



City of San Juan Bautista

The "City of History"

www.san-juan-bautista.ca.us

AGENDA

REGULAR CITY COUNCIL MEETING

CITY HALL COUNCIL CHAMBERS

311 Second Street

San Juan Bautista, California

JUNE 18, 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

6:00 PM

Pledge of Allegiance

Roll Call

Ask for a Moment of Silence for former City Clerk & Council Member Maggie Bilich

2. Public Comment

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 and Mailing Public Hearing Notice for Valle Vista

C. Approve Affidavit of Posting Public Hearing Notice for Recology

D. Approve Resolution for Street Closures for Rotary Antique and Collectibles Faire, Sesquicentennial Parade, and Community Art Project

E. Approve a Resolution Authorizing the Anzar High School Football and Cheer to Sell Fireworks During the July 4, 2019 Holiday

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

4. Presentations, Informational Items and Reports

A. San Benito County Saddle Horse Show and Rodeo, June 20-23 – Jessica Brem

B. Monthly Financial Statements

C. City Manager's Report

D. Building and Planning Report

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

F. Strategic Plan Committee Report

5. Public Hearing Items

- A. Valle Vista Landscape and Lighting Maintenance Assessment District No. 1**
 - i. Adopt a Resolution Confirming a Diagram and Assessment for Fiscal Year 2019-20**
 - ii. Adopt a Resolution Certifying Compliance With State Law With Respect to the Levying of General and Special Taxes, Assessments, and Property Related Fees and Charges**
- B. Fiscal Year 2019-2020 Budget**
 - i. Adopt the Budget as Revised**
 - ii. Approve a Resolution Making Certain Findings and Determinations In Compliance With Section XIIB Of The California Constitution (Gann Initiative)**
 - iii. Approve a Resolution Adopting a Holiday Schedule in Fiscal Year 2019-2020**
- C. Adopt a Resolution Approving an Increase to Recology Solid Waste Collection Rates, Effective July 1, 2019 to June 30, 2020**

6. Action Items

- A. Appoint City Manager**
- B. Introduce an Ordinance Amending Section 2-8-050 Increasing Solicitation Thresholds in Accordance with New Thresholds Set by the State (Relative to the Bid Process)**
- C. Consider Whether to Adopt a City Position on the San Benito County Zone Changes Implementing the Commercial Regional Land Use Designation**
- D. Approve the Reimbursement Agreement with Meritage Homes for Installation of an 18-Inch Sewer Main**
- E. Review Proposed Amendments to Meritage Development Agreement and Set a Public Hearing for July 16, 2019**
- F. Approve Text for Plaque for Sesquicentennial**

7. Comments

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

8. Adjournment

AFFIDAVIT OF POSTING

I, TRISH PAETZ, DO NOW DECLARE, UNDER THE PENALTIES OF PERJURY THAT I AM THE DEPUTY CITY CLERK FOR THE CITY OF SAN JUAN BAUTISTA, AND THAT I POSTED THREE (3) TRUE COPIES OF THE ATTACHED CITY COUNCIL MEETING AGENDA. I FURTHER DECLARE THAT I POSTED SAID AGENDA ON THE 12th DAY OF JUNE 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 12th DAY OF JUNE 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 FOR 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 7th DAY OF JUNE 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

I FURTHER DELCARE UNDER PENALITES OF PERJURY THAT I MAILED THE ATTACHED PUBLIC HEARING NOTICE TO VALLE VISTA PROPERTIES OWNERS ON JUNE 6, 2019, BY PLACING THEM IN THE POSTAL COLLECTION RECEPTACLE OUTSIDE CITY HALL IN SAN JUAN BAUTISTA.

SIGNED AT SAN JUAN BAUTISTA, COUNTY OF SAN BENITO, CALIFORNIA, ON THE 10th DAY OF JUNE 2019.



TRISH PAETZ, DEPUTY CITY CLERK

RESOLUTION NO. 2019-20

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
SAN JUAN BAUTISTA DECLARING ITS
INTENTION TO LEVY AND COLLECT ASSESSMENTS
WITHIN VALLE VISTA LANDSCAPE AND LIGHTING MAINTENANCE
ASSESSMENT DISTRICT NO. 1 FOR FISCAL YEAR 2019-20 AND SETTING
THE TIME AND PLACE FOR A HEARING ON SAID ASSESSMENT

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

WHEREAS, by prior resolution, this Council ordered preparation of an Assessment Report (“Report”) with respect to the assessment proposed to be levied in connection with the District for Fiscal Year 2019-20, and

WHEREAS, by prior resolution, this Council approved the Report as filed; and

WHEREAS, a copy of the approved Report is on file in the Office of the City Clerk, available for public inspection at said Office, and incorporated herein by reference; and

WHEREAS, the City Council desires to declare its intention to levy the proposed assessment for Fiscal Year 2019-20.

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

1. The Council hereby declares its intention to levy and collect assessments in connection with the District for Fiscal Year 2019-20, as set forth in the Report.
2. The District is designated by the following distinctive name: “Valle Vista Landscaping and Lighting Maintenance Assessment District No. 1.” The District is generally described as a district including the parcels on both sides of Ahwahnee Street and Donner Street, bounded by San Juan Highway and Third Street. Reference is made to the Report for a more complete and exact definition of the territory included in the District.
3. The improvements to be maintained, operated and serviced in connection with the District are generally described as: street lighting and street landscaping within the District; as well as lighting and landscaping associated with the detention basin, sanitary sewer pump station, and a public park located within the District.

4. Reference is hereby made to the Report for a full and detailed description of the public improvements, the boundaries of the District, and the proposed Fiscal Year 2019-20 assessments upon assessable lots and parcels of land within the district.

5. The amount of the assessment for Fiscal Year 2019-20 is not proposed to increase from the rate effective for Fiscal Year 2018-19, adjusted for inflation according to the methodology submitted to property owners as part of a mail ballot protest proceeding in 2008.

6. It is ordered that on June 18, 2019, at the hour of 6:00 o'clock p.m., in the regular meeting place of this Council, the Council Chambers, City Hall, 311 Second Street, San Juan Bautista, California, is the time and place where this Council will hold a public hearing on the proposed assessment. At the Hearing, all interested persons will be permitted to present written and/or oral testimony regarding the proposed assessment. The City Clerk is directed to give notice of the Hearing by one publication of a copy of this Resolution in the local newspaper published and circulated in the City, pursuant to Section 6061 of the California Government Code, said publication to be had and completed at least ten (10) days before the date herein set for the Hearing.

7. The City Council designates J. Edward Tewes, Interim City Manager, who may be contacted by telephone at (831) 623-4661, as the person whom interested parties may contact for additional information regarding the District or the proposed assessment.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of San Juan Bautista duly held on the 21st day of May, 2019, by the following vote:

Ayes: Flores, Edge, Freeman, Jordan, DeVries

Noes: None

Absent: None

Abstain: None


César E. Flores, Mayor

ATTEST:


Laura Cent, 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 FOR 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 7th DAY OF JUNE 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 10th DAY OF JUNE 2019.



TRISH PAETZ, DEPUTY CITY CLERK



Notice of Public Hearing

Proposed Increase for Maximum Allowable Charge for Solid Waste/Recycling/Organics Collection for Rate Year 2019/2020

City of San Juan Bautista, City Council Chambers

City Hall, 311 Second Street, San Juan Bautista

June 18, 2019 6:30 P.M.

On June 18, 2019, at 6:30 p.m. or as soon thereafter as the matter may be heard, the City of San Juan Bautista will hold a Public Hearing to accept public input and testimony on a proposed increase on the maximum allowable charge for solid waste collection, to be effective July 1, 2019 and thru June 30, 2020. Any interested person may present verbal or written input to the City Council. Although the City Council will consider all input, State law provides that only the written protests of property owners may be counted to determine whether a majority protest to the proposed maximum exists. If, at the conclusion of the public hearing, a majority protest of property owners does not exist, the City Council will consider adoption of the proposed increase in the maximum allowable charges.

The current solid waste rates were established through a competitive procurement process for a new Franchise Agreement commencing November 1, 2018 that was awarded to Recology San Benito County. The new Franchise Agreement included several program improvements and significant changes to recycling and organics collection programs for residents and businesses to meet state mandates AB 939, AB 341, AB 1826 and SB 1383.

Per the new Franchise Agreement, solid waste rates are adjusted on annual basis using a legally defined index-based methodology. Year over year changes in a consumer price index and a fuel index are primarily used to adjust current solid waste rates to proposed new maximum solid waste rates. Actual changes in disposal and processing costs are also included in the annual rate adjustment process. The maximum allowed rate adjustment for non-disposal and processing costs is capped each year at 5%.

The proposed new rates will pay for the collection and disposal of garbage; collection and processing of all recyclable items, yard waste, and food scraps; seasonal recycling programs; and public education activities to meet state regulatory requirements. These services are available to City residents and commercial businesses. The rates are established to increase recycling and composting to meet state mandates and divert materials from disposal in the landfill.

If the City Council approves the proposed service provider's rates at its June 18, 2019 meeting, new rates will begin on July 1, 2019. The proposed schedule of maximum rates is attached. Please note that the listed rates are the maximum rates. Therefore, your monthly rate may ultimately be lower than what is listed on the schedule.

Tables provided show the monthly rate for the four offered residential services; and the most common service levels for commercial customers if the containers are serviced one time a week. The full rate schedule including all commercial services is available for review at City Hall at 311 Second Street, San Juan Bautista.

Recology will provide additional services upon request for a set fee that are not included in the maximum solid waste collection rate. These optional services will appear on the customer's Recology San Benito County bill as a separate line item in addition to the standard cost of collection. Backyard or distance service, additional carts, and extra on call pickups of bulking items are a few of the services offered. A complete list of all the additional services and their 2019/20 rate is also available at City Hall.

Residential Collection Rate including all City Fees
For weekly collection of garbage, recyclables and organics
Single family homes are billed bi-monthly

<u>Cart Size</u>	<u>Current Monthly Rate</u>	<u>Maximum Proposed 2019/20 Monthly Rate</u>	<u>Monthly Difference</u>
20-Gallon Cart	\$25.75	\$26.86	\$1.11
32-Gallon Cart	\$31.00	\$32.33	\$1.33
64-Gallon Cart	\$53.00	\$55.28	\$2.28
96-Gallon Cart	\$80.00	\$83.45	\$3.45

Commercial and Multi-Family Collection Rate including all City Fees
For the most common bin and cart sizes, collected weekly
Commercial customers are billed monthly

<u>Bin Size</u>	<u>Current Monthly Rate*</u>	<u>Maximum Proposed 2019/20 Monthly Rate*</u>	<u>Monthly Difference</u>
1-1 Yard	\$170.00	\$177.34	\$7.34
1-2 Yard	\$218.00	\$227.41	\$9.41
1-3 Yard	\$300.00	\$312.94	\$12.94
1-4 Yard	\$395.00	\$412.02	\$17.02
<u>Cart Size</u>	<u>Current Monthly Rate*</u>	<u>Maximum Proposed 2019/20 Monthly Rate*</u>	<u>Monthly Difference</u>
64-Gallon Cart	\$53.00	\$55.28	\$2.28
96-Gallon Cart	\$80.00	\$83.45	\$3.45
* Includes collection of recyclables at no additional charge. Separate charges apply for organics collection.			

Commercial and Multi-Family Organics Collection Rate including all City Fees
For available bin and cart sizes, collected weekly
Commercial customers are billed monthly

<u>Bin Size</u>	<u>Current Monthly Rate</u>	<u>Maximum Proposed 2019/20 Monthly Rate</u>	<u>Monthly Difference</u>
1-1 Yard	\$102.00	\$106.39	\$4.39
1-2 Yard	\$163.50	\$170.55	\$7.05
64-Gallon Cart	\$31.80	\$33.17	\$1.37
96-Gallon Cart	\$48.00	\$50.06	\$2.06

Community Events/Activities – Permit Application

Dear Event Organizer:

Thank you for your interest in holding a community event in San Juan Bautista. Community events and 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 community events application and submit it to the City **at least 90 days before your event**. The fees associated with your event are due when you submit this form. The **fee schedule** for application is:

Non Profits¹: 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 and Muckelemi Streets and more than 1,000 people ²	\$150.00
Private Promoter Organizations³: 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 and Muckelemi Streets, and more than 1,000 people	\$600.00

Once we receive your application, a City representative 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 acctech@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 arrangements with the San Benito County Sheriff's office.

SECTION 1: CONTACT INFORMATION

Event Title: Community Street Mandala Today's Date: 6/11/19
 Applicant: Ramona Hill
 Organization: Project Art SJTB
 Phone: (831) 245-8470 E-Mail: info.credostudio@gmail.com
 Mailing Address: P.O. Box 176, San Juan Bautista, CA 95045
 Fax: _____

Event Setup Date: 6/28/19 Time: 6 PM Event Ends Date: 6/29/19 Time: 6:00pm
 Event Starts Date: 6/29/19 Time: 8:00 am Dismantle Date: 6/29/19 Time: 6:00 pm

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

LOCATION OF EVENT (please be specific):

On Tahualami Street, between 2nd & 3rd streets, beside the library

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 (name as additional insured). Depending on your event, the minimum "coverage" will be dictated by the City's insurance carrier (Alliant). After the application and fee is submitted, the City Manager or designee will contact Alliant with your proposal and the conditions of the insurance will be promptly conveyed to you.

CITY FACILITIES

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

☐ Yes ☒ No

If yes, which facility?

Have you reserved the facility yet?

☐ Yes ☐ No *n/a*

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

☒ Yes ☐ No

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

Tahvalami between 2nd & 3rd streets

Does this event involve a parade?

☐ Yes ☒ No

If yes, attach a map of the event.

If you wish to rent barricades, chairs, tables or other equipment from the City, list what and how many. If you do not wish to rent the City's equipment and your event involves a street closure, you will be responsible for providing appropriate barriers.

PRIVATE PROPERTY (A City application is required when attendance at a temporary gathering on private property can be reasonably expected to exceed 250 people)

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, a California Department of Tax & Fee Administration Seller's Permit will be required for each vendor proving that they are appropriately registered with the State of California. 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 maximum of five (5) exempt local non-profit 10 ft. spaces, up to a maximum of 5% of the total number of booth feet for an event.

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

☐ Yes ☒ No

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

FOOD AND ALCOHOL

(All food preparation is subject to state regulations; provide insurance if appropriate.)

If you are serving or selling food, you must obtain and include a permit from the **San Benito County**

Environmental Health Department. Does your event include food concessions and/or preparation areas?

☐ Yes ☒ No

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

Does your event involve the use of alcoholic beverages?

☐ Yes ☒ No

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

Unless you can substantiate the sufficient availability of both Americans with Disabilities Act and non-ADA accessible facilities in the immediate area of the event site and you have written permission to use this facility, you may be required to provide portable rest room facilities at your event, which will be available to the public during your event. **Please note:** 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 include as part of this application.

we have arranged with the Librarian to have access to their restroom & water

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

☐ Yes ☒ No

Provide a copy of your San Benito County Environmental Health Permit.

If no, what plans have you made to accommodate the public? Provide 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. 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. Therefore, you are 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.

We will provide our own bins & pack and remove all garbage and recyclables after our event.

2. Please provide a description of your event, including activities, timeline, sequence of events, road closures, etc.

Please note: Events involving road closures will be billed for Public Works time involved in setting up and dismantling.

(If additional space is required, please attach it to this application).

We will lead the scribing and painting of a 27 foot street mandala for public participation. We will need the road closed from 8:00 am - 6:00 pm on Saturday, June 29th.

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

We will have people assigned to man the barricades. I will personally contact residents on Tahualami to keep them informed.

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

The street is accessible to all.

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

Application of basic first aid & 911 call.

City Benches are 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 time. Thank you. 192 (Initials)

Please provide a site plan/route map for your event. Attach additional pages 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 or relay), indicate the direction of travel, including starting and ending locations.
- 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 location 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.
- Parking locations.
- Placement of promotional signs or banners.
- Placement of portable toilets/restroom facilities.
- Exit locations for outdoor events that are fenced.
- Location of all other event activities

Community Events/Activities – Permit Application

Dear Event Organizer:

Thank you for your interest in holding a community event in San Juan Bautista. Community events and 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. All events require a meeting with City Manager. 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 community events application and submit it to the City **at least 90 days before your event**. The fees associated with your event are due when you submit this form. The **fee schedule** for application is:

Non Profits¹ : 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 and Muckelemy Streets and more than 1,000 people ²	\$150.00
Private Promoter Organizations³ : 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 and Muckelemy Streets, and more than 1,000 people	\$600.00

Once we receive your application, a City representative 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 acctech@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 arrangements with the San Benito County Sheriff's office.

SECTION 1: CONTACT INFORMATION

Event Title: 55th Annual Antique & Crafts Fair

Today's Date: 2/2/2019

Applicant: Leslie Jordan

Organization: Rotary Club of San Juan Bautista

Phone: 203-612-0761

E-Mail: jordan.sjbrotary@gmail.com

Mailing Address: P.O. Box 823 San Juan Bautista, CA 95045

Fax:

Event Setup Date: 8/11/2019 Time: 04:00

Event Ends Date: 8/11/2019 Time: 16:00

Event Starts Date: 8/11/2019 Time: 08:00

Dismantle Date: 8/11/2019 Time: 17:00

ANTICIPATED ATTENDANCE: Total of the event: 5000 Total per Day: 5000

LOCATION OF EVENT (please be specific): 2nd, 3rd, and 4th Street between Muckelemy to Franklin, and side streets (Polk, Mariposa, & Washington)

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 (name as additional insured). Depending on your event, the minimum "coverage" will be dictated by the City's insurance carrier (Alliant). After the application and fee is submitted, the City Manager or designee will contact Alliant with your proposal and the conditions of the insurance will be promptly conveyed to you.

CITY FACILITIES

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

☐ Yes ☒ No

If yes, which facility?

Have you reserved the facility yet?

☐ Yes ☐ No

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

☒ Yes ☐ No

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

Does this event involve a parade?

☐ Yes ☒ No

If yes, attach a map of the event.

If you wish to rent barricades, chairs, tables or other equipment from the City, list what and how many. If you do not wish to rent the City's equipment and your event involves a street closure, you will be responsible for providing appropriate barriers.

PRIVATE PROPERTY (A City application is required when attendance at a temporary gathering on private property can be reasonably expected to exceed 250 people)

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, a California Department of Tax & Fee Administration Seller's Permit will be required for each vendor proving that they are appropriately registered with the State of California. 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 maximum of five (5) exempt local non-profit 10 ft. spaces, up to a maximum of 5% of the total number of booth feet for an event.

