



City of San Juan Bautista

The "City of History"

www.san-juan-bautista.ca.us

AGENDA

SPECIAL CITY COUNCIL MEETING

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

MONDAY, FEBRUARY 25, 2019

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.

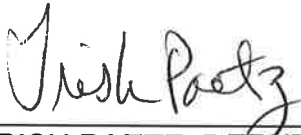
1. **Call to Order**
Pledge of Allegiance
Roll Call**5:30 PM**
2. **Public Comment – Only on items on the agenda**
3. **Consent Items**
All matters listed under the Consent Agenda may be enacted by one motion authorizing actions indicated for those items so Designated. There will be no separate discussion 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 Affidavit of Posting Public Hearing**
4. **Public Hearing**
 - A. **La Casa Rosa: Consider Abatement**
 - B. **Discuss Status of La Casa Rosa Code Enforcement and Whether Civil or Criminal Action Will Be Taken**
5. **Action Items**
 - A. **Authorize Appointment of Assistant City Manager**
 - B. **Review Mid Year Budget and Approve Resolution 2019-XX Amending the Fiscal Year 2018-2019 Budget**
 - C. **Consider Changes to Security Requirements for Rental of SJB Community Hall**
6. **Closed Session**
 - A. **Public Employee Performance Evaluation – Title: City Manager**
Pursuant to Government Code 54957
 - B. **Public Employee Appointment/Employment – Title: Interim City Manager**
Pursuant to Government Code 54957
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 22nd DAY OF FEBRUARY 2019, 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 22nd DAY OF FEBRUARY 2019.



TRISH PAETZ, DEPUTY CITY CLERK

AFFIDAVIT OF POSTING PUBLIC HEARING NOTICE

I, TRISH PAETZ, DO NOW DECLARE, UNDER THE PENALTIES OF PERJURY THAT I AM THE DEPUTY CITY CLERK IN THE CITY OF SAN JUAN BAUTISTA AND THAT I POSTED THREE (3) TRUE COPIES OF THE ATTACHED CITY COUNCIL PUBLIC HEARING NOTICE. I FURTHER DECLARE THAT I POSTED SAID NOTICE ON THE 8TH DAY OF FEBRUARY 2019, 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.
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SIGNED AT SAN JUAN BAUTISTA, COUNTY OF SAN BENITO, CALIFORNIA,
ON THE 22ND DAY OF FEBRUARY 2019.



TRISH PAETZ, DEPUTY CITY CLERK



City of San Juan Bautista
Code Enforcement
(831) 623-4661

NOTICE TO ABATE NUISANCE

NOTICE IS HEREBY GIVEN that on January 22nd, 2019, the City Council of the City of San Juan Bautista declared a public nuisance to exist on the property described as:

**107 Third Street
San Juan Bautista, CA 95045
APN: 002-210-004**

The condition(s) constituting such public nuisance and the action(s) to be taken for abatement thereof are as follows:

Condition	Corrective Action for public nuisance as described in:
	<u>SJBMC 5-8-110</u> - Buildings in state of disrepair or partial construction. <u>SJBMC 5-8-190</u> – Unsafe Building
Unsafe Balcony	Add Supports to underside of balcony.
Unbraced Chimney	Add bracing to secure chimney.
Seismic Concerns	Add full height plywood panel to interior side of each exterior wall and the middle interior wall.

Upon failure to abate such public nuisance through the corrective actions described herein, the nuisance will be abated by the City of San Juan Bautista and all costs of abatement will be assessed against the property on which the nuisance exists and will constitute a special assessment upon and against such property until paid, said assessment to be collected at the same time and in the same manner as ordinary municipal taxes. A copy of the declaration of nuisance by the City Council is on file in the Office of the San Juan Bautista City Clerk.

Any property owner objecting to the proposed abatement by the City of San Juan Bautista is hereby notified to attend a Special Meeting of the City Council of the City of San Juan Bautista to be held on February 25th, 2019, commencing at 5:30 p.m. at the San Juan Bautista City Hall, 311 Second Street, San Juan Bautista, California, when their objections will be heard and given due consideration.

Dated this 4th day of February, 2019.



City Manager
City of San Juan Bautista

CITY COUNCIL STAFF REPORT

DATE: February 25, 2019

SUBJECT: 107 Third Street – La Casa Rosa – Abatement Hearing

FROM: Tim Parshall, Code Enforcement Officer

OBJECTIVE: Conduct a hearing to consider any objections to the proposed nuisance

Background:

On December 21st a compliance order was sent to property owner Greg Burda, along with the Engineer's report and a timeline to address the necessary repairs. The timeline required action before the end of January and confirmation of action or inaction of the owner declared by the end of December. On January 7, staff received an email that the owner would not be taking action to initiate repairs.

On January 22nd, the City Council directed staff to declare the property a public nuisance and proceed with noticing for an abatement hearing.

The condition of the building at 107 Third Street, previously known as La Casa Rosa, presents a safety hazard in the downtown area due to the dilapidated state of the building. The building was left partially deconstructed by the owner and the deterioration in that state has contributed to making the frontage of the building unsafe, causing the city to take mitigating measures in closing the sidewalk. The public right of way closure effects foot traffic and significantly increases the danger of pedestrians crossing the street to avoid the closure.

Staff sought the assistance of structural engineer Duquette Engineering, who responded with a scope of work. In order to preserve the historic value of the building, and restore the use of the public right-of-way, staff's intention is to address the items detailed in the scope of work.

Recommendation:

La Casa Rosa has been left derelict in an abandoned state. Staff asks for Council authorization to abate the property.

Attachments:

- Structural Engineer's Report regarding 107 Third Street. Prepared by Duquette Engineering.
- Satellite Imagery Timeline of 107 Third Street. Historic Satellite imagery from Google Earth Database.
- On Site Photographs taken of the balcony, front and rear of the structure, and the interior.
- Resolution

December 10, 2018

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

Attention: Todd Kennedy

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



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

General Conditions

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

Safety Risks

In general there are three areas of risk;

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

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

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

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

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

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





Front Elevation



Rear Elevation



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



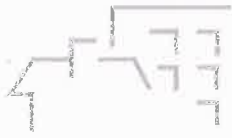
Unbraced unreinforced chimney at exterior.



Unbraced unreinforced chimney at interior.



