



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

SEPTEMBER 17, 2019

In compliance with the American with Disabilities Act, if you need special assistance to attend or participate in the meeting, please call the City Clerk's Office at (831) 623-4661, extension 13 at least 48 hours prior to the meeting.

Any writings or documents provided to a majority of the City Council regarding any item on this agenda will be made available for public inspection at the meeting and in the City Clerk's office located at City Hall, 311 Second Street, San Juan Bautista, California during normal business hours.

1. **Call to Order**
Pledge of Allegiance
Roll Call

6:00 PM

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 Public Hearing Notice**
- C. **Approve Minutes of the April 2, 2019 Special Meeting**
- D. **Approve Resolution for Street Closure for a Farmers Market**
- E. **Approve Resolution for Street Closure for a Fiesta Run and Dia de los Muertos Party**
- F. **Approve Ordinance 2019-05 Amending the Rancho Vista Development Agreement to Address Ambiguities and Resolve a Dispute About Interpretation. This is the Second Reading and Adoption of the Ordinance.**
- G. **Waive Reading of Ordinances and Resolutions on Tonight's Agenda Beyond Title**

4. **Presentations, Informational Items and Reports**

- A. **Bringing the Sustainable City Year Program to San Juan Bautista - by CSUMB Professor Daniel M. Fernandez**
- B. **Recognize Volunteers from the Sesquicentennial Event**
- C. **Monthly Financial Statements**
- D. **City Manager's Report**
- E. **Reports from City Council Appointees to Regional Organizations and Committees**
- F. **Strategic Plan Committee Report**

5. Public Hearing Items

- A. Adopt the Draft 2015-2019 Housing Element**

6. Action Items

- A. Approve a Policy for Establishing Procedures and Timelines for Council Meeting Agenda Management**
- B. Select Honoree for National Philanthropy Day, November 15, 2019**
- C. Approve Resolution for SB2 Planning Grant**
- D. Approve Resolution Affirming the City of San Juan Bautista as a Compassionate City**

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 11th DAY OF SEPTEMBER 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 11th DAY OF SEPTEMBER 2019.




TRISH PAETZ, DEPUTY CITY CLERK

AFFIDAVIT OF POSTING PUBLIC HEARING NOTICE

I, DON REYNOLDS, DO NOW DECLARE UNDER THE PENALTIES OF PERJURY, THAT I AM THE CITY MANAGER 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 6th DAY OF SEPTEMBER 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 SEPTEMBER 2019.



DON REYNOLDS, CITY MANAGER

**NOTICE OF PUBLIC HEARING
CITY OF SAN JUAN BAUTISTA**

Pursuant to Government Code Section 65090, the City Council of the City of San Juan Bautista gives notice of a public hearing on **September 17, 2019** at 6:00 p.m. in the Council Chambers at San Juan Bautista City Hall, 311 Second Street. During the public hearing, the following items will be discussed:

- Consider approving the San Juan Bautista 2015-2019 Housing Element.

Staff reports and the full text of all items to be discussed will be available for public review at City Hall on **September 10, 2019**. All members of the public are encouraged to attend the meeting and may address the City Council on the issue during the public hearing. Written comments may be hand delivered or mailed to City Hall (311 Second Street, P.O. Box 1420, San Juan Bautista, CA 95045), or e-mailed to cityplanning@san-juan-bautista.ca.us, not later than **5:00 p.m., September 17, 2019**.

If a challenge is made on the action of the proposed project, pursuant to Government Code Section 65009 court testimony may be limited to only those issues raised at the public hearing described in this notice or in written correspondence delivered to the City at or prior to the public hearing.

Posted: September 6, 2019

**CITY OF SAN JUAN BAUTISTA
SPECIAL JOINT CITY COUNCIL AND HISTORIC RESOURCES BOARD MEETING
APRIL 2, 2019
DRAFT MINUTES**

1. CALL TO ORDER –Mayor Flores called the meeting to order at 5:30 P.M.

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

ROLL CALL

City Council Present: Mayor Flores, Vice Mayor Edge, Council Members DeVries and Freeman

City Council Absent: Council Member Jordan

Historic Resources Board Present: Chairperson Freels, Vice Chairperson Medeiros, Board Members Brewer, Delgado and Matchain

Staff Present: Interim City Manager Tewes, City Clerk Cent, City Building Official Johnsen, Associate Planner Kennedy

2. ACTION ITEMS

A. Approve Affidavit of Posting Agenda

Historic Resources Board Member Brewer made a motion to Approve the Affidavit of Posting Agenda. Second by Vice Mayor Edge. Motion passed 9-0 (City Council 4-0, with Council Member Jordan absent, Historic Resources Board 5-0).

B. Steps to Address Public Safety Issues Identified in the Notice to Abate, 107 Third Street, La Casa Rosa

Interim City Manager Tewes reviewed his staff report. City Building Official Johnsen reviewed the handout of the Casa Rosa balcony drawing. Public comment was received from Emily Renzel who thanked both bodies and read her letter asking the bodies to act to preserve the balcony. Valerie Eglund spoke in agreement with the San Juan Bautista Historical Society and Emily Renzel. Cara Vonk spoke in support of not removing the balcony. The Historic Resources Board discussed the issue and asked staff questions. There were no objections from members of the Historic Resources Board for the City Manager to address the public safety issues identified in the notice to abate 107 Third Street, La Casa Rosa. Council Member Freeman made a motion to accept the recommendation of the Historic Resources Board, direct the City Manager to abate the public safety hazard, appropriate up to \$6,000 from unappropriated General Reserves to pay for the costs of staff time, engineering analysis, and construction of the repairs, and Direct the City Manager to take all steps necessary to recover the costs from the property owner through a special assessment or lien. Second by Council Member DeVries. Motion passed, 4-0, with Council Member Jordan absent.

3. ADJOURNMENT

The meeting was adjourned at 5:50 P.M.

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 AUTHORIZING RECURRING STREET CLOSURE FOR A FARMERS MARKET

BE IT RESOLVED, that Jerry Lami of the West Coast Farmers Market is authorized to close Mariposa Street between Second and Third Streets, from 8:00 a.m. until 4:00 p.m. on every Sunday beginning September 22, 2019 and ending in April 2020 in the City of San Juan Bautista, for a Farmers Market. Mr. Jerry Lami will coordinate, work with or, if required by the City, terminate the Farmer's Market event on those Sundays when other approved street events occur.

PASSED AND ADOPTED by the City Council of the City of San Juan Bautista on this 17st day of September 2019 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

Cesar E. Flores, Mayor

Laura Cent, City Clerk

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 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 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

Farmers Market

Event Title: SAN JUAN BAUTISTA Certified

Today's Date: 7/6/19

Applicant: R. Jerry LAMI C/O West Coast Farmers Market Association

Organization: West Coast Farmers Market Association

Phone: 650-290-3549

E-Mail: JerryLami16@gmail.com

Mailing Address: 209 YARBOROUGH LANE Redwood City, CA 94061

Fax: 650-366-4949

Event Setup 8:00 AM Date: SUNDAYS Time: 8:00 AM

Event Ends Date: SUNDAYS Time: 3:00 PM

Event Starts Date: SUNDAYS Time: 10:00 AM

Dismantle Date: SUNDAYS Time: 4:00 PM

ANTICIPATED ATTENDANCE: Total of the event:

Total per Day: 250 to 500 people

LOCATION OF EVENT (please be specific):

MARIPOSA STREET BETWEEN 3RD & 2ND STREET !

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.

MARIPOSA Street AND 4 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):

WE CARRY A 3 million
Dollar Policy

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

Permits will be obtained

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. *WE WILL PROVIDE WRITTEN PERMISSION*

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?

UNCERTAIN ☐ 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.): ** NOW AT THIS TIME, CERTAIN VENDORS MAY HAVE GENERATORS.*

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.

I WILL WORK WITH THE CITY!

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 HAVE A ROAD CLOSURE ON MARIPOSA, NEXT TO THE MISSION. MY CREW WILL CLOSE THE STREET. A CERTIFIED FARMERS MARKET IS A COMMUNITY EVENT, WE HOPE TO ENTERTAIN APPROXIMATELY 30 PLUS VENDORS ON MARIPOSA STREET EVERY SUNDAY, UNLESS THERE IS ANOTHER SCHEDULED EVENT TO THE RIB COOK OFF! WE WILL FEATURE BOTH CERTIFIED PRODUCE AND HOT FOODS.

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

OUR MARKET MANAGERS WILL MAINTAIN AN ORDERLY MARKET.

