



City of San Juan Bautista

The “City of History”

AGENDA

CITY COUNCIL MEETING

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

TUESDAY ~ August 21, 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**

2. Public Comment

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

3. Consent Items

All matters listed under the Consent Agenda may be enacted by one motion authorizing actions indicated for those items so designated. There will be no separate discussion of these items unless requested by a member of the City Council, a staff member, or a citizen.

A. Approve Affidavit of Posting Agenda

B. Approve Minutes for June 18, 2018

C. Approve Resolution 2018-XX for Street Closure – Chicken Festival

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

4. Presentations, Informational Items and Reports

A. Proclamation Honoring Jacob's Heart Children's Cancer Support Services and Declaration of Childhood Cancer Awareness Month

B. Treasurer's Report

C. City Manager's Report

D. Monthly Construction Progress Report

E. Community Development Report

F. City Engineer's Report

G. Public Works Report

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

I. Strategic Plan Committee Report

5. Action Items

A. Authorize City Manager to Negotiate a Contract for the City Hall ReRoof Project

- i. Staff Report: City Engineer Patrick Dobbins
- ii. Discussion
- iii. Public Comment
- iv. Possible Action:
Motion to approve Resolution 2018-XX authorizing the City Manager to negotiate a contract for the City Hall reroof project

B. Consider Establishment of a Mello-Roos Community Facilities District

- i. Staff Report: Rick Clark, Harris & Assoc.
- ii. Discussion
- iii. Public Comment
- iv. First Possible Action:
Motion to Approve Resolution 2018-XX Approving Local Goals and Policies for Community Facilities Districts
- v. Second Possible Action:
Motion to Approve Resolution 2018-XX Intention to Establish the Community Facilities District No. 2018-01

C. Consider a Contract with Dudek Consulting to Prepare a Capital Planning Report for City's Wastewater Treatment Plant

- i. Staff Report: City Engineer Patrick Dobbins
- ii. Discussion
- iii. Public Comment
- iv. Possible Action:
Motion to approve Resolution 2018-XX authorizing a contract with Dudek Consulting in the amount of \$33,320 to prepare a capital planning report for the City's wastewater treatment plant and authorizing the City Manager to sign the contract

D. Consider Adopting the Uniform Public Works Accounting Code to Streamline Delivery of Public Works Project

- i. Staff Report: City Engineer Patrick Dobbins
- ii. Discussion
- iii. Public Comment
- iv. Possible Action:
Provide direction to staff

6. Comments

A. City Council

B. City Manager

C. City Attorney

7. 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 16th DAY OF AUGUST 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 16th DAY OF AUGUST 2018.



TRISH PAETZ, DEPUTY CITY CLERK

**CITY OF SAN JUAN BAUTISTA
CITY COUNCIL REGULAR MEETING
JUNE 19, 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 and Martorana.

Absent: Council Member DeVries

Staff Present: City Manager LaForge, City Attorney Mall.

Absent: City Treasurer Geiger, Acting City Clerk Quaid

2. PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA

Enrique Arreola provided an update of the Community development Block Grant process for San Benito County. Jolene Cosio had issues with street closures. Barry Katz spoke about benefits of electric Charging stations in SJB. Matt Manning spoke about issues with a fence erected at the Rancho Vista subdivision.

3. CONSENT ITEMS

- A. Approve Affidavit of Posting Agenda**
- B. Approve Affidavit of Posting Public Hearing Notice**
- C. Approve Minutes for April 17, 2018 Meeting**
- D. Approve Resolution 2018-26 Approving Update to Personnel Policies**
- E. Adopt Ordinance 2018-05 Adding Chapter “Cannabis Facilities Regulatory Permit” to Title 5 “Public Health, Safety and Welfare” of the San Juan Bautista Municipal Code – Second Reading and Adoption**
- F. Approve Resolution 2018-27 Supporting the Proposal of the Trust for Public Land for the Acquisition of the 540 acre Nyland Ranch**
- G. Approve Resolution 2018-29 Adopting a List of Projects for Fiscal Year 2018-29 Funded by SB 1: The Road Repair and Accountability Act of 2017**
- H. Waive Reading of Ordinances and Resolutions on Tonight’s Agenda Beyond Title**
- I. Approve Resolution 2018-XX for Street Closure for Parade of Horses**
- J. Approve Resolution 2018-30 Making Certain Findings and Determinations in Compliance With Section XII B of the California Constitution (Gann Initiative)**
- K. Recommendation of the Appoint of Ann Fritch to the Strategic Planning Committee**

A motion was made by Council Member Boch and seconded by Council Member Martorana to pull Items C, E, and I for discussion and approve all other items on the consent agenda. The motion passed 4-0-0-1 with Council Member DeVries absent.

3C. Approve Minutes for April 17, 2018 Meeting

Jolene Cosio offered corrections to the minutes. A motion was made by Council Member Martorana and seconded by Vice Mayor Freeman to approve the minutes with corrections. The motion passed 4-0-0-1 with Council Member DeVries absent.

3E. Adopt Ordinance 2018-05 Adding Chapter "Cannabis Facilities Regulatory Permit" to Title 5 "Public Health, Safety and Welfare" of the San Juan Bautista Municipal Code – Second Reading and Adoption

Rachel Ponce was concerned with disbanding of the oversight committee, feels the committee is necessary. Mandisa Snodey was concerned with area of the ordinance dealing with greenhouses. Victor Gomez clarified. Subcommittee Representative Martorana recommends to go forward and make changes later.

A motion was made by Council Member Martorana and seconded by Council Member Boch to adopt Ordinance 2018-05 adding Chapter "Cannabis Facilities Regulatory Permit" to Title 5 "Public Health, Safety and Welfare" of the San Juan Bautista Municipal Code. The motion passed 4-0-0-1 with Council Member DeVries absent.

3I. Approve Resolution 2018-28 for Street Closure for Parade of Horses

Council Member Boch commented he pulled this item off the consent agenda because a member of the public commented about street closures. There was no further discussion. A motion was made by Council Member Boch and seconded by Council Member Freeman to Approve Resolution 2018-28 authorizing a street closure for a parade of horses. The motion passed 4-0-0-1 with Council Member DeVries absent.

4. PRESENTATIONS, INFORMATIONAL ITEMS AND REPORTS

A. Recognition of Volunteer Fire Chief John Fox

Mayor West presented a plaque to John Fox for his years of service to the City as Fire Chief for the Volunteer Fire Department.

Whereupon, Mayor West requested that Item 7C be moved up in the agenda for discussion immediately.

7C. Consider Proposed Chicken Festival for September 16, 2018

City Manager LaForge provided a report. Festival organizer Naomi Medina was present to respond to questions. Council members spoke in support of a chicken festival in the City. During public comment, Rachel Ponce spoke against a chicken festival, Jolene Cosio and Linda Ginn spoke in support of a chicken festival. No action was taken.

B. Treasurer's Report

In the absence of City Treasurer Geiger, City Manager LaForge presented the report. During public comment Jolene Cosio commented street sweeping conflicts with trash pickup on Friday, and \$48,000 payment to 4-Leaf (contractor for code enforcement,

permit processing, planning services, and building inspections) cannot continue.

C. Monthly Construction Progress Report

City Engineer Patrick Dobbins of Harris and Associates provided a report and responded to questions.

D. Community Development Report

Council received a spreadsheet for planning and building inspections activities. There was discussion. There was no public comment received.

E. Engineer Report

Council received a spreadsheet from Bracewell Engineering. There was no public comment received.

F. Public Works Report

No report was provided.

G. Wastewater Services Contract Report

Council received a spreadsheet for water and wastewater activities from Bracewell Engineering. City Engineer Dobbins commented that a construction bid would be released later this month for the pellet plant. There was no public comment received.

H. Youth Commission Annual Presentation

Council listened to a presentation by Youth Commissioners Shaylen Dornan and Joey Sahi.

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

Council Members reported on monthly committee meetings they attended.

J. Strategic Plan Committee Report

Council Member Freeman provided a report.

5. PUBLIC HEARING ITEMS

A. Valle Vista Landscape and Lighting District

i. Approve Resolution 2018-XX Confirming a Diagram and Assessment in Connection With Valle Vista Landscape and Lighting Maintenance Assessment District No. 1 for Fiscal Year 2018-19

City Manager LaForge provided a report. Mayor West opened the public hearing. No comments were received. Mayor West closed the public hearing.

A motion was made by Council Member Boch and seconded by Council Member Martorana to Approve Resolution 2018-31 Confirming a diagram and assessment in connection with Valle Vista Landscape and Lighting Maintenance Assessment District No. 1 for Fiscal Year 2018-2019. The motion passed 4-0-0-1 with Council Member DeVries absent.

ii. Approve Resolution 2018-XX Certifying Compliance With State Law With Respect to the Levying of General and Special Taxes, Assessments, and Property Related Fees and Charges

A motion was made by Council Member Martorana and seconded by Council Member Boch to approve Resolution 2018-32 Certifying Compliance with State law with respect to the levying of general and special taxes, assessments, and property related fees and charges. The motion passed 4-0-0-1 with Council Member DeVries absent.

6. ACTION ITEMS

A. Consider Resolution 2018-XX for Cannabis Ballot Measure

City Attorney Mall reported that there is an August deadline for submitting ballot measure wording to the County Elections Office, and suggested a special meeting rather than go up against the August council meeting. During public comment Mandisa Snodey commented on Monterey's tax structure. Jolene Cosio commented on the importance of a good method for tracking taxes.

This item, together with Item 6G, Presentation of the Fiscal Year 2018-2019 budget, were continued to a special meeting to be held Tuesday, June 26 at 6:00 p.m.

B. Consider Resolution 2018-33 Approving the Council of San Benito County Governments' Transportation Safety and Investment Plan (TSIP) as the Expenditure Plan for a Transportation Sales and Use Tax Ordinance in San Benito County

San Benito County COG Director Mary Gilbert provided a report. A question and answer period followed. There was no public comment received.

A motion was made by Council Member Boch and seconded by Vice Mayor Freeman to approve Resolution 2018-33 Approving the Council of San Benito County Governments' Transportation Safety and Investment Plan (TSIP) as the Expenditure plan for a transportation sales and use tax ordinance in San Benito County. The motion passed 4-0-0-1 with Council Member DeVries absent.

Whereupon, a five minute break was taken at 8:30 p.m.

C. Approve Resolution 2018-34 for Purchase of AirVac Engine Exhaust Removal System for City Fire Station

City Manager LaForge provided a report. There was no public comment.

A motion was made by Council Member Boch and seconded by Vice Mayor Freeman to approve Resolution 2018-34 approving purchase of an AirVac engine exhaust removal system for the City Fire Station. The motion passed 4-0-0-1 with Council Member DeVries absent.

D. Consider Approval of Resolution 2018-35 Approving a New Franchise Agreement with Recology San Benito County for Collection of Recyclables,

Organics, and Solid Waste and Issuance of Proposition 218 Notice for Proposed Maximum Allowable Rates

Kevin McCarthy provided a report. There was no public comment.

A motion was made by Council Member Boch and seconded by Vice Mayor Freeman to approve Resolution 2018-35 approving a new franchise agreement with Recology San Benito County for collection of Recyclables, Organics, and Solid Waste and Issuance of Proposition 218 Notice for Proposed Maximum Allowable Rates. The motion passed 4-0-0-1 with Council Member DeVries absent.

E. Approve Resolution 2018-XX for a Final Subdivision Map for Phases 5, 6, and 7 of the Rancho Vista Development

City Manager LaForge reported on the three areas of concern; the rockery wall, the north facing boundary wall, and the roundabout. There was discussion. During public comment Matthew Manning did not support the rockery wall. Kathleen Manning did not support moving ahead with Phases 5, 6 and 7 at this time. Jolene Cosio suggested a timeline be developed, and conditions of approval. City Engineer Dobbins confirmed that the parcels conform to the tentative map.

A motion was made by Council Member Martorana and seconded by Council Member Boch to move this item to a special meeting on June 26. The motion passed 3-1-0-1 with Mayor West voting against and Council Member DeVries absent.

F. Consider Plan for Dual Events for First Weekend in May 2019

Elaine Reyna presents. During public comment Mandisa Snodey, Sonne Reyna, Ramona Hill and Rachel Ponce spoke in support of the Indian Market.

It was the consensus of the Council to move the special events application for the 2019 Indian Market forward for approval.

G. Fiscal Year 2018-2019 Budget

i. Presentation of the Budget

ii. Consider Resolution 2018-XX Adopting the Fiscal Year 2018-2019 Municipal Budget

iii. Consider Resolution 2018-XX Adopting a Holiday Schedule for the Fiscal Year 2018-2019

This item was continued to the June 26 special meeting.

H. Consider a Funding Request for a Temporary Public Art Project

Strategic Plan Committee member Mandisa Snodey provided a report asking for \$1,500 in funding for a temporary public art project.

A motion was made by Council Member Martorana and seconded by Council Member Boch to approve \$1,500 for a temporary art project. The motion passed 4-0-0-1 with Council Member DeVries absent.

7. DISCUSSION ITEMS

A. Cannabis Rules and Regulations

This item was continued to another meeting.

B. Fire Contract

Council Member Martorana reported there was nothing to report from the Fire protection committee meeting.

C. Consider Proposed Chicken Festival for September 16, 2018

This item was discussed earlier in the meeting.

8. COMMENTS

A. City Council

No comments received.

B. City Manager

No comments received.

C. City Attorney

No comments received.

9. ADJOURNMENT

The meeting adjourned at 10:20 p.m.

RESOLUTION NO. 2018-XX

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

BE IT RESOLVED that Naomi Medina and the San Juan Merchants are authorized to close Third Street between Franklin and Muckelemi Streets on Sunday, September 16, 2018 from 5:00 a.m. until 7:00 p.m. for a Chicken Festival in the City of San Juan Bautista.

PASSED AND ADOPTED this 21st day of August 2018 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

Mayor Jim West

Mackenzie Quaid, Acting City Clerk

PAID
150
CK2852

RECEIVED
JUL 13 2018

Applicant Name or Organization:

Date/Time Received:

Form Update: January 17, 2012

BY: 

Special Event/Activities – Permit Application

All forms must be submitted at least 60 days prior to event with fees

Cover Page

EVENT INFORMATION

Event Title: SAN JUAN BAPTISTA CHICKEN COOK-OFF

Applicant: NAOMI MEDINA AND SAN JUAN MERCHANTS

Phone: 831-623-9262 E-Mail: marapts11@yahoo.com

Mailing Address: PO Box 1452, STB CA 95045

NOTIFICATIONS *please fill out the appropriate line, and then return directly to City Planner.*

Department	Staff	Notice Sent	Approved?
<input type="checkbox"/> Planning			<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/> Fire			<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/> Public Works			<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/> City Manager			<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/> Police			
<input type="checkbox"/> Environment Health			

KEY ISSUES *for your reference, these are the issues we have identified in this application.*

- | | | | | |
|---|--|---|---|--|
| <input type="checkbox"/> Amplified Sound | <input type="checkbox"/> Banner Request | <input type="checkbox"/> Block Party | <input type="checkbox"/> Public Building Reservation | <input type="checkbox"/> Item Sales |
| <input type="checkbox"/> Car Wash | <input type="checkbox"/> Cooking | <input type="checkbox"/> Crowd Control | <input type="checkbox"/> First Aid/Security Plan | <input type="checkbox"/> Generator |
| <input type="checkbox"/> Item Sales | <input type="checkbox"/> Parade | <input type="checkbox"/> Parking | <input type="checkbox"/> Park Reservation | <input checked="" type="checkbox"/> Street Closure |
| <input type="checkbox"/> Tent | <input type="checkbox"/> Trash/Recycling | <input checked="" type="checkbox"/> Animals
<i>caged chicken</i> | <input checked="" type="checkbox"/> Sanitation (Part-a-Potty) | <input type="checkbox"/> Electrical |
| <input type="checkbox"/> Other: (explain) | | | | |

Special Event/Activities – Permit Application

Dear Event Organizer:

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

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

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

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

SECTION 1: CONTACT INFORMATION

Event Title: SAN JUAN BAUTISTA CHICKEN COOKOFF Today's Date: 7-7-18
 Applicant: NAOMI MEDINA
 Organization: MERCHANTS OF SAN JUAN / SAN JUAN BAUTISTA BUSINESS COMMUNITY ASSOC.
 Phone: 831-623-9262 E-Mail: maragots11@yahoo.com
 Mailing Address: PO Box 1452, SJB CA 95045
 Fax: _____

Event Setup SUN Date: 9/16/18 Time: 5:00AM Event Ends SUN Date: 9/16/18 Time: 5:00 AM
 Event Starts SUN Date: 9/16/18 Time: 10:00 AM Dismantle SUN Date: 9/16/18 Time: 7:00 PM

ANTICIPATED ATTENDANCE: Total or the event: 2,000 Total per Day: 2,000

LOCATION OF EVENT (please be specific): THIRD STREET, FROM FRANKLIN ST TO MUCKELEMEI ST.

¹ Requires proof of charitable non-profit status.

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

³ Additional fees for use of public facilities may apply.

INSURANCE

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

CITY FACILITIES

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

☐ Yes ☒ No

If yes, which facility?

Have you reserved the facility yet?

N/A ☐ Yes ☐ No

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

☒ Yes ☐ No

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

THIRD STREET, FROM FRANKLIN ST TO MUCKELM ST.

Does this event involve a parade?

☐ Yes ☒ No

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

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

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

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

Do you plan to hold your event on private property?

☐ Yes ☒ No

If yes, describe the location:

VENDORS

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

☒ Yes ☐ No

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

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

☒ Yes ☐ No

If yes, please describe: (insurance coverage will be required) KID CRAFT ZONE AND PARKER WITH HIS CHICKENS.

FOOD AND ALCOHOL (all food preparation is subject to state regulations; provide insurance if appropriate)
If you are serving or selling food, you must obtain a permit from the **San Benito County Environment Health Department.**

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

☒ Yes ☐ No

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

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

Does your event involve the use of alcoholic beverages? **SAN JUAN ROTARY BEER GARDEN** ☒ Yes ☐ No

PORTABLE REST ROOMS (These permits are handled through the San Benito County Environmental Health Department)

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

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

☒ Yes ☐ No

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

LIGHTING AND SOUND

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

☒ Yes ☐ No

Will this event use any lighting?

☐ Yes ☒ No

Will you be using any type of generator?

☐ Yes ☐ No

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

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

Solid Waste Diversion Plan:

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

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

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

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

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

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

MERCHANT VOLUNTEER BLOCK CAPTAINS

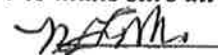
4. In order to comply with the American Disabilities Act, describe how your event will be accessible to people with disabilities.

HANDICAP PARKING IN BANK PARKING LOT

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

FIRST AID KIT ~~AND~~ AT INFORMATION BOOTH.