Front Porch Cover/Second Floor Balcony



DUQUETTE
ENGINEERING

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

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

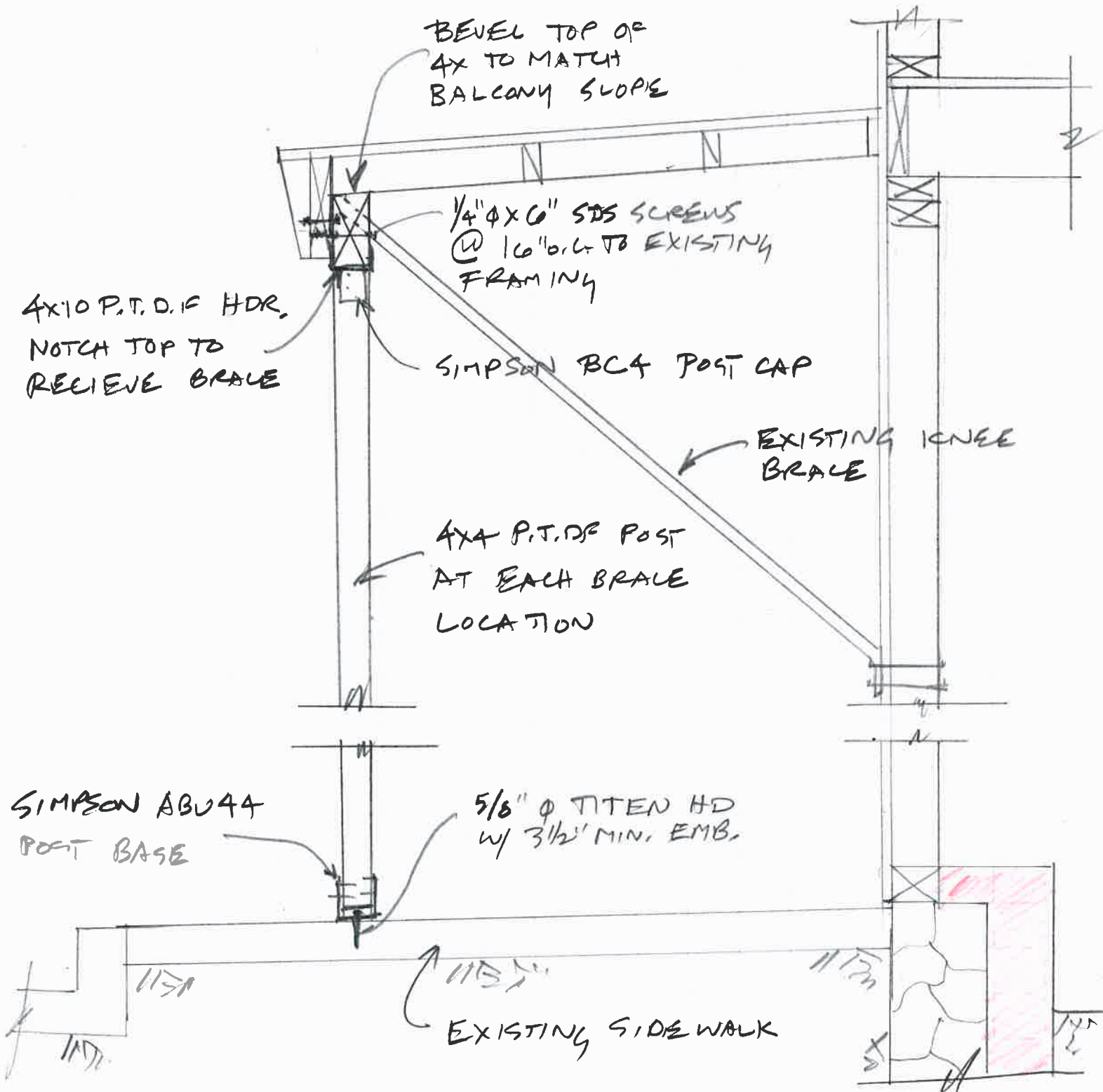
Sheet: 7 OF 7

Date: 12/10/2018

Job #: 17-0055.1

Project: 107 Third Street, San Juan Bautista -
Consultation

By: SPD



107 Third Street

La Casa Rosa - 11/2/2016

1 Month After The Burda's First Meeting at Planning Commission
on October 4th

Legend

 Feature 1

Google Earth

100 ft




107 Third Street

La Casa Rosa - 3/13/2017

Within the Month of The Burdas going to Planning Commission for their Project Review. Meeting on March 7th.

Clear Removal of a portion of the rear structure roof.

Legend

 Feature 1

Google Earth

100 ft



107 Third Street

La Casa Rosa - 9/1/2017

5~ Months after Approval of Site and Design Review by Planning Commission in April.

No Building Permits Pulled, Rear structure completely demolished.

Legend

 Feature 1



107 Third Street

La Casa Rosa - 3/28/2018

1 Year after Approval of Site and Design Review by
Planning Commission in April 2017.

No Building Permits Pulled, Rear structure completely
demolished and Tree Removed.

Legend

 Feature 1

Google Earth

100 ft



107

La Casa Rosa

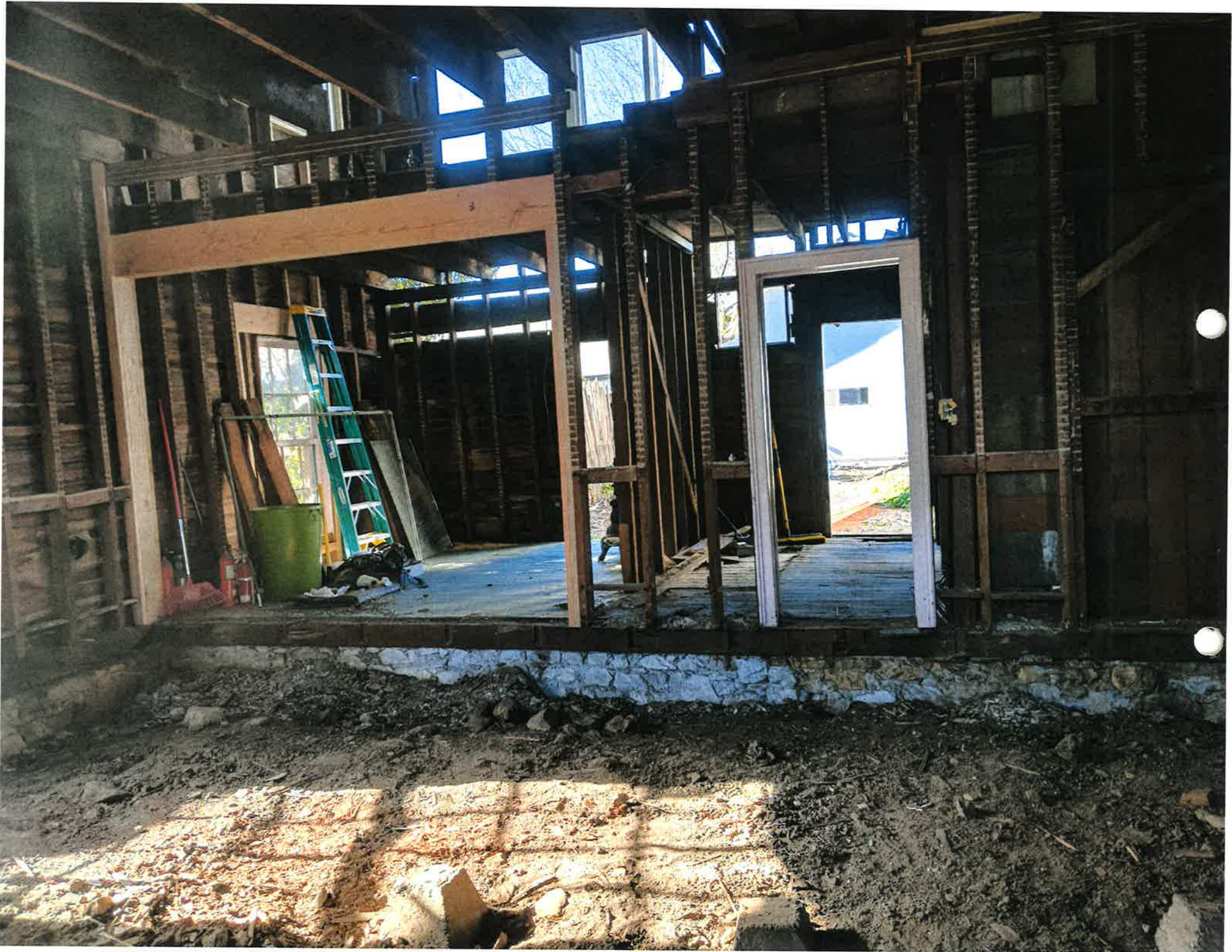
INTERO
CHRISTINE
GRAZIANO
831.902.0893
www.christinegraziano.com











Timeline of Correspondence for La Casa Rosa

December 14th, 2018 – Code Enforcement sent a letter with a proposal from staff to ask for voluntary compliance from the property owner. The given address from the property owner was used to send a regular and certified letter.

January 3rd, 2019 - Reached out to the real estate agent to see if the letter had been received to find out it had never arrived. Following the phone call we reached out via email to both property owner and real estate agent with a digital copy of the order.

January 4th, 2019 – The property owner responded saying that he would not be acting on the request for compliance.

January 22nd, 2019 – The agenda item declaring Casa Rosa as a nuisance his approved by city council.

February 4th, 2019 – After the council meeting contact information was requested and on February 4th, notice was sent to the owner and agent, and was publicly posted for the meeting on February 25th.

February 5th, 2019 – The Notice of hearing for February 25th was sent to the new address provided by the property owner via regular and certified mail.