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

☐ Yes ☒ No

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

FOOD AND ALCOHOL

(All food preparation is subject to state regulations; provide insurance if appropriate.)

If you are serving or selling food, you must obtain and include a permit from the **San Benito County**

Environmental Health Department. Does your event include food concessions and/or preparation areas?

☒ Yes ☐ No

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

Does your event involve the use of alcoholic beverages?

☐ Yes ☒ No

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

Unless you can substantiate the sufficient availability of both Americans with Disabilities Act and non-ADA accessible facilities in the immediate area of the event site and you have written permission to use this facility, you may be required to provide portable rest room facilities at your event, which will be available to the public during your event. **Please note:** 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 include as part of this application.

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

☒ Yes ☐ No

Provide a copy of your San Benito County Environmental Health Permit.

If no, what plans have you made to accommodate the public? Provide 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. 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. Therefore, you are 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.

Contract w/ Garbage Company

Rotary Clean Up Crew

Youth Clubs providing clean up support throughout the day

2. Please provide a description of your event, including activities, timeline, sequence of events, road closures, etc.
Please note: Events involving road closures will be billed for Public Works time involved in setting up and dismantling.
(If additional space is required, please attach it to this application).

55th Annual Antique & Crafts Fair

Public works support not necessary, see road closures on page 2

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

San Benito County Sheriff

Rotary Club of San Juan Bautista


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

ADA accessible porta potty

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

All Rotary members on site will call 911 for medical emergencies and fire.

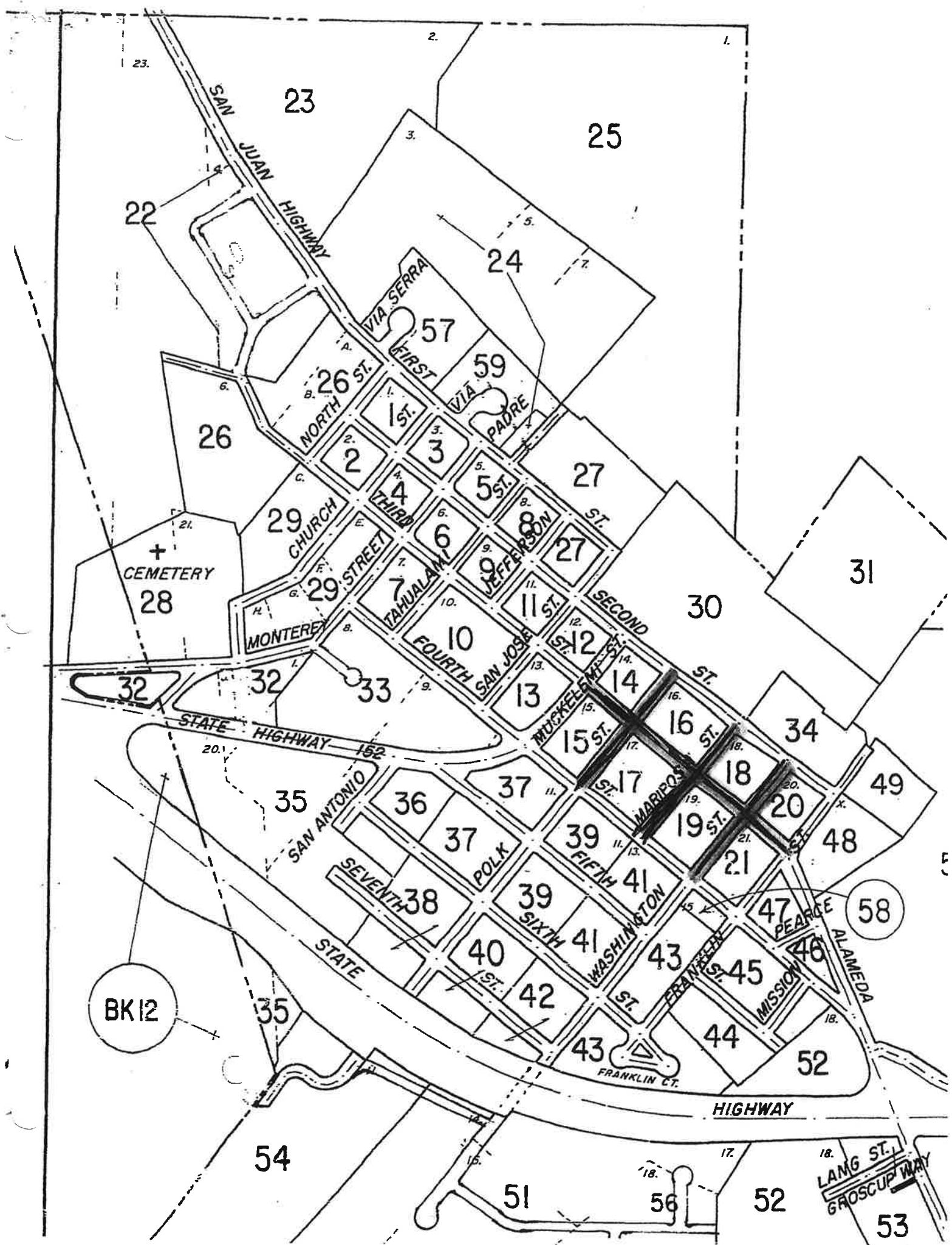
Contact onsite Sheriff

City Benches are 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 time. Thank you.  (Initials)

Please provide a site plan/route map for your event. Attach additional pages 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 or relay), indicate the direction of travel, including starting and ending locations.
- 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 location 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.
- Parking locations.
- Placement of promotional signs or banners.
- Placement of portable toilets/restroom facilities.
- Exit locations for outdoor events that are fenced.
- Location of all other event activities



Community Events/Activities – Permit Application

Dear Event Organizer:

Thank you for your interest in holding a community event in San Juan Bautista. Community events and 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. All events require a meeting with City Manager. 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 community events application and submit it to the City **at least 90 days before your event**. The fees associated with your event are due when you submit this form. The **fee schedule** for application is:

Non Profits¹ : 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 and Muckeleme Streets and more than 1,000 people ²	\$150.00
Private Promoter Organizations³ : 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 and Muckeleme Streets, and more than 1,000 people	\$600.00

Once we receive your application, a City representative 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 accttech@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 arrangements with the San Benito County Sheriff's office.

SECTION 1: CONTACT INFORMATION

Event Title: Parade/Families in the Park Today's Date: 3/23/19

Applicant: 150th Celebration - Ann Fritter; chair

Organization: City of San Juan Bautista; 150th celebration comm. tree

Phone: 831-207-3715 E-Mail: annamike@hotmail.com

Mailing Address: _____

Fax: _____

Event Setup Date: 9/6/15 Time: 9 a.m. Event Ends Date: 9/7/15 Time: 6 p.m.

Event Starts Date: 9/7/15 Time: 8 a.m. Dismantle Date: 9/8/15 Time: 10 a.m.

ANTICIPATED ATTENDANCE: Total of the event: 350 Total per Day: 350

LOCATION OF EVENT (please be specific):
3rd Street to Abbe Park

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 (name as additional insured). Depending on your event, the minimum "coverage" will be dictated by the City's insurance carrier (Alliant). After the application and fee is submitted, the City Manager or designee will contact Alliant 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 ^{Facility} building?

☒ Yes ☐ No

If yes, which facility? Abbe Park

Have you reserved the facility yet?

☒ Yes ☐ No

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

☒ Yes ☐ No

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

3rd Street To Maculume To Abbe Park (see map)

Does this event involve a parade?

☒ Yes ☐ No

If yes, attach a map of the event.

If you wish to rent barricades, chairs, tables or other equipment from the City, list what and how many. If you do not wish to rent the City's equipment and your event involves a street closure, you will be responsible for providing appropriate barriers.

City to provide equipment

PRIVATE PROPERTY (A City application is required when attendance at a temporary gathering on private property can be reasonably expected to exceed 250 people)

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, a California Department of Tax & Fee Administration Seller's Permit will be required for each vendor proving that they are appropriately registered with the State of California. 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 maximum of five (5) exempt local non-profit 10 ft. spaces, up to a maximum of 5% of the total number of booth feet for an event.

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

☐ Yes ☒ No

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

FOOD AND ALCOHOL

(All food preparation is subject to state regulations; provide insurance if appropriate.)

If you are serving or selling food, you must obtain and include a permit from the **San Benito County**

Environmental Health Department. Does your event include food concessions and/or preparation areas?

☐ Yes ☒ No

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

Does your event involve the use of alcoholic beverages?

☐ Yes ☒ No

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

Unless you can substantiate the sufficient availability of both Americans with Disabilities Act and non-ADA accessible facilities in the immediate area of the event site and you have written permission to use this facility, you may be required to provide portable rest room facilities at your event, which will be available to the public during your event. **Please note:** 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 include as part of this application.

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

☒ Yes ☐ No

Provide a copy of your San Benito County Environmental Health Permit.

If no, what plans have you made to accommodate the public? Provide 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.): *City to provide*

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. 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. Therefore, you are 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.

Recology to provide

2. Please provide a description of your event, including activities, timeline, sequence of events, road closures, etc.

Please note: Events involving road closures will be billed for Public Works time involved in setting up and dismantling.

(If additional space is required, please attach it to this application).

Parade on 3rd St. To start at 11am. walking people, horses, cars. Parade to end at Abbe Park by 12pm. Blockades required at each intersection - street closures to begin by 9a.m.

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

Hand radio operation at each intersection - 1st aid station in Park

Two security people on duty at sites

Boy Scouts to keep people out of streets during parade

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

All areas are in compliance

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

Hand radio operation for coordination throughout the day

1st Aid station at Abbe Park

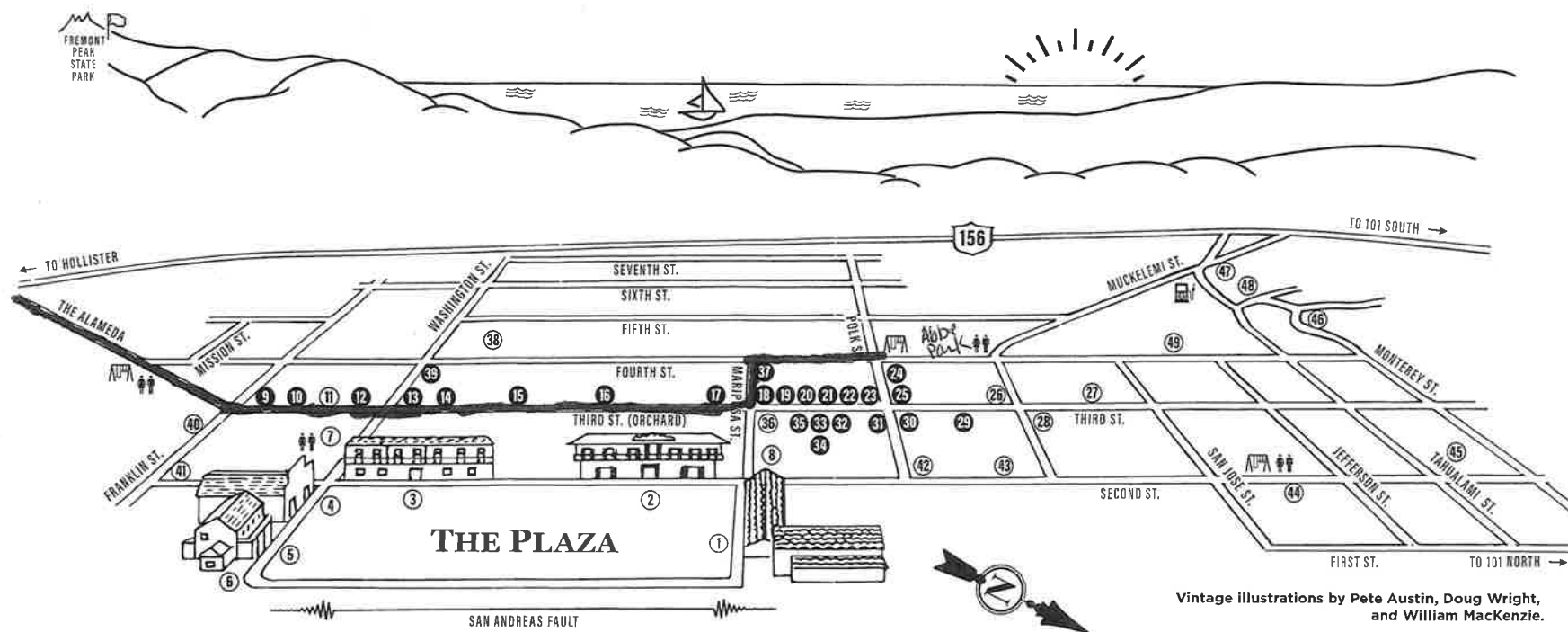
Security personnel on duty at all times

City Benches are 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 time. Thank you. AF (Initials)

Please provide a site plan/route map for your event. Attach additional pages 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 or relay), indicate the direction of travel, including starting and ending locations.
- 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 location 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.
- Parking locations.
- Placement of promotional signs or banners.
- Placement of portable toilets/restroom facilities.
- Exit locations for outdoor events that are fenced.
- Location of all other event activities



SAN JUAN BAUTISTA



LOOK FOR THIS PLAQUE ON
HISTORIC BUILDINGS

LEGEND

HISTORIC DISTRICT BUILDINGS

OTHER HISTORIC SITES



RESTROOMS



PARK, PLAYGROUND



GAS, MECHANIC

SCAN HERE TO
ACCESS OUR
WALKING TRAIL
WEBSITE AND
CITY OF HISTORY
INFORMATION



RESOLUTION NO. 2019-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN JUAN BAUTISTA AUTHORIZING STREET CLOSURES FOR THE ROTARY ANTIQUE FAIRE

BE IT RESOLVED that Ramona Hill is authorized to close Tualami Street between Third and Fourth Streets on Friday, June 28, 2019 at 6:00 p.m. through Saturday, June 29 at 6:00 p.m. for a Community Street Mandala; and

BE IT FURTHER RESOLVED that the Rotary Club of San Juan Bautista is authorized to close Third Street from Muckelemy Street to Franklin Street, and Mariposa, Washington and Polk Streets between Second and Fourth on Sunday, August 11, 2019 from 4:00 a.m. until 5:00 p.m. for an Antique and Collectibles Faire; and

BE IT FURTHER RESOLVED that the Sesquicentennial Committee is authorized to close Third Street between The Alameda and Muckelemy Street, and Muckelemy Street between Third and Fourth Streets on Saturday, September 7, 2019 at 11:00 a.m. for a parade.

PASSED AND ADOPTED this 18th day of June 2019 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

César E. Flores, Mayor

ATTEST:

Laura Cent, City Clerk

June 9, 2019

Council Members
City of San Juan Bautista
311 Second Street
San Juan Bautista, CA 95045

Dear Mayor and Council Members,

The Anzar High School Football and Cheer is requesting permission to you to allow them to sell “safe and sane” fireworks for the 2019 4th of July Celebration. This sale will be the biggest annual fundraiser for the high school.

The sale will be held in a fireworks stand on the parking lot of the Windmill Market at 301 The Alameda, San Juan Bautista. Written permission to use the parking lot is secured from Jim Gibson, owner of the Windmill Market. The dates of the sale will be June 30, 2019 through July 4, 2019 with the daily hours from 9:00 am to 9:00 pm.

Insurance coverage in the amount of \$1,000,000 is obtained and insures the premises (Windmill Market), Anzar High School and the City of San Juan Bautista. Once the insurance certificate is obtained, it is forwarded to Jim Gibson, the San Juan Bautista Fire Department, and the City Manager. We obtain a license from the California State Fire Marshal’s office and abide by all of its regulations.

Thank you for your consideration I this matter.

Anzar High School Football and Cheer



Index 5942
PCA 59420
Source Code 125700-06

**OFFICE OF THE STATE FIRE MARSHAL
RETAIL FIREWORKS LICENSE APPLICATION**
(Print or Type)

Item #3E
City Council Meeting
June 18, 2019

Complete and return all copies to the office nearest stand location with the required fee of \$50.00.
APPLICATIONS MUST BE RECEIVED PRIOR TO JUNE 15 OF THE CURRENT YEAR.

1131 S Street
Sacramento, CA 95811
(916) 445-8373

RETAIL FIREWORKS LICENSE

Received
MAY 22 2019
Hollister Fire Dept.

Licensee	Anzar HS Boosters	
Stand Location	300 The Alameda	
City, State & Zip	San Juan Bautista	
County	San Benito	
LOCAL CONTACT PERSON		
Name	Mike Mc Kinney/ San Torrez	Milton Broussard
Phone ()	(916) 704-3473	

-Notice-
**COPY OF THIS NOTICE MUST BE POSTED AT STAND
WITH A COPY OF THE LOCAL PERMIT**

A validated license has been issued to this organization shown above for the sale of Safe and Sane fireworks at the location indicated. After a permit has been issued by the authority having jurisdiction this license allows the sale of only classified "Safe and Sane" fireworks at the approved location from NOON, JUNE 28 to NOON, JULY 6, of the year indicated. **NOTE:** Retail licensees are required to be at least 21 years of age, employees of fireworks stands must be at least 18 and fireworks may not be sold to anyone under the age of 16.

MAILING ADDRESS OF LICENSEE

Name	TNT Fireworks- c/o- Anzar HS Boosters
Address	1780 Whipple Road, Suite 103
City, State & Zip	Union City, CA 94587

Validation No:

2000055

Milton D. Broussard
Signature of Applicant

FIRE AUTHORITY HAVING JURISDICTION

Fire Dept.	San Juan Bautista Fire Department
Address	P. O. Box 1420
City, State & Zip	San Juan Bautista, CA 95045

Signature of Applicant

Date

RESOLUTION 2019-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN JUAN BAUTISTA AUTHORIZING THE ANZAR HIGH SCHOOL FOOTBALL AND CHEER TO SELL FIREWORKS DURING THE JULY 4, 2019 HOLIDAY

NOW, THEREFORE, BE IT RESOLVED that the Anzar High School Football and Cheer is authorized to sell fireworks in the City of San Juan Bautista at the Windmill Market, 301 The Alameda, San Juan Bautista from June 30, 2019 through July 4, 2019 from 9:00 a.m. to 9:00 p.m. The Anzar High School Football and Cheer is a non-profit organization and is not required to obtain a business permit for this fundraising event.