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

EVERYTHING IS OPEN AND ACCESSIBLE TO ALL INDIVIDUALS WHO MAY BE IN WHEEL CHAIRS, OR USING WALKERS.

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

WE WILL HAVE AN INFORMATION BOOTH, WHERE INDIVIDUALS CAN COME FOR ASSISTANCE, COMMUNICATION WILL BE DONE BY CELL PHONE.

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. E.J.L. (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

RESOLUTION NO. 2019-XX

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

BE IT RESOLVED that Jardines de San Juan is authorized to close Washington Street between Third and Fourth Streets from 7:00 a.m. until 10:00 p.m. on Friday, November 1, 2019 to accommodate guests of their Dia de Los Muertos Party and to place portable restrooms; and

BE IT FURTHER RESOLVED that the San Juan Home and School Club is authorized to close Third Street between Pearce and Monterey Streets, Second Street between Franklin and Monterey Streets, Monterey Street between First and Third Streets, and First Street between Monterey and the city limits from 6:00 a.m. until 12:00 noon on Saturday, May 16, 2020 in the City of San Juan Bautista for their Fiesta 5K, 10K and One Mile Family Fun Run.

PASSED AND ADOPTED this 17th day of September 2019 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

César E. Flores, Mayor

Laura Cent, City Clerk

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 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 accitech@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:	Dia de los Muertos Party		Today's Date:	
Applicant:	Jardines de San Juan (Gabe Ramirez)			
Organization:	Jardines de San Juan restaurant (831) 623-4466			
Phone:	Cell (831) 713-8246	E-Mail:	info@Jardinesrestaurant.com	
Mailing Address:	115 3rd St, San Juan Bautista CA 95045 P.O. Box 940			
Fax:	(831) 623-4340			
Event Setup	Date: 11/1/19	Time: 7:00 AM	Event Ends	11/1/19 Date: 11/1/19 Time: 10:00 pm
Event Starts	Date: 11/1/19	Time: 6:00 pm	Dismantle	Date: 11/1/19 Time: 10:00 pm

ANTICIPATED ATTENDANCE: Total of the event: 400 Total per Day:

LOCATION OF EVENT (please be specific):

Jardines de San Juan, Garden in back

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.

Washington St From 3rd St. to 4th St.

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:

Jardines Back Garden

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.):

we will have a live band + DJ from 6:00 pm to 10:00 pm

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.

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 be having a Dia de los Muertos party in the back garden of Sardines de San Juan, with live music and would like a street closer for Washington St. Between 3rd and 4th street.

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

we will have private security patrolling garden and restaurant.

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

we have multiple entrances and accessible restrooms

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

All management will be present and alert with security to contact the proper authorities if necessary

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. 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: Fiesta Fun Run Today's Date: 9/4/19
 Applicant: Julie Hicks
 Organization: San Juan Home & School Club
 Phone: 623-4538 E-Mail: jhicks@sbcoe.org
 Mailing Address: 100 Nyland Dr., SJB, CA 95045
 Fax: _____

Event Setup Date: 5/16/20 Time: 6:00 a.m. Event Ends Date: 5/16/20 Time: 12:00 p.m.
 Event Starts Date: 5/16/20 Time: 8:45 a.m. Dismantle Date: 5/16/20 Time: 12:00 p.m.

ANTICIPATED ATTENDANCE: Total of the event: 500 Total per Day: 500

LOCATION OF EVENT (please be specific): The Alameda, 2nd St., Franklin St., Monterey St., San Juan Hwy, Prescott Rd., 3rd St.

¹ Requires proof of charitable non-profit status.

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

³ Additional fees for use of public facilities may apply.

INSURANCE

The City will require that you co-insure the City (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.

Recycling and garbage bins will be placed at start/finish line and at water stations. Volunteers will be distributed among the recycling/garbage bins.

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).

See attached.

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


Security will be provided by committee members, whom will be placed along the route.

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

The road is accessible to people with disabilities.

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

Local fire department and ambulance will be on stand-by.

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



CITY OF SAN JUAN BAUTISTA CITY COUNCIL STAFF REPORT

ACTION ITEM: **AMENDMENT TO RANCHO VISTA DEVELOPMENT
AGREEMENT TO ADDRESS AMBIGUITIES AND RESOLVE
A DISPUTE ABOUT INTERPRETATION**

DATE: June 26, 2019

DEPARTMENT HEAD: Interim City Manager Tewes

RECOMMENDED ACTION: Review proposed Amendment to the Development Agreement and introduce an ordinance approving the amendment.

BACKGROUND: In 2015 the City and Robert Fulton entered into a Development Agreement setting forth the obligations of the City and the Developer. State law and the City's Municipal Code authorize such agreements which typically "lock in" fees and approvals, in exchange for public benefits. Under the Agreement and subsequent amendments the Developer, now Meritage Homes, has contributed \$579,850 over and above its required fees to address the City's water supply problem.

As described in the attached staff report to the City Council, a legal dispute has arisen regarding the City's interpretation of the portion of the agreement setting forth the building permit and development impact fees. Meritage contends that it based its decision to purchase the project from Fulton based on an understanding of how fees would be calculated, but that the City adopted an interpretation of ambiguous language which increased its fee obligations.

To resolve the dispute and avoid legal proceedings, an amendment is recommended that does the following:

- Clarifies that the "locked in" building fees apply only to the habitable space of each house and that patios and garages will be charged building permit fees in accordance with current schedules

- Recommits the City to not charge fees not covered by the Development Agreement
- Provides that development impact fees will be paid on a “per unit” basis (and not vary with the square footage of a house) and that the fees will be those fees in effect on July 1, 2019
- Requires Meritage to provide additional public benefits by contributing \$25,000 to be used by the City to make safety improvements to the sewer lift station.

The agreement does not revise any of the conditions of approval or relieve Meritage of its obligations under the Subdivision Improvement Agreement.

ATTACHMENTS:

Proposed Ordinance

ORDINANCE NO. 2019-XX

AN ORDINANCE OF THE CITY OF SAN JUAN BAUTISTA APPROVING A THIRD AMENDMENT TO DEVELOPMENT AGREEMENT WITH MERITAGE HOMES OF CALIFORNIA, INC. REGARDING THE RANCHO VISTA PROJECT

WHEREAS, to strengthen the public planning process, encourage private participation in comprehensive planning and reduce the economic risk of development, the Legislature of the State of California adopted Government Code Sections 65864 et seq. (the "Development Agreement Statute") which authorizes cities to enter into agreements for the development of real property with any person having a legal or equitable interest in such property in order to establish certain development rights in such property; and

WHEREAS, in accordance with the Development Agreement Statute, the City of San Juan Bautista (the "City") has enacted Chapter 10-6 of the San Juan Bautista Municipal Code (the "Development Agreement Regulations") to implement procedures for the processing and approval of development agreements in accordance with the Development Agreement Statute; and

WHEREAS, the City and R.L. Fulton Holding Company, LLC, predecessor in interest to Meritage Homes of California Inc. ("Developer"), previously entered into that certain Development Agreement dated as of March 17, 2015 (the "Development Agreement"), pursuant to which the City and R.L. Fulton Holding Company, LLC agreed to certain matters with respect to the development of 86 lots (the "Project") on certain real property consisting of approximately 28.35 acres, located in the northerly part of the City, on the west side of the San Juan Highway, within the current city limits boundary (the "Project Site"), which is more particularly described in the Development Agreement; and

WHEREAS, the City and Developer have amended the Development Agreement twice previously with those certain Amendments to the Development Agreement dated as of June 1, 2015 and March 20, 2018 (the "Amended Development Agreement"); and

WHEREAS, prior to its adoption of the Development Agreement, the City has approved an Initial Study and Mitigated Negative Declaration for the Project Site (the "IS/MND") a General Plan Amendment (the "General Plan Amendment"), rezoning, and a vesting tentative map (collectively the "Project Approvals"); and

WHEREAS, consistent with the Project Approvals, the Developer is in the process of developing the Project on the Project Site; and

WHEREAS, the City and Developer have negotiated the terms of this Third Amendment to the Development Agreement (the "Third Amendment") amending the terms of the Amended Development Agreement; and this Ordinance No. 2019-XX; and.

