City of San Juan Bautista

The "City of History"

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AGENDA

REGULAR CITY COUNCIL MEETING

TUESDAY ~ MARCH 16, 2021 ~ 6:00 P.M.

~ PUBLIC PARTICIPATION BY ZOOM ONLY ~

Join Zoom Webinar https://zoom.us/j/87319000770
or call 1 (669) 900-6833
Webinar ID: 873 1900 0770

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., March 16, 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**
   C. **Approve Minutes of the February 16, 2021 Regular City Council Meeting**
   D. **Waive Reading of Ordinances and Resolutions on the Agenda Beyond Title**

4. **Presentations, Informational Items and Reports**
   A. **Presentation by the San Juan Committee**
   B. **Treasurer's Report and Monthly Financial Statements**
   C. **City Manager's Report**
   D. **Reports from City Council Representatives to Regional Organizations and Committees**

5. **Public Hearing Items**
   A. **Consider Introduction of an Ordinance Eliminating Self Regenerating Water Softeners**
   B. **Consider Resolution 2021-XX Approving a Request to Remove a Previously Applied Condition of Approval (Condition 35), Relating to the Provision/Payment of Parking Fees for the Casa Rosa Development Located at 107 Third Street (APN 002-021-004) (Categorically Exempt per Section 15305 of the California Environmental Quality Act)**

6. **Action Items**
   A. **Approve Resolution 2021-XX Approving an Agreement with Microvi Biotech, Inc. for a Demonstration Project that Removes Nitrates from Well Water**
   B. **Approve Resolution 2021-XX Accepting Improvements and Release Retention Payment to The Don Chapin Company for Third Street Project**
   C. **Approve Resolution 2021-XX for Adoption of a Strategic Plan for Fiscal Year 2021-2022**

7. **Discussion Items**
   A. **Reopening the Library During the State of Emergency Caused by the COVID-19 Pandemic**
   B. **Provide Update on Water and Wastewater Distribution System Enhancements and Compliance with the Environmental Protection Agency**
   A. **Update on COVID-19 and Affects to the San Juan Community and San Benito County**

8. Comments
   A. City Council
   B. City Manager
   C. City Attorney
   D. City Clerk

9. Adjournment

Item #3A
City Council Meeting
March 16, 2021

AFFIDAVIT OF POSTING

I, TRISH PAETZ, DO NOW DECLARE, UNDER THE PENALTIES OF PERJURY THAT I AM THE DEPUTY CITY CLERK FOR THE CITY OF SAN JUAN BAUTISTA, AND THAT I POSTED THREE (3) TRUE COPIES OF THE ATTACHED CITY COUNCIL MEETING AGENDA. I FURTHER DECLARE THAT I POSTED SAID AGENDA ON THE 12th DAY OF MARCH 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 12th DAY OF MARCH 2021.

Trish Paetz

TRISH PAETZ, DEPUTY CITY CLERK

Item #3B
City Council Meeting
March 16, 2021

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 5th DAY OF MARCH 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 12th DAY OF MARCH 2021.

Trish Paetz

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 **March 16, 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:

- **Consider a new Ordinance to the Municipal Code that would prohibit any new water softening/conditioning appliance from being installed in a residence in the City. The discharge of effluent waste water is polluting the public waterway (creek) because the effluent has too much brine/salt, and this is a violation of the City's Water Treatment Permit with the State's Regional Water Quality Control Board. The ordinance would enact provisions enabling the City to limit the amount of brine entering and passing through the treatment plant by removing all of the existing residential brine discharge from water softening or conditioning appliances, and by prohibiting any new water softening/ conditioning appliance from being installed in a residence in the City.**

- **Consider a Resolution to approve a request to remove a previously applied condition of approval, relating to the provision/payment of parking fees for the Casa Rosa development (SDR 2019-03) located at 107 Third Street in San Juan Bautista (APN: 002-021-004).**

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 **March 12, 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., March 16, 2021.**

The meeting (webinar) will be virtual via Zoom. You can access the webinar at https://us02web.zoom.us/j/87319000770. An agenda will be posted on the City website and distributed not later than March 12.

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: March 6, 2021

CITY OF SAN JUAN BAUTISTA
REGULAR CITY COUNCIL MEETING
FEBRUARY 16, 2021
DRAFT MINUTES

1. CALL TO ORDER - Mayor Leslie Jordan called the meeting to order at 6:16 p.m.

PLEDGE OF ALLEGIANCE – Mayor Jordan lead the pledge of allegiance.

ROLL CALL Present: Mayor Jordan, Vice Mayor Flores, Council Members Edge, Freeman, and Freels.

Staff Present: City Manager Reynolds, City Attorney Mall, Deputy City Clerk Paetz

Whereupon, Mayor Jordan called for a moment of silence for COVID victims and their families.

2. PUBLIC COMMENT

Nora Crivello stated she appreciates the new sidewalk improvements on Third Street for pedestrian safety, unfortunately people parking over the sidewalk present a hazard. City Attorney Mall commented that she can call the Sheriff's office to issue a ticket. No other comments were received.

3. CONSENT ITEMS

A. Approve Affidavit of Posting Agenda

B. Approve Resolution 2021-04 Authorizing a Third Amendment to the Agreement with Harris and Associates for Planning Services

C. Approve Minutes of the January 19, 2021 Meeting

D. Approve Minutes of the December 15, 2020 Regular City Council Meeting

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

City Manager Reynolds asked that Item B be pulled from the consent agenda for discussion.

City Manager Reynolds explained that this is an extension to the Harris contract. Whereupon, Harris and Associates Sr. Planner David Mack introduced his Alex Barton who will be working for the City at a lesser pay rate.

A motion was made by Council Member Edge and seconded by Vice Mayor Flores to approve all items on the Consent Agenda. The motion passed unanimously, 5-0, with Council Member Freels abstaining from voting on the minutes as he was not present at the meeting.

4. PRESENTATIONS, INFORMATIONAL ITEMS AND REPORTS

A. Recognition of Outgoing City Treasurer Chuck Geiger

City Manager Reynolds reported that former City Treasurer Geiger has requested that this item be held over to another meeting after the re-opening, when we can all be present together.

B. Sheriff's Department Report – Captain Eric Taylor

City Manager Reynolds requested this item be held over until later in the meeting as Captain Taylor is out in the field on a case.

C. Monthly Financial Statements

City Treasurer Sabathia introduced herself and her background, and then provided a report. There was no public comment received.

D. City Manager's Report

City Manager Reynolds provided a report. There was no public comment received.

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

Council Members Edge, Freeman, Flores, Freels and Mayor Jordan reported on meetings they attended. There was no public comment received.

5. ACTION ITEMS

A. Approve Resolution 2021-05 Changing Signature Responsibility on City Bank Accounts at Union Bank

City Manager Reynolds explained that the responsibility for signing checks needs to be updated to remove former City Treasurer Geiger and add new City Treasurer Sabathia, and also reduce the number of signers down to five only. He suggested removing himself as a signer. During public comment, Jackie Morris Lopez asked whether the number of signers was dependent on the dollar amount of the check. City Manager Reynolds responded, no.

A motion was made by Council Member Freels and seconded by Council Member Freeman to approve Resolution 2021-05 Changing Signature Responsibility on City Bank Accounts at Union Bank after removing City Manager Reynolds as a signer. The motion passed unanimously, 5-0.

B. Approve Resolution 2021-06 Authorizing the Acceptance, and to Acknowledge Receipt, of a Report by the Fire Chief of the Hollister Fire Department Regarding the Inspection of Certain Occupancies Required Annually Pursuant to Sections 13146.2 And 13146.3 of the California Health and Safety Code

Fire Marshall Charlie Bedolla provided a report stating this will be an annual event. During public comment Jackie Morris Lopez asked whether ADU's are on the list, and Fire Marshall Bedolla responded, no, because they are looking at multiple housing units.

A motion was made by Council Member Edge and seconded by Council Member Freels to approve Resolution 2021-06 Authorizing the Acceptance, and to Acknowledge Receipt, of a Report by the Fire Chief of the Hollister Fire Department Regarding the Inspection of Certain Occupancies Required Annually Pursuant to Sections 13146.2 And 13146.3 of the California Health and Safety Code. The motion passed unanimously, 5-0.

Fire Marshall Bedolla announced that Fire Chief Bob Martin DelCampo is on active military duty temporarily, and he is now the Acting Fire Chief.

C. Appoint a Member of the Community to the Urban Growth Boundary Ad Hoc Committee

City Manager Reynolds reported that only one application was received, and it was received late. He suggested extending the application period until Friday, February 19.

A motion was made by Vice Mayor Flores and seconded by Council Member Edge to extend the period for receiving applications from the community for membership on the Urban Growth Boundary Ad Hoc Committee to February 19, at 1:00 p.m. The motion passed unanimously, 5-0.

D. Adopt Resolution 2021-07 Authorizing the City Manager to Execute a Consulting Services Agreement with Stantec Consulting Services, Inc. Group for Preparation of a Complete Bid Package and Provide Construction Support for the San Juan Bautista to Hollister Sanitary Sewer Force Main Project

City Manager Reynolds provided a report and asked for authorization to execute a consulting services agreement with Stantec Consulting Services, Inc. Group in the amount of $1,066,410 to prepare a complete bid package and provide construction support for the sanitary sewer force main project to Hollister. City Engineer Julie Bezhad provided a slide presentation and answered questions. There was no public comment received.

A motion was made by Council Member Freeman and seconded by Vice Mayor Flores to Adopt Resolution 2021-07 Authorizing the City Manager to Execute a Consulting Services Agreement with Stantec Consulting Services, Inc. Group for Preparation of a Complete Bid Package and Provide Construction Support for the San Juan Bautista to Hollister Sanitary Sewer Force Main Project in the amount of $1,066,410. The motion passed unanimously, 5-0.

E. Approve Resolution 2021-08 Authorizing the Mayor to Execute a Memorandum of Understanding with the San Benito County Water District for the Source Water Compliance Project

City Manager Reynolds provided a report. Water District General Manager Jeff Cattaneo provided a report and responded to questions. No public comment was received.

A motion was made by Vice Mayor Flores and seconded by Council Member Edge to Adopt Resolution 2021-08 Authorizing the Mayor to Execute a Memorandum of Understanding with the San Benito County Water District for the Source Water Compliance Project. The motion passed unanimously, 5-0.

Whereupon, City Manager Reynolds requested moving to Item 5G, and come back to the parklets item after 5G. Mayor Jordan agreed to the request.

G. Approve Resolution 2021-09 Preliminary Intention to Proceed With the Issuance of Series 2021 Bond Anticipation Notes to Finance the City's Sewer Compliance Project Sending the Waste Water to the Regional Plant in Hollister, and Appointing the Necessary Consultants in Connection Therewith

City Manager Reynolds provided a report and then introduced Dmitry Semenov of California Municipal Advisors who provided a slide presentation and responded to questions. No public comment was received.

A motion was made by Council Member Edge and seconded by Council Member Freels to Adopt Resolution 2021-09 Preliminary Intention to Proceed with the Issuance of Series 2021 Bond Anticipation Notes to Finance the City's Sewer Compliance Project Sending the Waste Water to the Regional Plant in Hollister, and Appointing the Necessary Consultants In Connection Therewith. The motion passed unanimously, 5-0.

F. Consider a Recommendation by the Planning Commission and Approve Resolution 2021-10 Extending the Term of the Temporary Parklets on Third Street One Hundred Eight Days or Until September 30, 2021

City Manager Reynolds provided a report requesting that during this State of Emergency, that the term of the transformation of Third Street and the parklets be extended until September 30, 2021; and ask that they direct staff to prepare the policies and procedures necessary for a public debate of a City policy that governs all matters related to parklets going forward, after the current State of Emergency has ended. During public comment, Jackie Morris Lopez asked if the public comments received via email could be read into the record. City Manager Reynolds reported the City received six written public comments on this item, and they were all in favor of extending the term of the parklets through September 2021. Fran Fitzharris and Yolanda Delgado also spoke in support of extending the parklets.

A motion was made by Vice Mayor Flores and seconded by Council Member Edge to Adopt Resolution 2021-10 Extending the Term of the Temporary Parklets on Third Street One Hundred Eight Days or Until September 30, 2021. The motion passed unanimously, 5-0.

H. Approve Settlement with Meritage Homes for Double Payment of Water Impact/Improvement Fees

City Manager Reynolds provided a report asking for authorization to execute a settlement agreement with Meritage Homes to refund the developer for double payment to the City for water impact/improvement fees.

A motion was made by Council Member Edge and seconded by Council Member Freels to the conditions of a settlement with Meritage Homes for Double payment of water impact/improvement fees. The motion passed unanimously, 5-0.

I. Approve Resolution 2021-11 Approving a Letter of Agreement, and Accepting Land Dedication from Rosa and Edmundo Loayza, Owners of the Subdivision at 957 First Street, to be Used to Construct the First Street Roundabout

City Manager Reynolds provided a report. Edmundo Loayza was present, and made comments. During public comment, Jackie Morris Lopez asks about Loayza's donation. Jim Liebold suggested a temporary deter across Loayza's land during construction. City Engineer Bezhad responded that she presented the idea to both the Loayzas and Meritage Homes and was told it would cost too much. City Manager Reynolds responded to Jackie Morris Lopez's question with a slide of the terms of the agreement as listed in a letter to the Loayza's.

Terms

By agreeing to the terms of this letter, and to expedite the construction of the Roundabout, the Loayzas agree to:

a. *Accept the 100% construction drawings dated 12/07/2020 of the roundabout as presented;*
b. *Dedicate the approximately 5,500 square feet of right-of-way to the City within 7 days of signing this letter;*
c. *To not interfere with or cause to slow down the construction of the roundabout in anyway;*
d. *Add as a condition of approval on future development plans the dedication of the sewer parcel to the City.*
e. *After credits from the City meet the value of the dedicated right-of-way, agree to pay additional processing fees required to develop their property per the fee schedule that is applicable when fees are paid, and current consulting rates when approved by City Council.*
f. *The value of the parcel being dedicated and the value of City's directly incurred expenses since the approval of Resolution 2019-14 (June 4, 2019) and*

anticipated fees to be paid will be determined within 60-days of the signing of this Letter.

g. *Agree to pay for the anticipated public improvements indicated in the improvement plans not limited to but including a cul-de-sac, street lights, storm drains, sidewalks and fencing on First Street as needed, and the sewer easement from First Street making it open for public access and use.*

A motion was made by Vice Mayor Flores and seconded by Council Member Freeman to Adopt Resolution 2021-11 Approving a Letter of Agreement, and Accepting Land Dedication from Rosa and Edmundo Loayza, Owners of the Subdivision at 957 First Street, to be Used to Construct the First Street Roundabout. The motion passed unanimously, 5-0.

6. DISCUSSION ITEMS

A. Provide Update on Water and Wastewater Distribution System Enhancements and Compliance with the Environmental Protection Agency

City Manager Reynolds presents from slides. No public comments were received.

B. Traffic Calming Options on First Street

City Manager Reynolds provided a report and asked that the Council provide feedback to the staff regarding traffic calming on First Street and other parts of the City. During public comment, Michael Ponce spoke in support and suggested the Sheriff move from the VFW on Monterey to First Street and cite the speeders.

C. Update on COVID-19 and Affects to our Community and San Benito County

City Manager Reynolds provided a report. No public comment was received.

7. COMMENTS

A. City Council

Council Member Freels asked to dedicate this meeting to longtime San Juan Bautista resident Vince "Bobo" Pinuela who passed away recently. Council Member Edge commented on the LULAC taskforce meeting with Jimmy Panetta, and reported a letter of support was driven over by San Benito County Supervisor Mark Medina. She further commented, we need more COVID vaccines.

B. City Manager

Will work on technology.

C. City Attorney

No comments were received.

D. City Clerk

No comments were received.

8. ADJOURNMENT

The meeting adjourned at 9:03 p.m.

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

Item #4B
City Council Meeting
March 16, 2021

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

EXPENDITURES Fund	FY20 Actuals	FY21 Actuals	Annual Budget	Variance	YTD 58%	Note
General Fund	812,535	908,154	1,676,216	(768,062)	54%	
Special Revenue Funds:						
Capital Projects Fund	157,218	1,260,635	2,921,628	(1,660,993)	43%	
Community Development	369,760	298,857	629,279	(330,422)	47%	
COPS	58,333	58,333	100,000	(41,667)	58%	
Parking & Restroom Fd	4,710	707	71,200	(70,493)	1%	A
Gas Tax Fund	8,306	208,083	264,447	(56,364)	79%	A
Valle Vista LLD	12,401	10,113	21,717	(11,604)	47%	
Rancho Vista CFD	1,473	20,487	27,375	(6,888)	75%	
Copperleaf CFD	1,473	4,587	14,186	(9,599)	32%	
Development Impact Fee Funds						
Public/Civic Facility	1,578	1,578	166,840	(165,262)	1%	A
Library	2,589	2,589	25,000	(22,411)	10%	A
Storm Drain	2,003	90,069	95,566	(5,497)	94%	A
Park In-Lieu	174	174	33,565	(33,391)	1%	A
Public Safety	500	500	135,319	(134,819)	0%	A
Traffic	252	128,566	133,314	(4,748)	96%	A
Internal Service Funds:						
Blg Rehab. & Replace	-	-	45,000	(45,000)	0%	A
Vehicle Replacement	7,775	3,712	11,890	(8,178)	31%	A
Enterprise Funds:						
Water:						
Operations	547,433	408,524	765,359	356,835	53%	
Capital	270,772	83,321	615,565	532,244	14%	A
Sewer						
Operations	417,688	481,853	751,916	270,063	64%	
Capital	29,765	145,399	1,463,104	1,317,705	10%	A
TOTAL Funds	**1,943,717**	**3,208,087**	**9,968,486**	**6,760,399**	**32%**	

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 Seven Month Period Ended January 31, 2021

REVENUES Fund	FY20 Actuals	FY21 Actuals	Annual Budget	Difference	YTD 58%	Notes
General Fund	914,407	1,006,639	1,810,092	(803,453)	56%	
Special Revenue Funds:						
Capital Projects Fund	116,500	1,260,635	2,574,628	(1,313,993)	49%	C
Community Development	226,493	114,782	467,903	(353,121)	25%	B
COPS	90,783	88,790	100,000	(11,210)	89%	
Parking & Restroom Fd	15,636	8,530	14,812	(6,282)	58%	
Gas Tax Fund	57,629	57,847	249,897	(192,050)	23%	A
Valle Vista LLD	12,668	12,668	21,717	(9,049)	58%	
Rancho Vista CFD	54,101	33,633	57,657	(24,024)	58%	
Copperleaf CFD	20,061	12,412	21,279	(8,867)	58%	
Development Impact Fee Funds:						
Park Development	-	20,536	-	20,536		
Public/Civic Facility	59,030	1,767	-	1,767		
Library	79,410	2,377	-	2,377		
Storm Drain	2,602	38,288	-	38,288		
Park In-Lieu	1,309	10,426	-	10,426		
Public Safety	61,418	1,839	-	1,839		
Traffic	6,316	45,821	-	45,821		
Internal Service Funds:						
Blg Rehab. & Replace	22,167	22,167	38,000	(15,833)	58%	
Vehicle Replacement	35,000	35,000	60,000	(25,000)	58%	
Enterprise Funds:						
Water						
Operations	607,508	706,276	1,124,400	(418,124)	63%	
Capital	3,646	207,493	615,565	(408,072)	34%	C
Sewer						
Operations	621,562	644,085	1,161,800	(517,715)	55%	
Capital	33,773	12,488	341,694	(329,206)	4%	C
TOTAL Funds	**2,127,611**	**3,337,860**	**8,659,444**	**5,321,584**	**39%**	

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 February 28, 2021

Date	Num	Name	Amount
101.000 · Union Bank			
101.001 · Operating Acct. 1948			
02/02/2021	214406	Akel Engineering Group, Inc.	-3,884.00
02/02/2021	214407	Armando Venegas.	-26.12
02/02/2021	214408	CALNET	-265.22
02/02/2021	214409	Data Ticket Inc.	-200.00
02/02/2021	214410	FedEx	-79.86
02/02/2021	214411	Graniterock	-681.01
02/02/2021	214412	Hollister Auto Parts, Inc.	-380.21
02/02/2021	214413	Level 1 Private Security.	-5,628.00
02/02/2021	214414	Monterey Bay Analytical Services	-630.00
02/02/2021	214415	P G & E	-590.77
02/02/2021	214416	Pet Waste Co	-175.70
02/02/2021	214417	Rich Brown.	-121.94
02/02/2021	214418	San Benito Tire Pros	-20.00
02/02/2021	214419	Smith & Enright Landscaping	-3,445.00
02/02/2021	214420	Wendy L. Cumming, CPA	-3,733.75
02/09/2021	214421	Charter Communications	-68.38
02/09/2021	214422	USABlueBook	-150.31
02/16/2021	214423	All Clear Water Services	-4,185.00
02/16/2021	214424	at&t	-80.86
02/16/2021	214425	att.com	-70.75
02/16/2021	214426	AVAYA	-250.66
02/16/2021	214427	Baker Supplies and Repairs	-2,723.83
02/16/2021	214428	Brigantino Irrigation, Inc.	-7.62
02/16/2021	214429	Clark Pest Control	-95.00
02/16/2021	214430	Code Publishing Company	-405.00
02/16/2021	214431	Cypress Water Services	-21,150.00
02/16/2021	214432	Department of Transportation	-360.31
02/16/2021	214433	Division of the State Architect	-63.90
02/16/2021	214434	FedEx	-37.80
02/16/2021	214435	Ferguson Enterprises LLC	-144.37
02/16/2021	214436	Joni L. Janecki & Associates, Inc.	-4,328.50
02/16/2021	214437	Judy's Gifts & Awards	-59.54
02/16/2021	214438	KBA Docusys	-657.36
02/16/2021	214439	Maggiora Bros. Drilling Inc.	-41,354.18
02/16/2021	214440	Michelle Sabathia.	-200.00
02/16/2021	214441	Monterey Bay Analytical Services	-1,103.40
02/16/2021	214442	P G & E	-9,426.46
02/16/2021	214443	R & B Company	-328.23
02/16/2021	214444	Rossi's Tire & Auto Service	-30.00
02/16/2021	214445	Rx-Tek	-195.00
02/16/2021	214446	Sprint	-169.33
02/16/2021	214447	U.S. Postmaster	-900.00
02/16/2021	214448	US Bank Equipment Finance	-249.61

City of San Juan Bautista
Warrant Listing
As of February 28, 2021

Date	Num	Name	Amount
02/16/2021	214449	Wellington Law Offices	-5,616.00
02/16/2021	214450	4Leaf, Inc.	-9,401.50
02/16/2021	214451	EMC Planning Group Inc.	-227.38
02/16/2021	214452	Harris & Associates	-3,695.00
02/16/2021	214453	San Benito County Elections	-12,443.89
02/16/2021	214454	SWRCB	-5,306.40
02/23/2021	214455	ACWA Health Benefits Authority	-5,029.96
02/23/2021	214456	AFLAC	-290.69
02/23/2021	214457	Akel Engineering Group, Inc.	-7,560.75
02/23/2021	214458	City of Hollister.	-56,073.43
02/23/2021	214459	CSG Consultants, Inc.	-33,685.00
02/23/2021	214460	Don Chapin Company.	-33,794.35
02/23/2021	214461	Hollister Landscape Supply	-136.40
02/23/2021	214462	Level 1 Private Security.	-4,522.50
02/23/2021	214463	Monterey Bay Analytical Services	-376.20
02/23/2021	214464	Ready Refresh	-215.57
02/23/2021	214465	Rx-Tek	-40.00
02/23/2021	214466	San Benito County Environmental Health	-2,670.00
02/23/2021	214467	United Site Services of California, Inc.	-347.15
02/23/2021	214468	US Bank	-3,575.73
02/23/2021	214469	Wells Fargo Bank, N.A.	-191,568.77
02/23/2021	214470	Valero Wex Bank	-1,099.10
02/26/2021	214471	Don Chapin Company.	-74,403.17
02/26/2021	214472	Huguenin Kahn Client Trust	-45,000.00
Total 101.001 · Operating Acct. 1948			-605,735.92
Total 101.000 · Union Bank			-605,735.92
TOTAL			**-605,735.92**

CITY OF SAN JUAN BAUTISTA
CITY COUNCIL

AGENDA TITLE: **ORDINANCE ELIMINATING SELF REGENERATING WATER SOFTENERS**

MEETING DATE: March 16, 2021

SUBMITTED BY: Don Reynolds, City Manager

RECOMMENDED ACTION:

It is recommended that the City Council consider the attached draft Ordinance to eliminate the use of self-regenerating water softeners in the City by December 2023, receive public input, and proceed with the first reading of the Ordinance.

BACKGROUND:

In 2000, faced with a Cease-and-Desist Order from the State Water Board, the City began looking at ways to remedy the violations. The initial focus was on fiscal solvency, and brining on-board three industrial waste water users. On August 3, 2003, Governor Davis signed AB334 allowing a local agency, by ordinance, to limit the availability, or prohibit the installation of residential water softening or conditioning appliances as long as the local agency makes the findings that these limitations are necessary for the Publicly Owned Treatment Works "POTW" to bring its waste water effluent into compliance with its Discharge Permit. To begin this process, local agencies can research what other agencies are doing. One such proposal estimated that if the study was begun in December 2003, the program could be implemented by July/October 2005, or in about two years. In 2004, the City paid for a consulting firm to conduct a study to determine the effects of residential water softeners on the City's water system. But a review of actions taken by the Council in 2004 and 2005, indicates that no action was taken.

In January 2007, Bracewell completed a "T&EFS", or technical and economic feasibility study for the Water Resources Association of San Benito County, to substantiate findings required by AB334 (Health and Safety Code 116785 and 116786 et al) to study the salinity in the waste water and if necessary, enact an Ordinance to control and prohibit the future use of water softeners in Hollister and a few unincorporated areas surrounding the City. At that time, self-regenerating water softeners contributed 46% of the controllable salt inputs. It concludes:

1.14 Conclusions

This T&EFS has determined that only by implementing an ordinance prohibiting brine discharging water softeners can the salinity in the Hollister wastewater treatment plant be significantly reduced to meet its discharge requirements. Since such an ordinance can be substantiated by this T&EFS, a Draft Ordinance for prohibiting brine discharging water softeners is included in Appendix C for legal review. Such an ordinance cannot require removal of existing residential brine discharging water softeners by existing owners but can be applied to replacement water softeners and probably when residences are sold as well.

In 2011, the State Regional Water Quality Control Board adopted Resolution R3-2011-0215 a resolution acknowledging that an unfavorable or poor salt balance existed, the Water Quality Control Plan Chapter 5 regulates salt discharge and salinity management in the Basin Plan, and that these plans emphasize the control of brine disposal into the public sewer systems. This Resolution recognizes the San Benito Water District, City of Hollister and Sunnyslope County Water District for its work to complete the Hollister Urban Area Water and Waste Water Master Plan (adopted in 2008) where the West Hills Treatment Plant was considered the best response to the salinity issue and was built in part to address these concerns. It also references the San Juan Bautista salt reduction study from 2004, completed as a result of chronic salt violations of its waste water discharge requirements.

In 2006, the San Benito County Water District approved a MOU with the Santa Clara Valley Water District for a water softener rebate program. It targeted pre 1999 softeners and a $150 cash incentive to upgrade to a low salt technology, $250 to replace it, and $300 to remove it all together. By 2010, 377 rebates had been issued. The WRASBC has seen approximately 1,167 water softeners demolished since the program was started in 2006. Although this program started 15-years ago, participation only picked-up after the completion of the West Hills WTP, a few years back and residents in the Hollister Urban Area started receiving better quality water. We have seen very little participation from San Juan customers. It is estimated that approximately 15 water softeners have been demolished in San Juan since 2006.

It was concluded by the State Water Board that it is appropriate for San Benito local agencies to enact an ordinance controlling the use of residential self-regenerating water softeners and added certain language to the City of San Juan Bautista's Permit R3-2009-0019 for that purpose. The City recent work on the Water Master Plan, Waste Water Master Plan and Preliminary Engineer's ("PER") report are all necessary steps to take before considering an Ordinance as proposed in this report.

