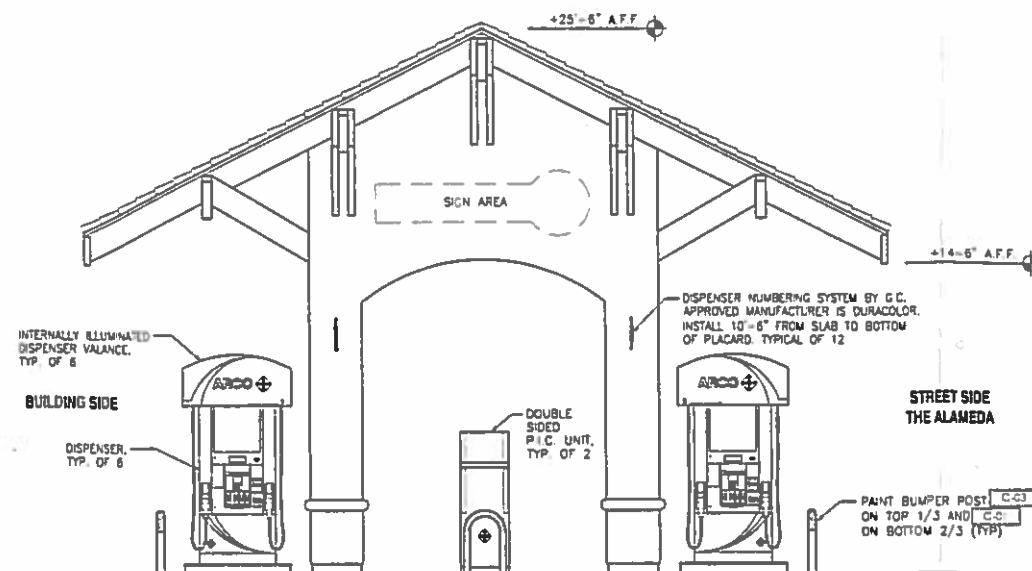
THE ALAMEDA
6 STATE HIGHWAY ROUTE 158
SAN JUAN BAUTISTA, CA

FACILITY # TBD

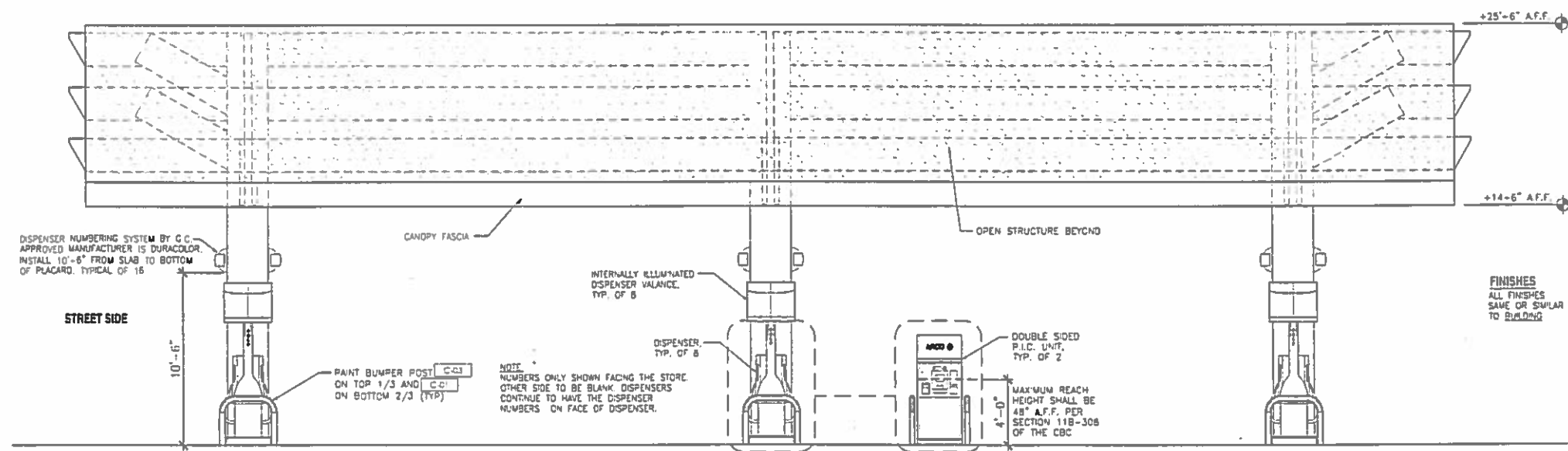
DESIGNED BY	ALLIANCE 2000
DRAWN BY	UP 10/04
CHECKED BY	ALLIANCE 10/04
REVISION	PROJECT NO. 17048

DRAWING TITLE:
PRELIMINARY ELEVATIONS

SHEET NO.