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

 Initial

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

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

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
Proclamation
Honoring Jacob's Heart Children's Cancer Support Services and
Declaration of Childhood Cancer Awareness Month**

WHEREAS, each day 42 children in the United States are diagnosed with cancer and more than 40,000 children undergo treatment for cancer each year; and

WHEREAS, cancer remains the leading cause of death by disease among children, more than asthma, diabetes, cystic fibrosis, congenital anomalies, and AIDS combined; and

WHEREAS, families of children with cancer in the City of San Juan Bautista receive essential services from Jacob's Heart Children's Cancer Support Services, a local organization that has gained national awards and recognition for improving the quality of life for hundreds of local children with cancer and thousands of family members; and

WHEREAS, Jacob's Heart holds the memories, and honors the legacies, of hundreds of children from our local community who have been lost to cancer, ensuring that their precious memories will never be forgotten; and

WHEREAS, the oncology department at Lucile Packard Children's Hospital at Stanford has worked closely with Jacob's Heart for the past 19 years as a trusted community partner in providing family-centered care that addresses the emotional, practical and financial struggles of families of children with cancer in San Juan Bautista; and

WHEREAS, it is important for all San Juan Bautista residents to recognize the impact of pediatric cancer on families within our community and honor the lives of children in our community whose lives have been cut short by cancer; and

NOW, THEREFORE, I, Jim West, Mayor of the City of San Juan Bautista, do hereby declare September as Childhood Cancer Awareness Month in the City of San Juan Bautista and do hereby honor Jacob's Heart Children's Cancer Support Services for 19 years of outstanding support to our community and acknowledge the organization's contributions to Childhood Cancer Awareness Month, honoring children with cancer in our community.

Mayor Jim West

Dated: August 21, 2018

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

Item #4B

City Council Meeting

REVENUES					
	<u>Fund</u>	<u>Actuals</u>	<u>Annual Budget</u>	<u>Difference</u>	<u>YTD 8%</u>
General Fund		92,304	2,442,564	2,350,260	4%
Special Revenue Funds:					
Community Development		27,792	566,817	539,025	5%
COPS		8,333	100,000	91,667	8%
Rest. & Roads Fund		2,906	25,600	22,694	11%
Valle Vista LLD		-	27,884	27,884	0%
Gas Tax Fund		4,223	360,750	356,527	1%
Enterprise Funds:					
Water					
Operations		80,325	768,000	687,675	10%
Capital		68,000	1,154,090	1,086,090	6%
Sewer					
Operations		75,282	832,000	756,718	9%
Capital		-	594,114	594,114	0%
TOTAL Funds		266,861	6,871,819	6,604,958	4%

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

Item #4B

City Council Meeting

EXPENDITURES				
Fund	Actuals	Annual Budget	Difference	YTD 8%
General Fund:				
City Council	2,332	34,769	32,437	7%
City Attorney	-	50,000	50,000	0%
City Manager	1,846	42,612	40,766	4%
City Clerk	8,328	122,124	113,796	7%
City Treasurer	20	340	320	6%
Finance and Accounting	7,575	141,747	134,172	5%
City Library	6,194	110,541	104,347	6%
Fire Department	14,476	241,865	227,389	6%
Law Enforcement	21,954	279,950	257,996	8%
Animal Control	3,500	10,000	6,500	35%
Public Works - Streets	14,130	978,090	963,960	1%
Public Works - Parks and Grounds	18,555	314,215	295,660	6%
General Government	1,962	50,500	48,538	4%
Total General Fund Expenditures	100,872	2,376,753	2,275,881	4%
Special Revenue Funds:				
Community Development:				
Engineering	1,218	150,497	149,279	1%
Building	2,438	139,966	137,528	2%
Planning	7,493	207,731	200,238	4%
COPS	8,333	100,000	91,667	8%
Rest. & Roads Fund	-	75,000	75,000	0%
Valle Vista LLD	1,388	27,884	26,496	5%
Gas Tax Fund		409,803	409,803	0%
Enterprise Funds:				
Water:				
Operations	66,785	894,222	827,437	7%
Capital	1,136	630,861	629,725	0%
Sewer				
Operations	58,361	961,407	903,046	6%
Capital	941	514,213	513,272	0%
TOTAL Funds	248,965	6,488,337	6,239,372	4%

City of San Juan Bautista
Warrant Listing
As of July 31, 2018

Item #4B
City Council Meeting
August 21, 2018

Date	Num	Name	Amount
101.000 - Union Bank			
101.001 - Operating Acct. 1948			
07/06/2018	211798	ACWA Health Benefits Authority	-5,934.87
07/06/2018	211799	AI V Inc.	-303.62
07/06/2018	211800	Araceli Ruiz.	-700.00
07/06/2018	211801	at&t	-261.01
07/06/2018	211802	AVAYA	-210.98
07/06/2018	211803	BNI Publications, Inc.	-139.40
07/06/2018	211804	Brigantino Irrigation, Inc.	-957.61
07/06/2018	211805	Bryant L. Jolley	-675.00
07/06/2018	211806	CalPERS 457 Plan	-1,623.27
07/06/2018	211807	Core & Main	-11,378.37
07/06/2018	211808	Harris & Associates	-62,850.33
07/06/2018	211809	Hollister Auto Parts, Inc.	-12.77
07/06/2018	211810	Home Depot Credit Services	-47.78
07/06/2018	211811	Joe Guevara	-399.84
07/06/2018	211812	John Fox	-600.00
07/06/2018	211813	John Freeman	-80.51
07/06/2018	211814	Mackenzie Quaid	-100.00
07/06/2018	211815	Michaele LaForge	-500.00
07/06/2018	211816	P G & E	-631.72
07/06/2018	211817	PARSAC	-9,761.00
07/06/2018	211818	Pinnacle Healthcare Hollister	-94.00
07/06/2018	211819	R & B Company	-843.83
07/06/2018	211820	Rossi Bros Tire & Auto	-20.00
07/06/2018	211821	Rx-Tek	-550.53
07/06/2018	211822	Smith & Enright Landscaping	-1,104.00
07/06/2018	211823	State Compensation Insurance Fund	-2,139.66
07/06/2018	211824	True Value Hardware	-80.06
07/09/2018	211825	US Bank	-4,727.45
07/10/2018	211826	4Leaf, Inc.	-28,999.35
07/10/2018	211827	Bracewell Engineering, Inc.	-11,885.00
07/10/2018	211828	Charter Communications	-114.97
07/10/2018	211829	Golden State Emergency Vehicle Service	-94.80
07/10/2018	211830	Hollister Auto Parts, Inc.	-348.85
07/10/2018	211831	KBA Docusys	-418.27
07/10/2018	211832	Mc Kinnon Lumber Co., Inc.	-90.63
07/10/2018	211833	Michaele LaForge	-1,136.30
07/10/2018	211834	Mission Linen Service	-86.60
07/18/2018	211835	4Leaf, Inc.	-6,371.56
07/18/2018	211836	at&t	-70.27
07/18/2018	211837	Bracewell Engineering, Inc.	-12,731.90
07/18/2018	211838	Diane Hanania.	-62.99
07/18/2018	211839	Hollister Auto Parts, Inc.	-180.13
07/18/2018	211840	International Municipal Signal Assoc.	-110.00

City of San Juan Bautista
Warrant Listing
As of July 31, 2018

Item #4B
City Council Meeting
August 21, 2018

Date	Num	Name	Amount
07/18/2018	211841	Jeanette Hernandez	-700.00
07/18/2018	211842	Joe Guevara	-161.13
07/18/2018	211843	KS State Bank	-5,818.30
07/18/2018	211844	Level 1 Private Security.	-10,266.00
07/18/2018	211845	P G & E	-12,051.51
07/18/2018	211846	Rx-Tek	-116.64
07/18/2018	211847	San Benito County Integrated Waste Managm	-10,240.00
07/18/2018	211848	United Site Services of California, Inc.	-318.85
07/18/2018	211849	Wendy L. Cumming, CPA	-2,392.50
07/19/2018	211850	Pet Friends	-3,500.00
07/23/2018	211851	AFLAC	-150.57
07/23/2018	211852	Aurora Villarreal.	-700.00
07/23/2018	211853	Classic Clean of San Benito County	-748.00
07/23/2018	211854	Credo Studio.	-2,000.00
07/23/2018	211855	George Graveline	-81.36
07/23/2018	211856	Granite Rock	-1,756.03
07/23/2018	211857	Jose Arboleya.	-82.84
07/23/2018	211858	Maria Suzanna Barrara-Salas	-700.00
07/23/2018	211859	Melissa Villalobos.	-700.00
07/23/2018	211860	Ready Refresh	-104.62
07/23/2018	211861	San Juan-Aromas Tennis & Fitness	-5,000.00
07/23/2018	211862	Sprint	-149.58
07/23/2018	211863	Tanisa Fernandez/Beatriz Fernandez	0.00
07/31/2018	211864	Accent Clean & Sweep, Inc.	-1,237.50
07/31/2018	211865	Alliant Insurance Services	-1,038.00
07/31/2018	211866	AMBAG	-834.00
07/31/2018	211867	Charter Communications	-368.38
07/31/2018	211868	City of Hollister.	-40,607.77
07/31/2018	211869	DEMCO, Inc.	-196.91
07/31/2018	211870	Department of Transportation	-383.07
07/31/2018	211871	FedEx	-84.04
07/31/2018	211872	Harris & Associates	-9,307.50
07/31/2018	211873	Home Depot Credit Services	-582.79
07/31/2018	211874	Julian Santiago.	-400.00
07/31/2018	211875	Mackenzie Quaid	-100.00
07/31/2018	211876	Maggiora Bros. Drilling Inc.	-2,800.00
07/31/2018	211877	Michaele LaForge	-500.00
07/31/2018	211878	Mission Linen Service	-176.04
07/31/2018	211879	Rx-Tek	-435.00
07/31/2018	211880	Staples	-766.02
07/31/2018	211881	State Compensation Insurance Fund	-1,889.92
07/31/2018	211882	Tanisa Fernandez/Beatriz Fernandez	-700.00
07/31/2018	211883	US Bank	-5,039.56
07/31/2018	211884	US Bank Equipment Finance	-290.53
07/31/2018	211885	UV Doctor Lamps, LLC	-480.53

City of San Juan Bautista
Warrant Listing
As of July 31, 2018

Item #4B
City Council Meeting
August 21, 2018

<u>Date</u>	<u>Num</u>	<u>Name</u>	<u>Amount</u>
07/31/2018	211886	Valero Marketing & Supply	-946.15
07/31/2018	211887	Wellington Law Offices	-18,978.00
Total 101.001 - Operating Acct. 1948			<u>-315,308.87</u>
Total 101.000 - Union Bank			<u>-315,308.87</u>
TOTAL			<u>-315,308.87</u>

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

MEETING DATE: August 16, 2018

DEPARTMENT HEAD: Michael LaForge, City Manager

Staffing:

- Planning brought in house, saving 62%
- Permitting and Code Enforcement remains outsourced but reduced hourly wage by 15%
- One public works employee resigned; we will backfill if needed. Currently staff is managing without backfilling.
- The Water System Operation will be moved from Bracewell to Public Works NLT Sept 1, 2018. This will save up to \$30K/year.

Sewer:

- Purging First Street line to remove any slow-moving/still waste that is creating odor.
- Sludge removal bid going out in August.
- WWTP operations contract going out to bid by end of August
- Chloride/Salt compliance order resolution will be the West Hills treated surface water pipeline or the Ryder Well Pipeline project. Projected operations costs are penciling out to work, and remain breakeven or better. This is great news. Thanks to SBWD for the collaboration and support.

Water:

- Brown water complaints continue to come in and CM is working with vender on Iron/Manganese treatment plant project. ETA for completion of system still under discussion. Public Works is flushing system frequently and this is reducing the issue. We will be using more Well 1 water and new Well 6 water. This will eliminate the issue. Well 5, which is the high iron well, will be used as back up.
- Telemetry system will be up by Sept and this, coupled with the transition of water operations to in house staff, will transform the water operations. One element of the transformation will be transparency and efficiency. Customer and staff will have visibility to real time water levels, flows. We will also be posting all water test results on the website and on display via monitor in City Hall.
- Well 6 agreement complete and going to title company as early as 8/17/18. Maggiora Bros and Don Chapin Construction will take 1 month to tie in. Well should be on line by end of Sept.

Fire:

- Harvey's Lock Up fire protection plan in place. Owner is committed to getting the building alarmed and monitored within the next 2 months or as soon as contractor can fit them in. Fire Inspector and CM are in close collaboration and aligned with the owner.
- Copperleaf was red tagged 8/15/18 due to inadequate charged hydrants and water protection onsite

Law Enforcement: CM and Sheriff will be bringing a revised contract to Council in Sept. We are aligned with getting an assigned, dedicated officer for SJB and a substation in City Hall.

Code Enforcement:

- Casa Rosa red tagged and awaiting estimate from structural engineer for abatement order. CM will be requesting approval for an abatement account to cover costs to secure the property. The costs will be recovered via lien on property. Owner is going to be cited for 9 ordinance violations; CM will be working with the City Attorney on the notices.
- Caught 5 violations of working without permits since last City Council meeting. Owners were cited double permit costs. CM waived some penalties.
- Signage analysis conducted for warnings for truckers, .3 tons. Determined that the only entrance to the City without at least 3 warnings is the entrance from Hollister via Hwy. 156. PW has a work order to put sign back up that was knocked down. CM is also going to order \$1000.00 minimum fine warning and “GPS not an excuse” element to the signage.
- Code enforcement is working with fire to improve the overhang at Harvey’s Lock Up; overgrown lot on Fourth Street near El Teatro; weed abatement at Copperleaf.

Community Dev:

- Planning and Building – see staff report (Agenda Item 4E)
- Parks and Recreation:
 - CM working with School District Superintendent to improve restrooms, field, lot, basketball court access/fencing and use a modular near pickleball courts to become Welcome Center and Parks and Recreation HQ. This will be a place to check out gear, find out about activities, etc.
 - Parks survey indications show interest in dog park, trails and swimming

Public Works:

- See staff report on projects (Agenda Item 4G)
- Work order system in place
- Team is meeting expectations relative to projects assigned to them
 - New bathroom in City Hall
 - Franklin Park grading
 - Landscaping – all city buildings and Abbe Park looking much better
 - Electric gate in Corp Yard underway. This will improve efficiency of team.
 - Crack sealing and asphalt restorations underway
 - Striping underway

Memorandum

To: Michaela LaForge, City of San Juan Bautista

From: Patrick M. Dobbins, City Engineer

Date: August 15, 2018

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

Recent efforts and activities on these development projects include the following during July:

RANCHO VISTA SUBDIVISION

July 2 through July 6

Graniterock returned to work on the Front Street Bridge. They prepared the area and set up for the Cast in Drilled Hole (CIDH) drilling rig. The CIDH piles with steel cages were inspected and they met the specifications. Graniterock started drilling for CIDH piles for the last section of the bridge abutment. They completed one CIDH pile this week with five more to go. The concrete samples are being taken by the geotechnical engineer to determine the strength of the concrete.

XL Landscape placed irrigation conduit water valves and irrigation boxes along Lavagnino Drive trailside Court and Trailside Drive. XL Landscape staff pressure tested the irrigation conduits lines and all passed.

July 9 through July 13.

Graniterock continued drilling and placing concrete for CIDH piles bridge abutment at First Street. The steel cages were inspected and met spacing/size requirements. Concrete samples were taken to confirm the concrete met the specified strength requirement.

XL Landscape continued placing irrigation conduit and valves according to the plans. XL Landscape pressure tested the irrigation conduits lines and they passed. Also XL Landscape formed sidewalk around the playground and poured concrete in some of them.

Tier Fencing started placing the wooden fence posts around the playground area, Lavagnino Drive, Trailside Court and Trailside Drive.

July 16 through July 20

Graniterock completed all the CIDH piles. We received the concrete test results and all samples met the strength requirement. Graniterock started and placing steel cage for the final portion of the bridge.

XL Landscape installed irrigation conduit as well as valves and pool boxes. They pressure tested the irrigation conduits lines which passed. Also XL Landscape formed and placed concrete for sidewalks along Lavagnino Drive, Trailside Court and Trailside Drive.

Tier Fencing continue placing wooden post and fence railing and concrete around it at Lavagnino Dr. trailside Court and trailside Drive



July 23 through July 27

On July 23 Graniterock completed placing the steel cage for the bridge abutment. We checked the steel spacing and form. On July 24 Graniterock place the concrete for the final section of the bridge abutment. Concrete samples been taken for strength of the concrete. On July 25 Graniterock removed the forms of the bridge abutment and appears to be in excellent shape.

XL Landscape installed irrigation conduit as well as valves and pull boxes. They pressure tested the irrigation conduits lines. Also XL landscape formed sidewalk at Lavagnino Drive, Trailside Court and Trailside Drive. Tier Fencing continue placing wooden post and fence railing and concrete around it at Lavagnino Drive, Trailside Court and Trailside Drive.

July 30th and 31st

We got the concrete test results back from the lab and did meet the strength specification requirements. Graniterock started in back fill both sides of the bridge abutment. Compaction test been taken and passed the compaction requirement. Graniterock prepared both sides abutments, they are ready for placing the precast bridge sections. Graniterock planning in placing the precast bridge sections on Monday August 3rd.

XL Landscape continued forming the playground area as well as placing decomposed granite. Tier Fencing continuing in placing the wooden fence posts and fence around Lavagnino Drive, Trailside Court and Trailside Drive

Photos:





COPPER LEAF SUBDIVISION

SUMMARY

The Project Superintendent placed two water valves at the existing on-site well to accommodate fire department requirements. Field personnel also stopped working in homes that cannot be reached by a fire hydrant. The developer planned on placing hoses longer enough to reach all the homes they are building

The Project Superintendent was told that on August 10, 11 and 12 PG&E would remove the power poles along the project frontage and energize the underground electrical conduits to the new homes.