Stantec, the firm that wrote the City's PER and has been awarded the contract to design the waste water compliance project, has provided the attached summary of the PER that focusses on salinity. The PER represents San Juan Bautista's "T&EFS." It clearly makes the findings that self-regenerating water softeners are a significant part of the City's salinity problem, but also identifies other sources to consider. Table 9 from the PER-

Table 9 WWTP Influent Salinity Balance (Average Daily Loads)

Salt Contributors to Total WWTP Influent	TDS	Chloride	Sodium
SALINITY CONCENTRATION, mg/L			
Well No. 1 (Raw Water)	628	77	60
Diet and Personal Care Products	265	18	12
Self-Regenerating Water Softeners	361	217	144
Industrial Users	582	247	145
Inflow and Infiltration	0	40	0
TOTAL WWTP INFLUENT, mg/L	1836	600	362

Following a Town Hall Meeting October 7, 2020, the City Council selected from several options its compliance projects from the PER. Three projects were combined that address the origin of the salinity from its reliance on hard, salty ground water, the use of self-regenerating water softeners, and the inability of the current POTW to remove salinity from the waste water collected. The point is, that all of these measures have to be taken together. On October 15, 2020, the City Council approved Resolution 2020-51, and agreed to two compliance projects from the analysis provided in the Preliminary Engineers Report ("PER"): "Alternative 3: Regionalization with Hollister WWTP and Off-Site Source Control (Hollister Water Treatment Plant operated by the City of Hollister, and West Hills Water Treatment Plant operated by the San Benito County Water District)." The "Third Alternative" focusses on "Source Control" and includes the removal of brine producing water softeners. These compliance projects were approved by the EPA October 30, 2021 and are the City's "marching orders" towards the December 2023 compliance deadline. Table 24 of the PER describes the intended outcome:

Table 24 Future WWTP Influent Salinity Balance (Average Daily Loads)

Salt Contributors to Total WWTP Influent	TDS	Chloride	Sodium
SALINITY CONCENTRATION, mg/L			
Well No. 1 (Raw Water)	407	78	58
Diet and Personal Care Products	265	18	12
Self-Regenerating Water Softeners	97	58	39
Industrial Users	20	2	2
Inflow and Infiltration	0	40	0
TOTAL WWTP INFLUENT, mg/L	789	196	111

In summary, the City is returning in 2021 to the 2004 question of: "what makes the water too salty for the City's Permit Limits?" This answer is necessary to arrive at now, so the compliance projects can be implemented in the two-year time frame allowed by the EPA's AOC.

DISCUSSION

Based on factual findings, this Ordinance does two things; Section 5-35-040 no person shall install a residential brine discharging water softening or conditioning appliance- preventing new appliances of this nature from becoming more of a problem. And secondly, 5-35-050 requires any person having an appliance like this to remove it by March 2023- (in 2-years). It is estimated that of 800 subscribers, 60% have water softeners, or approximately 480 households will be impacted by this new law.

As suggested back when AB334 was made law and became Health and Safety Code 116785 and 116786, a publicity campaign for all of the compliance projects together will work best. As Hollister experienced in 2014, the removal of water softeners was not successful until the West Hills Treatment Plant begin delivering better water. The same would be true in San Juan Bautista, as already expressed by some residents.

It is recommended therefore, that the provisions in 5-35-040 prohibiting the installation of new brine producing water softener appliances go into effect immediately. But that Section 5-35-050 be amended allowing voluntary compliance for the removal of existing water softening appliances, from March 2021 and December 2023, when the import of drinking water from the West Hills Treatment Plant will be completed. After that date, the existing water softeners will have to be removed.

Between now and December 2023, the City will be very busy with outreach so that the community understands the magnitude of the transformation of the City's water systems. The Hollister waste water agreement may very-well require this concertation, to protect their treatment plant from being overcharged with salinity from San Juan's water. The City needs a strategy to make this happen as the policy is implemented. Also, staff is working with the staff that implements the current program at the Water Resources Association of the SBC, to see how their work can be expanded to include a more intense outreach effort in San Juan Bautista when the time is right. The first meeting of the agencies involved is scheduled for the week March 15, 2021.

FISCAL IMPACT

"Compliance Project 3" approved by the EPA focuses on Source Control and the removal of the domestic brine producing water softeners is part of the cost estimate in the PER. It was estimated that the buy-back of approximately 500 appliances would cost the City and estimated $193,000.

Attachments:

1) PER Salinity Summary
2) Draft Ordinance adding Section 5-35 to the City Code

PRELIMINARY ENGINEER'S REPORT

SUMMARY OF WATER AND WASTE WATER SALINITY FINDINGS

Source- PER, February 2021

Here is the summary of the PER's findings (that directly responds to the items you listed below), regarding the new water softener ordinance.

The San Juan Bautista Wastewater Treatment Plant (WWTP) operates under Order No. R3-2009-0019 NPDES permit No. CA0047902. Based on the current permit, the average monthly discharge limits for salinity (chloride, sodium, and total dissolved solids, TDS) are 200 mg/L, 250 mg/L, and 1400 mg/L, respectively. The City has been in violation of these three effluent limits for several years and currently remains in violation. The permit violations are noted in part 2.3.2 of the WWTP Improvements Project Preliminary Engineering Report (PER), dated February 2021.

The elevated chloride, sodium, and TDS levels observed in the City's wastewater are driven by agricultural processing (disinfection chemicals) and source water (groundwater) hardness and associated self-regenerating water softeners used for potable water treatment throughout the community. The discharges from agricultural processing facilities are in the process of being mitigated by establishing a new industrial pre-treatment program and limiting industrial users to only discharge municipal wastewater into the City's sewer collection system. In order to achieve compliance with the discharge limits, in addition to the non-residential source control measures, the City must also implement source water reduction measures.

The existing groundwater wells produce very hard water (greater than 300 mg/L as CaCO3) and, as a result, many of the City's residents have installed domestic self-regenerating water softeners to provide local treatment. Water softeners exchange calcium and magnesium (the main constituents contributing to hardness) for sodium or common salt (sodium chloride, NaCl). This process results in elevated chloride, sodium, and TDS concentrations that are discharged into the City's wastewater collection system and then pass through the WWTP untreated, causing effluent discharge permit violations. Table 9 of the PER estimates the salinity loading into the WWTP from multiple contribution sources, as summarized below.

Table 9 WWTP Influent Salinity Balance (Average Daily Loads)

Salt Contributors to Total WWTP Influent	TDS	Chloride	Sodium
SALINITY CONCENTRATION, mg/L			
Well No. 1 (Raw Water)	628	77	60
Diet and Personal Care Products	265	18	12
Self-Regenerating Water Softeners	361	217	144
Industrial Users	582	247	145
Inflow and Infiltration	0	40	0
TOTAL WWTP INFLUENT, mg/L	1836	600	362

The PER (and associated Potable Water Improvements Preliminary Engineering Report, dated November 2020) investigated alternatives and developed a recommended program for bringing the WWTP into compliance with regulatory requirements. The alternatives to this ordinance include source control measures (installing a community water softener at the potable water source, providing domestic cartridge water softeners for all connections, or importing water from West Hills WTP) or providing salinity removal technologies at the wastewater treatment system (installing a Reverse Osmosis treatment process). The life cycle costs and non-economic factors for the alternatives were analyzed and detailed in section 5.1 of the PER. The recommended alternative was for the City of San Juan Bautista to procure source water from West Hills WTP that is blended with the City's well water at 60-percent ratio, implementing a water softener buy-back program,, and restricting the use of self regenerating water softeners within the City.

The anticipated salinity balance, after the project is complete, is shown in Table 24 of the PER and summarized below.

Table 24 Future WWTP Influent Salinity Balance (Average Daily Loads)

Salt Contributors to Total WWTP Influent	TDS	Chloride	Sodium
SALINITY CONCENTRATION, mg/L			
Well No. 1 (Raw Water)	407	78	58
Diet and Personal Care Products	265	18	12
Self-Regenerating Water Softeners	97	58	39
Industrial Users	20	2	2
Inflow and Infiltration	0	40	0
TOTAL WWTP INFLUENT, mg/L	789	196	111

Beth Cohen PE

Senior Engineer, Water

Direct: 916-773-8100
beth.cohen@stantec.com

Stantec

Stantec

Trish Paetz

From:	harleys@reagan.com
Sent:	Monday, March 8, 2021 5:26 PM
To:	Trish Paetz
Cc:	Mike/Linda McIntyre
Subject:	Proposed Ordinance Banning Water Softeners

Please consider this a public comment on the consideration of a proposed Ordinance essentially banning the installation of water softening equipment in residences in San Juan Bautista,

My name is Linda G. McIntyre; my husband and I have resided at 406 6th Street for the past 21 years; I am a former elected City Clerk as well as a former City Treasurer for the City of San Juan Bautista. We very much enjoy living in this lovely village.

The hard water is a serious problem that has caused damage to our appliances, shower, faucet heads and pipes, damages our clothes and is not good for our hair no matter how much conditioner we may use.

We lived here when the new well was installed and at that time the public was informed that some sort of filter would be installed at the well so we would no longer need water softeners in our homes. We then had our water softener removed. The water rates were also increased so residents and businesses were paying for the water in addition to the filtering equipment.

It has been at least 10 years and no equipment has been installed to alleviate the need for in-home water softeners. I appreciate that the Council is now faced with violating their RWQCB permit and will be subject to fines which ultimately are paid by the rate payers. The obvious and easy solution is to prohibit water softeners.

However, I would urge you to fulfill the expectations of the citizenry when the new well was installed and *find a way to treat the water at the well so no in-home water softeners are required*.

I oppose this proposed Ordinance until an alternative solution is found to provide relief to homeowners as represented to them when the newest well was installed.

Perhaps you can apply for some of the funds marked for distribution to cities, counties and states in the so-called Covid Relief Bill passed by Congress on March 6.

Thank you for considering my comments.

Sincerely,

Linda G. McIntyre, Esq.
831.623.4568

ORDINANCE NO. 2021-XX

ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN JUAN BAUTISTA ADDING SECTION 35 TO TITLE 5: WATER SOFTENERS

WHEREAS, the purpose of this ordinance is to protect the quality of the waters of the State and the environment, including, but not limited to, the groundwater in the vicinity of the City of San Juan Bautista, by limiting the amount of brine entering, and subsequently passing through, the Publicly Owned Treatment Works "POTW", and to bring the POTW back into compliance with its California Regional Water Quality Control Board Permit Number R3-2009-0019 and National Pollution Discharge Permit "NPDES" Number CA0047902; and

WHEREAS, it is also the purpose of this ordinance to reduce the expenditure of public funds and mitigate rate increases by lessening the need for new capital facilities to treat wastewater for excessive salinity levels.

NOW, THEREFORE, by adopting this Ordinance, the City fulfills their obligations committed to on August 18, 2020, associated with its commitments to the Environmental Protection Agency ("EPA") Administrative Order on Consent, Docket Number CWA-309(a)-20-007 requiring the City to be in compliance no later than December 21, 2023.

SECTION 1. Adds Ordinance number 2020-XX, pertaining to Municipal Code Title 5, Section 5-35 as follows:

5-35-010 Authorization.

This article is enacted pursuant to the police power authority contained in the California Constitution, Article XI, Section 7 and also under the authority in Cal. Health & Safety Code § 116775 et seq.

5-35-020 Definitions.

The following definitions shall apply to the terms used in this article:

"Brine" means a heavily saturated solution containing sodium, chloride, or other salt of the alkali metals.

"CDO" means cease and desist order.

"City Manager" means the City Manager of the City of San Juan Bautista, or his authorized deputy, agent or representative

"Effluent" means treated water discharged from the City wastewater treatment plant to land, where it both evaporates and percolates into the groundwater and the creek.

"Environmental Protection Agency" and "EPA" means the independent Agency of the United States Government that protects, regulates and controls pollution as these activities apply to various pollution prevention practices including the Clean Water Act ("CWA"), and the National Pollution Discharge Elimination System ("NPDES") program. Enforcement as it applies to the City includes the August 18, 2020 Administrative Order on Consent ("AOC") Docket Number CWA-309(a)-20-007 requiring the City to be in compliance with its effluent water discharge in to a United States waterway no later than December 21, 2023.

"POTW" means a treatment works as defined by Section 212 of the Act which is owned by the City including any sanitary sewers that convey wastewater to the POTW treatment plant, but does not include pipes, sewers or other conveyances not connected to a facility providing treatment. For the purposes of this Chapter, "POTW" shall also include any sewers that convey wastewaters to the POTW from persons outside the City of San Juan Bautista who are, by contract or agreement with the City, users of the San Juan Bautista POTW.

"Regional Water Board" means the California Regional Water Quality Control Board, Central Coast Region, created and exercising its powers pursuant to the Porter-Cologne Water Quality Control Act, Cal. Water Code § 13000 et seq, and its powers to enforce its Waste Discharge Requirements Operation Permit and Master Reclamation Permit for the City of San Juan Bautista Waste Water Treatment and Reclamation Plant Order No. R3-2009-0019, and National Discharge Elimination Permit ("NPDES") No. CA0047902.

"Residence" means a structure which is, or is intended to be, in whole or in part, a place of dwelling, whether occupied or not, whether fully constructed or not, and includes, without limitation, homes, whether attached to another structure or not, duplexes, triplexes, accessory dwelling units, apartments, condominiums and mobile homes.

"Residential brine discharging water softening or conditioning appliance" means a water softening or conditioning appliance located within or ancillary to a residence located within the City which discharges brine into a sewer system that is tributary to the POTW, whereby the capacity of the appliance to remove hardness from water is renewed by the on-site application of a chloride salt-containing brine solution to the active softening or conditioning material contained therein, followed by a subsequent rinsing of the active softening or conditioning material.

"Saline" means of or containing a salt of potassium, sodium, chloride, magnesium, or other of the alkali metals.

5-35-030 Findings.

(A) The State Legislature and United States government has found and declared that pollution prevention should be the first step in a hierarchy for reducing pollution and managing wastes, and to achieve environmental stewardship for society.

(B) The City owns and operates the City's POTW.

(C) The POTW is regulated by the Regional Water Board and the EPA.

(D) The Regional Water Board issued waste discharge requirements under Waste Discharge Requirements Operation Permit and Master Reclamation Permit for the City of San Juan Bautista Waste Water Treatment and Reclamation Plant Order No. R3-2009-0019 and NPDES No. CA00472902, applicable to the POTW.

(E) On August 18, 2020 the EPA and City executed the Administrative Order on Consent Docket Number CWA-309(a)-20-007 requiring the City to be in compliance no later than December 21, 2023 which required certain programs and projects, including improvements to the POTW, to ensure compliance with the groundwater limitations of the waste discharge NPDES requirements.

(F) The AOC in Section III, subsection 13, makes certain findings of fact that the effluent from the POTW contains various contaminants that are polluting a water way of the United States, and these pollutants include excessive amounts of chloride and sodium unionized as salt, making the effluent salty or "brinish."

(G) Based on the current Water Board permit, the average monthly discharge limits for salinity (chloride, sodium, and total dissolved solids, TDS) are 200 mg/L, 250 mg/L, and 1400 mg/L, respectively. The City has been in violation of these three effluent limits for several years and currently remains in violation.

(H) The City, through Bracewell Engineering, conducted a salt reduction Study, dated November 17, 2004 due to chronic salts violations of its wastewater discharge requirements. A salt analysis performed through a community survey and mass balance calculations indicates removal of on-site, self-regenerating water softeners will have a significant impact in reducing salts in wastewater effluent. Salt loading through the use of water softeners within the City adds an additional seven tons per year into its wastewater stream. A survey of residents completed in 2020, confirms that 60% of the 800 households, residents (approximately 480) continue to rely on self-regenerating water softeners.

(I) The City was unsuccessful in satisfactorily implementing certain programs and projects within the timelines required under previous Cease and Desist Orders dating back to the 1980's, by limiting the availability or prohibiting the installation of residential water softeners that discharge into the POTW is a necessary means of achieving compliance.

(J) The City is working with the Regional Water Board and the Environmental Protection Agency to correct the problems and measures which reduce salinity and will assist the City in complying with the AOC. The Preliminary Engineering Report ("PER") is the first exhibit contained in the City's Water Master Plan and Waste Water Master Plan adopted by City Council Resolution 2020- 47 September 15, 2020. The permit violations are noted in part 2.3.2 of the WWTP Improvements PER, last updated February 2021.

(K) The PER identifies all probable sources of salt and "TDS" in its effluent water. Table 9 of the PER estimates the salinity loading into the WWTP from multiple contribution sources, as summarized below.

Table 9 WWTP Influent Salinity Balance (Average Daily Loads)

Salt Contributors to Total WWTP Influent	TDS	Chloride	Sodium
SALINITY CONCENTRATION, mg/L			
Well No. 1 (Raw Water)	628	77	60
Diet and Personal Care Products	265	18	12
Self-Regenerating Water Softeners	361	217	144
Industrial Users	582	247	145
Inflow and Infiltration	0	40	0
TOTAL WWTP INFLUENT, mg/L	1836	600	362

(L) The PER analyzes various means by which the City can improve its water systems to reduce the salt and TDS in the effluent, and on October 15, 2020, select three compliance projects were submitted to the EPA for approval. They include importing drinking water with little or no salt, exporting its waste water to Hollister Regional Plant, and eliminating the use of self-regenerating water softeners. The City believes that many residences and businesses use self-regenerating water softeners, and that the discharge of brine from the water softeners accounts for approximately 20% of the salinity in the effluent. Such regulatory requirements will further limit the volumes and concentrations of saline discharges from nonresidential sources in the POTW to the extent technologically and economically feasible.

(M) In its letter of approval dated October 30th, the EPA approved the City's compliance projects as follows:

> The proposed Compliance Project would construct a pipeline to the Hollister, CA WWTP for off-site treatment and disposal. The City's existing WWTP would be converted to an equalization basin and emergency storage pond to handle variations in flow. Offsite salinity control options will include the implementation of an industrial pre-treatment program for agricultural processing facilities to limit salt discharge from those users. Additionally, the City selected Option 1C from within Alternative 3, which proposes that off-site salinity control will be accomplished by blending well water (very hard water) with treated surface water (moderately hard water) and implementing a buy-back program for self-regenerating water softeners in order to reduce the salinity concentrations of wastewater to be sent to the Hollister WWTP.

(N) On December 1, 2011, at a public hearing, the Water Board adopted Resolution R3-2011-0215, which, among other findings, made a finding that the control of residential salinity input will contribute to the achievement of water quality objectives. Specifically, the Central Coast Water Board amended the City's Master Reclamation Requirements to include the following finding:

> The Central Coast Water Board finds that the control of residential use of self-regenerating water softener will contribute to the achievement of the water quality objectives approved in the Basin Plan. This finding is based on evidence in the records of the Central Coast Water Board, as described in this Resolution, demonstrating that salinity input from residential use self-regenerating water softeners is a significant source of controllable salts within the County of San Benito and there are regional economic impacts if residential use of self-regenerating water softeners is not controlled. The Health and Safety Code sections 116785 and 116786 also address salt control.

The City hereby adopts all of the findings contained in the Central Coast Water Board's Resolution No. R3-2011-0215, which is incorporated hereto by its reference.

(O) [The removal of the estimated 480 existing residential brine discharging self-regenerating water softening or conditioning appliances is anticipated to take up to two (2) years if an effective incentive program is implemented. If the incentive program, also known as a "buy-back" program, is successful at removing all of the existing residential brine discharging water softening or conditioning appliances, and if additional salinity reduction efforts for nonresidential water softening or conditioning sources are successful, it will help the City to meet final effluent limitations established in AOC Docket Number CWA-309(a)-20-007. Therefore, it is the intent of this article to establish an incentive program to encourage the timely removal of existing residential brine discharging water softening or conditioning appliances.

(P) The City Council has considered the technological and economic feasibility of alternatives to this article, as well as the potential saline discharge reduction achievable as a consequence of adopting this article.

(Q) Residents within the City shall maintain the ability to soften or condition their water by using water softening or conditioning appliances that do not discharge brine to the POTW. Among these are portable exchange water softeners, which use a removable tank to hold the ion-exchange conditioning material. The ion-exchange tank is removed by a vendor and is "regenerated" with brine at a facility outside the City where brine discharges are allowed.

(R) The City has adopted its compliance projects for the EPA's AOC, they have been approved by the EPA, and the City is currently testing waste water from non-residential users to assure that they are in compliance with the current agreements in place to control the quality of waste water received, and is under contract with an engineering firm to design and establish the enforcement systems required by Municipal Code 5-9-

400 "Uniform Waste Water Regulation" implementing its provisions, and to begin enforcing regulatory requirements that limit the volumes and concentrations of saline discharges from nonresidential sources in the POTW to the extent technologically and economically feasible, including enforcement of local limits and related regulations provided in this chapter.

(S) The anticipated salinity balance, after the compliance projects are complete, will decrease from a total daily average of 1,836 to 789, and the self-regenerating water softeners contribution will decrease from 361 and 20% to 97 and 13% is shown in Table 24 of the PER, and summarized below:

Table 24 Future WWTP Influent Salinity Balance (Average Daily Loads)

Salt Contributors to Total WWTP Influent	TDS	Chloride	Sodium
SALINITY CONCENTRATION, mg/L			
Well No. 1 (Raw Water)	407	78	58
Diet and Personal Care Products	265	18	12
Self-Regenerating Water Softeners	97	58	39
Industrial Users	20	2	2
Inflow and Infiltration	0	40	0
TOTAL WWTP INFLUENT, mg/L	789	196	111

5-35-040 Prohibition on new water softening/conditioning appliances.

No person shall install or in any manner assist in the installation of a residential brine discharging water softening or conditioning appliance that discharges into the POTW, or that discharges into a private sewer or community sewer system that is tributary to the POTW, or that discharges to land within the City.

A violation of this section is unlawful and punishable by a fine not to exceed one thousand dollars ($1,000.00). A violation of this section is also declared to constitute a public nuisance, which nuisance may be abated by civil action brought by the City Attorney, or by the issuance of administrative citations pursuant to Chapter 2-7.

5-35-060 Removal of existing water softening/conditioning appliances.

Every person who has an existing self-regenerating brine discharging water softening or conditioning appliance that is installed upon residential property or premises owned by him or her and that discharges into the POTW shall remove and dispose of the installed residential brine discharging water softening or conditioning appliance no later than

March 1, 2023. Persons occupying or leasing the residential property or premises of another who has an existing brine discharging water softening or conditioning appliance installed thereon shall promptly notify the property owner of the requirements of this chapter.

5-35-070 Enforcement.

The City Manager shall administer, implement and enforce the provisions of this chapter. In addition to any other provision of this chapter, the City Manager may implement any other enforcement remedies included in this chapter, including disconnecting the unlawfully installed residential brine discharging water softening or conditioning appliance from the POTW, and billing the property owner for the costs to remove and dispose of the appliance. All remedies contained in this chapter shall be cumulative and the use of one (1) or more remedies by the City Manager shall not bar the use of any other remedy for the purpose of enforcing the provisions hereof.

5-35-080 Medical Exemption.

The City Manager shall have the authority to allow medical exemptions and may permit the installation or continued use of individual residential brine discharging water softening or conditioning appliances; provided, that all of the following conditions are met:

(A) An application for medical exemption has been made on forms prescribed by the City Manager and the exemption shall not be effective until approved by the Director;

(B) The medical need for soft water is verified in writing by the applicant's physician; and

(C) The applicant's finances, in the opinion of the City Manager, preclude the use of an alternative water softening or conditioning appliance that does not discharge brine into the POTW.

The City Manager shall have the authority to rescind medical exemptions if the City is in violation of State waste discharge requirements for salinity levels, and in the opinion of the City Manager it is essential that the medical exemption be terminated, or upon the termination of any of the required criteria for such exemption. Such termination shall become effective after sixty (60) days' written notice from the City to the applicant.

SECTION 2. If any section, subdivision, sentence, clause, portion, or phrase of this Ordinance is for any reason held illegal, invalid, or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions hereof. The City Council hereby declares that it would have passed this chapter and each section, subdivision, sentence, clause, portion, or phrase hereof, irrespective of the fact that any one or more sections, subdivisions, sentences, clauses, or phrases be declared illegal, invalid or unconstitutional.

SECTION 3. The City Council hereby finds that enactment of this Ordinance establishing a sustainable food service ware and retail bags policy that commits it to a ban of single use plastics and single use carry-out bags prohibiting single use plastics ad disposable food ware, is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines, Section 15061(b)(3) [project is exempt when it can be determined with certainty that there is no potential for causing a significant effect on the environment] and Sections 15307 and 15308 [actions taken by a regulatory agency to assure the maintenance, restoration, enhancement, or protection of the environment where regulatory process involves procedures for the protection of the environment.].

SECTION 4. EFFECTIVE DATE. This ordinance shall go into effect thirty days after the date of its signing.

THE FOREGOING ORDINANCE was introduced at a regular meeting of the City Council of the City of San Juan Bautista duly held on _____, 2021, and was passed and adopted at a regular meeting duly held on _____, 2021 by the following vote.

AYES:

NOES:

ABSENT:

ABSTAIN:

_____
Mayor Leslie Q. Jordan

ATTEST:

_____
City Clerk Shawna Freels

CITY OF SAN JUAN BAUTISTA
CITY COUNCIL STAFF REPORT

AGENDA TITLE:	**CONSIDER A RESOLUTION TO APPROVE A REQUEST TO REMOVE A PREVIOUSLY APPLIED CONDITION OF APPROVAL (CONDITION 35), RELATING TO THE PROVISION/PAYMENT OF PARKING FEES FOR THE CASA ROSA DEVELOPMENT (SDR 2019-03) LOCATED AT 107 THIRD STREET, SAN JUAN BAUTISTA (APN: 002-021-004). (CEQA: CATEGORICALLY EXEMPT PER SECTION 15305).**
MEETING DATE:	March 16, 2021
SUBMITTED BY:	David J. R. Mack, AICP Project Manager/Senior Planner (contract)
DEPARTMENT HEAD:	Don Reynolds, City Manager
APPLICANT:	Raeid Farhat (Raeid Farhat Development)
ZONING/LAND USE:	Mixed Use/R-1

RECOMMENDED ACTION(S):

Staff recommends the City Council take the following actions:

Adopt a Resolution to find the amendment request exempt from CEQA per Section 15305 and approve a request to remove a previously applied condition of approval, relating to the provision/payment of parking fees for the Casa Rosa development (SDR 2019-03) located at 107 Third Street, San Juan Bautista (APN: 002-021-004).

BACKGROUND INFORMATION:

On December 3, 2019, the project was project for scheduled for consideration before the Historic Review Board and Planning Commission. Due to a lack of a quorum, the hearing was continued to December 12, 2019.

On December 12, 2019, the Historic Review Board and Planning Commission both separately and independently, conducted duly noticed public hearings, received testimony and presentations from City staff and members of the public, considered the merits of the proposed project, and ultimately approved the project, and adopted resolutions pertaining to the California Environmental Quality Act (CEQA) and approval of the Project **(PC Resolutions 2019-26 and 2019-27).**

Following approval by the Planning Commission, the project was appeal by Emily Renzel on December 18, 2019. Subsequent to the filed appeal, the project was scheduled for consideration by the City Council on January 21, 2020.

On January 21, 2020, the City Council conducted a duly noticed public hearing, received testimony and presentation from City staff and members of the public, considered the merits of the proposed project, and ultimately approved the project, and adopted resolutions pertaining to denial of the filed appeal, the California Environmental Quality Act (CEQA) and approval of the Project (**CC Resolutions 2020-02, 2020-03, and 2020-04 – Attachments 2, 3, and 4).**

AMENDMENT REQUEST

During the January 21, 2020 City Council appeal hearing, a condition of approval was added to the project, requiring the applicant to pay an in-lieu fee of $25,000.00, in the event that the developer was unable to secure additional/required off-site parking for the mixed use (commercial/residential) development **(Condition 35 of CC Resolution 2020-04).**

Since the time of approval, the COVID-19 global pandemic resulted in a global shut down of many economies, changing the economic conditions of many communities, including San Juan Bautista, beginning in early March 2020. The impacts and effects of the COVID-19 pandemic has remained for over 1+ year, delaying the development of the Casa Rosa project.

