



City of San Juan Bautista

The "City of History"

AGENDA

CITY COUNCIL SPECIAL MEETING

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

TUESDAY ~ January 30, 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 P.M.**
 - Pledge of Allegiance**
 - Roll Call**

2. **Public Comment – Only on items on the agenda.**

3. **Action Items**
 - A. Approve Affidavit of Posting Agenda**
 - B. Adopt Resolution 2018-XX Authorizing Amendment to Reimbursement Agreement for Well 5**
 - C. Appointment of Sub-Committee to Negotiate Employment Agreement for City Manager**

4. **Closed Session**
 - A. Public Employee Appointment**
Title: City Manager
Pursuant to Government Code Section 54957

 - B. Conference with Real Property Negotiator**
Approximately 0.8 acre portion of APN 002-055-009
City Negotiator: J. Edward Tewes, Acting City Manager
Property Owner Negotiator: Dale Coke
Under Negotiation: Price and Terms
Pursuant to Government Code Section 54956.8

5. **Adjournment**

AFFIDAVIT OF POSTING

I, TRISH PAETZ, DO NOW DECLARE, UNDER THE PENALTIES OF PERJURY THAT I AM THE DEPUTY CITY CLERK FOR THE CITY OF SAN JUAN BAUTISTA, AND THAT I POSTED THREE (3) TRUE COPIES OF THE ATTACHED CITY COUNCIL MEETING AGENDA. I FURTHER DECLARE THAT I POSTED SAID AGENDA ON THE 26th DAY OF JANUARY 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 26th DAY OF JANUARY 2018.



TRISH PAETZ, DEPUTY CITY CLERK

CITY OF SAN JUAN BAUTISTA

CITY COUNCIL

STAFF REPORT

DATE: January 25, 2018

SUBJECT: Amendment to Reimbursement Agreement for Well # 5

Recommendation:

It is recommended that the City Council adopt a resolution authorizing the City Manager to execute an amendment to a reimbursement agreement with Edenbridge Homes as outlined below.

Background:

As part of the construction of the Copperleaf subdivision on San Juan Hollister Road, the City and the developer (Edenbridge Homes) entered into an agreement whereby Edenbridge would undertake all the expenses of drilling, testing and developing Well 5, and contribute the well to the City. This approach allowed the project to proceed faster and at less cost than if the City had to wait to accumulate sufficient funds and conduct the public bidding process. Under the agreement, Edenbridge's costs are carefully reviewed and subject to audit.

Under the agreement Edenbridge would receive a credit against water connection fees, which would otherwise be paid along with each building permit for the single family homes. However, the agreement specifically limited the credit at the rate of \$7550 per unit, which was the rate established in the year. As of July 1, 2017 the new connection fee is \$8482 per unit, and it will be increased again on July 1, 2018 based on the Construction Cost Index of the Engineering News Record. Edenbridge acknowledges that they are required to pay the higher fees because there is not a Development Agreement for the project locking in the fees.

In order to complete the project and put the well on line it is appropriate to amend the agreement to reflect the remaining costs and the higher connection fees. The amendment would replace the current fee credit limit of \$7550 per lot and replace it with language that extends the fee credit to the actual fee in place at the time the credit is claimed.

We anticipate that we will submit water quality tests to the state of California and receive permission to put the well on line within the next 30 days. The City, using budgeted resources, will be responsible for connecting the well to an iron/manganese water treatment plant.

Fiscal Impact:

There is no net fiscal impact to the recommended action.

The current fee credit has a value of \$339,750. If the agreement is not amended, Edenbridge would pay the City the difference between the fee credit and the actual fees. If the credit is claimed before July 1 the fee revenue to be collected would be about \$41, 940 but the City would offsetting expenses to reimburse Edenbridge for the costs of the well.

If the agreement is amended the fee credit value would be increased to \$381,690. Allowing Edenbridge to complete the Well 5 project will allow it to come on line sooner at less overall cost.

RESOLUTION 2018-XX

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN JUAN BAUTISTA
APPROVING AMENDMENT TO THE EDENBRIDGE REIMBURSEMENT AGREEMENT**

WHEREAS, on August 4, 2017 the City of San Juan Bautista and developer San Juan Edenbridge, L.P. entered into a reimbursement agreement for the construction of Well 5; and

WHEREAS, the City Council for the City of San Juan Bautista has determined that the project can be completed faster and at less cost if the developer, San Juan Edenbridge, L.P., completes the project; and

WHEREAS, the water connection fees have been increased in accordance with prior City Council action; and

WHEREAS, there will be no net fiscal impact as a result of amending the agreement.

NOW, THEREFORE, BE IT RESOLVED, that the Reimbursement Agreement between the City of San Juan Bautista and San Juan Edenbridge, L.P. shall be revised to provide for a water connection fee credit calculated in accordance with the fees in place at the time the credit is claimed.

PASSED AND ADOPTED BY THE City Council of the City of San Juan Bautista on the 30th day of January, 2018 by the following vote.

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

Mayor Jim West

Mackenzie Quaid, City Clerk