



City of San Juan Bautista

The "City of History"

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AGENDA **REGULAR CITY COUNCIL MEETING**

TUESDAY ~ MAY 18, 2021 ~ 6:00 P.M.

~ PUBLIC PARTICIPATION BY ZOOM ONLY ~

Join Zoom Webinar <https://zoom.us/j/85163824711>

or call 1 (669) 900-6833

Webinar ID: 851 6382 4711

THIS MEETING WILL BE CONDUCTED PURSUANT TO THE PROVISIONS OF THE GOVERNOR'S EXECUTIVE ORDER N-29-20

In order to minimize the spread of the COVID 19 virus the City Council is conducting this meeting by Zoom conference and will be offering alternative options for public participation. You are encouraged to watch the meeting live on Zoom or Facebook. *Please follow the Governor's Shelter in Place Order and the CDC Guidelines regarding preventative measures and do your part to help flatten the curve and prevent further spread of COVID-19.*

PUBLIC COMMENTS WILL BE TAKEN ON AGENDA ITEMS BEFORE ACTION IS TAKEN BY THE CITY COUNCIL. DURING THE MEETING: TO PROVIDE VERBAL PUBLIC COMMENTS ON AN AGENDA ITEM DURING THIS MEETING CALL THE PHONE NUMBER LISTED ABOVE OR LOG INTO ZOOM AND ENTER THE MEETING ID NUMBER AS LISTED ABOVE.

When the Mayor announces public comment is open for the item which you wish to speak, press *9 on your telephone keypad or if joining by Zoom, use the raise your hand icon. When called to speak, please limit your comments to three (3) minutes, or such other time as the Mayor may decide, consistent with the time limit for all other speakers for the particular agenda item. Comments from other platforms will not be considered during the meeting. If you would like to participate you **MUST** login to Zoom.

Written comments may be mailed to the Deputy City Clerk at City Hall (P.O. Box 1420, San Juan Bautista, CA 95045), or emailed to deputycityclerk@san-juan-bautista.ca.us not later than 5:00 p.m., May 18, 2021, and will be read into the record during public comment on the item.

In compliance with the Americans with Disabilities Act, and Governor's Order N-29-20, the City will make reasonable arrangements to ensure accessibility to this meeting. If you need special assistance to participate in this meeting, please contact the Deputy City Clerk a minimum of 48 hours prior to the meeting at (831) 623-4661.

If you challenge any planning or land use decision made at this meeting in court, you may be limited to raising only those issues you or someone else raised at the public hearing held at this meeting, or in written correspondence delivered to the City Council at, or prior to, the public hearing. Please take notice that the time within which to seek judicial review of any final administrative determination reached at this meeting is governed by Section 1094.6 of the California Code of Civil Procedure.

A Closed Session may be called during this meeting pursuant to Government Code Section 54956.9 (d)(2) if a point has been reached where, in the opinion of the legislative body of the City on the advice of its legal counsel, based on existing facts and circumstances, there is a significant exposure to litigation against the City.

Materials related to all items on this agenda are available in the agenda packet on the City website www.san-juan-bautista.ca.us subject to Staff's ability to post the documents before the meeting, or by emailing deputycityclerk@san-juan-bautista.ca.us or calling the Deputy Clerk (831) 623-4661 during normal business hours.

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

2. **Public Comment on Items Not on the Agenda but Within the Subject Matter**
Jurisdiction of the City Council

This portion of the meeting is reserved for persons desiring to address the Council on matters not on this agenda. The law does not permit Council action or extended discussion of any item not on the agenda except under special circumstances. If Council action is requested, the Council may place the matter on a future agenda.

3. **Consent Items**

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

- A. **Approve Affidavit of Posting the Agenda**
- B. **Approve Affidavit of Posting Public Hearing Notice**
- C. **Adoption of a Resolution of the City Council of the City of San Juan Bautista Approving the Report Prepared in Connection with the Fiscal Year 2021-22 Levy of Assessments in Connection with Valle Vista Landscape and Lighting Maintenance Assessment District No. 1**
- D. **Adoption of a Resolution of the City Council of the City of San Juan Bautista Declaring Its Intention to Levy and Collect Assessments Within Valle Vista Landscape and Lighting Maintenance Assessment District No. 1 for Fiscal Year 2021-22 and Setting the Time and Place for a Hearing on Said Assessment**
- E. **Adoption of a Resolution of the City Council of the City of San Juan Bautista Declaring Its Intention to Reimburse Certain Expenditures from the Proceeds of Tax-Exempt Obligations and Directing Certain Actions with Respect Thereto as Required by United States Department of Treasury Regulations Section 1.150-2**
- F. **Adoption of a Resolution of the City Council of the City of San Juan Bautista Authorizing the Aromas Booster Club to Sell Fireworks for the July 4th Holiday**
- G. **Adoption of a Resolution of the City Council of the City of San Juan Bautista for the Issuance of the Public Hearing Notice for Setting Maximum Allowable Solid Waste Collection Rates for Recology San Benito County**
- H. **Waive Reading of Ordinances and Resolutions on the Agenda Beyond Title**

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

- A. **Proclamation Recognizing National Preservation Month, May 2021**
- B. **Proclamation Recognizing LGBT Pride Month, June 2021**
- C. **Planning Commission Presentation of Certificates of Recognition for National Preservation Month to Julian Ponce for the Bluebird Hotel, and Jennifer and Clay Hobbs for the Residence at 700 Third Street**
- D. **San Benito County Elections Office Presentation on Redistricting County Supervisorial Districts by Francisco Dias, Assistant County Clerk Recorder**
- E. **California Office of Emergency Services Presentation by Earthquake Warning Education and Outreach Lead Emily Holland**
- F. **Treasurer's Report and Monthly Financial Statements by City Treasurer Michelle Sabathia**
- G. **City Manager's Report**

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

5. Public Hearing Items

- A. Adoption of a Resolution of the City Council of the City of San Juan Bautista Declaring the Condition of Certain Properties and Ordering the Abatement of Weeds Thereon, and Noticing a Hearing for the Receipt of Objections to the Proposed Abatement (SJB MC 5-6-100 – 5-6-200)**
- B. Introduction of an Ordinance Amending the San Juan Bautista Municipal Code Chapter 10-1, to Revise Section 10-1-505 to Include an Increase in Fence Heights if Needed to Mitigate Noise or Provide Screening from Adjoining Highways or Non Residential Use and to Prohibit Fences Closer than Three Feet from a Fire Hydrant (Exempt from CEQA)**

6. Discussion Items

- A. Presentation of the City Manager's Draft Budget for Fiscal Year 2021-2022**
- B. Update on Water and Wastewater Distribution System Enhancements and Compliance with the Environmental Protection Agency**
- C. Update on COVID-19 and Affects to the San Juan Community and San Benito County**

7. Comments

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

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 13th DAY OF MAY 2021, 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 13th DAY OF MAY 2021.



TRISH PAETZ, DEPUTY CITY CLERK

AFFIDAVIT OF POSTING PUBLIC HEARING NOTICE

I, TRISH PAETZ, DO NOW DECLARE UNDER THE PENALTIES OF PERJURY, THAT I AM THE DEPUTY CITY CLERK FOR THE CITY OF SAN JUAN BAUTISTA, AND THAT I POSTED THREE (3) TRUE COPIES OF THE ATTACHED CITY COUNCIL PUBLIC HEARING NOTICES. I FURTHER DECLARE THAT I POSTED SAID NOTICES ON THE 7th DAY OF MAY 2021, 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 13th DAY OF MAY 2021.



TRISH PAETZ, DEPUTY CITY CLERK

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 **May 18, 2021** at 6:00 p.m.

In order to protect public health, the meeting will be held via teleconference and accessible electronically. There will be NO physical location of the meeting for members of the public or the Commission. Members of the public and the Commission may participate virtually. Members of the public are instructed to be on mute during the proceedings and to speak only when public comment is allowed, after requesting and receiving recognition from the Mayor.

During the public hearing, the following items will be discussed:

- **Any properties within the City limits found to be in neglect are hereby declared to be public nuisances by virtue of the existence of noxious and dangerous weeds and rubbish thereon, which constitute a fire hazard, and will continue to constitute ongoing, seasonal and recurrent public nuisances.**

The City Council shall hear any objections to the proposed abatement of said public nuisances, specifically, by causing the removal of all noxious or dangerous weeds growing upon or in front of properties within the City of San Juan Bautista constitutes abatement.

- **Consider an ordinance amending Chapter 10-1 of the San Juan Bautista Municipal Code, to revise Section 10-1-505 to include an increase in fence heights if needed to mitigate noise or provide screening from adjoining highways or nonresidential use to provide fences closer than three feet from a fire hydrant. (Exempt from CEQA under Guideline 18.36.050.)**

Staff reports and the full text of all items to be discussed will be available for public review at City Hall and on the City website on **May 14, 2021**. All members of the public are encouraged to attend the meeting remotely via Zoom 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 emailed to deputycityclerk@san-juan-bautista.ca.us not later than **5:00 p.m., May 18, 2021**.

The meeting (webinar) will be virtual via Zoom. You can access the webinar at <https://us02web.zoom.us/j/85163824711>. An agenda will be posted on the City website and distributed not later than May 14.

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: May 7, 2021



CITY OF SAN JUAN BAUTISTA CITY COUNCIL STAFF REPORT

AGENDA TITLE: VALLE VISTA FISCAL YEAR 2022 ASSESSMENT

MEETING DATE: May 18, 2021

SUBMITTED BY: Trish Paetz, Administrative Services Manager

DEPARTMENT HEAD: Don Reynolds, City Manager

Recommendation:

Review the Valle Vista Landscape and Lighting District Assessment Report prepared by staff, and adopt a Resolution approving the Report.

Background:

Last month Council approved a resolution initiating proceeding for the levying of the Valle Vista LLD assessment and requested City Staff prepare an Assessment Report.

There is a provision in the original engineer's report for an annual CPI inflator, using the April CPI increase. As the most recent information available puts the CPI at 2.6%, that increase amount has been integrated into the budget.

Fiscal Impact:

There is no impact to the City; the residents of the Creekbridge Subdivision (Valle Vista) are assessed for the associated costs for landscaping and street lighting.

Attachments:

Assessment Report
Resolution

**CITY OF SAN JUAN BAUTISTA
SAN BENITO COUNTY, CALIFORNIA**

ASSESSMENT REPORT

**VALLE VISTA
LIGHTING AND LANDSCAPE
MAINTENANCE ASSESSMENT DISTRICT NO. 1
FISCAL YEAR 2021-2022**

May 18, 2021

MEMBERS OF THE CITY COUNCIL

**Mayor Leslie Q. Jordan
Vice Mayor Cesar E. Flores
Mary Vasquez Edge
John Freeman
Scott Freels**

**Don Reynolds
Deborah Mall, Wellington Law
Shawna Freels
Nicholas Bryan**

**City Manager
City Attorney
City Clerk
Public Works Supervisor**

PREPARED BY:

DON REYNOLDS

**ASSESSMENT REPORT
VALLE VISTA
LIGHTING AND LANDSCAPE
MAINTENANCE ASSESSMENT DISTRICT NO. 1**

FISCAL YEAR 2021-2022

The undersigned respectfully submits the enclosed report as directed by the City Council.

I HEREBY CERTIFY that the enclosed Assessment Report, together with Assessment Diagram thereto attached was filed with me on the

____ day of _____, 2021.

Shawna Freels, City Clerk
City of San Juan Bautista
San Benito County, California

By: _____

I HEREBY CERTIFY that the enclosed Assessment Report, together with Assessment Diagram thereto attached, was approved and confirmed by the City Council of the City of San Juan Bautista, San Benito County, California, on the

____ day of _____, 2021.

Shawna Freels, City Clerk
City of San Juan Bautista
San Benito County, California

By: _____

PART A
DESCRIPTION OF WORK
VALLE VISTA
LIGHTING AND LANDSCAPE
MAINTENANCE ASSESSMENT DISTRICT NO. 1

FISCAL YEAR 2021 – 2022

VALLE VISTA LIGHTING AND LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT NO. 1 is described as Tract 294 in San Juan Bautista, San Benito County, CA, as shown in Book 13 of Maps at Page 49 of San Benito County Records, including all 35 lots, Parcel A, Parcel B, Ahwahnee Street, Donner Street, and portions of San Juan Highway and Third Street. Refer to Exhibit B.