Additionally, since the time of approval (January 2020), in response to the COVID-19 pandemic, the City of San Juan Bautista implements policies for the construction of parklets along Third Street, to accommodate existing business with limited out-door dining/shopping/gathering. The implementation and development of parklets along Third Street, has resulted in the removal/loss of approximately 19 parking spaces throughout the historic San Juan Bautista downtown shopping area, 3-5 of which are immediately adjacent to the proposed Casa Rosa development. As discussions of the parklet has evolved, the City and business community desire to keep the parklets as a permanent feature and some discussions of a permanent street closure (Third Street) have been discussed.

The parklet/street closure discussion has a direct effect on the Casa Rosa development, by removing and limiting adjacent on-street parking spaces. Therefore, the applicant/developer of Casa Rosa is not able to secure additional off-site parking as required, and does not believe they should be penalized by the required payment of in-lieu parking fees to offset their inability to secure parking.

The applicant/developer is requesting consideration of and removal of the Condition 35, as a result of the COVID-19 pandemic and the closure of Third Street and loss of adjacent street parking within the immediate vicinity of the development site.

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA):

The California Environmental Quality Act (CEQA) Class 5 categorically exempts minor alterations in land use limitations. The proposed amendment would not change any of the previously approved structures, density, and/or setbacks, and would simply remove a condition of approval requiring the payment of fees. Therefore, as proposed the amendment request can be considered to be exempt from CEQA pursuant to Section 15305 (Class 5) of the CEQA Guidelines.

RECOMMENDATION:

Staff recommends the City Council take the following action:

> Adopt a Resolution to find the amendment request exempt from CEQA per Section 15305 and approve a request to remove a previously applied condition of approval, relating to the provision/payment of parking fees for the Casa Rosa development (SDR 2019-03) located at 107 Third Street, San Juan Bautista (APN: 002-021-004).

ATTACHMENTS:

1. Draft Resolution of Approval.
2. City Council Resolution No. 2020-02 (Appeal Denial)
3. City Council Resolution No. 2020-03 (CEQA)
4. City Council Resolution No. 2020-04 (Approval w/ Conditions)
5. Amendment Request Email from Applicant.

DRAFT
RESOLUTION 2021-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN JUAN BAUTISTA APPROVING A REQUEST TO REMOVE A PREVIOUSLY APPLIED CONDITION (CONDITION 35) OF APPROVAL, RELATING TO THE PROVISION/PAYMENT OF PARKING FEES FOR THE CASA ROSA DEVELOPMENT (SDR 2019-03) LOCATED AT 107 THIRD STREET, SAN JUAN BAUTISTA (APN: 002-021-004).

WHEREAS, the City of San Juan Bautista Community Development Department received an application for Site and Design Review (SDR 2019-03) for a mixed use development consisting of a restaurant, bar, and 4 residential units (1-2 bed/2 bath unit and 3 – 1 bed/1 bath units) on September 24, 2019; and

WHEREAS, in October 2019, a preliminary informative presentation was presented to the Planning Commission, in an effort to gauge City interest in the Project, and preliminary feedback was given to the applicant; and

WHEREAS, Following the October 2019 presentation, the applicant further refined aspects of the Project, and City staff subsequently reviewed the application materials and timely processed the permit to public hearing; and

WHEREAS, the application was timely processed and brought before the Planning Commission for consideration on December 3, 2019, due to a lack of quorum, the public hearing was continued to December 12, 2019; and

WHEREAS, on December 12, 2019, the Planning Commission held a duly noticed public hearing, received oral comments, received public input, and received the staff report for the application and approved the project as proposed; and

WHEREAS, on December 18, 2019, Emily Renzel (appellant) timely filed an appeal of the December 12, 2019 Planning Commission decision, and agreed in writing to delay the appeal hearing to the next regularly scheduled City Council hearing on January 21, 2019; and

WHEREAS, on January 21, 2020, the City Council held a duly noticed public hearing for the filed appeal, received oral comments, received public input, and received the staff report for the appeal, and ultimately denied the appeal and approved the project as proposed; and

WHEREAS, since the time of approval, the COVID-19 global pandemic has resulted in a change of economic conditions within California and San Juan Bautista, including measures being taken by the City to accommodate outdoor business/dining which has resulting in the loss of approximately 12-19 street parking spaces along Third Street and within the immediate vicinity of the proposed project; and

WHEREAS, due to the economic effects of COVID-19, the developer has been put at a disadvantage to comply with previously applied Condition 35, which requires an agreement for off-street parking and/or the payment of $25,000.00 of parking in-lieu fees; and

WHEREAS, on February 4, 2021, the applicant submitted the required materials and fees for a permit amendment, requesting to remove Condition 35 from the project approval; and

WHEREAS, on March 16, 2021, the amendment request was scheduled before the City Council for consideration and the City Council reviewed the request, received oral testimony, public input, and a staff report for the amendment request.

NOW THEREFORE, BE IT RESOLVED that the City Council of the City of San Bautista approves the Amendment Request to remove a previously applied condition of approval (Condition 35), relating to the provision/payment of parking fees for the Casa Rosa development (SDR 2019-03) located at 107 Third Street, San Juan Bautista (APN: 002-021-004).

PASSED AND ADOPTED by the City Council of the City of San Juan Bautista on this 16th day of March, 2021, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

_____
Leslie Q. Jordan, Mayor

ATTEST:

_____
Shawna Freels, City Clerk

RESOLUTION 2020-02

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN JUAN BAUTISTA TO DENY THE APPEAL FILED BY EMILY RENZEL OF THE DECEMBER 12, 2019 PLANNING COMMISSION DECISION APPROVING A SITE AND ARCHITECTURAL DESIGN REVIEW PERMIT (SDR 2019-03) FOR A MIXED USE DEVELOPMENT CONSISTING OF A RESTAURANT, BAR, AND RESIDENTIAL UNITS LOCATED AT 107 THIRD STREET, SAN JUAN BAUTISTA (APN: 002-021-004)

WHEREAS, the City of San Juan Bautista received an application for Site and Design Review (SDR 2019-03) for a mixed use development consisting of a restaurant, bar, and 4 residential units (1-2 bed/2 bath unit and 3 – 1 bed/1 bath units) on September 24, 2019; and

WHEREAS, in October 2019, a preliminary informative presentation was presented to the Planning Commission in an effort to gauge City interest in the Project, and preliminary feedback was given to the applicant; and

WHEREAS, following the October 2019 presentation, the applicant further refined aspects of the Project, and City staff subsequently reviewed the application materials and timely processed the permit to public hearing; and

WHEREAS, the application was timely processed and brought before the Planning Commission for consideration on December 3, 2019; due to a lack of quorum, the public hearing was continued to December 12, 2019; and

WHEREAS, on December 12, 2019, the Planning Commission held a duly noticed public hearing, received oral comments, received public input, and received the staff report for the application and approved the project as proposed; and

WHEREAS, on December 18, 2019, Emily Renzel (appellant) timely filed an appeal of the December 12, 2019 Planning Commission decision, and agreed in writing to delay the appeal hearing to the next regularly scheduled City Council hearing on January 21, 2019; and

WHEREAS, the City Council timely conducted a public hearing on January 21, 2020, to consider the appeal and the contentions submitted by the appellant; and

WHEREAS, City staff reviewed the appeal, the contentions, evidence submitted, staff responses and all information on the record, including the project application, Historic Resources Board and Planning Commission staff reports; and

WHEREAS, based upon the whole record before the City Council and in light of the proposed project situated at 107 Third Street (APN: 002-021-004) the City Council determined the submitted appeal is not supportable based on the evidence and claims submitted.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of San Juan Bautista hereby denies the appeal filed by Emily Renzel of the December 12, 2019 Planning Commission decision approving a Site and Architectural Design Review permit (SDR 2019-03) for a mixed use development consisting of a restaurant, bar, and residential units located at 107 Third Street, San Juan Bautista (APN: 002-021-004).

PASSED AND ADOPTED by the City Council of the City of San Juan Bautista on this 21st day of January, 2020, by the following vote:

AYES: **DeVries, Freeman, Jordan, Flores, Edge**

NOES: **None**

ABSENT: **None**

ABSTAIN: **None**

Mary Vazquez Edge, Mayor

ATTEST:

Laura Cent, City Clerk

RESOLUTION 2020-03

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN JUAN BAUTISTA MAKING A DETERMINATION FOR A CATEGORICAL EXEMPTION FOR SITE AND DESIGN REVIEW (SDR 2019-03) FOR A MIXED USE DEVELOPMENT CONSISTING OF A RESTAURANT, BAR, AND RESIDENTIAL UNITS LOCATED AT 107 THIRD STREET, SAN JUAN BAUTISTA (APN: 002-021-004)

WHEREAS, the City of San Juan Bautista Community Development Department received an application for Site and Design Review (SDR 2019-03) for a mixed use development consisting of a restaurant, bar, and 4 residential units (1-2 bed/2 bath unit and 3 – 1 bed/1 bath units) on September 24, 2019; and

WHEREAS, the application was timely processed and brought before the Planning Commission for consideration on December 12, 2019, at which time the Planning Commission held a duly noticed public hearing, received oral comments, received public input, and received the staff report for the application and approved the project as proposed; and

WHEREAS, on December 18, 2019, Emily Renzel (appellant) timely filed an appeal of the December 12, 2019 Planning Commission decision; and

WHEREAS, the City Council timely conducted a public hearing on January 21, 2020, to consider approval of a Site and Design Review (SDR 2019-03) for a mixed use development consisting of a restaurant, bar, and residential units (4; 3-1 bed/1 bath and 1-2 bed/2 bath) located at 107 Third Street (APN: 002-021-004); and

WHEREAS, City staff reviewed the application, made the required determinations under San Juan Bautista Municipal Code (SJBMC) Section 11-06-120(B) and, based on those determinations, followed the Appropriate Review Application Procedure in SJBMC Section 11-06-120(C)(5); and

WHEREAS, based upon the whole record before the City Council and in light of the proposed project situated at 107 Third Street (APN: 002-021-004) the City Council determined that the project is Categorically Exempt under CEQA Section 15331, "Historical Resource Restoration/Rehabilitation", because the proposed project will restore/rehabilitate a designated historical building within the San Juan Bautista Historic District, in manner consistent with the Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings", and in compliance with the previously prepared historical report (2017).

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of San Juan Bautista hereby approves the Categorical Exemption of Section 15331 of the CEQA Guidelines for a Site and Design Review Permit (SDR 2019-03) for a mixed use development, consisting of a restaurant, bar and 4 residential units, located at 107 Third Street (APN: 002-021-004), San Juan Bautista.

PASSED AND ADOPTED by the City Council of the City of San Juan Bautista on this 21st day of January, 2020, by the following vote:

AYES: **DeVries, Freeman, Jordan, Flores, Edge**

NOES: **None**

ABSENT: **None**

ABSTAIN: **None**

Mary V. Edge, Mayor

ATTEST:

Trish Paetz, Deputy City Clerk

RESOLUTION 2020-04

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN JUAN BAUTISTA APPROVING A SITE AND ARCHITECTURAL DESIGN REVIEW PERMIT (SDR 2019-03) FOR A MIXED USE DEVELOPMENT CONSISTING OF A RESTAURANT, BAR, AND RESIDENTIAL UNITS LOCATED AT 107 THIRD STREET, SAN JUAN BAUTISTA (APN: 002-021-004)

WHEREAS, the City of San Juan Bautista Community Development Department received an application for Site and Design Review (SDR 2019-03) for a mixed use development consisting of a restaurant, bar, and 4 residential units (1-2 bed/2 bath unit and 3 – 1 bed/1 bath units) on September 24, 2019; and

WHEREAS, in October 2019, a preliminary informative presentation was presented to the Planning Commission, in an effort to gauge City interest in the Project, and preliminary feedback was given to the applicant; and

WHEREAS, following the October 2019 presentation, the applicant further refined aspects of the Project, and City staff subsequently reviewed the application materials and timely processed the permit to public hearing; and

WHEREAS, the application was timely processed and brought before the Planning Commission for consideration on December 3, 2019, due to a lack of quorum, the public hearing was continued to December 12, 2019; and

WHEREAS, on December 12, 2019, the Planning Commission held a duly noticed public hearing, received oral comments, received public input, and received the staff report for the application and approved the project as proposed; and

WHEREAS, on December 18, 2019, Emily Renzel (appellant) timely filed an appeal of the December 12, 2019 Planning Commission decision, and agreed in writing to delay the appeal hearing to the next regularly scheduled City Council hearing on January 21, 2019; and

WHEREAS, the City Council timely conducted a public hearing on January 21, 2020, to consider approval of a Site and Design Review (SDR 2019-03) for a mixed use development consisting of a restaurant, bar, and residential units (4; 3-1 bed/1 bath and 1-2 bed/2 bath) located at 107 Third Street (APN: 002-021-004); and

WHEREAS, City Staff reviewed the application, made the required determination under San Juan Bautista Municipal Code (SBJMC) Section 11-06-120(B) and, based on those determinations, followed the Appropriate Review Application Procedure(s) in SBJMC Section 11-06-120(C)(5); and

WHEREAS, the City Council reviewed the application, a previously prepared historic resource evaluation and impact report, received oral testimony, public input, and a staff report for the mixed use project; and

WHEREAS, the City Council, upon reviewing the proposed building plans, site layout of the structures, setbacks, height, exterior elevations, architectural style, density, and design of the overall project in relationship to the surrounding area, determined that the project is Categorically Exempt under Section 15331 (Class 31) of the California Environmental Quality Act (CEQA) Guidelines, "Historical Resource Restoration/Rehabilitation", because the proposed project will restore/rehabilitate a designated historical building within the San Juan Bautista Historic District, in manner consistent with the Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings", and in compliance with the previously prepared historical report (2017); and

WHEREAS, upon reviewing the proposed building plans, site layout of the structures, setbacks, height, exterior elevations, architectural style, density, and design of the overall project in relationship to the surrounding area, the City Council found that the project meets all of the Site and Design Review requirements in Section 11-06 and 11-18 of the San Juan Bautista Municipal Code, City of San Juan Bautista Historic Design Guidelines, and 2035 San Juan Bautista General Plan, as detailed below:

SECTION 11-06 HISTORIC RESOURCES FINDINGS:

Section 11-06-120, "Site plan and design review permit procedure for historic resources", Staff must review permit applications and determine the following:

1) **If the structure is more than forty-five (45) years old**;

   This structure was originally built in 1870 and is more than forty-five years old.

2) **If the property has been previously inventoried as part of a Citywide comprehensive survey and what the current status code for the property is (see SJBMC 11-06-090 for status codes);**

   This property was previously inventoried as part of the citywide comprehensive survey, and has a status code of 5D1.

3) **If the property is listed on the City Register of Historic Resources;**

   This property is listed on the City Register of Historic Resources.

4) **If the Property is located within the boundaries of a designated historic district regardless of individual significance;**

   This property is located within the boundaries of the designated historic district.

5) **If the property will require additional evaluation as part of the application process; and**

As part of the previous entitlement process (2017), a historic report ("Secretary of the Interior's Standards Review") was prepared to analyze the previously proposed exterior modifications.

The current project is designed to include/mimic the same exterior modifications and recommendations from the 2017 report. No additional review beyond that conducted in 2017 is required.

6) **If the proposed alteration is a minor or major alteration.**
The 2017 entitlement was considered a major alteration due to the potential to degrade the exterior features and façade of the original building. The original entitlement was processed a "major" alteration.

The current proposal mimics the prior entitlement, with regards to the main historic building (main floor restaurant and second floor residence), the rear, non-historic, portion of the site will be developed with three (3) new residential units instead of the originally proposed garage, storage and utility area(s). Therefore, the current proposal is also considered to be a "major" alteration.

SECTION 11-06-120(C)(7) – NEW CONSTRUCTION ON HISTORIC SITES:
Approval of all site plan and design review permit applications shall require the following findings:

7) **The project has been reviewed in compliance with the California Environmental Quality Act (CEQA);**
The project is categorically exempt from CEQA per Section 15331 (Class 31) as it incorporates the restoration/rehabilitation of a historic resource, and the all new proposed additions will not diminish or degrade the historical character or nature of the subject property.

8) **The project is consistent with the Secretary of the Interior's Standards for Treatment of Historic Properties;**
The 2017 historical resources report confirmed that the project as designed is "generally compliant with all ten of the Secretary of the Interior's Standards for the Treatment of Historic Properties." There is no need for a historical analysis for the rear portion of the site, as it was not previously deemed to be of a historic nature or contribute to the historical context of the site and/or main building.

9) **The project is consistent with the goals and policies of the San Juan Bautista Historic Design Guidelines;**

There is no evidence on the record that the proposed project is inconsistent with the San Juan Bautista Historic Design Guidelines. The proposed project will

restore and rehabilitate the front (historical) portion of the existing structure, and the proposed rear addition will be constructed in a manner to compliment and blend in with the historical construction on site.

10) That the proposal will not adversely affect the character of the historic resource or designated historic district; and

There is no evidence on the record that the proposed project will adversely affect the character of the historic resource or designated historic district. The project will restore/rehabilitate an existing historic structure and will revive the historical uses (restaurant and residence) of the main/front building. The proposed rear addition will be constructed to be consistent with the character of the neighborhood and will not be readily visible from Third Street.

11) That the proposal will be compatible with the appearance of existing improvements on the site and that the new work will be compatible with massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.

The project involves the restoration of the existing front (historical) building to the same massing, size, scale and features. The rear addition is the same footprint as previously entitled in 2017 (see project comparison above). The proposed massing, size, and scale of the additions are in keeping with the main building (two stories) and will not be visible from Third Street. The architectural style of the addition will be of a consistent style to blend and compliment the historic architecture. There is no evidence on the record to indicate that the project will be incompatible with existing improvements on site.

SECTION 11-18 - SITE PLAN AND DESIGN REVIEW FINDINGS:

The following findings are required for the approval of a Site Plan and Design Review Application:

12) The project is consistent with the standards and requirements of the San Juan Bautista Municipal Code.

As designed the project is consistent with the standard and requirements of the San Juan Bautista Municipal Code, in so much as the project is compliant with all development standards applicable to the Mixed Use zoning designation and the Historic Preservation Ordinance(s).

13) The project is consistent with the goals and policies of the General Plan and any applicable specific or community plans.

As designed, the project is consistent with goals and policies of the General Plan, specifically relating to Infill Development (Policy LU-2.1.3; Objective LU-2.4; Objective LU-2.5; Policy LU-4.1.2), and Housing (Objective HO-1.1; Program HO-2.1.1.3; Policy HO-3.3.1; Policy HO-4.1.2.1).

Policy LU-2.1.3 – Encourage mixed-use and commercial developments along the corridor of Muckelemi Street, 3rd Street, and The Alameda.

The project is located on 3rd Street and consists of a mixed-used (residential/commercial) development.

Objective LU-2.4 – Increase the amount of infill development in the City.

The project consists of infill development. The current site houses a mostly demolished structure, and will restore and/or rehabilitate the historic structure and add residential units on the site.

Objective LU-2.5 – Diversify housing stock to accommodate all San Juan residents.

The project will provide new affordable housing units, as the "moderate income" level, which will provide additional housing stock to a specific income level of San Juan Bautista residents.

Policy LU-4.1.2 – Identify and diversity land uses compatible with mixed-use land use patterns.

The proposed project will continue and re-establish the mixed use land use pattern within the identified historic downtown area.

Objective HO-1.1 – Accommodate at least 450 additional housing units by 2035 to fulfill Regional Housing Needs Assessment (RHNA) housing unit projects as mandated by the San Benito Council of Governments.

The City is required to construct 24 "affordable housing" units under its assigned Regional Housing Needs Assessment (RHNA), of which 8 units shall be at the "moderate income" level. If entitled, this project would provide 50% (4) of the required 8 "moderate income" units; and nearly 17% (4 of 24) of the overall RHNA "affordable units" assigned to San Juan Bautista.

Program HO-2.1.1.3 – Provide development incentives for affordable housing, such as reductions in minimum parking requirements, density bonuses, and minimum lot sizes for single family residential districts.

As detailed throughout the report, the project is requesting a reduction/waiving for the parking requirements, and requesting increased density allowance(s) to provide new housing units, and have an economically viable project to allow the restoration/rehabilitation of a historic building.

Policy HO-3.3.1 – Allow for medium- and high-density housing in the downtown core.

The project will provide housing on the rear of the property on two various levels of the building in a mixed-use building.

Program HO-4.1.2.1 – Adopt an ordinance with incentives for housing developments in the Mixed-Use District through the use of regulatory mechanisms such as, but not limited to, density bonuses, development fee waivers, or expedited permitting.

While an ordinance has yet to be fully developed, the project is within a Mixed-Use District and is requesting a density bonus, and reduction/waiving in parking standards. Staff has attempted to process this application timely (expedited permitting). All of these requests/actions are in keeping with the intent of the policy.

14) The project contributes to safeguarding the City's heritage and cultural and historic resources.

The project is designed to restore/rehabilitate a historical structure within the downtown area. The restoration and rehabilitation the structure will contribute to the City's heritage, cultural and historical resources.

15) The project is compatible with the surrounding character of the environment because the architectural design, materials and colors harmonize with the character of surrounding development, or other improvements on the site and specific design elements (e.g., balconies, fencing, screening of equipment and utility installations, signs, and lighting) are incorporated into the project.

The project incorporates the same architectural design, materials and colors, as the existing historical main structure. Therefore once completed the project, plus rear addition, will harmonize with the aesthetics and character of the surrounding developments both on and off site.

16) The location and configuration of the project harmonizes with the site and with surrounding sites or structures. Structures do not dominate their surroundings to an extent inappropriate to their use and do not unnecessarily block significant views or solar access to adjacent properties.

The location and configuration of the proposed project is similar to prior development on site, which was previously demolished without permits. The design of the project harmonizes with the style of the surrounding sites and structures, in so much as it two stories, screened from view of Third Street, and will restore/rehabilitate the main building to its historic character and design. The project will not unnecessarily block views or solar access to adjacent properties in any direction.

17) The project effectively uses architectural details to break up mass. Roof planes are varied without being overly complex. Otherwise monotonous long or two-story walls are well-articulated with details such as building off-sets and window features that are compatible with the design and not overly ornate.

The project is designed to mimic the prior "shed-roof" design of the prior development (rear of the property) and will restore/rehabilitate the main historic building to its original design (windows/doors), architecture (roof/overhangs) and familiar color (pink).

18) The landscape design, if any, including the location, type, size, color, texture, and coverage of plant materials, provisions for irrigation, and protection of landscape elements have been considered to create visual relief and complement the structures to provide an attractive and water-conserving environment.

The project has been conditioned to provide landscape plan prior to issuance of any construction permits (building and/or grading). The only area available for potential landscaping is in the rear patio/courtyard, which is not visible from adjacent streets. At the time of landscape plan submittal, Staff will ensure that landscaping will provide adequate visual relief and will be consistent with existing landscaping within the surrounding neighborhood(s).

19) The design and layout of the proposed project does not interfere with the use and enjoyment of neighboring existing or future development, does not result in vehicular and/or pedestrian hazards, and promotes public health, safety, and welfare.

The project as designed will not interfere with the use and/or enjoyment of neighboring existing or future development. The project re-establishes the previous historic and entitled uses within the main building (restaurant, bar and residence), and reconstructs the prior footprint to add supplemental "allowed" uses within the mixed uses designation (residential). The surrounding properties include the same mixed uses and the project would be consistent with those adjacent/neighboring uses/properties. The project would not result in hazards associated with public health, safety, and welfare, in so much that the project is required to be constructed to be in compliance with fire and building codes, and the associated building permits will be reviewed by public safety and building personnel prior to issuance.

20) The existing or proposed public facilities necessary to accommodate the proposed project (e.g., fire protection devices, public utilities, sewers, sidewalks, storm drains, street lights, traffic control devices, width and pavement of adjoining streets, etc.) are available to serve the subject site.

Existing public facilities (sewer and water) exist to accommodate the proposed project. The property has existing connections to both sewer and water. The project site is fronted by existing public sidewalk(s). The project does not require street lights or other traffic control devices.

SECTION 11-03 – MIXED USE STANDARDS:

21) Projects shall comply with all development standards for the mixed use zoning designation.

The project is consistent with all development standards including allowable Floor Area Ratio (FAR) of 1.5, in that it proposes an FAR of approximately 0.95; height as the proposed height is below 3 stories and does not exceed 50 feet; and lot coverage, in so much as the proposed lot coverage is about 0.60 [2,472 sq. ft. / 4,172 sq. ft. (lot size)], below the 0.85 allowance.

SECTION 11-11-120 – PARKING –MIXED USE:

San Juan Bautista Municipal Code Section 11-11-120 details the parking requirements for Mixed Use zoning designations:

22) **On-Street Parking. Existing or required paved parking spaces for standard-sized vehicles in a public street or alley that abuts a parcel are eligible to meet part or all of the parking requirements for the development on that parcel. For parcels with mixed use development within the MU district, the number of on-street parking spaces for standard-sized vehicles within one hundred fifty feet (150') of a parcel, or the number that will be within one hundred fifty feet (150') upon completion of planned street/parking improvements, whichever is greater, may be counted toward the required number of parking spaces for commercial or mixed uses.**

    Staff conducted research regarding the available on-street parking within the vicinity of 150-feet of the subject property. The areas identified, included along Third Street, Franklin Street, and Washington Street. These three streets, provide as many has 20-25+ available parking spaces at any given time. Staff believes that available on-street parking is sufficient to meet the requirement of 3 additional parking spaces.

23) **Off-Street Parking Reduction. For parcels with mixed use development within the MU district, the number of off-street parking spaces required by this Section shall be reduced by ten (10) spaces or twenty-five percent (25%) of the otherwise required number of spaces, whichever is greater, if the parcel is within four hundred feet (400') of a public parking lot or garage. To be eligible for the parking space reduction, the property owner shall pay an in-lieu parking fee in accordance with subsection (F) of this Section.**

    The City Council could determine that the project is subject to a parking reduction (10-spaces or 25% of required, which is greater), as the parcel is located in the vicinity of various public parking lots/areas located north along Washington Street (see photo). Should the Council determine the project is eligible, the project could be subject to payment of a parking in-lieu fee, in an amount to be determined.

24) **In-Lieu Fee. The City Council may determine that strict compliance with the off-street parking standard set forth in this Chapter is contrary to the goal of preserving and enhancing the historical character and pedestrian nature of the MU district. Upon making such a determination, an in-lieu parking fee shall be imposed in the manner and amount set by City Council. The funds shall be**

retained by the City and shall be used exclusively for the purpose of acquiring and developing public off-street parking facilities to serve the MU district.

If the City Council determines that the project is entitled to an "Off-Street Parking Reduction" subject to subsection (b) above, the City Council should determine if the payment of an in-lieu fee is required for the Project. If an in-lieu if required, the City Council should also determine the appropriate amount of such payment for the waving of three-parking spaces.

As mentioned above, adequate on-street parking is available within 150-feet of the development site and could also be used to satisfy the parking requirement for the three additional units. At this time, Staff has not conditioned the project with the payment of an in-lieu fee.

SECTION 11-11-130 – OFF-SITE PARKING ALLOWANCE:

25) In order to allow a use to meet its parking requirements in a location other than on the same parcel on which the use is located, the City Manager or designee must make the finding that said parcel is unable to accommodate the required parking due to its size, shape, location, or the presence of existing buildings.

The configuration of the subject parcel does not allow "on-site" parking. The only existing "driveway" to the site is located off Franklin Street, measures approximately 10-feet in width (doesn't allow two-way vehicular movement), and is located immediately adjacent to (within 1-foot) the property line of the two surrounding properties.