	Project Name - Current City/Development Projects - Upgrades, Changes, Fixes	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. (8/13/18).	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 (8/13/18).	Unknown. Work is on hold because project needs an architect to draft plans
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. The applicant turned in an Architectural Historians Report. It was reviewed by staff, but further information may need to be included to make it valid.	Historical Evaluation is required. Staff met with the architect.	Project is on hold due to historic and building review.	none	Staff is working with the applicant to finish the accessory building and reopen the restaurant. HRB deemed initial work as major alteration and will need HRB approval. Staff has been in contact with the applicants. More information is needed about the property. The applicant was emailed copies of the application to be completed. It should be received by 8/17. Application and all components and application fee to be turned in. Staff is willing to meet with the applicant and have it turned in (8/13/18).	unknown
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.	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 are not approved by Hollister Fire. Permits to be pulled for Sprinklers.	frontage work is in progress. Fire sprinkler work to be completed when frontage work is complete. Code enforcement to meet with owner.	No active building permits. Encroachment permit to be pulled as needed.		requirements of conditions of approval are in progress.	no-ETA. Owner is reaching out to Hollister Fire.
5	Rancho Vista Subdivision	31 active permits, 12 permits undergoing plan check.	Under Construction	Yes, 31 issued, 12 applications	none	Mylar copies of the final map showing phases 5-7 were turned in on July 12, 2018. All necessary staff has signed off on the Mylars. The applicant has taken them to the County Recorder's Office.	To be Determined - Estimate of Early 2019
6	Copperleaf Subdivision	20 permits issued as of 6-15-18	Under Construction	Permits have been issued	none	Applicant has been granted the deferring of two Impact fees pending agreement with city. Traffic and Park development fee held until approved agreement or Final Inspection on each project.	To be Determined - Estimate of Winter 2019

	Project Name - Current City/Development Projects - Upgrades, Changes, Fixes	Issues/Notes/general info	Status	Permit Issuance	Violations	Comments/Complaints Questions	Likelihood of Completion (Red or Green)
7	Building Department activity.	Work continues on both subdivisions while smaller projects take place inside the city. No other notable projects at this time.	n/a	n/a	none	Code Enforcement is making regular rounds to check for work being done without permits.	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. Resolution is awaiting signature from Debuty City Clerk to make official.	minor subdivision approved by Commission. Engineering working on recording.	no permits issued	none	NOE has been recorded. Commission approved and now to get map recorded.	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 got a response from OHP, they are not sure if the building can be salvaged. Staff met the property owner on 8/2/18. Discussed options and ideas of how to move forward with the building. Further development is proposed and more information to follow. (8/13/18)	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 has met with a prospective buyer/tenant. He is interested in putting in a dance hall/country western style bar. We discussed the current situation and the items we need to move forward. Staff brought it to the property owners attention. They will discuss amongst themselves. (8/13/18)	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 briefed the Planning Commission on the status. Staff is awaiting submittal of the Historic report packet for the HRB before an official zoning amendment takes place. Also, staff is working on getting the Housing Element squared away for the State.	n/a
New Development							
1	D'Ambrosia	First Phase Approved	Phase 1 completed	Council Approval of Phase 1. Permits have been previously issued in 10/16, but no construction has taken place. Permits have expired. (permits have a lifespan of 6 months).	none	Staff is getting together the information and planning schedule to finish out Phase 2. Phase 1 is underway.	The developer has met with staff. Eager to continue with the project
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 informed them to check to see if any permits are necessary before the proceed any further. (8/13/18)	unknown

	Project Name - Current City/Development Projects - Upgrades, Changes, Fixes	Issues/Notes/general info	Status	Permit Issuance	Violations	Comments/Complaints Questions	Likelihood of Completion (Red or Green)
3	Gas Station to be located along The Alameda and Hwy 156	project was proposed, but now on hold due to possible litigation	on hold	no permits have been issued	none	Planning Commission directed staff to review and see if the project can be reserected perhaps. Staff work to be done on this matter.	Active litigation is taking place.
4	Long Building/lumber yard next to Velero Gas Station at 50 Monterey Street	Buildings are on site and visible activity is taking place. It is unclear of the type of activity onsite whether it would be residential or if there is a commercial use taking place.	Under investigation	no permits have been issued.	Code compliance is investigating the site. Activity appears to be taking place without necessary City clearances.	Staff had a meeting on 8/13/18. It is discussed that the site be rezoned to Mixed Use instead of its existing zoning of commercial. (8/13/18)	Staff will inspect the site and report back to higher-ups with more information.
5	Midnight Express	Approved by Commission Resolution	Applicant is currently working on bringing utilities to site.	Permit issued for main electrical service.	none	Staff is coordinating with the applicant to discuss cost estimates of roadway improvements. Staff was contacted by a properspective applicant who is interested in putting in a cold storage and distribution center. Staff gave midnight express contact info and told midnight express about the situation. (8/13/18).	staff is working with the applicant about roadway improvements
	Infrastructure						
	Traffic Circle						
	Parking						
	Signage						

City of San Juan Bautista City Engineering Projects (8/10/2018)							
CIP No.	Project Name	Description	Status	Tasks / Issues / Notes	Start Date	End Date	Likelihood of Completion (Red or Green)
	WATER						
CIP 26	Well 6	Site Acquisition, Equipping, Permitting and Connection to City Walter System	<div>- Parcel Map that creates Well Lot was approved at 6/12/19 Planning Commission Meeting. Should be recorded by 6/30/18</div> <div>- Award of Contract was approved at 7/17/18 City Council meeting. Contract and Bond Forms were emailed to Mike Maggiora on 7/20/18. I contacted Mike on 8/7/18 to get status of these documents</div>	<div>-Issued Bid Documents on 6/29/18 for converting the Coke ag well to municipal well 6. Issued Addenddum #1 on 7/06/18.</div> <div>- Bid Opening was 7/11/18</div> <div>- Coke Parcel Map was recorded at County Recorder on 8/08/18</div> <div>- Arranging kick-off meeting with Maggiora Well Drilling</div>	Prep Bid Document: June 2018 Bid Period: June/July 2018 Contract Award: July 2018 Construct: Sept/Oct 2018	Nov 2018	
CIP 27	Water Master Plan	Have Consultant prepare Water Master Plan	On 3/16/18 Tony Akel emailed a letter proposal with two options (\$25,000 or more detailed study for \$40,000)	Prepare and issue RFP by 8/28/18 - Include Alignment study and conceptual cost for pipeline from Hollister??	Prep RFP: August 2018 RFP Period: Sept 2018 Contract Award: Oct 2018 Prepare Master Plan: Nov 2018 - Feb 2019		
Carry-over	Iron/Manganese Treatment Plant		- On 8/3/18 City Manager emailed ATEC Systems Associates to discuss procurement of the treatment equipment				
	Pellet Plant	Install Pellet Plant for water treatment		Prepare Bid Document for contractor to use parts for existing pellet plant and assemble and connect to raw water supply			
CIP 32	1.3M Water Tank Maintenance Contract	Inspection of interior and exterior of Water Tank should occur every 5 to 7 years	Obtained contractor's quote on 6/22/18 and forwarded to city staff on 6/22/18 with recommendation to authorize the work.	<div>- This \$4,400 effort was authorized on 6/29/18. Lead time is approx. 12-weeks.</div> <div>- Emailed the contractor on 8/10/18 to learn if there's a date for the inspection</div>			
	WASTEWATER						
CIP 33	Sludge Removal	Remove 400 to 500 tons of sludge from Pond 2 and haul to John Smith Landfill for disposal	<div>On 5/30/18 submitted memo to Michael on our recommended approach</div> <div>Preparing bid documents for \$400,000 sludge removal project based on FY2018/19 budget</div>	Met with Allen at MH Engineering (civil engineer) on 8/02/18 for the Hillside Vista Project regarding having a staging area for the sludge removal operation. Also met with John Pugliaresi of Synagro Technologies on 7/31/18 and reviewed the steps and items to include in our bid document	Concept Plan/Cost: April/May 2018 Prep Bid Document: July 2018 Bid Period: August 2018 Contract Award: Sept 2018 Construct: Oct/Nov 2018		
CIP 36	WWTP Capital Planning	Determine repairs and upgrades to ensure plant operation and compliance with RWQCB Permit		<div>Per 6/28/18 meeting with City Manager, will include WWTP Capital Improvement Planning scope in Water and Sewer Master Planning RFP.</div> <div>On 7/26/18 recommended that city engage Dudek Consulting for Risk Analysis/Capital Planning effort</div>	Prep RFP: July 2018 RFP Period: August 2018 Contract Award: Sept 2018 Prepare Master Plan: Oct - Dec 2018		
CIP 36	Sewer Master Plan	Have Consultant prepare Sewer Master Plan		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: July 2018 RFP Period: August 2018 Contract Award: Sept 2018 Prepare Master Plan: Oct - Dec 2018		

City of San Juan Bautista City Engineering Projects (8/10/2018)

CIP No.	Project Name	Description	Status	Tasks / Issues / Notes	Start Date	End Date	Likelihood of Completion (Red or Green)
	Contract Operation of Wastewater Treatment Plant	Prepare and issue Request for Proposal for Contract WWTP Operator	On 7/18/18 meet with staff from Veolia and gave them a tour of the WWTP for basis of them developing contract CPO scope of work and plant upgrades. Will work with the City Manager to issue a RFP for contract CPO duties	- Follow-up meeting was held on 7/26/18 with Veolia and City Manager - City Manager and City Engineer met with Bracewell Engineering staff on 8/09/18 and discussed their Notice of Termination of the O&M contract	Prep RFP: August 2018 RFP Period: Sept 2018 Contract Award: Oct/Nov 2018		
	ROADS / PARKING / SIDEWALKS / TRAILS						
CIP 9	3rd between Tualmeme and Muckeleme	Repave street	Preparing Concept Layout in order to prepare Cost Estimate	- Perform site visit to observe pavement conditions - Obtain Geotechnical Report for new pavement section	Concept Plan/Cost: Oct 2018 Prep Bid Document: Nov 2018 Bid Period: January 2019 Contract Award: March 2019 Construct: April/May 2019	4/30/2019	
CIP 11	Muckeleme Street between 4th and Monterey	Reconstruct half-street	Preparing Concept Layout in order to prepare Cost Estimate	- Perform site visit to observe pavement conditions - Obtain Geotechnical Report for new pavement section	Concept Plan/Cost: Oct 2018 Prep Bid Document: Nov 2018 Bid Period: January 2019 Contract Award: March 2019 Construct: April/May 2019	4/30/2019	
CIP 12	5th Street between Franklin to Mission	Reconstruct street	Preparing Concept Layout in order to prepare Cost Estimate	- Site visit was 5/22/18 - Need to obtain Geotechnical Report for new pavement section	Concept Plan/Cost: Oct 2018 Prep Bid Document: Nov 2018 Bid Period: January 2019 Contract Award: March 2019 Construct: April/May 2019	4/30/2019	
	BUILDINGS AND PARKS						
Carry-over	City Hall ReRoof	ReRoof City Hall	Issued for bid in April and no bids were received at 5/08/18 bid opening. Reissued for bid on 7/13/18	-Emailed revised bid documents to City Manager on 6/07/18 - Reissued for bids on 7/13/18 - PreBid Meeting/Site Visit on 6/31/18 - Bid opening on 8/14/18	Prep Bid Document: done ReBid: July 2018 Contract Award: August 2018 Construct: Sept/Oct 2018		
	City Hall Termite Treatment	Address Termite activity and damage at City Hall	We obtained quotes from Casners and Terminix for tenting fumigation and spot treatment option	Need to present recommendation to City Manager to contract with Casner for spot treatment			
CIP 23	Corp Yard install gutters, reroof shed	Install gutters at PW Building and ReRoof shed	include this work in City Hall ReRoof Contract				
	SPECIAL PROJECTS						
	City GIS Map		on 4/13/18 Rene Anchieta of SB County completed an initial mapping effort	City PW Staff should review GIS map to confirm water, sewer and storm drain facilities			
	Valle Vista Landscaping and Lighting District	Annual Administration of Assessment District	Annual Engineers Report was presented and approved the 6/19/18 City Council Meeting	City staff to forward FY2018/19 Assessments to County Assessor			



CITY OF SAN JUAN BAUTISTA CITY COUNCIL STAFF REPORT

AGENDA TITLE: Authorize City Manager to Negotiate a Contract for the City Hall ReRoof Project

MEETING DATE: August 21, 2018

DEPARTMENT HEAD: City Manager

RECOMMENDED ACTION: Adopt a Resolution authorizing the City Manager to Negotiate a Contract for the City Hall ReRoof Project with a roofing contractor in the amount of \$75,000 with a contingency budget of \$20,000 for unforeseen repairs and extra work.

BACKGROUND INFORMATION: Over the last four months the City Engineer has issued the City Hall ReRoof Project for public bid twice. Despite providing bid documents to four builder's exchanges and various roofing contractors, no bids were submitted by the deadline for either bid period.

Staff believes the lack of bids is due to the very busy nature of the current construction environment. Contractors are more likely to take on private work instead of public agency work due to the various requirements and other elements of public works projects (ie, prevailing wage compliance, certified payroll, Department of Industrial Relations registration, time it takes to get paid).

Under Public Contract Code Section 22038(c) the City Council can authorize the City Manager to negotiate directly with a contractor if no bids are received. To deliver this project in a timely manner, staff is recommending that we negotiate a fair cost and schedule a roofing contractor.

Noble Pride Roofing prepared the attached inspection report and we hope to negotiate this reroof work with them.

FISCAL IMPACT: Funding for this contract is included in the FY2018/19 Capital Improvement Program.

ATTACHMENTS:

1. Noble Pride Roofing Inspection Report (dated March 27, 2018)
2. Resolution

RESOLUTION NO. 2018-xx

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN JUAN BAUTISTA
AUTHORIZING THE CITY MANAGER TO NEGOTIATE A CONTRACT
FOR THE CITY HALL REROOF PROJECT**

WHEREAS, City staff has issued the City Hall ReRoof Project ("Project") for public bid twice and no bids were received; and

WHEREAS, City staff believes the lack of bids is due to the busy nature of the current construction environment; and

WHEREAS, under Public Contract Code Section 22038(c) the City Council can authorize the City Manager to negotiate directly with a contractor if no bids are received, and

WHEREAS funding for this contract is included in the Fiscal Year 2018/19 Capital Improvement Program; and

NOW THEREFORE, BE IT HEREBY RESOLVED that the City Manager is authorized to negotiate a Contract for the City Hall ReRoof Project with a roofing contractor in the amount of \$75,000 with a contingency budget of \$20,000 for unforeseen repairs and extra work.

PASSED AND ADOPTED at a regular meeting of the San Juan Bautista City Council duly held on August 21, 2018 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Mayor

ATTEST:

City Clerk



200 Highway 183
Salinas, CA 93907
CA License #792403

NOBLE PRIDE
ROOFING COMPANY

Phone: 831-751-3131
Fax: 831-751-3133
www.NoblePrideRoofing.com

March 27, 2018

Roof Inspection Report							
Project Name:		San Juan Bautista City Hall					
Address:		311 2nd St. San Juan Bautista, CA 95045		Client Name:		Patrick Dobbins	
Date of Inspection		03/20/2018		Office:		(408)710-9866	
Inspector's Name(s)		Eduardo Ivan Lopez		General Area Covered By Inspection:		Tile Roofs Hot Mopped Roofs	
				Facility Address:		311 2nd St. San Juan Bautista, CA 95045	
Inspector's Title(s)		Salesman					
Inspector's Contact Information		(831) 776-5757					
Roof Area Name:		Tile Roofs, Hot Mopped Roofs					
Existing Roof System Type: Built up & composition shingles.							
Roof Size:	Approx. 3200-4000 Square Feet	Building Height:	Approx. 10-15 feet	Type Of Roof:	Built-up & Clay 2-piece Tile	Drainage:	Gutters & scuppers
Year Installed:	Unknown	Slope:	Flat, 4:12	Wall Details:	Stucco	Leaking: Where? History Of Leaking?:	History: Overhang

	Layer Type	Description	Method Of Attachment	Number of roof layers
	Surfacing	Clay 2-piece Tile Gravel, Capsheet	Fasten down with nails Hot Mopped	one
	Membrane	30 Lbs. felt	Plastic tops	one
	Deck	Plywood	Mechanical attached with nails	
	Fastener Pull out Test Done?	No		

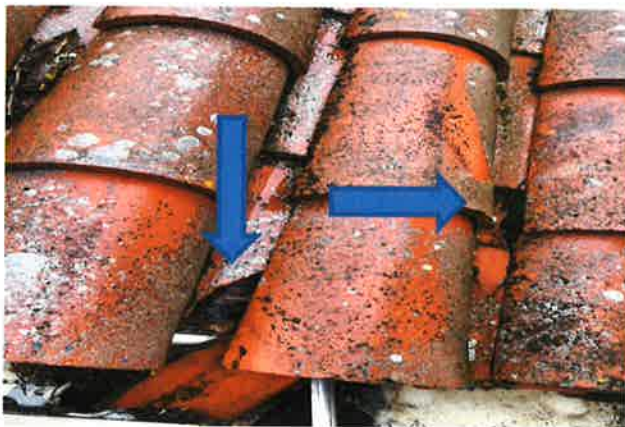
Overall Assessment

There are 4 different types of roofs. Picture #1 includes a Clay 2-piece Tile roofing system where the underlayment is failing at most of the overhang. The plywood is beginning to expose to the weather since underlayment is failing and is showing signs of wood rot. There are also some pieces of tile that are missing on the field of the roofing. At Picture #2 you see the rotted T&G boards rotted due to exposure to water. Underlayment has completely failed at this point since boards are completely rotted. Picture #3 shows rusted gutters and more rotted plywood due missing edge metal. Gutters are at the end of its life and should be replaced accordingly. Picture #4 you have clay tile overlaid on top of metal roofing on the upper level (two story section) of the building and shows no signs of damage. At this section of the building nothing needs to be done. Picture #5 located at the classroom & maintenance facility, includes a hot mop roofing system with gravel surfacing and is beginning to crack due to the age of the roof. We strongly recommend full replacement of this roof. Roof will begin to fail soon. Picture #5(continued) shows hot mop roofing with cap sheet surfacing that has begun to blister. Replacement of roof is strongly recommended here as well. Picture #6 and #7 located at the fire department administration office, includes hot mop roofing with cap sheet surfacing where the seal at the roof to wall metal has begun to deteriorate and needs resealed to avoid potential leaks. Water may potentially travel through and may cause leaks.

Other Assessment

At the tile roofing, the tile is in good shape, but the underlayment has come to the end of its life and should be replaced. In order to replace the underlayment, the tile will be lifted and set aside in wood crates off the roof for installation of two layers of new underlayment. The two story section of the tile roofing is great shape since tile was overlaid on top a metal roof. The two rear hot mopped roofs have come to the end of its life and should be replaced accordingly to avoid any potential leaks in the future. The fire department administration office needs roof maintenance.

Key Photographs Taken on 03/20/2018



Picture #1
Deteriorating underlayment, plywood exposed.
Showing signs of rot



Picture #1 (continued)
Deteriorating underlayment, plywood exposed
continued.



Picture #1 (continued)
Missing tile, may cause leak if underlayment fails.



Picture #2
Most of the overhang beginning to rot due to underlayment failing.



Picture # 3
Rotted plywood due to no edge metal, rusted gutters.



Picture # 4
Tile was overlayed on top of metal roof, no signs of water damage.



Picture # 5
Hot mop roofing has begun to crack.



Picture # 5(continued)
Roof has begun to blister.



Picture # 6
Seal at roof to wall metal has begun to deteriorate and needs resealed to avoid potential leaks.



Picture #7
Seal at roof to wall metal has begun to deteriorate and needs resealed to avoid potential leaks.