City of San Juan Bautista

The "City of History"

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

City Council
Mayor
Jim West

Vice Mayor
John Freeman

Councilmember
Tony Boch

Councilmember
Chris Martorana

Councilmember
Dan DeVries

City Manager
Michael LaForge

City Clerk
Mackenzie Quaid

City Treasurer
Chuck Geiger

Fire Chief
John Fox

City of San Juan Bautista Compliance Order

Owner: Greg Burda

Date: 12/14/18

Location: 107 Third Street

Dear Mr. Burda,

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

In the report, attached to this Compliance Order, are the requirements to restore integrity to the structure. The estimated cost to make the building safe is \$10,000.00 – \$15,000.00. You have the option to initiate the repairs to the building, but the steps listed below must be taken:

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

Should no response or initial application be presented to the city within such timeline, the city will be forced to initiate the procedure in regards to declaring the property a nuisance. The Chapter 13-1 of the Municipal Code dictates the following process:

1. Upon City Council declaring the property a nuisance, Notice of Abatement hearing is posted 15 days prior to hearing by City Council.
2. The hearing shall proceed with testimony of Staff and testimony of the owner if present.
3. If reason for abatement is found, a Resolution will be passed declaring abatement to be required and directing the owner to action within 30 days.
4. The City will then take action to abate the safety issues.
5. An account of expenses after completion by city is brought to City Council to be assessed, where you will be able to pay in full or a lien will be established against the property.

(1/2)



City of San Juan Bautista

The "City of History"

City of San Juan Bautista Compliance Order

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

City Council

Mayor
Jim West

Vice Mayor
John Freeman

Councilmember
Tony Boch

Councilmember
Chris Martorana

Councilmember
Dan DeVries

City Manager
Michael LaForge

City Clerk
Mackenzie Quaid

City Treasurer
Chuck Geiger

Fire Chief
John Fox

Owner: Greg Burda

Date: 12/14/2018

Location: 107 Third Street

Please respond at your earliest convenience.

Sincerely,

Timothy Parshall
Code Enforcement - City of San Juan Bautista

Timothy Parshall

From: Timothy Parshall <building@san-juan-bautista.ca.us>
Sent: Monday, February 4, 2019 4:03 PM
To: 'Greg Burda'
Cc: 'Christine Graziano'; 'citymanager@san-juan-bautista.ca.us'
Subject: RE: 107 Third Street Nuisance Declaration
Attachments: 2-4-19 107 Third Street - NOTICE TO ABATE NUISANCE.PDF

Hello Greg and Christine,

This email is an official notice informing you of a date set for the public hearing for the Abatement action on 107 Third Street. On February 25th, 2019 the hearing will be held at San Juan Bautista City Hall at 5:30 PM. At the hearing the purpose of the meeting will be stated once again. You will have the chance to make any objections that you see fit, and the City Council will decide on the action to be taken.

Attached is the notice of abatement detailing the upcoming action. This has been posted publicly, in the public notice locations, in the local newspaper, and on your building. In addition to this email, I will also be sending you notice to the previously mentioned address by certified mail.

Thank you,

-Tim

Timothy Parshall
Permits, Inspections & Code Enforcement
City of San Juan Bautista
4Leaf Inc.
831-623-4661

From: Greg Burda [mailto:dtw.fan1972@gmail.com]
Sent: Sunday, January 27, 2019 9:02 PM
To: Timothy Parshall <building@san-juan-bautista.ca.us>
Subject: Re: 107 Third Street Nuisance Declaration

Use 6309 Katella Ave, LV NV 89118

On Fri, Jan 25, 2019 at 9:25 AM Timothy Parshall <building@san-juan-bautista.ca.us> wrote:

I would also like to request your current address Greg. The letter I had sent previously did not arrive. The Address I sent it to was 6248 Factor Ave. Las Vegas 89107. Please let me know if that it still your current mailing address.

-Tim

Timothy Parshall
Permits, Inspections & Code Enforcement
City of San Juan Bautista

4Leaf Inc.
831-623-4661

From: Timothy Parshall [mailto:building@san-juan-bautista.ca.us]
Sent: Wednesday, January 23, 2019 11:39 AM
To: 'Greg Burda' <dtw.fan1972@gmail.com>; 'Christine Graziano' <cgraziano@interorealestate.com>
Cc: 'citymanager@san-juan-bautista.ca.us' <citymanager@san-juan-bautista.ca.us>
Subject: 107 Third Street Nuisance Declaration

Hello Greg and Christine,

Given the response, we had to bring the case to City Council. Last night the property was declared a public nuisance by the Council. I encourage you to view the Council Meeting once it is posted on CMAP TV (<http://www.cmaptv.com/watch/>). The meeting minutes will not be posted for at least a month, so I have included the staff report and draft of the resolution that was passed. The staff report and resolution are contained in the attached packet, pages 89-108.

Now that the property has been declared a public nuisance, a hearing will be held on abatement action on a future date. I will send you notice at minimum of 15 days prior to the hearing so you may plan accordingly should you wish to appear or send representation. In addition, notice will be posted upon the property. I will follow up with you once a date has been selected.

-Tim

Timothy Parshall
Permits, Inspections & Code Enforcement
City of San Juan Bautista

4Leaf Inc.
831-623-4661

From: Greg Burda [<mailto:dtw.fan1972@gmail.com>]

Sent: Friday, January 4, 2019 5:13 PM

To: Timothy Parshall <building@san-juan-bautista.ca.us>; Christine Graziano <cgraziano@interorealestate.com>

Subject: Re: 107 Third Street Compliance Order

Good Afternoon Tim

Thank you for sending the attached documents.

Unfortunately given the timing associated with the request, the logistics of living out of state, and the significant loss already incurred on the property, I will be unable to perform the suggested temporary installations as noted in the engineers report.

As for where the sale of the property currently stands, we are still awaiting on the bank's approval of the short sale which we hope will happen within the next 30 days. We have one (1) offer on the property with a potential second offer being submitted soon. We also have an interested third party should both of the offers fall through.

Please contact me with any questions

Best regards

Greg Burda

On Thu, Jan 3, 2019 at 2:41 PM Timothy Parshall <building@san-juan-bautista.ca.us> wrote:

Hello Greg and Christine,

I heard today that the physical copy of this order did not make it to you last month. Here's a copy of the compliance order. I understand that given the issue with delivery and the timetable of presenting to planning commission and council, we need an answer to your action before the end of day tomorrow.

-Tim

Timothy Parshall
Permits, Inspections & Code Enforcement
City of San Juan Bautista

4Leaf Inc.
831-623-4661

7014 0150 0000 5395 6053

U.S. Postal ServiceTM	
CERTIFIED MAILTM RECEIPT	
<i>(Domestic Mail Only; No Insurance Coverage Provided)</i>	
For delivery information visit our website at www.usps.com	
LAS VEGAS, NV 89118	
Postage	\$3.50
Certified Fee	\$2.80
Return Receipt Fee (Endorsement Required)	\$0.00
Restricted Delivery Fee (Endorsement Required)	\$0.00
Total Postage & Fees	\$6.30
	
Sent To: Greg Burda	
Street, Apt. No., or PO Box No. 6309 Katella Ave.	
City, State, ZIP+4 Las Vegas, NV 89118	
PS Form 3800, August 2006 See Reverse for Instructions	

SAN JUAN BAUTISTA 301 THE ALAMEDA SAN JUAN BAUTISTA CA 95045-9998 0568400195 (800)275-8777		
02/05/2019	2:45 PM	
Product Description	Sale Qty	Final Price
First-Class Mail Letter	1	\$0.55
(Domestic) (LAS VEGAS, NV 89118) (Weight: 0 Lb 0.50 Oz) (Estimated Delivery Date) (Friday 02/08/2019)		
Certified	1	\$3.50
(@@USPS Certified Mail #) (70140150000053956053)		
Return Receipt	1	\$2.80
(@@USPS Return Receipt #) (9590940307605196285875)		
Total		\$6.85
Credit Card Remitd		\$6.85
(Card Name: VISA) (Account #: XXXXXXXXXXXX4874) (Approval #: 014190) (Transaction #: 670) (AID: A000000003101001) Chip) (AL: VISA CREDIT) (PIN: Not Required)		
Text your tracking number to 28777 (2USPS) to get the latest status. Standard Message and Data rates may apply. You may also visit www.usps.com USPS Tracking or call 1-800-222-1811.		