1 CANOPY ELEVATION (view from highway shown)
SCALE 1/4" = 1'-0"



2 CANOPY ELEVATION
SCALE 1/4" = 1'-0"

CUSTOMER:

BARGHAUSEN
CONSULTING ENGINEERS, INC.

18215 72ND AVENUE SOUTH
KENT, WA 98032
(425)231-6222
(425)231-8782 FAX

CIVIL ENGINEERING, LAND PLANNING,
SURVEYING, ENVIRONMENTAL SERVICES

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REAL

DEVELOPMENT INFORMATION

ARCO NTI
CUSTOM 2900 am/pm
W/ Q.S.R.
FUEL CANOPY
W/ 6 MPD's

SITE ADDRESS:

THE ALAMEDA
8 STATE HIGHWAY ROUTE 136
SAN JUAN BAUTISTA, CA

FACILITY # TBD

DESIGNED BY:	DBG	ALLIANCE SDRN
CHECKED BY:	JP	REPR
DRAWN BY:	JMW	ALLIANCE PG
VERSION:		PROJECT NO.
		17048

DRAWING TITLE:

CANOPY ELEVATIONS

SHEET NO.

CA2.1

DEPARTMENT OF TRANSPORTATION

50 HIGUERA STREET
SAN LUIS OBISPO, CA 93401-5415
PHONE (805) 549-3101
FAX (805) 549-3077
TDD (805) 549-3259
<http://www.dot.ca.gov/dist05/>



*Flex your power!
Be energy efficient!*

March 25, 2014

SBt-156-3.02
SCH# 2014031002

Matt Leal
City of San Juan Bautista
P.O. Box 1420
San Juan Bautista, CA 95045

Dear Mr. Leal:

COMMENTS TO ARCO FUEL STATION – HIGHWAY 156/THE ALAMEDA

The California Department of Transportation (Caltrans), District 5, Development Review, has reviewed the above referenced project and offers the following comments in response to your summary of impacts.

1. Page 17 (HYD-2) states the project developer shall submit a storm water plan prior to issuance of building permits. Caltrans requests this document as soon as available. Prior to developing the study, the applicant/consultant should be made aware that no additional conveyance of water shall reach the State facilities.
2. Page 27 mitigation measures for traffic (MM-18 specifically) discuss the deferred improvements for Highway 156. Since the Higgins traffic report states that the addition of eastbound channelization is warranted, Caltrans recommends that the conditions of approval be modified to be more specific on what the applicant will do prior occupancy. This may include the applicant being required to fund a study/design of these improvements (with concurrence from Caltrans). All proposals will need to meet design standards.
3. Any work within the State right-of-way will require an encroachment permit issued from Caltrans. Detailed information such as complete drawings, biological and cultural resource findings, hydraulic calculations, environmental reports, traffic study, etc., may need to be submitted as part of the encroachment permit process

If you have any questions, or need further clarification on items discussed above, please don't hesitate to call me at (805) 542-4751.

Sincerely,

JOHN J. OLEJNIK
Associate Transportation Planner
District 5 Development Review Coordinator
john.olejnik@dot.ca.gov

cc: Richard Rosales (D5)

ARCO's Consistency to the 1998 General Plan

POLICY L-3:

Encourage the development of vacant lots and underutilized property within the City of San Juan Bautista before approving urban development outside the existing City boundaries

POLICY L-6:

Ensure that new development pays its fair share of the cost of upgrading the public services and facilities needed to serve that development. Use impact fees and assessments for new development to ensure that the cost of extending services and expanding public facilities is not borne by existing residents and businesses.

POLICY L-7:

Approve development projects only when sufficient public services and utilities are available to serve that development or will be provided as part of the development plan.