Maintenance and operation of any or all public landscaping and irrigation improvements and street lighting located within the bounds of the District, on landscaped strips of land between back of curb and front of walk and for planter walls/fences, including planter walls, grass berms, appurtenant irrigation systems; ornamental planning including lawns, shrubs and trees; including necessary repairs, replacements, water, electric current, spraying, care, supervision, debris removal; park strip repair and replacement: including biological monitoring if required, and any and all other items of work necessary and incidental for the proper maintenance and operation thereof and all additions, improvements and enlargements thereto which may hereafter be made on the following described streets:

Donner Street, Ahwahnee Street, First Street (San Juan Highway) and Third Street – as shown on the “Creekbridge Homes Valle Vista, San Juan Bautista, California”, Sheets L-1 through L-13 and improvement plans prepared by Bellinger Foster Steinmetz.

Maintenance and operation of any or all public landscaping and irrigation improvements, located within the bounds of the District, of the following described areas, including detention basin landscaping and bank protection, park improvements, appurtenant irrigation systems, trees, including necessary repairs, replacements of irrigation distribution system, controller system, and the spraying and care of street trees, monitoring of diseases of trees, shrubs and plants and any and all other items of work necessary and incidental for the proper maintenance and operation thereof and all additions, improvements and enlargements thereto which may thereafter be made on the following described areas of work:

Parcel A Detention Basin, Parcel B Sanitary Sewer Pump Station – located on Ahwahnee Street as shown on the “Wetlands Planting Plan Creekbridge Homes Valle Vista, San Juan Bautista, California”, Sheets L-1 and L-2, dated 03/06/03, file name 01029-L33-L26, and any and all responsibility for maintenance of the pump station shall be borne by the City. The District shall only be responsible for the landscape and irrigation thereof.

Parcel C, Proposed Public Park (San Juan Park) – located on the corner of Donner Street and Third Street as shown on the “Creekbridge Homes Valle Vista, San Juan Bautista, California”, Sheets L-2 and L-3, including the maintenance and operation of irrigation system, lawns, shrubs, walkway, planters, gazebo structure, and removal of all debris and broken limbs from the adjacent eucalyptus trees.

Parcel D, Street Trees; located on the street frontage of Ahwahnee, Donner and First Streets within the Valle Vista Subdivision.

PART B VALLE VISTA
LIGHTING AND LANDSCAPING MAINTENANCE DISTRICT No. 1
Budget 2021-2022

Formula to determine Assessment per General Rule #5

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

Single Family Home = \$618.94
Single Family Home with Granny Unit = \$773.68

PART C VALLE VISTA
LIGHTING AND LANDSCAPING MAINTENANCE DISTRICT No. 1
Assessment 2021-2022

ASSESSMENT NO.	OWNER	ASSESSOR'S PARCEL NO.	ASSESSMENT Per UNIT	ASSESSMENT UNITS	FISCAL YEAR 2021-2022 ASSESSMENT TOTAL
1	Adriana Martin	002-600-019-0	\$ 618.94	1	\$ 618.94
2	Zooey Diggory & David M. Lo	002-600-018-0	\$ 773.68	1.25	\$ 773.68
3	Germain R & Wanda M. Guibert	002-600-017-0	\$ 773.68	1.25	\$ 773.68
4	Steve F & Mary M Woodill	002-600-016-0	\$ 773.68	1.25	\$ 773.68
5	Stephen T Sesody	002-600-015-0	\$ 773.68	1.25	\$ 773.68
6	Joanne Neubauer	002-600-014-0	\$ 618.94	1	\$ 618.94
7	Linda Thomas	002-600-013-0	\$ 618.94	1	\$ 618.94
8	Don & Sharon Gerber	002-600-012-0	\$ 618.94	1	\$ 618.94
9	William M & Rosemary Y Hernandez	002-600-011-0	\$ 618.94	1	\$ 618.94
10	Michael Humphrey & Joan Rodgers	002-600-035-0	\$ 618.94	1	\$ 618.94
11	Nathalie Godoy & Augustine Rojas	002-600-010-0	\$ 618.94	1	\$ 618.94
12	Isaias & Claudia Lona	002-600-034-0	\$ 618.94	1	\$ 618.94
13	Phillip Esparza & Yolanda Lopez	002-600-009-0	\$ 618.94	1	\$ 618.94
14	Guillermo E & Georges Gomez	002-600-033-0	\$ 618.94	1	\$ 618.94
15	Marion and Alfredo Torres	002-600-008-0	\$ 618.94	1	\$ 618.94
16	Steven T lo et ux	002-600-032-0	\$ 618.94	1	\$ 618.94
17	John V & Cynthia J Alnas	002-600-007-0	\$ 618.94	1	\$ 618.94
18	Kent Penning	002-600-031-0	\$ 618.94	1	\$ 618.94
19	Randal R. Phelps	002-600-006-0	\$ 618.94	1	\$ 618.94
20	Alex & Marta Gorelik	002-600-030-0	\$ 618.94	1	\$ 618.94
21	David & Julie Koesel	002-600-005-0	\$ 618.94	1	\$ 618.94
22	Diana Robbins & Aaron Bettencourt	002-600-029-0	\$ 618.94	1	\$ 618.94
23	Kristy Jensen	002-600-004-0	\$ 618.94	1	\$ 618.94
24	Darlene R. Anger Living Trust	002-600-003-0	\$ 618.94	1	\$ 618.94
25	Juan J Briano	002-600-002-0	\$ 618.94	1	\$ 618.94
26	Lincoln & Diane Beeman	002-600-001-0	\$ 618.94	1	\$ 618.94
27	Kenneth J Houle	002-600-028-0	\$ 618.94	1	\$ 618.94
28	Martinet Family Trust	002-600-027-0	\$ 618.94	1	\$ 618.94
29	Michael Urbani & Lindsey Pengelly	002-600-026-0	\$ 618.94	1	\$ 618.94
30	Kathy M Dutra	002-600-025-0	\$ 618.94	1	\$ 618.94
31	Douglas & Leanna Brothers	002-600-024-0	\$ 618.94	1	\$ 618.94
32	Harold Gomes	002-600-023-0	\$ 618.94	1	\$ 618.94
33	Manuel Solis	002-600-022-0	\$ 618.94	1	\$ 618.94
34	James & Iraidia Pisano	002-600-021-0	\$ 618.94	1	\$ 618.94
35	Curtis Smith & Mishele Newkirk	002-600-020-0	\$ 618.94	1	\$ 618.94
			\$ 22,281.86	36	\$ 22,281.86

PART D
RULES FOR SPREADING ASSESSMENTS
VALLE VISTA
LIGHTING AND LANDSCAPE
MAINTENANCE ASSESSMENT DISTRICT NO. 1

FISCAL YEAR 2021 – 2022

The District is assessed, on the basis of total development units generated, for the maintenance and operation of the Valle Vista Lighting and Landscape Maintenance Assessment District No. 1, including incidentals and appurtenances and shall include all the costs of maintaining and/or operating the improvements described herein.

GENERAL RULES

1. All costs associated with the maintenance and operation of the Valle Vista Lighting and Landscape Maintenance Assessment District No. 1 improvements including Engineer's Report, printing and advertising of assessment notices and legal fees shall be spread to all parcels on a pro rata development unit basis.
2. Part 2 of Division 15 of the Streets and Highways Code, the Landscaping and Lighting Act of 1972, permits the establishment of assessment districts by agencies for the purpose of providing certain public improvements which include the operation, maintenance and servicing of landscaping, street lighting, and park and recreational facilities. Section 122573 of the Lighting and Landscaping Act of 1972 requires that maintenance assessments be levied according to benefit rather than according to assessed value. In addition, article XIID, Section 4(a) of the California Constitution limits the amount of any assessment to the proportional special benefit conferred on the property

Article XIID provides that publicly owned properties must be assessed unless there is clear and convincing evidence that those properties receive no special benefit from the assessment.

The improvements to be maintained and operated as a result of the formation of the Valle Vista Lighting and Landscape Maintenance Assessment District No. 1 have been installed simultaneously with the development of residential units within the District. Construction and installation of the street lighting and landscape is complete and an assessment will be collected from all developed parcels in proportion to the special benefit derived by each parcel. All of the involved improvements are being installed within or in areas in close proximity to the proposed developed residential lots.

3. In order to determine the appropriate assessment for each developed parcel, a budget for operation and maintenance costs associated with planned improvements in the Valle Vista Project was prepared. (See attached Exhibit A.) All of the improvements to be operated or maintained within the subdivision have been constructed simultaneously with the development of residential lots within the District, to the extent applicable; costs in the District have been prorated to reflect the District's proportionate share of operation and maintenance costs. The total cost of operation and maintenance of the improvements must be collected on an annual basis.

4. Factored Development Units Calculations: Each parcel within the district is zoned for single family residential development and developed as a single family residence. Each single family home receives equal special benefit from the improvements. However, certain parcels have been improved with accessory dwelling units (“granny units”). Because accessory units are typically occupied and used less intensely than the single family homes to which they are associated (and because accessory units do not add additional frontage to a parcel), an accessory unit does not benefit from the improvements to the same extent as a single family home. Based upon a ratio of the square footage, number of plumbing fixture units and bedrooms of the secondary granny units, in relationship to the square footage, number of plumbing fixture units and bedrooms of a single family home, each parcel with a single family home and a secondary granny unit will be assessed at the rate of 1.25 times the rate for a parcel improved only with a single family home.

5. It is intended that the assessment in connection with this District will be levied annually. The maximum assessment rate that may be levied in any year against a single family parcel shall be determined according to the following formula:

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

The maximum assessment against parcels with accessory dwellings shall be 1.25 times the then applicable maximum assessment for single family parcels. The actual assessments levied shall not exceed the rate necessary to fund the expenses of the District. So long as the assessment is levied at a rate not higher than the maximum rate calculated pursuant to this paragraph, such levy shall not constitute an “increase” of the assessment pursuant to Proposition 218.

6. Article XIID provides that publicly owned properties must be assessed unless there is clear and convincing evidence that those properties receive no special benefit from the assessment. There are currently two public parcels in the District. These parcels constitute the pond and sewer lift station serving the District, and the landscaping on these parcels will be maintained by the District. As these parcels are permanently planned for use as passive, non-residential, unoccupied public services, they cannot be said to specifically benefit from the services provided by the assessment and therefore are not subject to the assessment.

7. Proposition 218 provides that only special benefits to parcels within the district are assessable, and an agency shall separate the general benefits from the special benefits conferred on a parcel. Because the landscaping and lighting maintained in connection with this District is located within a discrete subdivision, all benefits of the maintenance services are special benefits accruing to parcels within the district.