RESOLUTION NO. 2019-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN JUAN BAUTISTA AFTER A PUBLIC HEARING DECLARING THE CONDITION OF THE BUILDING AT 107 THIRD STREET, SAN JUAN BAUTISTA TO CONSTITUTE A PUBLIC NUISANCE AND ORDERING ABATEMENT OF SAID NUISANCE TO PROTECT CITIZENS AND THEIR PROPERTY FROM CONDITIONS THAT THREATEN PUBLIC HEALTH, SAFETY AND WELFARE AND ASSESSING THE COST OF ABATEMENT

WHEREAS, at a public hearing held this date City staff presented evidence that affirmed the existence of violations of the Municipal Code and state law (see Attachment A) in and around the building located on the real property at 107 Third Street, San Juan Bautista, California (the “Property”), the Property is zoned Commercial and is also identified as San Benito County Assessor’s Parcel 002-210-004, and

WHEREAS, a building and structure on the Property is listed on federal and state registers of historical buildings, and

WHEREAS, those violations of the Municipal Code and state statutes are as set forth in “Attachment A,” incorporated herein by this reference; and

WHEREAS, the owners of record of the Property are Greg and Kristin Burda; and

WHEREAS, City staff has attempted to obtain the voluntary compliance of the owner, and the owner has had significant and reasonable time to correct all violations but has refused and/or failed to do so; and

WHEREAS, the Property was posted and a Notice to Abate was sent by registered mail to the owner in accordance with Municipal Code §5-22-105; and

WHEREAS, the owner has the legal responsibility for maintenance of the Property in conformance with applicable law, ordinance and rules, including abatement of all violations and compliance with all orders of the City; and

WHEREAS, based on the evidence and testimony presented at the hearing, which is incorporated herein by reference, there is substantial evidence that violations of the Municipal and state statutes still exist on the Property; and

WHEREAS, Code of Civil Procedure §731 and Municipal Code 13-1-215 permit civil actions to be brought in the name of the people of the state of California to abate public nuisances.

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

SECTION 1. That it is in the public interest for the City to take appropriate actions to protect its citizens and their property from conditions that threaten public health, safety and welfare.

SECTION 2. That the condition of the building and structure are hazardous, unsafe, unsanitary, unsightly and detrimental to the property of others and the public at large. That the building is substandard pursuant to Health & Safety Code §17920.3.

SECTION 3. That the Property be posted as unsuitable for human occupancy and the City Manager be directed to take all lawful actions to protect the public from harm due to the condition of the building and the premises.

SECTION 4. That the continuing violations existing on the Property constitute a public nuisance, the abatement of which is appropriate under the authority of the City of San Juan Bautista.

SECTION 5. That *there are no objections to the proposed abatement of nuisance or.... hearing the objections and the staff response, the City Council overrules all objections to the proposed abatement of the nuisance and orders the City Manager to abate the nuisance.*

THE FOREGOING RESOLUTION WAS ADOPTED at a special meeting of the San Juan Bautista City Council on the 25th day of February, 2019, by the following vote:

AYE:

NOES:

ABSENT:

ABSTAIN:

Cesar E. Flores, Mayor

ATTEST:

Laura Cent, City Clerk

ATTACHMENT A

The below listed conditions at 107 Third Street, San Juan Bautista, are being maintained in violation of the San Juan Bautista Municipal Code, the California Health and Safety Code, the California Building Code, the Uniform Code for the Abatement of Dangerous Buildings, and the California Historical Building Code, as adopted by the City:

1. Add supports to underside of balcony.
2. Add bracing to secure chimney.
3. Add full height plywood panel to interior side of each exterior wall and the middle interior wall.
4. Provide protection to the interior of the building from deterioration by the elements.

CITY OF SAN JUAN BAUTISTA

STAFF REPORT - CITY COUNCIL

DATE: February 25, 2019

SUBJECT: Approval salary for position of Assistant City Manager

FROM: Michael LaForge, City Manager

Recommendation: Approve salary of an hourly rate of \$50 for the position of Assistant City Manager for a period of no more than 2 weeks.

Background: Current City Manager is leaving March 7th, 2019 and would like to do a thorough turn over with Interim City Manager. If Council approves, the ACM will convert to the CM.

Fiscal Impact:

The position of ACM will be primarily funded from capital projects and special funds. However, there will be a portion attributable to the General Fund.

The weekly cost of filling the position will be approximately \$2,000.

The process for appointment of the ACM and any department head is established in Section 2.2.115 of the Municipal Code which states that the City Manager "shall have the power to:

(B) Appoint, Dismiss, Etc. Appoint and promote, discipline, suspend or dismiss, all officers and employees of the City except the City Clerk, City Attorney and City Treasurer. No department head shall be appointed or removed until the City Manager shall have first reviewed such appointment or removal with the City Council in executive session."

Following the review in executive closed session and at the end of the turn over period, I will appoint a qualified individual to the position of Interim City Manager.



FY19 Mid-Year Budget Review

City Manager LaForge and Wendy Cumming
2/25/19



Topics

1. Budget update summary
2. Cash reserve analysis
3. Capital project status
4. No development revenue scenario budget (baseline operating income/expenses, payroll)



FY19 Budget Ins and Outs To Date



City Council authorized \$283K additional expenses year to date

City Hall Re-roof	28,000
Sludge Removal	95,000
WWTP Assessment Report	30,000
Well 6 Construction	100,000
Back hoe	30,000
Total Unforecasted Expenses	283,000



Received \$2.4M in impact fees vs \$2.7M due to housing slow down



Lowered expenses by \$350K by executing capital projects under budget through bringing in house



Staffing expenses in line except for Building

- We missed forecasting FY19 building inspection costs \$99K even though we received over \$200K in FY18 to do these inspections

We projected ending the year \$572K additional cash but we are now projecting \$572K (\$177K Less than original budget)

	FY19 Budget As Adopted	Actuals as of December 31, 2018	FY19 Original Budget at 50%	Net Change	Footnote	FY19 Budget As Revised
GENERAL FUND						
Revenue:						
Property Taxes	347,500	218,606	173,750	44,856	Rec. 60% in Dec. 40% in May and 10% in June	347,500
Other Tax Revenue	781,000	352,340	390,500	(38,160)	TOT income generally higher second half of the year	781,000
Franchise Fees	59,000	18,476	29,500	(11,024)		59,000
Business & Misc. Lic. & Permits	43,000	12,744	21,500	(8,756)	Business lic. are renewed in June.	43,000
Planning, Building, Eng. Permit	385,180	49,621	192,590	(142,969)	Timing of Dev. Projects	93,054
Chg. for Planning/Eng. Services	179,637	21,261	89,819	(68,558)	Timing of Dev. Projects	46,232
Charges for Misc. Services	2,000	1,179	1,000	179		2,000
Impact Fees	1,125,064	150,882	562,532	(411,650)	Timing of Dev. Projects	279,946
Fines & Penalties	2,000	1,070	1,000	70		2,000
Fund Transfers (Gas Tax)	366,303		183,152	(183,152)	COG Funds to be received in Fund 75 Gas Tax. To be trans. to G.F.	366,303
SCIP Funds for Streets	-		-	-		247,420
SCIP Funds for Storm Drain	-		-	-		212,213
SCIP Funds for Parks	-		-	-		66,470
Miscellaneous Revenue	85,000	49,980	42,500	7,480	Remb. City costs/Lease/Interest, etc	85,000
Expenditures:						
City Council	(34,769)	(6,918)	(17,385)	10,467		(34,769)
City Attorney	(50,000)	(25,000)	(25,000)	-		(50,000)
City Manager	(42,612)	(12,358)	(21,306)	8,948		(42,612)
City Clerk	(122,124)	(57,183)	(61,062)	3,879		(122,124)
City Treasurer	(340)	(272)	(170)	(102)		(340)
Finance Department	(141,747)	(82,997)	(70,874)	(12,124)	Audit fees of \$25k incurred in 1st half	(141,747)
Library	(110,541)	(34,136)	(55,271)	21,135		(110,541)
Fire Department	(241,865)	(108,514)	(120,933)	12,419		(241,865)
Law Enforcement	(279,950)	(120,414)	(139,975)	19,561		(279,950)
Public Works Streets	(978,090)	(77,958)	(489,045)	411,087	Timing of projects	(744,590)
Public Works Bldg. & Grounds	(314,215)	(210,847)	(157,108)	(53,740)	Overage due to City Hall re-roof, budgeted in FY18	(359,215)
General Government	(50,500)	(19,380)	(25,250)	5,870		(50,500)
Planning	(207,731)	(105,315)	(103,866)	(1,450)	Todd brought on F.T.	(207,731)
Building	(139,966)	(95,339)	(69,983)	(25,356)		(139,966)
Engineering	(150,497)	(99,579)	(75,249)	(24,331)		(150,497)
Animal Control	(10,000)	(3,598)	(5,000)	1,402		(10,000)
Subtotal	500,737	(183,649)	250,369	(434,018)		(55,309)



