



# City of San Juan Bautista

The "City of History"

[www.san-juan-bautista.ca.us](http://www.san-juan-bautista.ca.us)

## AGENDA

### CITY COUNCIL SPECIAL MEETING

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

TUESDAY, MARCH 31, 2020

**~ PUBLIC PARTICIPATION BY ZOOM ONLY ~**

DO NOT ATTEND THIS MEETING IN PERSON\*

**MEETING ID# 965-774-380**

NO PASSWORD

ZOOM TUTORIAL - <https://www.youtube.com/watch?v=fMUxzrgZvZQ>

**MEETING LIVE STREAMED AT [CMAPT.V.ORG](http://CMAPT.V.ORG), CHANNEL 17**

*\*All residents to follow the Governor's Shelter in Place Order and the CDC Guidelines regarding preventative measures. We can all do our part to flatten the curve and prevent further spread of COVID-19.*

*Written comments may be mailed to City Hall (P.O. Box 1420, San Juan Bautista, CA 95045), or emailed to [deputycityclerk@san-juan-bautista.ca.us](mailto:deputycityclerk@san-juan-bautista.ca.us) not later than 5:00 p.m., March 31, 2020, and will be read into the record during public comment on the item.*

1. Call to Order 6:00 PM  
Pledge of Allegiance  
Roll Call
2. Public Comment (Only on items on the Agenda)
3. Discussion - COVID 19
  - A. State and Federal Responses/Status
  - B. San Benito County Health Official Status Report
  - C. San Benito County Office of Emergency Services Status Report
  - D. City Response and Status Report

- a. **State of Emergency March 17, 2020**
- b. **Shelter in Place**
- c. **Public Safety, Water and Utility Services Status**
- d. **Special Programs**

**E. City's Fiscal Impact**

**F. Planning the City's Recovery and Potential Resources**

**4. Action Items**

- A. Consider Resolution 2020-XX Suspending the portion of Section 3-5-100 pertaining to Delinquent Water and Sewer Charges and associated late fees, and all of Sections 3-5-105, 3-5-110 and 3-5-115 pertaining to Water Service Termination, Disconnections Due to Non-Payment, Late Notices, and Reconnection Fees during the State of Emergency Due to the COVID-19 virus**
- B. Consider Adopting Resolution 2020-XX Establishing an Emergency Fund using General Fund Reserves that provides immediate assistance to small, local restaurants and businesses, for the purchase of Personal Protective Equipment for staff and community, and contributes to the County's Emergency Response Fund**
- C. Approve Affidavit of Posting Agenda**

**5. Adjournment**

*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 electronically.*



## CITY OF SAN JUAN BAUTISTA CITY COUNCIL STAFF REPORT

**AGENDA TITLE:** Resolution Suspending the portion of Section 3-5-100 pertaining to Delinquent Water and Sewer Charges and associated late fees, and all of Sections 3-5-105, 3-5-110 and 3-5-115 pertaining to Water Service Termination, Disconnections Due to Non-Payment, Late Notices, and Reconnection Fees during the State of Emergency Due to the COVID-19 virus

**DATE:** March 31, 2020

**DEPARTMENT HEAD:** Don Reynolds, City Manager

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### RECOMMENDATION

It is recommended that the City Council adopt the attached Resolution suspending the termination of water services for non-payment, late payment warning notices, late fees and reconnection fees. (Municipal Code Sections 3-5-100 through 3-5-115).

### BACKGROUND

On March 16, 2020, Gov. Newsom issued an Executive Order requesting that the CPUC monitor the measures undertaken by public and private utility providers to implement customer service protections in response to COVID-19. The CPUC expects utilities and service providers to report to the CPUC on all customer protection measures they implement in response to COVID-19 as soon as they are implemented so that the CPUC may publicly report on the measures at [www.cpuc.ca.gov/covid](http://www.cpuc.ca.gov/covid).