Exhibit A

VALLE VISTA LANDSCAPE AND LIGHTING DISTRICT

Estimate of Cost for Budget FY 20 2021-2022

Item	Account		FY21
<u>No.</u>	<u>No.</u>	<u>Description</u>	<u>Cost</u>
1	485	Utility Water Base Fee	2400
2	485A	Utility Water Usage charge	800
3	560	Advertising Cost	100
4	580	Printing & Copies	100
5	602	Legal Cost	100
6	760	PW Pond Cleanup	1000
7	657	Adminstration Cost	850
8	642	PG&E Cost	720
9	760	Contract Landscaping	15047
10	760A	Contingency	300
11	760B	Reserves	<u>300</u>
			21717
Cost of Living Increase per CPI of 2.6%			<u>x 2.6%</u>
			22281.64

Hanna Brunetti
 ■ Civil Engineers ■ Land Surveyors ■
 ■ Construction Managers ■
 Gilroy California (408) 842-2173

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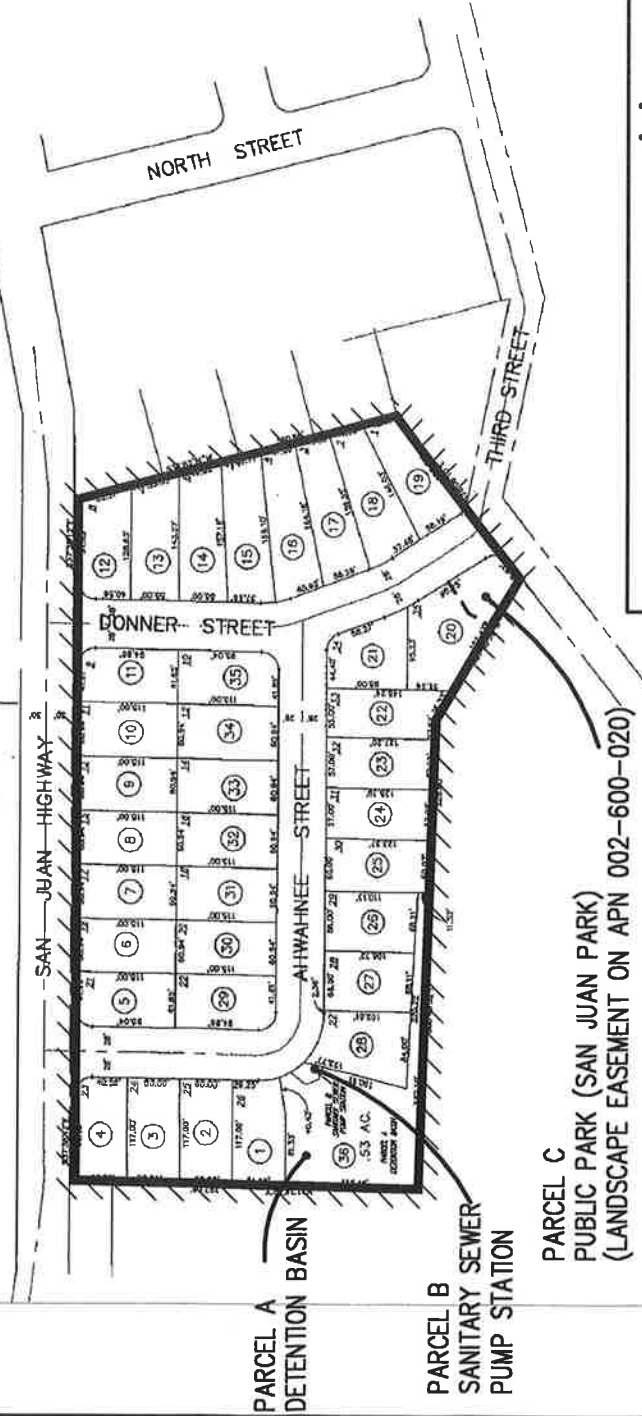


EXHIBIT 'B'

BOUNDARY MAP

VALLE VISTA LIGHTING AND LANDSCAPE
 MAINTENANCE ASSESSMENT DISTRICT NO. 1

SAN JUAN BAUTISTA
 SAN BENITO COUNTY, CALIFORNIA

LOCATION:	SAN BENITO COUNTY, CA	DATE	02/07/08
JOB NUMBER:	072514	SCALE:	NONE
		SHEET	1 OF 1

LEGEND

//// DISTRICT BOUNDARY

RESOLUTION NO. 2021-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
SAN JUAN BAUTISTA APPROVING THE REPORT PREPARED IN CONNECTION
WITH THE FISCAL YEAR 2021-22 LEVY OF ASSESSMENTS IN CONNECTION
WITH VALLE VISTA LANDSCAPE AND LIGHTING MAINTENANCE ASSESSMENT
DISTRICT NO. 1

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

WHEREAS, by prior resolution, this Council ordered preparation of an Assessment Report (“Report”) with respect to the Fiscal Year 2021-22 assessment to be levied in connection with the District; and

WHEREAS, City Staff has prepared the Report and has filed a copy of the Report with the City Clerk, which Report is hereby incorporated herein by reference; and

WHEREAS, the City Council desires to approve the Report, as filed.

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

1. The Council finds that the Report contains all information required by the Act.
2. The City Council hereby approves the Report as filed.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of San Juan Bautista duly held on the 18th day of May, 2021, by the following vote:

Ayes:

Noes:

Absent:

Abstain:

ATTEST:

Leslie Q. Jordan, Mayor

Shawna Freels, City Clerk



CITY OF SAN JUAN BAUTISTA CITY COUNCIL STAFF REPORT

AGENDA TITLE: SET A PUBLIC HEARING FOR THE VALLE VISTA
PROPERTY OWNERS

MEETING DATE: May 18, 2021

SUBMITTED BY: Trish Paetz, Administrative Services Manager

DEPARTMENT HEAD: Don Reynolds, City Manager

Recommendation:

Adopt a Resolution setting a public hearing for June 15 to receive input from the Valle Vista (Creekbridge) property owners, and members of the public.

Background:

Last month Council approved a resolution initiating proceedings for the levying of the Valle Vista LLD assessment, and calling for staff to develop an assessment report. After accepting the assessment report tonight, a public hearing is required to provide the property owners an opportunity to provide input regarding the assessment.

Staff requests Council approve the assessment report by resolution, and set a public hearing for next month, by resolution, to receive input from property owners and members of the public.

Fiscal Impact:

There is no impact to the City.

Attachments:

Resolution

RESOLUTION NO. 2021-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
SAN JUAN BAUTISTA DECLARING ITS
INTENTION TO LEVY AND COLLECT ASSESSMENTS
WITHIN VALLE VISTA LANDSCAPE AND LIGHTING MAINTENANCE
ASSESSMENT DISTRICT NO. 1 FOR FISCAL YEAR 2021-22 AND SETTING
THE TIME AND PLACE FOR A HEARING ON SAID ASSESSMENT

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

WHEREAS, by prior resolution, this Council ordered preparation of an Assessment Report (“Report”) with respect to the assessment proposed to be levied in connection with the District for Fiscal Year 2021-22, and

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

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

WHEREAS, the City Council desires to declare its intention to levy the proposed assessment for Fiscal Year 2021-22.

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

1. The Council hereby declares its intention to levy and collect assessments in connection with the District for Fiscal Year 2021-22, as set forth in the Report.
2. The District is designated by the following distinctive name: “Valle Vista Landscaping and Lighting Maintenance Assessment District No. 1.” The District is generally described as a district including the parcels on both sides of Ahwahnee Street and Donner Street, bounded by San Juan Highway and Third Street. Reference is made to the Report for a more complete and exact definition of the territory included in the District.
3. The improvements to be maintained, operated and serviced in connection with the District are generally described as: street lighting and street landscaping within the District; as well as lighting and landscaping associated with the detention basin, sanitary sewer pump station, and a public park located within the District.

4. Reference is hereby made to the Report for a full and detailed description of the public improvements, the boundaries of the District, and the proposed Fiscal Year 2020-21 assessments upon assessable lots and parcels of land within the district.

5. The amount of the assessment for Fiscal Year 2021-22 is not proposed to increase from the rate effective for Fiscal Year 2020-21, adjusted for inflation according to the methodology submitted to property owners as part of a mail ballot protest proceeding in 2008.

6. It is ordered that on June 15, 2021, at the hour of 6:00 o'clock p.m., in the regular meeting place of this Council, the Council Chambers, City Hall, 311 Second Street, San Juan Bautista, California, is the time and place where this Council will hold a public hearing on the proposed assessment. At the Hearing, all interested persons will be permitted to present written and/or oral testimony regarding the proposed assessment. The City Clerk is directed to give notice of the Hearing by one publication of a copy of this Resolution in the local newspaper published and circulated in the City, pursuant to Section 6061 of the California Government Code, said publication to be had and completed at least ten (10) days before the date herein set for the Hearing.

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

PASSED AND ADOPTED at a regular meeting of the City Council of the City of San Juan Bautista duly held on the 18th day of May, 2021, by the following vote:

Ayes:

Noes:

Absent:

Abstain:

Leslie Q. Jordan, Mayor

ATTEST:

Shawna Freels, City Clerk



CITY OF SAN JUAN BAUTISTA CITY COUNCIL

AGENDA TITLE: **DECLARING INTENTION TO REIMBURSE CERTAIN
EXPENDITURES FROM THE PROCEEDS OF TAX-
EXEMPT OBLIGATIONS**

MEETING DATE: May 20, 2021

SUBMITTED BY: Don Reynolds, City Manager

RECOMMENDED ACTION:

Adopt a Resolution Declaring Intention to Reimburse Certain Expenditures from the Proceeds of Tax-Exempt Obligations.

BACKGROUND/DISCUSSION:

The City intends to design and construct a waste water force main to connect to the Hollister Treatment Plant (the "Project"). It is contemplated that a portion of the cost to complete the Project will come from the issuance of revenue bonds or some other form of long-term tax-exempt indebtedness (the "Debt Obligations"). The City plans to begin spending money on the Project prior to the issuance of the Debt Obligations. By adoption of the attached Resolution, and upon issuance of the Debt Obligations, the City will be legally allowed to reimburse itself for all expenses advanced for the Project (the "Reimbursable Expenditures").

The attached Resolution satisfies certain IRS tax code requirements by stating the following:

- The City Council's intention to finance expenditures related to the Project;
- A statement that any such expenditures would be financed through the issuance of a tax-exempt Debt Obligations;
- A qualitative description of the proposed Project whose expenditures would be reimbursed from the proceeds of Debt Obligations; and
- Identification of the expected source(s) of funds, which would initially pay for such expenditures and ultimately be utilized to repay the Debt Obligations.

Passage of the attached Resolution does not irrevocably bind the City to issue Debt Obligations, rather it merely spells out the City's intent to do so at some future date and preserves the City's right to reimburse itself for Reimbursable Expenditures.

FISCAL IMPACT: No impact from this report.

ATTACHMENTS: Resolution No.2021-XX

RESOLUTION NO. 2021-XX

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN JUAN
BAUTISTA DECLARING ITS INTENTION TO REIMBURSE CERTAIN
EXPENDITURES FROM THE PROCEEDS OF TAX-EXEMPT
OBLIGATIONS AND DIRECTING CERTAIN ACTIONS WITH RESPECT
THERE TO AS REQUIRED BY UNITED STATES DEPARTMENT OF
TREASURY REGULATIONS SECTION 1.150-2**

WHEREAS, the City Council of the City of San Juan Bautista (the "City"), after due investigation and deliberation, desires to undertake proceedings for the financing (the "Financing") the certain costs of acquiring, constructing and/or equipping certain improvements to its wastewater system, as general described in Exhibit A attached hereto and incorporated herein (collectively, the "Project"); and

WHEREAS, the City intends to finance the acquisition, construction and/or equipping of the Project or portions of the Project with the proceeds of tax-exempt bonds, notes, certificates of participation, revenue bonds or other forms of tax-exempt debt (the "Debt Obligations"); and

WHEREAS, prior to the issuance of any Debt Obligations the City desires to incur certain capital expenditures (the "Reimbursable Expenditures") with respect to the Project from available moneys of the City; and

WHEREAS, the City Council has determined that those moneys which will be advanced on and after the date hereof to pay Reimbursable Expenditures are available only for a temporary period, and it is necessary to reimburse the City for such Reimbursable Expenditures from the proceeds of the Debt Obligations, all as set forth pursuant to Section 1.150-2 of the regulations (the "Treasury Regulations") promulgated under the Internal Revenue Code of 1986, as amended (the "Tax Code"); and

WHEREAS, this Resolution will be reasonably available for public inspection within a reasonable period of time after its date of adoption and in the same manner governing the public availability of records of other official acts of the City Council; and

WHEREAS, this Resolution is intended to be a "declaration of official intent" in accordance with Section 1.150-2 of the Treasury Regulations; and

WHEREAS, in order to efficiently accomplish the Financing and issuance of the Debt Obligations, the City desires to appoint certain legal and financial consultants to provide the necessary professional services in connection therewith; and

WHEREAS, this action does not constitute a "Project" under California Environmental Quality Act (CEQA) Guidelines Section 15378; and

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SAN JUAN BAUTISTA DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. The foregoing recitals are adopted as findings of the City Council as though set forth fully herein.