POLICY L-8:

Provide a balance between job growth and housing growth. Land for both employment and housing should be provided to ensure that San Juan Bautista does not become a "bedroom" community.

POLICY L-10:

Protect residential areas from the effects of potentially incompatible uses. Where new commercial or mixed use development is allowed adjacent to residentially zoned districts, maintain standards for circulation, setbacks, landscaping, and architecture which ensure compatibility between the uses.

POLICY L-27:

Attract businesses and services which provide for the day-to-day needs of local residents as well as the needs of visitors.

POLICY L-28:

Encourage businesses that create jobs appropriate to the skills of the local labor force.

POLICY T-1:

Designate a system of local, minor collector, major collector, and arterial streets as a basis for managing traffic in the City. Maintain roadway design standards for each type of street which specify right-of-way, provisions for bicycles and pedestrians where feasible, street tree requirements, and lane design.

POLICY T-3:

When development is proposed, require traffic improvements as needed to ensure that the adopted levels of service are maintained. New development must do its fair share to mitigate the traffic impacts it generates, including the construction of new roads and improvements as well as improvements to existing roads and intersections as warranted.

POLICY T-4:

Where a project will generate the need for transportation improvements, require the construction of these improvements concurrently with the development wherever feasible.

POLICY T-10:

Require new development to provide for the parking demand it generates; where this demand cannot be handled on-site, require off-site parking or payment of an in-lieu fee which enables the City to construct parking at a convenient location nearby.

POLICY T-12:

Require parking areas to be attractively landscaped and comfortable for pedestrians and motorists.

POLICY T-22:

Improve and expand facilities for bicycles in San Juan Bautista, including on-street and off-street bike lanes and bicycle parking areas at City facilities and major destinations.

POLICY O-3:

Where development occurs within the 100-year flood plain, require on-site and off-site drainage improvements which minimize the risk of on-site and downstream flooding. To the maximum extent feasible, such improvements should retain the natural character of streams and creeks and should emphasize stormwater detention basins rather than “channelization.”

POLICY O-18:

Encourage and strongly support the planting of trees on City streets as a means of enhancing urban habitat, providing shade and blocking wind, reducing erosion, absorbing sound and air pollutants, and enhancing the character of the City. Ensure that appropriate street trees are planted, taking into consideration constraints like climate, the size of the planting strip, nearby utility lines, and the availability of sunlight and water.

POLICY S-8:

Generally avoid urban development within the 100-year flood plain, instead encouraging the use of the flood plain for agricultural, recreational, and open space activities. Where no other alternative exists, require all development within flood prone areas to comply with applicable state and federal standards and to local policies and ordinances addressing flooding.

POLICY S-15:

Ensure that streets in new developments are designed to provide adequate access for fire fighting and other emergency vehicles.

POLICY P-27:

Encourage development in San Juan Bautista that provides job opportunities for young people.

POLICY C-13:

Discourage the use of “standard” production architecture for corporate commercial chain stores, gas stations, fast food restaurants, and other franchises. The design of such establishments should reflect the architectural heritage of San Juan Bautista.

POLICY C-15:

Require commercial site plans which are friendly to pedestrians and minimize the dominance of parking.

POLICY C-20:

Encourage street and parking lot lighting that creates a sense of security, complements building design, is energy-efficient, avoids glare, and conforms with standards designed to reduce light pollution.

CITY OF SAN JUAN BAUTISTA

STAFF REPORT

Date: December 18, 2018
To: City Council
From: City Manager, Michael LaForge
Subject: **Honorable Mayor Jim West Celebration of Life and Dedication at Library**

Staff recommends that City Council dedicate a section of the library to offer Mayor West's book collection to the public and that we unveil the dedication and host a celebration of life event at the library on Saturday January 19th, 2019, from 2-4 pm.

Background: San Juan Bautista Mayor Jim West passed away unexpectedly December 6th, 2018. He was a respected and dedicated public servant who served on many volunteer boards for decades.

Analysis: CM has aligned with Mayor West's daughter on the library dedication and the range of dates that would be feasible for her to join the celebration of life.

Fiscal Review: The budget for the celebration of life and library dedication is estimated at \$400.

Alternatives: We can pick other days between Jan 19th and Jan 25th, 2019. We can partner with the Rotary Club and Granite Rock on the celebration to spread costs and or make it a large event.