26) AFFORDABLE HOUSING – GOVERNMENT CODE 65915 COMPLIANCE:

Under government code Section 65915(b)(1)(D), and 65915(f)(4), the applicant would qualify for a density bonus of 35%, and 1 entitlement/concession (by right) for the provision of the affordable housing at a level exceeding forty-percent (40%) of the total unit count.

The Mixed Use zoning classification allows densities between 8-15 units/acre, which would allow a baseline of approximately 1-2 units. A density bonus of 35%, as afforded through Section 65915, would allow 1 extra unit to be constructed, for a total of 3 units. The Project will provide 4 total units (1-2bd/2bth unit; 3-1bd/1bth units) all of which would be available as "affordable housing" at the "moderate income" level.

The applicant/developer is requesting to his entitled incentive/concession to allow one additional unit to be constructed on site, for a total of 4 units. The justification for this request, is due to the cost of the required restoration/rehabilitation of the historic structure. Without the ability to generate additional rental income/revenue from the

residential portion of the development, the overall project is not economically feasible.

In order for the City to deny the requested incentive/concession, the three specific findings need to be made, as detailed in Section 65915(d)(1), which specifically states:

> *"d)(1) An applicant for a density bonus pursuant to subdivision (b) may submit to a city, county, or city and county a proposal for the specific incentives or concessions that the applicant requests pursuant to this section, and may request a meeting with the city, county, or city and county. The city, county, or city and county shall grant the concession or incentive requested by the applicant unless the city, county, or city and county makes a written finding, based upon substantial evidence, of any of the following:*
>
> > *"(A) The concession or incentive does not result in identifiable and actual cost reductions, consistent with subdivision (k), to provide for affordable housing costs, as defined in Section 50052.5 of the Health and Safety Code, or for rents for the targeted units to be set as specified in subdivision (c).*
> >
> > *(B) The concession or incentive would have a specific, adverse impact, as defined in paragraph (2) of subdivision (d) of Section 65589.5, upon public health and safety or the physical environment or on any real property that is listed in the California Register of Historical Resources and for which there is no feasible method to satisfactorily mitigate or avoid the specific, adverse impact without rendering the development unaffordable to low-income and moderate-income households.*
> >
> > *(C) The concession or incentive would be contrary to state or federal law."*

Findings for denial of the incentive/concession <u>cannot</u> be made, as the increased density allowance is: 1) not contrary to state or federal law; 2) will not have a specific adverse impact upon public health and safety or on the physical environmental or on real property that is in the California Register of Historical Resources (the rear of the property is not historic and the three units are not within the historic main building); and 3) the without the incentive/concession the project is not economically feasible to construct (restoration/rehabilitation of the main building) and would render the construction of affordable housing unachievable.

The City is required to construct 24 "affordable housing" units under its assigned Regional Housing Needs Assessment (RHNA), of which 8 units shall be at the "moderate income" level. If entitled, this project would provide 50% (4) of the required

8 "moderate income" units; and nearly 16% (4 of 24) of the overall RHNA "affordable units" assigned to San Juan Bautista.

27) <u>APPEAL CONTENTIONS:</u>

Contention 1 – Housing.

The appellant contends that two units have been approved where 1.35 units would normally be allowed, and then two additional units have been granted in exchange for 8 years of restricted affordable housing. The appellant then contends that all four units would be access via a right-of-way corridor from Franklin Street.

Staff Response:

The appellant is correct in stating that a total of 4 units was approved on the project site. However, it should be clarified that all four units are proposed to be "affordable" at the Moderate Income rate, not just two units. The provision of 100% affordable housing triggers different right, incentives, and concessions, as detailed in Government Code 65915, which is intend to guide development of affordable housing in California.

As detailed in the December 3, 2019 Planning Commission Staff Report, and during the December 12, 2019 Planning Commission hearing, the project will provide 4 total units (1-2bd/2bth unit; 3-1bd/1bth units) all of which would be available as "affordable housing" at the "moderate income" level.

Under government code Section 65915(b)(1)(D), and 65915(f)(4), the applicant would qualify for a density bonus of 35%, and 1 entitlement/concession (by right) for the provision of the affordable housing at a level exceeding forty-percent (40%) of the total unit count.

The Mixed Use zoning classification allows densities between 8-15 units/acre, which would allow a baseline of approximately 1-2 units. A density bonus of 35%, as afforded through Section 65915, would allow 1 extra unit to be constructed, for a total of 3 units. However in this case, the applicant/developer is requesting to his entitled incentive/concession to allow one additional unit to be constructed on site, for a total of 4 units. The justification for this request, is due to the cost of the required restoration/rehabilitation of the historic structure. Without the ability to generate additional rental income/revenue from the residential portion of the development, the overall project is not economically feasible.

The appellant is correct that access to all housing units will be supplied via the right-of-way off Franklin Street, which is designed for pedestrian access only, and no vehicular access/parking will be provided in this area, due to health and safety

concerns. See the analysis/discussion pertaining to parking for additional information.

Contention 2 – Access to second story units.
The appellant contends that the outdoor access/staircase is not compatible with a building that is 150+ years old, since it is not an interior staircase. The appellant further contends that an exterior staircase will be intrusive on the quiet and privacy of Casa de Anza. Finally the appellant contends that the since the building will be sprinklered, an interior staircase should be safe in case of fire.

Staff Response:
See response to Contention 5(b) for information pertaining to additions to historic structures and the proposed exterior access/staircase.

Regarding effects to "quiet and privacy of Casa de Anza", the proposed project is located within the Mixed Use zone, which allows structures of three (3) stories and fifty (50) feet in height. The project is proposed at two (2) stories and below fifty (50) feet. Additionally, the project and all uses will need to be in compliance with the San Juan Bautista noise limitations. The project has been conditioned to install down-lit lighting and reduce glare on adjacent properties.

The appellant is correct that the project is required to install fire sprinkler throughout all construction areas, to comply with fire protection codes. It is irrelevant if proposed staircases are located internally or externally, as they may pertain to fire code compliance/safety.

Contention 3 – Entitlements.
The appellant contends that Staff interpreted the previous 2017 (Burda) entitlement incorrectly, and is treating the entitlement be for a physical structure, rather than proposed uses. The appellant further contents that if this proposed project is approved, it may be further used to leverage a different larger project.

Staff Response:
Staff analysis regarding the 2017 (Burda) entitlement was intended to provide a factual basis on past City actions and approvals. The current project is similar to the prior entitlement in terms restoration/rehabilitation of the main building, uses (commercial/residential), and general size. The December 3, 2019 Planning Commission Staff Report provides an analysis of the 2017 versus 2019 proposals.

If the 2019 project approval is upheld it would simply permit the restoration/rehabilitation of the main building, uses (commercial/residential) and size of the development. If the 2019 project is not constructed, and remains valid, it would not approval a larger project/development, but could be used to

analyze/compare any future projects. Regardless, any future projects would need to stand-alone and would need to be found consistent with applicable zoning, general plan, and development standards.

The 2017 entitlement does not allow the 2019 project. The 2019 project was been reviewed, analyzed, and considered, by the Planning Commission, based on its own merits.

Contention 4 – Parking.
The appellant contends that no off-street parking can be provided on the Casa Rosa site. The appellant contents Staff stated that only 3 parking spaces is required for 4 housing units. Further the appellant states that the parking ordinance allows all parking spaces within 150-feet of the project site to be counted towards required parking, and contents that housing that the site should require a permanent long-term parking solution. The appellant states that staff cited that "public parking lots" were available along Washington Street (between Second and Third) and the school district's hockey field (along the Alameda), and that in fact these two parking areas are not "public". The appellant contents that at a minimum, parking in-lieu fees should be required to be paid, and the money generated should be uses to acquire public lots or lease private lots.

Staff Response:
The December 3, 2019 Planning Commission Staff Report, and Staff's presentation during the December 12, 2019 Planning Commission hearing, provided a throughout analysis of parking zoning requirements, and how the proposed project could be consistent. Staff did present that spaces are available within 150-feet of the project site [11-11-120(a)], within 400-feet of the project site [11-11-120(b)], and the applicability of parking in-lieu fees [11-11-120(f)]. Ultimately the Planning Commission determined that the project was consistent with all applicable parking regulations and would not be required to pay any parking in-lieu fees.

See the December 3, 2019 Planning Commission Staff Report for the full analysis of parking and project compliance.

Contention 5 – Secretary of Interior Standards NOT Met.
The appellant states that CEQA review may <u>only</u> be waived in a project is in compliance with the Secretary of Interior Standards. The appellant believe the project does not comply for the following reasons:

a) Preservation of Historic Fabric and Character Defining Features.
The appellant states that the Casa Rosas is an important historic structure. The appellant contends that the current project would "remove siding, the delicate Victorian detail on

front overhang, and probably remove the historic doors", leaving nothing historic but pink paint.

Staff Response:
The appellant is correct in saying that Casa Rosa is a historic structure. The City of San Juan Bautista previously identified the Casa Rosa as a historic resource within the downtown area. Staff concurs and identified the Casa Rosa as a designated historic structure, and explains the permitting process and requirements for historic structures in the December 3, 2019 Planning Commission Staff Report.

The appellant is not correct in claiming that the propose project would remove siding, remove the details on the front overhang (porch), and/or remove the historic doors. The project was designated, reviewed, and conditioned to restore the historic features of the main building, under the strict guidance of the 2017 historic report/analysis prepared by Garavaglia Architects (Rebecca Salgado). In order to comply with the guidance found in the 2017 report, none of the original siding, original doors, or details of the overhang (porch) are allowed to removed, and should be reconditioned/rehabilitated, unless damaged beyond repair, in which case all removed material(s) need to be replaced with identical material(s), features, and details. Conditions 22 through 24 of the original approval address historic resources and rehabilitation/restoration on the project site.

The proposed project would rehabilitate/restore the building and features consistent with the recommendation of the 2017 Historic Report, which outlines how to restore and/or rehabilitate the main building in a manner consistent with the Secretary of Interior Standards, the project can be considered to be compliant and consist with Section 15331 of the California Environmental Quality Act (CEQA), which explicitly exempts project involving restoration/rehabilitation of historic structure, the proposed use of the CEQA exemption detailed in the December 12, 2019 Planning Commission Staff Report and attached Resolutions is appropriate and valid.

b) Stairs.
The appellant contends that removal of the existing interior staircase is not appropriate and the staircase should be retained and incorporated into the building, potentially as lobby entry to separate it from the commercial use. The appellant further contends that the proposed exterior staircase in the rear of the property (to serve the residential units) should in constructed to be interior, as would have been typical of the 1870's.

Staff Response:

The 2017 Garavaglia report does not identify the main building interior staircase as being historical in any way, nor holding historical value as a feature. As such, the proposed removal of the staircase would not in violation of the Secretary of Interior Standards, and could be proposed for removal.

The Secretary of Interior Standards pertaining to new additions states:

> *"New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment." (Standard 9)*

The proposed rear addition (residential units, utility closet) will be minimally visible from the public thoroughfare, will be differentiated from the main building by using slightly different siding configuration(s) and roof treatment(s), and the addition(s) will not affect any historic character-defining features on the reconstructed/rehabilitated main building. For these reasons, the proposed project and rear area addition(s) are considered to be compliant with Standard 9.

c) Compatibility of New Addition.

The appellant provides an uncited/undocumented quote, which states:

> "A new addition must preserve the building's historic character, form, significant materials, and features. It must be compatible with the massing, size, scale, and design of the historic building while differentiated from the historic building. It should also be designed and constructed so that the essential form and integrity of the historic building would remain if the addition were to be removed in the future. There is no formula or prescription for designing a compatible new addition or related new construction on a site, nor is there generally only one possible design approach that will meet the Standards."

Staff Response:

The appellant does not provide the source for quote. Staff cannot validate or analyze the quote for context or accuracy. Without this information, Staff cannot provide guidance on the quote.

See Response 5(b) above for how the proposed rear addition will be consistent with Standard 9 of the Secretary of the Interior Guideline for historic properties.

d) Historic Context.

The appellant provides an uncited/undocumented quote, which states:

> "New construction should be appropriate scaled and located far enough away from the historic building to maintain its character and that of the site and setting."

The appellant states that the Project wraps around the historic Anza Adobe (which she owns and lives in) and she has worked hard to preserve and restore. The appellant contends that the Project will drastically impact the setting of the Adobe, but does not provide evidence to support the claim.

Staff Response:
The appellant does not provide the source for quote. Staff cannot validate or analyze the quote for context or accuracy. Without this information, Staff cannot provide guidance on the quote.

The appellant does not provide evidence or documents to support the claim that the Project will affect her historic property. Staff cannot respond to undocumented and/or supported claims.

The Project is consistent with the development standards (height, stories, setback, coverage, and Floor-Area-Ratio (FAR) for the Mixed Use Zoning designation.

NOW THEREFORE, BE IT RESOLVED that the City Council of the City of San Bautista approves the Site and Design Review Application (SDR 2019-03) for the mixed use development consisting of a restaurant, bar, and 4 residential units (1-2 bed/2 bath unit and 3 – 1 bed/1 bath units), located at 107 Third Street (APN: 002-021-004) San Juan Bautista, subject to the Conditions of Approval attached as **Exhibit A** and in substantial conformance to the plans attached as **Exhibit B**.

PASSED AND ADOPTED by the City Council of the City of San Juan Bautista on this 21st day of January, 2020, by the following vote:

AYES: **DeVries, Freeman, Jordan, Flores, Edge**

NOES: **None**

ABSENT: **None**

ABSTAIN: **None**

Mary V. Edge, Mayor

ATTEST:

Trish Paetz, Deputy City Clerk

EXHIBIT A
CONDITIONS OF APPROVAL

1) All Conditions of Approval shall be placed as "Notes" and shown on a separate sheet of all proposed building and/or grading plans.

2) The Applicant/Owner shall enter into an Indemnification and Hold Harmless Agreement with the City of San Juan Bautista for the approval of the proposed project. The Applicant/Owner shall be responsible to pay fees for all review time and City/Legal costs prior to recordation and acceptance of the document.

3) The Applicant/Owner shall enter into an Affordable Housing Agreement for the restriction of all units to be rented at the "Moderate Income" level. The Affordable Housing agreement shall be reviewed, signed and notarized by both the City and Applicant prior to recordation. The Applicant/Owner shall be responsible to pay fees for all review time and City/Legal costs prior to recordation and acceptance of the document.

4) Prior to issuance of a building and/or grading permit, the Applicant/Owner shall submit a landscaping and irrigation plan to the City for review and approval by the City Manager.

5) The Applicant/Owner shall submit an on-site lighting plan conforming to the City's "Dark Sky" regulations and provided hooded shield deflectors on all lighting fixtures. All lighting within the inner courtyard shall be directed downward or deflected in a direction/manner away from adjacent residential homes. All on-site exterior lighting shall be equipped with warm white illumination.

6) The Applicant/Owner shall obtain appropriate encroachment permit(s) for all work required within the City of San Juan Bautista public right of way.

7) The Applicant/Owner shall install/upgrade the domestic water, fire sprinkler, and monitoring service to each residential unit and commercial use within the proposed project. The applicant shall comply with all requirement within the Fire Code and/or those determined to be appropriate by the Fire Chief.

8) Prior to issuance of a building permit, the Owner/Applicant shall ensure that a complete One-Hour separation wall/ceiling from the first floor to the second floor has been shown on the proposed plans.

9) The proposed kitchen in the restaurant on the first floor shall be determined if it is a commercial kitchen. A Class One Hood shall be required if the kitchen is a commercial kitchen.

10) The occupancy load needs to be determined for the proposed restaurant. If the occupancy load is 50 or above, two exits to the Public Right-of-Way shall be provided.

11) Prior to issuance of construction permits, the Owner/Applicant shall ensure each residence has its own water meter. All meters (size and services) shall be clearly shown on the proposed plans.

12) Mail service for all residential units of the project shall be picked up at the Post Office located in the Windmill Market complex. The Applicant/Owner shall work with the City and the Post Office to ensure that separate addresses are assigned to each residential unit (4 in total) and each commercial use (1 in total).

13) The Applicant/Owner shall submit to the Planning Department an application for all temporary on-site sales/rental signs and/or business signs for marketing purposes of both the residential and commercial use of the site. Such application(s) may include approval of a sign permit(s).

14) The Applicant/Owner shall have the following note placed on all construction drawings and plans:

    "If prehistoric archaeological resources or human resources are unexpectedly discovered during construction, work shall be immediately halted within 10 meters (25 feet) of the find until it can be evaluated by a qualified professional archeologist. If the find is determined to be significant, appropriate measures shall be formulated and implemented."

15) The Applicant/Owner shall submit to the City a solid waste disposal plan for all solid waste material disposed of from the project site.

16) The Applicant/Owner shall submit a copy of the permit from the Monterey Bay Air Resources District (MBARD) any demolition and/or construction activities.

17) Prior to occupancy of the residential and/or commercial use(s), a final building inspection shall be performed by the City.

18) Prior to issuance of a building permit, school impact fees shall be paid to the Aromas-San Juan school District, for the residential uses. A copy of such payment shall be submitted to the City.

19) All residential units shall be constructed and designed to allow future solar conversions.

20) The Applicant/Owner shall show undergrounding of all utilities (electrical, water, sewer, gas, telephone/internet, cable) on improvement and construction plans.

21) The Applicant/Owner shall provide sound reduction-type windows on all residential units (except the front of the historical building).

22) The Applicant/Owner shall follow the recommendations and preservation/rehabilitation standards found within the "Secretary of the Interior's Standard Review" (Historical Report) prepared by Garavaglia Architects on March 24, 2017. Any deviation of the recommendations and/or standards contained in this report will require review by the City of San Juan Bautista Historical Review Board and Planning Commission.

23) The Applicant/Owner shall NOT use the historic balcony as "occupied space" or as a porch/deck. The historical architectural design and features of the balcony shall be retained and restored/rehabilitated, pursuant to the recommendations found in the Historical Report prepared on March 24, 2017 by Garavaglia Architects.

24) The Applicant/Owner shall retain the existing chimney on the exterior of the historical structure. The chimney shall be abandoned and sealed from interior use, and structurally re-enforced/strapped, per the recommendations of a qualified structural engineer. The Owner/Applicant shall bear all responsibility and cost for the preservation of this feature.

25) Construction on the site shall be restricted to the hours of 7:00 AM to 6:00 PM (Monday through Friday) and 8:00 AM to 5:00 PM (Saturday). No construction shall be allowed on Sundays or Federal Holidays.

26) The applicant shall select mechanical equipment to meet applicable noise standard. To be considered "Normally Acceptable" mechanical noise would need to be limited to DNL 60 dB at the nearest residential property line.

27) All truck deliveries to the site that require the use of back-up alarms shall be limited to daytime hours only.

28) All grading permits shall reference specific City of Hollister Design Standards for storm drains, water laterals, sewer cleanouts, storm drain inlets and other public improvements. (http://hollister.ca.gov/government/city-departments/engineering/engineering-standards/)

29) Any required erosion control measures including construction entrance and inlet protection along Third Street shall be shown on the grading permit(s).

30) Prior to issuance of a grading and/or building permit, the Applicant/Owner shall provide detailed cost estimate for all construction within public right-of-way (Utilities, drainage, sidewalk, driveway approach, etc.). Proposed plans shall show replacement of any broken sidewalk(s) along the property frontage(s).

31) Prior to issuance of a building permit, the Applicant/Owner shall show location of storage of trash, recycle and green waste containers.

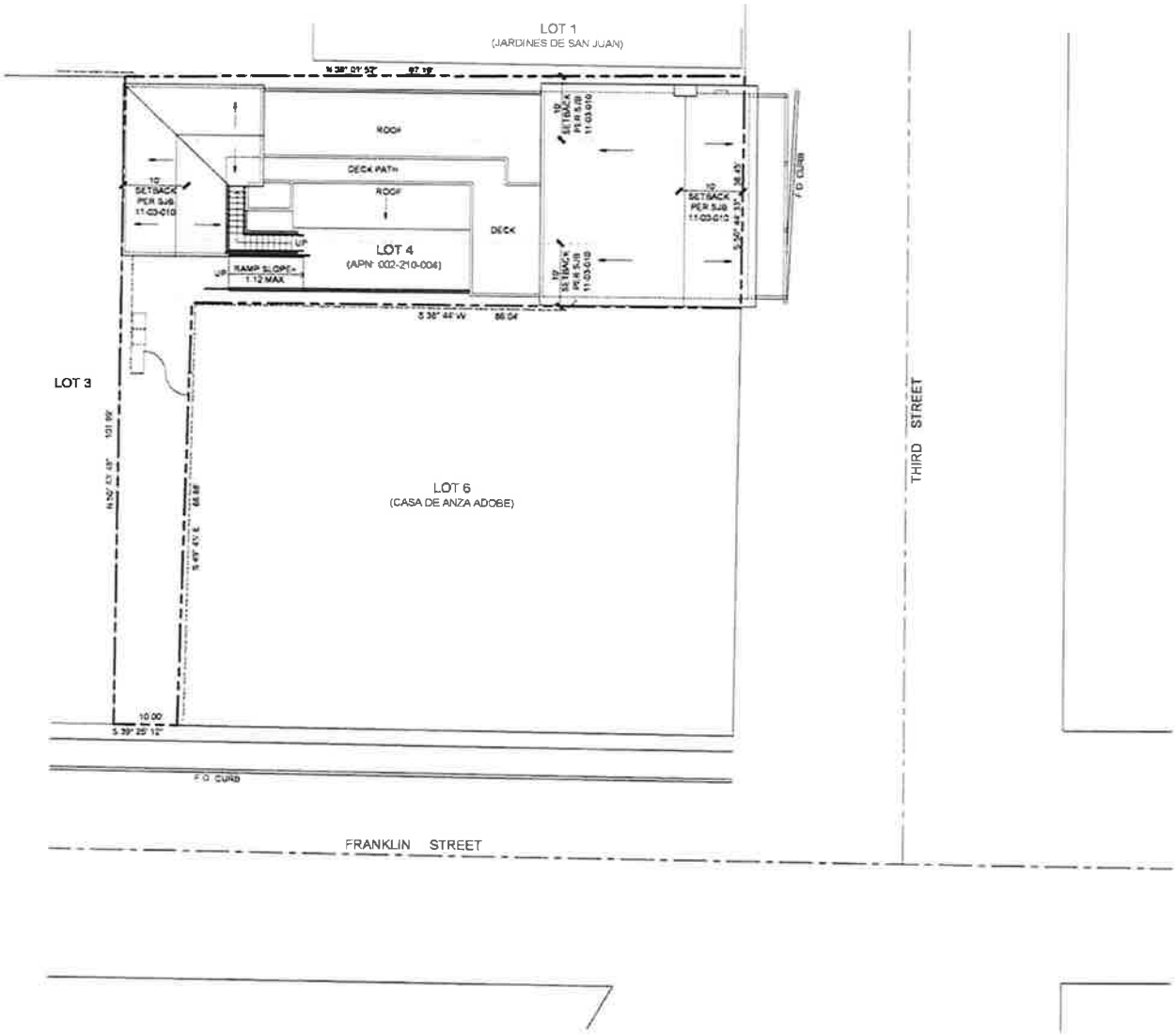
32) All retail/restaurant uses within the Casa Rosa main building shall be done in compliance with Section 11-04-110 of the San Juan Bautista Municipal Code. Any future retail/restaurant use(s) of a "large scale retail, formula retail/restaurant" shall be subject to additional discretionary review by the Planning Commission, pursuant to additional application(s) and appropriate fee(s) for each proposed "large scale retail" and/or "formula retail/restaurant" use.

33) Prior to issuance of building permits, the Owner/Applicant shall prepared full plans, including site plan, elevations, and proposed colors boards (paint, materials, etc.) and submit plans to San Juan Bautista planning staff for routing to the Planning Commission for consideration and final approval.

34) Any commercial/business use conducted within the mixed use portion of the building, shall be consistent/compliant with the noise restrictions of the City of San Juan Bautista. Additional business hours, including deliveries, shall be limited to no later than 10pm Monday – Sunday, 365 days/year.

35) Prior to issuance of a grading and/or building permit, the Owner/Applicant/Developer shall comply with one of the following: 1) pay a parking in-lieu of $25,000.00 directly to the City for future use of supplying public parking lots/spaces and/or structure; or 2) provide evidence to the City Manager of an execute agreement/lease (minimum of 5 year term) for three dedicated off-site parking spaces within close proximity to the Casa Rosa development site.

36) Prior to issuance of a grading and/or building permit, the Owner/Applicant/Developer shall clearly identify the location of a trash enclosure/collection area and evidence of agreement for solid waste management services from the appropriate provider. Design and placement of the trash enclosure/collection area shall comply with all City design standards.