Section 2. The City reasonably expects to reimburse itself for the Reimbursable Expenditures made by the City in anticipation of the issuance of the Debt Obligations with proceeds of Debt Obligations. The reimbursement of Reimbursable Expenditures is consistent with the City's budgetary and financial circumstances.

Section 3. The City Council hereby determines that it is necessary and desirable to proceed with the Financing and procurement of the Debt Obligations, subject to final authorization thereof by resolution of the City Council at a subsequent meeting held for such purpose. This Resolution does not bind the City to make any expenditure, incur any indebtedness or ultimately provide for the Financing and procurement of the Debt Obligations.

Section 4. The maximum principal amount of the Debt Obligations from which Reimbursable Expenditures are to be made is reasonably expected to be \$500,000. The obligation to be represented by the Debt Obligations may be incurred by the City by means of the execution and delivery of lease agreement, installment sale agreement, certificates of participation and/or revenue notes and/or bonds.

Section 5. The proceeds from the Debt Obligations are to be used for the financing, acquisition, design and/or construction of the Project, funding a reserve fund, a capitalized interest fund, and for paying certain costs of issuance related thereto.

Section 6. This Resolution is adopted for purposes of establishing compliance with the requirements of section 1.150-2 of the Treasury Regulations. This Resolution does not bind the City to make any expenditure, incur any indebtedness or proceed with the Financing of the Projects. All of the Reimbursable Expenditures covered by this Resolution were made not earlier than 60 days prior to the date of adoption hereof.

Section 7. The Mayor, City Manager, City Clerk and any and all other officers of the City are hereby authorized and directed, for and in the name and on behalf of the City, to do any and all things and take any and all actions, including execution and delivery of any and all assignments, certificates, requisitions, agreements, notices, consents, instruments of conveyance, warrants and other documents, which they, or any of them, may deem necessary or advisable in order to consummate any of the transactions contemplated by the documents approved pursuant to this Resolution.

Section 8. This Resolution shall take effect from and after the date of its passage and adoption.

* * * * *

PASSED, APPROVED AND ADOPTED this 18th day of May, 2021, by the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Leslie Q. Jordan, Mayor

ATTESTED:

Shawna Freels, City Clerk

EXHIBIT A

GENERAL DESCRIPTION OF THE PROJECT

The Project to be acquired and constructed with the proceeds of the Debt Obligations, is general described as follows:

The City is undertaking the acquisition of right-of-way, and the design and construction of a lift station and force main, to send its waste water approximately 6.5 miles to the Hollister Treatment Plant.



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

Dear Mayor & Council Members

The **Anzar HS Boosters** is requesting permission to be allowed sell "Safe & Safe" Fireworks for the 2021 Season. This sale will be the largest annual fundraiser for the High School Booster Club.

The sale will be held in a Fireworks stand in the parking lot of The Windmill Market at 301 The Alameda, San Juan Bautista. Written permission to use the parking lot is secured with the property owner, Jim Gibson. The dates of sale are June 28th to July 4th. Daily hours of operation can be from 9am to 10pm.

Insurance coverage in the amount of \$1,000,000 is obtained and insures the premises and the City of San Juan Bautista. The certificate of Insurance has been forwarded to Jim Gibson & Hollister Fire Department. One has been attached with this letter for the City of San Juan Bautista. A State Fire Marshal License has been obtained. And as soon as the Hollister Fire Department completes its inspection, the group will receive its City permit.

Thank you for your consideration.

Please let me know if there is anything else you need.

Milton D. Broussard- Area Manager
TNT Fireworks
c- (916) 704-3473



Complete and return all copies to the Office of State Fire Marshal with the required fee of \$50.00 made payable to "CAL FIRE". **Applications must be received prior to June 15th of the current year.** **Received**

Office of State Fire Marshal
2251 Harvard Street, Suite 400
Sacramento, CA 95815
(916) 568-2943

FEB 19 2021
Hollister Fire Dept.

LICENSEE INFORMATION

Name (First, Last):	Phone Number: () -
Mailing Address (Street Address, City, CA, Zip):	
Local Contact Person and Phone Number (if different from Licensee above):	

STAND INFORMATION

Physical Address (Street Address, City, CA, Zip):
County of Stand Location:

WHOLESALE FIREWORK VENDOR INFORMATION

Business Name:	License No.:
Contact Name:	Phone Number: () -

FIRE AUTHORITY HAVING JURISDICTION

Fire Department:
Physical Address (Street Address, City, CA, Zip):

CAL FIRE Validation No.

B00049

Signature of Fire Authority Having Jurisdiction

Date

Signature of Retail Booth Applicant

Date

-NOTICE-

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

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



RESOLUTION 2021-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN JUAN BAUTISTA AUTHORIZING THE ANZAR HIGH SCHOOL BOOSTER CLUB TO SELL FIREWORKS FOR THE JULY 4, 2021 HOLIDAY

NOW, THEREFORE, BE IT RESOLVED that the Anzar High School Booster Club is authorized to sell fireworks in the City of San Juan Bautista at the Windmill Market, 301 The Alameda, San Juan Bautista from noon on June 28, 2021 through July 4, 2021. The Anzar High School Booster Club is a non-profit organization and is not required to obtain a business permit for this fundraising event.

PASSED AND ADOPTED this 18th day of May, 2021 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Leslie Q. Jordan, Mayor

ATTEST:

Shawna Freels, City Clerk



CITY OF SAN JUAN BAUTISTA CITY COUNCIL MEETING REPORT

AGENDA TITLE: Approve Resolution 2021-for the Issuance of the Public Hearing Notice for Setting Maximum Allowable Solid Waste Collection Rates for Recology San Benito County

MEETING DATE: May 18, 2021

SUBMITTED BY: Kathleen Gallagher, Consultant, San Benito County

DEPARTMENT HEAD: Don Reynolds, City Manager

BRIEF DESCRIPTION:

The San Juan Bautista City Council approved the franchise agreement with Recology San Benito County which includes a contractually obligated annual rate adjustment using a prescribed index-based methodology. The purpose of the Resolution for the Issuance of the Public Hearing Notice for Setting Maximum Allowable Solid Waste Collection Rates for Recology San Benito County sets the date for the Public Hearing for July 13, 2021.

RECOMMENDED ACTION:

Staff recommends the City Council APPROVE Resolution 2021-for the Issuance of the Public Hearing Notice for Setting Maximum Allowable Solid Waste Collection Rates for Recology San Benito County which sets the Public Hearing date for July 13th, 2021.

BACKGROUND INFORMATION:

The San Juan Bautista City Council approved the franchise agreement with Recology San Benito County which includes a contractually obligated annual rate adjustment using a prescribed index-based methodology. The purpose of the Resolution for the Issuance of the Public Hearing Notice for Setting Maximum Allowable Solid Waste Collection Rates for Recology San Benito County sets the date for the Public Hearing for July 13, 2021. The annual rate adjustment is based on the consumer price index (CPI) and fuel index and includes disposal and processing costs to determine solid waste collection rates. The franchise agreement includes programs to meet state mandates AB 939, AB 341, AB 1826, SB 1383, and other mandates. The solid waste rates pay for program costs to provide service to meet regulatory requirements and includes collection and disposal of garbage; collection and processing of recyclables and organics, curbside bulky item collection, outreach/ education, compost giveaway/electronic recycling/on-site security shredding at

Environmental Day events and quarterly recycling/bulky item collection events. The rate setting process for the annual rate adjustment is defined in **Article 9: Contractor's Compensation and Rate Setting** in the Franchise Agreement and rate adjustment calculations are performed in conformance to procedures described in Attachment E of the Franchise Agreement.

For the July 1, 2021 adjustment, the maximum allowed rate adjustment is 4.5% Most San Juan Bautista residents, or 74%, have a 32-gallon waste container or smaller and **Table 1** (below) details how the maximum allowable rate adjustment is calculated using the methodology and results in \$1.49 per month increase. The Notice of Public Hearing has additional rate information with maximum solid waste rates and the actual rates charged to rate payers may be lower.

Table 1: Rate Adjustment Calculation for San Juan Bautista resident's 32-gallon container

San Juan Bautista 32 Gallon

Component of Rate	Index or Data Used	Current Amount	Component Increase	Proposed Amount
Operating Non-fuel	CPI-U - CUUSS49BSA0	27.38	0.47	27.85
Operating - Fuel	Producer Price Index - #2 Diesel	1.53	(0.32)	1.22
Disposal & Processing Costs	Actual Prices and 2020 Tons	5.91	0.96	6.87
Disincentives Applied to Lower Customer Rates	Recology Performance in 2020	(1.04)	0.38	(0.66)
Total 32 Gallon Rate		33.78	1.49	35.27

Per Franchise Agreement requirements, Recology submitted the rate application to County Integrated Waste Management (IWM) staff to review calculations. A cost component that contributed to increasing rates is processing costs due to significant 'contamination' in recycling bins (e.g., garbage in the blue recycling bin). Processing costs increase when higher amounts of contaminated material are in the recyclables. Therefore, residents and businesses who keep recycling 'clean' (e.g., free of garbage) can help reduce processing costs in the future. IWM and Recology continue outreach/education to residents and businesses to reduce contamination and are progressing to route audit checks and notices to customers who continually place garbage in recycling bins.

Potential rate impact reduction from 4.5% to 2.1%

County RMA and IWM staff are currently working on a program that may reduce the rate impact from the maximum rate impact of 4.5% and reduce the rate impact to 2.1%. Staff are waiting to hear back from the state and federal staff regarding the potential use of the American Rescue Plan (ARP) funds and program provided for pandemic-related relief to the City. The City Manager has met virtually with IWM staff regarding this issue

and IWM will keep the City Manager updated as new information becomes available. For San Juan Bautista residents, if ARP funds were used to offset the rate impact from 4.5% to 2.1% residents with a 32-gallon container would see 0.70 cents increase per month instead of \$1.49 per month. Additional information regarding potential use of ARP funds will be provided to the City Manager when County staff receives additional information.

Upon approval by the City Council, the Notice of Public Hearing will be sent to San Juan Bautista's ratepayers and property managers to inform them of proposed maximum allowable solid waste collection rates. The public hearing will be held at least 45 days after the notice is received by the affected rate payers on July 13, 2021. The noticing process is intended to provide rate payers advance notice and an opportunity to file a formal protest regarding new solid waste rates. The City is following the "majority protest" proceedings set forth in Proposition 218. Statements of protest from rate payers will be accepted through the public hearing date. Though state law provides that only the written protests of property owners may be counted to determine whether a majority protest to the proposed maximum rates exists, the City Council will also consider and include protests from tenants responsible for solid waste costs as well as property owners. At the end of the public hearing, the Clerk will tally and report the qualifying written protests. The City Council will then certify whether the written protests in opposition to the new solid waste collection rates meets or does not meet the 50 percent protest threshold. In accordance with Article XIID, Section 6, of the California Constitution, a "majority protest" exists if written protests against the proposed fee or charge are presented by a majority of owners of the identified parcels". If a majority protest is not received from property owners and tenants, the City Council would approve adoption of the solid waste rates. If a majority protest is received, the City Council cannot increase the rates and rates will remain unchanged.

The Notice of Public Hearing includes rates for FY 2021/2022 and provides maximum solid waste rates for five subsequent years from fiscal years 2022/2023 through 2025/2026 following the methodology in **Article 9: Contractor's Compensation and Rate Setting** in the Franchise Agreement. These are the maximum rates that cannot exceed 5% annually; the actual rates charged to customers may be lower. Per the franchise agreement, the new rates will become effective July 1st annually and a courtesy notice will be sent each year on or before June 1st with the exact rate adjustment information provided to rate payers. The rate information will also be on the County's IWM webpage and Recology San Benito County webpage.