Note: In no way does Noble Pride Roofing take any responsibility for any problems that may have occurred in past or may developed in future. This inspection is not a guarantee on the soundness of this roof at present or in the future. Our findings are based on a visual inspection of the roof and derive from our experience and expertise in the roofing industry.

Recommendations			
Type of Activity		Urgency	Cost
Inspection		Moderate-High	See below

200 Highway 183
Salinas, CA 93907
CA License #792403



Phone: 831-751-3131
Fax: 831-751-3133
www.NoblePrideRoofing.com

March 27, 2018

Patrick Dobbins
450 Lincoln Ave. Suite 103
Salinas, CA 93901

Attn: Patrick Dobbins
Email: Patrick.dobbins@weareharris.com

RE: San Juan Bautista City Hall
311 2nd St. San Juan Bautista, CA 95045

Dear Patrick,

Thank you for calling Noble Pride Roofing. Please do not hesitate to contact me if you have any questions. Contact Eduardo Ivan Lopez directly at (831)776-5757.

Per your request, we are pleased to submit our roof repair proposal for your consideration.

Work to Be Performed At: City Hall Building

1. Remove existing Clay roof tiles, stock tiles in wood crates, and salvage for re-use. **(labor intense)**
2. Remove existing damaged underlayment and discard.
3. Replace any damaged / rotted wood board. This to be done as required by the City or where necessary to insure a good quality roof. Note: Since wood condition cannot be determined until the roof is removed, additional rotten wood found after roof is removed will be charged on time and material basis.
Initial _____
4. Remove and replace approximate **350' Lineal feet visible of 2x6" T&G** ceiling boards. **Note: Lumber size to match as closely as possible.** Note: Since wood condition cannot be determined until the roof is removed, additional rotten wood found after roof is removed will be charged on time and material basis.
Initial _____
5. Supply and install two layers of new 30lbs underlayment felt.

6. Install new double galvanized plumbing roof vents, aluminum flue roof vents, and roof flashings and paint all pipe and roof vent flashings to match color of roofing. **Note: Tile roofs require double roof flashings. (First roof flashings to tie-in with underlayment felt, and top roof lead flashings to tie-in with roof tiles.)**
7. Supply and install new galvanized twisted wire vertical every two courses, fasten onto roof decking with twisted wire anchors. **Note: Twisted wire is required on all two piece tile roof to prevent them from heavy wind.**
8. Tie down each tile to the twisted wire, with galvanized tie wire strips.
9. Supply and install new tile pan at parapet wall.
10. Supply and install new galvanized W valleys at breeze way roof transition. **Note: Tile at valley sections to remain open two inches on each side of the valley for better rain water flow, and prevent debris getting stuck on the valley under the tiles.**
11. Reload all clay tiles on the roof and re-lay all tiles with straight courses.
12. At ridge, install full concrete mortar to match existing as closely as possible.
13. Supply and install new tiles to replace broken pieces. **Note: Color of tiles to match as closely as possible.**
14. Clean-up roofing debris upon completion of project.
Price \$ 49,590.00
Bid as Davis Bacon prevailing wage.

Bid exclusions: Permits, Recalibrations of dish antennas (if any).

Option # 1: Breeze way roof. (Under roof entrance)

1. Remove existing Clay roof tiles, stock tiles in wood crates, and salvage for re-use. **(labor intense)**
2. Remove damage existing underlayment and discard.
3. Replace any damaged / rotted wood board. This to be done as required by the City or where necessary to insure a good quality roof. Note: Since wood condition cannot be determined until the roof is removed, additional rotten wood found after roof is removed will be charged on time and material basis.
Initial _____
4. Remove approximate **80' Lineal feet visible of 2x6" T&G** ceiling boards. **Note: Lumber size to match as closely as possible. Note:** Since wood condition cannot be

determined until the roof is removed, additional rotten wood found after roof is removed will be charged on time and material basis.

Initials _____

5. Supply and install two layers of new 30lbs underlayment felt.
6. Supply and install new galvanized twisted wire vertical every two courses, fasten onto roof decking with twisted wire clips. **Note: Twisted wire is required on all two-piece tile roof to prevent them from heavy wind.**
7. Tie down each tile to the twisted wire, with galvanized tie wire strips.
8. Supply and install new tile pan at parapet wall.
9. Reload all clay tiles on the roof and re-lay all tiles with straight courses.
10. At ridge, install full concrete mortar to match existing as closely as possible.
11. Supply and install new tiles to replace broken pieces. **Note: Color of tiles to match as closely as possible.**
12. Clean-up roofing debris upon completion of project.
Price \$ 14,780.00
Bid as David Bacon prevailing wage.

Option # 2: Classrooms and maintenance facilities Building. (Flat roof)

15. Tear off existing roofing down to bare wood sheathing and remove all debris from the premises. **Salvage for re-use and re-install all parapet wall decoration clay tiles.**
16. Replace any damaged / rotted wood board. This to be done as required by the City or where necessary to insure a good quality roof. Note: Since wood condition cannot be determined until the roof is removed, additional rotten wood found after roof is removed will be charged on time and material basis.
Initial _____
17. Supply and install new cast iron combination roof drains or scupper roof drains at existing locations only. **Note: Roof drains or scupper roof drains will be installed and connected into existing plumbing or downspouts drain lines.**
18. Install new roofing: Install one nailed fiberglass base sheet than install two hot mopped fiberglass base sheets forming a 3-ply Class "A" fire rated hot mopped built-up roof system with Title 24 white Granulated Modified bitumen Cap sheet (cool roof) surfacing per manufacturer's specifications. Install sloping can't strips and modified SBS bitumen cap sheet to all raised curb details. **Note: Tile 24 Cap sheet reflective white (cool roof) is required for any commercial roof, or government buildings on total reroof.**

19. Install all new aluminum vents and galvanized plumbing pipe flashings.
20. Re-install all clay tiles at parapet walls.
21. Clean-up roofing debris upon completion of project.
Price \$ 13,364.00
Bid as Davis Bacon prevailing wage.

Option # 3 Administration office:

1. Reseal all roofs to wall flashings at parapet wall with asphalt mastic.
Price: \$ 235.00
Bid as Davis Bacon prevailing wage.

Option # 4: Installation of rain gutters. (City hall building only)

1. Install new (6") pre-painted seamless "OG" Style aluminum rain gutters at existing gutter locations only. Includes one gutter saver bracket for safe ladder placement per building. Note: The gutter hangers to be spaced no more than 4' feet apart. Color of gutter to be owner's choice.
2. Clean up all roofing and carport debris daily and upon completion of the project.
Price: 5,800.00

Bid Qualifications: The use of heavy equipment is required for the removal and re-loading of roof tiles. All clay tiles removed from the roof will be stocked in wood crates to eliminate damage.

General Terms and Conditions:

10. Prices include all materials, taxes, labor, clean-up, licenses, and insurance (PL, PD, and workman's compensation) required to complete the job. Any damage or rotted wood discovered during re-roofing, or roof sheathing alterations or improvement, which must be replaced or repaired, will result in a change order or additional charge. Any additional layers of roof systems discovered during roof removal exceeding what is specified in our bid, will result in an extra cost. Labor will be billed at the rate of \$ 95.00 per hour and materials will be charged at cost plus tax, plus an additional 10%. Note: Any sheathing repairs performed will be done solely for purposes of roof installation and does not guarantee that the house will pass future structural pest control reports.
11. WE PROPOSE to perform the above work in accordance with the drawings and specifications submitted and completed in a workmanlike manner according to standard practices for the sums specified. Terms project will be billed upon completion, with the balance due within ten days. Long term projects to be billed with a 30-day draw, or at completion of job, whichever comes first. Any other arrangements must be made in writing and agreed upon by both parties prior to commencement of the project.

12. Contractor's scope of work shall not include the identification, detection, abatement, encapsulation, and/or removal of asbestos or similar hazardous substances. If contractor encounters any such products or materials in the course of performing its work and contractor determines that such materials present a hazard to its employees, contractor shall have the right to discontinue work and remove employees from the jobsite until such products or materials and any hazards connected therewith are located, abated, encapsulated, or removed. Contractor shall receive an extension of time to complete its work hereunder and compensation from removal costs and delays encountered as a result of such situation and correction.
13. Any alteration or deviation from the above specification involving extra costs will become an extra charge over and above the work. Our workers are fully covered by Workmen's Compensation and Public Liability Insurance. Overdue accounts will be charged interest at the rate of 1.5% per month (minimum \$ 2.00 per month charge) or 18% per annum after 30 days. In the event, it becomes necessary to enforce this agreement by litigation; the prevailing party shall be entitled to court costs, attorney and collection fees. This proposal may be withdrawn by at any time before acceptance.
14. The above repair proposal is covered by (10) year workmanship warranty at all reroof sections only.

We appreciate the opportunity to submit our proposal. Please call if you have any questions or if we can be of further service. (831)776-5757

Sincerely,

Noble Pride Roofing Company, Inc.

Accepted: _____

Eduardo Ivan Lopez

CITY OF SAN JUAN BAUTISTA

CITY COUNCIL STAFF REPORT

DATE: August 21, 2018

SUBJECT: MELLO-ROOS COMMUNITY FACILITIES DISTRICT GOALS AND POLICIES AND INTENTION TO ESTABLISH SAN JUAN BAUTISTA CFD NO. 2018-01

FROM: Michaela LaForge, City Manager

Recommendation:

1. Consider and adopt Resolution No. 2018-___, Approving Goals and Policies for Community Facilities Districts, and
2. Consider and adopt Resolution No. 2018-___, Intention to Establish the Community Facilities District No. 2018-01.
3. Set Public Hearing for October 2, 2018.

Background:

The Mello-Roos Community Facilities Act of 1982 (Government Code Section 53311 and following) (the "Act") contains the statutory framework pursuant to which the City of San Juan Bautista (the "City") or any other local agency may form a community facilities district (each, a "CFD") for the purpose of financing the purchase, construction, expansion, improvement or rehabilitation of public facilities or the provision of certain authorized public services or maintenance. A CFD may finance such public facilities, services or maintenance through the levy of special taxes within the geographic boundaries of the CFD. Additionally, bonds secured by such special taxes may be issued for a CFD to finance such public facilities.

In 1993, the Act was amended to provide that a public agency may initiate proceedings to establish a CFD only if such public agency has first considered and adopted local goals and policies concerning the use of the Act (*Government Code § 53312.7*). The City's special tax administrator, Harris & Associates ("Harris") has prepared Goals and Policies in order for the City to comply with State law.

The City received a petition from Edenbridge Homes and Meritage Homes (the "Developers") requesting the City to create a Community Facilities District to be designated City of San Juan Bautista Community Facilities District No. 2018-01 to levy a special tax to fund all or a part of the public services (the "Services") required to maintain certain public improvements within the boundaries of the CFD.

The proposed annual amount of the special taxes to be levied to fund all or a part of the Services required for maintaining the improvements is estimated to be \$855.12 per residential parcel for Edenbridge and \$1,091.14 for Meritage, and will be escalated each year to adjust for inflation. Harris & Associates has prepared these estimates in conjunction with the City Manager and the developers. The Services to be funded include maintenance of streets, sidewalks, curbs & gutters, street lighting, storm drains, graffiti abatement, mosquito abatement storm drainage, parks and other landscaping, etc.

Legal Documents:

At tonight's City Council meeting there will be several legal documents related to the adoption of Local Goals and Policies and the formation of Community Facilities District No-2018-1 for your consideration and approval:

Local Goals and Policies

Resolution Approving Local Goals and Policies

Petitions to Form the CFD

Resolution of Intention

The Resolution of Intention does the following:

1. Accepts the petition filed by the Developers.
2. Declares the intention of the City to form the CFD.
3. Describes the territories within the boundaries of the CFD.
4. Describes the types of services that will be funded by special taxes.
5. Describes the rate and method of apportionment of the special taxes to be levied.
6. Calls for a public hearing to be held on October 2, 2018.
7. Describes the proposed voting procedures.

Conclusion and Next Steps:

Approving tonight's Resolution of Intention is the first step to establish the CFD. The Boundary Map for the CFD will be recorded at the County, which must be completed at least 2 weeks prior to the Public Hearing. Ballots and Notices of Public Hearing will also be mailed to the property owners within the CFD. The formation of the CFD will occur after the Public Hearing scheduled for October 2, 2018. At that hearing, the City Council will be presented with information regarding the CFD, the special taxes, and public services. The public will also have the opportunity to comment on the proposed formation of the CFD.

The adoption of the Resolution of Intention under consideration this evening will not commit the City Council to establish the CFD nor authorize the levy of special taxes. The City Council may establish the CFD only after conducting the Public Hearing, and may levy the special taxes only if the result of the special election show 2/3rds approval. The returned ballots will be tabulated at the conclusion of the Public Hearing to determine if there is a protest.

Following the Public Hearing and landowner election, if the election passes, the City Council shall consider the adoption of an Ordinance to Levy Special Taxes effective for Fiscal Year 2018/19.

Fiscal Impact:

There is an impact to the City's General Fund if the CFD is not formed due to the potential services costs estimated at \$131,227.30 per year being paid out of the General Fund.

Attachments:

1. Resolution Adopting Local Goals and Policies
2. Local Goals and Policies for Community Facilities Districts
3. Resolution of Intention including List of Public Facilities to be Maintained and Rate and Method of Apportionment
4. Petitions
5. CFD Boundary Map

RESOLUTION NO. 2018-

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY
OF SAN JUAN BAUTISTA APPROVING LOCAL GOALS
AND POLICIES FOR COMMUNITY FACILITIES DISTRICTS**

WHEREAS, the City Council (this "Council") of the City of San Juan Bautista (the "City") intends to consider the conduct of proceedings under the Mello-Roos Community Facilities Act of 1982 (Chapter 2.5, commencing with Section 53311 of Part 1, Division 2, Title 5 of the California Government Code, hereafter the "Act"); and

WHEREAS, under the Act, the City may initiate proceedings to establish a community facilities district only if it has first considered and adopted local goals and policies (the "Goals and Policies") in accordance with Government Code Section 53312.7, and this Council now desires to adopt such Goals and Policies;

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

1. Approval of Goals and Policies (EXHIBIT A). In accordance with the requirements of Government Code Section 53312.7 and for purposes of the Act, this Council adopts the Goals and Policies as set forth in Exhibit "A" attached hereto and incorporated herein by reference.
2. Effective Date. This resolution shall take effect from the date of its passage and adoption.

PASSED, APPROVED AND ADOPTED this 21st day of August, 2018, by the following roll call vote:

AYES, COUNCIL MEMBERS:

NOES, COUNCIL MEMBERS:

ABSENT, COUNCIL MEMBERS:

ABSTAIN, COUNCIL MEMBERS:

CITY OF SAN JUAN BAUTISTA

Jim West, Mayor

ATTESTED and I HEREBY CERTIFY that the foregoing resolution was duly and regularly passed and adopted by the City Council of the City of San Juan Bautista at a regular meeting thereof held on the 21st day of August, 2018, and that the foregoing is a full, true and correct copy of said Resolution.

Mackenzie Quaid, City Clerk

EXHIBIT A

CITY OF SAN JUAN BAUTISTA

LOCAL GOALS AND POLICIES FOR COMMUNITY FACILITIES DISTRICTS

I. General

Section 53312.7(a) of the California Government Code requires the City of San Juan Bautista, or the applicable financing district formed by the City (the "City") to consider and adopt local goals and policies concerning the use of the Mello-Roos Community Facilities Act of 1982 (the "Act") prior to the initiation of proceedings to establish a new community facilities district ("CFD") under the Act.

These Local Goals and Policies for Community Facilities Districts (the "Policies") provide guidance for the City in proceedings to form a CFD under the Act. The Policies are intended to be general in nature; specific details will depend on the nature of each particular financing. The Policies are applicable to financings under the Act and are intended to comply with Section 53312.7(a) of the Government Code. The Policies are subject to amendment by the City Council at any time. In the event these Policies conflict with or are incompatible with any provision of the Act, the provision of the Act shall control.

II. Financing Priorities

Eligible Services; Priority Services. The services eligible to be financed by a CFD (the "Services") shall include all services authorized in the Act. (*E.g.*, Gov. Code § 53313.) Subject to the conditions set forth in the Act, priority for public services to be financed by a CFD shall be given to services which are: (a) necessary for the public health, safety and welfare or (b) would otherwise be an additional burden to the City's general fund.

The City may finance services to be provided by another public agency if it determines the public convenience and necessity require it to do so, although the City prioritizes financing services to be provided by the City. If appropriate, the City may require the preparation of a public services financing plan as a part of the specific plan or other land use document that identifies the public services required to serve a project and the source of funding for each such service.

III. Disclosures

Disclosure Requirements for the Resale of Lots. The developer of property within a CFD that is selling lots, parcels or developed properties therein shall provide disclosure notice to prospective purchasers in compliance with the Act, including but not limited to Government Code section 53341.5.

Applicants or landowners in a CFD shall keep executed copies of each disclosure document and agree to provide a copy of all applicable executed disclosure documents to the City upon request.

IV. Rate and Method of Apportionment of Special Taxes

Equity of Special Tax Allocation Formula. The special tax formula shall be reasonable in allocating the CFD's payment obligations to parcels within the CFD. The formula will be clear, understandable, equitable and reasonable. Exemptions from the special tax may be given to parcels which are publicly owned, are used for a public purpose, are affected by public utility easements making impractical their utilization for other than the purposes set forth in the easements, have insufficient value to support bonded indebtedness and any other exemptions permitted by the Act and approved within the discretion of the City.

The special tax formula may include a back-up special tax in the event of significant changes from the initial development plan, and may include procedures for prepayment, as approved within the discretion of the City.

The City may also annex additional properties into the CFD as determined by the City staff.

Aggregate Tax Burden. The total projected non-residential property tax levels for any CFD (including ad valorem taxes, any maintenance, landscaping or other impositions on the land in the CFD and other similar annual government charges levied on parcels in the CFD, but excluding property owners' association annual levies) must be reasonable, and will be considered by the City Council on a case-by-case basis.

The total projected residential property tax levels (including ad valorem taxes, any maintenance, landscaping or other impositions on the land in the CFD and other similar annual government charges levied on parcels in the CFD, but excluding property owners' association annual levies) for any CFD (or, if a CFD has multiple improvement areas, for each improvement area and not the entire CFD) shall not exceed the lesser of: (i) two percent (2.0%) of the estimated initial sales prices (from the builder to the first homeowner) of the respective homes to be constructed in the CFD (with such prices to be determined by reference to an absorption study or appraisal prepared for the CFD or such other information as the City shall reasonably determine), or (ii) any maximum amounts specified in the Act. The annual increase, if any, in the maximum special tax for any parcel shall not exceed any maximum specified in the Act. The increase in the special tax levied on any residential parcel as a consequence of delinquency or default by the owner of any other parcel shall not exceed any maximum specified in the Act.