On March 17, 2020 the California Public Utilities Commission's (CPUC) Executive Director issued a press release announcing that the Director of the CPUC had determined that energy, water, sewer, and communications companies under CPUC jurisdiction should halt customer disconnections for non-payment as a result of the State of Emergency called by Gov. Gavin Newsom due to COVID-19.

*"In these unsettling and unprecedented times, many people are concerned about the health and safety of themselves and their loved ones. They should not also have to worry about their essential utility services being shut off for non-payment because they are unable to report to work due to illness, quarantine, or social distancing," said CPUC President Marybel Batjer. "The actions we are taking today will ensure that utility services remain available for California's most vulnerable populations."*

The State declared a State of Emergency March 4, 2020, and on March 6, 2020, San Benito County did the same. On March 17, 2020, the City declared a state of emergency. The City's "state of emergency" will expire after 60-days, unless extended by the City Council. A briefing received this week from San Benito Public Health estimate that the emergency will be prolonged for at least 90-days, and perhaps for several months.

### **DISCUSSION**

The attached Resolution suspends the four sections of the municipal code that reflect the actions by the CUPC. Section 3-5-100 mixes the payments due, with the late fee provision of 10% . The other Sections 3-5-105, 3-5-110 and 115 are all recommended for suspension consistent with this action. The City issues approximately 40 door knob hangers to customers every month. (There are approximately 700 utility customers.) This effort will also be suspended during the emergency.

It is important to recognize that the proposed Resolution does not suspend paying the water and sewer charges, nor does it preclude partial payments or, if necessary, the City's ability to place a lien on property if charges are not paid. When the declaration of emergency is removed, it is evident that some who have not paid their water and sewer charges will continue to have a financial hardship, and at that time payment plans may need to be considered to help them catch-up.

### **FISCAL IMPACT**

The City's water and sewer revenues will slightly decline depending on the duration of the event, and to the extent to which customers do not pay. But the City's loss of business may be considered reimbursable through its insurance, or under FEMA's cost recovery program.

### **ATTACHMENTS:**

- Resolution
- CPUC Press Release

**RESOLUTION 2020-XX**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN JUAN BAUTISTA SUSPENDING THE PORTION OF SECTION 3-5-100 PERTAINING TO DELINQUENT WATER AND SEWER CHARGES AND ASSOCIATED LATE FEES, AND ALL OF SECTIONS 3-5-105, 3-5-110 AND 3-5-115 PERTAINING TO WATER SERVICE TERMINATION, DISCONNECTIONS DUE TO NON-PAYMENT, LATE NOTICES, AND RECONNECTION FEES DURING THE STATE OF EMERGENCY DUE TO THE COVID 19 VIRUS**

**WHEREAS**, On March 4, 2020, Governor Wilson declared a State of Emergency for the State of California as a result of the COVID-19 pandemic; and

**WHEREAS**, The County of San Benito declared a State of Emergency on March 6, 2020, regarding the COVID-19 Virus. Included in the County's declaration is an aggressive order by the County Public Health Official to all residents ordering them to shelter in place to reduce the spread of the COVID-19 Virus; and

**WHEREAS**, the City Council at its meeting March 17, declared a State of Emergency in San Juan Bautista; and

**WHEREAS**, following orders from the Governor's Office, the California Public Utilities Commission, ("CPUC") issued a press release announcing to all utility companies to halt the disconnection of utilities and related charges during the State of Emergency; and

**WHEREAS**, it has been recognized that the "shelter in place" actions are the best actions a community can take to slow the spread of the virus, but thus action has caused many businesses to close and residents to lose their jobs, causing an economic hardship; and

**WHEREAS**, the City feels that it is important for the citizens to have water service for the duration of the State of Emergency, and by suspending certain provisions in the municipal Code Section 3-5-100, and all of Sections 3-5-15, 3-5-110 and 3-5-115 will at least temporarily relieve the fiscal pressure on those severely impacted in the community.