WHEREAS, the complexity, magnitude and long-term buildout of the Project would be difficult for the Developer to undertake if the City had not determined, through the Amended Development Agreement, to inject a sufficient degree of certainty in the land use regulatory process to justify the substantial financial investment associated with development of the Project; and

WHEREAS, the Third Amendment to the Development Agreement will assure both the City and Developer that the Project can proceed without disruption caused by a change in City planning and development policies and requirements, which assurance will thereby reduce the actual or perceived risk of planning, financing and proceeding with construction of the Project and promote the achievement of the private and public objectives of the Project; and

WHEREAS, pursuant to Section 65867 of the Government Code, the Planning Commission held a duly noticed public hearing on July 2, 2019, on the Third Amendment to the Development Agreement during which public hearing the Planning Commission received comments from the Developer, City staff, and members of the general public; and

WHEREAS, following said public hearing, the Planning Commission, elected to forward the Third Amendment to the Development Agreement to the City Council with a recommendation that the City Council approving Amendment Three of the Development Agreement; and

WHEREAS, pursuant to Section 65867 of the Government Code, the City Council, on July 16, 2019, held a duly noticed public hearing on the Third Amendment to the Development Agreement, during which public hearing, the City Council received comments from Developer, City staff, and members of the general public.

THE CITY COUNCIL OF THE CITY OF SAN JUAN BAUTISTA DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. This Ordinance incorporates, and by this reference makes a part hereof, the Amended Development Agreement and the Third Amendment to the Development Agreement substantially in the form on file with the City Clerk as of the date of passage of this Ordinance, subject to the provisions of Section 10-6 hereof.

SECTION 2. This Ordinance is adopted under the authority of Government Code Section 65864 et seq., and pursuant to Chapter 10.6 of the Municipal Code of the City of San Juan Bautista, which was added by City Ordinance No. 2007-09, establishing procedures and requirements for consideration of development agreements pursuant to Government Code Section 65864 et seq. (the "Development Agreement Regulations").

SECTION 3. In accordance with Section 10-6-080 of the Development Agreement Regulations, the City Council hereby finds and determines, as follows: (a) The Third Amendment to the Development Agreement is consistent with the objectives, policies, general land uses and programs in the General Plan and any applicable

specific plan; (b) The Third Amendment to the Development Agreement is compatible with the uses authorized in, and the regulations prescribed for, the land use districts in which the Property which is subject to the Development Agreement is located; (c) The Third Amendment to the Development Agreement is in conformity with public convenience, general welfare and good land use practice; (d) The Third Amendment to the Development Agreement will not be detrimental to the public health, safety and general welfare; (e) The Third Amendment to the Development Agreement will not adversely affect the orderly development of property or the preservation of property values; and (f) The Third Amendment to the Development Agreement is consistent with the provisions of Government Code Sections 65864 through 65869.5. (g) Based on the information provided that no new environmental review for the project is required pursuant to CEQA Guidelines Section 15162 and that the IS/MND shall serve as the environmental review for the approval of the Third Amendment to the Development Agreement.

SECTION 4. The foregoing findings and determinations are based upon the following: (a) The Recitals set forth in this Ordinance, which are deemed true and correct; (b) The IS/MND; (c) The City's General Plan; (d) The San Juan Bautista Zoning Map; (e) All City staff reports (and all other public reports and documents) prepared for the Planning Commission, City Council, or others relating to the IS/MND, the General Plan Amendments, the Development Agreement, the First and Second Amendments to the Development Agreement and other actions relating to the Property; (f) All documentary and oral evidence received at public hearing or submitted to the Planning Commission or City during the comment period relating to the Third Amendment; and (g) All other matters of common knowledge to the City Council, including, but not limited to the City's fiscal and financial status; City policies and regulations; reports, projections and correspondence related to development within and surrounding the City; State laws and regulations and publications.

SECTION 5. The City Council hereby approves the Third Amendment to the Development Agreement, subject further to such minor, conforming and clarifying changes consistent with the terms hereof as may be approved by the City Manager prior to execution hereof, as follows:

Section 2.10 shall be repealed and replaced to read in its entirety as follows:

"2.10 Development Fees

- a) Developer shall be obligated to pay only those City building permit fees and City impact fees listed in this Section 2.10.b and 2.10.e.
- b) Building Permit 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 Building Permit Fees shall be as set forth below. Developer shall pay a proportionate share, as defined below, of building permit fees for "conditioned or living space" as defined in the Building

Code; and shall pay for all other permitted space, such as patios and garages, the current fees established by the City and the Building Code. The amount of these listed Building Permit Fees is based on a base case of 2400 square feet of conditioned space per dwelling. If the size of the actual conditioned space for a dwelling unit varies from the base case of 2400 square feet the building permit fees will be adjusted accordingly. For example, if the size of the actual conditioned space 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 building permit fee owing for that building permit shall be increased by 10%. Likewise, as another example, if the size of the conditioned space for which a building permit is requested is 2,160 square feet (a 10% decrease from 2,400 square feet of conditioned space) then the amount of the Building Permit Fees shall be reduced by ten percent (10%). The listed Building Permit Fees are based on 2400 square feet of conditioned space per dwelling unit. All spaces other than conditioned spaces will be charged based on the square footage of such construction, the tables within the Building Code and the City's rate structure. For the Term of this Development Agreement, the Building Permit Fees shall be:

- 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.

(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.

e) Development Impact Fees shall be paid on a dwelling by dwelling unit basis, and will not vary with the size of the unit. The development impact fees shall be paid in accordance with the following schedule which comprises the fees in effect as of July 1, 2019.

- 1) Water Connection Fee in the amount of \$9,002.29 per dwelling unit, payable at building permit issuance for each such building permit sought.
- 2) Traffic Fee in the amount of \$2,045.92 per dwelling unit, payable at building permit issuance for each such building permit sought.
- 3) Public Safety Fee in the amount of \$1,838.59 per dwelling unit, payable at building permit issuance for each such building permit sought.
- 4) Park Development Fee in the amount of \$931.90 per dwelling unit, payable at building permit issuance for each such building permit sought.
- 5) Storm Drain Fee in the amount of \$1,851.70 per dwelling unit, payable at building permit issuance for each such building permit sought.
- 6) Library Fee in the amount of \$2,377.18 per dwelling unit, payable at building permit issuance for each such building permit sought.
- 7) Civic/Public improvement Fee in the amount of \$1,767.09 per dwelling unit payable at building permit issuance for each such building permit sought.
- 8) In addition, it is understood that the Aromas/San Juan School District collects a School Fee per square foot of habitable space.
- 9) Fire Sprinkler inspection fee in the amount of \$150 per dwelling unit, payable at building permit issuance for each such building permit sought.
- 10) Sewer Connection Fee in the amount of \$6,243.81 per dwelling unit, payable at building permit issuance for each such building permit sought."

Section 2.01 (e) shall be added to read in its entirety as follows:

"(e) In exchange for the benefits provided by this Third Amendment to the Development Agreement, Developer agrees to provide an additional public benefit to the City by contributing \$25,000 to be used by the City to install upgrades to the Sewer Lift Station at Rancho Vista. Unless, the City Manager and the Developer agree to have the improvements installed by the Developer, the payment shall be due upon execution of this ordinance."

SECTION 6. Upon the effective date of this Ordinance as provided in Section 9 hereof, the Mayor and City Clerk are hereby authorized and directed to execute the Third Amendment to the Development Agreement on behalf of the City of San Juan Bautista.

SECTION 7. The City Manager is hereby authorized and directed to perform all acts authorized to be performed by the City Manager in the administration of the Third Amendment to the Development Agreement and the Amended Development Agreement pursuant to the terms of the Amended Development Agreement as amended by the Third Amendment, including but not limited to provisions for certain administrative amendments and transfers and assignments as authorized therein.

SECTION 8. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance.

SECTION 9. This Ordinance shall be in full force and effect thirty (30) days after its passage and adoption; as certified by the City Clerk.

THE FOREGOING ORDINANCE was first read at a regular meeting of the San Juan Bautista City Council on the 16th day of July-, 2019, and was passed and adopted at a regular meeting of the San Juan Bautista City Council on the 19th day of August 2019.

AYES:

NOES:

ABSTAIN:

ABSENT:

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

[CSUMB Home](#) [Academics](#) [College of Science](#) [SNS](#) [Fernandez Lab](#)

Sustainable City Year Program

The Sustainable City Year Program is a university-community connection where cities work with universities to “matchmake” community needs (as determined by someone in city management) to university expertise. The matchmaking is done by someone on campus once the needs of the city are determined.

The university sends out an RFP to regional city governments soliciting them for a “wish list” of sustainability-related projects. Interested cities respond with proposals that describe sustainability-related projects that they would like to work on, but may be unable to due to staffing or other limitations.