FISCAL IMPACT: N/A

ATTACHMENTS:

- 1. Notice of Public Hearing**
- 2. Resolution 2021-XX for Adoption**

RESOLUTION 2021-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN JUAN BAUTISTA APPROVING THE ISSUANCE OF A NOTICE OF PUBLIC HEARING FOR MAXIMUM ALLOWABLE SOLID WASTE COLLECTION RATES

WHEREAS, a new Franchise Agreement with Recology San Benito County was approved by the City Council which commenced on November 1, 2018 and said Agreement included provisions for a contractually obligated annual rate adjustment process; and

WHEREAS, The City Council approved the Franchise Agreement with Recology San Benito County which included the rate setting process for the annual rate adjustment is defined in **Article 9: Contractor's Compensation and Rate Setting** in the Franchise Agreement and the rate adjustment calculations are performed in conformance to the procedures described in Attachment E of the Franchise Agreement; and

WHEREAS, the Franchise Agreement includes programs and improvements to meet state mandates AB 939, AB 341, AB 1826, and SB 1383 and other mandates, and the solid waste rates pay for the collection and disposal of garbage; collection and processing of recyclables, organics (yard waste and food scraps) curbside bulky item collection, free compost giveaway events, free electronic waste collection, Environmental Day events, recycling staff, free quarterly recycling/bulky collection events and seasonal recycling programs to meet state waste reduction mandates; and

WHEREAS, the approved Franchise Agreement includes a contractually obligated annual rate adjustment using a prescribed index-based methodology where the rate adjustment is based on the consumer price index (CPI) and fuel index and includes disposal and processing costs to determine solid waste collection rates. And, that the annual rate adjustment process requires Recology San Benito County to submit its application for a rate on or before April 1, and such an application was received and staff reviewed the rate application and found it to be complete, and that per the Franchise Agreement, the rate adjustment goes into effect on July 1st; and

WHEREAS, the proposed maximum solid waste rates are included in the Notice of Public Hearing and that the actual rates charged to ratepayers may be lower; and

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

WHEREAS, the Notice of Public Hearing provides the maximum solid waste rates for Fiscal Year (FY) 2021/2022 through FY 2025/2026 which is in conformance with the methodology in **Article 9: Contractor's Compensation and Rate Setting** in the

Franchise Agreement, and that the annual rate adjustment cannot exceed 5% annually, and, that the actual rates charged to rate payers may be lower. And, that the rates stated in this notice will not be increased without further written notice to the City and a further notice of public hearing pursuant to Proposition 218; and

WHEREAS, pursuant to the Franchise Agreement, the new rates will become effective July 1 annually, and a courtesy notice will be sent to ratepayers each year on or before June 1.

NOW, THEREFORE, BE IT RESOLVED, that the City Council hereby approves the issuance of a Notice of Public Hearing for July 13, 2021 for the maximum allowable solid waste collection rates for FY 2021/2022 through FY 2025/2026.

PASSED AND ADOPTED, by the City Council at a regular meeting held this 18th day of May 2021, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Leslie Q. Jordan, Mayor

ATTEST:

Shawna Freels, City Clerk

Notice of Public Hearing

Regarding Proposed Maximum Allowable Rates for Solid Waste/Recycling/Organics Collection

San Juan Bautista seal

City of San Juan Bautista, City Council Chambers
311 Second Street, San Juan Bautista, California
July 13, 2021 6:00 P.M.

On July 13, 2021 at 6:00 p.m. the City of San Juan Bautista City Council will hold a Public Hearing to accept public input and testimony on a proposed increase on the maximum allowable rates for solid waste collection, to be effective July 1st. Any interested person may present verbal or written input to the Council and the Council will consider all input. Though state law provides that only the written protests of property owners may be counted to determine whether a majority protest to the proposed maximum rates exists, the Council will also consider and include protests from tenants responsible for solid waste costs. The solid waste rates cover costs to meet state regulatory requirements for solid waste, recycling and organics collection and processing. At the conclusion of the public hearing, if a majority protest of property owners and tenants does not exist, the Council will adopt the proposed maximum allowable rates. The solid waste rates were established through a competitive procurement process for a Franchise Agreement that was awarded to Recology San Benito County. The Franchise Agreement includes several program improvements to recycling and organics collection programs to meet state mandates AB 939, AB 341, AB 1826 and SB 1383 and other mandates. The Franchise Agreement includes a contractually obligated annual rate adjustment for Recology San Benito County. The solid waste rates are adjusted on an annual basis using an index-based methodology that includes year over year changes in a consumer price index (CPI), fuel index and disposal and processing costs. The new solid waste rates pay for the collection and disposal of garbage; collection and processing of all recyclable materials, collection and processing of organics, seasonal recycling programs; free curbside bulky item collection for residents, free compost giveaways, Environmental Days with free electronic recycling and on-site security shredding services, free quarterly collection events at the landfill, and outreach and education programs. The solid waste collection rates cover programs costs to enable the City to meet state regulatory requirements.

The proposed maximum rates are included in this notice and actual rates charged to ratepayers may be lower. The rate setting process for the annual rate adjustment is defined in **Article 9: Contractor's Compensation and Rate Setting** in the Franchise Agreement and calculations are performed in conformance to procedures per Attachment E of the Franchise Agreement. This Notice of Public Hearing includes rates for FY 2021/2022 and provides maximum solid waste rates for five subsequent years from fiscal years 2022/2023 through 2025/2026 following the methodology in **Article 9: Contractor's Compensation and Rate Setting** in the Franchise Agreement. These are the maximum rates allowable, and per the Franchise Agreement, the annual rate adjustment cannot exceed 5% annually; the actual rates charged to customers may be lower. The rates stated in this notice will not be increased above the rates stated without further written notice to the City and a further notice of public hearing pursuant to Proposition 218. Pursuant to the Franchise Agreement, the new rates will become effective July 1st annually and a courtesy notice will be sent to ratepayers each year on or before June 1st and rate information will be on the County's Integrated Waste Management (IWM) webpage and Recology San Benito County webpage. The rate tables show rate for the most common residential and commercial service levels; the full rate schedule is on the IWM website and hard copy is at the County's RMA/IWM division at 2301 Technology Parkway, Hollister.

Proposed Maximum Solid Waste Rates for FY 2021/2022 through FY 2025/2026

The rates in the following tables are the proposed maximum monthly cost for the service levels listed.

The actual costs to ratepayers may be lower.

Per the Franchise Agreement, the annual rate adjustment cannot exceed 5%

Resident Garbage bin size collected weekly Includes recycling & organics collection at no additional cost	FY 21/22 max. rate	FY 22/23 max. rate	FY 23/24 max. rate	FY 24/25 max. rate	FY 25/26 max. rate
20 gallon	\$29.31	\$30.78	\$32.31	\$33.93	\$35.63
32 gallon	\$35.27	\$37.03	\$38.89	\$40.83	\$42.87
64 gallon	\$60.29	\$63.30	\$66.47	\$69.79	\$73.28
96 gallon	\$91.12	\$95.68	\$100.46	\$105.48	\$110.75

Commercial/Multi-family Garbage bin size Collected weekly Includes recycling service at no additional cost	FY 21/22 max. rate	FY 22/23 max. rate	FY 23/24 max. rate	FY 24/25 max. rate	FY 25/26 max. rate
64 gallon	\$60.29	\$63.30	\$66.47	\$69.79	\$73.28
96 gallon	\$91.12	\$95.68	\$100.46	\$105.48	\$110.76
1-1 yard	\$193.61	\$203.29	\$213.46	\$224.13	\$235.33
1-2 yard	\$248.22	\$260.63	\$273.66	\$287.35	\$301.71
1-3 yard	\$341.70	\$358.79	\$376.72	\$395.56	\$415.34
1-4 yard	\$449.83	\$472.32	\$495.94	\$520.73	\$546.77

Commercial/multi-family Organics bin size Collected weekly	FY 21/22 max. rate	FY 22/23 max. rate	FY 23/24 max. rate	FY 24/25 max. rate	FY 25/26 max. rate
64 gallon	\$36.27	\$38.08	\$39.99	\$41.99	\$44.09
96 gallon	\$54.62	\$57.35	\$60.22	\$63.23	\$66.39
1-1 yard	\$116.16	\$121.97	\$128.07	\$134.47	\$141.19
1-2 yard	\$186.26	\$195.57	\$205.35	\$215.62	\$226.40

If you wish to protest, the City Clerk must receive your written protest (protest form below) and mailed/delivered to: City Clerk, 311 Second St., P.O. Box 1420, San Juan Bautista, CA no later than 5 p.m. on July 12, 2021 or hand delivered to the Clerk before the end of the public hearing. Incomplete protest forms or those not received by the deadline cannot be counted. One protest per parcel may be submitted.

Approval Procedures: A majority protest exists if written protests are received by the City with respect to 50% plus one of the parcels affected by the proposed rate adjustment. A property owner or tenant may file a written protest and written protests must contain property owner/s name or tenants' name and signature and property address.

OFFICIAL PROTEST FORM:

Name: _____

Address: _____

City: _____ ZIP Code: _____

Assessor's parcel number (9-digit number appears on property tax statement, if available):

Signature: _____ Date: _____

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

PROCLAMATION

RECOGNIZING MAY AS NATIONAL PRESERVATION MONTH

WHEREAS, May is National Preservation Month, and historic preservation is relevant for communities across the nation, both urban and rural, and for Americans of all ages, all walks of life and all ethnic backgrounds; and

WHEREAS, it is important to celebrate the role of history in our lives and the contributions made by dedicated individuals in helping to preserve the tangible aspects of the heritage that has shaped us as a people; and

WHEREAS, historic preservation is an effective tool for managing growth and sustainable development, revitalizing neighborhoods, fostering local pride, and maintaining community character while enhancing livability, and

WHEREAS, the City of San Juan Bautista supports adaptive reuse and the Secretary of the Interior's Standards for the Treatment of Historic Properties, "intended to promote responsible preservation practices that help protect our Nation's irreplaceable cultural resources," and

WHEREAS, San Juan Bautista City Council and its Historical Resources Board and Planning Commission invite all residents and preservation enthusiasts to make the month of May an opportunity for discovering/re-discovering, honoring, and sharing the unique heritage of San Juan Bautista, "City of History;" and

NOW, THEREFORE, I, Leslie Q. Jordan, Mayor of the City of San Juan Bautista, do hereby proclaim May 2021 as National Preservation Month, and call upon the citizens of San Juan Bautista to join their fellow citizens across the United States in recognizing and participating in this special observance.

Leslie Q. Jordan, Mayor

**PROCLAMATION
IN RECOGNITION OF LGBT PRIDE MONTH**

WHEREAS, our nation was founded on the principle of equal rights for all people, but the fulfillment of this promise has been long in coming for many Americans. Some of the most inspiring moments in our history have arisen from the various civil rights movements that have brought one group after another from the margins to the mainstream of American society; and

WHEREAS, in the movement toward equal rights for lesbian, gay, bisexual and transgender (LGBT) people, a historic turning point occurred on June 28, 1969, in New York City, with the onset of the Stonewall Riots. During these riots, LGBT citizens rose up and fought against the discriminatory criminal laws that have since been declared unconstitutional; and

WHEREAS, LGBT pride celebrations have taken place around the country every June to commemorate the beginning of the Stonewall Riots; and

WHEREAS, June is celebrated as LGBT Pride Month nationwide; and

WHEREAS, the City of San Juan Bautista has a diverse LGBT community that includes people of all ethnicities, religions and professions; and

WHEREAS, everyone should be able to live without fear of prejudice, discrimination, violence and hatred based on race, religion, gender identity or sexual orientation.