**NOW, THEREFORE, BE IT RESOLVED AND ORDERED** that the City Council concurs with the Governor, and the CPUC and is therefore taking action to halt the disconnection of water services and related charges by suspending the following sections of the Municipal Code:

- A. 3-5-100- the portion pertaining to Delinquent Payments and late fees;
- B. 3-5-105 pertaining to Notice of Determination halting door knob hangers;
- C. 3-5-110 pertaining to the disconnection of water services;
- D. 3-5-115 pertaining to the reconnection of water services.

**BE IT FURTHER RESOLVED**, that the suspension of these charges is intended to last for the duration of the City's State of Emergency, as may be extended from time to time by Resolution of the City Council and these above referenced Sections of the Municipal Code will be automatically reinstated when the State of Emergency ends.

**PASSED AND ADOPTED** by the City Council of the City of San Juan Bautista on this 31<sup>st</sup> day of March 2020 by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

**ATTEST:**

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Mary V. Edge, Mayor

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Laura Cent, City Clerk



California Public Utilities Commission  
505 Van Ness Ave., San Francisco

**FOR IMMEDIATE RELEASE**

**PRESS RELEASE**

Media Contact: Terrie Prosper, 415.703.1366, [news@cpuc.ca.gov](mailto:news@cpuc.ca.gov)

## **CPUC ENSURES ESSENTIAL UTILITY SERVICES FOR CONSUMERS TO ASSIST IN COVID-19 MITIGATION**

SAN FRANCISCO, March 17, 2020 – The California Public Utilities Commission’s (CPUC) Executive Director today determined that energy, water, sewer, and communications companies under CPUC jurisdiction should halt customer disconnections for non-payment as a result of the State of Emergency called by Gov. Gavin Newsom due to COVID-19.

“In these unsettling and unprecedented times, many people are concerned about the health and safety of themselves and their loved ones. They should not also have to worry about their essential utility services being shut off for non-payment because they are unable to report to work due to illness, quarantine, or social distancing,” said CPUC President Marybel Batjer. “The actions we are taking today will ensure that utility services remain available for California’s most vulnerable populations.”

The CPUC previously adopted utility customer protection measures that apply in cases where the declared emergency relates to the disruption or degradation of utility services in the case of manmade or natural disasters. Today’s action, which was provided to the utilities via letter, extends those protections to mitigate some of the disruptions to Californians’ daily lives related to COVID-19. The CPUC’s action is to ensure that utility services will remain reliable and assist in California’s COVID-19 response by allowing more people to safely self-quarantine or telework.

The customer protections described in the letter apply retroactively from March 4, 2020, when Gov. Newsom declared the State of Emergency in California.

Certain utilities and service providers have already announced voluntary moratoriums on service disconnections for non-payment, and today’s action ensures that they continue the moratoriums and





## CITY OF SAN JUAN BAUTISTA CITY COUNCIL STAFF REPORT

**AGENDA TITLE:**                    **Resolution Establishing An Emergency Fund Using A Portion of the General Fund Reserve to Provide Immediate Assistance to Small, Locally Owned Businesses, and Restaurants, for the Purchase of Personnel Protective Equipment for Staff and Community, and Contributes to the County’s Emergency Response Fund.**

**DATE:**                                    March 31, 2020

**DEPARTMENT HEAD:**    Don Reynolds, City Manager

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### **RECOMMENDATION**

It is recommended that the City adopt the attached Resolution appropriating \$190,000 as an “emergency fund” to be used to help local, small businesses and restaurants, to purchase personal protective equipment and to contribute to the County’s emergency response fund.

### **BACKGROUND**

On December 18, 2019, after a review of the City’s audited financial statements, it is understood that the General Fund has a reserve of \$4.4 million dollars, or close to 2.5 years of general fund revenues. This sizable General Fund reserve is there to help the City respond to and recover from emergencies including natural disasters, and economic collapse. On January 21, 2020, the City added another \$190,000 to this reserve from funds estimated to be saved during the current fiscal year.