Levy on Entire Parcels. Special taxes will only be levied on an entire county assessor's parcel, and any Allocation of special tax liability of a county assessor's parcel to leasehold or possessory interest in the fee ownership of such county assessor's parcel shall be the responsibility of the fee owner of such parcel and the City shall have no responsibility therefore and has no interest therein. Failure of the owner of any county assessor's parcel to pay or cause to be paid any special taxes in full when due, shall subject the entire parcel to foreclosure in accordance with the Act.

Feasibility Analysis. The City may retain a special tax consultant to prepare a report which: (a) recommends a special tax for the proposed CFD, and (b) evaluates the special tax proposed to determine its ability to adequately fund identified public facilities, City administrative costs, services (if applicable) and other related expenditures. Such analysis shall also address the resulting aggregate tax burden of all proposed special taxes plus existing special taxes, ad valorem taxes and assessments on the properties within the CFD.

V. City Proceedings

Petition. Where proceedings are initiated by a landowner, a petition will be required in accordance with the Act and applicable law. The applicant is urged to obtain unanimous waivers of the election waiting period. In applying to the City for formation of a CFD, the applicant must specify any reasonably expected impediments to obtaining petitions, including from co-owners or lenders of record.

Deposits and Reimbursements. All City staff and consultant costs incurred in the evaluation of CFD applications, formation of the CFD and issuance of bonds, shall be paid by advance deposit by the landowners proposed to annex into the CFD. The City shall not incur any expenses for processing and administering a CFD that are not paid by the applicant or from CFD bond proceeds. In general, expenses not chargeable to the CFD shall be directly borne by the proponents of the CFD.

A petition for formation of a CFD shall be accompanied by an initial deposit in the amount determined by the City to fund initial staff and consultant costs associated with CFD review and implementation. If additional funds are needed to offset costs and expenses incurred by the City, the City shall make written demand upon the applicant for such funds. If the applicant fails to make any deposit of additional funds for the proceedings, the City may suspend all proceedings until receipt of such additional deposit.

The City shall not accrue or pay any interest on any portion of the deposit refunded to any applicant or the costs and expenses reimbursed to an applicant. Neither the City nor the CFD shall be required to issue eligible reimbursements to any applicant or property owner from any funds other than bond proceeds issued by the CFD.

Representatives. The City and the applicant shall each designate a representative. The representatives shall be responsible for coordinating the activities of their respective interests and shall be the spokespersons for each such interest. The purpose of this requirement is to avoid duplication of effort and misunderstandings from failure to communicate effectively. In the case of the City, it allows the City's consultants to report to a single official who will, in turn, communicate with other staff members.

Time Schedule. The final schedule of events for any proceeding shall be determined by the City, in consultation with its financing team and the applicant. Any changes will require approval by the appropriate City official. Time schedules will (unless specific exceptions are allowed) observe established City Council meeting schedules and agenda deadlines. To the extent possible, financings will be scheduled to allow debt service to be placed on the tax rolls with a minimum of capitalized interest. Decisions to capitalize interest will be made on a case-by-case basis, with the intent that if allowed, it should improve the credit quality of the bonds and reduce borrowing costs, benefiting both current and future property owners.

VI. Exceptions to These Policies

The City may find in limited and exceptional instances that a waiver to any of the above stated policies is reasonable given identified special benefits to be derived from such waiver. Any waiver to these Policies shall only be granted by action of the City Council.

RESOLUTION NO. 2018-

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN JUAN
BAUTISTA, CALIFORNIA, DECLARING ITS INTENTION TO
ESTABLISH THE SAN JUAN BAUTISTA COMMUNITY FACILITIES
DISTRICT NO. 2018-01 AND TO AUTHORIZE THE LEVY OF A
SPECIAL TAX THEREIN TO FINANCE CERTAIN SERVICES AND
SETTING THE PUBLIC HEARING TO CONSIDER THE
ESTABLISHMENT OF THE PROPOSED DISTRICT**

WHEREAS, the City Council of the City of San Juan Bautista, California (the “City Council”), desires to initiate proceedings to create a community facilities district pursuant to the terms and provisions of the “Mello-Roos Community Facilities Act of 1982,” being Chapter 2.5, Part 1, Division 2, Title 5 of the Government Code of the State of California (the “Act”) and the City of San Juan Bautista Community Facilities District Ordinance enacted pursuant to the powers reserved by the City of San Juan Bautista under Sections 3, 5 and 7 of Article XI of the Constitution of the State of California (the “Ordinance”) (the Act and the Ordinance may be referred to collectively as the “Community Facilities District Law”). This community facilities district shall hereinafter be referred to as Community Facilities District No. 2018-01 (the “District”);

WHEREAS, this City Council is now required to proceed to adopt its resolution of intention to initiate the proceedings for the establishment of such District, to set forth the boundaries for such District, to indicate the type of public services to be financed by such District, to indicate a rate and method of apportionment of special taxes proposed to be levied within the District sufficient to finance such services and to set a time and place for a public hearing relating to the establishment of such District;

WHEREAS, this City Council directs, pursuant to the provision of Section 53321.5 of the Government Code of the State of California, the preparation of a community facilities district report (the “District Report”) to provide more detailed information relating to the proposed District, the services proposed to be financed from the proceeds of such special taxes to be levied within the District, and the estimate of the cost of providing such services;

WHEREAS, a map of such District has been submitted showing the boundaries of the territory proposed to be included in the District which territory includes the properties and parcels of land proposed to be subject to the levy of a special tax by the District; and

NOW, THEREFORE, IT IS HEREBY RESOLVED:

SECTION 1. Recitals. The above recitals are all true and correct.

SECTION 2. Initiation of Proceedings. These proceedings are initiated by this City Council pursuant to the provisions of the Community Facilities District Law.

SECTION 3. Boundaries of District. It is the intention of this City Council to establish the District pursuant to the provisions of the Community Facilities District Law, and to determine the boundaries and parcels on which special taxes may be levied to finance certain services. A description of the boundaries of the territory proposed for inclusion in the District including properties and parcels of land proposed to be subject to the levy of a special tax by the District is as follows:

All that property within the residential development designated as “Copperleaf - Tract 337”, within the boundaries of the City of San Juan Bautista, County of San Benito, State of California. Also identified as Assessor’s parcel numbers 002-610-007 through 002-610-051 (45 residential lots).

Lots 1 through 58 of Tract Map 322, Phases 1, 2, 3 & 4. Lots 59 through 88 of Tract Map 322, Phases 5, 6, & 7, titled “Rancho Vista”, within the boundaries of the City of San Juan Bautista, County of San Benito, State of California. Also currently identified as Assessor’s parcel numbers 002-220-011 and 002-620-050 (85 residential lots).

SECTION 4. Name of District. The proposed Community Facilities District shall be known and designated as “Community Facilities District No. 2018-01”.

SECTION 5. Description of Services. It is the intention of this City Council to finance certain services (the “Services”) that are in addition to those provided in the territory within the District and will not be replacing services already available. A general description of the services to be provided is set forth in Exhibit “A” attached hereto and incorporated by this reference.

SECTION 6. Special Tax. It is hereby further proposed that, except where funds are otherwise available, a special tax sufficient to pay for the Services, to establish or replenish a reserve fund, the replacement costs of park or other public improvements within the District and related incidental expenses authorized by the Community Facilities District Law, secured by recordation of a continuing lien against all non-exempt real property in the District, will be levied annually within the boundaries of the District. For further particulars as to the Rate and Method of Apportionment of the special tax proposed to be levied, reference is made to the attached and incorporated Exhibit “B,” which sets forth in sufficient detail the method of apportionment to allow each landowner or resident within the District to clearly estimate the maximum amount that such person will have to pay for such services.

Under no circumstances will the special tax levied in any fiscal year against any residential parcel be increased as a consequence of delinquency or default by the owner or owners of any other parcel or parcels within the District by more than 10 percent (10%) above the amount that would have been levied in that fiscal year had there never been any such delinquencies or defaults. A parcel shall be considered “used for private residential purposes” not later than the date on which an occupancy permit or the equivalent for private residential use is issued for such parcel.

The special tax herein proposed, to the extent possible, shall be collected in the same manner as ad valorem property taxes or in such other manner as this City Council or its designee shall determine, including, without limitation, direct billing of the affected property owners, and shall be subject to the same penalties, procedure, sale and lien priority in any case of delinquency as applicable for ad valorem taxes. Any special taxes that may not be collected on the County tax roll shall be collected through a direct billing procedure by the Treasurer of the City of San Juan Bautista (the "City"), acting for and on behalf of the District.

The special tax obligation for any parcel may not be prepaid.

Pursuant to Government Code Section 53340 and except as provided in Government Code Section 53317.3, properties of entities of the state, federal, and local governments shall be exempt from the levy of the special tax.

SECTION 7. Community Facilities District Report. The Director of Development Services is hereby directed and ordered to prepare, or cause the preparation of the District Report to be presented to this City Council, generally containing the following: (1) a full and complete description of the services proposed to be financed from the levy of the special tax, (2) a general cost estimate setting forth costs of providing such services, and (3) further information regarding the implementation of the rate and method of apportionment of the special tax proposed to be levied within the District. The District Report, upon its preparation, shall be submitted to this City Council for review, and the District Report shall be made a part of the record of the public hearing on the resolution of intention to establish such District.

SECTION 8. Public Hearing. Notice is given that on **October 2, 2018** at the meeting place of the City Council, being the Council Chambers, located at 311 Second Street, San Juan Bautista, California, a public hearing will be held where this City Council will consider the establishment of the proposed District, the proposed rate and method of apportionment of the special taxes proposed to be levied within the District, and all other matters as set forth in this resolution of intention. At the above-mentioned time and place for public hearing any persons interested, including taxpayers and property owners may appear and be heard. The testimony of all interested persons for or against the establishment of the District, the extent of the District, or the furnishing of the services, will be heard and considered. Any protests may be made orally or in writing. However, any protests pertaining to the regularity or sufficiency of the proceedings shall be in writing and clearly set forth the irregularities and defects to which the objection is made. All written protests shall be filed with the City Clerk of the City Council on or before the time fixed for the public hearing. Written protests may be withdrawn in writing at any time before the conclusion of the public hearing.

If a majority file written protests against the establishment of the District, the proceedings shall be abandoned. If such majority protest is limited to certain services or portions of the special tax, those services or that portion of the special tax shall be eliminated by the City Council.

SECTION 9. Election. If, following the public hearing described in Section 8 above, the City Council determines to establish the District and proposes to levy a special tax within the District, the City Council shall then submit the levy of the special taxes to the qualified electors of the District. If at least twelve (12) persons, who need not necessarily be the same twelve (12) persons, have been registered to vote within the District for each of the ninety (90) days preceding the close of the public hearing, the vote shall be by registered voters of the District, with each voter having one (1) vote. Otherwise, the vote shall be by the landowners of the District who were the owners of record at the close of the subject hearing, with each landowner or the authorized representative thereof, having one (1) vote for each acre or portion of an acre of land owned within the District.

A successful election relating to the special tax authorization shall, as applicable, establish and/or change the appropriations limit as authorized by Article XIII B of the California Constitution as it is applicable to this District.

SECTION 10. Notice. Notice of the time and place of the public hearing shall be given by the City Clerk by causing a Notice of Public Hearing to be published in the legally designated newspaper of general circulation, such publication pursuant to Section 6061 of the Government Code, with such publication to be completed at least seven (7) days prior to the date set for the public hearing.

SECTION 11. Effective Date. This Resolution shall become effective immediately upon its adoption.

PASSED, APPROVED AND ADOPTED this 21st day of August, 2018, by the following roll call vote:

AYES, COUNCIL MEMBERS:

NOES, COUNCIL MEMBERS:

ABSENT, COUNCIL MEMBERS:

ABSTAIN, COUNCIL MEMBERS:

CITY OF SAN JUAN BAUTISTA

Jim West, Mayor

ATTESTED and I HEREBY CERTIFY that the foregoing resolution was duly passed and adopted by the City Council of the City of San Juan Bautista at a regular meeting thereof held on the 21st day of August, 2018, and that the foregoing is a full, true and correct copy of said Resolution.

Mackenzie Quaid, City Clerk

EXHIBIT A

COMMUNITY FACILITIES DISTRICT NO. 2018-01

List of Public Facilities to be Maintained

The Community Facilities District will fund, in whole or in part, the following services ("services" shall have the meaning given that term in the Mello-Roos Community Facilities Act of 1982), including all related administrative costs, expenses and related reserves:

- Landscape Maintenance
- Park Maintenance
- Street and Sidewalk Maintenance
- Curb & Gutter Maintenance
- Street Lighting Maintenance
- Storm Drain Maintenance
- Sound Wall Maintenance
- Graffiti Abatement
- Mosquito Abatement
- Storm Drain Maintenance
- Recreational Equipment Maintenance

Please refer to Exhibit B, Rate and Method of Apportionment for additional information related to the services provided.

EXHIBIT B

RATE AND METHOD OF APPORTIONMENT FOR CITY OF SAN JUAN BAUTISTA COMMUNITY FACILITIES DISTRICT NO. 2018-01

The City of San Juan Bautista (the "City") initiated proceedings to establish Community Facilities District No. 2018-01 on August 21, 2018, by Resolution No. 18-XX (herein after referred to as "the District" or "CFD") for the purpose of funding the ongoing operation, maintenance and servicing of certain improvements, as detailed in this Rate and Method of Apportionment of Special Tax (herein after referred to as the "RMA").

Properties within the CFD's future annexation area shall be annexed into the CFD as new development occurs, unless exempted by law or by the provisions set forth in Section F below. The CFD's future annexation area shall be defined as the boundaries of the City. A boundary map showing the future annexation area, as well as diagrams showing all Parcels currently within the CFD, are included in Exhibit A of this RMA. In compliance with the proceedings governing the formation of the CFD and according to the provisions of the adoption of this RMA, the Special Tax is proposed to be levied on each taxable Parcel within the boundaries of the CFD, except those exempted by law or the express provisions set forth in this RMA.

A. GENERAL DEFINITIONS

The terms hereinafter set forth have the following meaning:

"Acre" or "Acreage" means the land area of an Assessor's Parcel as shown on County records, such as an Assessor's Parcel Map or secured roll data, or if the land area is not shown on an Assessor's Parcel Map, the land area shown on the applicable Final Subdivision Map, condominium plan, record of survey, or other recorded document creating or describing the Parcel. If the preceding maps for a land area are not available, the Acreage of such land area may be determined utilizing available spatial data and Geographic Information Systems (GIS). The square footage of an Assessor's Parcel is equal to the Acreage multiplied by 43,560.

"Act" means the Mello-Roos Community Facilities Act of 1982, as amended, being Chapter 2.5, Division 2 of Title 5 of the Government Code of the State of California.

"Administrative Expenses" means the actual or reasonably estimated costs incurred by the Administrator acting for and on behalf of the CFD, to determine, levy and collect the Special Taxes, in responding to public inquiries regarding the Special Taxes, including general administrative costs, fees of consultants and legal counsel providing services related to the administration of the CFD; any amounts estimated or advanced by the City or CFD for any other administrative purposes; and, any other costs required to administer the CFD as determined by the Administrator.

"Administrator" means an official of the City, or designee thereof, responsible for determining the Special Tax Requirement and providing for the levy and collection of the Special Taxes.

“Annual Tax Escalation Factor” means in each Fiscal Year following the Base Year, an increase in the Maximum Special Tax in effect in the prior Fiscal Year by an amount equal to the greater of (i) the annual average Consumer Price Index (CPI), for San Francisco-Oakland-Hayward, All Urban Consumers (CPI-U) as published by the Department of Labor’s Bureau of Labor Statistics, or (ii) two percent (2.0%). If the CPI listed above is no longer published, the Administrator shall select a new index that is reasonably comparable to the CPI that is no longer published for purposes of calculating the Annual Tax Escalation Factor.

“Annual Special Tax” means the total Special Tax levied against a Taxable Property in the CFD in a fiscal year.

“Assessor’s Parcel” means a lot or parcel shown in an Assessor’s Parcel Map with an assigned Assessor’s Parcel Number.

“Assessor’s Parcel Map” means an official map of the County Assessor of the County designating lots or parcels by an Assessor’s Parcel Number.

“Assessor’s Parcel Number” or “APN” means a unique number assigned to an Assessor’s Parcel by the County Assessor for purposes of identifying a property.

“Authorized Services” means those authorized maintenance activities and/or services, and expenses that may be funded by the CFD pursuant to the Act as amended, including, without limitation, those services authorized to be funded by the CFD as set forth in the documents adopted by the City Council at the time the CFD was formed.

“Base Year” means the Fiscal Year beginning July 1, 2018 and ending June 30, 2019.

“Building Permit” means a single permit or set of permits required to construct an entire residential or non-residential structure, which is issued by the City prior to July 1st preceding the Fiscal Year in which the Special Tax is being levied.

“Capital Replacement Reserve Fund” means a fund that shall be maintained for the CFD for each Fiscal Year to provide for the accumulation and holding of funds for long-term capital projects, asset replacement, or other large anticipated expenditures.

“CFD” means the City of San Juan Bautista Community Facilities District No. 2018-01.

“City” means the City of San Juan Bautista.

“City Council” means the City Council of the City, acting as the legislative body of the CFD.

“City Manager” means the City Manager of the City of San Juan Bautista or designee.

“Commercial Property” means, in any fiscal year, all Developed Property for which a building permit or use permit has been issued for a commercial establishment which includes, but is not limited to, retail stores, clothing stores, book stores, convenience stores, drug stores, professional services (i.e., barber shops, dry cleaners), restaurants, supermarkets, hospitals, movie theaters, appliance and electronics stores, home supply stores, auto parts stores, and other retail uses. The City shall make the determination if a Parcel is Commercial Property.

“County” means the County of San Benito, State of California.

“County Assessor” means the Assessor of the County or his or her designee.

“County Recorder” means the Recorder of the County or his or her designee.

“Developed Property” means all Taxable Property for which a building permit was issued prior to the July 1st preceding the Fiscal Year in which the Special Tax is being levied.

“Dwelling Unit” means each separate residential dwelling unit that comprises an independent facility capable of conveyance or rental separate from adjacent residential dwelling units.

“Exempt Property” means all Assessors’ Parcels that are exempt from the Special Tax pursuant to law or Section F herein.

“Final Subdivision Map” means a subdivision of property creating residential or non-residential buildable lots by recordation of a Final Subdivision Map or Parcel Map pursuant to the Subdivision Map Act (California Government Code Section 66410 et seq.), or recordation of a condominium plan pursuant to the California Civil Code 1352, that creates individual lots for which building permits may be issued without further subdivision.

“Fiscal Year” means the period starting July 1st and ending on the following June 30th.

“Hotel Property” means, in any fiscal year, a Developed Property for which a building permit or use permit has been issued for a structure that constitutes a place of lodging providing sleeping accommodations and related facilities for travelers.