Someone at the university connects those city projects with likely faculty who teach related courses and solicits those faculty to see if they would be willing to incorporate this project into their existing class (that is, no new classes need to be created). The proposal that has the best fit to faculty expertise (and can contribute sufficient funding to maintain the needed connection) is selected that year. A contract is then generated between the university and the city to pursue the work. One of the unique features of this model is the interdisciplinarity that it engenders. In other words, partnerships are created across many disciplines on campus. So far that has included Environmental Studies, Social and Behavioral Science, Statistics and Psychology.

[Is there something wrong with this page?](#)

Fernandez Lab

City of San Juan Bautista
Revenues ~ Budget Vs. Actual
For the One Month Period Ended July 31, 2019

Item #4C
City Council Meeting
September 17, 2019

REVENUES	FY19	FY20	Annual		YTD	
<u>Fund</u>	<u>Actuals</u>	<u>Actuals</u>	<u>Budget</u>	<u>Difference</u>	<u>8%</u>	<u>Notes</u>
General Fund	70,810	135,042	1,854,841	(1,719,799)	7%	
Special Revenue Funds:						
Capital Projects Fund	-	46,000	1,722,000	(1,676,000)	3%	
Community Developmer	5,310	12,427	553,058	(540,631)	2%	A
COPS	13,927	8,333	100,000	(91,667)	8%	
Parking & Restroom Fd	2,749	3,029	32,200	(29,171)	9%	
Gas Tax Fund	5,842	7,649	53,851	(46,202)	14%	B
Valle Vista LLD	-	-	21,717	(21,717)	0%	C
Rancho Vista CFD	-	-	92,744	(92,744)	0%	C
Copperleaf CFD	-	-	34,390	(34,390)	0%	C
Development Impact Fee Funds:						
Public/Civic Facility	-	-	25,000	(25,000)	0%	A
Library	-	-	33,000	(33,000)	0%	A
Storm Drain	-	-	80,000	(80,000)	0%	A
Park In-Lieu	-	-	10,000	(10,000)	0%	A
Public Safety	-	-	15,000	(15,000)	0%	A
Traffic	-	-	10,000	(10,000)	0%	A
Zone 1 TIMF	-	-	30,000	(30,000)	0%	A
Internal Service Funds:						
Blg Rehab. & Replace	4,625	3,167	38,000	(34,833)	8%	
Vehicle Replacement	5,000	5,000	60,000	(55,000)	8%	
Enterprise Funds:						
Water						
Operations	80,325	87,134	979,000	(891,866)	9%	
Capital	92,000	-	100,000	(100,000)	0%	A
Sewer						
Operations	75,932	92,235	1,010,600	(918,365)	9%	
Capital	-	-	600,000	(600,000)	0%	A
TOTAL Funds	285,710	264,974	7,455,401	7,190,427	4%	

A ~ These funds are developer derived and are recognized when received. The timing of the projects and the related revenue does not always align with the year-to-date percentages.

B ~ Gas tax funds are received at varying increments during the year, as such the amounts received do not always align with the year to date percentages.

C ~ These funds are special assessments, which the County collects on the City's behalf. Payments are generally received in installments in December, April and May.

City of San Juan Bautista
Expenditures ~ Budget Vs. Actual
For the One Month Period Ended July 31, 2019

Item #4C
City Council Meeting
September 17, 2019

EXPENDITURES	FY19	FY20	Annual		YTD	
<u>Fund</u>	<u>Actuals</u>	<u>Actuals</u>	<u>Budget</u>	<u>Variance</u>	<u>8%</u>	<u>Note</u>
General Fund	118,347	117,872	1,740,248	(1,622,376)	7%	
Special Revenue Funds:						
Capital Projects Fund	-	19,466	1,763,000	(1,743,534)	1%	A
Community Development	61,395	33,367	553,058	(519,691)	6%	
COPS	8,333	8,333	100,000	(91,667)	8%	
Parking & Restroom Fd	319	1,980	15,000	(13,020)	13%	
Gas Tax Fund	1,379	4,488	53,851	(49,363)	8%	
Affordable Housing Fund	-	25,145	18,877	6,268	133%	B
Valle Vista LLD	1,453	1,220	26,717	(25,497)	5%	
Rancho Vista CFD	-	-	40,904	(40,904)	0%	C
Copperleaf CFD	-	1,790	21,523	(19,733)	8%	
Development Impact Fee Funds						
Public/Civic Facility	-	2,750	33,000	(30,250)	8%	
Library	-	2,000	24,000	(22,000)	8%	
Storm Drain	-	16,333	196,000	(179,667)	8%	
Park In-Lieu	-	9,583	115,000	(105,417)	8%	
Public Safety	-	2,083	25,000	(22,917)	8%	
Traffic	-	9,083	109,000	(99,917)	8%	
Internal Service Funds:						
Blg Rehab. & Replace	-	1,667	20,000	(18,333)	8%	
Vehicle Replacement	-	844	11,890	(11,046)	7%	
Enterprise Funds:						
Water:						
Operations	71,561	75,794	738,921	663,127	10%	
Capital	1,699	17,494	349,979	332,485	5%	
Sewer						
Operations	74,198	81,348	1,608,450	1,527,102	5%	
Capital	949	1,275	638,979	637,704	0%	A
TOTAL Funds	221,286	316,044	8,203,397	7,887,353	4%	

Footnotes:

A ~ Capital costs occur sporadically during the year, and do not always align with the to date percentages
B ~ Current year to date costs, which over budget, are offset from prior period impact funds received.
C ~ No activity yet.

City of San Juan Bautista
Warrant Listing
As of August 31, 2019

Item #4C
City Council Meeting
September 17, 2019

<u>Date</u>	<u>Num</u>	<u>Name</u>	<u>Amount</u>
101.000 - Union Bank			
101.001 - Operating Acct. 1948			
08/05/2019	212894	4Leaf, Inc.	-13,993.76
08/05/2019	212895	A & N Plumbing, Inc.	-561.25
08/05/2019	212896	Alliant Insurance Services	-1,207.00
08/05/2019	212897	at&t	-307.82
08/05/2019	212898	AVAYA	-212.86
08/05/2019	212899	Brielle Ducan	-65.08
08/05/2019	212900	Brigantino Irrigation, Inc.	-138.11
08/05/2019	212901	C & N Tractors	-380.30
08/05/2019	212902	Consumer Reports	-44.00
08/05/2019	212903	Data Ticket Inc.	-1,549.18
08/05/2019	212904	Department of Transportation	-345.86
08/05/2019	212905	Ernest Alnas	-96.56
08/05/2019	212906	Ferguson Enterprises LLC	-90.32
08/05/2019	212907	Graniterock	-671.40
08/05/2019	212908	Guadalupe R. Rodriguez	-230.00
08/05/2019	212909	Hollister Auto Parts, Inc.	-20.42
08/05/2019	212910	Home Depot Credit Services	-849.31
08/05/2019	212911	Laura Cent.	-100.00
08/05/2019	212912	Mc Kinnon Lumber Co., Inc.	-291.49
08/05/2019	212913	Mission Linen Service	-292.12
08/05/2019	212914	Monterey Bay Analytical Services	-458.25
08/05/2019	212915	Monterey County Health Department	-170.00
08/05/2019	212916	Orta & Sons Fence Company	-8,395.35
08/05/2019	212917	P G & E	-2,019.34
08/05/2019	212918	Patricia Paetz	-86.13
08/05/2019	212919	R & B Company	-1,678.30
08/05/2019	212920	Rochelle Eagen	-372.31
08/05/2019	212921	San Juan Bautista Committee.	-700.00
08/05/2019	212922	Smith & Enright Landscaping	-1,150.00
08/05/2019	212923	Staples	-420.52
08/05/2019	212924	State Compensation Insurance Fund	-1,851.50
08/05/2019	212925	Todd Kennedy	-533.28
08/05/2019	212926	Trip Stop Sidewalk Repair	-6,000.00
08/05/2019	212927	True Value Hardware	-88.97
08/05/2019	212928	United Site Services of California, Inc.	-156.92
08/05/2019	212929	US Bank	-4,431.37
08/05/2019	212930	Valero Marketing & Supply	-566.65
08/05/2019	212931	Wendy L. Cumming, CPA	-3,335.00
08/05/2019	212932	San Juan Bautista Committee.	-5,019.49
08/12/2019	212933	ACWA Health Benefits Authority	-8,862.69
08/12/2019	212934	All Clear Water Services	-3,828.23
08/12/2019	212935	Brodart Co.	-816.71
08/12/2019	212936	Clark Pest Control	-95.00