On March 16, 2020, in response to the COVID-19 emergency, the County established an emergency fund of \$1 million. That money is to hire a Public Information Officer, support the Public Health effort with facilities, beds and equipment, and to help provide Personal Protective Equipment (“PPE”) and to help low income residents respond to the economic collapse. The goal is for the County to be able to respond while the State OES and FEMA get their programs running. The intention is to record these expenses on FEMA forms that will make filing claims for these costs a simple matter when the time is right. But sometimes reimbursement of this nature can take more than 12-months. In an attempt to slow the curve and slow the spread of the virus, the response has to be immediate. A “surge” of positive test results is likely to be on its way to San Benito County.



**DISCUSSION**

Water bills were due on the 20<sup>th</sup>, and late if not paid by the 26<sup>th</sup>. During that time, one restaurant owner called City Hall and described their business as barely surviving with receipts for last week down from \$34,000 to just \$9,000.

Staff has been working with the League of California Cities, participating in conference calls with other city managers, and watching the actions of other jurisdictions. Occasionally a program comes up that seems to fit San Juan Bautista. If the City set aside the \$190,000 identified in January for reserves, this is how it might payout.

Attached is an attractive program (Hayward Business Resiliency Program) designed to get help immediately to small, local businesses and restaurants. There are less than 80 businesses in San Juan Bautista. Maybe the City could consider a grant program like that described in the attachment, being implemented in Hayward.

If the City created a similar program following FEMA guidelines, it might look this: \$2,200 grants for 65 businesses. Or perhaps a higher amount for fewer businesses based on a first come-first serve basis. Equity is important.

The City may also wish to follow the County’s lead and help the community secure the basics for PPE, and contribute to the County Public Health Department’s efforts to find new beds and equipment. If the County set-aside \$1 million for 60,000 residents, that would be a per capita amount of \$16.67 each. If San Juan has 2,000 residents, that would be a contribution to the County’s emergency fund of between \$33,000 and \$35,000.

If the City considered \$10,000- \$12,000 for personal protective equipment, it could protect its staff better because there is not a lot of room for sickness on the small crew. Other supplies can be collected for the seniors and others that cannot travel to buy their own.

BUDGET		
<i>BUSINESS GRANTS</i>	<i>65 @ \$2,200 EA</i>	<i>\$143,000</i>
<i>COUNTY EMERGENCY FUND</i>		<i>\$35,000</i>
<i>PPE/SUPPLIES</i>		<i>\$12,000</i>
TOTAL		\$190,000

Depending on need and demand the amount budgeted can be re-considered and adjusted. Staff will continue to develop more ideas before the Council’s consideration March 31, 2020.

**FISCAL IMPACT**

To be determined, and ideally a net \$0 loss with FEMA reimbursement.

**ATTACHMENTS:**

Hayward Business Resiliency Program



FOR IMMEDIATE RELEASE

**Media Contact:**

Chuck Finnie

(510) 583-4344

[chuck.finnie@hayward-ca.gov](mailto:chuck.finnie@hayward-ca.gov)

## **City grants of \$5000 available for Hayward small businesses, independently owned restaurants**

**HAYWARD, Calif.**, March 26, 2020—The City of Hayward announced today a new grant program to provide \$5000 a piece to local small businesses to support operations and help avert layoffs during the COVID-19 public health emergency.

The COVID-19 Small Business Resiliency Grant Program is open to Hayward small businesses with 25 or fewer employees and restaurants of any employee-size that are independently owned.

The Hayward Economic Development Division developed the program by redirecting funds from a broader Small Business Grant and Loan Fund intended to attract businesses to Hayward and help others in the City to expand.

Program funding allows for up to 76 grants of \$5000 a piece that will be awarded on a first-come, first-serve basis to those meeting eligibility requirements. The grants can be used for any aspect of business and do not need to be repaid.

Application materials are available [here](#) on the City of Hayward website. Submit application materials by email to [EconDev@hayward-ca.gov](mailto:EconDev@hayward-ca.gov).

For answers to questions, please also email [EconDev@hayward-ca.gov](mailto:EconDev@hayward-ca.gov), or call the Economic Development Division at (510) 583-5540.