1 SITE PLAN
SCALE: 1/8" = 1'-0"

SHEET NOTES

1. PROPERTY LINES & EXISTING STRUCTURE ARE BASED ON A SURVEY PREPARED BY SAN BENITO ENGINEERING & SURVEYING, INC., DATED 2/15/2017

2. REQUIRED ATTIC VENTILATION PER 2016 CBC 1203.2.

FRONT ATTIC
AREA: 31'X31' = 961 SF
REQ'D VENTILATION:
961 SF / 150 = 6.4 SF = 921.6 SQ IN
FURNISHED VENTILATION
(LOW) IN VENT-BOTH EAVES)
6.75 SQ IN / LF x 62 LF = 418.5 SQ IN
FURNISHED VENTILATION
(HIGH) COR-A-VENT V-400E:
17 SQ IN / LF x 31 LF = 527 SQ IN
TOTAL
527 SQ IN + 418.5 SQ IN = 945.5 SQ IN

KITCHEN ATTIC
AREA: 44.5'x14.5' = 645 SF
REQ'D VENTILATION:
645 SF / 150 = 4.3 SF = 619.2 SQ IN
619.2 SQ IN / 3 = 206 SQ IN / VENT
(TOTAL OF 3)
FURNISHED VENTILATION
A = (3.14) r² ; r = SQ ROOT(A /3.14)
= SQ ROOT (206 / 3.14)
= 8" R; USE 16" Ø VENT

REAR ATTIC
AREA: 436 SF (L SHAPED ATTIC)
REQ'D VENTILATION:
436 SF / 150 = 2.9 SF = 418 SQ IN
FURNISHED VENTILATION
(2 GABLE END OPENINGS)
418 SQ IN / 2 = 209 SQ IN
= 16" x 16" SQ IN GABLE END VENT
TOTAL:
512 SQ IN (GROSS)

3. REQUIRED UNDER FLOOR VENTILATION PER CBC 1203.4

AREA
FRONT: 31'x31' = 961 SF
REAR DINING ROOM / KITCHEN: 915 SF
(IRREGULAR SHAPE)
TOTAL = 1,867 SF

REQUIRED VENTILATION OPENINGS:
1,875 SF / 150 = 12.5 SF
TOTAL VENT AREA

FURNISHED OPENINGS:
TYP. FDN. VENT
= 6"x14" = 84 SQ IN = .5 SF
12.5 SF / .5 SF / VENT
= 21 FDN. VENTS TOTAL
ARRANGE TO PROVIDE
REQ'D CROSS-VENTILATION

KEY NOTES

1. TWO-STORY EXISTING BUILDING RESTAURANT ON 1ST FLOOR, RESIDENTIAL ON 2ND FLOOR
2. ONE-STORY BUILDING: RESTAURANT KITCHEN & SUPPORT AREAS
3. 2ND STORY REAR ADDITION OVER GARAGE
4. 2ND FLOOR ROOF DECK
5. PARAPET WALL, TO CONCEAL MECHANICAL EQUIPMENT. ALIGN HEIGHT W/PATIO SIDE
6. (E) BALCONY OVER SIDEWALK
7. (E) BRICK PAVING, EXPANDED FOR DRIVEWAY USE.
8. ELECTRICAL SERVICE ENTRANCE
9. (N) TRASH CONTAINER LOCATION
10. (N) RAMP
11. (E) WD. FENCE
12. COMPOSITION SHINGLE ROOFING
13. CAP SHEET ROOFING
14. ACCESSIBLE PATH OF TRAVEL
15. PRECAST CONC. STAIRS

Exhibit B
Page 1 of 5

GARAVAGLIA ARCHITECTURE
502 MARKET STREET
SUITE 100
SAN FRANCISCO, CA 94104
T: 415.371.9611

16th THIRD STREET
SAN JUAN BAUTISTA
REMODEL

SITE PLAN
PROPOSED

JOB NO. 2016-08
SCALE AS NOTED
DATE 11.09.2018
DRAWN CG
CHECKED AG

NO.	DATE	REVISION
	11.09.2018	PLANNING SUBMITTAL

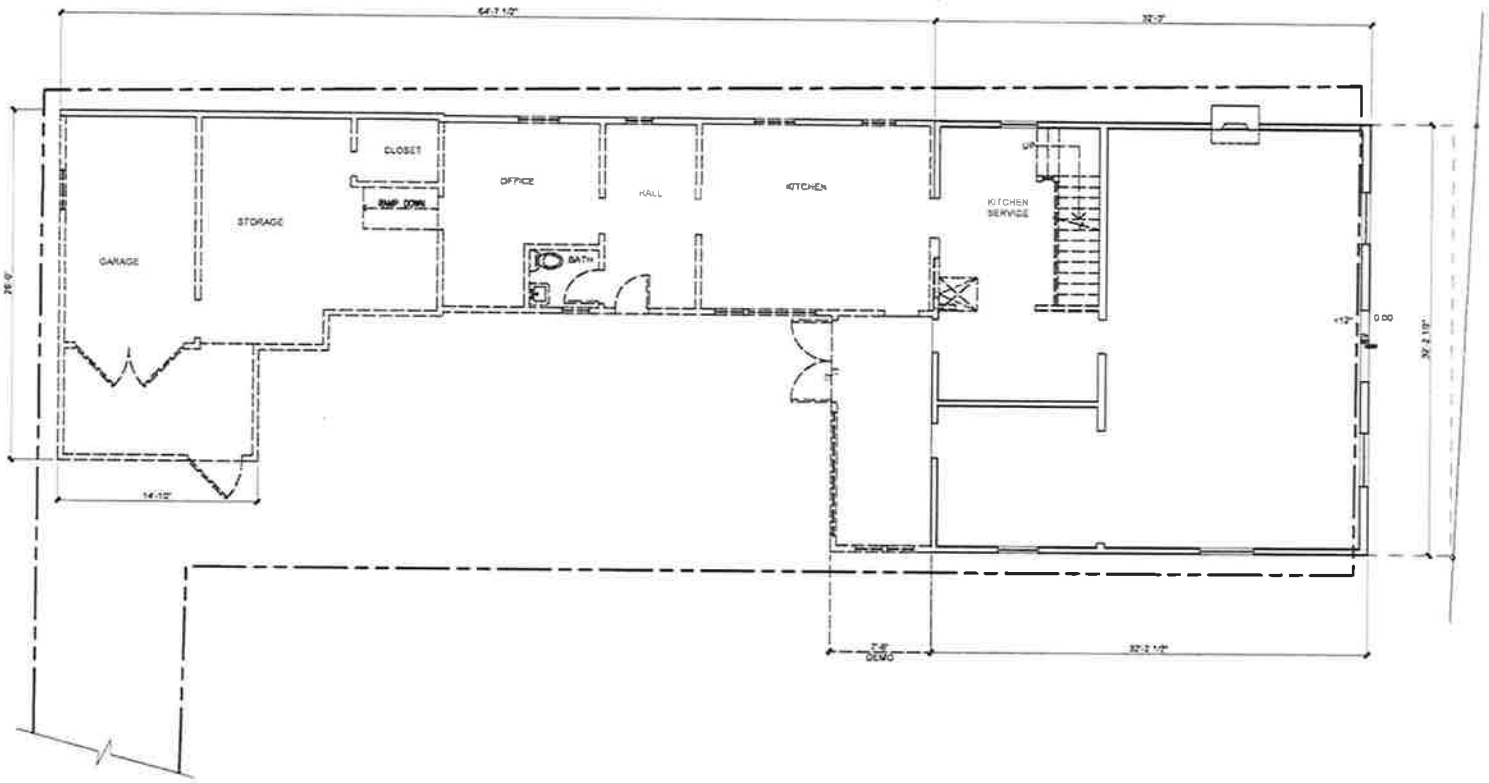
SHEET NO.
A-1.11

SHEET NOTES

1. **PROTECT IN PLACE ALL EXISTING (E) ELEMENTS TO REMAIN, TO PREVENT** DAMAGE DURING DEMOLITION OF ADJACENT AREAS
2. REMOVE & OFF-HAUL (E) BUILDING ELEMENTS SHOWN DASHED AS DEMOLITION, OR AS NOTED, INCLUDING PARTITIONS, DOORS, FLOOR / ROOF FRAMING & CASEWORK.
3. PROTECT IN PLACE ALL (E) FLOORING TO REMAIN, U O N
4. SALVAGE (E) BOARD & BATTEN SIDING TO THE GREATEST EXTENT POSSIBLE FOR REINSTALLATION ON EXTERIOR WALLS
5. REMOVE (E) ROOFING DOWN TO (E) SHEATHING
6. REMOVE ALL (E) MECHANICAL EQUIPMENT, U O N
7. REMOVE (E) INTERIOR PANELS, WIRING, LIGHTING & OTHER ELECTRICAL EQUIPMENT, U O N
8. REMOVE (E) PLUMBING FIXTURES, FITTINGS, PIPING & HOT WATER HEATERS, U O N
9. **REMOVE MISCELLANEOUS NON-REAL** PERSONAL PROPERTY, U O N
10. COORDINATE DEMOLITION DRAWINGS W/STRUCTURAL DRAWINGS FOR LOCATIONS OF NEW (N) FOOTINGS, SHEAR WALLS & OTHER STRUCTURAL ELEMENTS
11. ALL (E) HISTORIC WINDOWS & DOORS, TRIM & OTHER SIMILAR ELEMENTS ARE TO REMAIN IN PLACE, U O N
12. COORDINATE STORAGE LOCATION WITH OWNER FOR ANY DEMOLITION ITEMS TO BE SALVAGED

KEY NOTES

1. REMOVE (E) HEARTH & FACE OF FIREPLACE BACK FLUSH W/ F.O.S
2. PROTECT IN PLACE ALL (E) STEPS TO REMAIN AT BUILDING ENTRANCE.
3. REMOVE (E) WINDOWS & TRIM
4. PROTECT (E) WINDOW.
5. REMOVE BUILT-OUT BASE IN FRONT OF (E) DOORS; PROTECT (E) DOORS
6. REMOVE FURRING
7. REMOVED PORTION OF STRUCTURE TO BE REBUILT



1 FIRST FLOOR PLAN
SCALE: 1/4" = 1'-0"

REF N

0 1 2 4 8

CARAVAGLIA ARCHITECTURE
460 MARKET STREET
SUITE 300
SAN FRANCISCO, CA 94104
T 415.362.2633
F 415.362.2635
www.caravaglia.com

96 THIRD STREET
SAN JUAN BAUTISTA
REMODEL

FLOOR PLAN
FIRST
EXISTING / DEMO

JOB NO. 2013.08
SCALE AS NOTED
DATE 12 SEPT 2014
DRAWN CG
CHECKED AC

NO.	DATE	REVISION
	12 SEP 2014	PLANNING SUBMITTAL

SHEET NO
A-201

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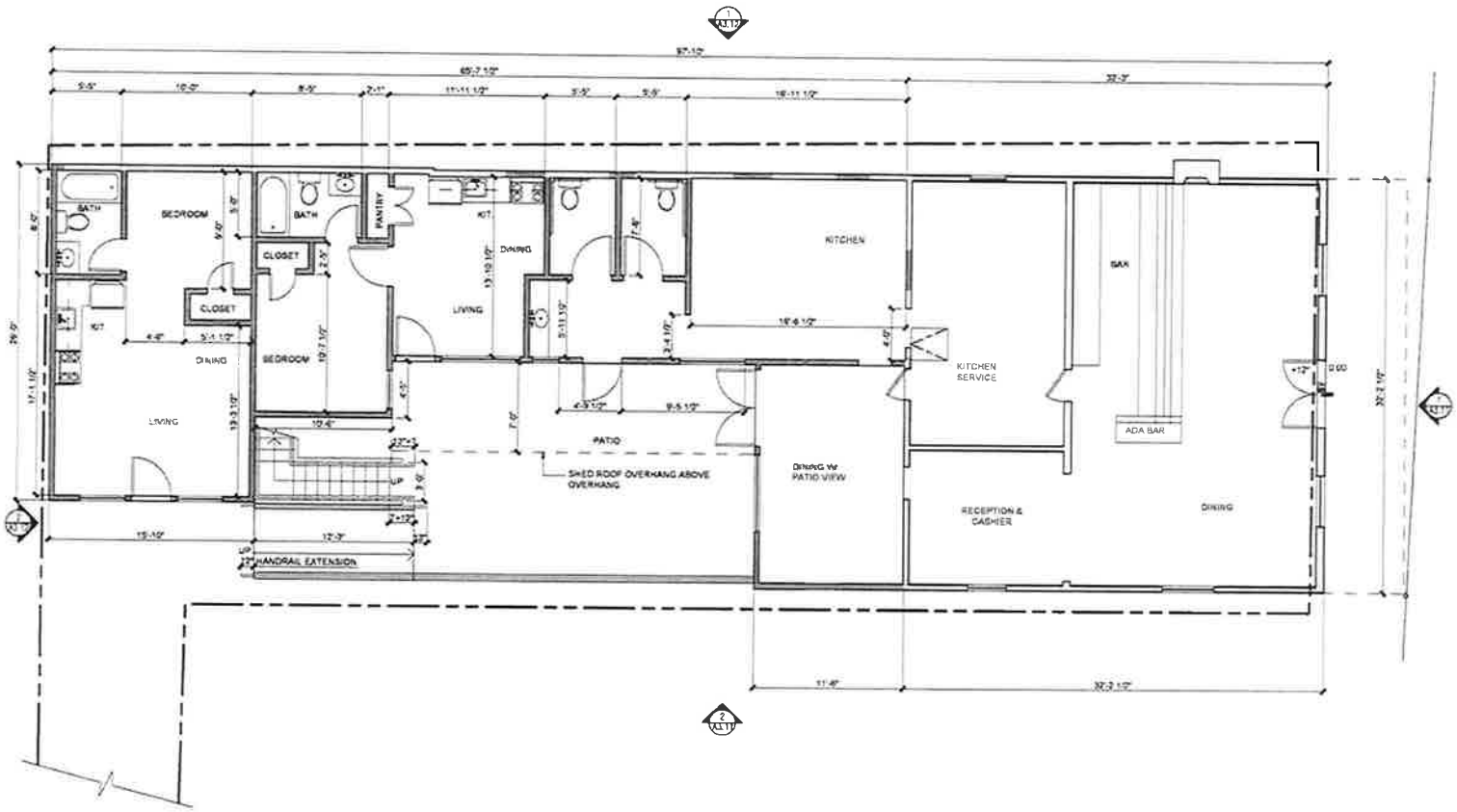
SHEET NOTES

1. PROTECT IN PLACE ALL EXISTING (E) ELEMENTS TO REMAIN, TO PREVENT DAMAGE DURING CONSTRUCTION OF (N) PROPOSED ADJACENT AREAS
2. COORDINATE PROPOSED SCOPE OF WORK W/ ENGINEERING DRAWINGS FOR LOCATIONS OF NEW (N) FOOTINGS, SHEAR WALLS & OTHER BUILDING ELEMENTS
3. ALL (E) HISTORIC WINDOWS & DOORS, TRIM & OTHER SIMILAR ELEMENTS ARE TO REMAIN IN PLACE & BE PROTECTED FROM DAMAGE FOR THE DURATION OF CONSTRUCTION U O N

KEY NOTES

1. EDGE OF BALCONY OVERHANG, ABOVE
2. INSTALL (N) WALL FINISH OVER (E) FIREPLACE OPENING.
3. (N) EXT. SIDING TO MATCH & ALIGN W/ (E) ADJACENT SIDING.
4. (N) PERMEABLE PAVING MAX SLOPE: 2% SLOPE TO DRAIN
5. ADD REQUIRED FIRE PROTECTION AT WINDOWS AND EXTERIOR WALLS ADJACENT TO SIDE AND REAR PROPERTY LINES, PER 2016 CHBC 8-402.1
6. METAL RAILING
7. CRAWL SPACE ACCESS



1 FIRST FLOOR PLAN
SCALE 1/4" = 1'-0"

REF N

Exhibit B
Page 3 of 6

GARAVAGLIA ARCHITECTURE

[redacted]

SAN JUAN BAUTISTA
REMODEL

[redacted]

FIRST
PROPOSED

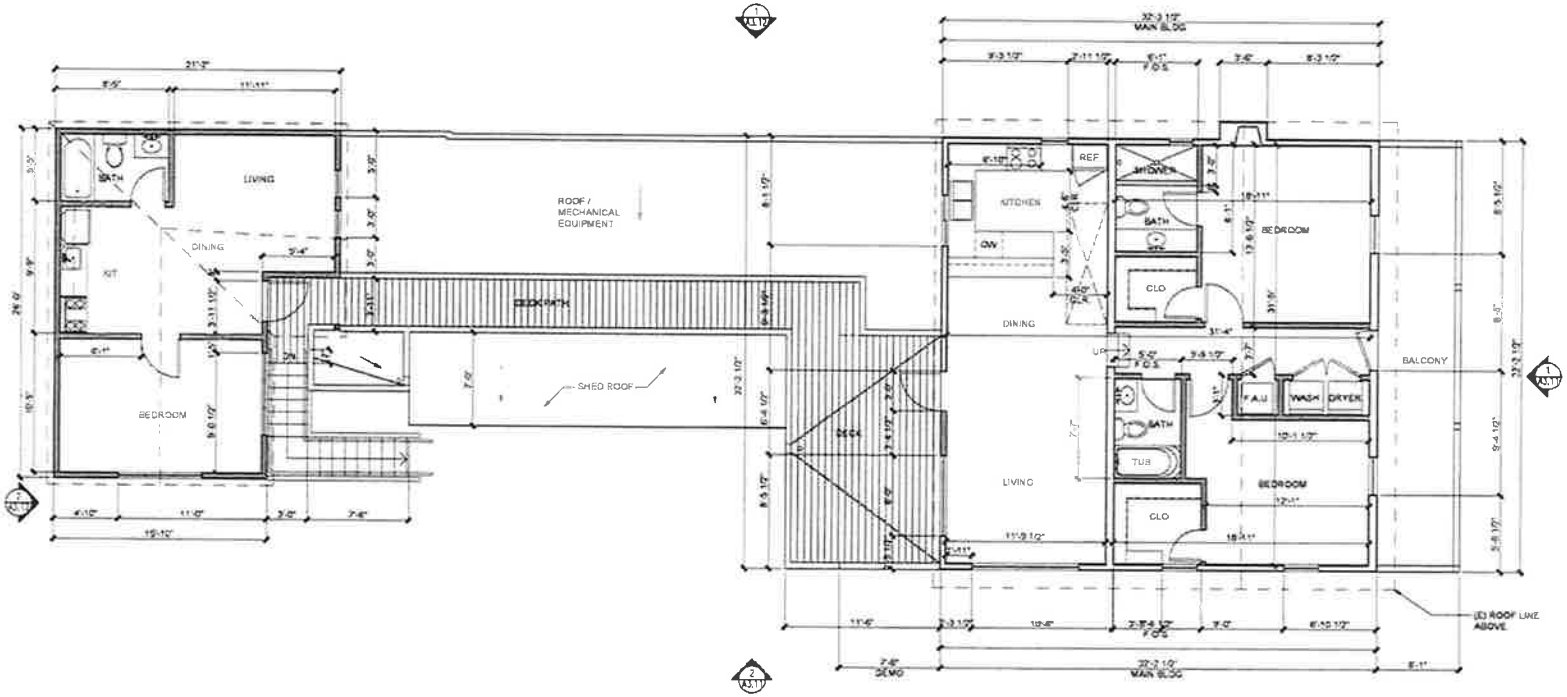
SHEET NO.
A-2.11

SHEET NOTES

1. PROTECT IN PLACE ALL EXISTING (E) ELEMENTS TO REMAIN, TO PREVENT DAMAGE DURING CONSTRUCTION OF (N) PROPOSED ADJACENT AREAS
2. COORDINATE PROPOSED SCOPE OF WORK W/ ENGINEERING DRAWINGS FOR LOCATIONS OF NEW (N) FOOTINGS, SHEAR WALLS & OTHER BUILDING ELEMENTS
3. ALL (E) HISTORIC WINDOWS & DOORS, TRIM & OTHER SIMILAR ELEMENTS ARE TO REMAIN IN PLACE & BE PROTECTED FROM DAMAGE FOR THE DURATION OF CONSTRUCTION, U O K

KEY NOTES

1. EDGE OF ROOF OVERHANG, 8" OVERHANG TYP. AT (N) REAR 2ND-STORY ADDITION
2. INSTALL (N) WALL FINISH OVER (E) FIREPLACE OPENING.
3. ROOF RIDGE ABOVE
4. (N) CAP SHEET ROOFING BELOW DECKING, O/ (N) STRUCTURAL SHEATHING MINIMUM 1/4"/FT SLOPE TO DRAIN
5. (N) 42" HIGH GUARD WALL
6. (N) 36" WIDE BLIND GATE, WITH WD CAP AND FINISH SIDING TO MATCH ADJACENT PARAPET WALL
7. (N) ROOF DRAIN W/ OVERFLOW THRU-WALL SCUPPER
8. (N) WD PALLETIZED DECKING
9. PATCH FLOOR AT FORMER STAIRS
10. REPAIR (E) BALCONY OVER SIDEWALK
11. (N) STAIRS W/ HANDRAILS
12. ALIGN T O PARAPET W/ T O GUARD @ DECK
13. DOOR TO BE KEPT LOCKED, NO ACCESS TO FRONT BALCONY
14. ADD REQUIRED FIRE PROTECTION AT WINDOWS AND EXTERIOR WALLS ADJACENT TO SIDE AND REAR PROPERTY LINES, PER 2016 CHBC R-302 1
15. METAL RAILING



1 SECOND FLOOR PLAN
SCALE 1/4" = 1'-0"

GARAVAGLIA ARCHITECTURE

16th THIRD STREET
SAN JUAN BAUTISTA
REMODEL

FLOOR PLAN
SECOND
PROPOSED

SHEET NO
A-212

SHEET NOTES

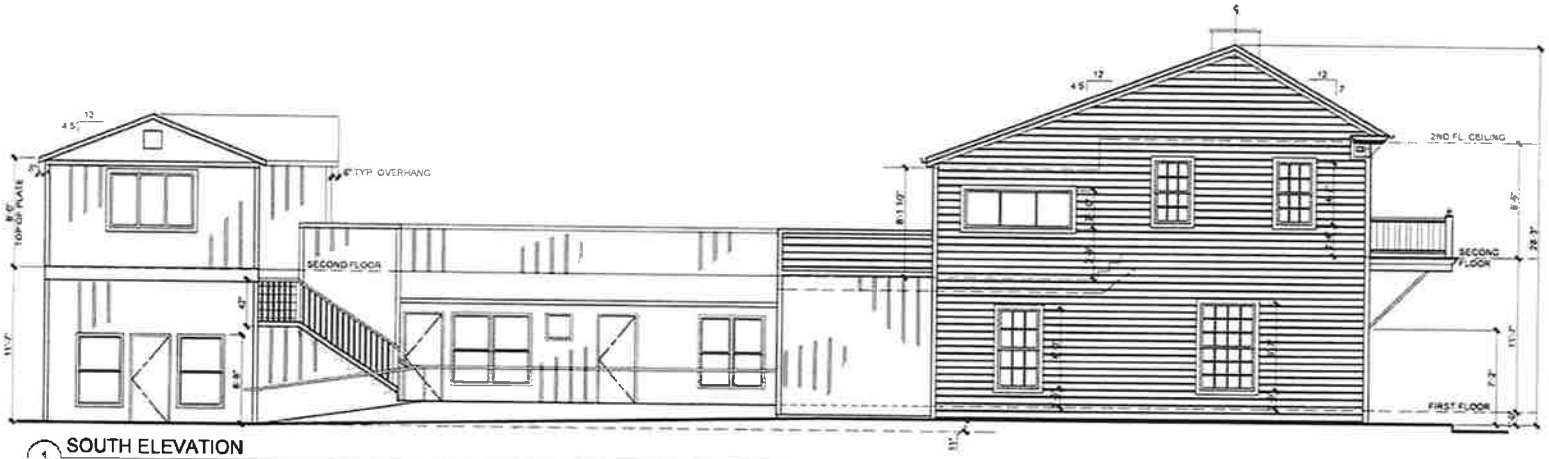
1. PROTECT IN PLACE ALL EXISTING (E) ELEMENTS TO REMAIN, TO PREVENT DAMAGE DURING CONSTRUCTION OF (N) PROPOSED ADJACENT AREAS
2. PROTECT IN PLACE ALL (E) EXTERIOR ROOF OVERHANGS & OTHER TRIM, U O N
3. COORDINATE PROPOSED SCOPE OF WORK W/ ENGINEERING DRAWINGS FOR LOCATIONS OF (N) STRUCTURAL & OTHER BUILDING ELEMENTS
4. ALL (E) HISTORIC WINDOWS & DOORS, TRIM & OTHER SIMILAR ELEMENTS ARE TO REMAIN IN PLACE & BE PROTECTED FROM DAMAGE FOR THE DURATION OF CONSTRUCTION, U O N

KEY NOTES

1. (E) WD. SIDING, REPAIR AS REQUIRED
2. (N) WD. BOARD-&-BATTEN SIDING TO MATCH PROFILE OF (E).
3. (E) FRONT BALCONY OVERLOOKING STREET, REPAIR AS REQUIRED
4. 42" HIGH GUARD WALL
5. ALIGN T O PARAPET W/ T O GUARD @ DECK
6. (N) LAP SIDING
7. (N) SHED ROOF
8. THRU-WALL OVERFLOW SCUPPER
9. (N) "CARRIAGE STYLE" SECTIONAL OVERHEAD GARAGE DOOR
10. (N) WOOD WINDOWS
11. (N) HANDRAIL @ RAMP
12. REPAIR (E) DOORS, ADD FULL PERIMETER WEATHER STRIPPING AND FIXED CLOSED
13. RIDGE VENT SEE DET 13/A-601
14. GABLE END ATTIC VENT

Exhibit B
Page 6 of 6

CARAVAGLIA ARCHITECTURE



1 SOUTH ELEVATION
SCALE: 1/4" = 1'-0"

2 EAST ELEVATION
SCALE: 1/4" = 1'-0"

0 1' 2' 4' 8'

[redacted]
SAN JUAN BAUTISTA
REMODEL

[redacted]
PROPOSED

SHEET NO
A-3.11

David Mack

From: Raeid Farhat <raeid@raeidfarhat.com>
Sent: Thursday, February 4, 2021 2:31 PM
To: Don Reynolds; David Mack
Subject: [External]Casa Rosa

Follow Up Flag: Flag for follow up
Flag Status: Flagged

Don/Dave

I'd like to ask the council to reconsider one the conditions of approval they gave with regards the fee that they mandated I pay if I couldn't additional parking.

With the current market conditions we have faced due to COVID19 and the economic affect it has had and will continue to have, I find the chances of securing a commercial tenant at this time to be slim to known. Further more SJB has took measuring to reducing parking on 3rd St by making it a one way street.

What steps would I need to take to accomplish this?

Please advise

Regards-
--
Raeid Farhat

direct | 831.840.3902
office | 831.728.0555
raeid@raeidfarhat.com | raeidfarhat.com
734 E. Lake Ave. Suite 9 | Watsonville CA 95076

Sent from a mobile device. Please excuse typos and brevity.

CITY OF SAN JUAN BAUTISTA
CITY COUNCIL

AGENDA TITLE: **AGREEMENT WITH MICROVI BIOTECH, INC. TO CONDUCT A DEMONSTRATION PROJECT THAT REMOVES NITRATES FROM WELL WATER**

MEETING DATE: March 16, 2021

SUBMITTED BY: Don Reynolds, City Manager

RECOMMENDED ACTION:

Approve the attached Resolution authorizing the City Manager to execute an Agreement with Microvi Biotech Inc. ("Microvi") to conduct a demonstration of their technology that removes nitrates from well water.

BACKGROUND

The City has and continues to struggle with the control of its source of groundwater for drinking. Recently it committed to explore the import of source water for drinking from the West Hills Treatment Plant, but if feasible, this project is scheduled to be completed in 2023. As proposed, this surface water would be blended with the City's ground water and reduce its salinity below the waste water treatment permit levels established by the Water Board. Coincidental to its salinity compliance efforts, the City needs to work to resolve the adverse effects caused by the infiltration of nitrates. Having the ground water and surface water resources working together, will help reduce costs in the long run, and secure its water sources for the long-term.

Last March, Well 6, the City's newest addition to its source water portfolio, was taken off-line. Routine testing for nitrates indicated that it was trending toward unhealthy limits. It was taken off-line before reaching this threshold, which it has since exceeded. This Well is the third in recent history to succumb to nitrates.

It is critical that the City have three sources of drinking water, because its best source, Well 1, does not have the capacity to reliably meet the City's needs. Without Well 6, the security of the City's water source is potentially at risk should Well 5 go down, or otherwise have to be serviced. Once the City is able to import water from the West Hills Treatment Plant, it will be more secure. Importing less water from West Hills reduces the cost, so if Well 6 can return to service, it will help lower the cost.

In May 2020, the City was introduced to Microvi, and its unique patented technology that could help the City restore the services of Well 6 by removing the nitrates. Microvi was founded to make a positive impact on the world through a paradigm-shift in science and engineering. Their proprietary platform technology, MicroNiche Engineering™ (MNE), provides safe and low-cost drinking water for disadvantaged communities. Today, their solutions save lives, improve health and provide affordable drinking water while preserving our environment. This is just one of many water system possibilities that Microvi offers. All of their products and technologies keep people and the environment in mind while utilizing our powerful MNE™ platform technology to help meet the world's needs.

Using the MicroNiche Engineering™ (MNE) platform, Microvi has developed a suite of breakthrough technologies to provide clean drinking water reliably, cost-effectively, and simply — all without producing secondary waste.

MICROVI MNE™ FOR NITRATE REMOVAL

With plants around the world, the Microvi MNE™ process offers simple and effective nitrate and perchlorate removal with low total costs, low energy requirements, and remarkable stability and control. This technology converts nitrate in water into nitrogen gas, which is safely released into the atmosphere. The advantages of Microvi MNE™ for nitrate and perchlorate removal include:

- Low operating cost
- Near zero biosolids production
- No concentrated waste stream
- Low chemical consumption
- Quick start-up time
- Minimal operator input required
- NSF/ANSI 61 certified and approved
- High water recovery rates
- Flexible designs for nearly any kind of application

Today, Microvi is one of the leading green technology companies in the world.

"Microvi's nature-based approach to water purification is revolutionary. We found that Microvi's technology not only provided the water-quality regulators demand and our customers expect, but it also solves the costly waste-disposal problem of a conventional system."

— Ken Tcheng, General Manager of Sunny Slope Water Company

Sunny Slope Plant near Pasadena CA

Excited but cautious, the City staff met twice last fall with three engineers from the Water Board's Drinking Water Division, one specializes in approving new technologies. They cautioned that constant testing and reliable testing equipment are required. They encouraged the City to get a site plan, and testing protocol approved by the Board before initiating the demonstration. They are familiar with the Sunny Slope Water Company's success in Southern California. Overall, they agree that this is a terrific opportunity for the City, and encouraged staff to move forward.

Attached after the proposed Resolution are several FAQ's about the technology and Microvi.