NOW THEREFORE BE IT RESOLVED, that the City Council of San Juan Bautista, on behalf of all residents of the City, does hereby proclaim June 2021 as Pride Month in the City of San Juan Bautista and urges all residents to respect and honor our diverse community and celebrate and build a culture of inclusiveness and acceptance.

NOW, THEREFORE, I, Leslie Q. Jordan, Mayor of the City of San Juan Bautista, do hereby proclaim June 2021 as LGBT Pride Month, and call upon the citizens of San Juan Bautista to join their fellow citizens across the United States in recognizing and participating in this special observance.

Leslie Q. Jordan, Mayor



CITY OF SAN JUAN BAUTISTA CITY COUNCIL STAFF REPORT

AGENDA TITLE: RECOGNITION FOR PRESERVATION MONTH

MEETING DATE: May 18, 2021

DEPARTMENT HEAD: Planning Commission Secretary Trish Paetz

In 2016, the Planning Commission implemented a program to recognize property owners and businesses that have made significant improvements to their properties, that enhance and maintain the overall area and help attract visitors to the City. Their guidelines are the Secretary of the Interior Standards for the Treatment of Historic Properties, which "are intended to promote responsible preservation practices that help protect our Nation's irreplaceable cultural resources." The Historic Resources Board made the recommendation to the Planning Commission; the Commission desires to recognize the recipients at the City Council Meeting.

At their April 6, 2021 meeting, the Planning Commission, with the assistance of the San Juan Bautista Historical Society, selected the owners of the Bluebird Hotel, and the Hobbs family to recognize this year. A member of the Planning Commission will be present to award Certificates of Recognition and plaques to Jennifer and Clay Hobbs, and Julia Ponce for the Bluebird Hotel.

CITY OF SAN JUAN BAUTISTA, CALIFORNIA

CERTIFICATE OF RECOGNITION

WHEREAS, the month of May is National Preservation Month, and historic preservation is an effective tool for managing growth and sustainable development, revitalizing neighborhoods, fostering local pride, and maintaining community character while enhancing livability, and

WHEREAS, the City of San Juan Bautista supports the Secretary of the Interior's Standards for the Treatment of Historic Properties, "intended to promote responsible preservation practices that help protect our Nation's irreplaceable cultural resources," and

WHEREAS, the function of the Planning Commission is to guide the orderly development of the City in accordance with the General Plan and other policy documents, and

WHEREAS, the Planning Commission wishes to recognize a property owner whose rehabilitation of a private building reflects the City's goals to maintain its historical ambiance by preserving and restoring the structure at 700 Third Street, historically known as the "E. A. Reynolds house:"

- Repainting the exterior to a fresh, cheerful blue with white accenting the architectural details of this Victorian house
- Restoring the landscaping to an authentic, simple, old-fashioned garden
- Replacing the white picket fencing
- Creating curb appeal for visitors
- Maintaining architectural features
- Providing a welcoming and inviting appearance to one of the gateways to historic San Juan Bautista
- Extending the economic life of the building
- Modeling responsible stewardship of an historic building, a residence since about 1880.

NOW, THEREFORE, BE IT RESOLVED at its meeting on April 4, 2021, the Planning Commission of the City of San Juan Bautista, on behalf of its citizens, acted to recognize the efforts of Jennifer and Clay Hobbs in renewing an existing resource at 700 Third Street and energizing the local economy, and thanks them for being involved citizens.

Yolanda Delgado, Chairperson
San Juan Bautista
Planning Commission

CITY OF SAN JUAN BAUTISTA, CALIFORNIA

CERTIFICATE OF RECOGNITION

WHEREAS, the month of May is National Preservation Month, and historic preservation is an effective tool for managing growth and sustainable development, revitalizing neighborhoods, fostering local pride, and maintaining community character while enhancing livability, and

WHEREAS, the City of San Juan Bautista supports the Secretary of the Interior's Standards for the Treatment of Historic Properties, "intended to promote responsible preservation practices that help protect our Nation's irreplaceable cultural resources," and

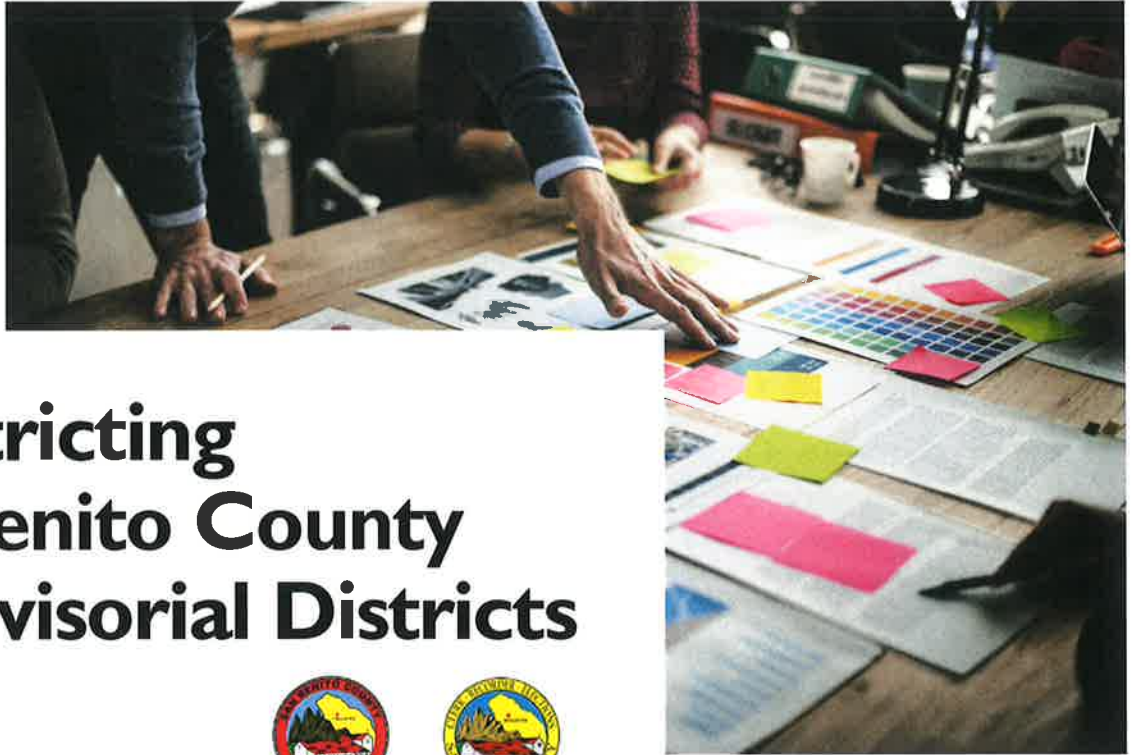
WHEREAS, the function of the Planning Commission is to guide the orderly development of the City in accordance with the General Plan and other policy documents, and

WHEREAS, the Planning Commission wishes to recognize a property owner whose rehabilitation of a public building reflects the City's goals to maintain its historical ambiance by preserving and restoring the historic Bluebird Hotel at 401, 403, 405 Third Street;

- Using a fresh two-tone blue and white paint palette to enhance the architectural features of this ~1894 Carpenter-Italianate style building
- In the past few years, securing the foundation, replacing the electrical panels, and re-roofing, thereby extending the economic life of the building
- Creating curb appeal for visitors
- Enhancing the economic vitality of the nationally-registered San Juan Bautista Third Street Historic District
- Modeling responsible stewardship of an historic building,

NOW, THEREFORE, BE IT RESOLVED at its meeting on April 4, 2021, the Planning Commission of the City of San Juan Bautista, on behalf of its citizens, acted to recognize the efforts of Julian Ponce in renewing an existing resource at 401-405 Third Street and energizing the local economy, and thanks him for being an involved citizen.

Yolanda Delgado, Chairperson
San Juan Bautista
Planning Commission



Redistricting San Benito County Supervisory Districts

Late 2021



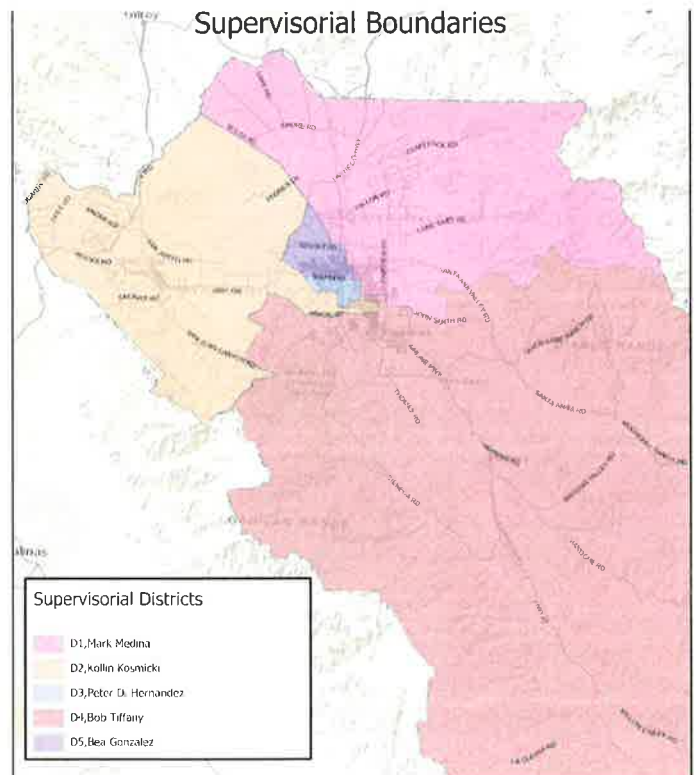
What is Redistricting?

Every ten years, local governments use new census data to redraw their district lines to reflect how local populations have changed.

Districts must be redrawn so that each district is substantially equal in population. This process, called redistricting, is important in ensuring that each board member represents about the same number of constituents.

Redistricting is done using U.S. Census data, and State adjusted data which is released beginning August 2021.

School Districts, Cities, and Special districts will also need to go through this process for Trustees/Directors.



US Laws, Codes & Statues

* New legislation or executive orders may be adopted



FAIR MAPS ACT (AB 849)

- AB 849 (Bonta), known as the FAIR MAPS Act, passed in 2019 to improve and standardize the local redistricting process and incorporate best practices that California already uses for redistricting at the state level. Local governments now have clearer guidelines around the drawing of district maps to ensure fairness and prohibit partisan gerrymandering. The FAIR MAPS Act also created public outreach and transparency requirements to ensure that all communities know about and can directly shape the drawing of their city or county's district lines.



Federal Requirements

- In a series of court cases in the 1960s, the Supreme Court held that the Fourteenth Amendment of the United States Constitution requires that all districts within a political jurisdiction have "substantial equality of population."
- The federal Voting Rights Act (VRA) of 1967 stands for the idea that every voter should have a chance to cast a meaningful ballot. To achieve this goal, Section 2 of the VRA prohibits election systems and practices that have the effect of diluting the voting power of racial, ethnic, and language minorities.

- **Equal Population** of each district required Voting Rights Act & California Voting Rights Act must be followed. Population is adjusted to count incarcerated people at their home address not their prison address
- Then the following in order of priority:
 - **Geographic Contiguity** to the extent practicable. Areas that meet only at the points of adjoining corners are not contiguous. Areas that are separated by water and not connected by a bridge, tunnel, or regular ferry service are not contiguous.
 - **Communities of Interest** Preservation to the extent practicable. A "community of Interest" is a population that shares common social or economic interests that should be included within a single supervisorial district for purposes of its effective and fair representation.
 - **Geographic Integrity** of a city or census designated place shall be respected to the extent practicable.
 - **Geographic Compactness** should be encouraged to the extent practicable, where it doesn't conflict with previous criteria, and in a manner to ensure that nearby areas of population are not bypassed in favor of more distant populations.
 - **Easily Identifiable by Residents** To the extent practicable, districts shall be bounded by natural and artificial barriers, including streets.
 - **Prohibit Favoritism** No partisan favoritism or discrimination.