City of San Juan Bautista
Warrant Listing
As of August 31, 2019

Item #4C
City Council Meeting
September 17, 2019

<u>Date</u>	<u>Num</u>	<u>Name</u>	<u>Amount</u>
08/12/2019	212937	Cypress Water Services	-20,150.00
08/12/2019	212938	Freitas + Freitas	-12,580.20
08/12/2019	212939	J.V. Orta's Rent A Fence	-66.68
08/12/2019	212940	KS State Bank	-5,818.30
08/12/2019	212941	Level 1 Private Security.	-8,928.00
08/12/2019	212942	Monterey Bay Air Resources Dist.	-978.07
08/12/2019	212943	P G & E	-871.12
08/12/2019	212944	Paul Champion	-100.00
08/12/2019	212945	Pulido's Overhead Door	-1,860.00
08/12/2019	212946	Underground Service Alert of No. CA & NV	-426.95
08/12/2019	212947	Maureen Kane & Associates, Inc.	-1,550.00
08/16/2019	212948	at&t	-70.08
08/19/2019	212949	4Leaf, Inc.	-7,074.30
08/19/2019	212950	AFLAC	-152.78
08/19/2019	212951	at&t	-85.15
08/19/2019	212952	Christina Paredes.	-500.00
08/19/2019	212953	CSG Consultants, Inc.	-6,360.00
08/19/2019	212954	Ferguson Enterprises LLC	-42.61
08/19/2019	212955	Frank's Quality Painting	-3,840.00
08/19/2019	212956	Harris & Associates	-15,565.00
08/19/2019	212957	Hollister Auto Parts, Inc.	-8.73
08/19/2019	212958	Juan Carlos Mora	-30.55
08/19/2019	212959	KBA Docusys	-332.70
08/19/2019	212960	Laura Cent.	-323.88
08/19/2019	212961	Mission Linen Service	-34.88
08/19/2019	212962	Monterey Bay Analytical Services	-448.50
08/19/2019	212963	P G & E	-11,869.59
08/19/2019	212964	R & B Company	-1,258.13
08/19/2019	212965	Ready Refresh	-216.24
08/19/2019	212966	Rx-Tek	-273.31
08/19/2019	212967	Santiago Plascencia	-650.00
08/19/2019	212968	Todd Kennedy	-52.94
08/19/2019	212969	United Site Services of California, Inc.	-319.35
08/23/2019	212970	Ferguson Enterprises LLC	-25.53
08/23/2019	212971	P G & E	-66.12
08/23/2019	212972	Pet Waste Co	-84.66
08/23/2019	212973	US Bank Equipment Finance	-249.61
08/23/2019	212974	Valero Marketing & Supply	-1,034.40
Total 101.001 · Operating Acct. 1948			-176,781.21
Total 101.000 · Union Bank			-176,781.21
TOTAL			-176,781.21



CITY MANAGER STATUS REPORT AUGUST – SEPTEMBER 2019

DATE: September 11, 2019
DEPARTMENT HEAD: Don Reynolds, City Manager

Administration- End-of Summer vacations and training occupied most of the City's administrative staff this past month, except for the City Manager and Assistant Planner. On August 20th, we had our first staff meeting. We are anxious to look at the City Hall configuration and make changes (as per the CIP Budget). To that end we executed the Lease with Hollister Fire Department and better defined the use of space at this facility. They expect two new fire apparatus by next July 1, which means we have to move out of the second apparatus bay (currently used for our truck and file storage). The City Clerk is at training in Southern California this week. Next week our Assistant Planner will go to his first AICP Conference. After 30-years, I have upgraded my membership at the International City Manager's Association to "full member." Thank you!

Budget/Finance- We have begun to close the books from prior Fiscal Year 18/19. I have been brought up to speed on several City finance policies including the City's reserve policy. We anticipate being able to make some one-time adjustments at mid-year (January) once the Audit is completed.

Cannabis – The drafted rules and regulations considered as a discussion item at the August City Council meeting are being reviewed at this time by staff. They are comprehensive and more than San Juan Bautista needs. The review is a simple comparison of the City's Industrial Zoning Code, and the ten various permits that the cannabis industry can receive from the State. Many of these ten uses are not permitted in the Industrial Zone including retail and distribution. Staff is learning from several other cities about processing permits, as it relates to the unique circumstances of business opportunities in Industrial Zones. The regulations will return to the City Council at the October City Council meeting.

Deputy City Manager Status- A compromise is in order. I am afraid that \$50 per hour (in the budget) is not enough to pay a Deputy City Manager. The Retired PW's Director referenced in last month's report was earning \$100 per hour in another City. He refused the offer, but agreed to help with the two critical studies (for Water and Waste Water systems). He can be paid directly from these two enterprise funds. So, as a compromise, on Friday September 6, a new part-time code enforcement offer agreed to a 20-hour per week assignment at \$50 an hour. (He was earning \$50 per hour when he retired.). He will start October 1, and focus on

building code and property maintenance enforcement, parking enforcement, and management of the City's chicken control program and Community Hall security program.

Developments- Staff continues to work closely with the Copperleaf Development that is making progress trying to wrap-up their public improvements. I sent a status letter to them September 9, 2019, explaining that we are ready to consider accepting the improvements, or a partial reduction in their bond. These matters require City Council approval. At Ranch Vista, the development is again underway. An expert on "roundabouts" has been retained and his review is due this Friday. Staff has received a commercial/mixed use development proposal for the property at Muckelemi Street and Hwy. 156. It includes a gas station, car wash and a gym with apartments. Other developers have their eye on these properties too. More to follow. Please feel free to talk to staff off-line should you have specific questions.

Library- Staff is following up on Senator Caballero's request to have office space in the Library conference room. The conference room has been cleaned and is ready for occupancy. We have a use permit or lease awaiting their decision of when and how often to staff the office.

Parks- I have reviewed the draft of the Parks Master Plan with the Chair of the subcommittee and the Chair of the Strategic Planning Committee in the past week. They will be following up on a few loose ends. When the draft is ready I will send it to the State for review, then to the City Council.

Planning- The Planning Commission passed resolutions sending the City Council several Ordinance amendments, and the Housing Element. The one item they continued is the re-zoning of one of three different properties. They excluded the Lang Street property from further consideration, and added 70 Muckelemi as a new consideration. It is agreed that the lack of specific design review language is missing so this will be added to the Ordinances where applicable. Without this language, the Ordinances are not consistent with the General Plan. The Housing Element is coming forward at the September 17, 2019 Council meeting for adoption. The other five items are being reviewed and adjusted as needed in time for the October 1 Planning Commission meeting.

Public Works- An inspection of Well 6 is scheduled for Thursday, September 12, and will hopefully receive its "interim operations letter" from the State. The Fourth Street speed tables will break ground Monday, August 16 and take two days to build all five tables. In a few weeks they will cure and be painted. Notices were hand delivered on Monday, the 9th. The design for the Third Street improvement project is well underway. They have also stepped up and provided some urgent and needed inspections work for us.

Public Works Crew- Our crews worked hard to prepare the City for its Sesquicentennial celebration. Abbe Park and Third Street were all the focus of their attention. Flushing both water and sewer lines also continued this past month. They are attending a well-deserved training and BBQ on Wednesday, the 11th.

Lastly, congratulations to the City and its tireless volunteers for the wonderful Sesquicentennial celebration. Many hours of hard work paid off.

Don Reynolds



CITY OF SAN JUAN BAUTISTA CITY COUNCIL STAFF REPORT

AGENDA TITLE: ADOPTION OF THE 2015-2019 HOUSING ELEMENT

DATE: September 17, 2019

DEPARTMENT HEAD: Don Reynolds, City Manager

RECOMMENDED ACTION: Receive a report from City staff and the City's housing element Consultant, hold a public hearing to receive public comment, and approve Resolution PC-2019-XX (Attachment 1), which approves the City of San Juan Bautista General Plan Housing Element (2015-2019 Cycle).

BACKGROUND INFORMATION: State law requires housing elements to be updated periodically, and the most recent update was due on December 15, 2015. Because the City missed this deadline, it must now adopt two consecutive four-year housing elements in order to return to the current standard eight-year cycle. This means that San Juan Bautista is required to complete the update that was due in December 2015 as soon as possible (to complete the first four-year cycle for the period 2015-2019) and then undertake and complete a second update (to complete the second four-year cycle for the period 2020-2023) by December 15, 2019.