	FY19 Budget As Adopted	Actuals as of December 31, 2018	FY19 Original Budget at 50%	Net Change	Footnote	FY19 Budget As Revised
ENTERPRISE FUNDS						
Water Enterprise						
Water Revenue:						
Utility revenue	768,000	459,784	384,000	75,784		768,000
Impact Revenue	974,090	101,046	487,045	(385,999)		164,985
SCIP Funds Previously Received						1,033,575 ▼
Well 6 Revenue (R.V. & C.L.)	180,000	232,000	90,000	142,000	Increase \$80k, plus reimb 39.8K	220,000
Water Expense:						
Operating	(894,222)	(439,714)	(447,111)	7,397	Had to change operators & lab Need to add 300k for manganese plant/prep./engineering/construction, plus 35k for master plan #27	(894,222)
Capital	(630,861)	(470,300)	(315,431)	(154,870)		(867,861) Reduced by \$38k for proj #26 and #34
Subtotal	▼ 397,007	▼ (117,184)	▼ 198,504	▼ (315,688)		▼ 424,477
Sewer Enterprise						
Sewer Revenue:						
Utility revenue	832,000	464,582	416,000	48,582		832,000
SCIP Funds Previously Received						703,343 ▼
Impact Revenue	594,114	138,109	297,057	(158,948)		179,670
Sewer Expense:						
Operating	(961,407)	(456,936)	(480,704)	23,768		(961,407) add obligation for Meritage/R.V. need Frank's inp
Capital	(514,213)	(560,713)	(257,107)	(303,607)	Add \$100k for sludge removal, \$33k for Dudeck report, (approved by council)	(597,213) Reduce by \$50k for proj. #34
Subtotal	▼ (49,506)	▼ (414,958)	▼ (24,753)	▼ (390,205)		▼ 156,393
Total Enterprise Funds	347,501	(532,142)	173,751	(705,893)		580,870



	FY19 Budget As Adopted	Actuals as of December 31, 2018	FY19 Original Budget at 50%	Net Change	Footnote	FY19 Budget As Revised
SPECIAL REVENUE FUNDS:						
COPS (Revenue)	100,000	73,082	50,000	23,082		100,000
COPS (Expenditures)	(100,000)	(50,000)	(50,000)	-		(100,000)
Subtotal COPS	-	23,082	-	23,082		-
Rest. & Roads Fund (Revenue)	25,600	14,660	12,800	1,860		25,600
Rest. & Roads Fund (Expenditures)	(75,000)	-	(37,500)	37,500		(75,000)
Subtotal Rest. & Roads	(49,400)	14,660	(24,700)	39,360		(49,400)
Valle Vista LLD (Revenue)	27,884	10,037	13,942	(3,905)		27,884
Valle Vista LLD (Expenditures)	(27,884)	(8,781)	(13,942)	5,161		(27,884)
Subtotal Valle Vista LLD	-	1,256	-	1,256		-
					Variance in revenue and expenses is for	
Gas Tax Fund (Revenues)	360,750	23,885	180,375	(156,490)	COG money, \$115k request is in.	505,750
Gas Tax Fund (Expenditures)	(409,803)	(7,320)	(204,902)	197,582		(409,803)
Subtotal Gas Tax	(49,053)	16,565	(24,527)	41,092		95,947
Total Special Revenue Funds	(98,453)	55,563	(49,227)	104,790		46,547
TOTAL Funds	749,785	(660,228)	374,893	(1,035,121)		572,108
						177,677
					Unforecasted Expenses:	
					City Hall Re-roof	28,000
					Sludge Removal	95,000
					WWTP Assessment Report	30,000
					Well 6 Construction	100,000
					Back hoe	30,000
					Total Unforecasted Expenses	283,000
						466,785



Cash Reserve Analysis

Although we have \$8.7M in the bank all of it is earmarked

- \$2.5M is obligated for debt, reimbursements and 3 month reserves
- \$1.3 remaining expenses for FY19 capital projects
- \$6M forecasted capital project through 2028
- \$.5M accts payable and other liabilities
- \$1.3M in restricted funds

Options to keep healthy financially:

- Stay frugal, streamline, continue to save money on operating expenses
- Spread spread capital projects out more
- Chose Pellet Plant vs Pipeline
- Consider more development to get another shot in the arm we need to grow to afford more capital projects
- Go after grants



Revenue Analysis - Detail

City of San Juan Bautista Cash Reserve Analysis

(2)

1 Cash at February 13, 2019:

2 Union Bank	5,659,198
3 LAIF	64,770
4 SCIP:	
5 General Fund	526,103
6 Water	1,033,575
7 Sewer	703,343
8 Wells Fargo (Project Account)	403,517
9 RSTP Funds available	364,349

10 \$ 8,754,855

11 Less:

12 Forecasted expenditures:

13 3 months operating reserves (Payroll/Utility/Insurance/etc./security/fire/police)	675,000
14 Bond prmt	672,000
15 Reimbursement Agreements:	
16 18" Sewer Line agreement (Meritage)	513,000
17 SJHollister Road&Well 5 (Edenbridge)	486,000
18 Deceleration Lane	150,000
19 Subtotal forecasted expenditures	<u>2,496,000</u>

20

21 Funds Designated for Other Use:

22 Water/Sewer Interfund repayment	81,104	
23 Remaining expenditures for FY19 Capital Plan	1,300,000	Estimate
24 Capital Plan expenditures through FY28	6,000,000	
25 Subtotal Funds Designated for Other Uses	<u>7,381,104</u>	

26

27 Current Liabilities:

28 Customer Deposits	106,775
29 MBCP/County of S.B. contingent liab.	136,364
30 Accounts payable/accrued expenses	256,372

31 499,511

32 Total Funds (1,621,760)

33 Fund Allocations:

34 General Fund Reserves	400,000	A/B
35 Self Insured Retention (PARSAC)	15,000	
36 Water - Emergency Operating Reserve (Bond Requirement)	223,500	B
37 Water - Emergency Capital Reserve (Bond Requirement)	57,000	B
38 Water - Rate Stabilization Fund (Bond Requirement)	16,007	B
39 Sewer - Emergency Operating Reserve (Bond Requirement)	240,350	B
40 Sewer - Emergency Capital Reserve (Bond Requirement)	75,000	B
41 Sewer - Rate Stabilization Fund (Bond Requirement)	17,798	B
42 Special Revenue Fund Balances:		
43 Restroom and Road Fund	127,117	
44 Gas Tax Fund	31,335	
45 Public Parking Fund	17,447	
46 Valle Vista Lighting District	<u>76,623</u>	

47 Total restricted and designated funds 1,297,177

48 Unrestricted General Funds \$ (2,918,937)

A - Calculated annually from general fund budget, 20% of budget

B - Per the City's Reserve Policy adopted June 16, 2015

2/14/2019



Capital Project Review

See excel hand out.



Baseline Scenario

Base Line Revenue:

General Fund	1,319,500	(Property, sales, T.O.T. Taxes, business lic., misc.)	
Water Enterprise	941,000	Utility Revenue Only	0.172923777 comm sewer
Sewer Enterprise	1,000,400	Utility Revenue Only	170,068.00 sewer comm
Total base line revenue	<u>3,260,900</u>		690560 res. Sewer 990.7604 168429.3 inc in sewer

Base Line Expenditures:

General Fund:

City Council	22,649		0.13064133
City Attorney	50,000		99840
City Manger	30,492		(841,160)
City Clerk	116,064		(435.38)
City Treasurer	340		2432
Finance	129,627		(217,691.51) in in water
Library	45,381		
Fire	210,865	Fire contract = 171k, Comm. 29k	
Law Enforcement	279,950	Law contract = 250k Comm. 29k	
PW Streets	193,090	Education = 10k,	
PW Parks	243,215		
General Government	50,500		
Animal control	10,000		
Building	-		
Planning	-		
Engineering	-		
Water Operations	714,500	No deprec. Includes debt pmt	
Sewer Operations	736,500	No deprec. Includes debt pmt	
Capital Projects	500,000		
Total Base line Expenditures	<u>3,333,173</u>		

Revenue over (under) Expenditures	<u>(72,273)</u>
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City can operate, pay debt
And spend \$500K/Yr on projects
With current payroll.