PASSED AND ADOPTED this 18th day of June, 2019 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

César E. Flores, Mayor

ATTEST:

Laura Cent, City Clerk

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
Revenues ~ Budget Vs. Actual
For the Ten Month Period Ended April 30, 2019

Item #4B
City Council Meeting
June 18, 2019

REVENUES	FY18	FY19	Annual		YTD	
<u>Fund</u>	<u>Actuals</u>	<u>Actuals</u>	<u>Budget</u>	<u>Difference</u>	<u>83%</u>	<u>Notes</u>
General Fund	889,510	1,478,054	2,146,347	668,293	69%	A
Special Revenue Funds:						
Community Developmer	75,069	149,136	139,286	(9,850)	107%	
COPS	139,416	118,487	100,000	(18,487)	118%	
Parking & Restroom Fd	19,834	20,579	25,600	5,021	80%	
Valle Vista LLD	11,849	10,037	27,884	17,847	36%	A
Gas Tax Fund	41,899	37,048	505,750	468,702	7%	B
Enterprise Funds:						
Water						
Operations	665,793	749,047	768,000	18,953	98%	
Capital	25,238	783,764	769,510	(14,254)	102%	C
Sewer						
Operations	736,852	795,153	832,000	36,847	96%	
Capital	12,408	340,773	450,313	109,540	76%	
TOTAL Funds	1,728,358	3,004,024	5,764,690	2,760,666	52%	

A ~ General Fund revenue is below budget due to the timing of the next property tax installment, which was received in May. This applies to the Valle Vista Lighting District as well.

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

C ~ Developer and Impact revenue has been received primarily in the first half of the fiscal year.

City of San Juan Bautista
Expenditures ~ Budget Vs. Actual
For the Ten Month Period Ended April 30, 2019

Item #4B
City Council Meeting
June 18, 2019

EXPENDITURES	FY18	FY19	Annual		YTD	
<u>Fund</u>	<u>Actuals</u>	<u>Actuals</u>	<u>Budget</u>	<u>Variance</u>	<u>83%</u>	<u>Note</u>
General Fund:						
City Council	17,567	18,198	34,769	16,571	52%	
City Attorney	64,937	40,319	50,000	9,681	81%	
City Manager	30,054	23,859	42,612	18,753	56%	
Administrative Services	82,982	98,665	122,124	23,459	81%	
City Treasurer	331	386	340	(46)	114%	
Finance and Accounting	118,776	126,517	141,747	15,230	89%	
City Library	38,310	85,259	110,541	25,282	77%	
Fire and EMS	204,584	245,184	241,865	(3,319)	101%	
Law Enforcement	127,828	246,280	279,950	33,670	88%	
Animal Control	3,500	5,598	10,000	4,402	56%	
PW - Streets (Operations)	120,948	129,326	182,590	53,264	71%	
PW - Streets (Capital)	1,750	24,796	562,000	537,204	4%	A
PW - Parks & Grounds (Operations)	109,689	169,199	182,715	13,516	93%	
PW - Parks and Grounds (Capital)	16,200	153,556	179,700	26,144	85%	
General Government	42,538	42,345	50,500	8,155	84%	
Total General Fund Expenditures	979,994	1,409,487	2,191,453	781,966	64%	
Special Revenue Funds:						
Community Development:						
Engineering	175,578	142,024	150,497	8,473	94%	
Building	97,836	204,958	139,966	(64,992)	146%	B
Planning	205,502	127,473	207,731	80,258	61%	
COPS	83,087	83,330	100,000	16,670	83%	
Parking & Restroom Fund	-	9,326	75,000	65,674	12%	C
Valle Vista LLD	16,428	15,206	27,884	12,678	55%	
Gas Tax Fund	15,958	14,839	409,803	394,964	4%	D
Enterprise Funds:						
Water:						
Operations	707,289	733,753	894,222	160,469	82%	
Capital	63,249	784,080	867,861	83,781	90%	E
Sewer						
Operations	753,799	791,829	961,407	169,578	82%	
Capital	97,167	589,022	597,213	8,191	99%	E
TOTAL Funds	3,195,887	4,905,327	6,623,037	1,717,710	74%	

City of San Juan Bautista
Expenditures ~ Budget Vs. Actual
For the Ten Month Period Ended April 30, 2019

Item #4B
City Council Meeting
June 18, 2019

Footnotes:

- A** ~ Capital projects occur at various times during the year, as such the percent will not always match the same as the percentage of year completed.
- B** ~ Building department costs are higher than budgeted due to inspections, and related costs. occurring in the first half of the fiscal year. These costs are expected to be significantly lower in the second half of the year due to the slow down of the developer projects.
- C** ~ A large part of the Parking and restroom fund budget is slated for projects that will occur sporadically during the year.
- D** ~ A large part of the Gas Tax Fund budget is slated for street projects that will occur sporadically during the year.
- E** ~ The expenses in this fund are capital in nature and will be incurred sporadically throughout the year.

City of San Juan Bautista

Warrant Listing

As of May 31, 2019

Item #4B
City Council Meeting
June 18, 2019

Date	Num	Name	Amount
101.000 - Union Bank			
101.001 - Operating Acct. 1948			
05/09/2019	212652	3T Equipment Company Inc.	-478.93
05/09/2019	212653	ACWA Health Benefits Authority	-9,644.88
05/09/2019	212654	All Clear Water Services	-4,332.50
05/09/2019	212655	Armando Venegas.	-576.70
05/09/2019	212656	at&t	-244.31
05/09/2019	212657	ATEC Systems, Inc.	0.00
05/09/2019	212658	AVAYA	-210.98
05/09/2019	212659	Brigantino Irrigation, Inc.	-122.93
05/09/2019	212660	C & N Tractors	-270.92
05/09/2019	212661	Cesar E. Flores	-786.28
05/09/2019	212662	Charter Communications	-374.06
05/09/2019	212663	Design Line & Granger	-1,000.73
05/09/2019	212664	Freitas + Freitas	-7,057.20
05/09/2019	212665	Harry Williams Construction, Inc.	-4,864.50
05/09/2019	212666	Hillyard	-200.63
05/09/2019	212667	Home Depot Credit Services	-149.98
05/09/2019	212668	Hydrotex	-233.56
05/09/2019	212669	Interstate Sales	-1,037.95
05/09/2019	212670	John Freeman	-179.89
05/09/2019	212671	Juan C. Perez & Anabel Perez	-700.00
05/09/2019	212672	Leonor Duarte	-1,420.00
05/09/2019	212673	Meritage Homes of California, Inc.	-48,741.93
05/09/2019	212674	Monterey Bay Analytical Services	-1,372.95
05/09/2019	212675	New SV Media	-104.25
05/09/2019	212676	P G & E	-786.09
05/09/2019	212677	Paul's Drapery	-1,880.34
05/09/2019	212678	Petty Cash	-133.75
05/09/2019	212679	Smith & Enright Landscaping	-1,150.00
05/09/2019	212680	Staples	-261.25
05/09/2019	212681	State Compensation Insurance Fund	-2,297.50
05/09/2019	212682	True Value Hardware	-8.35
05/09/2019	212683	US Bank	-1,512.60
05/09/2019	212684	Wellington Law Offices	-3,412.00
05/09/2019	212685	Wendy L. Cumming, CPA	-7,467.50
05/13/2019	212686	ATEC Systems, Inc.	-11,722.60
05/21/2019	212687	4Leaf, Inc.	-11,332.04
05/21/2019	212688	Abbott's Pro Power	-231.58
05/21/2019	212689	Abiahi G. Mendoza	-700.00
05/21/2019	212690	AFLAC	-152.78
05/21/2019	212691	Ashley Valdivia	-73.05
05/21/2019	212692	at&t	-70.08
05/21/2019	212693	Bill and Carmen Adams	-230.00
05/21/2019	212694	ByWater Solutions	-1,000.00

City of San Juan Bautista

Warrant Listing

As of May 31, 2019

Item #4B
City Council Meeting
June 18, 2019

Date	Num	Name	Amount
05/21/2019	212695	C & N Tractors	-1,200.00
05/21/2019	212696	Carlos M. Perea	-229.21
05/21/2019	212697	CMAP	-1,130.00
05/21/2019	212698	Dick's Tractor Service	-500.00
05/21/2019	212699	Duquette Engineering	-881.57
05/21/2019	212700	Edges Electrical Group	-485.98
05/21/2019	212701	EMC Planning Group Inc.	-5,592.26
05/21/2019	212702	Employment Development Department	-1,991.00
05/21/2019	212703	Evan Ferreira	-91.90
05/21/2019	212704	Gillian Webster	-81.06
05/21/2019	212705	Gularte Landscaping-	-500.00
05/21/2019	212706	Harris & Associates	-23,360.00
05/21/2019	212707	Hollister Landscape Supply	-116.91
05/21/2019	212708	KBA Docusys	-261.50
05/21/2019	212709	KS State Bank	-5,818.30
05/21/2019	212710	Mission Linen Service	-137.34
05/21/2019	212711	Monterey Bay Analytical Services	-742.50
05/21/2019	212712	P G & E	-8,694.63
05/21/2019	212713	Pinnacle Healthcare Medical Group	-218.00
05/21/2019	212714	R & B Company	-79.01
05/21/2019	212715	Ready Refresh	-73.24
05/21/2019	212716	Rx-Tek	-40.00
05/21/2019	212717	San Benito County Water District	-8,720.00
05/21/2019	212718	Sentry Alarm System	-568.00
05/21/2019	212719	Sprint	-112.12
05/21/2019	212720	United Site Services of California, Inc.	-319.35
05/21/2019	212721	US Bank Equipment Finance	-249.61
Total 101.001 - Operating Acct. 1948			-190,721.06
Total 101.000 - Union Bank			-190,721.06
TOTAL			-190,721.06



CITY OF SAN JUAN BAUTISTA CITY COUNCIL STAFF REPORT

AGENDA TITLE: CITY MANAGER'S REPORT

MEETING DATE: June 18, 2019

DEPARTMENT HEAD: Interim City Manager Tewes

During the past three months the Interim City Manager has worked on the following projects:

Preparation of the FY 20 Budget

Recruitment of the next City Manager

Implementation of Water Supply Strategy

Well 6 is now on line

Well 5 is available but requires iron/manganese treatment plant
(anticipated June 30)

Rancho Vista subdivision

Concluded negotiations over reimbursement for 18-inch sewer trunk line

Negotiated settlement of dispute regarding calculation of fees

Identified funding for completion of sewer lift station

Worked with property owner to obtain right of way for roundabout

Determined amount to be paid to satisfy condition for contribution to 3rd
Street widening and roundabout

Coordinated with County staff on proposals to reduce speed on San Juan
Highway entering town from the north

Recommended contract for new City Engineer

Managed the repairs to Casa Rosa and identified the costs and process for cost recovery

Obtained proposals for:

- Water and wastewater rate study (Prop 218)

- Pavement Management Plan

- Update of the Development Impact Fees

- Water and wastewater master plan

- Remodel of city hall offices to improve security and useable space

- Feasibility of public parking district

- Management audit of Community Development Functions

- Master Site Plan for Luck Park (due Wednesday, June 26)

Identified corrections to FY 18 Financial Statements to be revised as “prior year adjustments”

Directed the preparation of a Council adopted Salary Resolution to establish legal authority for employee compensation plan

Determined City was ineligible for CDBG grant for a community serving youth center and conveyed that determination to the School Board

Recommended the transfer of additional idle cash to Local Agency Investment Fund to earn interest

Recommended adoption of Transportation Impact Mitigation Plan as required by COG, and identified COG discretionary authority to finance the required Pavement Management Plan

Required preparation of revised reimbursement agreement for Dadwal Gas Station project

Negotiated Deferred Improvement Agreement with Midnight Express to formalize prior approvals; directed the consideration of a Temporary Use Permit pending construction of final project

Initiated zoning code amendments to conform to cannabis ordinance, and initiated review of draft rules and regulations

Issued Notice Inviting Bids for Fourth Street Speed Tables

Reviewed and edited Draft Housing Element

Responded to citizen service requests; met with property owners regarding future potential projects; responded to special event coordination issues; and performed other duties as assigned.

Submitted,

J. Edward Tewes

Interim City Manager

June 18, 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)
	Building/Planning						
1	Casa Rosa	Plans came in from the structural engineer to address the balcony. Staff has approved and new posts to support the balcony. (5/28/19)	Support posts have been installed for the balcony	Site Design and Review performed by HRB and Planning Commission approved in April of 2017. No building permits applied for or approved. Structural improvements for the balcony were submitted and approved for the balcony.	Building has been tagged as an unsafe structure. Violations of the Municipal Code include Section 5-8-110 and Section 5-8-190.	Structural Plans have been approved and posts have been installed making the balcony safe. (5/28/19)	Right of way has been reopened. The issue of Public Safety has been resolved by the temporary measures of the balcony reinforcement. (5/28/19)
2	Fault Line Restaurant	Permits have been issued for the reconstruction. (5/28/2019)	Zoning classification onsite is Mixed-Use.	Have been issued during the week of 5/14/19.	none	Permits have been issued. 5/28/19	Issued (5/28/19)
3	10 Franklin existing construction, alteration, and demolition	Approved per permit issuance by Permit Number 2017149 in 2015. Construction has been ongoing. Building Official reviewed the plans and permit material. Determined it as valid and may continue as approved. Property owner must apply for the zone change through application process and initiate the CEQA review. The property owner has been notified and will be in touch with city staff. No response of 5/28/19.	phase 1 for the multi-unit building construction is currently underway.	yes	none	It is anticipated to demolish at least one of the other buildings onsite. The property owner has given the ok to include his property in that change. Property owner must move forward with zone change by their application if they wish to change the zone from Public Facility to Mixed - Use. Further CEQA review is required as part of the process. Property owner will be in touch with city staff. No response of 5/28/19	Property owner has been notified of the City's position. Awaiting response on the next steps.
4	Harvey's Lockup	progress is being made on the frontage & right-of-way improvements. Interior sprinklers have been installed in one area of the building, but need to cover the entire building per Fire Code. Fire Alarm and smoke detectors have been installed. Agreement is being met. (5/28/19)	Frontage work is in progress. Fire sprinkler work and prevention system to be completed in all phases. Applicant is ahead of schedule.	No active building permits. Encroachment permit to be pulled as needed.	n/a	Requirements of conditions of approval are in progress. After checking in, the applicants are working towards inspections. A final inspection for the fire alarm system has been scheduled for 3/6/19. The inspection took place on March 6, 2019 and it passed per the Fire Marshall. Progress is being made to meet the entire agreement (5/28/19)	Owner is working with his contractor to install heat and smoke detection systems.
5	Rancho Vista Subdivision	42 homes have received Occupancy. 3 new permits have been applied for, approved, and issued. (5/9/19)	Under Construction	42 homes have received Occupancy. 3 new permits have been applied for, approved, and issued. (5/9/19)	none	Construction on new homes has begun with occupancy being granted. (5/9/19)	In Progress - Estimated Build out in 2021.

	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)
6	Copperleaf Subdivision	31 permits issued as of 5/9/19. Copperleaf's stated Phase 2 has begun and some Homes from Phase 1 have been granted occupancy.	Under Construction	31 permits have been issued.	n/a	None at this time. (5/28/19)	In Progress - Estimate of Winter 2020
7	Building Department and code enforcement activity.	Work continues on both subdivisions while smaller projects take place inside the city. Notable Projects include Midnight Express Warehouse undergoing plan check and Hillside Vista (D'Ambrosia) Phase 2 is being discussed. Code Enforcement is making regular rounds of the city, looking for work taking place without permits, parking violations, and other nuisances. (5/28/19)	n/a	n/a	none	None at this time. (5/28/19)	n/a
8	70 Muckelemi	Applicant wishes to either demolish or alter the Chalmers House onsite that is in bad condition. He wishes to develop the site with a mix of uses and housing units. Discussion is underway with the property owner and interest on the neighboring parcel has been noted. Both parties met with city staff and met eachother for the first time. (5/28/19)	Staff has reviewed past documents onsite from 2006. It was determined the applicant should start with brand new documents because of the age and how the circumstances have changed.	no	No violations. There was a notice of nuisance because of the condition of the old chalmers house.	Property owner presented an informal project review to Planning Commission on 2/5/19. General response was positive and are looking forward to reviewing plans. Adjacent Parcel has interest. Parties met with city staff on 4/3/19 (5/28/19).	No-ETA yet, but discussion is continuing.
9	Brewery	Staff is working with the property owner. Met with the property owner on 12/5/18. Staff followed up, the applicants are creating the plans and preparing for submittal as of 4/19/19. (5/28/19)	no applications yet, working with owner for submittal.	No permits issued	none	Staff is working with the property owner. Met with the property owner on 12/5/18. Staff followed up, the applicants are creating the plans and preparing for submittal as of 4/19/19. (5/28/19)	no-ETA yet
10	General Plan Timeline	Draft Housing Element has been completed and was turned into the State HCD on 4/4/19. HCD responded with comments and EMC has incorporated them and will submit back to HCD. 60-day period ends on 6/7/19. Tribal consultation is under review. Expires on 6/17/19.	n/a	n/a	n/a	Staff is working on getting the Housing Element in compliance for the State. Housing element has been submitted to the State for 60-day review on 4/4/19. Comments have been issued and will be addressed by the end of the week of the 31st. Comment period ends on 6/7/19. Tribal Consultation ends on 6/17/19.	end of 2019
New Development							
1	Hillside Vistas	First Phase Approved for first 8 lots. Master set is under review for design. No construction has started. Phase 2 is anticipated. Higher density residential development may be done on phase 2. Awaiting further response (5/28/19)	Phase 1 completed and anticipated to be built out. Phase 2 to come.	No permits have been issued.	none	Staff has followed up with them and met with them on 2/7/19. Plan revisions are taking place. Phase 2 may be redone with a higher density residential development. (5/28/19)	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. Staff met with the applicants and on 5/2/19, they submitted the minor subdivision application. Currently being processed. (5/28/19)	CEQA review completed. Staff is starting review.	No permits issued	none	Minor Subdivision is currently underway and being processed. (5/28/19)	June of 2019
3	Gas Station to be located along The Alameda and Hwy 156	Staff is working with the applicant to help move the project forward. Awaiting plan submittal. (5/28/19)	can move forward.	no permits have been issued	none	Applicant is revising plans. A decelartion lane would need to be installed along Hwy 156. Awaiting plan submittal. (5/28/19)	Court ruled in favor of the project

	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)
4	Midnight Express	Approved by Commission Resolution. Applicant reduced the size of their project and would like to do it in phases. A temporary Use Permit was approved by Staff in December of 2018. Expires in June 2019. (5/28/19)	Awaiting applicant response.	Temporary Use Permit has been issued.	n/a	Applicants would like to reduce the intensity of the project scope by reducing the size of the building from 15,000 sqare feet to 5,000 square feet and do the project in phases. They submitted a letter to City Staff making that formal request. City Staff signed that letter. A temporary project is taking place right now as part of that letter. Parking of trucks and trailers is taking place in two different locations onsite. Temporary use expires on 6/14/19. Reapplication is required to continue. (5/28/19)	staff has issued first round of comments after review.
Infrastructure							
1	Traffic Circle	Roundabout is under review. Street classifications for the First Street Segment has been determined as a Major Collector. Minor Subdivision is underway. (5/28/19)	under review	n/a	n/a	Street classification for First Street has been determined as a major collector. Minor subdivision for the ROW is underway (5/28/19).	progress is continuing

RESOLUTION NO. 2019-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
SAN JUAN BAUTISTA CONFIRMING A DIAGRAM AND
ASSESSMENT IN CONNECTION WITH VALLE VISTA
LANDSCAPE AND LIGHTING MAINTENANCE ASSESSMENT
DISTRICT NO. 1 FOR FISCAL YEAR 2019-20

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

WHEREAS, by prior resolution, this Council declared its intention to levy the assessment in connection with the District for Fiscal Year 2019-20; and

WHEREAS, on June 18, 2019, this Council held a full and fair public hearing with respect to the proposed assessment at which all interested persons were permitted to give oral testimony and written protests; and

WHEREAS, notice of the hearing was published in accordance with applicable law; and

WHEREAS, the City Council desires to proceed with the levy of the assessment in connection with the District for Fiscal Year 2019-20.