The housing element update that is now before the City Council covers the first four year cycle for the period 2015-2019. Staff and consultant will return before the end of the year with a second update that covers the period 2020-2023. The second four-year housing element is targeted for City adoption in December 2019, and if the City makes this deadline and its 2023 deadline, then it will revert back to the standard eight-year housing element cycle.

To support the adoption of this first housing element update, staff and consultant conducted a public workshop on February 20, 2019. Noticing for the workshop was mailed to 14 different housing organizations in the region, plus direct emails were sent to approximately 250 residents. Notices were also posted on the City's main website, on social media, and at City Hall. A total of 22 people attended the workshop, primarily residents of the City, and there was a general consensus and enthusiastic about the need for affordable housing in the City.

Staff and consultants prepared a Preliminary Draft Housing Element in April 2019 and submitted it for review by the California Department of Housing and Community Development (HCD). HCD completed its review with a letter to the City dated June 7, 2019, which contained several suggested edits and additions, plus a caution that certification would be withheld until action was taken by the City to implement certain housing programs—promised in the last housing element—that are needed to achieve conformance with state housing element law.

Staff and consultants have revised the housing element document to address the concerns raised by HCD, and it has also prepared several ordinances and a resolution to implement certain housing programs from the prior housing element.

Planning Commission Recommendation: On February 20th an introductory workshop was held to discuss the Housing Element and seek public input. It was then sent to the State Housing and Community Development for review. The edits were included in the final draft that returned to the Planning Commission on August 6, 2019. On August 13, 2019, a Special Planning Commission a second public workshop was held at the Community Hall. At their regular hearing held on September 3, 2019, Planning Commission was presented with six different actions, the first five (shown below) require that Ordinances to be adopted, and the last just a resolution:

1. CEQA Review;
2. Reasonable Accommodations - a process for administering these;
3. Reserving sewer and water utilities for housing first;
4. Zoning Ordinance Text Amendments;
5. General Plan Re-Zone of one of three properties; and
6. Approval of the Housing Element.

The Commission made a series of motions recommending to the City Council approval of the Housing Element and all of the Ordinances but #5; the re-zoning of the three properties. In this deliberation, it was decided that Property "C" on Lang Street was no longer subject to further consideration. Instead the property at 70 Muckelemei was added for consideration. After further analysis, it will to the Commission October 1. The Ordinances that allow development "by-right" (Accessory Dwelling Units, Homeless Shelters, etc.) will be subject to design approval. This design review is required for the Ordinances for them to be consistent with the General Plan. This needs to be added to the existing language and will also have to return to the Commission for consideration October 1.

City Council Action: It is now appropriate for the City Council to hold a public hearing and take action to adopt of the San Juan Bautista General Plan Housing Element (2015-2019 Cycle). (Item 6 above). Attached to this report is a Resolution for the City Council's consideration to adopt the new San Juan Bautista General Plan Housing Element (2015-2019 Cycle), which is attached to the resolution of approval.

The proposed adoption of the General Plan Housing Element is supported by an Initial Study and Mitigated Negative Declaration that evaluated the environmental effects of the action in accordance with the California Environmental Quality Act. The Initial Study found that, with mitigations, the action would engender no substantial effects on the environment. Council action to adopt this document will be done at the regular hearing on October 15, 2019. Also, at that hearing, the ordinances recommended by Commission will be heard by Council as well. The reason for this is because the City is working on a grant application to the State due on October 11, 2019. One of the application requirements is to have an adopted Housing Element. The implementing ordinances may follow the adopted Housing Element.

Attachment:

1. Resolution approving the Housing Element
2. Housing Element Document

RESOLUTION 2019-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN JUAN BAUTISTA ADOPTING THE GENERAL PLAN HOUSING ELEMENT (2015-2019 CYCLE), CONSISTENT WITH SECTION 65580 ET. SEQ. OF THE CALIFORNIA GOVERNMENT CODE

WHEREAS, the City of San Juan Bautista is required by State law to prepare and adopt a General Plan for the long-term physical growth and development of the City; and

WHEREAS, the Housing Element is one of seven State mandated elements to be included in the General Plan; and

WHEREAS, the California Department of Housing and Community Development established a State planning period (2014 to 2023) and is requiring all local governments within the regional jurisdiction of the Association of Monterey Bay Area Government (AMBAG) to update their Housing Elements by December 31, 2015; and

WHEREAS, the City held a Housing Element workshop on February 20, 2019, pursuant to Housing Element law, to allow the residents and the surrounding housing organizations the opportunity to provide their opinions on the City's housing needs; and

WHEREAS, a draft update to the Housing Element of the General Plan has been prepared for adoption by the City Council pursuant to the requirements of state Housing Element law (Government Code §65580 et seq.); and

WHEREAS, The Planning Commission, at its regular meeting on September 3, 2019, recommended that the City Council adopt the updated Housing Element, as described in Exhibit A; and

WHEREAS, in accordance with the California Environmental Quality Act (CEQA), an initial study, prepared and circulated for public review and comment, found the 5th Cycle Housing Element to have minimal impacts supporting the City's adoption of a Mitigated Negative Declaration; and

WHEREAS, The Planning Commission has recommended approval of a Mitigated Negative Declaration at its regular meeting on September 3, 2019; and

WHEREAS, the Planning Commission found the updated Housing Element to be consistent with, and suitable for, incorporation into the City's General Plan and recommended approval of the Housing Element to the City Council of the City of San Juan Bautista.

NOW, THEREFORE, BE IT RESOLVED that the City Council adopts the San Juan Bautista General Plan Housing Element for the planning period 2015-2019 (5th Cycle Housing Element).

THE FOREGOING RESOLUTION was approved by the San Juan Bautista City Council at a meeting of the City Council held on the 17th day of September, 2019, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Mayor César E. Flores

ATTEST:

Trish Patz, Deputy City Clerk

APPROVED AS TO FORM:

City Attorney

EXHIBIT A

**SAN JUAN BAUTISTA 2015-2019 HOUSING ELEMENT
(INSERT PUBLIC REVIEW DRAFT HERE)**



CITY OF SAN JUAN BAUTISTA CITY COUNCIL STAFF REPORT

**AGENDA TITLE: POLICY ESTABLISHING PROCEDURES AND
TIMELINES FOR AGENDA MANAGEMENT**

MEETING DATE: September 11, 2019

**DEPARTMENT HEAD: Trish Paetz, Administrative Services Manager and
Deputy City Clerk**

RECOMMENDED ACTION:

Adopt a policy establishing procedures and timelines for production of agenda packets and for placing items on the City Council meeting agenda.

BACKGROUND INFORMATION:

From time to time, the City Clerk's office receives requests from the public to place an item on the agenda. Also, council members are unclear of the process and, absent a policy, staff advises "how it has always been done."

A policy, stipulating timelines for staff, contractors, and the council to submit materials for the agenda packet would assist staff with timelines and provide clarity. The policy would also address who is authorized to place items on the agenda, and reference the government code section relevant to posting a special meeting.


Staff developed the attached policy after researching other cities' agenda policies. When it was presented in August, Council provided input and requested staff changes the procedure for placing items on the agenda to read as follows:

A Councilmember may request an item to be added to a future Council meeting agenda by submitting their verbal or written request to the City Manager or the Mayor.

Attachments:

Policy

Resolution

 City Council Agenda Items	Citywide Policy Manual Policy # N/A
	Attachments: N/A
Effective Date: September 17, 2019	Responsible Department: City Manager/City Clerk's Office
Related Policies & Notes: N/A	

Purpose

To establish a policy for how items are to be placed on a City Council meeting agenda.

Policy

How someone can place or request an item to be added to a City Council agenda:

- City Manager:
 - The City Manager shall set the agenda with input from the Mayor, Councilmembers, City staff, and/or City Attorney.
- Mayor:
 - The Mayor, along with the City Manager, can place an item on the agenda.
- Councilmember:
 - Outside a Council Meeting:
 - A Councilmember may request an item to be added to a future Council meeting agenda by submitting their verbal or written request to the City Manager or the Mayor.
 - During a Council Meeting:
 - During Council Comments at a City Council meeting, two Councilmembers can concur to request to add an item to a future agenda.
- Members of the Public:
 - Members of the public can request an item to be placed on a future agenda by writing a letter to the City Council, speaking under public comment, or attending the Council's annual goalsetting workshop meeting. If City Council chooses to add an item requested by a member of the public on a future agenda, all the same rules above would apply.

Deadlines to submit an agenda item request:

- All requests for items to be placed on the Regular Meeting agenda shall be given to the City Clerk no later than 5:00 p.m. on the thirteenth day prior to the meeting (Wednesday).