City of San Juan Bautista Mid-Year Budget FY18					Item #5B City Council Meeting February 25, 2019	
	FY19 Budget As Adopted	Actuals as of December 31, 2018	FY19 Original Budget at 50%	Net <u>Change</u>	<u>Footnote</u>	FY19 Budget As Revised
GENERAL FUND						
Revenue:						
Property Taxes	347,500	218,606	173,750	44,856	Rec. 60% in Dec. 40% in May and 10% in June	347,500
Other Tax Revenue	781,000	352,340	390,500	(38,160)	TOT income generally higher second half of the year	781,000
Franchise Fees	59,000	18,476	29,500	(11,024)		59,000
Business & Misc. Lic. & Permits	43,000	12,744	21,500	(8,756)	Business lic. are renewed in June.	43,000
Planning, Building, Eng. Permit	385,180	49,621	192,590	(142,969)	Timing of Dev. Projects	93,054
Chg. for Planning/Eng. Services	179,637	21,261	89,819	(68,558)	Timing of Dev. Projects	46,232
Charges for Misc. Services	2,000	1,179	1,000	179		2,000
Impact Fees	1,125,064	150,882	562,532	(411,650)	Timing of Dev. Projects	279,946
Fines & Penalties	2,000	1,070	1,000	70		2,000
Fund Transfers (Gas Tax)	366,303		183,152	(183,152)	COG Funds to be received in Fund 75 Gas Tax. To be trans. to G.F.	366,303
SCIP Funds for Streets	-		-	-		247,420
SCIP Funds for Storm Drain	-		-	-		212,213
SCIP Funds for Parks	-		-	-		66,470
Miscellaneous Revenue	85,000	49,980	42,500	7,480	Remb. City costs/Lease/Interest, etc	85,000
Expenditures:						
City Council	(34,769)	(6,918)	(17,385)	10,467		(34,769)
City Attorney	(50,000)	(25,000)	(25,000)	-		(50,000)
City Manager	(42,612)	(12,358)	(21,306)	8,948		(42,612)
City Clerk	(122,124)	(57,183)	(61,062)	3,879		(122,124)
City Treasurer	(340)	(272)	(170)	(102)		(340)
Finance Department	(141,747)	(82,997)	(70,874)	(12,124)	Audit fees of \$25k incurred in 1st half	(141,747)
Library	(110,541)	(34,136)	(55,271)	21,135		(110,541)
Fire Department	(241,865)	(108,514)	(120,933)	12,419		(241,865)
Law Enforcement	(279,950)	(120,414)	(139,975)	19,561		(279,950)
Public Works Streets	(978,090)	(77,958)	(489,045)	411,087	Timing of projects	(744,590)
Public Works Bldg. & Grounds	(314,215)	(210,847)	(157,108)	(53,740)	Overage due to City Hall re-roof, budgeted in FY18	(359,215)
General Government	(50,500)	(19,380)	(25,250)	5,870		(50,500)
Planning	(207,731)	(105,315)	(103,866)	(1,450)	Todd brought on F.T.	(207,731)
Building	(139,966)	(95,339)	(69,983)	(25,356)		(139,966)
Engineering	(150,497)	(99,579)	(75,249)	(24,331)		(150,497)
Animal Control	(10,000)	(3,598)	(5,000)	1,402		(10,000)
Subtotal	500,737	(183,649)	250,369	(434,018)		(55,309)
ENTERPRISE FUNDS						
Water Enterprise						
Water Revenue:						
Utility revenue	768,000	459,784	384,000	75,784		768,000
Impact Revenue	974,090	101,046	487,045	(385,999)		164,985
SCIP Funds Previously Received						1,033,575
Well 6 Revenue (R.V. & C.L.)	180,000	232,000	90,000	142,000	Increase \$80k, plus reimb 39.8K	220,000
Water Expense:						
Operating	(894,222)	(439,714)	(447,111)	7,397	Had to change operators & lab	(894,222)
Capital	(630,861)	(470,300)	(315,431)	(154,870)	Need to add 300k for manganese plant/prep./engineering/construction, plus 35k for master plan #27	(867,861)
Subtotal	397,007	(117,184)	198,504	(315,688)		424,477
Sewer Enterprise						
Sewer Revenue:						
Utility revenue	832,000	464,582	416,000	48,582		832,000
SCIP Funds Previously Received						703,343
Impact Revenue	594,114	138,109	297,057	(158,948)		179,670
Sewer Expense:						
Operating	(961,407)	(456,936)	(480,704)	23,768	Add \$100k for sludge removal, \$33k for Dudeck report, (approved by council)	(961,407)
Capital	(514,213)	(560,713)	(257,107)	(303,607)		(597,213)
Subtotal	(49,506)	(414,958)	(24,753)	(390,205)		156,393
Total Enterprise Funds	347,501	(532,142)	173,751	(705,893)		580,870
SPECIAL REVENUE FUNDS:						
COPS (Revenue)	100,000	73,082	50,000	23,082		100,000
COPS (Expenditures)	(100,000)	(50,000)	(50,000)	-		(100,000)
Subtotal COPS	-	23,082	-	23,082		-
Rest. & Roads Fund (Revenue)	25,600	14,660	12,800	1,860		25,600
Rest. & Roads Fund (Expenditures)	(75,000)	-	(37,500)	37,500		(75,000)
Subtotal Rest. & Roads	(49,400)	14,660	(24,700)	39,360		(49,400)
Valle Vista LLD (Revenue)	27,884	10,037	13,942	(3,905)		27,884
Valle Vista LLD (Expenditures)	(27,884)	(8,781)	(13,942)	5,161		(27,884)
Subtotal Valle Vista LLD	-	1,256	-	1,256		-
Gas Tax Fund (Revenues)	360,750	23,885	180,375	(156,490)	Variance in revenue and expenses is for COG money, \$115k request is in.	505,750
Gas Tax Fund (Expenditures)	(409,803)	(7,320)	(204,902)	197,582		(409,803)
Subtotal Gas Tax	(49,053)	16,565	(24,527)	41,092		95,947
Total Special Revenue Funds	(98,453)	55,563	(49,227)	104,790		46,547
TOTAL Funds	749,785	(660,228)	374,893	(1,035,121)		572,108
Unforecasted Expenses:						
					City Hall Re-roof	28,000
					Sludge Removal	95,000
					WWTP Assessment Report	30,000
					Well 6 Construction	100,000
					Back hoe	30,000
					Total Unforecasted Expenses	283,000