“Industrial Property” means, in any fiscal year, a Developed Property for which a building permit or use permit has been issued for construction of an industrial, manufacturing, or warehousing structure. The City shall make the determination if a Parcel is Industrial Property.

“Multi-Family Property” means, in any fiscal year, all Parcels of Developed Property for which a building permit or use permit has been issued for construction of a residential structure with five (5) or more Units that share a single Assessor’s Parcel number, all of which are offered for rent to the general public and cannot be purchased by individual homebuyers.

“Maximum Special Tax” means the Maximum Special Tax, determined in accordance with Section C, which may be levied in any fiscal year on any Assessor’s Parcel of Taxable Property.

“Operating Fund” means a fund that shall be maintained for the CFD each Fiscal Year to provide for the maintenance and administration of the CFD, including a reserve fund to pay for delinquencies in the payment of Special Taxes.

“Operating Fund Requirement” means, for any Fiscal Year, an amount equal to costs associated with providing the Authorized Services and managing the CFD. In no event shall the Operating Fund Requirement in any Fiscal Year exceed the Special Tax Requirement for the CFD, without crediting the property owner’s annual special tax levy in an amount equal to the funds available that are in excess of the Special Tax Requirement.

“Operating Reserve Fund” means the amount held in a fund that is used to pay for delinquencies in the payment of Special Taxes and any insufficiencies in funds to pay maintenance and administrative costs of the CFD.

“Proportionately” means for Taxable Property that the ratio of the Annual Special Tax to the Maximum Special Tax is equal for all Taxable Property levied within each parcel classification as identified in Tables 1 and 2 herein and within the boundaries of the CFD.

“Public Property” means any property within the boundaries of the CFD which (i) is owned by a public agency or expected to be owned by the federal government, State of California, County, City, or other public agency at the time of formation, (ii) has been irrevocably offered for dedication to a public agency, or (iii) is designated with specific boundaries and acreage on a Final Subdivision Map as property which will be owned by a public agency. For purposes of this definition, a public agency includes the federal government, the State of California, the County or the City.

“Single Family Attached Property” means, in any Fiscal Year, all Parcels of Developed Property for which a building permit was issued for construction of a residential structure consisting of two (2) or more Units that share common walls, have separate Assessor’s Parcel numbers assigned to them, and are offered as for-sale Units, including such residential structures that meet the statutory definition of a condominium contained in California Civil Code Section 1351.

“Single Family Detached Property” means, in any Fiscal Year, all Parcels of Developed Property for which a building permit was issued for construction of a Unit that does not share a common wall with another Unit.

“Special Tax” means the Special Tax levied in each Fiscal Year on each Assessor’s Parcel of Taxable Property to fund the Special Tax Requirement.

“Special Tax Requirement” means the amount, as determined by the Administrator, for any Fiscal Year to: (i) pay the costs of providing the Authorized Services during such fiscal year, (ii) pay Administrative Expenses associated with the Special Tax, (iii) establish or replenish the Operating Reserve Fund, (iv) establish or replenish the Capital Replacement Reserve Fund, (v) pay incidental expenses related to the Authorized Services as authorized pursuant to the Act, (vi) fund the shortfall, if any, in the Special Tax revenues collected in the preceding Fiscal Year where such shortfall resulted from delinquencies in the payment of Special Taxes in such Fiscal Year that exceeded the estimated Special Tax delinquency amount included in the Special Tax Requirement for the preceding Fiscal Year, less (vii) any excess funds available in the Operating Reserve Fund, Capital Replacement Reserve Fund, or other funds associated with the CFD as determined by the Administrator.

“State” means the State of California.

“Taxable Property” means all of the Assessor’s Parcels within the boundaries of the CFD that are not Exempt Property.

“Tax Zone” means a mutually exclusive geographic area within which the Special Tax may be levied pursuant to this RMA. Additional Tax Zones may be created when property is annexed to the CFD and a separate Maximum Special Tax shall be identified for property within the new Tax Zone at the time of such annexation. All of the property within the boundaries of the CFD and at the time of formation of the CFD are in either Tax Zone No. 1 or Tax Zone No. 2.

“Tax Zone No. 1” means all property located within the area identified as Tax Zone No. 1 in Exhibit A to this RMA, subject to the interpretation of the Administrator as described in Section B.

“Tax Zone No. 2” means all property located within the area identified as Tax Zone No. 2 in Exhibit A to this RMA, subject to the interpretation of the Administrator as described in Section B.

“Undeveloped Property” means, in any Fiscal Year, all parcels of Taxable Property in the CFD for which a building permit for new construction was not issued by June 30th of the preceding Fiscal Year.

“Unit” means an individual single-family detached unit, or an individual attached residential unit within a duplex, triplex, four-plex, townhome, condominium, or apartment structure.

B. ASSIGNMENT TO CATEGORIES OF SPECIAL TAX

Each Fiscal Year, beginning with Fiscal Year 2018/19, using the definitions above, each Assessor’s Parcel within the boundaries of CFD No. 2018-01 shall be classified by the Administrator as Taxable Property or Exempt Property. Commencing with Fiscal Year 2018/19 and for each subsequent fiscal year, Taxable Property shall be subject to the levy of Special Taxes pursuant to Section C below. In addition, in each such Fiscal Year, each Assessor’s Parcel of Taxable Property shall be further classified by the Administrator as Developed Property or Undeveloped Property.

C. MAXIMUM SPECIAL TAX RATE

The Maximum Special Tax for any Assessor’s Parcel classified as Developed Property or Undeveloped Property shall be determined by reference to the following tables:

TABLE 1
Tax Zone No. 1 – Copperleaf
Maximum Special Tax Rates
Community Facilities District No. 2018-01

Taxable Property Type	Maximum Special Tax
Single Family Residential	\$855.12 per parcel
Multi-Family Residential	\$513.07 per unit
Condominium-Townhome	\$641.34 per parcel/unit
Commercial	\$3,420.48 per acre
Hotel	\$342.05 per room
Industrial	\$1,710.24 per acre
Vacant-Undeveloped	\$213.78 per acre

TABLE 2
Tax Zone No. 2 – Rancho Vista
Maximum Special Tax Rates
Community Facilities District No. 2018-01

Taxable Property Type	Maximum Special Tax
Single Family Residential	\$1,091.14 per parcel
Multi-Family Residential	\$654.68 per unit
Condominium-Townhome	\$818.36 per parcel
Commercial	\$4,364.56 per acre
Hotel	\$436.46 per room
Industrial	\$2,182.28 per acre
Vacant-Undeveloped	\$272.78 acre

Under no circumstances will the Special Tax levied against any Assessor's Parcel be increased because of delinquency or default by the owner of any other Assessor's Parcel within the CFD by more than ten percent (10%) above what such Special Tax would have been in the absence of delinquencies.

Escalation of the Maximum Special Tax

Each Fiscal Year following the Base Year, the Maximum Special Tax shall be increased in accordance with the Annual Tax Escalation Factor and otherwise adjusted as provided in this Rate and Method of Apportionment of Special Tax.

D. METHOD OF APPORTIONMENT OF SPECIAL TAX

Commencing with Fiscal Year 2018/19, and for each subsequent Fiscal Year, the Administrator shall levy the Special Tax at the rates established in Section C on all Taxable Property within the boundaries of CFD No. 2018-01 until the total amount of Special Tax levied equals the Special Tax Requirement. The Special Tax shall be levied each Fiscal Year as follows:

1. The Special Tax shall be levied proportionately on each Assessor's Parcel of Developed Property up to one hundred percent (100%) of the applicable Maximum Special Tax.
2. If additional monies are needed to satisfy the Special Tax Requirement after Developed Property has been levied one hundred percent (100%) of their Maximum Special Tax, the remaining amount needed to satisfy the Special Tax Requirement shall be levied proportionately on each Assessor's Parcel of Undeveloped Property at up to one hundred percent (100%) of the Maximum Special Tax.

E. EXEMPTIONS

The Administrator shall classify the following as Exempt Property: Public Property and Assessor's Parcels with public or utility easements making impractical their utilization for any use other than the purposes set forth in the easement.

If the use of an Assessor's Parcel changes so that such Assessor's Parcel is no longer eligible to be classified as Exempt Property under this section, such Assessor's Parcel shall be deemed to be Taxable Property.

F. PREPAYMENT OF SPECIAL TAX

The Maximum Special Tax may not be prepaid and shall continue to be levied in accordance with Section D of this Rate and Method of Apportionment of Special Tax on an annual basis on all Taxable Property in the CFD for the purpose of funding the ongoing Authorized Services.

G. TERM OF THE SPECIAL TAX

Parcels in the CFD will remain subject to the Special Tax in perpetuity, unless and until such time the City determines the revenues are no longer needed, in which case the Special Tax shall cease to be levied and the City shall direct the County Recorder to record a Notice of Cessation of Special Tax. Such notice will state that the obligation to pay the Special Tax has ceased and that the lien imposed by the Notice of Special Tax Lien is extinguished. The Notice of Cessation of Special Tax shall additionally identify the book and page of the Book of Maps of Assessment and Community Facilities Districts where the map of the boundaries of the CFD is recorded.

H. REVIEW/APPEALS

The Administrator may establish such procedures, as it deems necessary to undertake the review of any such appeal of any property owner. The Administrator shall interpret this Rate and Method of Apportionment of Special Tax and make determinations relative to the annual administration of the Special Tax and any property owner appeals, as herein specified.

Any property owner who believes that the amount of the Special Tax levied on their Assessor's Parcel is in error shall first consult with the Administrator regarding such error. If following such consultation, the Administrator determines that an error has occurred, the Administrator or designee shall take any of the following actions to correct the error:

- Amend the Special Tax levy on the property owner's Assessor's Parcel(s) for the current fiscal year,
- Require the CFD to reimburse the property owner for the amount of an overpayment to the extent of available CFD funds, or,
- Grant a credit against, eliminate or reduce the future Special Taxes on the property owner's Assessor's Parcel(s) for overpayment for the current fiscal year.

If following such consultation and action (if any by the Administrator), the property owner believes such error still exists, such person may file a written notice with the City Manager appealing the amount of the Special Tax levied on such Assessor's Parcel. If following such consultation and action (if any by the City Manager), the property owner believes such error still exists, such person may file a written notice with the City Council appealing the amount of the Special Tax levied on such Assessor's Parcel. If the City Manager, City Council or designee determines an error exists, the CFD Administrator shall take any actions as described in this section, in order to correct the error. The decision of the City Council shall be final and binding to all persons.

I. INTERPRETATIONS

The City reserves the right to make minor administrative and technical changes to this document that does not materially affect the Rate and Method of Apportionment of Special Taxes. In addition, the interpretation and application of any section of this document shall be left to the City's discretion. The City may make interpretations by ordinance or resolution for purposes of clarifying any vagueness or ambiguity in this Rate and Method of Apportionment of Special Tax.

J. MANNER OF COLLECTION

The annual Special Tax shall be collected in the same manner and at the same time as ordinary ad valorem property taxes; provided, however, that the Administrator, may, at the sole discretion of the City, directly bill the Special Tax, and may collect the Special Taxes at a different time or in a different manner as necessary to meet the financial obligations of CFD No. 2018-01 or as otherwise determined appropriate by the Administrator.

K. REPEAL OF SPECIAL TAX

If the levy of the Special Tax is repealed by initiative or any other action participated in by the property owners of Assessor's Parcels in CFD No. 2018-01, the City shall cease to levy the Special Tax and shall cease to be obligated to provide the Authorized Services for which the Special Tax was levied. The obligation to provide the Authorized Services previously funded by the repealed Special Tax shall become the joint obligations of the property owners of Assessor's Parcels within CFD No. 2018-01.

City of San Juan Bautista
Community Facilities District No. 2018-01 (Maintenance Services)
Page 10

EXHIBIT A

A copy of the Boundary Map for the CFD is on the following pages.

SHEET 1 OF 2

PROPOSED BOUNDARIES OF
CITY OF SAN JUAN BAUTISTA
COMMUNITY FACILITIES DISTRICT NO. 2018-01
(PUBLIC SERVICES)
COUNTY OF SAN BENITO
STATE OF CALIFORNIA

The CFD Future Annexation Area is co-terminous with the boundary of the City of San Juan Bautista combined with the City's Sphere of Influence as of February 16, 2016.

Reference is hereby made to the Assessor maps of the County of San Benito for a description of the lines and dimensions of these parcels.

Assessor Parcels within
C.F.D. No. 2018-01 (Public Services):

002-220-009	002-610-023	002-610-040
002-610-007	002-610-024	002-610-041
002-610-008	002-610-025	002-610-042
002-610-009	002-610-026	002-610-043
002-610-010	002-610-027	002-610-044
002-610-011	002-610-028	002-610-045
002-610-012	002-610-029	002-610-046
002-610-013	002-610-030	002-610-047
002-610-014	002-610-031	002-610-048
002-610-015	002-610-032	002-610-049
002-610-016	002-610-033	002-610-050
002-610-017	002-610-034	002-610-051
002-610-018	002-610-035	002-610-052
002-610-019	002-610-036	002-610-053
002-610-020	002-610-037	012-100-018
002-610-021	002-610-038	
002-610-022	002-610-039	

(1) Filed in the office of the Clerk of the City of San Juan Bautista this ____ day of _____, 2018.

Mackenzie Quaid, City Clerk of San Juan Bautista

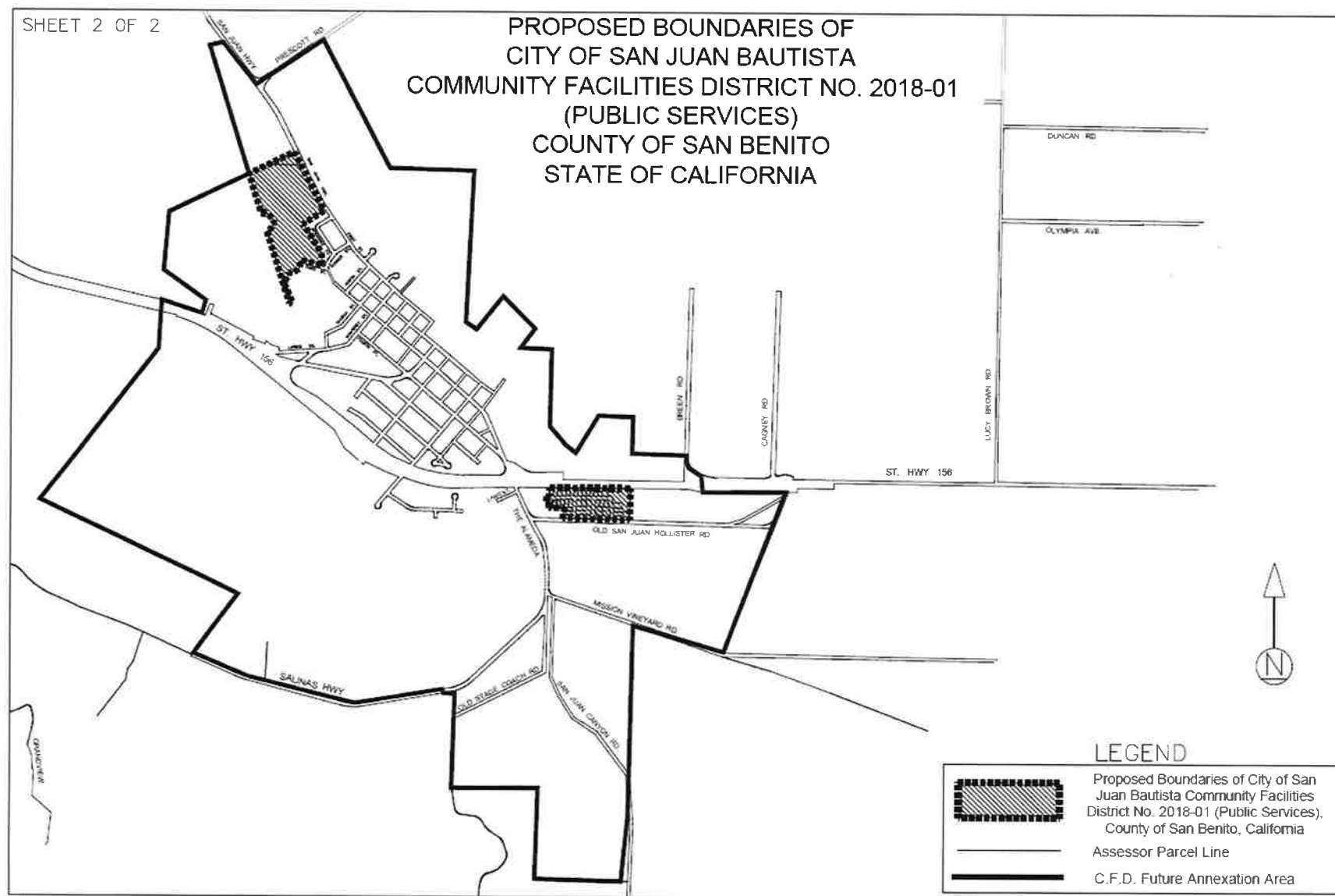
(2) I hereby certify that the within map showing the proposed boundaries of City of San Juan Bautista Community Facilities District No. 2018-01 (Public Services), County of San Benito, State of California, was approved by the City Council of the City of San Juan Bautista at a regular meeting thereof, held on this ____ day of _____, 2018, by its Resolution No. _____.

Mackenzie Quaid, City Clerk of San Juan Bautista

(3) Filed this ____ day of _____, 2018, at the hour of ____ o'clock ____ m, in Book _____ of Maps of Assessment and Community Facilities Districts at Page _____ and as Instrument No. _____ in the office of the County Recorder in the County of San Benito, State of California.

Joe Paul Gonzalez
County Clerk-Auditor-Recorder of San Benito County
By _____
Deputy
Fee _____

Exempt recording requested,
per CA Government Code §6103



City of San Juan Bautista
Community Facilities District No. 2018-01 (Maintenance Services)
Page 13

EXHIBIT B
City of San Juan Bautista
Community Facilities District No. 2018-01
(Maintenance Services)

The list of Authorized Services and associated costs shown below will be used to determine the Maximum Special Tax for all future annexations (Tax Zones) to the CFD.

AUTHORIZED SERVICE - MAINTENANCE	UNIT	COST PER UNIT/ITEM
Park Maintenance	SF	\$0.12
Utilities - Water*	1K GL	\$6.35
Street Trees	EA	\$10.00
Landscape Maintenance	SF	\$0.12
Open Space Maintenance	SF	\$0.12
Detention Basin	SF	\$0.12
Wetlands Maintenance	SF	\$0.12
Lift Station	Mo	\$450.00
Irrigated Slope Maintenance	SF	\$0.12
Non-Irrigated Slope Maintenance	SF	\$0.06
Chain Link Fencing	LF	\$0.10
Wood/Wire Fencing	LF	\$0.07
Split-Rail Wood Fencing	LF	\$0.07
Fitness Stations	Mo	\$20.00
Play Structure 2-5 Years of Age	Mo	\$5.00
Play Structure 5-12 Years of Age	Mo	\$5.00
Fitness/Walking Trail	SF	\$0.07
Maintenance Road	SF	\$1.00
Sound Wall - Painting & Graffiti Abatement	SF	\$0.10
Sound Wall - Tile Replacement	LF	\$0.10
Mosquito Abatement	Mo	\$55.00
Street Lights - Maintenance & Utilities	EA	\$30.00
Street Sweeping	SF	\$0.02
Throughout Interior of Tract - Storm Drains	EA	\$7.50
* 1K GL = 1, 000 gallons. City cost is \$6.35 per 1,000 gallons of water used.		