# HAYWARD COVID-19 SMALL BUSINESS RESILIENCY GRANT PROGRAM

In an effort to support our small businesses and restaurants disrupted by COVID -19, the City of Hayward Economic Development Division developed a Business Resiliency Grant Program to provide funding to support operations and layoff aversion.

While we recognize that these funds will not make up for all of the financial loss experienced by our business community, we hope it provides some relief. There is a limited allocation of money. Awards will be granted on a first come first serve basis to those meeting the eligibility requirements.

## ELIGIBLE BUSINESSES:

All businesses with 25 or fewer employees and all independently owned restaurant businesses regardless of employee count.

## GRANT AWARD AMOUNT:

\$5,000.00. The award is a grant and is not required to be paid back. Dollars can be used for any aspect of the business.

Businesses receiving funding would be encouraged to:

- Comply with Local, State and Federal guidelines for operating their businesses (social distancing, clean down procedures, limiting in-store occupancy, etc).
- Prioritize delivery of food to seniors, economically vulnerable populations

## APPLICATION REQUIREMENTS AND PROCESS:

1. Complete the Estimated Disaster Economic Worksheet *Attached.*
2. Complete a W-9 form for the business
3. Complete Preferred Payment Form

Submit these materials to: [econdev@hayward-ca.gov](mailto:econdev@hayward-ca.gov)

If you have any questions, please email [EconDev@Hayward-ca.gov](mailto:EconDev@Hayward-ca.gov) or call (510) 583 - 5540.

**APPLICATION MATERIALS:**

- ESTIMATED DISASTER ECONOMIC WORKSHEET
- W-9 FORM FOR BUSINESS
- PREFERRED PAYMENT FORM

# ESTIMATED DISASTER ECONOMIC INJURY WORKSHEET FOR BUSINESSES

This form is not required, but is a convenience in clarifying the supporting documentation the state is required to submit to the U.S. Small Business Administration when requesting an Economic Injury Disaster Loan Declaration. This information in any other format would also be acceptable. For your convenience, this form may be filled out electronically or manually.

Name of Business: \_\_\_\_\_ Type of Business: \_\_\_\_\_

## Owner Details

Last Name: \_\_\_\_\_ First Name: \_\_\_\_\_  
Work Phone: \_\_\_\_\_ Email: \_\_\_\_\_  
Home Phone: \_\_\_\_\_ Property Owner: \_\_\_\_\_

## Business Owner Mailing Address

Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_ County: \_\_\_\_\_

## Business Street Address

Address: \_\_\_\_\_  Same As Above  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_ County: \_\_\_\_\_

## Estimated Adverse Economic Impact

When did the impact start and what is the estimated end date? From:  To:

What were your businesses' revenues during the affected damage period? \_\_\_\_\_

What were your businesses' revenues during that **SAME** period of the prior year? \_\_\_\_\_

Amount of business interruption insurance received or anticipated, if any: \_\_\_\_\_

Please provide a brief explanation of what adverse economic effects the disaster had on your business:

How many people did you employ prior to disaster? \_\_\_\_\_ How many did you employ after disaster: \_\_\_\_\_

## Physical Damage to Business Property

If your business also suffered property damage, please answer the following questions:

Estimated dollar loss to: Real Property (Building), if owned: \_\_\_\_\_  
Contents \*: \_\_\_\_\_  
\* - includes machinery and equipment, furniture and fixtures, inventory, leasehold improvements, etc.