City of SJB CAPEX Master List

		Dept name	Project Description	FY19	FY19 Feb '19 forecast	FY19 Act	budget perf	execution perf	Feb 2019 update
1	WIP	Fire	Fire Hydrant replacements (replace two hydrants e	10,000	10,000	0			alignment with HFD on plan
2	completed	Fire	Rescue truck outfitting for small fires and sphere o	20,000	0	0			got HFD to include new rig in fire contract; thus saving this money.
3	completed	Fire	Heater Ducting fix	1,500	0	0			complete
4	completed	Fire	Recliners station 4	1,800	2,037	2,037			complete
5	completed	Fire	Diesel exhaust apparatus	13,000	13,460	13,460			complete
7	not started	Streets&Storm	Annual Pavement Rehabilitation	17,500	?				Harris is working on bid document
9	not started	Streets&Storm	3rd between Tualmema and Muckeleme	175,000	?				Harris is working on bid document
12	not started	Streets&Storm	South 5th St	126,000	?				Harris is working on bid document
13	completed	Streets&Storm	San Juan Hollister Road	357,000	116,000	116,000	240k poss use		complete, used traffic impact fees/SCIP from Copperleaf
14	not started	Streets&Storm	Intersection beautification in the historic district	40,000	?	0			began quoting process, 1 quote in progress, need to engage 2 more asphalt companies, work to begin in spring and complete by June 15.
15	not started	Streets&Storm	Table Tops/crosswalks along 4th, Monterey	80,000	?	0			began quoting process, 1 quote in progress, need to engage 2 more asphalt companies, work to begin in spring and complete by June 15.
16	still needed?	Building parks and grou	Install Fence at school	17,500	0	0			Got authorization to allow basketball anytime the pickleball volunteer is on site. Pickleball volunteer will open gate and collect waivers for basketball activity.
17	need guidance from parks commission	Building parks and grou	Park improvements per 10 year master plan	60,000	5,000	5,000			
18	WIP	Building parks and grou	Community center acoustic redesign	15,000	5,000	5,000			will come in \$10K under budget
19	completed	Building parks and grou	City Hall flooring	12,500	500	500			saved \$12 K
20	completed	Building parks and grou	City Hall interior paint	25,000	5,000	5,000			saved \$20K
22	not longer needed	Building parks and grou	heater public works	2,000	0	0			
23	completed	Building parks and grou	Install gutters at Corporation Yard Building	8,000	2,000	2,000			complete
24	completed	Building parks and grou	Electric gate opener Public Works	8,000	7,045	7,045			complete
25	completed	Building parks and grou	Emergency generator city hall and fire station	16,000	on track	on track			

City of SJB CAPEX Master List

26	WIP	Water	Well 6	440,000	402,000	402,000			complete
27	partial	Water	Water master plan (include blue valve)	35,000	17,250	17,250			completed water capacity plan (\$12K) which is a component of this.
28	WIP combine with #1	Water	Water line upgrades	37,500	37,500	0			
29	completed	Water	Replace Water Valves (Replace 5 valves each year)	10,000	0	0			completed in house.
30	completed	Water	Smart Water meters (complete)	42,000	31,622	31,622			
32	completed	Water	Tank maintenance	5,000	4,200	4,200			complete
33	completed	Sewer	Sludge	400,000	495,000	495,000			complete
34	WIP	Sewer, water	solve for salt (hollister to SJB treated surf water)	100,000	0	0			high level plan in place with Water Resources Board: pellet or Hollister surf water or Betabel
38	WIP	Water/Sewer	Telemetry	25,000	36,880	36,880			over budget
42	WIP	Special district restroom	Verutti park	50,000	20,000	5,000			work in progress likely \$30k under budget
43	WIP	Library	chromebooks	5,000	0	3,000			
44	80% complete	Library	Grounds update	20,000	11,000	11,000			tree and landscape cleaned up
45	WIP	Library	Interior update (ergo front desk, lounge pods vs de	30,000	5,000	15,000			
46	WIP	mutiple	maintenance equipment	40,000	70,000	70,000			Got quote for back hoe \$60K
51 (FY18 RO)	WIP	Water	Iron Mang Treatment and conversion contruction	140,000	300,000	300,000			over budget and timeline at risk
52 (FY18 RO)		Building parks and grou	City hall reroof	95,000	123,000	123,000			\$117K for roof, \$6.2K for fumigation complete. Use 12.5K flooring money and .
53 (FY18 RO)	WIP	Water	Well 5 electrical	20,000	9,800	9,800			
54	complete	Sewer	WWTP Assessment	0	33,300	33,300			complete
			Yearly Totals	2,525,300	2,097,807	2,048,307			

City of San Juan Bautista
Base Line Budget Analysis
FY19

Item #5B
City Council Meeting
February 25, 2019

Base Line Revenue:

General Fund	1,319,500	(Property, sales, T.O.T. Taxes, business lic., misc.)
Water Enterprise	941,000	Utility Revenue Only
Sewer Enterprise	1,000,400	Utility Revenue Only
Total base line revenue	<u>3,260,900</u>	

Base Line Expenditures:

General Fund:

City Council	22,649	
City Attorney	50,000	
City Manger	30,492	
City Clerk	116,064	
City Treasurer	340	
Finance	129,627	
Library	45,381	
Fire	210,865	Fire contract = 171k, Comm. 29k
Law Enforcement	279,950	Law contract = 250k Comm. 29k
PW Streets	193,090	Education = 10k,
PW Parks	243,215	
General Government	50,500	
Animal control	10,000	
Building	-	
Planning	-	
Engineering	-	
Water Operations	714,500	No deprec. Includes debt pmt
Sewer Operations	736,500	No deprec. Includes debt pmt
Capital Projects	<u>500,000</u>	
Total Base line Expenditures	<u>3,333,173</u>	

Revenue over (under) Expenditures	<u><u>(72,273)</u></u>
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CITY OF SAN JUAN BAUTISTA

CITY COUNCIL

STAFF REPORT

DATE: February 12, 2019

**SUBJECT: AMEND THE COMMUNITY HALL AGREEMENT TO SPECIFY
LEVEL ONE SECURITY FOR ALL EVENTS**

FROM: Trish Paetz, Administrative Services Manager

Background:

Security patrol contracted by renters of the City Community Hall have not been effective. There was recent damage to the hall that the required deposit could not cover, and there have been complaints by neighbors of excessive noise and lewd acts taking place outside the hall during events. Currently, the City's agreement does not specify which security companies can be used but staff provides business cards upon request for Kysmet Security and Patrol and Panther Protective Services. While there have not been issues with these providers, some renters contract with security companies that are not licensed.

Some venues in neighboring Hollister and Aromas specify in their rental agreements who is allowed to cater, serve alcohol, and provide security. Staff feels designating one security company for all events would be in the best interest of the City.

Recommendation:

Staff has developed a good business relationship with Level One and proposes designating Level One as the only security company for events at the Community Hall.

Attachments:

Hall Use agreement with amended areas highlighted.

**San Juan Bautista
Community Hall
P.O. Box 1420
10 San Jose Street
San Juan Bautista, CA 95045**

HALL USE AGREEMENT

I, _____

Address: _____

City: _____ State: _____ Zip code: _____

Telephone No.: _____ Cell No.: _____ Email: _____

Hereby enter into this agreement with the City of San Juan Bautista for the use of the San Juan Bautista Community Hall on:

Day(s): _____ Date: _____ Times: _____

Amplified Music shall stop by 10:00 p.m. Applicant must be out no later than ending time specified on time of use information line. Any attendees remaining after declared ending time will incur additional security charges. Any additional charges will be subtracted from your deposit.

Are you applying for: (circle one) One time use or On-going regular use

Function Information

Type: _____
Setup time: _____ to _____
Time of use: _____ to _____
Cleanup time: _____ to _____
Total hours in use: _____
Number of guests: _____
(200 person capacity)
Will food be served?: Yes / No
Will alcohol be served? Yes / No
Admission charge? Yes / No
Are tables needed? Yes / No
Are chairs needed? Yes / No

Club/Organization Information

Name: _____
Address: _____
City/State/Zip: _____
Contact Person & Title: _____
Address: _____
City/State/Zip: _____
Home No.: _____
Work No.: _____
Cell No.: _____
Fax No.: _____
Non-profit: Yes / No
(Evidence of non-profit status required, i.e. 501(c)(3))

I agree to the following terms:

1. A rental use fee of \$ _____ is due 21 days in advance of the date of use. Checks should be made payable to "City of San Juan Bautista". Proof of residency is required. **All forms and payment must be returned to City Hall 21 days in advance of the date of use.**