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

1. The foregoing recitals are all true and correct.
2. The City Council overrules all objections and protests.
3. The Diagram and Assessment contained in the Report entitled “Assessment Report, Valle Vista Lighting and Landscape Maintenance Assessment District No. 1, Fiscal Year 2019-20” and dated May 21, 2019 (the “Report”), which Report is on file in the Office of the City Clerk and incorporated herein by reference is hereby approved.
4. The adoption of this Resolution constitutes the levy of the assessment within the District for Fiscal Year 2019-20.
5. Due to efficient operations, the assessments for Fiscal Year 2019-20 will be less than anticipated in 2008 when property owners approved the assessment with a provision for increases based on the increases in the Consumer Price Index (CPI). The City Council desires to return these savings to property owners by maintaining the assessment rate, and has done so by adopting this Resolution. Consequently, the assessment applied by this Resolution is less than

the full assessment that the City is authorized to impose. For reference, the full authorized rate for assessment per unit for Fiscal Year 2019-20 is \$603.26. It is the intent of the Council that, for purposes of Article XIID of the California Constitution, as well as applicable state law, no action taken in years subsequent to Fiscal Year 2019-20 will constitute an “increase” of the assessment rate if that action would not have constituted an “increase” if the assessment for Fiscal Year 2019-20 were levied at the full authorized rate. The Council declares that it would not have temporarily reduced the assessment rate for Fiscal Year 2019-20 if restoring the full authorized rate in subsequent years would constitute an “increase.” Instead, the Council would have imposed the assessment for Fiscal Year 2019-20 at the full authorized rate in order to build additional operational reserves into the assessment district program.

6. The City Clerk shall certify to the adoption of this resolution and shall cause the same to be processed in the manner required by law.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of San Juan Bautista duly held on the 18th day of June, 2019, by the following vote:

Ayes:

Noes:

Absent:

Abstain:

César E. Flores, Mayor

ATTEST:

Laura Cent, City Clerk

RESOLUTION NO. 2019-XX

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN JUAN BAUTISTA
CERTIFYING COMPLIANCE WITH STATE LAW WITH RESPECT TO
THE LEVYING OF GENERAL AND SPECIAL TAXES, ASSESSMENTS,
AND PROPERTY RELATED FEES AND CHARGES**

**THE COUNCIL OF THE CITY OF SAN JUAN BAUTISTA DOES RESOLVE AS
FOLLOWS:**

SECTION 1. The City of San Juan Bautista requests that the San Benito County Auditor-Controller enter those general or special taxes, assessments, or property related fees or charges identified in Exhibit A, attached hereto and incorporated herein by this reference, on the tax roll for collection and distribution by the San Benito County Treasurer-Tax Collector commencing with the property tax bill for fiscal year 2019-2020.

SECTION 2. The City of San Juan Bautista hereby certifies that it has, without limitation, complied with all legal procedures and requirements necessary for the levying of an imposition of the general or special taxes, assessments, or property related fees or charges identified in Exhibit A, regardless of whether those procedures and requirements are set forth in the Constitution of the State of California, in the Statutes of the State of California, or in the applicable decisional law of the State of California.

SECTION 3. The City of San Juan Bautista further certifies that, except for the sole negligence or misconduct of the County of San Benito, its officers, employees, and agents, the City of San Juan Bautista shall be solely liable and responsible for defending, at its sole expense, cost and risk, each and every action, suit, or other proceeding brought against the County of San Benito, its officers, employees, and agents for every claim, demand, or challenge to the levying or imposition of the general or special taxes, assessments, or property related fees or charges identified in Exhibit A and that it will pay or satisfy any judgment rendered against the County of San Benito, its officers, employees, and agents on every such action, suit, or other proceeding, including all claims for refunds and interest thereon, legal fees and court costs and administrative expenses of the County of San Benito to correct the tax rolls.

PASSED AND ADOPTED this 18th day of June, 2019, at a regular meeting of the San Juan Bautista City Council, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

César E. Flores, Mayor

ATTEST:

Laura Cent, City Clerk

EXHIBIT A

VALLE VISTA

LIGHTING AND LANDSCAPING MAINTENANCE DISTRICT No.1

Budget 2019-2020

Formula to determine Assessment per General Rule #5

$$\text{Assessment Rate} = \frac{\text{Proposed Operation and Maintenance Budget of the Current Fiscal Year}}{\text{Number of Units to be Assessed}}$$

Single Family Home = \$603.26

Single Family Home with Granny Unit = \$754.06

VALLE VISTA

LIGHTING AND LANDSCAPING MAINTENANCE DISTRICT No. 1

Assessment 2019-2020

ASSESSMENT NO.	OWNER	ASSESSOR'S PARCEL NO.	ASSESSMENT Per UNIT	ASSESSMENT UNITS	FISCAL YEAR 2019-2020 ASSESSMENT TOTAL
1	Adriana Martin	002-600-019-0	\$ 603.26	1	\$ 603.26
2	Zooey Diggory & David M. Lo	002-600-018-0	\$ 754.06	1.25	\$ 754.06
3	Germain R & Wanda M. Guibert	002-600-017-0	\$ 754.06	1.25	\$ 754.06
4	Steve F & Mary M Woodill	002-600-016-0	\$ 754.06	1.25	\$ 754.06
5	Stephen T Sesody	002-600-015-0	\$ 754.06	1.25	\$ 754.06
6	Joanne Neubauer	002-600-014-0	\$ 603.26	1	\$ 603.26
7	Linda Thomas	002-600-013-0	\$ 603.26	1	\$ 603.26
8	Don & Sharon Gerber	002-600-012-0	\$ 603.26	1	\$ 603.26
9	William M & Rosemary Y Hernandez	002-600-011-0	\$ 603.26	1	\$ 603.26
10	Michael Humphrey & Joan Rodgers	002-600-035-0	\$ 603.26	1	\$ 603.26
11	Nathalie Godoy & Augustine Rojas	002-600-010-0	\$ 603.26	1	\$ 603.26
12	Isaias & Claudia Lona	002-600-034-0	\$ 603.26	1	\$ 603.26
13	Phillip Esparza & Yolanda Lopez	002-600-009-0	\$ 603.26	1	\$ 603.26
14	Guillermo E & Georgesse Gomez	002-600-033-0	\$ 603.26	1	\$ 603.26
15	Hernandez Family Trust	002-600-008-0	\$ 603.26	1	\$ 603.26
16	Steven T Io	002-600-032-0	\$ 603.26	1	\$ 603.26
17	John V & Cynthia J Alnas	002-600-007-0	\$ 603.26	1	\$ 603.26
18	Kent Penning	002-600-031-0	\$ 603.26	1	\$ 603.26
19	Randal R. Phelps	002-600-006-0	\$ 603.26	1	\$ 603.26
20	Alex Gorelik	002-600-030-0	\$ 603.26	1	\$ 603.26
21	Patricia & David L. Guenther	002-600-005-0	\$ 603.26	1	\$ 603.26
22	Diana Robbins	002-600-029-0	\$ 603.26	1	\$ 603.26
23	Kristy Jensen	002-600-004-0	\$ 603.26	1	\$ 603.26
24	Darlene R. Anger Living Trust	002-600-003-0	\$ 603.26	1	\$ 603.26
25	Juan J Briano	002-600-002-0	\$ 603.26	1	\$ 603.26
26	Michael G Tate	002-600-001-0	\$ 603.26	1	\$ 603.26
27	Kenneth J Houle	002-600-028-0	\$ 603.26	1	\$ 603.26
28	Keith & Diane Martinet	002-600-027-0	\$ 603.26	1	\$ 603.26
29	Michael Urbani & Lindsey Pengelly	002-600-026-0	\$ 603.26	1	\$ 603.26
30	Kathy M Dutra	002-600-025-0	\$ 603.26	1	\$ 603.26
31	Douglas & Leanna Brothers	002-600-024-0	\$ 603.26	1	\$ 603.26
32	Harold Gomes	002-600-023-0	\$ 603.26	1	\$ 603.26
33	Manuel Solis	002-600-022-0	\$ 603.26	1	\$ 603.26
34	James & Iraidia Pisano	002-600-021-0	\$ 603.26	1	\$ 603.26
35	Eleanor Saavedra	002-600-020-0	\$ 603.26	1	\$ 603.26
			\$ 21,717.30	36	\$ 21,717.30



CITY OF SAN JUAN BAUTISTA CITY COUNCIL STAFF REPORT

AGENDA TITLE: ADOPTION OF FY2020 BUDGET

MEETING DATE: June 18, 2019

DEPARTMENT HEAD: Interim City Manager Tewes

RECOMMENDED ACTION:

Recommendation: Conduct Public Hearing, then adopt budget for Fiscal Year 2019-20 as revised from the City Manager's Recommended Budget presented on May 21.

The City Manager's Recommended Budget was presented on May 21 and has been available for review online, at City Hall, and the Library. On June 3, 2019 the Council conducted a budget workshop and considered requests from members of the community, and considered the potential for across the board increases in salaries for management and unrepresented employees.

The following revisions to the City Manager's budget proposal are now recommended:

- Recognize additional Gas Tax Revenue and increase the allocation to the Streets and Storm Drains Department

- Conform the expected revenue from the Valle Vista Landscape and Lighting District to the notice of assessments approved by the Council

- Anticipate the expenditure of \$80,000 of discretionary General Fund money for speed tables on Fourth Street

- Allocate \$5700 from General Fund reserves to support a community arts project

- Allocate \$20,000 from General Fund reserves to support the San Juan Committee

Provide a 3% “across the board” salary increase for all positions not covered by an employment agreement

The Planning Commission has reviewed the proposed capital improvement program and made the finding required by law that it “conforms to the General Plan.”

Following a Public Hearing, it is recommended that the Council adopt the budget as proposed.

RESOLUTION 2019-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN JUAN BAUTISTA ADOPTING THE SAN JUAN BAUTISTA MUNICIPAL BUDGET FOR FY 2019-2020

WHEREAS, the City of San Juan Bautista is required to adopt a balanced municipal budget under the laws of the State of California, and

WHEREAS, the City Manager presented a recommended budget for FY 2019-2020 to the City Council in accordance with all State and Municipal Code requirements, and

WHEREAS, the City Council reviewed the budget at a regular meeting on May 21, 2019 and at a special meeting held on June 3, 2019, to establish an expenditure plan for various departments, utilities and service budgets of the City.

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of San Juan Bautista adopts the FY 2019-2020 San Juan Bautista Municipal Budget.

PASSED AND ADOPTED by the City Council of the City of San Juan Bautista at a meeting held on the 18th day of June, 2019, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

César E. Flores, Mayor

ATTEST:

Laura Cent, City Clerk

RESOLUTION No. 2019-XX

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN JUAN
BAUTISTA MAKING CERTAIN FINDINGS AND DETERMINATIONS IN
COMPLIANCE WITH SECTION XIIB OF THE CALIFORNIA CONSTITUTION
(GANN INITIATIVE)**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SAN JUAN
BAUTISTA** that in compliance with Section XIIB of the Constitution of the State of California, the following is hereby found and determined:

1. That the appropriation subject to limitation for the current fiscal year 2018-2019 was found to be \$1,171,640;
2. That during the fiscal year 2018-2019 the California per capita income increased 1.0385%; and the population of San Juan Bautista increased 4.78%;
3. That the appropriation subject to limitation for fiscal year 2019-2020 is \$1,274,909.

PASSED AND ADOPTED by the City Council of the City of San Juan Bautista on this 18th day of June 2019, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

César E. Flores, Mayor

Laura Cent, City Clerk

RESOLUTION 2019-XX
A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF SAN JUAN BAUTISTA
ADOPTING A HOLIDAY SCHEDULE FOR
THE FISCAL YEAR 2019-2020

WHEREAS, there are holidays to commemorate and celebrate events and lives of people who have made significant contributions to our City, County, State and Country, and

WHEREAS, the City of San Juan Bautista wishes to participate in said celebrations, and

WHEREAS, the adoption of a holiday schedule is part of the preparation of an annual municipal budget,

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of San Juan Bautista adopts the following holiday schedule for the Fiscal Year 2019-2020:

Thursday, July 4, 2019	Independence Day
Monday, September 2, 2019	Labor Day
Monday, November 11, 2019	Veterans Day
Thursday, Friday, November 28, 29, 2018	Thanksgiving Day and the Day After
Tuesday and Wednesday, December 24, 25, 2019	Christmas Eve and Christmas Day
Wednesday, January 1, 2020	New Year's Day
Monday, January 20, 2020	Martin Luther King Jr. Day
Monday, February 17, 2020	Presidents Day
Monday, May 25, 2020	Memorial Day
<i>Two (2) Floating Holidays</i>	<i>City Manager Approved</i>

PASSED AND ADOPTED this 18th day of June, 2019 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

César E. Flores, Mayor

Laura Cent, City Clerk

**AGENDA TITLE: Approval of Solid Waste Collection Rates
Effective July 1, 2019 to June 30, 2020**

MEETING DATE: June 18, 2019

SUBMITTED BY: Kathleen Gallagher, San Benito County Integrated
Waste Management Regional Agency

BRIEF DESCRIPTION: At the April 16, 2019 City Council meeting the City Council adopted Resolution 2019-15 approving the issuance of a Proposition 218 notice of the proposed rate increases effective July 1, 2019 and to hold a public hearing for the proposed rate increase 45 days or more after this notice is received by the affected rate payers. A Proposition 218 notice was sent to all property owners on April 24, 2019 to inform them of the proposed solid waste collection rates. See the attached Proposition 218 mailer that was sent to City of San Juan Bautista residents in Attachment 1. At the time of the writing of this staff report 2 protests have been received.

STAFF RECOMMENDATION: Adopt Resolution No. 2019-XX that the City Council:

1. Approve Solid Waste Collection Rates Effective July 1, 2019 to June 30, 2020.

DEPARTMENT SUMMARY

Current solid waste rates were established through a competitive procurement process for a new Franchise Agreement commencing November 1, 2018 that was awarded to Recology San Benito County. The new Franchise Agreement included several program improvements and significant changes to recycling and organics collection programs for residents and businesses to meet state mandates AB 939, AB 341, AB 1826 and SB 1383.

Per the new Franchise Agreement, solid waste rates are adjusted on annual basis using a prescribed index-based methodology. Year over year changes in a consumer price index and a fuel index are primarily used to adjust current solid waste rates to proposed new maximum solid waste rates. Actual changes in disposal and processing costs ("pass through costs") are also included in the annual rate adjustment process, though such changes aren't included in the annual rate adjustment process until calendar year 2020. The maximum allowed rate adjustment for non-disposal and processing costs is capped each year at 5% with any excess above the 5% carried over to the next rate year.

The proposed maximum allowable rate adjustment is 4.3% which was calculated using an index-based methodology summarized in the table on the next page. The components in the rate adjustment process include two operating components (labor and other non-fuel and fuel) and disposal and processing costs. The index calculations for the operating components totaled 5.6% and the disposal and processing costs were not adjusted this year per the Agreement. When you combine these component index adjustments (calculations not shown in table) you get an overall rate adjustment percentage of 4.3%.

Index	% Change	Operating Component – labor and all other non-fuel expense (% of total expense)	Adjusted %	Disposal and Processing Cost Component (Changes in Tip Fees and Tons)
CPI-U – All Urban Consumers (CUUSS49BSA0)	4%	94.7% ¹	$0.04 \times 0.947 = 0.038 = \mathbf{3.8\%}$	N/A
		Operating Component – fuel expense only (% of total expense)		
Producer Price Index for #2 Diesel Fuel	33.5%	5.3% ¹	$0.335 \times 0.053 = 0.018 = \mathbf{1.8\%}$	N/A
			Subtotal: 5.6% Cap = 5%	No change
¹ These percentages are fixed during the life of the Agreement and are derived from Recology's final approved cost forms.				

The proposed new rates will pay for the collection and disposal of garbage; collection and processing of all recyclable items, yard waste, and food scraps; seasonal recycling programs; and public education activities to meet state regulatory requirements. These services are available to City residents and commercial businesses. The rates are established to increase recycling and composting to meet state mandates and divert materials from disposal in the landfill.

Proposition 218 Noticing Process

The Proposition 218 noticing process is intended to provide rate payers advance notice and an opportunity to file a formal protest regarding the potential new solid waste rates. While the courts have not yet ruled that Proposition 218 applies to solid waste collection rates, in an abundance of caution, the City is following the "majority protest" proceedings set forth in Proposition 218. Statements of protest will be accepted through the public hearing on June 18, 2019. At the end of the public hearing, the City Clerk will tally and report the qualifying written protests. The City Council will then certify that the written protests in opposition to the new solid waste collection rates meets or does not meet the 50 percent protest threshold. In accordance with Article XIIID, Section 6, of the California Constitution, a "majority protest" exists if written protests against the proposed fee or charge are presented by a majority of owners of the identified parcels". If a majority protest is not received, the City Council may then approve adoption of the solid waste collection rates. If a majority protest is received, the City Council cannot increase the rates, and the rates will remain unchanged.

CONSIDERATION OF ALTERNATIVES:

FINANCIAL IMPACT: Residential and commercial ratepayers will experience a 4.3% increase in solid waste rates.