DISCUSSION

The opportunity to conduct a demonstration of Microvi's technology in San Juan Bautista is before the City Council for approval, is because of a $350,000 grant they received to pay for the technology to be delivered to the City. The system they propose is much smaller than the Sunny Slope example, and will process an estimated 50-60 Gallons Per Minute ("gpm"). Even at this low production rate, the process is thorough and when blended back into Well 6 water, will dilute it below the Permitted safety thresholds, allowing it to be placed back into service.

Microvi wrote: *"The grant funding covers the **ENTIRE** capital cost of a 60 gpm nitrate treatment system. The only costs you'd incur would be for connecting water/power to/from the nitrate treatment system and ongoing O&M (I can provide further details on this). The 60 gpm*

nitrate treatment system is fully automated modular system that can take your influent nitrate concentration and reduce it to less than 2 mg/L NO3-N. That would allow treating water and re-blending with untreated water to get down to a lower concentration. For example, if you had a well with influent flow rate of 160 gpm and 10 mg/L NO3-N, we would take 60 gpm through the nitrate treatment system, reduce the NO3-N to less than 2 mg/L and blend it back with untreated water to get a final NO3-N concentration of 7 mg/L."

The demonstration takes approximately 90-days, and while the demonstration occurs, the treated water will be tested and then discharged to the City's waste water treatment plant. The Well 6 facility, with its iron and manganese treatment plant already on site, is designed to handle this waste water without impacting the current operations. The site plan is provided as an exhibit to the Agreement.

This is the system they propose for Well 6:

If the demonstration passes the Water Board's strict compliance tests, it can be put into service. If not, it will be removed. There is every reason to believe that it will pass the demonstration process, and that the City and Microvi will return to the City Council this summer with a permanent agreement.

This the proposed installation schedule:

April 8th – Submit demonstration testing protocol to DDW for their review/comments (Microvi)

April 16th – Arrival and unloading of Microvi Nitrate Treatment System to well site in San Juan Bautista, CA (SJB)

April 17th to May 8th – Power and water connection to the Microvi Nitrate Treatment System. (SJB)

May 11th to May 18th – Wet Commissioning of the Microvi Nitrate Treatment System (Microvi)

May 25thto June 5th – Loading biocatalyst, Start-up and commissioning of Microvi Nitrate Treatment system (Microvi)

June 15th – Beginning the Demonstration phase of the project (Microvi)

FISCAL IMPACT

The City Engineer after reviewing the site plan, agrees that the start-up costs for plumbing and electrical connections will be minimal, an estimated at $5,000, and can be absorbed by the current operations budget for the Water Enterprise fund.

Attachments: Draft Resolution and Agreement
Supportive Technical Materials and Microvi Biotech Inc. background

RESOLUTION NO. 2021- _____

A RESOLUTION OF THE CITY OF SAN JUAN BAUTISTA EXECUTING AN AGREEMENT WITH MICROVI BIOTECH, INC. TO CONDUCT A DEMONSTRATION PROJECT THAT REMOVES NITRATES FROM WELL WATER

WHEREAS, for decades, the City has relied upon ground water sources of water from wells, that is frequently contaminated by Nitrates, and has shut down three wells in the past five-years as a result of this single issue; and

WHEREAS, the wells the City recently shut down are Wells 3 and 4, and the current water resources it relies on are Well 1, (as its primary water source), with back-up water sources that went on-line in 2018/19 from Wells 5 and 6; and

WHEREAS; in October 2019, the City's treatment plant at Well 6 was approved and placed into service removing iron and manganese mostly from water taken from Well 5; and

WHEREAS, on March 4, 2020, the City's newest well, "Well 6," had to be removed from the system when its Nitrate levels neared reaching the safety limits determined by the State Water Drinking Water Division in the City's Drinking Water Permit, and has since been removed from the system; and

WHEREAS, Well 6 water has since exceeded the Permit Limits and remains off-line, causing the City to rely on only two wells for its drinking water rather than three, creating a potential insecurity in the current system; and

WHEREAS, in May, 2020, a biotechnology company from the Bay Area "Microvi Biotech, Inc.", introduced itself to the City suggesting that its unique technology may help the City resolve its Nitrate problems, and that it had access to grant funds to pay for the technology and offered a demonstration of it at a city well; and

WHEREAS, this system referred to as MICROVI MNE™ is a biological treatment process that offers simple and effective nitrate and perchlorate removal with low total costs, low energy requirements, and remarkable stability and control; and

WHEREAS, MICROVI MNE™ technology converts nitrate in water into nitrogen gas, which is safely released into the atmosphere; and

WHEREAS, on November 23, 2020, the City met a second time with three engineers representing the State's Drinking Water Division, and learned that they are very supportive of this technology, verifying that it has been effective in other public drinking water systems including the Sunnyslope facility in Pasadena, and with certain reservations, encouraged the City to except the generous offer to host a MICROVI MNE™ demonstration project at Well 6; and

WHEREAS, the City and Microvi have negotiated the attached Agreement for the demonstration that requires first the approval by the Water Board Drinking Water Division of the testing protocol, requiring at all times during the testing that the treated water be disposed of into the waste water stream and not into the City's drinking water supply; and

WHEREAS, once proven to the Water Board to be successful and reliable at removing Nitrates, the City and Microvi may consider a long-term agreement leaving the equipment on-site to remove Nitrates from Well 6, allowing it to be placed back into service again with the Water Board's approval; and,

WHEREAS, both the City and Microvi Biotech Inc. wish to execute the attached Agreement, and if successful, return to the City Council for approval of a permanent agreement continuing said technological services as long as deemed necessary and beneficial to the City.

NOW, THEREFORE, BE IT RESOLVED THAT THE CITY COUNCIL OF THE CITY OF SAN JUAN BAUTISTA NOW HEREBY FINDS:

1. That the recitals in this Resolution and accompanying staff report are true and correct and are hereby made a part of this Resolution.
2. It agrees that the demonstration of the technological services proposed by Microvi Biotech Inc., known as MICROVI MNE™ , could be very beneficial to the city by removing Nitrates in its well water, and help improve the quality and reliability of its current water system.
3. Authorizes the City Manager make minor changes that may be necessary to implement the intent of this Resolution and to execute the Agreement with Microvi Biotech Inc.

PASSED AND ADOPTED by the City Council of the City of San Juan Bautista at a regular meeting held on the 16th day of March 2021, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Leslie Q. Jordan, Mayor

ATTEST:

Shawna Freels, City Clerk

Microvi MNE

An Innovative Approach for Groundwater Nitrate Removal

Are You Meeting EPA Requirements for Nitrate Removal?

Nitrate impacts two-thirds of the world's rivers and countless aquifers. The EPA has set the maximum contaminant level (MCL) for nitrate at 10 mg/L. Ion exchange and reverse osmosis are commonly used to remove nitrate, but those system's generate a concentrated waste stream that requires additional treatment and/or disposal.

- **No concentrated residual stream:** Reduced upstream and downstream process requirements and little or no waste handling facilities
- **Easier to operate:** A simple reactor with minimal internal components, straightforward control, and no complex backwashing or regeneration reduces operator input and maintenance requirements
- **Faster process:** Treatment rates of just minutes mean smaller tanks; the dense biomass metabolizes nitrate more efficiently; short treatment times help reduce footprint and allow for modular/standard systems
- **Reliable operations:** When the biocatalysts are subjected to upset conditions or dramatic variations in influent quality, their performance is nearly unchanged. The biocatalyst solution is simple and less complex with fewer moving parts (e.g. complex systems of valves, compressors, etc.)
- **Proven technology:** Approved for use in California; accepted technology in other states and countries (e.g. Australia); NSF/ANSI 61 certified
- **Higher water recovery rates:** Less water is lost or needs costly recovery processing
- **Cost effective:** Smaller energy and chemical requirements; no reactor backwashing
- **Flexible designs:** Can be retrofitted into existing tanks; offers simple, low cost design for new systems
- **Quick start up and recovery time:** Great for both continuous and intermittent use

Microvi

Phone:+1-510-344-0668
www.microvi.com

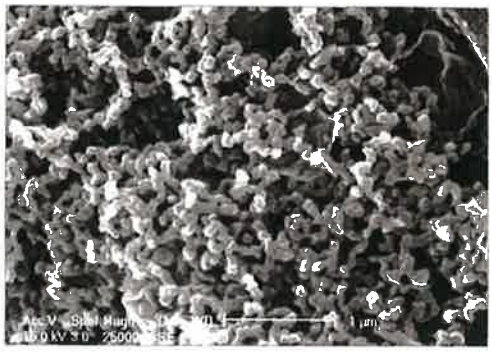
How it Works

Microvi's water technologies are based on engineered polymer-microorganism composites- called biocatalysts- which contain a high density of single species of microorganisms (natural, non-pathogenic, non-genetiacally modified). These biocatalysts actively convert targeted pollutants into non-harmful by-products without producing a biological waste stream.

The biocatalysts and the process applications have been developed and refined for over ten years enlisting millions of research dollars.

The MNE technology converts nitrogen gas through a proprietary natural process that results in no sludge, brine or reject water production- only the safe release of nitrogen gas into the atmosphere.

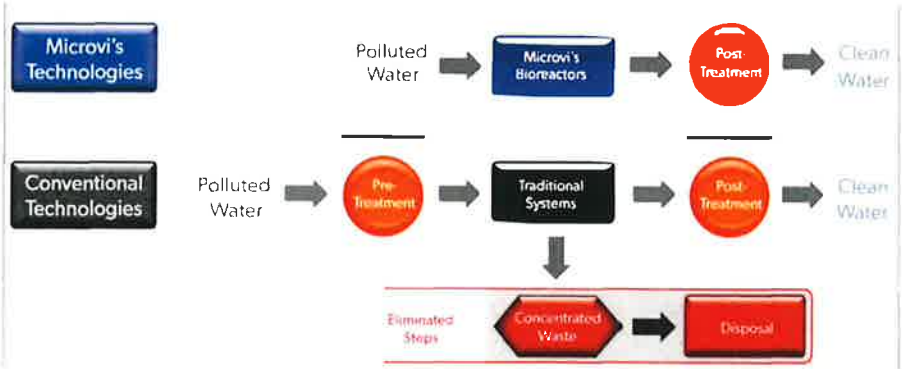
Microvi MNE biocatalysts



A scanning electron microscope (SEM) look inside the biocatalyst

A Simple and Efficient Solution

Microvi offers an accepted biological denitrification process with no concentrated waste stream. The nitrate removal solution for groundwater is a singular process that provides better value than other technologies in the market.



Contact Microvi at info@microvi.com.

Microvi

Phone:+1-510-344-0668
www.microvi.com

New Biological Nitrate-Treatment System Successful for Water Company in California

Wells Returned to Full Use Thanks to Microvi MNE™

Location: **Pasadena, California**
Owner: **Sunny Slope Water Co.**

Problem

Sunny Slope is a water company in Pasadena, California, that provides water to 30,000 households, primarily from its own wells in the Raymond Basin and the San Gabriel Main Basin. Nitrate contamination that naturally exceeded limits for drinking water in two of Sunny Slope's wells forced the water company to purchase Tier 2 replenishment water at a significant cost from the San Gabriel Main Basin. That water was used to dilute the nitrate in the well water and lower the nitrate contamination to safe levels for drinking water.

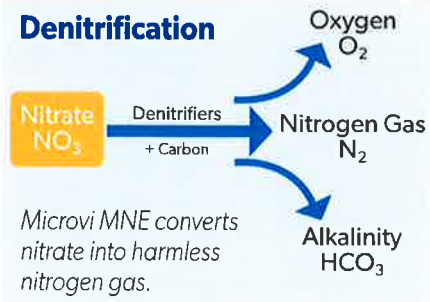
Sunny Slope's problem is not unique. In California, the EPA has estimated that approximately 10 percent, or nearly 3,000 groundwater wells, are contaminated with nitrate that exceeds drinking water standards.

To resolve Sunny Slope's long-term water needs, the company needed a cost-effective solution to treat the nitrate while not producing a significant concentrated waste stream.

Analysis of Alternatives

Sunny Slope considered conventional options to remove the nitrate, including reverse osmosis (RO) and various ion exchange (IX) processes. The RO option was quickly ruled out due to the high energy cost and low water recovery. With IX, there are high capital costs and high operating costs for electricity, chemicals, and disposal of concentrated waste contaminants. Sunny Slope found both technologies to be too expensive for the facility's needs on a lifecycle basis.

Microvi MNE biocatalysts

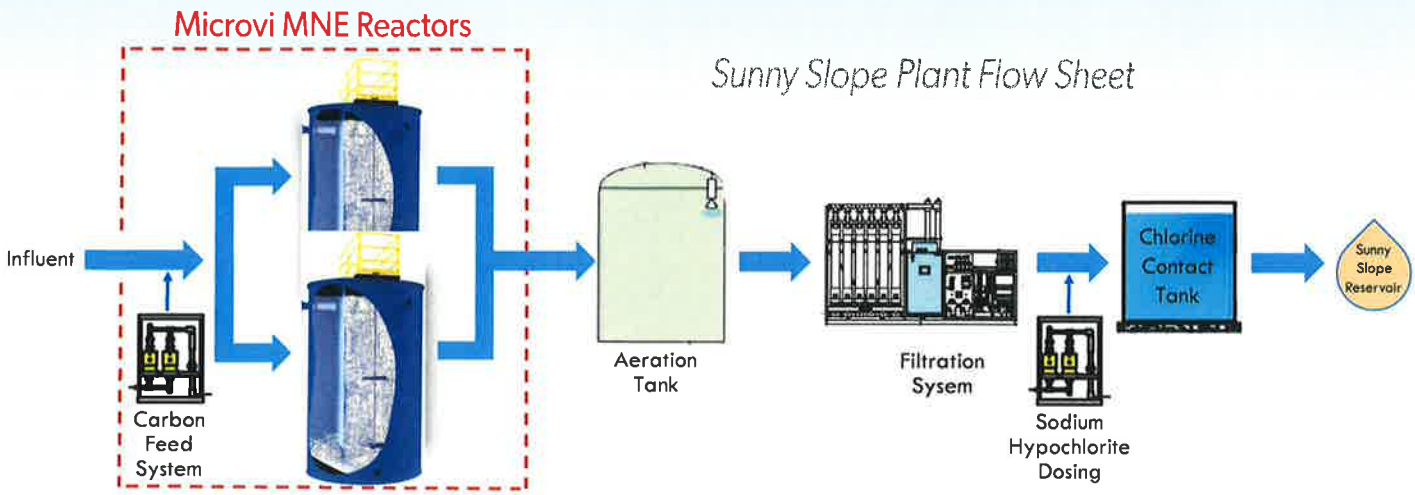


Microvi MNE converts nitrate into harmless nitrogen gas.

Instead, Sunny Slope chose to consider an advanced biotechnology solution developed by Microvi, a global green tech company. Microvi MNE™ configured for nitrate removal is the company's nitrate removal biocatalyst process, offering a truly innovative, step-change advancement in biological treatment for water.

Chosen Solution

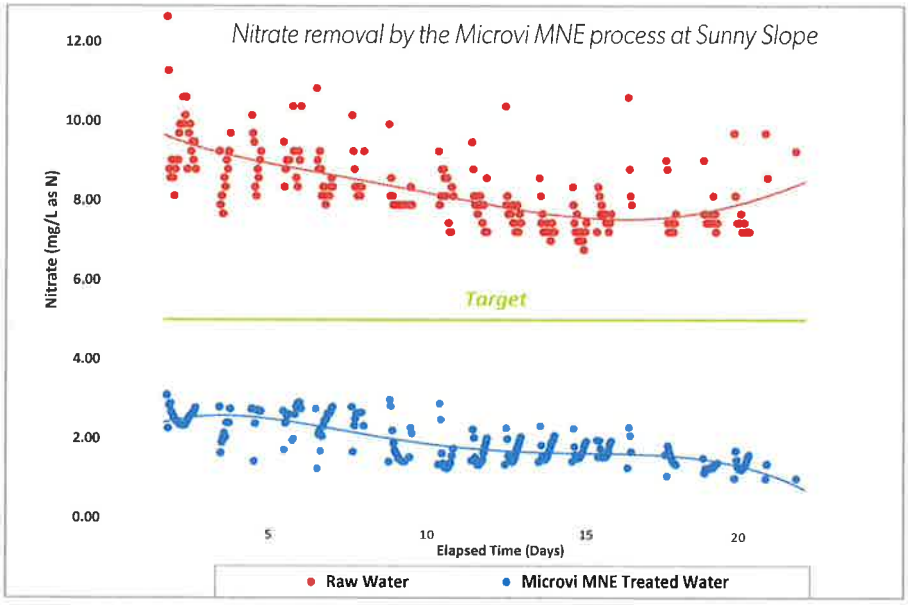
The Microvi MNE process is an on-demand, continuous flow process requiring minimal operator attention. It is approved by the California Division of Drinking Water and NSF/ANSI 61 certified for use in treating drinking water. Microvi MNE stands out from other options as the process eliminates nitrate by converting it into harmless nitrogen gas instead of concentrating it into a waste stream. Therefore, there is zero waste from the biological reactor (unlike RO and IX or other biological solutions which only concentrate nitrate waste). The process effluent consistently has nitrate below 3 mg/L as N and turbidity less than 0.30 NTU.



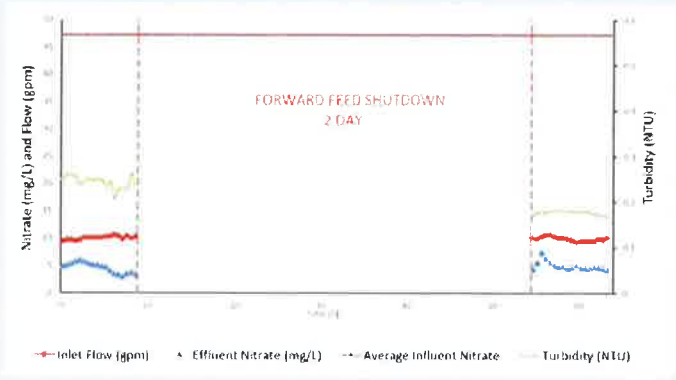
Results

As designed, the Microvi system consistently decreases the nitrate concentration in the high nitrate wells to less than 3 mg/L as N. The blended effluent nitrate levels are lower than the MCL.

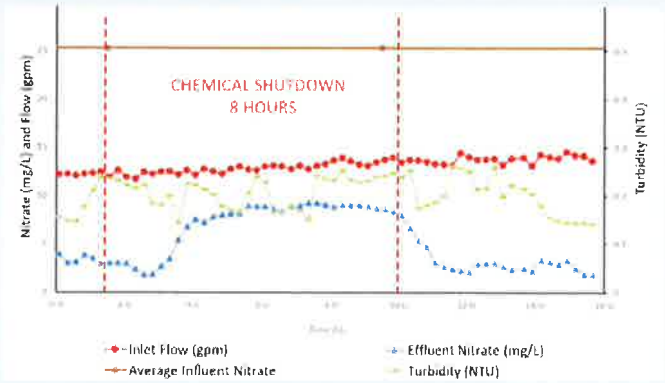
The Microvi MNE system allows Sunny Slope to operate its wells without the costly investment and operational costs that traditional IX and RO systems would have required. In addition, the water company saw significant, immediate savings with the Microvi MNE system over its current plan of purchasing water and blending down the nitrate from the wells. The water company now relies on its own secured water supply as water insecurity increases in California.



Challenge Testing: *Challenge testing was conducted at Sunny Slope prior to the installation to deteremine how the system would function while subjected to various stressors. The results proved it to be an extremely resilient and flexible process.*



Effluent nitrate concentrations returned to 5 mg/L NO3-N (below target) only a few hours after system restart following a two-day forward feed (and chemical feed) shut-down event, including low effluent turbidity.



Effluent nitrate concentrations returned to 5 mg/L NO3-N (below target) in less than 30 minutes after chemical feed restoration following an eight-hour chemical feed shut-down event, including low effluent turbidity.

Microvi

Contact: info@microvi.com
+1-510-344-0668
www.microvi.com

Microvi

Using Materials Science to Unlock the Power of Biology

MicroNiche™ Engineering (MNE)
Frequently Asked Questions (FAQ)

Microvi is a global industrial biotechnology company that discovers, develops, manufactures and commercializes innovative biocatalytic technologies in the water, wastewater and chemical industries. The company is privately-held and headquartered in the San Francisco Bay Area since its founding in 2007, with offices in the UK and Australia.

Microvi's suite of more than two dozen biocatalytic technologies, created using its patent-protected MicroNiche Engineering™ (MNE) platform, enable cost-effective, energy efficient and low-waste bioconversion processes across hundreds of applications in diverse industries. Microvi's commercial installations have been operating for more than five years, and the company has partnered with many high profile private and public water companies around the world.

Microvi is a privately-held company with significant funding and support from private investors and agencies including the National Institutes of Health (NIH), the National Science Foundation (NSF), the US Department of Energy (DOE), the US Department of Agriculture (USDA), and the US Environmental Protection Agency (EPA). Microvi has been recognized for its innovative technologies as a recipient of the following awards: the California Clean Tech Open Award (2007), the AlwaysOn GoingGreen 100 Awards (2007, 2008, 2012), the Red Herring North America 100 Award (2009), the Artemis Project Top 50 Award (2011), the Global Cleantech 100 Award (2009, 2014), the Environmental Business Journal Award (2013), the East Bay Innovation Award (2016), the Business Innovation Award (2017), the Environmental Award (2017), and the Kirkpatrick Award (Finalist, 2017).

What is MicroNiche™ Engineering (MNE)?

MicroNiche™ Engineering (MNE) is Microvi's proprietary informatics technology designed to address the century-old problem of how to design more reliable biological processes. MNE is a combinatorial materials science platform developed by Microvi Biotechnologies through millions of dollars of research that creates MNE biocatalysts that can intensify nearly any biological process.

What is an MNE biocatalyst?

MNE biocatalysts are polymer/microorganism composite structures, with the microorganisms incorporated into the MNE biocatalyst during manufacture. Each MNE biocatalyst is designed through the MicroNiche Engineering™ platform to provide the ideal microenvironment for a specific microorganism or consortium. The microorganisms within the MNE biocatalyst form communities that allow them to respond collectively to varying environmental conditions.

The geometry and surface chemistry incorporated into the MNE biocatalyst are specifically designed to obtain the best performance and longest life for the process, enabling significant performance enhancements in hundreds of diverse applications. All MNE biocatalysts for water and wastewater treatment are sold as part of an engineered process.

Which Microvi water and wastewater technologies are available now, and what do they do?

- Denitrovi™: degradation of oxyanions (e.g. nitrate, nitrite, perchlorate) for water and wastewater.
- Aerovi™: degradation of nearly any organic compound (e.g. BOD/COD, recalcitrant organics), as well as ammonia removal.

Does a biofilm form and if not what prevents this from happening?

The biocatalyst is designed to reject biofilm formation on its surface. There may be some biofilm growth on the basin or reactor walls, however this can be limited by minimising nutrients in the influent.

Moreover, the microorganisms in the MNE biocatalyst are resistant to shear forces, which can be employed to minimize biofilm formation.

How can the microorganisms survive for long periods without a food source?

The exo-network formed between individual microbes in the community allows information to be shared across the communities. So when food is scarce or non-existent, the community in the MNE biocatalyst effectively hibernates in a dormant phenotype.

What size are the MNE biocatalysts?

The MNE biocatalysts can be manufactured in multiple shapes and sizes. The current standard is a spherical shape having a diameter of 5 mm; however, other sizes and ways of biocatalyst deployment (such as sheets or strands) are in development for different reactor types.

How are the biocatalysts retained in the reactor?

The biocatalysts are retained with simple screening devices, such as slotted pipes fitted at the end of each compartment. This is similar to the mechanisms employed by technologies such as BAFF (biological aerated flooded filters) or MBBR (moving bed bioreactors).

How does MNE technology differ from MBBR and IFAS technologies?

MBBR and IFAS systems create biofilms on carrier materials as well as a suspended growth component. The microorganisms that grow on the surfaces are a mixture of thousands of indigenous microorganisms found in the water being treated. A portion of these microorganisms are efficient in their treatment mechanism while most are not.

The most efficient microorganisms that are actively targeting the pollutants are subject to competition and predation from many others. In addition, MBBR and IFAS systems produce a biological sludge that needs to be removed, treated and disposed. The MNE biocatalyst contains a single, highly efficient species of microorganism within an ideal protected microenvironment that is the most effective in targeting the pollutants.

As the microorganisms in the MNE biocatalyst are in a non-growing phenotype, there is no biological sludge produced in the Microvi systems.

How are operating cost savings achieved?

Operating cost savings are through removing the need for Return Activated Sludge (RAS) as well as reducing biosolids pumping, thickening, treatment, dewatering and disposal energy, chemical and transportation costs. By using alternative metabolic pathways for nitrogen removal, we can also reduce the total aeration demand.

How can you achieve nitrification at normal rates with temperatures as low as 4°C?

The microorganism in the Aerovi processes uses a special enzyme system not used by conventional nitrifiers, allowing it to nitrify at temperatures as low as 4°C.

Where can I find out more about this innovative technology?

Microvi

United States:
+1 510-344-0668
26229 Eden Landing Rd. Hayward, CA 94545

United Kingdom & Europe:
+44 (0)7717808004

Australia\ & Asia Pacific:
+61 458 454 712

info@microvi.com
www.microvi.com

MICROVI-MICRONICHEFAQ-A4-0617

- Nitrovi™: conversion of ammonia into nitrite.
- Provi™: phosphorus removal and recovery.

Is this not encapsulation with a different name?

No. Encapsulation technologies simply retain microorganisms; they are not designed to provide ideal environments for the microorganisms to form specialized communities that allow the organisms to have high performance for an extended period of time. MNE biocatalysts are unique in this regard.

How do we ensure we have the right microorganisms in the biocatalyst?

During the production of the MNE biocatalyst, Microvi grows the microorganism culture through a controlled fermentation process. The microorganisms are then manufactured within the MNE biocatalyst so that the biocatalyst is delivered to site fully charged with the right organisms to perform the task required.

Is the biocatalyst safe for use in potable water?

Yes. The Microvi technologies for potable water have undergone rigorous testing for drinking water use directed by the California Department of Drinking Water and other relevant bodies. Microvi is currently seeking drinking water authority approvals in other countries. The materials used in all Microvi biocatalysts are food grade and NSF/ANSI 61 certified for safe use in potable water.

How effective is the process for clean water?

There are many drinking water compounds which are highly amenable to biological treatment by Microvi technologies. In most cases, the use of biological treatment is financially and environmentally superior to the more complex chemical and energy-intense treatment systems.

Where can the process be applied for wastewater?

The Microvi technologies are ideally suited as part of modern day wastewater treatment. The technologies can be applied in multiple situations including on raw wastewater, primary settled influent, as a tertiary process downstream of existing secondary plants, or as a side stream reactor on return liquors.

What advantages do Microvi technologies provide?

The advantages of Microvi technologies include:

- Very high density of microorganisms compared to conventional treatment resulting in higher removal rates, significantly lower hydraulic retention time and smaller footprint compared to other biological treatment systems. The MLSS equivalence of MNE biocatalysts is up to 40,000 to 50,000 mg/L.
- A much simpler process configuration. For example, for the removal of carbon and nitrification in wastewater, there is no need for a return activated sludge (RAS) stream.
- Microvi systems start-up in days, compared to weeks or months for other biological processes.
- Little to no biological solids are produced, dramatically reducing biosolids handling requirements, pumping, chemical, transport and disposal needed by other biological technologies.
- Greater resistance to toxic compounds, as the microorganisms in the MNE biocatalyst are housed in a protected environment.
- Avoids the need for complex control systems used to manage the microorganism environment (for example, anammox) thus increasing reliability and simplifying operation.
- Exploits microorganisms that are normally outcompeted in the reactor environment by providing them with an ideal, protected microenvironment.
- No growth of filamentous microorganism that cause bulking or foaming.
- Handles variable flows and loads and can withstand prolonged periods with no food source. This makes the Microvi technologies very effective for applications with a seasonal load (e.g. tourist areas, schools, etc.) and seasonal industrial applications.
- Removes plant performance dependency on sludge settleability and removes the risk of biomass washout during wet weather events.
- Maximises the use of existing infrastructure. MNE technologies can be retrofit into existing basins so that treatment capacity can be increased without the construction of additional tanks, pumps or pipes.