EXHIBIT B (Cont'd)
City of San Juan Bautista
Community Facilities District No. 2018-01
(Maintenance Services)

AUTHORIZED SERVICE - REPLACEMENT	UNIT	COST PER UNIT/ITEM
Street Lights - Pole Replacement	EA	\$3,000.00
Street Lights - LED Power Module	EA	\$150.00
Street Lights - LED Optical Module	EA	\$750.00
Street Maintenance - Slurry Seal/Chip Seal	SY	\$5.70
Street Maintenance - Crack Repair	SY	\$2.40
Street Maintenance - Overlay	SY	\$27.00
Sidewalks - Repair/Replace	SF	\$7.00
Irrigation Controllers	EA	\$3,500.00
Lift Station Well & Piping	EA	\$150,000.00
Lift Station Controls	EA	\$5,000.00
Lift Station Pump	EA	\$8,500.00
Sound Wall	SF	\$1.50
Fitness Station	EA	\$5,500.00
Play Structure 2-5 Years of Age	EA	\$19,500.00
Play Structure 5-12 Years of Age	EA	\$28,500.00
Chain Link Fencing	LF	\$12.00
Wood/Wire Fencing	LF	\$12.00
Split-Rail Wood Fencing	LF	\$12.00
Cluster Mail Boxes	EA	\$2,500.00

EXHIBIT B (Cont'd)
City of San Juan Bautista
Community Facilities District No. 2018-01
(Maintenance Services)

AUTHORIZED SERVICE - ADMINISTRATION	UNIT	COST PER UNIT/ITEM
City Personnel ¹	EA	Varies
Operating Reserve ²	EA	Varies
District Administration ³	EA	Varies
Rounding Factor ⁴	EA	Varies
County Costs	P/Pcl	\$0.30

¹ 10% of Maintenance Costs, divided by # of parcels

² 10% of Maintenance Costs, divided by # of parcels

³ Varies with development, divided by # of parcels

⁴ Required to make the Special Tax amount an even penny for tax roll purposes

PETITION
(WITH WAIVERS)
TO ESTABLISH A COMMUNITY FACILITIES DISTRICT

To the Honorable City Council
City of San Juan Bautista
311 2nd Street
San Juan Bautista, CA 95045

Dear Councilmembers,

This is a petition to create a community facilities district and with respect to matters under the Mello-Roos Community Facilities Act of 1982 (Sections 5331 and following of the California Government Code (the "Act")). The undersigned states as follows:

1. Petitioner. This petition is submitted by the persons (whether one or more) identified below as, or for, the fee title owners of the parcel(s) of land identified below. By submitting this petition, such persons warrant to the City of San Juan Bautista (the "City") they are authorized to execute this petition.
2. Proceedings Requested. The Petitioner asks that the City Council of the City undertake and complete proceedings under the Act to create a community facilities district to be designated "City of San Juan Bautista, Community Facilities District No. 2018-1 (Copperleaf – Tract 337), (the "CFD"), and to levy special taxes therein.
3. Boundaries of CFD. The Petitioner asks that the territory to be included in the boundaries of the CFD consist of the parcel(s) of land identified below.
4. Purpose of CFD. The Petitioner asks that the CFD be created and the special taxes be levied to pay for the maintenance of streets, street lights, sidewalks, storm drain and drainage facilities, landscaping, and park facilities, anti-graffiti, mosquito abatement, sound walls, capital replacement and to pay other costs as shall be more fully identified during the course of the legal proceedings to form the CFD.
5. Elections. The Petitioner asks that the election, to be held under the Act to authorize the special taxes and to establish any appropriations limits for the CFD, be consolidated into a single election, that the election be conducted by the City and its officials using mailed or hand-delivered ballots, and that such ballots be opened and canvassed and the results certified at the same meeting of the City Council as the public hearing on the CFD under the Act or as soon thereafter as possible.
6. Waivers. To expedite the completion of the proceedings for the CFD, all notices of hearings and all notices of election, applicable waiting periods under the Act for special elections, and all ballot analysis or arguments for the election are hereby waived.

By executing this petition, the person(s) below agree(s) to all of the above.

The Property that is subject to this petition is identified as: Lots 1-45, Parcels A-B, Copperleaf Lane, Cypress Lane, and Cedar Court as shown on that certain map entitled "Tract 337 - Copperleaf", filed for record on April 13, 2017 in Book 16 of Maps at Pages 20-26 in the Office of the County Recorder of San Benito County, CA, as File No. 2017-0003347.

The Property consists of a total of **13.34 acres**.

The record owner of the Property is: **San Juan Edenbridge, LP**

Executed on: January 24, 2018

By: 

Title: Patrick Geary, Authorized Signatory

The address to which the ballots for the CFD elections are to be sent:

San Juan Edenbridge, LP
Attn: Patrick Geary
21771 Stevens Creek Boulevard, Ste. 200-A
Cupertino, CA 95014

PETITION
(WITH WAIVERS)
TO ESTABLISH A COMMUNITY FACILITIES DISTRICT

To the Honorable City Council
City of San Juan Bautista
311 2nd Street
San Juan Bautista, CA 95045

Dear Councilmembers,

This is a petition to create a community facilities district and with respect to matters under the Mello-Roos Community Facilities Act of 1982 (Sections 5331 and following of the California Government Code (the "Act")). The undersigned states as follows:

1. Petitioner. This petition is submitted by the persons (whether one or more) identified below as, or for, the fee title owners of the parcel(s) of land identified below. By submitting this petition, such persons warrant to the City of San Juan Bautista (the "City") they are authorized to execute this petition.
2. Proceedings Requested. The Petitioner asks that the City Council of the City undertake and complete proceedings under the Act to create a community facilities district to be designated "City of San Juan Bautista, Community Facilities District No. 2018-1, (the "CFD"), and to levy special taxes therein.
3. Boundaries of CFD. The Petitioner asks that the territory to be included in the boundaries of the CFD consist of the City boundaries, and specifically the parcel(s) of land identified below.
4. Purpose of CFD. The Petitioner asks that the CFD be created and the special taxes be levied to pay for the maintenance of streets, street lights, street trees, sidewalks, storm drain and drainage facilities, landscaping, parks and park facilities, graffiti abatement, mosquito abatement, fencing, sound walls, repair, replacement, including the capital replacement of said facilities, and to pay other costs as shall be more fully identified during the course of the legal proceedings to form the CFD.
5. Elections. The Petitioner asks that the election, to be held under the Act to authorize the special taxes and to establish any appropriations limits for the CFD, be consolidated into a single election, that the election be conducted by the City and its officials using mailed or hand-delivered ballots, and that such ballots be opened and canvassed and the results certified at the same meeting of the City Council as the public hearing on the CFD under the Act or as soon thereafter as possible.
6. Waivers. To expedite the completion of the proceedings for the CFD, all notices of hearings and all notices of election, applicable waiting periods under the Act for special elections, and all ballot analysis or arguments for the election are hereby waived.

By executing this petition, the person(s) below agree(s) to all of the above.

The Property that is subject to this petition is identified as: Lots 1 through 58 on Tract Map No. 322 – Phase 1, 2, 3, and 4, titled "Rancho Vista", a division of Parcel 1, per book 4 of parcel maps, page 59. Filed for record on August 17, 2017 in Book 16 of Maps at Page 26 in the Office of the County Recorder of San Benito County, CA, as File No. 2017-0007472. Lots 59 through on Tract Map No.322 - Phase 5, 6 and 7 titled "Rancho Vista", per book in Book 16 of Maps at Page 26, San Benito County Records, recordation estimated date of August 8, 2018, also identified as Assessor Parcel Numbers 002-220-0-011-000, and 0002-620-050-000.

The Property consists of a total of **28.35 acres**.

The record owner of the Property is: Meritage Homes of California, Inc.

Executed on: July 25, 2018

By:

Mark Currington

Title:

Forward Planning Manager

The address to which the ballots for the CFD elections are to be sent:

Meritage Homes of California, Inc.

Attn: Mark Currington

860 Stillwater Road #200A, West Sacramento, CA 95605



CITY OF SAN JUAN BAUTISTA CITY COUNCIL STAFF REPORT

AGENDA TITLE: Approve a Contract with Dudek Consulting to Prepare a Capital Planning Report for City's Wastewater Treatment Plant

MEETING DATE: August 21, 2018

DEPARTMENT HEAD: City Manager

RECOMMENDED ACTION: Adopt a Resolution approving a contract with Dudek Consulting to Prepare a Capital Planning Report for the City's Wastewater Treatment Plant in the amount of \$33,320 and establish a contingency budget of \$4,000 for a total contract authorization of \$37,320.

BACKGROUND INFORMATION: The City of San Juan Bautista operates a wastewater treatment plant (WWTP) on the west side of town. Wastewater from homes and businesses is conveyed to the WWTP for treatment and disposal. The WWTP operates under a permit issued by the Central Coast Regional Water Quality Control Board (RWQCB) with numerous testing requirements.

The WWTP has been in its current configuration since 1998 and consists of:

1. Headworks where wastewater enters the WWTP
2. Influent pump station to push the wastewater to the ponds as they are located at a higher elevation than the headworks
3. Two treatment ponds (Ponds 1 and 2)
4. Filtration media chambers
5. Ultraviolet disinfection channel
6. Piping to discharge treated wastewater into the adjacent creek

Bracewell Engineers, who has operated the WWTP over the last 30 years recently gave 90-days' notice to terminate their contract with the city. The City Manager and City Engineer meet with Bracewell staff on August 9 to discuss their reasons for terminating the O&M contract. Bracewell staff said they were terminating the relationship with the city due to:

1. Long term lack of budgeting by the city for recommended maintenance efforts.
2. Concern that their operator's wastewater certifications would be at risk should the WWTP have a discharge of untreated wastewater.

The WWTP is in serious need of a thorough review for capital planning purposes and to assist with the operation and maintenance under the next contract operator. Some of the critical elements of the WWTP (ie, emergency generator, motor control panel) haven't been replaced in 30 years. Should any of the significant parts fail to work in a timely manner, untreated sewage could reach the adjacent creek. Therefore, staff is recommending the City engage Dudek Consulting to prepare a complete analysis of the WWTP. This analysis will assist with:

1. Capturing Bracewell staff's "institutional knowledge" of the WWTP before they leave this facility on October 30.
2. Operation of the WWTP as it will document each mechanical component and process step through the wastewater treatment process. This will be very useful to city staff and the next contract operator.
3. Document the expected life-cycle of the various elements of the WWTP to prepare a Capital Improvement Program

To address other immediate needs at the WWTP, city staff has:

1. Issued Bid Documents for a Sludge Removal Contract based on the \$400,000 in the FY2018/19 Capital Improvement Budget. Bids will be opened on September 11 with an award of contract to be presented at the September 18 City Council Meeting
2. Issued a Request for Proposal for Contract Operation of the WWTP. Proposals will be opened on September 13. After interviewing the proposed teams and negotiating a scope and fee structure with the top ranked company, award of contract is planned for the October 16 City Council Meeting

To help the operations, maintenance and capital planning purposes, Staff is recommending the approval of a contract with Dudek Consulting to prepare a Capital Planning Report for the City's Wastewater Treatment Plan in the amount of \$33,320 and establish a contingency budget of \$4,000 for a total contract authorization of \$37,320.

Dudek Consulting's August 13 proposal for this work is attached.

FISCAL IMPACT: Funding for this contract is included in the FY2018/19 Capital Improvement Program.

ATTACHMENTS:

1. Dudek Consulting's August 13, 2018 Proposal
2. Resolution

August 13, 2018

Patrick Dobbins
Harris & Associates / City of San Juan Bautista
450 Lincoln Ave Suite 103
Salinas, California 93901

Subject: *Revised Proposal for San Juan Bautista WWTP Risk Analysis*

Dear Mr. Dobbins:

Dudek is pleased to submit this revised proposal to Harris & Associates/City of San Juan Bautista for risk analysis support for the City's WWTP. This proposal presents our proposed approach and scope of work. We look forward to working with the City on this important project.

PROJECT UNDERSTANDING

We understand that the City of San Juan Bautista owns a 0.3 MGD WWTP, currently operated by the contract operations group Bracewell Engineering. Recently, Bracewell Engineering has given the City a 90 day notice before they cease operations of the WWTP. Therefore, it is in the City's best interest to capture as much of the institutional knowledge and understanding of the facility from the Bracewell team before they stop operating the facility. The WWTP is currently treating approximately half of its rated capacity in flow, however, residential development in the City is currently under construction that will increase flows to the plant by approximately 100,000 gallons per day. It is assumed that the treatment plant can accommodate the new flows from the development without expanding the plant capacity.

The treatment facility consists of a headworks, influent pump station, two treatment ponds (one Sequencing Batch Reactor [SBR], and one "nitrifying pond"), granular media tertiary filtration, UV disinfection, and live-stream discharges to a local creek under an NPDES permit. Based on conversations with Bracewell Engineering operations staff, the plant has several process-performance, operations, and maintenance challenges that have begun to impact the ability of the plant to meet effluent discharge requirements. Some of these key challenges include:

- Accumulation of sludge in downstream pond over past 20+ years has limited available treatment capacity in downstream pond to a small corner. The anaerobic conditions in the downstream pond promote the generation of Ammonia, which is strictly regulated by the effluent discharge requirements and counter-productive to the treatment process.

Mr. Patrick Dobbins

Subject: Proposal for San Juan Bautista WWTP Risk Analysis

- Certain equipment, including the upstream pond decant pump and critical electrical equipment powering influent pumping and UV disinfection are aging, have no redundancy, and would likely result in a spill / discharge violation if either fails.

Overall, the facility has experienced “deferred maintenance” in recent years that have increased the need for upgrades to mitigate risk and improve reliability and performance of the facility.

PROJECT TEAM

Our team is comprised of highly qualified professionals, who have worked together on several similar projects to assist California agencies faced with similar wastewater treatment challenges. The Dudek team is experienced in planning, analysis, engineering, management, and operations of wastewater treatment facilities. The project team is comprised of the following key individuals, supported by a wide array of additional staff resources. Two page resumes for key project team members are included in Appendix A.

- Bob Ohlund, PEPrincipal In Charge
- Michael Metts, PEProject Manager / Principal Engineer
- Wyatt TroxelTechnical Advisor / Operations Specialist
- Phil Giori, PE, ENV SPLead Project Engineer
- Greg Guillen, PE, PhD.....Senior Engineer / Process Specialist

APPROACH

Dudek’s unique approach begins with a Consequence of Failure Analysis, which is a risk analysis tool for prioritization of focused study of facility needs and analyses related to physical condition, process performance, energy, O&M, and asset management. CoFA is a powerful technique to methodically analyze and assess risk of failure of specific processes, systems, and equipment within the wastewater treatment plant (WWTP). Based on our CoFA experience, the process is best performed through a series of workshops with City and O&M staff. By including key staff in the workshops, criticality of both electro-mechanical systems and bio-chemical processes can be efficiently evaluated to identify criticality and risk exposure. Dudek facilitates the CoFA process to define level of service goals and process unit evaluations that define consequence of failure, and O&M vulnerability.

The project team then uses input from the workshops to calculate relative risk exposure designations (product of the consequence of failure and O&M vulnerability) for each facility or process unit. Risk is used to prioritize subsequent detailed facility assessment related to condition, process performance, energy, and O&M reliability, if necessary. Results from the CoFA are documented in a technical memorandum describing methodology, workshop input, consensus consequence of failure scoring, O&M vulnerability, and preliminary recommendations for CIP projects. Figure 1 depicts the CoFA approach.

Mr. Patrick Dobbins

Subject: Proposal for San Juan Bautista WWTP Risk Analysis

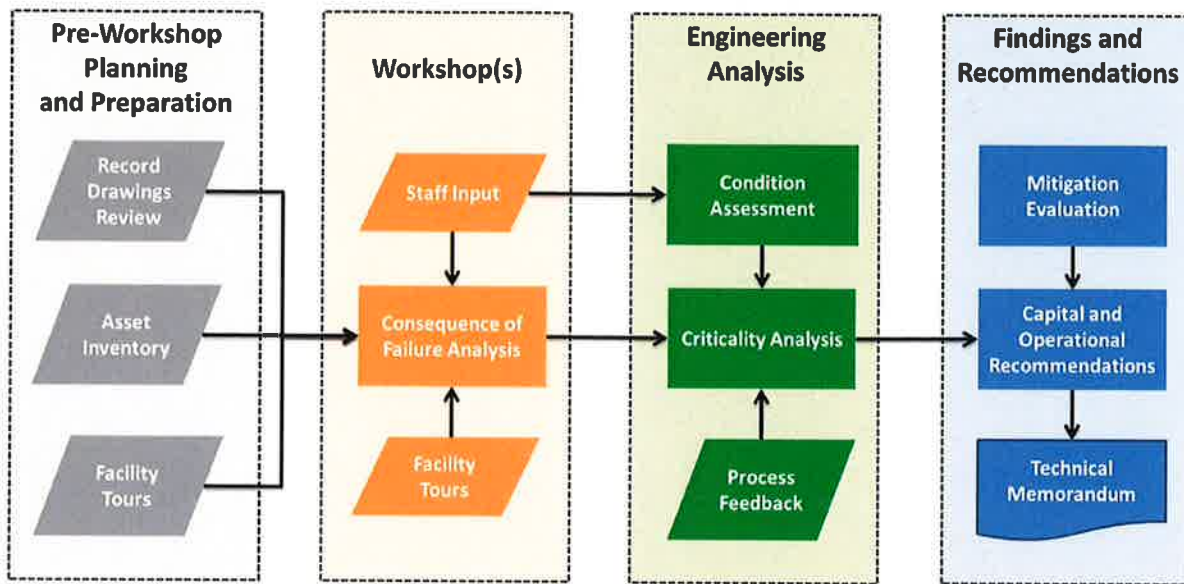


Figure 1. CoFA Approach Flow Chart

SCOPE OF WORK

Dudek will complete the following scope of work:

1. Data collection and review
 - a. Request and review available record drawings, O&M manual and procedures, CMMS asset hierarchy, water quality data (i.e. monitoring and reporting to RWQCB), NPDES permit, and other relevant data and information, as applicable.
2. Consequence of Failure Analysis (CoFA)
 - a. Prepare workshop materials, methodology, spreadsheet tools and pre-populate information as available.
 - b. Facilitate one treatment plant tour and a 6-hr CoFA workshop with key City representatives, Operations & Maintenance staff, and the Dudek project team to define consequence of failure scores, O&M vulnerability, and document notes on condition, performance, and other relevant O&M information. This would be completed in one full day at the City.
 - c. Finalize the CoFA after the workshop has been completed by documenting notes, scoring, and analyses. Develop preliminary CIP project recommendations, O&M recommendations, and establish prioritized list of improvement needs.
 - d. Document methodology, results, and analysis in a technical memorandum deliverable.