ATTACHMENTS 1: Proposition 218 Notice
 2: Resolution



Notice of Public Hearing

Proposed Increase for Maximum Allowable Charge for Solid Waste/Recycling/Organics Collection for Rate Year 2019/2020

City of San Juan Bautista, City Council Chambers
City Hall, 311 Second Street, San Juan Bautista

June 18, 2019 6:30 P.M.

On June 18, 2019, at 6:30 p.m. or as soon thereafter as the matter may be heard, the City of San Juan Bautista will hold a Public Hearing to accept public input and testimony on a proposed increase on the maximum allowable charge for solid waste collection, to be effective July 1, 2019 and thru June 30, 2020. Any interested person may present verbal or written input to the City Council. Although the City Council will consider all input, State law provides that only the written protests of property owners may be counted to determine whether a majority protest to the proposed maximum exists. If, at the conclusion of the public hearing, a majority protest of property owners does not exist, the City Council will consider adoption of the proposed increase in the maximum allowable charges.

The current solid waste rates were established through a competitive procurement process for a new Franchise Agreement commencing November 1, 2018 that was awarded to Recology San Benito County. The new Franchise Agreement included several program improvements and significant changes to recycling and organics collection programs for residents and businesses to meet state mandates AB 939, AB 341, AB 1826 and SB 1383.

Per the new Franchise Agreement, solid waste rates are adjusted on annual basis using a legally defined index-based methodology. Year over year changes in a consumer price index and a fuel index are primarily used to adjust current solid waste rates to proposed new maximum solid waste rates. Actual changes in disposal and processing costs are also included in the annual rate adjustment process. The maximum allowed rate adjustment for non-disposal and processing costs is capped each year at 5%.

The proposed new rates will pay for the collection and disposal of garbage; collection and processing of all recyclable items, yard waste, and food scraps; seasonal recycling programs; and public education activities to meet state regulatory requirements. These services are available to City residents and commercial businesses. The rates are established to increase recycling and composting to meet state mandates and divert materials from disposal in the landfill.

If the City Council approves the proposed service provider's rates at its June 18, 2019 meeting, new rates will begin on July 1, 2019. The proposed schedule of maximum rates is attached. Please note that the listed rates are the maximum rates. Therefore, your monthly rate may ultimately be lower than what is listed on the schedule.

Tables provided show the monthly rate for the four offered residential services; and the most common service levels for commercial customers if the containers are serviced one time a week. The full rate schedule including all commercial services is available for review at City Hall at 311 Second Street, San Juan Bautista.

Recology will provide additional services upon request for a set fee that are not included in the maximum solid waste collection rate. These optional services will appear on the customer's Recology San Benito County bill as a separate line item in addition to the standard cost of collection. Backyard or distance service, additional carts, and extra on call pickups of bulking items are a few of the services offered. A complete list of all the additional services and their 2019/20 rate is also available at City Hall.

Residential Collection Rate including all City Fees
For weekly collection of garbage, recyclables and organics
Single family homes are billed bi-monthly

<u>Cart Size</u>	<u>Current Monthly Rate</u>	<u>Maximum Proposed 2019/20 Monthly Rate</u>	<u>Monthly Difference</u>
20-Gallon Cart	\$25.75	\$26.86	\$1.11
32-Gallon Cart	\$31.00	\$32.33	\$1.33
64-Gallon Cart	\$53.00	\$55.28	\$2.28
96-Gallon Cart	\$80.00	\$83.45	\$3.45

Commercial and Multi-Family Collection Rate including all City Fees
For the most common bin and cart sizes, collected weekly
Commercial customers are billed monthly

<u>Bin Size</u>	<u>Current Monthly Rate*</u>	<u>Maximum Proposed 2019/20 Monthly Rate*</u>	<u>Monthly Difference</u>
1-1 Yard	\$170.00	\$177.34	\$7.34
1-2 Yard	\$218.00	\$227.41	\$9.41
1-3 Yard	\$300.00	\$312.94	\$12.94
1-4 Yard	\$395.00	\$412.02	\$17.02
<u>Cart Size</u>	<u>Current Monthly Rate*</u>	<u>Maximum Proposed 2019/20 Monthly Rate*</u>	<u>Monthly Difference</u>
64-Gallon Cart	\$53.00	\$55.28	\$2.28
96-Gallon Cart	\$80.00	\$83.45	\$3.45
* Includes collection of recyclables at no additional charge. Separate charges apply for organics collection.			

Commercial and Multi-Family Organics Collection Rate including all City Fees
For available bin and cart sizes, collected weekly
Commercial customers are billed monthly

<u>Bin Size</u>	<u>Current Monthly Rate</u>	<u>Maximum Proposed 2019/20 Monthly Rate</u>	<u>Monthly Difference</u>
1-1 Yard	\$102.00	\$106.39	\$4.39
1-2 Yard	\$163.50	\$170.55	\$7.05
64-Gallon Cart	\$31.80	\$33.17	\$1.37
96-Gallon Cart	\$48.00	\$50.06	\$2.06

If you wish to protest the proposed rate changes noted above, the City of San Juan Bautista City Clerk must receive your written protest along with the completed form, see below, (mailed or delivered) to:

**City of San Juan Bautista, City Clerk
City Hall
PO Box 1420, San Juan Bautista, California 95045**

no later than 5 p.m. on June 17, 2019. Protests that are incomplete or are not received by the deadline cannot be counted. No more than one protest per parcel may be submitted. A written protest may also be hand delivered to the City Clerk, at any time before the end of the public hearing.

If you have any questions, please call the City Manager's office at (831) 623-4661

(Please cut along the dotted line and include with your protest letter)

OFFICIAL PROTEST FROM:

Name: _____

Address: _____

City: _____ ZIP Code: _____

Assessor's parcel number (the nine-digit number that appears on your property tax statement):

Signature: _____ Date: _____

RESOLUTION 2019-XX

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN JUAN BAUTISTA
APPROVING SOLID WASTE COLLECTION RATES
EFFECTIVE JULY 1, 2019 TO JUNE 30, 2020**

WHEREAS, on November 1, 2018, a new Franchise Agreement with Recology San Benito County took effect and included specific provisions related to an annual index-based rate adjustment process; and

WHEREAS, the annual rate adjustment process requires Recology San Benito County to submit its application for a rate adjustment on or before April 1, 2019 and such an application was received on March 29, 2019; and

WHEREAS, staff reviewed the rate application and found it to be complete; and

WHEREAS, while not currently required by law, the City Council is following the noticing procedure set forth in Article XIID §6 of the California Constitution (Proposition 218) and in accordance with Proposition 218, the City Council authorized staff to proceed with noticing and protest proceedings for the proposed solid waste collection rates; and

WHEREAS, on April 16, 2019 the City Council approved issuance of a Proposition 218 notice of proposed maximum allowable solid waste collection rates and such a notice was mailed to property owners on April 24, 2019; and

WHEREAS, a public hearing was held on June 18, 2019; and there was not a majority protest.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of San Juan Bautista hereby finds and resolves that in accordance with Article XIID §6 of the California Constitution:

- a. The revenues derived from the Solid Waste Rates will not exceed the funds required to provide solid waste collection service.
- b. The revenues derived from the Solid Waste Rates will not be used for any purpose other than solid waste collection.
- c. The Solid Waste Rate charged will not exceed the cost of solid waste collection per parcel.
- d. Any surplus monies collected from the solid waste collection fees will be used to offset revenue requirements.
- e. The Solid Waste Rate is only charged for solid waste collection service that is currently available.
- f. The Solid Waste Rate is not charged for general governmental services.

PASSED AND ADOPTED, by the City Council of the City of San Juan Bautista at a regular meeting held this 18th day of June 2019, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

César E. Flores, Mayor

ATTEST:

Laura Cent, City Clerk



CITY OF SAN JUAN BAUTISTA CITY COUNCIL STAFF REPORT

AGENDA TITLE: APPOINTMENT OF CITY MANAGER

MEETING DATE: June 18, 2019

DEPARTMENT HEAD: Mayor César E. Flores

RECOMMENDED ACTION:

Recommendation: Appoint Don Reynolds as City Manager and approve attached employment agreement.

Background: In March 2019, the Council launched a recruitment effort to fill the vacant position. On May 24, 2019 the Council interviewed the most qualified candidates for the position, and has selected Mr. Don Reynolds for the position.

Mr. Reynolds is currently the Assistant Director of Public Works for the City of Salinas. He began his public service career over 30 years ago in the City of Agoura Hills. He has held planning, redevelopment and public works positions in the cities of Agoura Hills, Moorpark and Salinas. He is a graduate of Cal State Northridge from which he earned a Master's Degree in Public Administration. He lives in Salinas with his wife and family.

A subcommittee of the City Council comprised of myself and Vice Mayor Edge has negotiated the attached employment agreement and recommends its approval to the full Council.

Under the agreement, Mr. Reynolds will receive an annual salary of \$132,000 and all other benefits provided to management employees of the City of San Juan Bautista. Mr. Reynolds will receive a vacation allowance of three weeks annually, which shall be advanced upon his initial hiring. We propose that Mr. Reynolds receive a performance evaluation after his first six months, and that the Council and Mr. Reynolds agree on performance goals which will be assessed in subsequent yearly evaluations over the three-year term of the agreement. The Council retains the right to authorize additional compensation in the future based

on those evaluations. The agreement provides that Mr. Reynolds is an at will employee who may be terminated at any time consistent with the Municipal Code and shall be entitled to a severance payment of two months' salary in that unlikely event.

Mr. Reynolds brings experience, energy and a commitment to San Juan that will allow the city to continue to make progress and the community to thrive.

**EMPLOYMENT AGREEMENT
FOR
CITY MANAGER**

THIS AGREEMENT is made and entered into on June ___, 2019, by and between the City of San Juan Bautista, a California city, hereinafter referred to as “City,” and Don Reynolds, hereinafter referred to as “Employee,” as follows:

Recitals

A. The City requires the services of a City Manager. Don Reynolds, applied for the position, was interviewed by Council Members in May of 2019, his resume and qualifications were reviewed and references were considered. The City Council determined that Don Reynolds is trained, experienced and competent to properly perform the special services of City Manager specified herein.

B. At the public session of the regular meeting of June 18, 2019, the City Council, by Resolution, approved the appointment of Don Reynolds to serve in the capacity of City Manager approved the terms for compensation and the Mayor was authorized to execute a contract for City Manager services, on the terms set forth herein.

Terms and Conditions

In consideration of the mutual provisions contained herein, City and Employee agree to the following terms and conditions:

1. Scope of Services. Employee is hereby hired and retained by the City to serve, at will, as the City Manager.

a) The City Manager shall be the chief executive officer of the City and shall be responsible to the City Council for the proper administration of the affairs of the City.

b) The City Manager shall perform all of the duties of the City Manager as set forth in the City of San Juan Municipal Code, Chapter 2-2, Article 1 and as otherwise legally required. The City Manager shall also perform other legally permissible and proper duties and functions as the City Council may assign from time to time.

c) The City Council also designates the City Manager as the chief executive of any other City-related legal entities.

d) The City Manager shall administer and enforce policies established by the City Council and promulgate rules and regulations as necessary to implement City Council policies.

e) The City Manager is required to attend all meetings of the City Council, unless excused by the Mayor, and take part in the discussion of all matters before the City Council.

f) The City Manager shall review all agenda documents before preparing the agenda for any regular or special meeting of the City Council.

g) The City Manager shall direct the work of all City employees.

h) The City Manager shall exercise control of City government in emergencies as authorized by the Municipal Code and California law.

2. Term. Employee will commence work on the services to be provided hereunder on July 2, 2019 and shall serve for a term of three years, unless this contract is otherwise terminated as herein set forth.

3. Compensation.

a) For the services to be performed under this Agreement, City shall pay Employee:
1. A Salary of one hundred and thirty-two thousand dollars (\$132,000.00) per year;

2. Three (3) weeks of paid vacation;

3. Eight (8) hours per month of Management Compensation time; and

4. Contribution of three (3)% of salary to the City's Deferred Compensation Plan, as provided in Resolution 2019-21.

b) The City Council shall meet in Closed Session with the Employee on or before the first meeting in January or 2020 for a first performance review. Thereafter, prior to the end of each fiscal year, the City Council shall review the performance of the Employee and determine whether to retain or increase the compensation amount(s).

c) City acknowledges that participation in local, state and regional municipal city manager organizations by the Employee benefits the City and provides professional development. The City agrees to pay Employee's professional dues, subscriptions and memberships in such organizations necessary for Employee to maintain professional relationships. The City also agrees to provide Employee with an annual allocation to cover reasonable travel, conference registration, lodging, meals and meeting expenses of the League of California Cities' City Manager's Department Meeting (Spring Meeting), subject to reasonable budgetary limitations, as approved by the City during the budget process. The Employee shall make an effort to minimize cost to the City.

d) Employee shall be classified as exempt under the Fair Labor Standards Act and shall be a confidential employee for all purposes. Employee shall receive ten (10) sick days per year and shall have the right to thirteen (13) paid holidays, such as provided to all employees and two floating holidays to be used in that year and not to be accrued on a yearly basis. Employee shall receive no additional benefits, including, medical, vision or dental insurance and specifically waives his right to participate in the City's insurance programs.

4. Termination, Resignation and Severance Pay.

a) This agreement may be terminated by either party, without cause, and if the City Council seeks to terminate the City Manager it will adhere to the requirements of the City of San Juan Municipal Code Section 2-2-130.

b) In the event this agreement is terminated by the City without cause, City shall pay Employee a lump sum cash payment severance as follows: two months of salary, without benefits.

c) If Employee's employment is terminated for cause by the City Council, or for any of the reasons set forth below, Employee shall not be entitled to severance pay:

1. Intentional or willful failure to perform her lawful duties as set forth herein
2. his death;
3. his incapacity or inability to perform his essential duties due to physical or mental disabilities;
4. willful destruction, theft, misappropriation or misuse of City property;
5. intoxication on duty, whether by alcohol, marijuana or non-prescriptive drugs;
6. inexcusable absence;
7. conviction of a felony or misdemeanor involving breach of the public trust;
8. dishonest, fraud or misconduct in office;
9. violation of Government Code Section 1090, or violation of any conflict of interest laws or regulations which a court or administrative agency finds resulted in Employee or his immediate family receiving actual economic gain; and
10. fraud or dishonesty in having secured his employment.

d) Employee agrees that in the event Employee's employment is terminated, under no circumstances will Employee be able to contest the nature of Employee's at-will employment status, nor will Employee be entitled to raise the remedy of reinstatement in any administrative or legal forum. Employee agrees that the sole issue for resolution upon termination of Employee's employment agreement will be the amount of payment for services already rendered

which are due Employee. Employee shall have no other right of action against the City as it relates to termination and/or any severance.

5. Indemnification. The City shall defend, hold harmless and indemnify the City Manager against any tort, professional liability claim or demand or other legal action, whether groundless or otherwise, arising out of any alleged act or omission occurring in the performance of duties to the City. In its sole discretion, the City may compromise and settle any such claim or suit and pay the amount of any settlement or judgment rendered there from. The parties hereto acknowledge and agree that California Government Code Sections 53243-53243.4, inclusive, could under certain circumstances require the Employee fully to reimburse City for funds provided, pursuant to this Agreement or otherwise, by the City to Employee

6. Personnel System Rules. Except as modified by this Agreement, Employee shall be subject to and comply with the City Personnel System Rules, and with any modified Personnel Rules.

7. Modification. This Agreement is not subject to amendment or modification except by a writing signed by the parties hereto.

8. Entire Agreement. This Agreement contains the entire agreement of the parties with respect to the matters covered by this Agreement, and no other agreement, statement or promise made by or to any party or by or to any employee, officer or agent of any party, which is not contained in this Agreement, shall be binding or valid.

9. Attorney's Fees. In the event of any controversy, claim or dispute relating to this Agreement, or the breach thereof, the prevailing party shall be entitled to recover from the losing party reasonable expenses, attorney's fees and costs.

10. Employee's Examination of Agreement. Employee acknowledges that Employee has had the right to examine this Agreement, has been advised that Employee may wish to consult with an attorney prior to entering into this Agreement and has read and understands all of the provision of this Agreement.

11. Severability. If any provision or any portion thereof contained in this Agreement is held to be unconstitutional, invalid, or unenforceable, the remainder of this Agreement or portion thereof, shall be deemed to be severable and shall remain in full force and effect.

IN WITNESS WHEREOF, Employee and the City of San Juan Bautista, by its duly authorized representative, have executed this Agreement on the date first hereinabove set forth at San Juan Bautista, California.

CITY OF SAN JUAN BAUTISTA

EMPLOYEE

By _____
César E. Flores, Mayor

Don Reynolds

Approved as to form:

City Attorney

RESOLUTION NO. 2019-XX

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
SAN JUAN BAUTISTA APPROVING AN AGREEMENT
BETWEEN THE CITY AND DON REYNOLDS
FOR CITY MANAGER SERVICES**

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

SECTION 1. That certain agreement entitled “Agreement for Employment – City Manager,” on file in the office of the City Clerk, providing for employment of Don Reynolds as City Manager, hereby is approved.

THE FOREGONG RESOLUTION WAS ADOPTED at a regular meeting of the San Juan Bautista City Council held on the 18th day of June 2019, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

César E. Flores, Mayor

ATTEST:

Laura Cent, City Clerk



CITY OF SAN JUAN BAUTISTA CITY COUNCIL STAFF REPORT

AGENDA TITLE: Introduce an Ordinance Amending Section 2-8-050
Increasing Solicitation Thresholds in Accordance with
New Thresholds Set by the State (Relative to the Bid
Process)

MEETING DATE: June 18, 2019

DEPARTMENT HEAD: Interim City Manager Tewes

RECOMMENDED ACTION: Introduce ordinance increasing the thresholds for public projects that may be awarded without competitive bidding, with informal bids, and formal bidding.

BACKGROUND INFORMATION: Upon recommendation of the City Engineer, the Council recently established a formal purchasing ordinance that, among other things, established rules for awarding public projects. In order to conform to subsequent revisions in the State Public Contract Code, the new thresholds are proposed to be:

No Bidding Required:	projects up to \$60,000
Informal Bidding Process:	projects between \$60,000 and \$200,000
Formal Bidding Required:	projects over \$200,000

ATTACHMENTS:

1. Ordinance

ORDINANCE 2019-XX

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN JUAN BAUTISTA
AMENDING THE SAN JUAN BAUTISTA MUNICIPAL CODE CHAPTER 2-8, TO
REVISE SECTION 2-8-050 TO INCREASE SOLICITATION THRESHOLDS IN
ACCORDANCE WITH NEW THRESHOLDS SET BY STATE**

(EXEMPT FROM CEQA)

WHEREAS, the San Juan Bautista City Council amended the City Code in 2018 to adopt the California Uniform Public Construction Cost Accounting Act; and

WHEREAS, AB 2249 recently amended the Act to increase the thresholds for solicitation; and

WHEREAS, the San Juan Bautista City Council desires to revise Section 2-8-050 of the City Code to be in accord with the new solicitation thresholds.