Deadlines to submit agenda item materials:

- Council acknowledges and understands that City staff needs ample time to prepare, research, and provide technical and analytical information to be able to make a recommendation to Council. With this in mind, Council shall provide staff the appropriate time to prepare an item for Council consideration.
- All reports, communications, ordinances, resolutions, contract documents, staff report or other matters to be submitted to the City Council as backup information for an agenda item at a Regular Meeting will be delivered to the City Clerk no later than 5:00 p.m. on the eleventh day prior to the meeting (Friday).

Addendums to the Regular Agenda:

- Due to the fact that the City Clerk will post the agenda one week prior to the Council meeting, there may be a need to add additional items to the Regular Meeting agenda that require immediate action. Such addendums, to be posted at least 72 hours in advance of the Regular Meeting, shall be discouraged and limited to urgent matters only that require immediate action which is needed prior to the next regularly scheduled Council meeting. Such addendums will be allowed only if approved by the City Manager and the Mayor. This does not prohibit the Council from adding items to an agenda during a Council meeting if it meets the requirements of section 54954.2 of the California Government Code.

Removal of an item from the agenda:

- Removing an item that was set by the City Manager with input from the Mayor would be at the City Manager or Mayor's discretion with concurrence from the City Manager.
- Removing an item that was set by two or more Councilmembers either during a meeting or outside a meeting with input from the City Manager can only be done with concurrence of the Councilmembers who originally requested the item be placed on the agenda.

Special Meetings:

- Per Govt. Code 54956(a), A special meeting may be called at any time by the presiding officer of the legislative body of a local agency, or by a majority of the members of the legislative body, by delivering written notice to each member of the legislative body and to each local newspaper of general circulation and radio or television station requesting notice in writing and posting a notice on the local agency's Internet website, if the local agency has one. The notice shall be delivered personally or by any other means and shall be received at least 24 hours before the time of the meeting as specified in the notice. The call and notice shall specify the time and place of the special meeting and the business to be transacted or discussed. No other business shall be considered at these meetings by the legislative body. The written notice may be dispensed with as to any member who at or prior to the time the meeting convenes files with the clerk or secretary of the legislative body a written waiver of notice. The waiver may be given by telegram. The written notice may also be dispensed with as to any member who is actually present at the meeting at the time it convenes. The call and notice shall be posted at least 24 hours prior to the special meeting in a location that is freely accessible to members of the public.

- All requests by either the presiding officer of the legislative body or a majority of the members of the legislative body to call a Special Meeting shall be done in writing and given to both the City Manager and the City Clerk.
- The City Manager shall oversee the preparation of the Special Meeting agenda. The backup materials shall be provided as soon as is reasonably possible, but in no event later than 24 hours prior to the meeting.

RESOLUTION NO. 2019-XX

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN JUAN
BAUTISTA ADOPTING A POLICY REGARDING RULES OF
PROCEDURE AND PLACEMENT OF ITEMS ON AGENDAS**

WHEREAS, the City Council for the City of San Juan Bautista desires to establish a policy regarding procedures and timelines for production of agenda packets and for placement of items on an agenda for a meeting of the City Council.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF
SAN JUAN BAUTISTA THAT:**

SECTION 1. A new policy is added to the Citywide Policy Manual as set forth in Exhibit A, attached hereto and incorporated by reference herein.

SECTION 2. The new policy will take effect immediately upon this Resolution being adopted by the City Council, and the City Manager is directed to distribute a copy of this new policy to all Council Members, employees and City contractors.

PASSED, APPROVED, AND ADOPTED ON September 17, 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

DATE: August 13, 2019

SUBJECT: Consider Honoree for National Philanthropy Day

DETAILS: It is an annual tradition that the City Council consider a City volunteer to honor on National Philanthropy Day, November 14. Consideration is given to an individual, or individuals, that have contributed their time and efforts to making the community better. The event is organized by the San Benito County Community Foundation and is held at the San Juan Oaks where presentations are made to honor each volunteer. The honoree attends together with a council member and their guest, and others. Approximately 45 volunteers are honored at the event. The Foundation limits the number of persons that can attend from each organization to eight, and payment needs to be received by mid October.

By mid October, the Community Foundation requires the name of the honoree, confirmation and payment for each attendee's dinner, and a script describing how the honoree represented the community.

Below is a list of past honorees:

- 2018 Anthony Ponce: Working with the Junior Giants summer baseball program for kids
- 2017 Marina & Erik Gordon: Caring for and finding homes for stray cats
- 2016 Shawna Freels: Contributions to the community
- 2015 Teresa Lavagnino: Fundraising to resurface tennis courts and clean up San Juan Creek riparian area
- 2014 Sonora Vasquez: Verutti Park clean up
- 2013 Wanda Guibert: Volunteer to Planning Commission, Historical Society, Native Daughters, and other organizations.
- 2012 Danny Gonzalez: Working with the Fire Department Explorer Program benefitting local youth

Fiscal Impact: Dinners are \$50 each



Community
Foundation

FOR SAN BENITO COUNTY

18th Annual National Philanthropy Day Celebration Nomination Guideline

Nominations must be received no later than **Friday, October 11, 2019 to ensure recognition in the program and to receive a printed certificate.**

1. Only one honoree per organization. This year we are focusing on youth, and we encourage you to nominate a youth who is doing good work for your organization. However, this is NOT a requirement, and you may nominate a youth or an adult. A husband and wife team is also permitted. You may also nominate a group or organization, but only **1 person** may stand and be recognized during the presentation.
2. We have set a 100 word limit for scripts. Anything over 100 words will be edited.

SAMPLE Script for Presentation for Honoree:

*We are grateful to honor **John Smith** for being so instrumental to the success of YMCA's Annual Campaign Drive. The YMCA has been in this community for six years helping to build strong kids, families and communities. John's energy and passion for children in general sets him apart as a major champion of our organization's efforts to be financially stable to focus on our mission and purpose. I thank you for carving time in your life to give us endless hours of hard work making it possible to continue to serve the families and their children of San Benito County.*

3. The Community Foundation will be creating a multimedia slideshow to be shown at this event. Please submit an electronic, **high-resolution photograph** of your nominee (JPG format only). We prefer just a photograph of the nominee, not a group photo. The photograph should be sent via email to svanrooy@givesanbenito.org.
4. Please provide the following information for your nominee:
 - Your Name
 - Your Organization
 - Honoree's Name
 - Script (100 words)

This information may be mailed with your Dinner Reservation Form or sent via email to svanrooy@cffsbc.org.



CITY OF SAN JUAN BAUTISTA CITY COUNCIL STAFF REPORT

AGENDA TITLE: SB2 2019 PLANNING GRANT APPLICATION

DATE: September 17, 2019

DEPARTMENT HEAD: Don Reynolds, City Manager

RECOMMENDATION

It is recommended that the City Council adopt the attached resolution authorizing the City Manager to apply on the City's behalf for a State Department of Housing and Community Development 2019 SB-2 Planning Grant.

BACKGROUND

For close to a year now, the City has been working hard to complete its Housing Element, and accompanying this report is a recommendation for the City Council to adopt it. There are five other steps to be taken during the month of October to finalize this update of the City's housing ordinances, but this big first step opens the doors to new opportunities. One of these opportunities is a planning grant that is available to the City for as much as \$160,000 from the State Department of Housing and Urban Development.

DISCUSSION

The state announced the award amounts for local governments March 28, 2019, and San Juan Bautista is shown to be awarded \$160,000 for technical assistance to conduct various planning activities in the City. We have until the end of the calendar year to complete the "SB 2 Planning Grant Application," but it is understood that claiming the City's SB 2 grant allocation occurs on a first come - first serve basis. Staff has been working with EMC, the consulting firm that has completed our Housing Element, to analyze the best use of these funds in San Juan Bautista.

In review of the application, there are six Priority Policy Areas that SB-Planning Grant can be used for:

1. Rezone to permit by right;
2. Objective design and development standards;
3. Specific Plans or form-based codes with CEQA streamlining;
4. Accessory Dwelling Units or other low-cost housing strategies;
5. Expediting processing; and
6. Housing related infrastructure financing and fee reduction strategies.

It was originally understood that the current process for re-zoning properties for higher density housing and for homeless shelters could be done using these funds. However, the HCD review of the draft Housing Element in June indicated that they will not certify the Housing Element unless this work is already done. The first and fourth Priority Policy Areas are already proceeding. Properties are currently being considered for re-zoning to higher densities, and the ordinances to update the Accessory Dwelling Units is also being considered. Priority Areas two and five don't necessarily apply to San Juan Bautista as the design standards and process streamlining seem to be already in place or moving forward on their own. Priority Policy area 6 concerning infrastructure is being addressed by the Water Master Plan and Waste Water Treatment master plan. These two studies will help the City determine if infrastructure will limit housing growth potential.