How long does the MNE biocatalyst last?

This depends on the type of biocatalyst, what it is being used to treat and the specific treatment application. Generally, Microvi guarantees its biocatalysts for 5-10 years.

Are the microorganisms genetically modified?

None of the microorganisms used in our water and wastewater treatment products are genetically modified and all are naturally occurring in the environment.

Do the biocatalysts contain a mixed culture of microorganisms?

Most of our water and wastewater products contain a single species of microorganism which can remove multiple kinds of pollutants. We also have technologies in development using mixed cultures.

How are the microorganisms used in the biocatalysts selected?

Microvi has undertaken extensive R&D to develop a library of the most powerful microorganisms available from nature. We choose from a wider range of microorganisms than would typically be found in conventional suspended or attached growth systems as we can establish and protect very efficient species that would normally be outcompeted in the natural environment.

What is meant by a "community" of microorganisms and how is this different to conventional biological treatment processes?

Conventional biological treatment systems are characterized by a combination of free swimming microorganisms, dispersed microorganisms and microorganisms in flocs.

These microorganisms are subject to competition, predation and exposure to toxic compounds. In contrast, the community of microorganisms within the MNE biocatalyst are protected from competition, predation and toxic compounds resulting in a more robust, reliable and efficient process.

Because the microbes form communities, the microorganisms live longer lives, control the population within their environment and establish defense mechanisms for toxic conditions or shock loads.

How can the system produce no biological sludge?

Microvi has harnessed the power of autophagy, which was awarded a Nobel Prize in 2016 (Yoshinori Ohsumi). The microorganisms re-utilize and regulate their population such that in the MNE biocatalyst, no substantial net growth is observed. Moreover, due to the very high population density, the organisms use the process of quorum sensing to sense their environment.

The organisms perceive that the cell population density is ideal and hence direct their energy to metabolism and not growth. These mechanisms have been established through hundreds of fundamental science investigations by researchers around the world, which align to an evolutionary understanding of microorganisms prioritizing fitness over growth rates.

What is meant by metabolically active but non-growing?

The metabolically active but non-growing phenotype is a known microorganism behaviour. The microorganisms are actively converting pollutants into non-harmful by-products to gain energy for the maintenance of their own metabolism but do not direct energy into reproduction.

How are the microorganisms retained within the biocatalyst?

Microvi has created ideal environments for the microorganisms where they form communities called exo-networks. The microenvironment is designed to induce the microorganisms to remain in the biocatalyst and maintain a stable population.

What prevents other microorganisms from establishing themselves within the biocatalyst?

When another microorganism comes into the biocatalyst, it finds many very well-established communities of microbes in an environment that has been specifically designed for their needs (shape, size, surface chemistry). They would have to outcompete the established communities of microorganism and cannot. In addition, with short retention time in the reactors measured in minutes and hours instead of days, the foreign microorganism has little chance to try to establish itself.

Microvi

Using Materials Science to Unlock the Power of Biology

Breakthrough Technology in Water and Wastewater Treatment

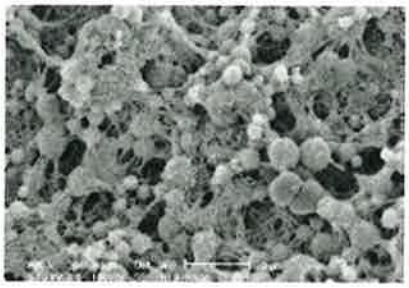
A Future of Challenges

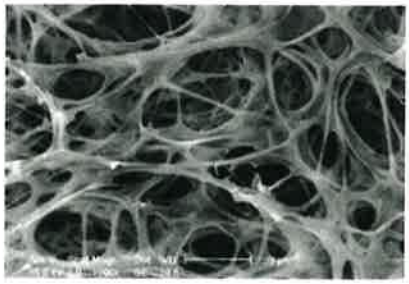
For over a century scientists and engineers have relied on the same processes to biologically treat contaminated water, a development path that has only delivered marginal gains. Microvi's MicroNiche Engineering™ is a significant departure from that path, harnessing the true power of microbiology in water and wastewater treatment.

MicroNiche Engineering:

Microvi Uses Materials Science to Unlock the Power of Microbiology

Through years of focused research and development Microvi scientists have developed a unique platform called MicroNiche Engineering™: an optimized micro-environment for microorganisms within a highly porous polymer matrix. This environment supports the formation of highly effective microbial communities that allow the microbes to perform for years, if not decades.

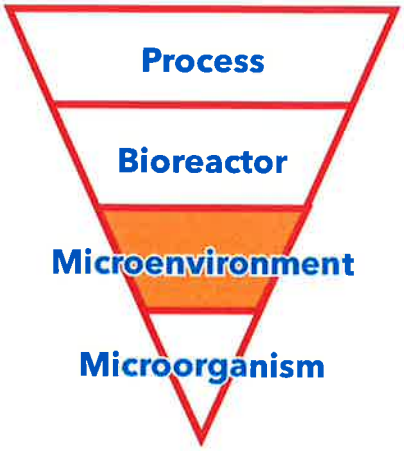




	Microvi's Biocatalysts	Traditional Treatment
ORGANISMS USED	Single highly efficient species	Thousands of non-specific species
ENVIRONMENT	Protected	Preyed upon by other organisms
LIFESPAN	Years or decades	Days or weeks
PRIMARY ORGANISM ACTIVITY	Metabolise pollutants	Reproduction
SENSITIVITY TO TOXINS	Robust, resistant to change	Fragile, easily killed

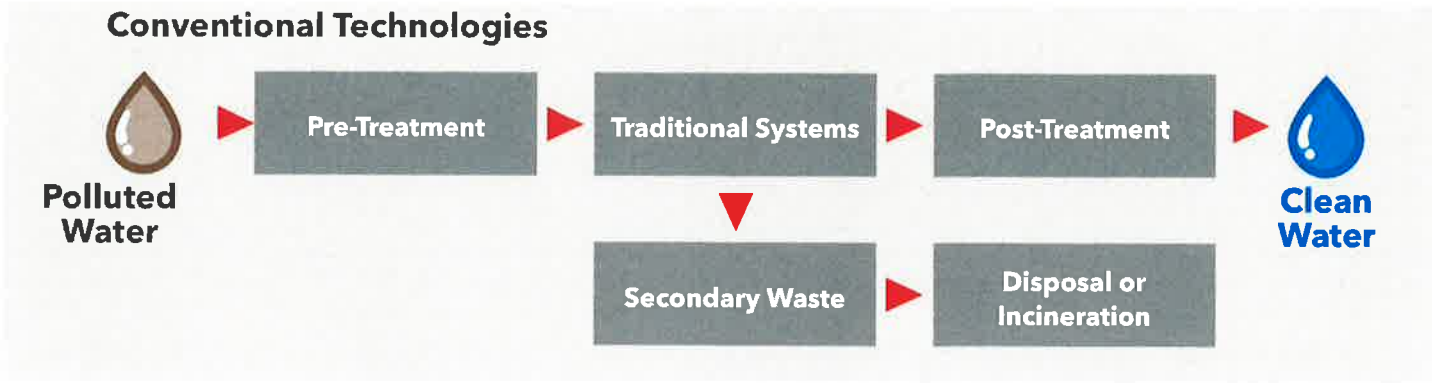
Other companies have focused on engineering microorganisms, developing new bioreactors and improving process flow.

Microvi is distinguished by its focus on the microenvironment.



- Microvi's processes reduce bioreactor volume by up to four times
- Less capital, energy and chemical use results in the lowest cost solution
- Microvi's biocatalysts dramatically improve the performance of any existing biological system
- Microvi's biological treatment significantly reduces secondary solids production

The Benefits of Microvi Technology



Reduced Capital Costs by up to 50 percent

Smaller reactors, less mechanical equipment, less solids handling equipment, less chemical dosing equipment, and smaller sludge facilities significantly reduce capital costs

Reduced Operating Cost by up to 30 percent

Less energy for pumping, less energy for aeration, less energy for mixing, less chemicals for thickening, dewatering and odour control, lower cost for waste disposal minimize operating costs

Reduced Compliance Risk

Resistance to extreme toxicity events, simple to operate, and capable of a wide variation of operating range with no impact of plant performance or stability, No risk of sludge bulking or foaming

Reduced Operational Complexity

Smaller reactors, no complex control systems or operational requirements, no internal recycle, more manageable biosolids

Fully Utilize Existing Assets

Increase plant capacity of existing plant infrastructure, repurpose existing reactors for other beneficial use

Robust

The low shear environment inside the biocatalyst and exo-network structures that are formed by communities of single species microbes protect them from being sloughed off or outcompeted by other organisms. Organisms can go dormant when food is scarce (for years if necessary) and rapidly restart their metabolism once food is available

Versatile

Organisms are selected to perform a particular metabolic function, so virtually any contaminant or bio-based product can be targeted. The biocatalysts remain stable and fully functional for years

Potable Water

- Nitrate removal to less than 2 mgN/L
- Chlorate and perchlorate removal
- Selenium and heavy metals removal
- Remove or degrade chlorinated organics and other recalcitrant contaminants (NDMA, dioxane etc)

Wastewater

- Organic removal to less than 15 mg/L BOD
- Ammonia removal to less than 1 mgN/L
- Total nitrogen removal to less than 2 mgN/L
- Phosphorus removal to less than 0.1 mgP/L

Broadly Applicable

Tertiary systems for polishing, including ammonia and nitrogen

New treatment plants

Retrofit existing treatment plants

Side stream liquor treatment plants

Want to learn more about how Microvi can transform your treatment process?

Microvi

United States:
+1 510-344-0668
26229 Eden Landing Rd. Hayward, CA 94545

United Kingdom & Europe:
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Australia\ & Asia Pacific:
+61 458 454 712

info@microvi.com
www.microvi.com

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Microvi

Next-Generation Biological Solutions for Water Treatment

May 12th, 2020

Presented By: Ali Dorri, VP of Business Development

Nitrate Grant Opportunity – Elemental Excelerator

A. $350K to provide a nitrate treatment system for a community in California, provided:

   a. Ownership, Control or Use of a groundwater or surface water (potable) supply [supplies] with detectable nitrate concentrations.

      i. Immediate or near-term need to utilize a treatment system to reduce nitrate concentrations.

      ii. Water supply is required for at least about 50% of the year.

      iii. During uptime, water supply for treatment is at least about 10-60 gallons-per-minute for a population of at least about 50 people.

      iv. Sufficient space to provide the physical footprint of a Microvi Nitrate treatment system and adequate safety and security.

      v. Cellular and/or Internet access to enable remote controls and monitoring.

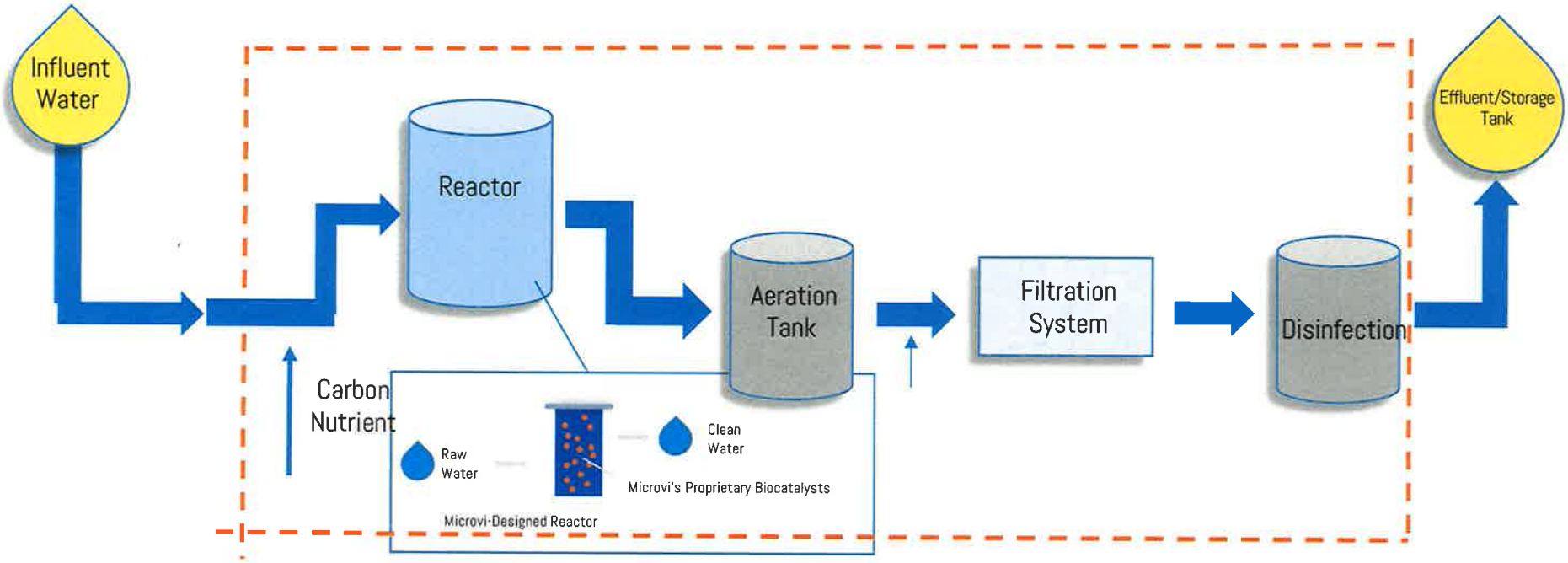
   b. Indications of long-term support by the Water Provider, Community and Other Stakeholders for implementation of a Microvi Nitrate treatment system.

      i. Direct and Indirect Cost Sharing in the project by the aforementioned Stakeholders.

      ii. Willingness to host workshops and engage in public-facing interactions.

   c. Ability to implement a Design-Build-Own-Operate (DBOO), or Design-Build-Own (DBO) project delivery model

The Microvi MNE™ process



MNE™ Nitrate-Removal Process

Microvi – Water Company Scope

Scope of Work/Cost Considerations

Microvi

Capital

Full Modular Treatment System

- Finance, Design, and Engineering
- Off Site Fabrication – Plug & Play
- Remote Access Capabilities
- Online Monitoring Instrumentation
- Start-up/Commissioning

Operating

- Responsible for Overall Operation
- Performance Guarantee
- Generating Reports for DDW
- Chemicals
- Troubleshooting

Water Utility

Capital

Infrastructure

- Suitable Location - secure
- Unloading and placement of treatment system
- Water and Power to treatment system
- Controls interlocking with current operation
- Booster Pump to put water back into pressurized line

Operating

- Permitting (with Microvi Support)
- Sampling and Analytical
- Local operational support

Key Cost Components

Item	Terms/Cost
Microvi Nitrate Treatment System	$0 – Cost is covered by grant
Concrete Pad/Flat Surface	Will require a footprint measuring 24'L X 16'W or 32'L X 10'W. These numbers include an envelope for space for access.
Housing Structure	A structure to keep equipment out of snow/ice and provide security
Electrical	Will require electrical to be run to the treatment system. The required power supply is 3 phase 480V with a maximum draw of 35 amps
Piping	Will require piping to the treatment system from the well(s) identified with high nitrates. Will also require piping from the effluent of treatment system back into the pressurized line. In addition, will require piping from backwash tank into sewer/stormg/grass/drain area
Interlocking of programs/controls with existing operation	Will require some sort of controls interlocking between the treatment system and when the wells go and off.
Monthly Fee to Microvi for ongoing operation, maintenance, chemicals	$500 - $1,500 (Depends on size/nitrate concentration) per month with 5 or 10-year contract. This would be an all-in cost for operating and treatment of nitrate.
Sampling and Analysis	Will require water company to sample and send to authorized lab for analysis and report to DDW

CITY OF SAN JUAN BAUTISTA
STAFF REPORT

AGENDA TITLE: **ACCEPTANCE OF THE THIRD STREET RECONSTRUCTION PROJECT FROM TAHUALAMI STREET TO MUCKELEMI STREET**

MEETING DATE: March 16, 2021

SUBMITTED BY: Julie Behzad, City Engineer

DEPARTMENT HEAD: Don Reynolds, City Manager

RECOMMENDED ACTION(S):

That the City Council:

1. Adopt the attached resolution accepting the contract for the Third Street Reconstruction Project from Tahualami St. to Muckelemi St. in the final contract amount of $1,488,063.
2. Authorize the City Engineer to sign the Notice of Completion; and
3. Direct the City Clerk to file said Notice of Completion with the County Recorder's Office.

BACKGROUND INFORMATION:

Advertising, Bid Process and Results

A Notice to Bidders was published in the Hollister Free Lance. Staff sent the Notice to Bidders to eight Builders Exchanges, covering Alameda County, Santa Clara County, Contra Costa County, the Peninsula area, and the San Francisco Bay Area.

Five (5) bids were received and opened on March 16, 2020. lowest responsible and responsive bidder was The Don Chapin Company, Inc. The City Council accept the bid received from The Don Chapin Company, Inc. and awarded the construction contract in the amount of $1,329,000 on April 21, 2020.

Project Description

The project replaced roughly 760 linear feet of damaged and deteriorated roadway, installed 8-inch sanitary sewer main and 8-inch water main and reconnect existing services, installed storm drain system, removal of damaged concrete, construction of new curb and gutter, sidewalk, pedestrian ramps and driveways; new striping and pavement markings. The landscaping portion of the street was postponed to involve the stakeholders and community.

The project was awarded on April 21, 2020 and substantially completed by November 2020.

During the construction phase of Third Street project, six change orders were authorized in the amount of $53,268.72. On October 20, 2020, the City Council approved change order No. 7 to The Don Chapin Construction, Inc. to install an 8" sanitary sewer line and Coke water service in Old San Juan in the amount of $177,000. The final construction contract amount is $1,488,063.

Staff recommends the acceptance of this project as the work has been completed in accordance with plans and specifications. Staff additionally recommends authorizing the City Clerk to file the Notice of Completion attached.

FISCAL IMPACT:

The total authorization for this project was $1,656,600 ($1,329,000+132,900+177,000+17,700) which included a 10% contingency of $150,600. The final contract amount for the Third Street Reconstruction Project from Tahualami Street to Muckelemi Street is $1,488,063. The balance of $168,537 will be returned to the appropriate funds as outlined and detailed in the award staff report. These funds allowed the Mid-Year Budget resolution to begin six new street projects identified in the Pavement Management Plan.

ATTACHMENTS

1. Resolution
2. Notice of Completion

RESOLUTION 2021 – XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN JUAN BAUTISTA ACCEPTING THE CONTRACT FOR THE THIRD STREET RECONSTRUCTION PROJECT FROM TAHUALAMI STREET TO MUCKELEMI STREET

WHEREAS, the City budgeted funds for two street improvement projects in Fiscal Year 2018/19; Muckelemi Street ("CIP 19-11") and Third Street ("CIP 19-09"), and the designs were completed in 2020; and

WHEREAS, the project replaced roughly 760 linear feet of damaged and deteriorated roadway, installed 8-inch sanitary sewer main and 8-inch water main and reconnect existing services, installed storm drain system, removal of damaged concrete, construction of new curb and gutter, sidewalk, pedestrian ramps and driveways; new striping and pavement markings; and

WHEREAS, the project was awarded on April 21, 2020 and substantially completed by November 2020; and

WHEREAS, during the construction phase of 3rd Street project, seven change orders were authorized in the amount of $230,26.72. The final construction contract amount is $1,488,063; and

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of San Juan Bautista that;

1. Authorizes the City Engineer to sign the Notice of Completion for the acceptance of this project as the work has been completed in accordance with plans and specifications.
2. Additionally, authorizing the City Clerk to file the Notice of Completion with the County Recorder's Office

PASSED AND ADOPTED at a regular meeting of the San Juan Bautista City Council on the 16th day of March, 2021 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

_____
Leslie Q. Jordan, Mayor

ATTEST:

_____
Shawna Freels, City Clerk

Record at the Request of
and When Recorded Mail to:

City of San Juan Bautista
P. O. Box 1420
San Juan Bautista, CA
95045

Record at No Fee Pursuant to
Government Code Section 27383

SPACE ABOVE THIS LINE IS FOR RECORDER'S USE

NOTICE OF COMPLETION

NOTICE IS HEREBY GIVEN, pursuant to Civil Code Section 9204, that:

1) On April 21, 2020, the City of San Juan Bautista, a Municipal Corporation, entered into an agreement with **The Don Chapin Co., Inc.** for the **Third Street Reconstruction Project from Tahualami Street to Muckelemi Street**, San Juan Bautista, California.

2) The owner of the public improvements is the City of San Juan Bautista, a Municipal Corporation, located at 311 2nd Street, San Juan Bautista, CA 95045

3) The contractor is **The Don Chapin Co., Inc.** at 560 Crazy Horse Canyon Road, Salinas, CA 93907.

4) The surety is **"Travelers Casualty and Surety Company of America".**

5) The project was completed in **November 2020** and accepted by the City Council of the City of San Juan Bautista on **March 16, 2021**.

CITY OF SAN JUAN BAUTISTA, a Municipal Corporation

By _____
Julie Behzad
City Engineer

I, the undersigned, declare that I am the City Engineer for the City of San Juan Bautista. I have read the forgoing Notice of Completion and know and understand the contents thereof and that the facts stated therein are true and correct. I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on_____, at San Juan Bautista, California.

_____
Julie Behzad
City Engineer

CITY OF SAN JUAN BAUTISTA
CITY COUNCIL

AGENDA TITLE: **ADOPT A STRATEGIC PLAN FOR FISCAL YEAR 2021/2022**

MEETING DATE: March 16, 2021

SUBMITTED BY: Don Reynolds, City Manager

RECOMMENDED ACTION:

Receive public feedback regarding the draft Strategic Pan attached to the attached proposed Resolution, update the pan as deemed appropriate, and adopt the Resolution and the Plan establishing the goals and strategies for the new fiscal year.

BACKGROUND

In a City Council/City Manager form of government, communication is key. It is critical therefore, to make space in the busy life of a City to have good thoughtful communication around the City's needs, concerns and vulnerabilities. A good City Manager makes time for the public and the elected and appointed officials to make certain this space exists, good empathetic listening occurs, and that the citizens of the community feel like they are part of the solution, rather than being subjected to it. The community needs to trust its leadership, and not be afraid to ask questions when things seem wrong. The leadership needs to listen.

Figure 1. Stakeholder Relationship Funnel

Last year, on February 15, 2020, the City Council held a special Town Hall meeting in the library that was facilitated by the consulting firm City Gate, and a retired City Manager. That allowed staff, the community and City Council to sit together and discuss the City's strengths, weakness, opportunities and talent. Following that strategic planning session, a survey of the residents was conducted that helped to gather more input directly from approximately 150 residents. City Gate added this organizational evaluation and fiscal assessment into a report that helps guide the City and its budget today.

The City's vision and priorities emerged in the form of strategies, the most popular being

"the Preservation of the City's historic heritage and small-town atmosphere."

Staff has proposed a new Community Development Department in response to this priority. Advanced planning will be better managed focused on the "UGB/SOI Ad Hoc Committee" and re-establishing a sphere of influence and urban growth boundary. Ultimately the 2016 General Plan will be amended and reset the path forward reducing the anticipated growth from 46 new homes per year to 10-20 new home per year between now and 2035. Balancing the State's desire to address the "housing crisis" with new growth is the biggest challenge. Historic Preservation will also rise in its importance and have the staff to support it. The approval of the Community Development Director/Assistant City Manager position puts the fiscal resources directly towards meeting the community's number one concern.

The current events of the "day" or "year" impacted the City's ability to move forward with the Strategic Plan as considered last February. The State of Emergency declared March 17, 2020 turned the City's (World's confidence) confidence upside down. The health of the residents and the health of the City's economy rose to new heights that were not anticipated by the Strategic Plan. Then came mandates to fix the water and waste water issues. The EPA's Administrative Order on Consent approved in August followed only after bi-weekly meetings with the EPA and Water Board, and the drafting of a new Water Master Plan and Waste water Master Plan. Implementing the AOC and its goals consumes 30-40% of the City's staff time every week. This effort does speak toward the need to better maintain the City's infrastructure and care for its critical water and waste water resources. But at a much more intense level than anticipated in February 2020. Who would think that the City would be in design of a new regional water system, and new regional waste water system at this time last year?

The national issue around equity, policing, and diversity are also rising to new heights since last February. How cities enforce laws was completely turned on its head. Cities in Minnesota ended their policing practices. Cities like San Francisco took a third of the public safety budget and targeted it towards social workers and made them first responders. Does the City wish to evaluate the way its public safety programs are implemented?

On February 23, 2021, the City Council held a second Strategic Planning Town Hall meeting. This time both the Capitan Taylor of the Sheriff's Department and Fire Chief Martin DelCampo provided an overview of their vision for the city's public safety efforts. It became evident that the City has public safety service gaps in the form of actively working with the community on crime prevention, crime investigations (for smaller crimes and vandalism) and traffic safety enforcement. The threat of wildfires pointed out that we need local staff to work with the coordination of emergency response and preparedness. The City needs to be represented at regional conversations with emergency response representatives. There is a need to make serous improvements to the Fire Engine bay.

DISCUSSION

In the attached draft Resolution, this background is summarized, and the 2020 Strategic Plan is presented as an attachment. The City Manager has combed through the 2020 Plan, added some

new considerations, consolidated a few and expanded others. The point of this discussion is to consider these ideas as presented, and determine if they accurately reflect the City's current needs, and address the community's top interests as we prepare a budget for next fiscal year.

Community Development is a top priority for the City and the State, so hiring a Community Development Director places the City's resources on this effort. This position can then be held accountable for the City's success with the endeavors described therein. This is an excellent example of how this process works.

To that end, public safety needs more attention. It is suggested that the City Council establish a Public safety Committee to meet with stakeholders and contract service providers to better understand the gaps in services. The Sub-Committee working with the City Manager can recommend budget changes for the new fiscal year to help respond to these community needs.

Maybe parks, recreation and library services could benefit by a Council Subcommittee's oversite and evaluation. This could be an ad-hoc committee with time sensitive deadlines and objectives, or even merge into a City Council Commission. If sufficient resources exist, developing a Community Service Department with its own Commission may be 3 to 5-year goal that includes all three of these services.

Lastly, the City might consider applying an "equity lens" on its policies before they are approved. Many other cities are considering this step forward, in the form of training for officials and staff. Seattle has been doing this for a decade. Each policy will include an "Equity Statement" that makes certain that the new policies adopted by the City Council do not have "Unintended Consequences" and cause harm to, or exclude those who did not participate in the policy development.

A lively discussion awaits the City Council focused on the City's needs and priorities. This year the budget will be ready before June 30, 2021, and everyone's participation is welcome and appreciated. This is the whole City's budget.

FISCAL IMPACT

The Strategic Plan sets the path forward for the City's new budget for Fiscal Year 21/22. More to follow!

Attachments: Resolution and Draft Strategic Plan

STRATEGIC PLAN FROM FEBRUARY 15, 2020 as Amended February 23 and March 16, 2021

1) Create, promote, and nurture partnerships within our community
    a. Public
    b. Private
    c. Community based
    d. Governmental
    e. Non-profit
    f. Business
    g. Schools and Universities
    h. Agriculture
2) Preserve, protect, promote our community assets and economic vitality while maintaining historical and cultural charm.
    a. Expand Community Development Services
    b. Amend the and update the General Plan, Focus on the City's advanced planning and preserve its historic assets and small-town charm
    c. Create a Housing and Economic Development Division within Community Development Department
    d. Adopt the City's Climate Action Plan
3) Invest, maintain, strengthen, plan and renew, our vital infrastructure:
    a. Regionalize the Source of Water, and discharge of Waste Water
    b. Invest in the new Water and Waste Water Master Plans
    c. Fund the priorities in the Pavement Management Plan
    d. Reduce Greenhouse Gasses, develop sustainable independent Power grids
    ~~e. Sewer~~
    ~~f. Streets~~
    ~~g. Sidewalks~~
    ~~h.~~e. Stormwater
    ~~i.~~f. Facilities
    ~~j.~~g. Open Space and Active Transportation Plan
4) Promote public amenities:
    a. Parks- complete Verrutti Park and Franklin Park, Implement the Luck Park Master Plan
    b. Trail system
    c. Recreation
    d. Cultural Arts and Activities
    ~~d.~~e. Consider a Parks, Recreation and Library Sub-Committee
5) Quality of Life

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a. Enforce ordinances maintaining quality of life, promoting health and safety for the community.

b. Consider a Public Safety Sub Committee to review contracts and services, identify gaps in service (traffic enforcement, emergency preparedness, crime prevention, crime investigation).

c. Build resiliency into the City's quality of life by building closer communications, closer relationships, by listening to our neighbors and friends.