Mr. Patrick Dobbins

Subject: Proposal for San Juan Bautista WWTP Risk Analysis

SCHEDULE

We understand that schedule is important to the City as new residential development is currently under construction. We anticipate the following project schedule:

Task 1: Data Collection & Review.....4 weeks
Task 2: Consequence of Failure Analysis.....5 weeks
Total Project Duration.....9 weeks

FEE

Our proposed fee estimate is included as an attachment to the proposal located in Appendix B.

CLOSING

We look forward to working with Harris & Associates and the City to provide the services described herein. I will serve as the Principal in Charge for this contract, and I am fully able to execute a contract with Harris & Associates and the City. If you have any questions or wish to discuss our proposal, please contact me at 760.479.4111 or mmetts@dudek.com.

Respectfully Submitted,



D. Michael Metts, PE
Principal, Engineering Services Manager
DUDEK

City of San Juan Bautista
Consulting Services for Risk Analysis and Capital Improvement Planning
DUDEK FEE ESTIMATE
8/13/2018

		Labor Hours and Rates				TOTAL HOURS	DUDEK LABOR COST	Subs	TOTAL FEE
		Project Manager	Project Engineer	Process Engineer	Admin			Operations Specialist	
		M. Metts	P. Giori	G. Guillen	M. Kinney			W. Troxel	
Billable Rate :		\$245	\$175	\$195	\$105			\$220	
Task 100 - Data Collection and Review									
101	Skype Kickoff meeting, agenda, & minutes	4	4			8	\$ 1,680		\$ 1,680
102	Review of record drawings, data, and information	2	32	4		38	\$ 6,870	\$ 440	\$ 7,310
	Subtotal Task 100	6	36	4		46	\$ 8,550	\$ 440	\$ 8,990
Task 200 - Consequence of Failure Analysis (CoFA)									
201	Prepare workshop materials, methodology, tools, etc.	2	24	8		34	\$ 6,250		\$ 6,250
202	Facility Tour and CoFA workshop at San Juan Bautista	2	14	14		30	\$ 5,670	\$ 1,760	\$ 7,430
203	Finalize CoFA	2	16			18	\$ 3,290		\$ 3,290
203	Technical Memorandum 1	4	24	4		32	\$ 5,960		\$ 5,960
	Subtotal Task 200	10	78	26		114	\$ 21,170	\$ 1,760	\$ 22,930
Task 300 - Project Management									
301	Project Management	4			4	8	\$ 1,400		\$ 1,400
	Subtotal Task 300	4			4	8	\$ 1,400	\$ -	\$ 1,400
Total Hours and Fee		20	114	30	4	168	\$ 31,120	\$ 2,200	\$ 33,320

RESOLUTION NO. 2018-xx

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN JUAN BAUTISTA
AUTHORIZING A CONTRACT WITH DUDEK CONSULTING TO PREPARE A CAPITAL
PLANNING REPORT FOR THE CITY'S WASTEWATER TREATMENT PLANT**

WHEREAS, City Staff requested and reviewed Dudek Consulting's August 13, 2018 Proposal to prepare a Capital Planning Report for the City's Wastewater Treatment Plant; and

WHEREAS, City Staff recommends approval of Dudek Consulting's scope of work and estimated fee for said report due to the need for capital planning purposes and to support with the operation and maintenance of the City's Wastewater Treatment Plant; and

WHEREAS funding for this contract is included in the Fiscal Year 2018/19 Capital Improvement Program; and

NOW THEREFORE, BE IT HEREBY RESOLVED by the City Council of the City of San Juan Bautista that the City Manager is authorized and directed to prepare and execute a contract with Dudek Consulting to prepare a Capital Planning Report for the City's Wastewater Treatment Plant in the amount of \$33,320 and establish a contingency budget of \$4,000 for a total contract authorization of \$37,320.

PASSED AND ADOPTED at a regular meeting of the San Juan Bautista City Council duly held on August 21, 2018 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

Mayor

City Clerk



CITY OF SAN JUAN BAUTISTA CITY COUNCIL STAFF REPORT

AGENDA TITLE: Consider Adopting the Uniform Public Works Accounting Code to Streamline Delivery of Public Works Project

MEETING DATE: August 21, 2018

DEPARTMENT HEAD: City Manager

RECOMMENDED ACTION: Provide direction to staff on adopting the Uniform Public Works Accounting Code to streamline delivery of public works projects.

BACKGROUND INFORMATION: The City's Municipal Code requires formal bidding for public works contracts over \$5,000. Formal bidding entails preparing detailed bid documents with plans and specifications and advertisement in the local paper of record. To deliver capital improvement projects in a more streamlined and efficient approach, staff recommends that the City Council consider adopting the State of California Uniform Public Works Accounting Code.

The Uniform Public Construction Cost Accounting Act ("Act") was enacted in 1983 under Public Contract Code Section 22000 and over 1,000 public agencies in California including over 200 cities have adopted it.

The Act allows public agencies to replace their bidding procedures with the following:

1. Public works contracts estimated to be less than \$45,000 would be procured by negotiated contract with a single contractor (City staff plans to obtain several quotes for contracts less than \$45,000 to ensure the cost is reasonable).
2. Public works contracts estimated to be between \$45,000 and \$175,000 would be procured by informal bid. This entails preparing a straight-forward description of the work and a bid schedule to obtain bids from three or more contractors (no need for public advertisement).
3. Public works contracts with an estimated cost of \$175,000 or more would be obtained by the city's formal bid process outlined in Chapter 2-8 "Purchasing Procedures" in the City's Municipal Code.

Under the Act, the City would:

1. Issue an annual notice to interested contractors to be on the City's bidders list. City staff would email local builder exchanges and construction trade journals inviting contractors to indicate their interest to be on the city's list for Notification of Informal Bids. The city would update the bidders list each year

2. Contractors on the bidders list will be notified with a project description, location of where to obtain more detailed information and the time and place for bid submission at least ten days in advance of the bid opening.

Staff recommends adopting the Uniform Public Works Accounting Code to streamline delivery of public works projects. This would require adopting an ordinance in order to modify the City Municipal Code.

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

ATTACHMENTS:

1. Frequently Asked Questions on the Uniform Public Construction Cost Accounting Act

CALIFORNIA UNIFORM PUBLIC CONSTRUCTION COST ACCOUNTING
ACT FREQUENTLY ASKED QUESTIONS (FAQs)

CALIFORNIA UNIFORM PUBLIC CONSTRUCTION COST ACCOUNTING
ACT FREQUENTLY ASKED QUESTIONS (FAQs)

These FAQs have been compiled to assist agencies that are participating in the California Uniform Public Construction Cost Accounting Act ("the Act"). Public Contract Code section 22000 et seq., unless stated otherwise, all references are to the Public Contract Code.

1. What is the Uniform Public Construction Cost Accounting Act?

The Act is legislation that was enacted in 1983 to help promote "uniformity of the cost accounting standards and bidding procedures on construction work performed or contracted by public entities in the state." Section 22001. The Act is a voluntary program that is available to all public entities in the State but it only applies to those public agencies that have "opted in" to the provisions set forth by the Act. The entirety of the Act is found at Sections 22000-22045.

2. What are some of the key provisions of the Act?

The Act allows for public project work in the amount of \$45,000 or less to be performed by the public agency's force account, by negotiated contract, or by purchase order. Section 22032(a). Public projects in the amount of \$175,000 or less can use the informal bidding procedures set forth in the Act in Section 22032(b). Public projects at a cost of more than \$175,000 shall use formal bidding procedures to let the contract pursuant PCC Section 22032(c).

3. What are the benefits of the program?

- a) Increased force account limit.
- b) Simplified bidding for projects that are \$175,000 or less.
- c) Reduces the number of formal bids.
- d) Expedited contracting for small projects.

Many participants laud the program because it gives them more leeway in the execution of public works projects; has speeded up the awards process; has improved timeliness of the project completion; has eliminated considerable red tape and cumbersome paperwork relative to advertising and filing of reports; and has simplified administration. Many agencies have encountered only minimal challenges with the accounting requirements and the overhead portion. Moreover, where required, the adjustment was relatively simple; most of the required procedures were already actually in place, so there was no noticeable change in the existing operations. The Standard Accounting Codes Structure will satisfy the reporting requirements when used properly.

4. Is the Uniform Public Construction Cost Accounting Act mandatory for public agencies?

No. The Act is a voluntary program

CALIFORNIA UNIFORM PUBLIC CONSTRUCTION COST ACCOUNTING
ACT FREQUENTLY ASKED QUESTIONS (FAQs)

5. How does a public agency become subject to the Act?

The governing body must elect by resolution to become subject to the Act and file a copy of the resolution with the State Controller's Office. Section 22030. Sample documents are available at: http://www.sco.ca.gov/ard_cuccac.html. Once an agency has opted into the Act it will remain a part of the program.

6. May a public agency withdraw from the Act?

Yes. An agency may withdraw from the Act by filing a resolution of the agency's election to withdraw with the State Controller's Office.

7. What is the California Uniform Construction Cost Accounting Commission?

It is the Commission created to administer the Act. Section 22010. It consists of fourteen (14) members: thirteen (13) members are appointed by the State Controller and one is a designated member of the Contractors' State License Board. Seven members represent the public sector (counties, cities, school districts, and special districts). Six members represent the private sector (public works contractors and unions). The Commission members receive no salary, but are eligible for reimbursement of their direct expenses related to the Commission.

8. What are the Uniform Public Construction Cost Accounting Procedures?

They are procedures to be used to estimate costs for determining if a public project is required to be bid out and to capture and record actual costs when a public project is performed by the agency's own work force found at www.sco.ca.gov/ard_cuccac.html. The procedures follow normal accounting in the industry and in many cases are not much different from those already in place at the agency. Sample forms are available in the CUCCAC Cost Accounting Policies and Procedures Manual at http://www.sco.ca.gov/Files-ARD-Local/CUCCAC_Manual.pdf

School districts may use the Standard Accounting Code Structure to comply with the tracking requirements.

9. Are the cost accounting policies and procedures applicable for agencies whose work force only performs maintenance tasks as defined in the Act and that contract all of its public projects to third parties?

The cost accounting policies and procedures are only applicable for agencies that perform public project work by force account. This does not exclude from the program agencies whose public projects are all contracted out. In fact, they might want to review the benefits available and elect to participate now in the event conditions change at some time in the future.

10. What is meant by the term "qualified contractors" as it pertains to the Act?

Qualified contractors are legally qualified contractors who perform work as a licensed contractor. In addition, the Commission has determined that nothing in the Act prohibits a participating agency from, at their discretion, using an objective pre-qualification process in the formation and maintenance of their Qualified Contractors lists.

CALIFORNIA UNIFORM PUBLIC CONSTRUCTION COST ACCOUNTING
ACT FREQUENTLY ASKED QUESTIONS (FAQs)

11. Can a public agency disqualify or exclude certain contractors from the Qualified Contractors List required in Section 22034(a)(1)?

Agencies may disqualify contractors from the Qualified Contractors List when a contractor fails to furnish information to meet the minimum criteria as established by the Commission.

12. For agencies that do not maintain an informal bidders list, are they allowed to choose who will get notifications on information projects?

No. Section 22034(a)(2) provides for notifications to construction trade journals and exchanges in lieu of sending notifications to contractors on an informal bidders list.

13. What is the difference between qualifying contractors under the Act and requalification of contractors under Section 20101?

Qualifying contractors is a process that allows contractors to register with a public agency for notification of public works opportunities. The prequalification process under Section 20101 is a more complex process that requires a standardized questionnaire and evaluation of contractors using standard scoring criteria and does not apply to the Act. The prequalification process is applicable under the Local Agency Public Construction Act.

14. Must a public agency: (1) Notify contractors about public projects if the contractor is believed to not have the skills, credentials, or experience to perform the work required for the public project? (2) Consider bids submitted by a contractor that the public agency believes does not have the skills, credentials, or experience to perform the work?

- a) Yes. If a contractor is on the Qualified Contractors List the contractor must be notified by the agency of public projects for which he is licensed to perform. Section 22034(a)(1)
- b) Yes. All bids received from qualified contractors must be considered. Section 22034(a)(1).

15. Does the Act allow flexibility in cases of emergency and when repair or replacements are necessary to permit the continued conduct of the operations or services of a public agency?

For the purposes of the Public Contract Code, “emergency” is defined at Section 1102 as “a sudden, unexpected occurrence that poses a clear and imminent danger, requiring immediate action to prevent or mitigate the loss or impairment of life, health, property, or essential public services.” The Act sets forth in Section 22035(a) how a governing body would proceed in the case of emergency repairs or replacements. This section states, “In cases of emergency when repair 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 governing body, by contractor, or by a combination of the two.” Section 22050 et seq., provides the emergency contract procedures to be followed in these cases.

CALIFORNIA UNIFORM PUBLIC CONSTRUCTION COST ACCOUNTING
ACT FREQUENTLY ASKED QUESTIONS (FAQs)

16. Do the alternative bidding procedures apply only to public projects as defined in Section 22002(c)?

No. The alternative bidding procedures can be used when contracting for “maintenance work” as defined at Section 22002(d) or when contracting for other work that does not fall within the definition of “public work” as defined in Section 22002(c).

17. What will membership in the Act cost my agency?

Nothing. There are no membership fees or dues. However, the Commission does accept grants to assist it in carrying out its duties. Section 22015(c).

18. What are the most common concerns addressed by the Act?

These are:

- a) Cost accounting policies and procedures;
- b) Informal bidding procedures;
- c) Accounting procedures review.

The cost accounting requirements follow those common to the construction industry. The informal bidding on public projects up to \$175,000 is seen by the agencies as an asset enhancing project completion. Maintenance of a Qualified Contractor Bid List is routine, since interested contractors make it a point to be included on the list. While an accounting procedures review could potentially hold up a project for a minimum of 45 days pursuant to Section 22043(c)(1), these types of reviews have been rare in the Commission’s history.

19. Does an agency have to calculate an overhead rate in order to apply the accounting procedures?

No. Cities with populations of less than 75,000 shall assume an overhead rate equal to 20% of the total costs of the public project, including the costs of material, equipment and labor. Section 22017(b)(1). Cities with a population of more than 75,000, may either calculate an actual overhead or assume an overhead rate of 30% of the total costs of a public project including the costs of material, equipment and labor. Section 22017(b)(2).

20. When a public entity opts into the Act, does the Act supersede other contracting legal requirements such as statutory requirements for performance bonds, prevailing wages, and certificates of insurance, etc.?

No. The Act only supersedes the bidding procedures used once a public agency has opted into the Act and has notified the Controller. All other contracting requirements are applicable.

21. Can a public agency, claim to be to be exempt from following all of the requirements in the Public Contract Code by claiming they only have to follow the language and procedures within the Act?

The Act is part of the Public Contract Code therefore, if the Act is silent on a particular matter the rest of the Public Contract Code would apply.

CALIFORNIA UNIFORM PUBLIC CONSTRUCTION COST ACCOUNTING
ACT FREQUENTLY ASKED QUESTIONS (FAQs)

22. If public agencies are not following the advertising requirements in the Act, will the Commission address those agencies? Can a complaint be brought to the Commission?

No. The Commission cannot review any complaint of improper advertising by any public agency. The Commission can only review the accounting procedures of a public agency when a complaint from an interested party provides evidence that the participating agency:

1. Performs work, after rejecting all bids, claiming it can do it less expensively. (Section 22042(a))
2. The work performed exceeded the force account limits. (Section 22042(b))
3. The work has been improperly classified as maintenance. (Section 22042(c))
4. A public agency is accused of not complying with the informal bidding procedures set forth at Section 22034. (Section 22042.5)

23. Section 20112 specifically requires school districts to advertise twice for a two week period, while Section 22037 requires advertising once, 14 days in advance of the date of opening of bids. How do participating school districts reconcile this conflict?

When the Act is in conflict with any other section in the Public Contract Code, the Act shall supersede. Advertising once, 14 days in advance of the date of opening of bids is what is required by the Act. Districts participating in the Act may choose to maximize their outreach by continuing to advertise twice.

24. May a public agency contract separately for like work at the same site at the same time using the under \$45,000 Force Account method?

No. Section 22033 provides that, "It shall be unlawful to split or separate into smaller work orders or projects any project for the purpose of evading the provisions of this article requiring work to be done by contract after competitive bidding". Separating "like work" would only be permitted as long as the total of all the "like work" is less than \$45,000. If the work is more than \$45,000, the work needs to be advertised and bid according to the provisions of the Act (i.e. bid informally if the total amount is less than \$175,000 and bid formally if the total amount exceeds \$175,000).

25. May a public agency bid out 2 separate projects that occur at the same time and site, but are different types of work?

Yes, there is no violation if the work is being competitively bid. If the agency wants to use the negotiated or informal bidding processes, the agency must apply the appropriate limits to each of the projects. Each project must be separate in scope. Projects may not be separated by trade to avoid bidding. If the total of all jobs is greater than \$45,000; the informal or formal bid limits will apply.

26. Does a value need to be assigned to the volunteer labor when the California Conservation Corps, or some such volunteer organization provides volunteer labor on a public project?

No. Volunteer labor from the California Conservation Corps, or some such volunteer organization does not need to be included as a cost of a public project for bid limits purposes where no costs are associated with the volunteer labor.

CALIFORNIA UNIFORM PUBLIC CONSTRUCTION COST ACCOUNTING
ACT FREQUENTLY ASKED QUESTIONS (FAQs)

27. Does a public agency by opting into the Act, automatically bring all departments of the public agency into the Act?

Yes. When a public agency elects to become subject to the uniform construction cost accounting procedures, the entire legal entity is considered subject to the Act and no divisions or departments will be exempt.

28. When a public agency opts into the Act, does it automatically bring all districts under control of the Board into the Act?

No. Special Districts, which are governed by a board of supervisors or city council, are only subject if a separate election is made for each special district.

29. PCC 22034 requires that participating agencies adopt an Informal Bidding Ordinance. What do schools and special districts that cannot adopt Ordinances do to comply?

The Commission cannot provide legal advice. The school districts and special districts should check with their own legal counsel on how to comply with Section 22034.

Additional inquiries and questions can be directed to:

State Controller's Office

Local Government Programs and Services Division

Local Government Policy Section

P.O. Box 942850

Sacramento, CA 94250

or email LocalGovPolicy@sco.ca.gov