Insurance recovery expected or received for property damages: \_\_\_\_\_

Date Form Completed:

Form Completed By: \_\_\_\_\_ Title: \_\_\_\_\_

## **RESOLUTION 2020-XX**

### **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN JUAN BAUTISTA, IN RESPONSE TO THE STATE OF EMERGENCY CAUSED BY THE SPREAD OF THE COVID 19 VIRUS BY ESTABLISHING AN EMERGENCY RELIEF FUND TO PROVIDE IMMEDIATE ASSISTANCE TO SMALL, LOCALLY OWNED BUSINESSES AND RESTAURANTS, FOR THE PURCHASE OF PERSONAL PROTECTIVE EQUIPMENT FOR STAFF AND COMMUNITY AND TO CONTRIBUTE TO THE COUNTY'S EMERGENCY RESPONSE FUND**

**WHEREAS**, on March 4, 2020, Governor Wilson declared a State of Emergency for the State of California as a result of the COVID-19 pandemic; and

**WHEREAS**, the County of San Benito declared a State of Emergency on March 6, 2020, regarding the COVID-19 Virus. Included in the County's declaration is an aggressive order by the County Public Health Official to all residents ordering them to shelter in place to reduce the spread of the COVID-19 Virus; and

**WHEREAS**, the City Council at its meeting on March 17, 2020 declared a State of Emergency in San Juan Bautista; and

**WHEREAS**, it has been recognized that the "shelter in place" actions are the best actions a community can take to slow the spread of the virus, but said action has caused many businesses to close, and residents to lose their jobs, causing an economic hardship; and

**WHEREAS**, the Federal government has since made Small Business Administration loans available to local businesses, and on March 27, 2020, passed the Coronavirus Aid, Relief and Economic Security Act (or "C.A.R.E. Act") to help with personal loss suffered from the COVID-19 virus, but this relief may take months to arrive; and

**WHEREAS**, the majority of businesses located in the City's historic district need a more immediate response, having closed their doors and/or greatly reduced their services for the past three weeks, resulting in significant reductions in business revenues; and

**WHEREAS**, many of the businesses have long-term contractual obligations, utility payments and other fixed monthly costs that cannot be ignored despite the significant loss of revenues; and

**WHEREAS**, other needs exist as well, including the need to buy personal protective equipment for staff and the community and contribute to the County's public health response to the crisis; and

**WHEREAS**, collectively, these immediate needs are the type of needs the City can temporarily help with as it considers how it will respond to this crisis by establishing an

“Emergency Relief Fund” to help provide immediate relief until State and Federal help arrive;  
and

**WHEREAS**, the City has established a reserve account to be used in case of an emergency and, after a review of the 2019 audit and mid-year budget adjustments, committed \$190,000 to this fund in January 2020 that could be used to start such an “Emergency Relief Fund.”

**NOW, THEREFORE, BE IT RESOLVED AND ORDERED** that the City Council agrees that this emergency situation caused by COVID-19 has placed many of its local businesses in distress, many of which have closed their doors since the March 16 order to “Shelter in Place;” and

**BE IT FURTHER RESOLVED**, that the City will respond by establishing an “Emergency Relief Fund” of \$190,000 from its General Fund Reserve to assist these business owners that serve primarily the tourist community from store front operations in the historic downtown (or as otherwise defined?) temporarily until other resources arrive from the State and federal government, to help buy personal protective equipment for staff and the community, and help contribute to the County Health Department’s response to the COVID-19 crisis as set forth below:

- A. 75% of the funds be used for a grant program for business owners (or as otherwise defined); and
- B. 15% be used contributed to the County’s relief fund in support of the public health efforts (not to exceed \$35,000?); and
- C. 10% be used to buy personal protective equipment and supplies for staff and community members in needs of protection while in the public.

**BE IT FURTHER RESOLVED**, that the Emergency Relief Fund be administered by the City Manager and that monthly reports be provided in the form of a public staff report to the Council at each of its meetings during the State of Emergency.

**PASSED AND ADOPTED** by the City Council of the City of San Juan Bautista on this 31<sup>st</sup> day of March 2020 by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

**ATTEST:**

\_\_\_\_\_  
Laura Cent, City Clerk

\_\_\_\_\_  
Mary V. Edge, Mayor

**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 27<sup>th</sup> DAY OF MARCH 2020, 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 27<sup>th</sup> DAY OF MARCH 2020.



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TRISH PAETZ, DEPUTY CITY CLERK