2. The following deposit is due 21 days in advance of date of use: Refundable Cleaning Deposit \$200.00.
- 3.
4. All or a portion of the deposit will be refunded within 30 days after use.
5. Any cancellations will be charged an admin fee of \$100.00. _____ (Please Initial)
6. **Security Guards provided by Level 1 Security are required for all events. The fees for Level 1 Security will be added to the total cost of renting the Community Hall, as follows: One (1) Level 1 Security Guard per every 50 attendees (up to 200) with a minimum of two (2) Level 1 Security Guards. The fee is \$30.00 per hour per Level 1 Security Guard. _____ (please initial)**
7. Alcoholic beverages must be consumed in the building only. Please do not consume alcoholic beverages outdoors.
8. Liability insurance coverage in the amount of \$1,000,000 shall be provided naming the *City of San Juan Bautista as an additional insured*. Proof of coverage shall be presented to the City 21 days prior to use by providing a Certificate of Insurance. The Certificate must have the name of the renter from the top of page 1. The City of San Juan Bautista does provide insurance through Driver Alliant for a fee of \$206.59/per event.
9. Upon completion of this rental, and all clean up, Renter shall contact City Hall at which time arrangements will be made to inspect the hall. Following the inspection, a determination will be made concerning the cleaning deposit refund.
10. All garbage, trash and other waste shall be removed from inside and outside of the building. A 2-yard garbage bin dumpster is located by the kitchen entrance on First Street. **Renters must furnish their own trash bags.**
11. If the kitchen is used, counters shall be wiped clean and any gas appliances that were used shall be wiped clean and shut off.
12. If any spots or spills occur, please wipe up and dry them immediately.
13. The kitchen shall be cleared of any trash or debris.
14. Bathrooms shall be cleared of any trash and the wastebaskets emptied.
15. In no event shall private property be trespassed upon or used for parking. All parking shall be limited to public streets. **Please do not block our neighbors' driveways!**
16. I (the renter) shall be honest in my dealings with the City of San Juan Bautista, and promise to treat its members, their hall, and the neighbors with courtesy and respect.

17. To save the rental date, a Good Faith deposit of \$500 will be payable with this contract to reserve the hall. Notice of cancellation of event needs to be in writing within 90 day notice prior to your event. There is a \$100.00 Cancellation Admin Fee. _____ (Please Initial)

18. Key policy:

Weekday use: Keys can be picked up at the City Hall front counter Monday through Friday during the times of 9:00 a.m. – 1:00 p.m. on the day of the use for those who have weekday use. Keys should be returned by dropping them in the gray drop box to the right of the front entrance to City Hall immediately after use.

Weekend use: Keys must be picked up before 11:00 a.m. Friday before the event unless other arrangements have been made with staff. Set-up may start after the keys have been released to the renter. Cleaning must be completed by 2:00 p.m. Sunday after the event. Keys must be returned by dropping them in the gray drop box to the right of the front entrance of City Hall immediately after use.

STATEMENT OF LIABILITY

It is the express condition of this permit that the City of San Juan Bautista officers, agents and employees, shall be free from any and all death or deaths of or any injury of injuries to any person or property or causes whatsoever while in or upon said premises or any part thereof during the term of this permit or occasioned by any occupancy or use of said premises or any activity carried on by Permittee in connection save harmless the City, its officers, agents and employees, from all liabilities, charges, expenses (including counsel fees) and costs of account of, or by reason of, any such death or deaths, injury or injuries, liabilities, claims, suits or losses however occurring, or damage growing out of the same.

Date: _____ Signature: _____

Date Received: _____ By: _____

**San Juan Bautista
Community Hall Rental Application
P.O. Box 1420
10 San Jose Street
San Juan Bautista, CA 95045**

Rental Fee Schedule

All Checks to be made payable to "City of San Juan Bautista"

Maximum capacity: 200 Persons

User Categories:

- 1:** City Residents /County Residents/Unincorporated San Benito County Residents; Proof of residency required.
- 2:** Non-San Benito County Residents
- 3:** Local City and County Non-Profits

Hall Rental Fee

	Monday – Sunday 8:00am – 11:00pm	Deposit	Cleaning Deposit
1	\$650.00	\$500	\$200
2	\$850.00	\$500	\$200
3	-0-	-0-	\$200

Fees Due By: Fees must be paid 21 days in advance. A reservation cannot be guaranteed until all fees are paid. Fees must be paid immediately for reservations made less than 30 days in advance. If a reservation is cancelled with less than 30 days notice, fees are not refundable. Initials _____

Hall Cleaning: The Hall Rental Fee includes an allocation of \$200 for cleaning. Should the cleaning costs exceed \$200, the additional amount will be deducted from your Good Faith deposit. Initials _____

Deposit Requirements

Deposit: A deposit is required for all events. The deposit is returned the next regular check cycle (normally within 30 days) after the Hall has been inspected, cleaned and any damages repaired. The deposit is due when the reservation is made. Initials _____

Other Requirements

1. **Insurance:** A certificate of Liability Insurance in the amount of \$1,000,000, endorsed to add the City of San Juan Bautista as an "Additional Insured," must be provided to the City of San Juan Bautista at least 21 days prior to the event. The City of San Juan Bautista offers, as an option, the Tenant User Liability Insurance program through Drivers Alliant Insurance for users of City facilities, for a fee equal to the City's cost for the insurance plus 15% administration fee. (Most homeowners policies can also provide this coverage at little to no cost). Additional insurance will be required if alcohol is served. California ABC laws must be followed; it is the renter's responsibility to become familiar with those laws. Initials _____
2. **Caterers:** Caterers must be licensed and comply with State and local regulations. Initials _____
3. **Security Guards: Level 1 Private Security is required for all events. The fee for Level 1 Private Security is \$30.00 per hour per guard per every 50 attendees with a minimum of two (2) Level 1 Private Security. The fees will be added to the total cost of renting the Community Hall. If additional Level 1 Private Security is required for your event the fees will be subtracted from your Good Faith deposit.** Initials _____
4. **Trash Service:** The State requires all large events to have a solid waste recycling program. To fulfill this requirement the City provides both trash and recycling containers for all events. These containers must be clearly marked. Should a container be filled during an event, the renter is expected to change the bag so garbage does not overflow onto the floor. The City will properly dispose of all properly bagged trash with no charges against the deposit. Initials _____
5. **Decorations:** No decorations are allowed on the walls, windows, woodwork, doors, or ceilings of the building. Tape that will damage or mar surfaces shall not be used. Decorations must be limited to self-standing. No burning candles or open flames are allowed in the building. No smoke, water or mist devices are allowed. No helium balloons are allowed in the Community Center. Initials _____

Additional Facility Information

1. **Tables and chairs** are available from the City but are limited.
2. **Parking** – Community Hall parking is along the side streets, primarily First Street, Second Street, Jefferson and San Jose Streets. Guests are not allowed to park in the Casa Maria parking lot. If the parking lot is open, it is because Casa Maria is having an event and will need all of the parking for their guests. Initials _____

Additional Community Center Rental Policies

The City of San Juan Bautista City Council has set for the following policies with respect to rental and other uses of the San Juan Bautista Community Center:

Rights and Priorities of Use:

- 1.) Anyone or any group can rent the Community Hall on a first come first serve basis.
- 2.) Rentals can be pre-empted in the event of a declared emergency in which the Community Center will be utilized by the Red Cross and/or other appropriate groups for community assistance. In this event, all deposits and rental fees shall be refunded for any party who is unable to use the hall during the emergency.

Fees and Payments:

- 1.) All fees shall be paid in accordance with the published and approved rental rates and deposit schedule of the City of San Juan Bautista.
- 2.) Public Agencies requesting the use of the Community Center for business activities involving the City of San Juan Bautista will not be charged a rental fee but will be responsible for the cleaning costs of the room following their activity.
- 3.) Community non-profits may rent the Community Center on a space available basis Monday through Thursday only, and are required to pay for insurance and a cleaning deposit.
- 4.) Fees charged and/or assessed may be appealed to the San Juan Bautista City Council.

Cleaning and Damage Assessment:

- 1.) Each renter of the San Juan Bautista Community Center is required to do a pre-rental walk-through with City personnel to assess any existing issues that might be present with the building. Any existing issues must be noted in a writing signed by the renter and the City during this walk-through to avoid subsequent assessment against your deposit. _____ (please initial)
- 2.) After each event, renter must clean the hall inside and outside building but not the floor, as instructed by City staff. City staff will inspect the hall and the renter may be charged for the cost to fix, repair, or clean any damage or detrimental condition found by staff. This includes, but is not limited to wall and floor damage, excess garbage, helium balloon removal, and appliance damage.
- 3.) Rental fees contain an allowance for building cleaning. Any cleaning costs in excess of that allowance will be taken out of the deposit. Any cleaning or repair damages in excess of the deposit are the renter's and the renter's insurance company's responsibility.
- 4.) Any fees assessed for cleaning or damage may be appealed to the San Juan Bautista City Council.