~~a.~~d. Nurture diversity, remove inequities, and celebrate the strength in the community that comes from a strong and diverse community.

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RESOLUTION NO. 2021-XX

A RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF SAN JUAN BAUTISTA ADOPTING ITS STRATEGIC PLAN FOR FISCAL YEAR 2021/22

WHEREAS, a strategic plan is a vital tool for cities to ensure that the priorities set by the City Council are conveyed in the organization's goals, that strategies are clearly developed to meet the goals, and that overall city government is accountable to meeting community needs; and

WHEREAS, the approved Strategic Plan marks the first step towards the new City budget, and helps staff to recommend funding to achieve the City's vision and implement its strategies for the new fiscal year; and

WHEREAS, on February 15, 2020, the City Council held a special Town Hall meeting to discuss its new Strategic Plan; and

WHEREAS; the Town Hall meeting was well attended and facilitated by a retired City Manager, who fist interviewed each Councilmember before the meeting began; and

WHEREAS, following this Town Hall meeting, in less than a month, the City found itself in an unpredictable state of emergency, that continues to this day, and has necessitated new strategies that include actions like "Courage, Resiliency, Flexibility, Patience, and Adaptability"; and

WHEREAS, of the five priorities listed, its first priority, *"Create, promote, and nurture partnerships within our community"* became the most important priority as public and private resources were tapped to capacity in unexpected ways to weather the unpredictable impact of a storm of uncertainty for the public's health, and the City's economy; and

WHEREAS, with the exception of fixing its water and waste water infrastructure, many of the other priorities had to be pushed aside while the City, County and State worked together to save lives; and

WHEREAS, at the Special Meeting held Tuesday September 23, 2021, the City Council revisited these priorities with a focus on expanding its efforts as they relate to maintaining the City's small-town charm and preserving its history, and identifying and closing the gaps in services that promote, preserve and maintain the quality of life; and

WHEREAS, the City Manager is returning to the City Council at the first meeting in March to reconfirm the Strategic Plan for the new fiscal year, and enhance and amend it based on feedback received both February 23, 2021, and at this discussion held March 16, 2021.

NOW, THEREFORE, BE IT RESOLVED THAT THE CITY COUNCIL OF THE CITY OF SAN JUAN BAUTISTA NOW HEREBY FINDS:

1. That the recitals in this Resolution and accompanying staff report are true and correct and are hereby made a part of this Resolution.

2. It agrees that the Strategic Plan provided in the attachment to this Resolution reflect an accurate update of the City's vision and priorities for the new fiscal year, and adopts this plan as its guide for FY 2021/22.
3. Authorizes the City Manager draft a new budget that reflects and funds the initiatives referenced in the new Strategic Plan.

PASSED AND ADOPTED by the City Council of the City of San Juan Bautista at a regular meeting held on the 16th day of March 2021, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Leslie Q. Jordan, Mayor

ATTEST:

Shawna Freels, City Clerk

Attachment: Updated Strategic Plan for Fiscal Year 21/22

CITY OF SAN JUAN BAUTISTA
CITY COUNCIL

AGENDA TITLE: **REOPENING THE LIBRARY DURING THE STATE OF EMERGENCY CAUSED BY THE COVID-19 PANDEMIC**

MEETING DATE: March 16, 2021

SUBMITTED BY: Don Reynolds, City Manager

RECOMMENDED ACTION:

Receive staff's report about the status of the Library, receive feedback from the Council and the public, and direct staff as needed to initiate the re-opening of the Library by April 1, 2021.

BACKGROUND

One year-ago on March 17, 2020, the City adopted Resolution 2020-10, declaring a State of Emergency in San Juan Bautista, ordering its citizens to follow the orders from the San Benito Health Department and shelter in place. The City immediately closed its public facilities, including its Library and City Hall. It laid off library staff and re-purposed the Lead Library Technician who became the City Public Information Officer and helped in Accounts Payable, increasing hours from twenty per week to thirty, as a part-time employee that does earn paid time off and declined to receive health benefits. The focus is helping the City respond to the emergency, and serving library patrons as time allowed. Over the past six-months, the City helped business owners manage the constant ebb and flow of this pandemic, opening, closing, and reopening. But like schools, the Library has remained closed to the general public. To protect teachers anxious to return to work, many teacher labor unions are requiring teachers be vaccinated before school is re-opened.

The City Library has been quietly serving the public during these times, offering appointments for those who want to see the collections, and curb-side pick-up for the very few that order books "to-go." Without promoting this quiet operation, we are averaging 20-appointments per week, but only 6 total curbside pick-ups. One family will check out 70-selections per month. Current staffing of one person for twenty hours a week is totally insufficient.

This informal Library system was described to the City Council in a "Week End Update," published Sunday Morning, February 7th 2021:

Library Status

In the Purple condition, Libraries can open 25%. But no libraries are open as they once were at this point in time. They are allowing curbside/take out service and 15 minute appointments for computers. In San Juan, the Library is more lenient than any others in the MOBAC system. We are trying to bring back part-time help to sustain this effort. Residents are more than welcome to make an appointment Monday, Wednesday, Thursday or Friday. Or they can try other libraries. My guess is that they will not find the "open" services anywhere within several hours driving distance.

How does the City come to this conclusion? The City participates in the Pacific Library Partnership, a consolidation of four library systems, known also as MOBAC. "MOBAC" as defined from their website:

About MOBAC

The Monterey Bay Area Cooperative Library System (MOBAC) is a multi-type library consortium of 18 **full members** (public, academic and special) and several networking members in Monterey, San Benito and Santa Cruz counties on the California Central Coast. MOBAC began in 1969 as a public library cooperative and by 1985 had grown to include academic and special libraries as equal members in the organization. It is now one of 15 cooperative library systems in California and is funded in part by the State through the California Library Services Act and by fees collected from member libraries. In 2009, MOBAC joined the **Pacific Library Partnership**, a consolidation of several Northern California library systems.

The MOBAC libraries work together to share resources to improve library services to the residents of all the members' jurisdictions. Library patrons pay no direct fees for use of MOBAC services.

MOBAC is governed by an **Administrative Council** composed of the director or liaison of each member. The Council meets regularly to set policy and direction for the system.

Knowing this background will help the community better understand and rest-assured that the City is doing the best it can with the staffing and resources available, based on the best practices shared among these 18-library systems. The City staff are keenly aware of what libraries are open, and which library services are available. The statements shared with the Council February 7th are facts. The San Juan Bautista Library has been as or more accessible than any others in the area.

It was on February 5, 2021, that the City Manager and Lead Library Tech started in earnest to re-open the libraries. The attached document has been our guide; ***"Pacific Library Partnership Brown Bag Discussion: Libraries and Reopening" January 26 & 27, 2021***. It describes what the other libraries are doing and provides great ideas.

Staffing is the most time consuming. In general, during COVID-19, having two staff at the library as often as possible will keep it open. In an effort to re-hire the past part-time helper laid off last April, it was found that extra time had to be freed up in her new schedule amidst adjustments made

for COVID-19, and to accommodate new personal demands. After meeting with her March 3rd, she agreed to return to work -10-12 hours per week in support of the Lead Library Tech, who can dedicate 20 of the 30 hours she works part-time for the City each week (8 hours to support accounts payable, and 2-hours to help the City monitor media of all kinds and update the web-site for a total of 30 per week). On Friday March 5, the City began advertising for part-time help to support the two other part-time positions. This position, if able to work 20-hour a week, can help in City Hall as well. Several applications have been received. Also, on Friday March 5th, the City Maintenance Team met to discuss how to re-arrange the Library and how to add better protection for staff and community. The new team and new Library are coming together. The Library's Facebook page has been updated and invites the community to schedule appointments.

DISCUSSION

As a result of research, and observation over the past few weeks, staff suggests the following reopening plan for the Library beginning April 1, 2021:

1. Two staff members reopen the Library 20-hours a week,
2. No walk-ins- by appointment only 9 patrons daily (initially);
3. Wednesday through Saturday, 11-4;
4. Appointments only during business hours;
5. Appointments only for 15-minutes per group (family or individual);
6. No more than 12 persons in the building at one time;
7. Every member of the public will be identified and recorded to facilitate contact tracing if needed after they leave;
8. Re-sanitize after each appointment; stock PPE
9. Reassess after two weeks.

All books returned to the library have to be left in isolation for 72-hours, as regular cleaning is not possible or suggested. It takes extra time to re-shelve these collections as they pile up quickly. It is good to have some down-time between appointments and to have the staff available to catch-up everyday as needed.

After a month of reliable staffing and smooth citizen services, the staff will evaluate and consider opening to the general public one day a week- maybe the first Saturday in May. It will also consider homework stations, and the use of the new donated lap-tops, six-feet distance from each other. As things improve, maybe consider opening for those 65 and older, assuming they have their vaccination.

By the end of May, staff will assess the ability to provide summer programs that were canceled last year. We are also considering an "outdoor" reading room with picnic benches.

FISCAL IMPACT

Accommodations made for a COVID-19 Library reopening including the need for extra staff are all potential federally funded costs. Savings in this budget over the past 9-months should cover costs for the last 3-months until the year-end June 30, 2021.

Attachments: PLP Brown Bag Lunch Notes on Reopening Libraries January 2021

Pacific Library Partnership
Brown Bag Discussion: Libraries and Reopening
January 26 & 27, 2021

In late January the Pacific Library Partnership offered a series of networking conversations, organized by the PLP Staff Development Committee in response to the COVID-19 pandemic. These conversations invited staff from its member libraries to speak candidly with peers about their plans for reopening libraries and restoring or expanding services that have been curtailed during the pandemic, their experiences with it to date, and any hopes or concerns they might feel about new services under consideration. The networking conversation breakouts allowed participants to form supervisory and non-supervisory groups, honoring any topics which might be unique to a particular level within the organization. This document shares the anonymously-gathered insights from those conversations.

Services Overview:

- Most libraries have a multi-level team contributing to their re-opening plan
- Most libraries already offer curbside or front-door pickup service
- Many libraries offer digital access service such as expanded wi-fi, outdoor laptop use, tech borrowing, or printing, as well as virtual programs
- Some libraries offer indoor lobby service, including browsing and checkout areas
- Some libraries have initiated other patron-focused services, such as thematic book bundles, DIY kits, or lunch at the library
- Most libraries are not currently offering restrooms for public use
- Some libraries focus on services by appointment, while others offer primarily drop-in services

Common concerns being considered:

- Mask enforcement
- Communicating clearly while maintaining social distancing
- Appropriate time limits for interaction
- Starting up lobby or other indoor services
- Staffing challenges
- Adequate technology and digital access for the public
- Cleaning routines, PPE, and general COVID-19 transmission safety
- Communication gaps and/or decision-making processes that allow input from all levels

Most-valued new practices which have emerged:

- Curbside/sidewalk-pickup service for the public
- Book bundles, etc.
- Work-from-home opportunities and/or time flexibility for staff
- Virtual programming
- Fresh outreach to under-served communities
- Opportunities to collaborate with staff from other divisions, or on in-building projects

Supervisory and Mid-Management Group Discussion Summary

Reopening Teams & Roles

Many of the represented libraries have a re-entry team or several teams in place. Most teams have a mix of management and line staff, and this mixed perspective appears quite helpful.

In at least one case, a reopening training team has been formed to train staff on providing great service in our new environment, including how to address service challenges like mask non-compliance, and how to navigate using shields. Additional service teams include Readers Advisory during times of limited browsing, Virtual Programming work, and Personalized Picks services.

It's helpful to have a mix of perspectives on the team, as when people who aren't on a reopening planning team don't have ways to offer input, it tends to generate additional concerns and frustration among the staff.

Services Offered

A range of services are currently available from member libraries. During the December/January health order, some libraries closed service completely; others continued to offer pickup services but scaled back indoor offerings for the term of it.

Library services during the pandemic have included:

- No-contact pick-up service
- Front door/Sidewalk pick-up service
- Lobby service
- Mobile printing
- Laptop and hotspot loans
- Outdoor wi-fi and/or laptops
- Virtual programming
- Book and/or DVD bundles by topic or age group
- Lunch at the Library
- Window displays of books

Library pick-up services have been formatted in a variety of ways (such as sidewalk service or curbside pickup). Some are not checking out materials until a member of the public is in front of them, while others check out before patrons arrive. Some are using appointments, while others stopped doing appointments due to no-shows or low interest. Some allow outdoor walk-ups, while others strictly enforce contactless placement of items into the trunk of the car.

Libraries that offer book bundles may pre-check them out to a generic library card, allowing patrons to return those items on the honor system, in order to keep the pick-up services moving quickly. Others check out bundles to specific patrons when preparing their appointments. Some libraries offer individualized book bundles by request, while others have more generic sets ready to grab and go by topic during the pickup session.

Lobby service was of considerable interest during the discussion. A few libraries are training a concierge or host to greet members at the door to determine their service needs and to monitor the number of people entering the library. Multiple libraries reported a morale boost from having patrons in their building and saw it as a step forward with positive feedback from the public. Advantages of lobby service that were mentioned include that it can serve more people simultaneously than curbside or sidewalk service; the gate counts include all members of a family/group and not just a single car; and it seems less staff intensive and requires less patron interaction with staff because patrons can use a small browsing collection and the self-checkout stations themselves. One example of a lobby model includes 3 self-checkout stations, lines with distance stickers for the patrons, and staff meeting the public outside to serve as guides/monitors when the indoor space is at capacity.

Some libraries have split their staff into cohorts working opposite days to reduce exposure risks.

Some have adjusted their hours for winter.

Concerns, Struggles, and Potential Solutions

- Mask compliance
  Mask concerns with patrons can sometimes be addressed by providing disposable masks. If someone says they have a medical exemption or just won't wear one, invite them to stay outside and you'll bring them their items to their car / from 6 ft away. If they come in without one, be polite. Remind them they aren't wearing it. Have masks available for the maskless. If they refuse, offer to serve them outside. Offer to take them service at the car. If they insist, they want to come in and have a medical exemption, bring them their stuff, be brisk and cheerful and then send them on their way (this provides service to all, and diffuses the option to provoke a fight, getting them out of the building faster). Another option could be to provide disposable face shields. If they come in and want to use computers, give them a laptop in a private meeting room, and disinfect after. Overall, most libraries have encountered far fewer mask confrontations than staff were worried about.

- "But I like them!"
  Staff sometimes have difficulty retraining themselves to stay six feet away when they see patrons they like.

- "But they like us… too much!"
  Concerns were expressed about patrons lingering for long periods of time inside the building when allowed fully inside again. Ideas for addressing this include opening the library for just 2-3 hours, closing in the afternoon for a few hours, then opening again for another 2-3 hours, in order to reduce the temptation for folks to come in and stay all day. Visits could also be scheduled for limited-length appointments. Windows can be opened to increase airflow. Furniture can be removed to discourage sitting down and getting comfortable. Outlets can be covered, and outdoor charging stations provided in their place. Public restrooms should remain closed.

- Indoor lobby service
  Although libraries offering lobby service generally had positive feedback to share, anticipation of starting an indoor service generates concern among many staff. This can be addressed in part with door monitors greeting and counting patrons, 10 at a time, to keep the space at a limited capacity. One library made door-monitoring an optional assignment early on, with management volunteering for it in the first few days to work out any quirks until others could decide whether they were comfortable or not. Plexiglass shields and cordoned off areas can separate out the rest of the building; if you move low bookcases to block off the area, you can use as much of that for display of items as possible. Allowing only brief reference questions at service desks, and sending detailed reference to remote staff as phone calls is helpful. Keep the rules simple.
  Keeping books on display and browsing available, along with using self-checkout machines, tends to minimize the time lobby staff actually spend with patrons, and render it less contact-intensive than outdoor walk-ups.

- Sanitizing public-use technology
  Some libraries ordered skins for the public computer keyboards and mice to make cleaning easier.
  Some libraries have janitorial staff handling cleaning of bathrooms and computers between visiting hours.
  Patrons can be encouraged to think of maintaining cleanliness as "a personal responsibility" to stay safe during their visit.

- Staff schedule adjustments in the time of COVID-19
  One challenge faced in adjusting service hours is figuring out how to be equitable with staff -- recognizing that some people have strong preferences on how to optimize their shifts, while others just want to have things assigned that they can dive into. Honoring each person's concerns can be quite individual.

- How long should items be quarantined?
  Some libraries would like to eliminate quarantining. Some are still waiting 4-5 days, while others are reverting to one-day quarantine based on research, studies, and local officials -- which was seen as a positive step by many staff members and the public, but some staff were concerned. Any changes to the quarantine period should allow enough lead time for discussion of the proposed change and the reasoning behind it.

- Should libraries quarantine items after patrons have been browsing? Inside the library, a patron is not taking an item home to nap with it, sneeze on it, or spend hours with it while unmasked. This makes browsing more similar to handling items in a grocery or retail store, which is a different type of interaction than when items come back from someone's home.

- What will programming look like?
  Online-only programming prevents gathering in large crowds indoors. Virtual programming also allows for a lot of opportunities, including English learning, and may be beneficial to continue as a supplement even after most library offerings are "back to normal."

- How do we respond to an outbreak if we reopen?
  Cities, counties, and human resource departments should already have protocols in place for this, so you can reach out to your government for specifics.

What concepts and services would you like to see continue beyond this time?

- Book Bundles
- No-Contact Pick Up Service
- Lending Chromebooks and hotspots
- Promoting digital services
- Grab and Go Craft Bags
- Online Programs and Online Storytimes
- Ability to make decisions and adapt quickly to community needs that otherwise would have taken much more time to approve implementation of it
- Interest in equity-driven programs
- Positives we can push especially to the under-served (potentially seeking funding for these from local tech organizations)
- Work from Home opportunities
- Social distancing

Non-Supervisory Group Discussion Summary

Overall Themes

- Many felt that they were being included in the planning process, however staff from some locations expressed there was a lack of communication or response to concerns when discussed.
- There was a really wide range of strategies and services based on the community served
- A theme that ran through multiple questions was the importance of setting the tone for the "new" library—for behavior, services, etc.

Does your library have a team working on phases of reopening?

- Many have been making different versions of a plan since April or May, changing based on what is happening at regional level.
    - Big suburban - A team started in May working on different phases of service. They were able to reopen for about 3 weeks in fall. Initially a phased terminology and then switched to something else. Feel confident about their next reopening
    - Med urban – has a reopening committee with circ staff. City might have some conflicting plans so the work their committee put in might not be implemented
    - Med suburban – the committee is mostly the lead of each of the existing workgroups. This library opened in the summer. Tried to do everything at once but it was too hard, so they scaled back. Every time something changes, they also change. Their patrons have been accommodating. They have a spreadsheet that has occupancy and time limit guidelines for each of the Color Tiers
- Some noted they have a committee but have not met in several months.
- Libraries mentioned a range of committee involvement - some had only management, leading to frustration, some had all levels and felt more involved. Those left out mentioned wanting to be more involved.
    - One library noted frontline staff are driving the ideas, planning for what services can be offered. Teams making policies for circulation, public spaces, marketing/communications on limited capacity, health screeners, computer use
    - Big urban - team working on different areas (Browsing, Circ, Computers etc). Creating draft plans and having discussion. Talking together across teams.
- It was noted that many of the reopening groups have more power than they might think. They are the ones that are really juggling things on the ground. This is not the same old library anymore and we have the power to manage people's expectations, both staff and the public. An opportunity to set the tone and language

What services are you offering now, and have those changed since the latest state health order?

- Varying degrees of curbside, apptmt or walkup, mailing items, and previous experimentation with lobby service
    - Med suburban – just curbside, stepped down from being open
    - County system – not open but offering curbside pick-up. The branches have control over service based on local conditions. Curbside and printing by appointment. Staff have opportunity to train the customers for the future, set expectations, get feedback, etc. Branches are leading within their local contexts. The staff are encouraged to talk and make a connection with customers on reference/customer service calls
    - Med urban – started with book mailings, then moved into curbside, then moved back to mailing
    - Many noted offering hotspot and print pickups
    - Some laptop/hotspot bundles, book bundles, art kits
- Curbside logistics
    - A mix of walk-up services and appointments, with one concern of how many people can work at a time safely in these scenarios
    - Some noted having a station by the door makes walk-up easy. Patrons can scan their own cards or hold it up to be entered.
    - Intercom or mic/speaker setups have seemed useful when it comes to concerns with staff and patron communication
    - Walkie Talkies help people communicate
    - Text communication for curbside service:
        - One library has an iphone w/ text number to request curbside service - 1 person on duty answering all communications, phone number only available when needed.
        - One large system uses Unique Curbside Communicator, and another is considering it
    - In one large system, sticky receipt paper has made some processing easier
- A lot of discussion around how to offer digital access
    - Outdoor computer labs, picnic style laptop tech access out in the open
    - Wi-fi on bookmobile
    - Laptop lending chromebooks bundled with hotspots
    - Extension of wifi so people can access it outside
    - Large urban – partner with community org to do tech loans (laptops and hotspots)
    - Large urban - Mobile Beacon $10 monthly hotspots
    - Attempts at tech help can be difficult when need to do over tech like Zoom
- Additional programs and services
    - Small suburban – virtual programming, reference services. Summer and winter reading club programs, with a plexi window to give away book prizes. Story walks.

- Live and recorded storytimes, virtual book discussions, author visits, art workshops.
- Virtual programs can be exhausting. Staff aren't used to always being on camera.
- Large urban – Providing meal distribution, copy/printing service, curbside materials pickup. Book bundles for children who need books once a week for their online school. Phone and in-person reference. Kits for art are popular.
- One library has offered: Cookalongs, summer/winter readings, craft take-and-make, storytimes, newsletter. Started with links and moved to own content. Virtual school visits. All staff get to experience being in the meat of the circ activities. Grab bags. Curbside touch-free with an intercom. Also learning to navigate space requirements among staff members
- One has an adult service program pen pal program to connect seniors with young children, community history project to talk about the pandemic experience, trivia night, distributing tax forms

- TAXES sub-discussion
  - Treating them like a print job. You can call and request and then it's put out in the table in an envelope
  - This library has usually provided free tax appointments and the service was strongly missed in 2020
  - Promoting partner tax services: phone, drop offs, etc
  - Planning to distribute paper forms
  - AARP tax services might be getting booked up, might vary by area
  - Might need to change policies around personal information in remote print jobs
  - Large urban library – does make photocopies of personal documents. The need outweighs the risk/liability
  - Some concerns about liability of collecting personal information
  - This is also relevant to unemployment claims
  - https://irs.treasury.gov/freetaxprep/
  - Tax-Aid is a local organization that offers tax help: https://www.tax-aid.org

What ways are you looking at to potentially be open, in this phase before you reach a full-time, unrestricted reopening?

- Working in cohorts, slowly reopening areas of the building one at a time. Second floor and bathrooms last. No fast deadlines, flexibility so can open close at different times.
- Small suburban – small phased reopening; Changed collections in the open areas to browsing
- One library noted they'd open the whole building, just control how many people come in at a time
- Large surburban – let in 15 family groups at a time. Let them browse for 45 minutes. Then sanitize/reset before next group. Removed all comfy furniture

- Small urban – appointments for computers and browsing. Let them in for a short period of time, then have them leave and clean before next appointment. Alternate open times with curbside service.
- County – plan to do half appointments, and half walk-ins. 2-3 hr open window in morning and evening.
- Messaging to public that this is "in and out' or "express visit."
    - "Grab and go" and the greeter encourages people not to linger for too long.
    - Having a greeter station at the door to remind people of the time limit. Having a limited area for browsing.
    - Greeter can set the tone about masking, behavior, time limits
    - Others have some wariness about time limits and getting push back from the public
        - What works in one community does not work in others!
    - If your library is not currently open, put messaging out to the public NOW about what things will look like in the library in the future. Give them a general idea about what to expect. Communicate to your community BEFORE you open as much as you can. Keep it short and bullet points. A new code of conduct that is shared with the community on a giant sign.
    - Shared a short youtube video on the library's homepage explaining what to expect on a visit
    - Consider how various retail stores, coffee shops, etc. are operating
- Suburban library – city was able to hire health screeners as greeters and to monitor temperature, etc. That took some pressure off of the staff. They felt their management team took the concern seriously e.g. mask compliance
- Noticing a slight shift in values related to privacy when in conflict with safety
- Looking at assigned work areas and teams – Greeter indicating what customers can do, computer use time, outside service, self-checks, teams with cross section of staff
- Some municipalities had staff sign safety adherence contracts

Given government standards, what concerns do you have, or what do you find frustrating or difficult when approaching patron services right now?

- Site concerns
    - Variety of comfort levels
        - Some adhere and others ignore
        - Some are very concerned about catching COVID, others don't believe it's an issue
    - Who is on site?
        - Some systems have all hands on deck with managers helping
        - At some, management not on site to see what may be happening
    - Some signage protocols are working well
    - Ventilation concerns and hvac system filters brought up - want assurance the proper ventilation is occurring. Some buildings are old and don't have windows that open.

  - Is proper cleaning happening?
  - Is proper contact tracing happening?
  - Location and layout varies, staff proximity varies, contact free varies
  - Is there unnecessary staff contact (e.g. long convos happening where others trying to work while distanced)
  - Lack of consistent schedules and managing when staff are in building vs at home
  - Customers using openings around plexiglass to communicate
  - Request for libraries to provide high quality N95 masks
  - Eating in the car/inability to use breakroom
- Mask enforcement
  - Kids and mask compliance – how will we manage their expectations and behaviors when the library is open again and they have a lot of restrictions in other parts of their life? One library doesn't let children be on their own anymore in the building
  - Suggestion of simple phrases like "I'm so sorry, I'm going to ask you to put on a mask" and have masks on hand to give customer
- Time needed to assist customers
  - Many short-staffed due to furloughs and/or capacity limitations
- Internal communication
  - Some frontline staff have been isolated, either doing bulk of in-person work or feeling left out of decisions
  - Lack of communication with other departments
  - Cohorts isolating in own groups
  - Challenges with staff shift transitions and library operations workflow
    - Are we adapting?
    - Are we communicating?
- Technology, Skills, etc.
  - Scanner effectiveness, especially when expecting patron to scan
  - Customer Service for hard of hearing is a challenge
    - Exceptions made for those hard of hearing or are at senior living facilities, mail service to customers within the city

What are your libraries doing now that you would like to see carry forward from this time?

- Community loves the sidewalk/curbside service! Staffing might not be possible in the future. Some patrons might not be comfortable to come inside, even after it is open. Drive-thru window?
- Using communication radios among the staff has been useful in the large empty building
- Flex time flexibility for staff
- Book bundles for kids
- Combining virtual and physical programs
- Empathy and cross training across different roles that are normally siloed
- Elderly community embraced curbside service. Doing more outreach work with them

- Continuation of mailing for elderly patrons
- Chat reference service
- Collaboration across different library locations in consortia or branches. Staff get to work and collaborate with new people
- Enjoying some quiet in the library. Want people to be kinder and a little quieter when the library reopens.
- Side thread about shelf reading projects and weeding projects

Cleaning and health procedures

- Using an "official" type person as a greeter/screener can promote more compliant and courteous behavior inside.
- Could libraries invest in more technically to keep things clean? Example fogging to disinfect
- UV cleaning robots?
- Encourage patrons to do their own cleaning instead of making staff