District Criteria

Criteria Applied to Drawing
District Lines

CA Election Code 21600 & 22000; Education Code 1002



Hearing & Map Requirements

- At least two hearings required
- At least two hearings required (Special Districts, Election Code 22001):
 - One hearing on the proposal to adjust the boundaries.
 - One hearing at which the governing body votes to approve or defeat the proposal

Time Frame for Redistricting



General Requirements

- No earlier than 21 days after the release of the census data by the Statewide Database. If next election is between January & June 2022, then no later than Election Day-174.
- If next election is after July 1, 2022, then no later than Election Day-205
- Adopted by council no later than 205 days (April 17, 2022) before City's next regular election (Election Code 21602).



Statewide Primary Election June 7, 2022

- Redistricting affects the San Benito County Elections
- Determines who can run for office and who can vote for that office
- No change in boundaries within 180 days (May 12, 2022) preceding the election of any director (Special Districts).

Redistricting Responsibility

Ensuring Transparency, Timeliness
and County communal efforts for
the November 2022 Elections

The Board of Supervisors is responsible for
drawing supervisorial districts.

The School Boards are responsible for the
drawing board member districts.


Special District Board members are responsible
for drawing board member districts.

Ask – Work with the SBC Election Department
during your Redistricting time period

- Uniform message to all voters
- Assistance with delivery of message
- Complete district maps in our system



 **Francisco Diaz**

 (831) 636-4016

 fdiaz@cosb.us

THANK YOU

"Alone we can do so little; together we can do so much."



Treasurer's Report
For the Nine Month Period Ended March 31, 2021
(75% of fiscal year)

General Fund ~

General revenues are running at 68% for the year to date. Correspondingly, general fund expenditures are at 70% for the year to date. The net effect is a positive change in general fund balance of \$57k.

Water Enterprise Fund ~

The water enterprise fund revenues are running at 79% for the year to date, and expenses are at 69%. The net effect is a positive change in the water enterprise fund of \$357k.

Sewer Enterprise Fund ~

The sewer enterprise fund revenues are running at 71% for the year to date, and expenses are at 80%. With the higher than anticipated expenses, the sewer enterprise fund is still showing a positive net change in fund balance of \$226k.

City of San Juan Bautista
Expenditures ~ Budget Vs. Actual
For the Nine Month Period Ended March 31, 2021

EXPENDITURES	FY20	FY21	Annual		YTD	
<u>Fund</u>	<u>Actuals</u>	<u>Actuals</u>	<u>Budget</u>	<u>Variance</u>	<u>75%</u>	<u>Note</u>
General Fund	1,053,295	1,181,074	1,676,216	(495,142)	70%	
Special Revenue Funds:						
Capital Projects Fund	177,517	1,375,687	2,921,628	(1,545,941)	47%	
Community Development	512,078	391,277	629,279	(238,002)	62%	
COPS	75,000	75,000	100,000	(25,000)	75%	
Parking & Restroom Fd	5,492	707	71,200	(70,493)	1%	A
Gas Tax Fund	11,159	211,757	264,447	(52,690)	80%	
Valle Vista LLD	15,353	13,194	21,717	(8,523)	61%	
Rancho Vista CFD	1,473	24,073	27,375	(3,302)	88%	
Copperleaf CFD	1,473	6,153	14,186	(8,033)	43%	
Development Impact Fee Funds						
Public/Civic Facility	2,029	2,029	166,840	(164,811)	1%	A
Library	3,329	3,329	25,000	(21,671)	13%	A
Storm Drain	2,576	90,642	95,566	(4,924)	95%	A
Park In-Lieu	224	224	33,565	(33,341)	1%	A
Public Safety	643	643	135,319	(134,676)	0%	A
Traffic	324	128,638	133,314	(4,676)	96%	A
Internal Service Funds:						
Blg Rehab. & Replace	-	-	45,000	(45,000)	0%	A
Vehicle Replacement	9,872	3,750	11,890	(8,140)	32%	A
Enterprise Funds:						
Water:						
Operations	473,923	526,170	765,359	239,189	69%	
Capital	408,760	115,963	615,565	499,602	19%	A
Sewer						
Operations	511,175	597,903	751,916	154,013	80%	
Capital	39,740	172,189	1,463,104	1,290,915	12%	A
TOTAL Funds	2,301,654	3,739,328	9,968,486	6,229,158	38%	

Footnotes:

A ~ Capital fund transfers/costs are budgeted to be incurred by these funds. Since the costs/transfers occur sporadically during the year, they do not always align with the to date percentages, or prior year amounts.

City of San Juan Bautista
Revenues ~ Budget Vs. Actual
For the Nine Month Period Ended March 31, 2021

REVENUES	FY20	FY21	Annual		YTD	
<u>Fund</u>	<u>Actuals</u>	<u>Actuals</u>	<u>Budget</u>	<u>Difference</u>	<u>75%</u>	<u>Notes</u>
General Fund	1,180,032	1,238,082	1,810,092	(572,010)	68%	
Special Revenue Funds:						
Capital Projects Fund	116,500	1,375,687	2,574,628	(1,198,941)	53%	C
Community Development	308,817	150,350	467,903	(317,553)	32%	B
COPS	115,606	116,970	100,000	16,970	117%	
Parking & Restroom Fd	19,275	14,104	14,812	(708)	95%	
Gas Tax Fund	72,273	70,627	249,897	(179,270)	28%	A
Valle Vista LLD	16,288	16,288	21,717	(5,429)	75%	
Rancho Vista CFD	69,558	43,243	57,657	(14,414)	75%	
Copperleaf CFD	25,793	15,959	21,279	(5,321)	75%	
Development Impact Fee Funds:						
Park Development	-	21,468	-	21,468		
Public/Civic Facility	85,536	3,534	-	3,534		
Library	115,067	4,754	-	4,754		
Storm Drain	2,602	40,139	-	40,139		
Parking In-Lieu	-	7,745	-	7,745		
Park In-Lieu	1,309	13,107	-	13,107		
Public Safety	88,997	3,677	-	3,677		
Traffic	6,316	50,316	-	50,316		
Internal Service Funds:						
Blg Rehab. & Replace	28,500	28,500	38,000	(9,500)	75%	
Vehicle Replacement	45,000	45,000	60,000	(15,000)	75%	
Enterprise Funds:						
Water						
Operations	759,876	882,851	1,124,400	(241,549)	79%	
Capital	3,646	216,495	615,565	(399,070)	35%	C
Sewer						
Operations	787,075	823,572	1,161,800	(338,228)	71%	
Capital	33,773	18,731	341,694	(322,963)	5%	C
TOTAL Funds	2,701,806	3,963,116	8,659,444	4,696,328	46%	

A ~ Measure G Funds are a significant portion of this funds budget. Those funds have not yet been received.

B ~ These funds are developer derived and are recognized when received.

C ~ The timing of the projects and the related revenue does not always align with the year-to-date percentages.

City of San Juan Bautista
Warrant Listing
As of April 30, 2021

<u>Date</u>	<u>Num</u>	<u>Name</u>	<u>Amount</u>
101.000 · Union Bank			
101.001 · Operating Acct. 1948			
04/06/2021	214553	CALNET	-264.04
04/06/2021	214554	Charter Communications	-537.19
04/06/2021	214555	Data Ticket Inc.	-200.00
04/06/2021	214556	Department of Conservation	-32.56
04/06/2021	214557	Downey Brand	-876.00
04/06/2021	214558	FedEx	-92.27
04/06/2021	214559	Gladyz Gomez.	-500.00
04/06/2021	214560	Graniterock	-649.07
04/06/2021	214561	Hollister Auto Parts, Inc.	-34.91
04/06/2021	214562	Level 1 Private Security.	-4,824.00
04/06/2021	214563	Monterey Bay Analytical Services	-1,165.30
04/06/2021	214564	Monterey County Health Department	-27.00
04/06/2021	214565	MuniBilling	-393.38
04/06/2021	214566	P G & E	-500.03
04/06/2021	214567	Petty Cash	-70.60
04/06/2021	214568	Postmaster	-1,000.00
04/06/2021	214569	Printing Systems Inc	-70.38
04/06/2021	214570	Revize LLC	-1,975.00
04/06/2021	214571	Rossi's Tire & Auto Service	-45.00
04/06/2021	214572	San Benito County Communications Div.	-63,222.67
04/06/2021	214573	Sprint	-165.78
04/06/2021	214574	Staples	-252.26
04/06/2021	214575	State Compensation Insurance Fund	-1,972.67
04/06/2021	214576	True Value Hardware	-107.37
04/06/2021	214577	United Site Services of California, Inc.	-356.15
04/06/2021	214578	Univar Solutions	-625.16
04/06/2021	214579	Wendy L. Cumming, CPA	-5,038.75
04/06/2021	214580	Elliott Gil	-707.07
04/13/2021	214581	All Clear Water Services	-4,100.00
04/13/2021	214582	AVAYA	-250.66
04/13/2021	214583	Baker Supplies and Repairs	-49.16
04/13/2021	214584	Brigantino Irrigation, Inc.	-9,135.93
04/13/2021	214585	Home Depot Credit Services	-737.37
04/13/2021	214586	Jardines, Inc.	-150.00
04/13/2021	214587	Monterey Bay Analytical Services	-896.40
04/13/2021	214588	P G & E	-2,791.96
04/13/2021	214589	Rx-Tek	-100.00
04/13/2021	214590	San Benito County Assessor	-60.00
04/13/2021	214591	Smith & Enright Landscaping	-3,545.00
04/13/2021	214592	Tri-County Fire Protection, Inc.	-269.00
04/20/2021	214593	at&t	-81.18
04/20/2021	214594	att.com	-70.75
04/20/2021	214595	ByWater Solutions	-1,000.00

City of San Juan Bautista
Warrant Listing
As of April 30, 2021

<u>Date</u>	<u>Num</u>	<u>Name</u>	<u>Amount</u>
04/20/2021	214596	Clark Pest Control	-95.00
04/20/2021	214597	David Medeiros.	-141.95
04/20/2021	214598	Harris & Associates	-6,798.75
04/20/2021	214599	Huguenin Kahn Client Trust	-45,000.00
04/20/2021	214600	Level 1 Private Security.	-4,522.50
04/20/2021	214601	Michelle Sabathia.	-100.00
04/20/2021	214602	Monterey Bay Air Resources Dist.	-784.00
04/20/2021	214603	Monterey Bay Analytical Services	-673.00
04/20/2021	214604	P G & E	-2,799.61
04/20/2021	214605	Ready Refresh	-102.17
04/20/2021	214606	rrm design group	-4,075.99
04/20/2021	214607	Sprint	-162.83
04/20/2021	214608	True Value Hardware	-244.64
04/20/2021	214609	Valero Wex Bank	-827.60
04/20/2021	214610	US Bank	-4,470.08
04/27/2021	214611	4Leaf, Inc.	-12,112.75
04/27/2021	214612	AFLAC	-290.69
04/27/2021	214613	Bartle Wells Associates	-11,635.00
04/27/2021	214614	Central Electric	-6,625.00
04/27/2021	214615	CSG Consultants, Inc.	-35,115.00
04/27/2021	214616	Cypress Water Services	-3,515.83
04/27/2021	214617	Data Ticket Inc.	-200.00
04/27/2021	214618	Downey Brand	-3,855.00
04/27/2021	214619	EMC Planning Group Inc.	-684.28
04/27/2021	214620	Green Line	-1,225.00
04/27/2021	214621	ICMA Membership Renewals	-1,056.00
04/27/2021	214622	Joni L. Janecki & Associates, Inc.	-1,037.50
04/27/2021	214623	Mission Linen Service	-43.60
04/27/2021	214624	Monterey Bay Analytical Services	-899.50
04/27/2021	214625	P G & E	-5,596.38
04/27/2021	214626	Smith & Enright Landscaping	-3,953.49
04/27/2021	214627	Staples	-120.73
04/27/2021	214628	State Compensation Insurance Fund	-1,972.67
04/27/2021	214629	Uline	-80.89
04/27/2021	214630	University Corporation at Monterey Bay	-11,400.00
04/27/2021	214631	US Bank Equipment Finance	-249.61
04/27/2021	214632	William Avery & Associates, Inc.	-2,000.00
Total 101.001 · Operating Acct. 1948			-283,409.06
Total 101.000 · Union Bank			-283,409.06
TOTAL			-283,409.06



CITY OF SAN JUAN BAUTISTA CITY COUNCIL STAFF REPORT

AGENDA TITLE: ABATEMENT HEARING
MEETING DATE: May 18, 2021
SUBMITTED BY: Interim Fire Chief Charlie Bedolla
DEPARTMENT HEAD: Don Reynolds, City Manager

RECOMMENDED ACTION:

Staff recommends that the City Council ADOPT a Resolution declaring the condition of certain properties to constitute a public nuisance, ordering the abatement of weeds thereon, and noticing a public hearing for the receipt of objections.