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

Section 2-8-050 shall be revised as follows:

Subparagraph (C), Section (2) shall be revised so as to replace “forty-five thousand dollars (\$45,000)” with “sixty thousand dollars (\$60,000),” so that that Section shall read as follows:

(2) No Bidding Required. Public projects less than or equal to sixty thousand dollars (\$60,000) may be performed by City staff, by force account with a contractor, by negotiated contract, or by use of a purchase order, pursuant to Section 22032 of the Public Contract Code.

Subparagraph (C), Section (3) shall be revised to replace “one hundred seventy-five thousand dollars (\$175,000)” with “two hundred thousand dollars (\$200,000),” so that that Section shall read as follows:

(3) Informal Bids. The City shall follow the following informal bidding procedure for public projects of two hundred thousand dollars (\$200,000) or less, or those public projects as specified in either Section 22032(b) or 22020 of the Public Contract Code.

Subparagraph (E), Section (3) shall be revised to replace “one hundred seventy-five thousand dollars (\$175,000)” with “two hundred thousand dollars (\$200,000),” so that that Section shall read as follows:

(E) Authority to Award Bid. The authority to award informal contracts is hereby delegated to the City Manager unless all informal bids received are in excess of two hundred thousand dollars (\$200,000), in which case the City Council may, by passage of a resolution by a four-fifths (4/5) vote, award the contract at the amount set forth in Section 22034(f) of the Public Contract Code or less to the lowest responsible bidder, if it determines the cost estimate of the responsible department head was reasonable.

Subparagraph (F), Section (3) shall be revised to replace “one hundred seventy-five thousand dollars (\$175,000)” with “two hundred thousand dollars (\$200,000),” so that that Section shall read as follows:

(F) Formal Bids. The City shall follow the following formal bidding procedure for public projects equal to or greater than two hundred thousand dollars (\$200,000), or as specified in either Section 22032(b) or 22020 of the Public Contract Code.⁸

The FOREGOING ORDINANCE was first read at a regular meeting of the San Juan Bautista City Council on the 18th day of June, 2019, and was adopted at a regular meeting of the San Juan Bautista City Council on the ____ day of _____, 2019 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

César E. Flores, Mayor

ATTEST:

Laura Cent, City Clerk

APPROVED AS TO FORM:

Deborah Mall, City Attorney



CITY OF SAN JUAN BAUTISTA CITY COUNCIL STAFF REPORT

AGENDA TITLE: COUNTY ZONE CHANGES IMPLEMENTING THE
COMMERCIAL REGIONAL LAND USE DESIGNATION

MEETING DATE: June 18, 2019

DEPARTMENT HEAD: Interim City Manager Tewes

RECOMMENDATION:

Consider whether the City of San Juan Bautista should adopt an official position on the proposal to establish a zoning district conforming to the County General Plan at four highway locations.

Background: The Council has requested an opportunity to consider adopting a position on zoning proposals before the County Board of Supervisors.

On May 15, 2019 the County Planning Commission considered the attached staff report and recommended that the Board of Supervisors approve a new zoning district to implement the County General Plan's designations of four highway locations for "regional commercial." The Board is scheduled to hear the proposals at its meeting on June 25, 2019. (The full County Planning Commission packet is nearly 500 pages and is available to review at http://www.cosb.us/wp-content/uploads/Agenda_2019_5_15_Meeting280-13.pdf.)

The new zone, "Regional Commercial" (C-3) requires subsequent approval of "master plans" before any building permits may be issued. The attached County staff report discusses the conditions of approval and development standards for the four locations.

The background materials for each of the projects did not specifically analyze impacts, if any, on the City of San Juan Bautista.

STAFF REPORT

PROJECT INFORMATION

Application:	PLN180024-ZA Amend County Code Title 25 "Zoning Code" to Implement 2035 General Plan Commercial Regional Land Use Designation & Related Policies
Date of Hearing:	May 15, 2019 Planning Commission
Applicant/Owner:	Not Applicable
Location:	Not Applicable
Assessor's Parcel No:	Not Applicable
General Plan Designation:	Commercial Regional (CR)
Zoning District:	Pending Adoption of Regional Commercial (C-3)
CEQA:	Addendum to 2035 General Plan Final Environmental Impact Report, Resolution No. 2015-58
Project Planner:	Darryl Boyd, Principal Planner

EXECUTIVE SUMMARY

The purpose of this overall project is to implement the County's 2035 General Plan Land Use Designation of Commercial Regional (CR) and associated policies. The primary objective is to amend County Code Title 25 to add a new Regional Commercial (C-3) Zoning District to implement the intent and provisions of the General Plan. The County Zoning Map will be changed by separate actions to include specific land areas in the Regional Commercial (C-3) District. A General Plan Amendment is proposed to designate a fourth Commercial Regional node at Livestock 101.

The project as proposed for Planning Commission consideration requires making six separate decisions as reflected on the meeting agenda. The Commission will make a recommendation to the Board of Supervisors for each of the following items. A separate staff report has been prepared for each item.

1. Adopt by ordinance the Regional Commercial (C-3) Zoning District and associated minor Code amendments. File: PLN 180024-ZA Amend County Code Title 25 "Zoning Code", and if approved,
2. Change the County Zoning Map by three separate ordinances to rezone the land area recommended for inclusion in each of three CR nodes, with specific site and property boundaries, to Regional Commercial (C-3) Zoning District. Each site will have its own unique theme and undergo design review in accordance with General Plan Policy LU.5-4.
 - a. File: PLN 180024-ZC1 "Betabel"
 - b. File: PLN 180024-ZC2 "SR129/Searle Road"
 - c. File: PLN 180024-ZC3 "Rocks Ranch"
3. File: PLN 180024-GPA & ZC4 "Livestock 101"
 - a. Change by resolution the 2035 General Plan Land Use Diagrams to designate Livestock 101 as a fourth Commercial Regional Node, and if approved,

- b. Change the Zoning Map by ordinance to rezone the land area recommended for inclusion in the Livestock 101 CR node to C-3.

BACKGROUND

As stated above, the purpose of this overall project is to implement the County's 2035 General Plan Land Use Designation of Commercial Regional (CR). The primary work product is the preparation and adoption of County Code Title 25 Zoning Code amendments to establish a new Regional Commercial (C-3) Zoning District. The C-3 District implements the CR Land Use Diagram designation and associated General Plan policies.

On March 6, 2018, the Board of Supervisors approved a reimbursement agreement with four (4) property owners to fund the County's costs for the Regional Commercial implementation work, including consultant contracts. The reimbursement agreement was fully executed on August 17, 2018 with consultant and staff work commencing shortly thereafter. The four property owners are parties to the reimbursement agreement and are the applicants of record for this project. Their respective commercial node sites along the U.S. 101 corridor are listed below. Location maps for each of the four nodes are included in this staff report, as well as a list of APNs for each.

1. Betabel Road - Thomas and Victoria McDowell Charitable Remainder Unitrust
2. Highway 129 and Searle Road - Johnson Family Trust and Weiler Family Trust
3. Livestock 101 - Warren Family Trust
4. Rocks Ranch - Bingaman Irrevocable Trust



At staff's request, the Planning Commission held a duly noticed public hearing/study session on October 17, 2018. The purpose of the hearing was for staff and consultants to receive early feedback from the Commission and testimony from the public regarding the project approach and initial concepts. A staff report was distributed and a presentation made at the meeting. In

addition to comments made by the Planning Commission, about thirteen (13) members of the public gave testimony. Their comments were summarized and discussed in a memorandum dated November 26, 2018. Most of the public comments were focused on questions or concerns about the Livestock 101 location. The Commission requested staff to come back with responses to the questions and issues raised.

On January 16, 2019, the Planning Commission held a second study session. This was to provide a follow up status report in response to the Commission and public comments made at the October 17, 2018 meeting. The purpose was to further inform and solicit early input from the Planning Commission on the project scope of work and draft work products prepared to date. A staff report was distributed. EMC Planning Group, the County's consultant, and staff made a presentation at the meeting to provide an update on the work completed to date. A memorandum from EMC provided a summary of the comments made at the October meeting. A response or recommendation was included for each comment or question based on subsequent staff and consultant consideration. Several Aromas residents provided comments, concerns and opposition to the commercial nodes similar to those made at the October 2018 meeting.

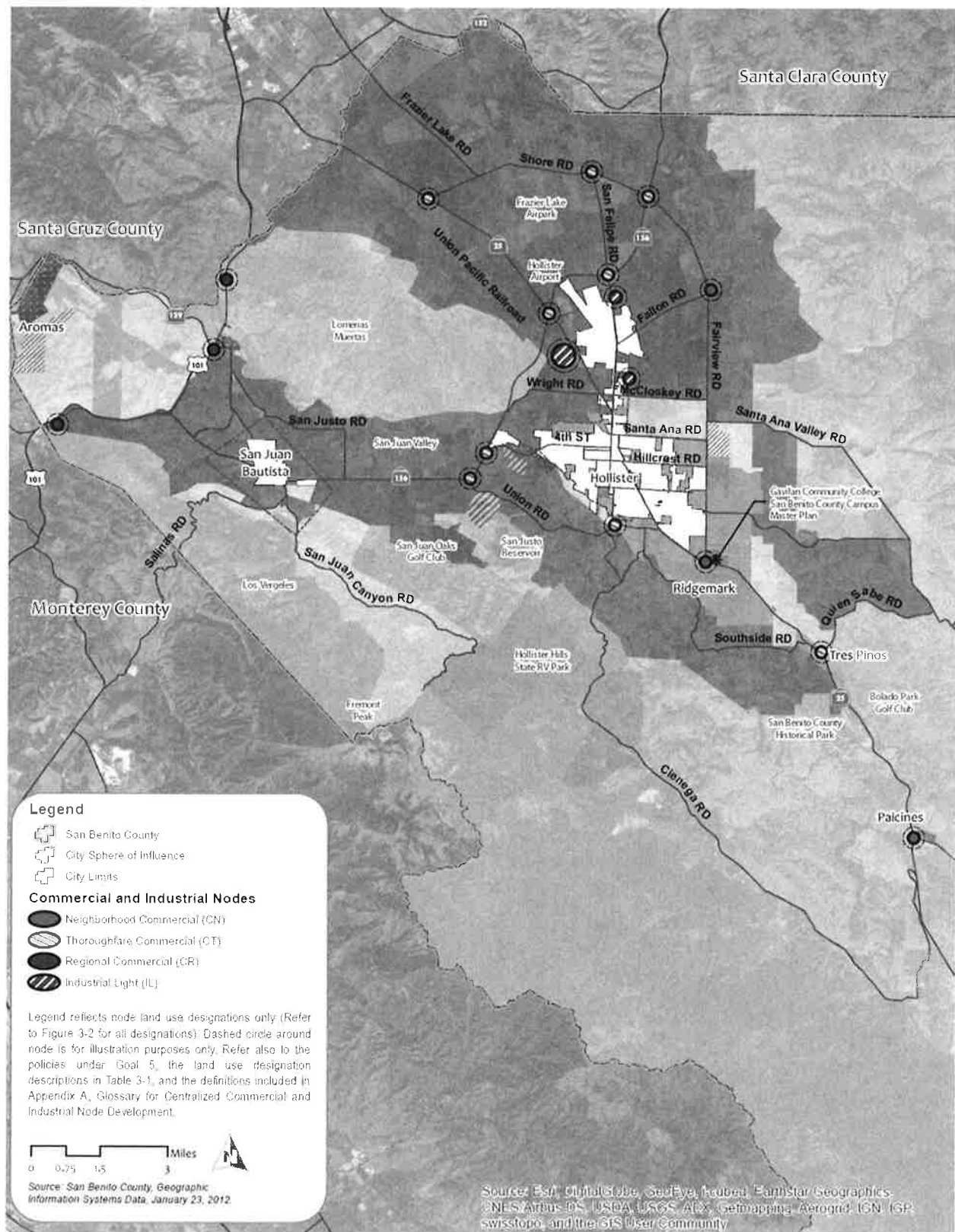
PROJECT DESCRIPTION

This agenda item is to amend Title 25 of the County Code to incorporate the provisions necessary to add a new Regional Commercial (C-3) Zoning District to implement the intent and provisions of the 2035 General Plan Land Use Diagram designation of Commercial Regional and associated policies. This agenda item does not include the application of the C-3 District to any specific property, i.e., "rezoning", or allow any new development projects. The code adoption is necessary before property can be rezoned or projects can develop under the new C-3 regulations.

GENERAL PLAN

The County's 2035 General Plan includes the Land Use designation of Commercial Regional (CR). CR nodes are generally located as shown on General Plan Figure 3-2 "*Land Use Diagram (North County Detail)*" and Figure 3-5 "*Commercial and Industrial Nodes*". The project includes a proposed change [PLN 180024-GPA & ZC4 "Livestock 101"] to both figures to include a fourth node located at Livestock 101. In addition, Figure 3-2 will be corrected to delete the node inaccurately shown at U.S. 101/State Route 156 because it was not approved by the Board's final action in 2015. An analysis of the proposed general plan change is included in the analysis section of the attached staff report.

The General Plan includes several land use policies that are specific for the implementation of the new commercial regional nodes. The proposed Regional Commercial (C-3) District is written to be consistent with the applicable general plan policies. As stated in the 2035 General Plan, the purpose of the Commercial Regional (CR) land use designation is "*to provide areas that function as destinations for commercial activity serving the regional population. This designation intends to accommodate the location of such commercial uses at key intersections along Interstate 101[sic] and other major State Routes. Uses could include shopping centers, truck and automobile stations, tourist-serving commercial uses, and hotels/motels.*"



General Plan Figure 3.5 Commercial and Industrial Nodes

General Plan Land Use Policy **LU-5.3 New Commercial Regional Nodes** states; *“The County shall encourage new Commercial Regional (CR) nodes to be located at or near existing or future highway interchanges, major intersections, and along existing or future transit facilities. Facilities should be located consistent with Figure 3-5 (and exclude the intersection of U.S. Highway 101 and State Route 156). In order to respect the scenic character of the county, new development at these commercial nodes shall be subject to design review before the County Planning Commission. Further, development within these commercial nodes is encouraged to contribute to the preservation of scenic areas along the designated scenic corridors within the County. The County shall also encourage additional access to new regional commercial centers through bicycle and pedestrian connections from residential uses as appropriate to the context.”*

General Plan Land Use Policy **LU-5.4 New Commercial Nodes Vision** states: *“The County shall encourage developers to reflect a cohesive vision for node development in site plans submitted as a part of applications for discretionary approval that recognizes the importance of the County’s scenic resources and local character and quality of life attributes.”*

General Plan Land Use Policy **LU-5.5 Strip Commercial** states: *“The County shall discourage the creation of new strip commercial developments (e.g., non-cohesive commercial fronting a major arterial or state highway) in favor of centralized commercial node development that is located in the commercial nodes identified on the Land Use Diagram, and in Policies LU-5.1 to LU-5.3.”*

General Plan Land Use Policy **LU-5.6 Visitor-Oriented Commercial Uses** states: *“The County shall encourage visitor-oriented commercial uses that promote the local history, local economy (e.g., agriculture, wineries, recreation), and market locally-produced agricultural products.”*

General Plan Administration Element Policy **AD-3.5 Ordinance Consistency** states: *“The County shall maintain all applicable County ordinances and regulations to ensure their consistency with the adopted 2035 General Plan.”*

ENVIRONMENTAL EVALUATION

The Commission’s discretionary action on each of the major project components is a project subject to CEQA. Staff has prepared four initial studies for the adoption of the Regional Commercial (C-3) District code, with one focused on each of the four proposed sites to which the C-3 code would be applied. Based on the findings documented in those initial studies, the County has prepared an Addendum to the 2035 General Plan Final Environmental Impact Report (EIR), passed on July 21, 2015 by Resolution No. 2015-58.

Consistent with CEQA Guidelines Section 15164 an addendum is appropriate to provide environmental clearance for the proposed zoning code amendments in that none of the conditions described in CEQA Guidelines Section 15162 calling for the preparation of a subsequent EIR or Negative Declaration have occurred. Furthermore, the proposed Code changes are not subject to further environmental review in accordance with CEQA Guidelines Section 15126 in that the creation and adoption of a new zoning district to implement the General Plan Regional Commercial designation was considered in the preparation of the 2035 General Plan Update

Final EIR. The proposed code amendment does not approve any development projects and will not result in any physical changes to the existing environment.

STAFF ANALYSIS

Implementation of the Commercial Regional (CR) General Plan Land Use designation requires amending the Zoning Code (Title 25) to create a new zoning district that is consistent with the General Plan, particularly those policies cited above. The existing C-1 and C-2 Combining Commercial Districts are not consistent with the CR Land Use designation in that they are intended for neighborhood and major thoroughfare locations, respectively. This project includes the adoption of the proposed Regional Commercial (C-3) Zoning District that, if adopted by the County, is proposed for application to the four designated regional commercial sites as specified in accordance with the 2035 General Plan, as amended. The final draft C-3 ordinance is attached to this staff report and will be presented for Commission review at the May 15, 2019 meeting.

County Code Chapter 25.45 authorizes changing the provisions of Title 25 “Zoning Code” whenever the public necessity, convenience and general welfare require such amendments. This chapter also establishes the procedures to be followed for such proposed changes. Following the presentation of a staff report and recommendation at a duly noticed public hearing, the Planning Commission is required to make a report of its findings and recommendations with respect to the proposed amendment and by resolution forward its recommendations to the Board of Supervisors. The Commission may recommend approval of the proposed change if it finds it will serve the public necessity, convenience and general welfare, and is good zoning practice.

Regional Commercial (C-3) District Code Overview

The C-3 District code has been written to implement the General Plan policies cited above, as well as meet the direction of other relevant General Plan policies. The proposed code amendment includes allowed and conditional uses, required development process, development standards, site design standards and design themes for each node. Consistent with the 2035 General Plan policies the County will be doing design review for future development at the individual nodes. As written, and by definition, the C-3 district conforms to the General Plan.