After studying these priorities the one that seemed like the most useful to the City is the development of a specific plan for The Alameda Corridor south of Highway 156. The study would consider annexation, as well as land-use consistent with the current outlined uses in the General Plan. These are mostly residential in nature. The property owner that owns the property south of The Alameda is interested in working on a housing development on their property that expands all the way to Mission Vineyard Road. The potential to annex these properties and perhaps the whole block would be explored. There is a second grant the City can leverage for this purpose that would work with a COG grant to study the safety around the intersection of Highway 156 and The Alameda, in consideration of "safe routes to school."

The proposed planning process is a design charrette that engages the community in the development of the specific plan. Stakeholders including the County, the School District and property owners would be at the table. Ultimately, the connection between the De Anza Trail and Fremont Peak State Park would be defined.

FISCAL IMPACT

A specific plan that includes potential annexation and CEQA work will be expensive, and staff estimates these costs to be close to \$500,000. Using the SB-2 Grant to leverage other grant funds and potentially leverage private contributions from adjacent property owners could help us reach this target.

ATTACHMENTS:

Resolution

RESOLUTION 2019-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN JUAN BAUTISTA AUTHORIZING APPLICATION FOR, AND RECEIPT OF, SB 2 2019 PLANNING GRANTS PROGRAM FUNDS

WHEREAS, the State of California, Department of Housing and Community Development (Department) has issued a Notice of Funding Availability (NOFA) dated March 28, 2019, for its Planning Grants Program (PGP); and

WHEREAS, the City Council of the City of San Juan Bautista desires to submit a project application for the PGP program to accelerate the production of housing and will submit a 2019 PGP grant application as described in the Planning Grants Program NOFA and SB 2 Planning Grants Program Guidelines released by the Department for the PGP program; and

WHEREAS, the Department is authorized to provide up to \$123 million under the SB 2 Planning Grants Program from the Building Homes and Jobs Trust Fund for assistance to Counties (as described in Health and Safety Code section 50470 et seq. (Chapter 354, Statutes of 2017 (SB 2)) related to the PGP Program.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of San Juan Bautista hereby authorizes, directs, and agrees as follows:

Section 1. The City Council is hereby authorized and directed to apply for and submit to the Department the 2019 Planning Grants Program application released on March 28, 2019 in the amount of \$160,000.

Section 2. In connection with the PGP grant, if the application is approved by the department, the City Manager is authorized to enter into, execute and deliver a State of California Agreement (Standard agreement) for the amount of \$160,000, and any and all other documents required or deemed necessary or appropriate to evidence and secure the PGP grant, the City's obligation thereto, and all amendments thereto (collectively, the "PGP Grant Documents").

Section 3. The City shall be subject to the terms and conditions as specified in the Standard Agreement, the SB 2 Planning Grants Program Guidelines, and any applicable PGP guidelines published by the Department. Funds are to be used for allowable expenditures as specifically identified in the Standard Agreement. The application in full is incorporated as part of the standard agreement. Any and all activities funded, information provided, and timelines represented in the application will be enforceable through the executed Standard Agreement. The City hereby agrees to use the funds for eligible uses in the manner presented in the application as approved by the Department and in accordance with the Planning Grants NOFA, the Planning Grants Program Guidelines, and the 2019 Planning Grants Application.

Section 4. The City Manager is authorized to execute the City of San Juan Bautista's Planning Grants Program application, the PGP Grants Documents, and any amendments thereto, on behalf of the City as required by the Department for receipt of the PGP Grant.

THE FOREGOING RESOLUTION was adopted by the City Council of the City of San Juan Bautista at its regular meeting held on the 17th day of September, 2019, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Mayor César E. Flores

ATTEST:

Laura Cent, City Clerk



CITY OF SAN JUAN BAUTISTA CITY COUNCIL STAFF REPORT

AGENDA TITLE: COMPASSIONATE CALIFORNIA

MEETING DATE: September 17, 2019

SUBMITTED BY: Todd Kennedy, Associate Planner and Strategic Planning Committee Member

RECOMMENDED ACTION:

Adopt and sign the Compassionate California Resolution brought forward by the Strategic Planning Committee.

BACKGROUND INFORMATION:

This item is being brought forward by the Strategic Planning Committee to present to the City Council. This item includes Compassionate California and for the City of San Juan Bautista to become part of the program. The Strategic Planning Committee has reviewed this proposal and approved it at their previous meeting.

Please see the attached resolution for more information.

Attachment:

Draft Resolution

RESOLUTION 2019-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN JUAN BAUTISTA AFFIRMING SAN JUAN BAUTISTA AS A COMPASSIONATE CITY

WHEREAS, the Charter for Compassion, initiated by TED Prize winner Karen Armstrong, was unveiled at the United Nations in 2009 and carries forth the vision of creating a global civil society adhering to the "golden rule," to treat others as we would like to be treated; and

WHEREAS, the principle of compassion lies at the heart of all religious, ethical, and spiritual traditions, calling us always to treat all others as we wish to be treated ourselves. Compassion impels us to work tirelessly to alleviate the suffering of our fellow creatures, to dethrone ourselves from the center of our world and put another there, and to honor the inviolable sanctity of every single human being, treating everybody, without exception, with absolute justice, equity, and respect; and

WHEREAS, it is also necessary in both public and private life to consistently and empathically refrain from inflicting pain. To act or speak violently out of spite, or self-interest toward any other being or group of beings, to impoverish, exploit, or deny basic rights to anybody, and to incite hatred by denigrating others—even our enemies—is a denial of our common humanity; and

WHEREAS, there is now a growing network of Compassionate Communities that have affirmed the Charter for Compassion with their local governments, including three countries and over 100 cities, counties, or states spread across 50 countries globally, with more than 300 international cities and communities actively organizing to create a compassionate action plan; and

WHEREAS, research demonstrates that practicing compassion produces positive benefits in all sectors of civic and community life, including business, education, safety, public health, and economic, physical, mental, and spiritual well-being; and

WHEREAS, the State of California will become the first state in the United States to affirm the charter, and 12 local governments that have already adopted the Charter for Compassion, and the 42 compassionate communities in the state organized through "Compassionate California" partner with businesses, agencies, and community organizations ready to pitch in; partnerships that share values and goals that understand that we are better when we work together; and, above all, residents who volunteers their time, tell us what they think of what we are doing, and offer their solutions; and

WHEREAS, adoption of the Charter for Compassion is supported by thousands of state residents who organize across the state through "Compassionate California," and the City of San Juan Bautista regularly empowers and supports compassionate programs and services to improve the lives of all residents and treat them with dignity, with emphasis on supportive services to child and youth programs, the elderly, the disabled, the homeless, veterans, immigrants, vulnerable and protected populations such as those defined by race, ethnicity, religion, culture, gender, sexual orientation and identity, nativity, native language, and related issues, workers, and small businesses; and

WHEREAS, the residents of San Juan Bautista volunteer to uplift, protect, and demonstrate compassion for an untold number of marginalized, ignored, and disadvantaged groups because they know our culture is defined by how we treat our most vulnerable or mistreated residents; and

WHEREAS, the City Strategic Planning committee and sub-committee for Arts, Culture, Recreation and Wellness endeavors to guide the city with community input on how to implement the general plan, and the before mentioned sub-committee can guide the implementation of Compassionate San Juan Bautista self-study and action plan as a means to implement the Wellness element of the general plan,

WHEREAS, the City hopes to serve as a model for other communities — a community of compassion where anyone who wishes to live in acceptance of others can also find refuge in an environment where cultural differences are treated with respect and dignity.

NOW, THEREFORE, BE IT RESOLVED, that the City Council for the City of San Juan Bautista affirms the charter of compassion as a Compassionate City, that a compassionate San Juan Bautista is a city that recognizes the benefits of compassionate action. This is achieved by encouraging city leadership and community organizations who are working together to foster compassionate and caring actions.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the City Council for the City of San Juan Bautista instructs the City Clerk to transmit copies of this resolution to the chairperson of the San Juan Bautista Strategic Plan Committee for appropriate distribution.

PASSED AND ADOPTED by the City Council of the City of San Juan Bautista at a regular meeting duly held on the 17th day of September, 2019 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

César E. Flores, Mayor

ATTEST:

Laura Cent, City Clerk