BACKGROUND INFORMATION:

This Public Hearing is to hear objections to the proposed abatement of weeds and other flammable materials found to exist on said properties; (Attachment 1) and written notice of the proposed abatement and hearing date was mailed to all affected property owners in the manner and form required by law on April 21, 2021.

DISCUSSION:

Annually, the City has a weed abatement program to reduce the fire hazard and other noxious and dangerous aspects of weeds growing on public and private property. The action proposed is adopt the Resolution declaring certain properties to constitute a public nuisance, ordering the abatement thereon, setting a public hearing and ordering notices to be sent to affected property owners. All costs associated with the program shall be assessed as liens filed on the property on which abatement is performed.

FISCAL IMPACT:

Estimated costs to be recovered from property owners.

ATTACHMENTS:

- List of Affected Property Owners
- Resolution for Approval
- Affidavit of Mailing Notice

**2021
Weed Abatement
Official List
Exhibit "A"**

Parcel No.	Owner/Caretaker	Mailing Address	City	State	Physical Location
012-140-017-000	AVILLA MARY DOROTHY REV TR ET AL	130 SAN JUAN HWY	SJB	CA	0 MUCKELEMI STREET
002-130-004-000	THOENY FAMILY TRUST	2981 SAN JUAN HOLLISTER RD	SJB	CA	501 THIRD STREET
002-160-013-000	GARRATT PATICK-REGINA ET AL	PO BOX 1052	SJB	CA	0 THIRD STREET
002-190-010-000	LIU GEORGINA L	9816 HILL STREET	MENSINGTON	MD	0 FOURTH STREET
002-210-002-000	SANTANA ANGELINA ALICIA ET AL	PO BOX 940	SJB	CA	0 FOURTH STREET
002-220-003-000	CITY OF SAN JUAN BAUTISTA	PO BOX 1086	SJB	CA	
002-230-001-000	LOAYZA ROSA & EDMUNDO	2096 STONE AVE	SAN JOSE	CA	1130 FIRST STREET
002-240-013-000	RIBEIRO ALBERT D-ESTHER	PO BOX 1328	SJB	CA	1024 FIRST STREET
002-250-005-000	COKE DALE C LIVING TRUST	PO BOX 186	AROMAS	CA	0 FIRST STREET
002-250-006-000	DIOCESE OF MONTEREY ED & WEL CORP	PO BOX 2048	SJB	CA	0 SECOND STREET
002-260-056-000	HILLSIDE VISTAS LLC A CA LTD LIAB CO	144 W LAKE AVE	WATSONVILLE	CA	0 THIRD STREET # PCL A
002-270-002-000	SAN BENITO CO CHPTR JAPANESE-AMER CIT	PO BOX 631	SJB	CA	708 FIRST STREET
002-290-043-000	RAYMER FAMILY TRUST	PO BOX 449	SJB	CA	0 MONTEREY STREET
002-310-002-000	ROMAN CATHOLIC BISHOP OF MONTEREY	PO BOX 2048	SJB	CA	0 RODEO GROUNDS
002-320-002-000	AVILLA MARY DOROTHY REV TR ET AL	130 SAN JUAN HWY	SJB	CA	63 MUCKELEMI STREET
002-320-006-000	POST 6359 VETERANS OF FOREIGN WARS	PO BOX 501	SJB	CA	SAN JUAN BAUTISTA
002-320-008-000	MANNING KATHLEEN ET AL	130 SAN JUAN HWY	SJB	CA	0 MONTEREY STREET
002-340-006-000	FERNANDEZ ROBERT & MARTHA	535 ANZAR ROAD	SJB	CA	11 FRANKLIN STREET
002-340-007-000	FERNANDEZ ROBERT & MARTHA	535 ANZAR ROAD	SJB	CA	0 FRANKLIN STREET
002-350-002-000	H & H RODRIGUEZ RANCH DEVELOPMENT LLC	1441 DENTWOOD DRIVE	SAN JOSE	CA	0 SAN JUAN LATERAL
002-350-030-000	AVILLA MARY DOROTHY REV TR ET AL	130 SAN JUAN HWY	SJB	CA	0 MUCKELEMI STREET
002-370-020-000	ALEXANDER PATRICIA M	PO BOX 142	SJB	CA	400 SIXTH STREET
002-420-017-000	NINO REAL ESTATE	55 BEST ROAD	HOLLISTER	CA	302 SEVENTH STREET
002-430-020-000	DALOIA FAM TR	2289 KENWOOD AVE	SAN JOSE	CA	0 FRANKLIN STREET
002-470-008-000	FIRPO ANGELA LIVING TRUST	PO BOX 983	SJB	CA	0 FRANKLIN STREET
002-480-005-000	CERDA HIPLOLITO G-SILVA R	15354 CASTROVILLE BLVD	CASTROVILLE	CA	100 THE ALAMEDA
002-490-002-000	NEUBAUER ANDREW-MARGARET LIV TRUST	PO BOX 1357	SJB	CA	10 FRANKLIN STREET
002-510-001-000	MEDINA PAUL TR ET AL	1627 E 213 STREET	CARSON	CA	501 WASHINGTON STREET
002-510-020-000	FERNANDEZ NANCY C	PO BOX 754	SJB	CA	171 LANG STREET
002-520-012-000	SJB DEVELOPMENT A CA CORP	1534-D FREMONT BLVD	SEASIDE	CA	0 THE ALAMEDA
002-520-013-000	HACIENDA DE LEAL LLC A CA LTD LIAB CO	300 MARANATHA DRIVE	HOLLISTER	CA	410 THE ALAMEDA
002-530-021-000	ALNAS JOHN-LUPE FAMILY TRUST	PO BOX 664	SJB	CA	18 LANG STREET
002-550-003-000	KURASAKI KAZUKO ET AL	PO BOX 1450	SJB	CA	400 SAN JUAN HOLLISTER HWY
002-550-004-000	KURASAKI KAZUKO ET AL	PO BOX 1450	SJB	CA	400 SAN JUAN HOLLISTER HWY
002-550-005-000	KURASAKI KAZUKO ET AL	PO BOX 1450	SJB	CA	0 SAN JUAN HOLLISTER HWY
002-550-006-000	DIAS GEORGE J JR & GEORGE A	PO BOX 640	SJB	CA	1020 MISSION VINEYARD RD
002-563-002-000	HANSON ABE-SHARON	PO BOX 424	SJB	CA	153 LANG STREET
002-510-014-000	MENDEZ HARVEY G	PO BOX 38	SJB	CA	170 LANG STREET
002-510-018-000	LEAVER BETTY LOU & CARL D	175 LANG STREET	SJB	CA	175 LANG STREET

RESOLUTION NO. 2021-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN JUAN BAUTISTA DECLARING THE CONDITION OF CERTAIN PROPERTIES TO CONSTITUTE A PUBLIC NUISANCE AND ORDERING THE ABATEMENT OF WEEDS THEREON, AND CONDUCTING A HEARING FOR THE RECEIPT OF OBJECTION TO THE PROPOSED ABATEMENT

WHEREAS, at the City Council Meeting on April 20, 2021, the City Council adopted Resolution 2021-XX declaring weeds to be a nuisance; and

WHEREAS, a Public Hearing was scheduled for May 18, 2021, via Zoom, to hear objections to the proposed abatement of weeds and other flammable materials existing on said properties; and

WHEREAS, written notice of the abatement date of May 1, 2020, and Public Hearing date of May 4, 2020, was mailed to all affected property owners in the manner and form required by law; and

WHEREAS, on May 4, 2020 at the Public Hearing, the City Council received and considered all reports, recommendations and testimony relating to the proposed abatement of identified properties.

NOW, THEREFORE, BE IT RESOLVED:

1. Fire Chief, and/or his representative or agent, is hereby authorized to abate weeds and other flammable materials existing or maintained on those properties identified in the attached Exhibit "A".
2. The Fire Chief, and/or his representative or agent, shall keep an itemized accounting of costs relating to each such abatement, including administrative costs, and after confirmation by the City Council, said costs shall constitute a lien against the subject property, and a personal obligation of the property owner.

PASSED AND ADOPTED, by the City Council of the City of San Juan Bautista at a Regular Meeting held this 18th day of May, 2021, by the following vote:

Ayes:

Noes:

Abstain:

Absent:

ATTEST:

Leslie Q. Jordan, Mayor

Shawna Freels, MMC, City Clerk


Affidavit of Mailing Notice

I, the undersigned Carlos Bedolla for the City of San Juan Bautista, do hereby certify that a copy of the Notice to Clean Premises ("Notice"), in conjunction with weed abatement, was mailed to each and every person set forth on the attached list on the 22 day of April, 2020. A copy of said Notice is attached hereto.

Said mailing was completed by placing a copy of said Notice in a sealed envelope, with postage prepaid, and depositing same in the US Mail at Hollister, CA.

I declare under penalty of perjury that the foregoing is true and correct.

Dated at Hollister, CA this 21 day of April, 2021.


Name, Title Fire Marshal

ORDINANCE 2021-XX

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN JUAN BAUTISTA
AMENDING THE SAN JUAN BAUTISTA MUNICIPAL CODE CHAPTER 10-1, TO
REVISE SECTION 10-1-505 TO INCLUDE AN INCREASE IN FENCE HEIGHTS IF
NEEDED TO MITIGATE NOISE OR PROVIDE SCREENING FROM ADJOINING
HIGHWAYS OR NONRESIDENTIAL USE AND TO PROHIBIT FENCES CLOSER THAN
THREE FEET FROM A FIRE HYDRANT**

(EXEMPT FROM CEQA)

WHEREAS, the San Juan Bautista Planning Commission has reviewed the amendment to the Fence Ordinance proposed by staff and recognizes an need for an amendment to decrease noise impacts and increase safety for City residents and recommends that the City Council amend Chapter 10-1, Section 10-1-505 of the City Code to include new subparagraphs (E) and (F) to allow fence heights to be increased to mitigate noise and provide screening from adjoining Highways and Nonresidential uses and to prohibit fences closer than three feet from a fire hydrant; and,

WHEREAS, this project to amend the fence ordinance is exempt from the California Environmental Quality Act under Guideline 18.36.050, which exempts the construction of fences.

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

Section 10-1-505 shall be revised to add two new subparagraphs as follows:

(E) The height of a wall or fence along any side or rear yard may exceed the requirements in this Article 5 if the City Manager or his designee determines that the additional height is needed to mitigate noise impacts or provide screening from adjoining State Highway 156. The wall or fence shall not exceed the height necessary to mitigate noise and screen undesirable views.

(F) Fences and walls shall be located to maintain a minimum of three feet of clearance around the circumference of any fire hydrant.

The FOREGOING ORDINANCE was first read at a regular meeting of the San Juan Bautista City Council on the__ th day of _____, 2021, and was adopted at a regular meeting of the San Juan Bautista City Council on the ____ day of _____, 2021 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Mayor Leslie Q. Jordan

ATTEST:

Shawna Freels, City Clerk

APPROVED AS TO FORM:

Deborah Mall, City Attorney