The C-3 code establishes most allowed uses through a Master Development Permit process, which is required for each C-3 District node. A few uses, such as agricultural activities, are allowed by right, and small changes to existing uses would be subject to an administrative Site Plan Review approval. Other uses are as approved by the Planning Commission when the Master Development Permit for each C-3 District node is approved, subject to later Site Plan Review if necessary for interpretation. The Master Development Plan includes narrative describing land use, any deviations from the established development standards, a site plan, lighting plan, landscaping plan and sign program

The C-3 code sets development standards. Building heights would generally be limited to 35 feet, but could be allowed up to 65 feet if authorized by the Planning Commission through approval of a Master Development Plan. Retail commercial floor area would generally be limited to 85,000 square feet within any node, but could be expanded to 100,000 square feet if authorized by the Planning Commission through approval of a Master Development Plan. No

more than 125 hotel rooms could be built within each node. The maximum residential development in any node is not specified, but is required to be a minor component of any development with units no larger than 1,400 square feet, and only authorized by the Planning Commission through approval of a Master Development Plan. Development would be required to be set back at least 35 feet from streets and 150 feet from U.S. Highway 101 travel lanes. Reservations with development restrictions would be established for areas located within or near riparian vegetation, on slopes over 30 percent, and in flood zones.

The C-3 code has specific site design regulations and performance standards. Section 25.16.066 would establish parking requirements in addition to those already in the County Code; for example, parking lots would be designed to the minimum size, and limited to a single double-loaded aisle, without additional landscape requirements. Section 25.16.067 would supplement the County's existing sign regulations, specifying maximum height and appearance of signs, and authorizing County promotional and information signs at three locations. Section 25.16.068 would impose the County's most-stringent lighting requirements, minimize light spill into natural areas and control the color qualities of lighting. Section 25.16.069 would impose additional grading restrictions, prohibit any removal of protected oak trees and limit the area that could be irrigated.

Each node would have an established design and architectural theme that would specify that node's unique visual character to promote an aspect of the County's history or economy. Approval of a master development plan, consisting of at least a site plan, architectural elevations, lighting plan, landscaping plan and sign program, would be required for each development project. The review and approval of the master development plan would be by the Planning Commission prior to the approval of the first building permit. Subsequent projects would be reviewed and approved by the RMA Director if consistent with the approved master development plan and design standards.

Conclusion

In summary, staff's opinion is that approval of the proposed zone change petition will serve the public necessity, convenience and general welfare in that the code amendments will implement the County's adopted 2035 General Plan goals and policies. The proposed code amendment fulfills the direction and vision of the General Plan and includes the components necessary for good zoning practice. No specific development proposals are proposed or a part of this project. Subsequent development projects and permits will require consistency with the district requirements.

RECOMMENDATION

Staff recommends the Planning Commission:

- 1) Consider the Addendum to the 2035 General Plan FEIR prior to making a decision on the proposed code amendment,
- 2) Adopt a resolution finding the proposed Zoning Code amendment will serve the public necessity, convenience and general welfare, and is good zoning practice and
- 3) Recommend the Board of Supervisors adopt an Ordinance to amend the County Code Title 25 to incorporate the new Regional Commercial (C-3) District, including allowed uses and development standards, and associated minor code amendments necessary to integrate fully the new district into the existing Code.

ATTACHMENTS

1. Draft Ordinance for Title 25 Amendments
2. Addendum/Initial Study
3. Draft Resolution to BOS

C: Applicants/Property Owners:

1. "Betabel"
McDowell Charitable Trust
P.O. Box 485
Pebble Beach, CA 93953
2. "Hwy 129"
Johnson Family and Weiler Family Trusts
920 Egan Avenue
Pacific Grove, CA 93950
3. "Livestock 101"
Warren Family Trust
4400 Hwy 101
Aromas, CA 95004
4. "Rocks Ranch"
Bingaman Trust #1
P.O. Box 1116
Salinas, CA 93902

Property Owners' Representative

Daniel J. DeVries
P.O. Box 996
San Juan Bautista, CA 95045

EMC Planning Group

Michael Groves
Richard James



LU-4.8 Conservation Easements Related to Clustered Residential Development 🌍

The County shall encourage new clustered residential development to provide agricultural and/or other appropriate open space easements on farming or open space parcel(s) at the time that the development occurs, or if a multi-phased Planned Development, according to an adopted specific plan. (RDR/MPSP)

LU-4.9 Transfer of Development Credit Program

The County shall maintain and implement the voluntary Transfer of Development Credit (TDC) program as an incentive to protect farmland and focus future development away from the most productive farmland. (RDR/MPSP)

Commercial and Mixed-Use Development

Historically residential growth in San Benito County has outpaced commercial and mixed-use growth. The County desires to promote commercial uses on strategic unincorporated parcels in order to accommodate commercial demand, promote economic development, and increase revenue. The focus of this goal section is to identify types and areas for future commercial and mixed-use development. Figure 3-5 shows the locations, Table 3-1 describes the land use designations, and Appendix A defines the new commercial nodes. (Note: see Section 4: Economic Development Element for policies related to countywide economic growth and diversifications, winery expansion, and new business promotion.)

GOAL LU-5

To promote the development of regional, thoroughfare, and locally-serving commercial uses at key opportunities sites in the unincorporated county.

LU-5.1 New Commercial Neighborhood Nodes 🌍

The County shall encourage new Commercial Neighborhood (CN) nodes, as shown on the Land Use Diagram, so long as they are located within a reasonable walking distance of a community, are centrally located to serve an unincorporated community that is lacking neighborhood commercial services, or where the need for expanded neighborhood commercial services can be demonstrated. The County shall encourage neighborhood commercial uses to connect to residential uses along transit corridors and bicycle and pedestrian paths, as appropriate to the context, and include appropriate transit, bicycle, and pedestrian facilities. (RDR)

LU-5.2 New Commercial Thoroughfare Nodes 🌍

The County shall encourage new Commercial Thoroughfare (CT) nodes, as shown on the Land Use Diagram, serving travelers and tourists along state routes. The County shall require these uses to have adequate public services, be compatible with surrounding land uses, and respect the scenic character of the county. (RDR)

LU-5.3 New Commercial Regional Nodes 🌍

The County shall encourage new Commercial Regional (CR) nodes to be located at or near existing or future highway interchanges, major intersections, and along existing or future transit facilities. Facilities should be located consistent with Figure 3-5 (and exclude the intersection of U.S. Highway 101 and State Route 156). In order to respect the



scenic character of the county, new development at these commercial nodes shall be subject to design review before the County Planning Commission. Further, development within these commercial nodes is encouraged to contribute to the preservation of scenic areas along the designated scenic corridors within the County. The County shall also encourage additional access to new regional commercial centers through bicycle and pedestrian connections from residential uses as appropriate to the context. (RDR)

LU-5.4 New Commercial Nodes Vision

The County shall encourage developers to reflect a cohesive vision for node development in site plans submitted as a part of applications for discretionary approval that recognizes the importance of the County's scenic resources and local character and quality of life attributes. (RDR)

LU-5.5 Strip Commercial

The County shall discourage the creation of new strip commercial developments (e.g., non-cohesive commercial fronting a major arterial or state highway) in favor of centralized commercial node development that is located in the commercial nodes identified on the Land Use Diagram, and in Policies LU-5.1 to LU-5.3. (RDR)

LU-5.6 Visitor-Oriented Commercial Uses

The County shall encourage visitor-oriented commercial uses that promote the local history, local economy (e.g., agriculture, wineries, recreation), and market locally-produced agricultural products. (RDR)

LU-5.7 Mixed-Use Development

The County shall encourage both vertical and horizontal mixed-use development within community centers and near or along transportation and transit corridors, bicycle paths, and pedestrian and trail routes as a means of providing efficient land use, housing, and transportation options for county residents. The County shall ensure that mixed

use developments include appropriate transit, bicycle, and pedestrian facilities. (RDR)

LU-5.8 Live-Work Development

The County shall encourage mixed-use developments to include live-work floor plans for residents who desire office, commercial, or studio space adjacent to their living space. (RDR)



The 2035 General Plan promotes the development of locally-serving commercial uses. (Photo by Rene Rodriguez)

Employment and Industrial Development

Most San Benito County residents currently (2011) commute outside of the county daily for work. This out migration of workers hurts the county by limiting economic growth and increasing energy consumption. The County is determined to help promote new employment opportunities within the county for residents. The focus of this goal section is to provide guidance for future employment and industrial uses in the county. These uses are vital to the economic health of the community. (Note: see Section 7: Public Facilities and Services Element for policies related to schools, community centers, libraries, airports, fire stations, and sheriff stations; and Section 4: Economic Development Element for policies related to business retention, expansion, and relocation).

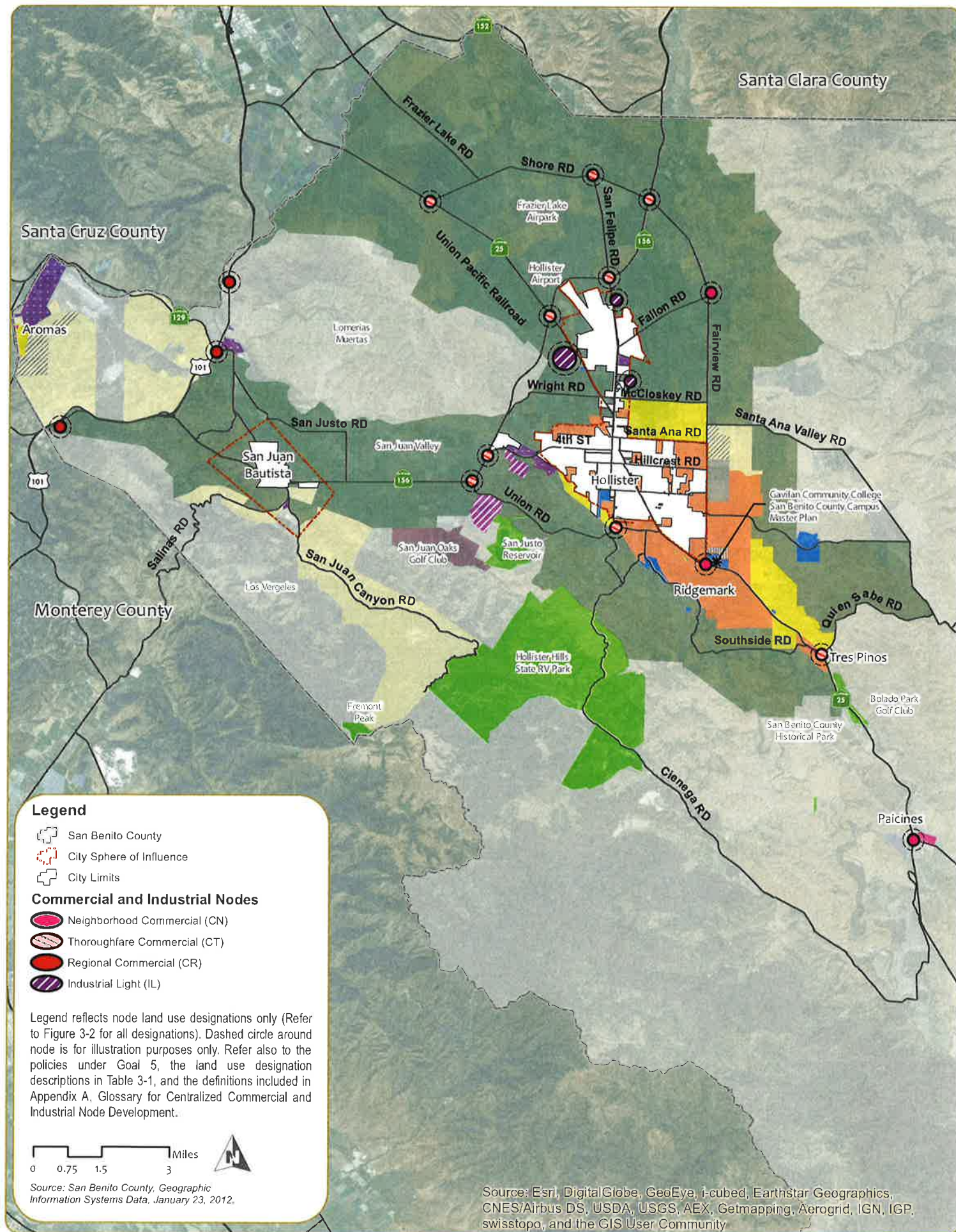


Figure 3-5
Commercial and Industrial Nodes



CITY OF SAN JUAN BAUTISTA CITY COUNCIL STAFF REPORT

AGENDA TITLE: REIMBURSEMENT FOR 18 INCH SEWER MAIN

MEETING DATE: June 18, 2019

DEPARTMENT HEAD: Interim City Manager Tewes

RECOMMENDATION:

Approve attached reimbursement agreement to Meritage Homes and authorize the City Manager to execute.

Background: As part of its conditions of approval for the Rancho Vista subdivision, Meritage Homes was required to install an 18-inch sewer trunk line that might eventually connect to a new wastewater treatment plant north of the city limits. Further, the conditions of approval and the Development Agreement provide that Meritage will have its sewer connection fees credited up to the verified cost of the installation. If the costs exceed the available credit, Meritage will be reimbursed over a ten year period.

Harris Engineering has verified the cost of installation at \$513,802.33. Under the current development agreement, the amount of sewer connection fees due varies with the size of the floor plan for each permitted unit.

Due to the complexity of the administration of the development agreement, Meritage has actually paid \$262,000 in sewer connection fees that must now be reimbursed. That reimbursement is included in the City Manager's Recommended Budget for FY 20.

FEE CREDIT AND REIMBURSEMENT AGREEMENT
FOR PUBLIC IMPROVEMENTS
(Meritage Homes of California, Inc. / Rancho Vista)

This Agreement, dated as of _____, 2019, (the “**Effective Date**”) by and between the City of San Juan Bautista, a municipal corporation (the “**City**”), and Meritage Homes of California, Inc., a California corporation (“**Meritage**”).

WITNESSETH:

WHEREAS, Meritage has purchased that certain real property described in Exhibit A attached hereto (the “**Property**”).

WHEREAS, the Property is subject to that certain Development Agreement by and between the City of San Juan Bautista and R.L. Fulton Holding Company, LLC regarding the Rancho Vista Project dated April 17, 2015 (the “**Development Agreement**”).

WHEREAS, the Development Agreement requires the payment of Sewer Connection Fees (the “**Fees**”) that are intended to provide funds to finance certain sewer improvements in the City (the “**Fee Program**”);

WHEREAS, Meritage is willing to construct and/or install the sewer line improvements shown on Exhibit B attached hereto (the “**Improvements**”) that would otherwise be financed by the Fee Program;

WHEREAS, City and Meritage desire to enter into an agreement to provide for allowable credits and reimbursements by City to Meritage for certain costs of design and construction of the Improvements;

WHEREAS, the anticipated costs of the Improvements are indicated on Exhibit C attached hereto.

NOW, THEREFORE, in consideration of the mutual promises contained herein. City and Meritage hereby agree as follows:

Section 1. Improvements Meritage will advance the costs for and construct and/or install the Improvements for a total estimated amount of five hundred thirteen thousand eight hundred and two dollars and thirty-three cents (**\$513,802.33**) (“**Estimated Improvement Cost**”). In the event the actual costs incurred to complete the Improvements (“**Improvement Costs**”) exceed the Estimated Improvement Cost, Meritage may request additional reimbursement for that portion of Improvement Costs that exceed the Estimated Improvement Cost.

Section 2: Reimbursement and Allowable Credits

2.1 Allowable Improvement Costs City shall only reimburse Meritage for Meritage's actual direct costs for construction and/or installation of the Improvements. City shall not pay for Meritage's overhead or any profit resulting from the construction and/or installation of the Improvements.

2.2 Reimbursement to Meritage Meritage shall be reimbursed for the Improvements from the City through credits against Fees and, if the credits against Fees are not sufficient to cover the Improvement Costs then the remaining Improvement Costs will be paid as provided in this Section 2. Meritage shall be reimbursed for the Improvement Costs following final completion of the Improvements.

2.3 Verification of Reimbursement Request Meritage shall provide City with reasonable documentation in support of the Improvement Costs incurred by Meritage, including, but not limited to copies of invoices or executed contracts with any subcontractor or consultant and copies of issued checks or other proof of payment showing that payment has been made in connection with the reimbursement request ("**Supporting Documentation**"). The City Engineer will review the Reimbursement Request and shall establish, in good faith, the amount of the **Improvement Costs**, which shall be reimbursable. The City Engineer may consult with Meritage in establishing the **Improvement Costs**, which shall be reimbursable. However, the City Engineer's determination, after consultation, shall be final.

2.4 Credit Against Fees. On the Effective Date of this Agreement, Meritage shall be entitled to a credit against Fees to be imposed against the Property ("**Credit**"). At such time, when and as Fees are imposed for building permits for the Property, Meritage shall receive a Credit for those fees on a dollar for dollar basis. As of October 8, 2018, Meritage has applied and paid for (42) building permits, totaling \$311,091.46 in sewer connection fees. City agrees to reimburse this amount with a lump sum payment. The remaining reimbursement shall be paid through sewer fee credits on remaining building permits.

2.5 Reimbursement to Meritage. In the event the Improvement Costs exceed the amount of the Credit available to Meritage, the City will reimburse Meritage for such excess amount from subsequent development fees in connection with other development in the City ("**Annual Reimbursement Payments**"). Annual Reimbursement Payments shall be made on an annual basis in November of each year in an amount equal to 20% of the reimbursable balance after the application of the Credit. As an alternative to receiving Annual Reimbursement Payments, Meritage may elect to transfer the balance due to Meritage to another project within the City in the form of fee credits including transfers to third parties for use as fee credits on other projects within the City. Meritage is first eligible for Annual Reimbursement Payments on year after the Credit has been exhausted. The City's obligation to pay the Annual Reimbursement Payments continue for five (5) years from the date Meritage is first eligible for Annual Reimbursement Payments, unless the obligation is sooner satisfied. In the event there are insufficient funds in any given year and the City is unable to issue the Annual Reimbursement Payments, the term of this Agreement shall be extended for one year for each such year of insufficient funds.

Section 3. Construction of Improvements

3.1 Meritage shall complete construction of the Improvements in accordance with the plans and specifications approved by City and in accordance with City standard construction specifications and this Agreement.

3.2 Meritage understands and acknowledges that the terms and conditions contained in any contract that Meritage has executed or may execute with any contractors or material suppliers regarding the construction of the Improvements have no force or effect upon this Agreement.

Section 4. Inspection and Completion of Improvements

4.1 Completion. At such time as Meritage believes an Improvement is complete, Meritage shall provide written notice of completion to the City, requesting a walk-thorough inspection. Within ten (10) days following the date of receipt of Meritage's written notice of completion, the City shall conduct a final inspection of the Improvement. The Improvement shall be inspected by representatives of the City.

4.2 Final Inspection. If, during the final inspection, City determines that the Improvement(s) have not been completed in accordance with all applicable building codes, regulations, permits and approved plans, the City shall prepare a punch list of all items to be completed by Meritage and shall provide such punch list to Meritage within ten (10) days following the final inspection. If the City delivers such punch list to Meritage within said ten (10) day period, then Meritage shall undertake to repair such punch list items in a diligent manner. Upon completion of the punch list work, Meritage shall request another final inspection from the City and within ten (10) days following such written notice from Meritage, the City shall conduct another final inspection. If the City determines that the punch list work is complete, the City shall immediately deliver a certificate of final completion to Meritage. If the City determines that the punch list work is not complete, then City and Meritage shall repeat the Inspection/punch list procedures specified in this Section 4.4 until the successful completion of the punch list work and a final inspection. If the City fails to conduct such final inspection within ten (10) days after receiving Meritage's written request for a final inspection, or if the City fails to deliver a punch list to Meritage within ten (10) days after conducting such inspection, then Meritage will be deemed to have successfully completed the final inspection.

4.3 Delivery of As Built Plans and Specifications. Prior to Final Completion of an Improvement by City, Meritage shall deliver to City copies of all as built plans, specifications, operating manuals, service manuals, warranties and other documents relating to the design, construction, and operation of such Improvement.

4.4 Final Completion. Final Completion of an Improvement shall be deemed to occur after a successful final inspection, and upon the City's acceptance of such Improvement,

which shall occur within thirty (30) days after Meritage successfully completes a final inspection of the same.

4.5 Conveyance of the Improvements. Meritage shall the Public Utility Improvements as indicated, and offered on the Final Map for phases 1-4, recorded on August 17, 2017, and the Final Map for phases 5-7, recorded on June 26, 2018 to the City and City shall own the Improvements upon Final Acceptance per city acceptance process. Meritage shall take any and all actions necessary to convey and vest full, complete and clear title in the Improvements to City.

Section 5. No Third Party Beneficiary

City and Meritage enter into no contract or agreement with any general contractor, subcontractor, or other party by entering into this Agreement nor is any general contractor, subcontractor, or other party a third party beneficiary of this Agreement, and City shall have no obligation to pay any general contractor, subcontractor, or other party for any work that such general contractor, subcontractor, or other party may do pursuant to the plans and specifications for the Improvements.

Section 6. Warranty and Repair

Meritage agrees to assign any and all warranties provided by Meritage's subcontractors as to materials and workmanship comprising the Improvements.

Section 7. Notice

Any notice, payment or instrument required or permitted by this Agreement to be delivered to any party shall be deemed to have been received when personally delivered to that party or seventy-two (72) hours following deposit of the same in any United States Post Office, first class, postage prepaid, addressed as follows:

City:	City of San Juan Bautista 311 Second Street/Post Office Box 1420 San Juan Bautista, CA 95045 Attention: City Manager
-------	---

Meritage:	Meritage Homes of California, Inc. 860 Stillwater Road, #200A West Sacramento, CA 95605 Attention: John Bayless Telephone: (916) 840-3550 Facsimile: (916) 840-3584 Email: john.bayless@meritagehomes.com
-----------	---

With A Copy to: Meritage Homes Corporation
8800 East Raintree Drive, Suite 300
Scottsdale, Arizona 85260
Attn: Ryan Hamilton
Telephone: (480) 515-8089
Facsimile: (623) 3216642
Email: ryan.hamilton@meritagehomes.com

Any party hereto may, by notice given hereunder, designate a different address to which subsequent notices, payments, and instruments shall be delivered.

Section 8. Term

The term of this Agreement shall start as of the date first written above and shall remain in effect until all the terms and conditions contained in this Agreement have been satisfied.

Section 9. Captions

Captions to Sections of this Agreement are for convenience purposes only, and are not part of this Agreement.

Section 10. Severability

If any portion of this Agreement is declared by a Court of competent jurisdiction to be invalid or unenforceable, such portion shall be deemed severed from this Agreement and the remaining parts shall remain in full effect as though such invalid or unenforceable provision had not been a part of this Agreement.

Section 11. Incorporation of Exhibits.

All exhibits referred to in this Agreement are incorporated herein by reference.

Section 12. Attorneys' Fees.

In the event any party to this Agreement commences litigation for specific performance or damages for the breach of this Agreement, the prevailing party shall be entitled to a judgment against the other for an amount equal to reasonable attorneys' fees and court costs incurred.

[Signature Pages(s) Follow]

IN WITNESS WHEREOF, the parties hereto have executed this Agreement the day of the year first above written.

<u>CITY</u>	<u>MERITAGE</u>
CITY OF San Juan Bautista, A political subdivision of the State of California	Meritage Homes of California, Inc. A California corporation
By _____ Name: _____ Title: _____	By: _____ Name: _____ Title: _____
<u>Attest:</u> _____ Approved as to form: By: _____	

EXHIBIT A

The Property

DESCRIPTION

EXHIBIT B

The Improvements

Meritage has constructed or will construct the following 18-inch sewer system and related improvements:

EXHIBIT C

Anticipated Improvement Costs



CITY OF SAN JUAN BAUTISTA CITY COUNCIL STAFF REPORT

AGENDA TITLE: AMENDMENT TO RANCHO VISTA DEVELOPMENT
AGREEMENT

MEETING DATE: June 18, 2019

DEPARTMENT HEAD: Interim City Manager Tewes

RECOMMENDATION:

Review proposed amendments and set public hearing for July 16, 2019.

The City and the original subdivider of the Rancho Vista project entered into a Development Agreement to “lock in” certain city fees and to provide extra benefits to the community in the form of financial contributions to resolving the City’s water supply problem.

The agreement has some ambiguity as to the calculation of the building fees and impact fees that has led to a dispute with the current developer, Meritage Homes. The City has interpreted the agreement in a way that Meritage contends is inconsistent with the original understanding and increases the cost of development above the costs that had been anticipated. As a result, Meritage has been paying the city’s building and impact fees “under protest” in order to preserve its legal right to dispute the fees in court if necessary.

Meritage and the City Manager have reached an agreement to settle the dispute and propose an amendment to the Development Agreement to resolve the ambiguities and to “lock in” impact fees at their current rates.

Under the City Code, a Development Agreement must be noticed for a public hearing in the same manner as an amendment to the Zoning Ordinance. Therefore, it is necessary for the Council to call for a public hearing at a subsequent date and provide written notice in a newspaper of general circulation.

The following discussion outlines the disputed ambiguity, and the proposed resolution.

The ambiguity

Section 2.10 of the Development Agreement specifies the application of “development fees” which shall be paid on a “dwelling by dwelling” basis. The agreement specifies that the fees will be adjusted up or down to the extent the “actual home” varies from

2400 square feet. The agreement specifically states that both building permit fees and development impact fees will vary in relation to the size of the “actual home.”

It is typical that impact fees are charged on a “per unit” basis for residential projects, and that they do not vary with the size of the residential unit. However, the Rancho Vista development agreement clearly requires them to vary. As a result, the amount of fee revenue received by the city is dependent on the size of the unit.

The ambiguity arises on the meaning of “dwelling unit” and “actual home,” and “floor plan.” In a typical case building permits are provided for three types of construction: “conditioned space”, “patio” and “garage” with different fee schedules established in the Building Code. The Development Agreement does not make that distinction. It refers to the “actual home” and establishes the base permit fee at \$21225.50 per “floor plan.” In fact, at the time of the DA, the permit fee for “conditioned space” of 2400 square feet would have been \$2,125.50.

The City has interpreted the “actual home” to include all three elements in a “floor plan”; namely; conditioned space, patio, and garage. That means if the total square footage of a “floor plan” is greater than 2400 sf, then both the building permit fees and the impact fees are increased proportionately. Meritage has insisted that the variance in fees should be based only on the square footage of “conditioned space” in order to be consistent with the assumptions at the time of the original agreement. The City contends that the total floor plan should be considered because it could not have been the intent that patios and garages not pay anything for a building permit.

It is unusual that the development impact fees would vary with the size of the unit, since the usual purpose of a development agreement would be to “lock in” fees so as to evaluate the construction loan values and return on investment. [In some cities, certain impact fees might vary with the number of bedrooms, but that is not the case in San Juan Bautista.] Nonetheless, the Rancho Vista Development Agreement specifically provides that the impact fees will vary with the size of a “floor plan.”

Inconsistencies with the Development Agreement

The Development Agreement clearly limits the fees to be charged to those listed in the agreement. However, three other types of fees within the discretion of the City have been assessed: a) fire inspection fees; b) “planning plan check fee” and c) “engineering plan check fee.” These three fees should not have been charged and will not be charged for future applications.

Fire. The City has contracted with Hollister Fire Department to, among other things, conduct fire inspections. The compensation for those services is established in the agreement and is not increased by separate fees paid to the City of Hollister. Going forward, those fees will no longer be charged to Meritage.

Planning and Engineering Plan Check. Although the City fee schedule establishes an appropriate fee for planning and engineering review of building applications, the Development Agreement does not authorize those charges in the case

of Meritage. The amount collected so far will either be reimbursed to Meritage or used as a credit against future permit fees.

The proposed resolution

To settle all disputes and legal claims that may arise, it is proposed that the Development Agreement be amended to:

1. Lock in the building permit fees for “conditioned space” at the rates established at the time of the original agreement; and provide that Meritage’s permit fees for patios and garages will be locked in at current rates.
2. Require the building permit fees to vary with the variance in the square footage of “conditioned space” from 2400 square feet.
3. The development impact fees will be charged on a “per residential unit” basis, and will not vary with size; but the fees will be charged and “locked in” at the current rates which are about 15.6% higher than the impact fee schedule at the time of the original agreement.
4. Meritage may apply for all the remaining permits prior to December 31, 2019 in order to avoid redesign for anticipated building code changes. All permits must be “pulled” (with fees paid) by December 31, 2020 or the applications must be revised to reflect then current building codes.
5. In exchange for these clarifications, Meritage will provide additional public benefits to the City comprised of a one-time payment of \$25,000 which will be used to make enhancements to the sewer lift station at Rancho Vista that were not included in the approved public improvement plans.

ATTACHMENTS:

Excerpt from Development Agreement

(d) In the event that City requires Developer to install a specific improvement (for example, a traffic signal), Developer's obligation to pay the fees otherwise owing under this Development Agreement regarding the category of improvement Developer are installing shall be satisfied by the installation of such improvement; and if the costs of the improvement to Developer exceed Developer's fair share fee obligation, Developer shall be entitled to credits or reimbursement agreement of such improvement costs in excess of Developer's obligation.

(e) The Parties recognize that certain Conditions of Approval attached to Project Approvals require some Offsite Facilities and Infrastructure (such as the widening of Third Street), and that such requirements shall be addressed in an Oversizing reimbursement agreement of 2.09 (a),(b),(c) and (d).

2.10 Development Fees.

(a) Developer shall be obligated to pay only those building permit fees and impact fees (collectively, "**Development Fees**") listed in this Section 2.10.

(b) Development Fees shall be paid on a dwelling by dwelling basis, and shall be due no sooner than building permit issuance, unless indicated otherwise below. For the Term of this Development Agreement, the Development Fees shall be as set forth below. The amount of these listed Development Fees are based on a typical 2,400 square foot home. If the size of the actual home for which a building permit is issued varies from the typical 2,400 square foot home standard the Development Fees shall be adjusted accordingly. For example, if the size of the actual home for which a building permit is requested is 2,640 square feet (a 10% increase over 2,400 square feet), then the amount of the Development Fees owing for that building permit shall be raised by ten percent (10%). Likewise, as another example, if the size of the actual home for which a building permit is requested is 2,160 square feet (a 10% decrease of 2,400 square feet), then the amount of the Development Fees owing for that building permit shall be reduced by ten percent (10%). Again, the amount of these listed Development Fees are based on a 2,400 square foot home, and are as follows:

(1) Building Permit (UBC) Fee in the amount of \$2,125.25 per floor plan, payable at building permit issuance for each such building permit sought.

(2) Plan Check Fee in the amount of \$1,034.00 per dwelling unit, payable at building permit issuance for each such building permit sought.

(3) Electrical Permit (Average) Fee in the amount of \$280.00 per dwelling unit, payable at building permit issuance for each such building permit sought.

(4) Plumbing Permit Fee in the estimated amount of \$190.00 per dwelling unit, payable at building permit issuance for each such building permit sought.

(5) Mechanical Permit Fee in the amount of \$120.00 per dwelling unit, payable at building permit issuance for each such building permit sought.

(6) Strong Motion Instrumentation Fee in the amount of \$30.00 per dwelling unit, payable at building permit issuance for each such building permit sought.

(7) Green Fee in the amount of \$12.00 per dwelling unit, payable at building permit issuance for each such building permit sought.

(8) Water Connection Fee in the amount of \$7,550.00 per dwelling unit, payable at building permit issuance for each such building permit sought.

(9) Traffic Fee in the amount of \$1,717.00 per dwelling unit, payable at building permit issuance for each such building permit sought.

(10) Public Safety Fee in the amount of \$1,543.00 per dwelling unit, payable at building permit issuance for each such building permit sought.

(11) Park Development Fee in the amount of \$782.00 per dwelling unit, payable at building permit issuance for each such building permit sought.

(12) Storm Drain Fee in the amount of \$1,554.00 per dwelling unit, payable at building permit issuance for each such building permit sought.

(13) Library Fee in the amount of \$1,995.00 per dwelling unit, payable at building permit issuance for each such building permit sought.

(14) Civic/Public Improvement Fee in the amount of \$1,483.00 per dwelling unit, payable at building permit issuance for each such building permit sought.

(15) In addition, it is understood that the Aromas/San Juan School District currently collects a School Fee of approximately \$2.97 per square foot of habitable space.

(16) Fire Sprinkler inspection fee in the amount of \$150.00 per dwelling unit, payable at building permit issuance for each such building permit sought.

(17) Sewer Connection Fee in the amount of \$5,240.00 per dwelling Unit, payable at building permit issuance for each such building permit sought.

(c) If a request for a dwelling plan that has previously paid a plan check fees and is reused on another lot or site and there are no structural changed or modification other than cosmetic or exterior architectural appendages, no plan check fees will be required.

(d) No additional Development Fees shall be imposed on the Project during the Term of this Development Agreement.

2.11 HOA Establishment/Maintenance.

(a) Developer may form, in Developer's sole and exclusive discretion, a Home Owners' Association or other similar associations (collectively, "**HOA(s)**").

(b) For the purposes of this Development Agreement, "**HOA Property**" shall mean that property inside the Project that is owned and controlled by the HOA(s).



CITY OF SAN JUAN BAUTISTA CITY COUNCIL STAFF REPORT

AGENDA TITLE: APPROVE TEXT FOR PLAQUE COMMEMORATING CITY'S
150TH ANNIVERSARY

MEETING DATE: June 18, 2019

FROM: SESQUICENTENNIAL COMMITTEE

Recommendation:

Approve text for plaque commemorating the 150th anniversary of the City of San Juan Bautista's incorporation. There are two different proposals: One from the San Juan Bautista Historical Society and one from E Clampus Vitus.

At their March 12, 2019 meeting, Historic Resources Board/Planning Commission passed Resolution 2019-07 approving a site and design review for the placement of a stone monument with plaque on City property in front of the former San Juan Bautista Volunteer Fire Department located at 24 Polk Street in San Juan Bautista. APN 002-160-001. The plaque monument will be dedicated September 7, 2019 by the Monterey Viejo Chapter 1846 E Clampus Vitus.

Disclaimer: It is possible that the text may need to be shortened in the interest of space.

San Juan Bautista Historical Society Proposed Plaque Text

City of San Juan Bautista
150th Anniversary of Incorporation

"Pursuant to an order passed by the Board of Supervisors of Monterey County dated on the sixth day of Sept. 1869 -- incorporating the town of San Juan under the incorporated name of 'The Inhabitants of the Town of San Juan'..." So reads the official charter declaring the incorporation of San Juan. Danl. Harris, Peter Breen, J. F. Black, George Pullen and Juan B. Careaga were duly elected Trustees of the Town of San Juan.

At the Bolsa de Oro Saloon, trustees ordered that monthly meetings be held in the Masonic building. In October 1869 their first meeting convened in the Texas Lodge #46 F & A.M. on Second Street.

The volunteer fire department and town government were intertwined from the onset. In 1868, the San Juan Eagle Hook and Ladder Company volunteer fire department was formed. In 1871, town trustees built a fire truck house, adding a City Council meeting room in 1893. In 1917 the fire truck house/City Hall made its final move to this site where it remained until 1946.

In 1946 the Arthur Nylands donated funds for a Civic Center to honor their son Robert, killed during WWII. They first donated a large plot of land to the fire department, who then gave half to the City. On September 22, 1957 the current City Hall, located around the corner on Second Street, was dedicated.

A strong sense of community prevails because of the continued presence of descendants of the earliest settlers in San Juan.

Dedicated September 7, 2019
Monterey Viejo Chapter 1846 E Clampus Vitus

Body = 248 words
With header/footer = 268

E Clampus Vitus Proposed Plaque Text

150th Anniversary of the Incorporation of San Juan Bautista

The United States Postal Service opened a post office here on July 28, 1851, calling it San Juan. The town was officially incorporated by the Monterey County Board of Supervisors on **September 6, 1860** with the imposing title of "The Inhabitants of the Town of San Juan." The title was confirmed by the California Legislature which declared, "The inhabitants of the Town of San Juan, County of Monterey, are hereby constituted a body corporate and politic, under the name and style of 'The Inhabitants of the Town of San Juan,' and by that name and style they and their successors shall be known...." The magnificence of this name notwithstanding, the Postal Service continued to use the name San Juan until November 16, 1905, when it changed the name of the post office to San Juan Bautista.

Volunteerism has helped define this community. The volunteer fire department and City Hall have been closely linked from the beginning. In 1868, the Eagles Hook and Ladder Company was established, and in 1871, a firetruck house was built by town trustees. In 1893, a City Council room was added. After several moves, in 1917 the firetruck house and City Hall made its final move to this site where it remained until 1946.

In 1946, the Arthur Nylands donated funds for a Civic Center to honor their son Robert killed during WWII. They also donated land to the fire department, who then gave half to the City. On September 22, 1957 the current City Hall, located around the corner on Second Street, was dedicated.

Although the volunteer fire department ended in 2014, San Juan Bautista volunteerism lives on.

Dedicated September 7, 2019
Monterey Viejo Chapter 1846, E Clampus Vitus