



City of San Juan Bautista

The "City of History"

www.san-juan-bautista.ca.us

AGENDA

REGULAR CITY COUNCIL MEETING

TUESDAY ~ MAY 17, 2022 ~ 6:00 P.M.

~ PUBLIC PARTICIPATION BY ZOOM ONLY ~

Join Zoom Webinar <https://zoom.us/j/82390527875>

or call 1 (669) 900-6833

Webinar ID: 823 9052 7875

THIS MEETING WILL BE CONDUCTED PURSUANT TO GOVT. CODE §54953(e)(1)(A).

In order to minimize the spread of the COVID 19 virus the City Council is conducting this meeting by Zoom webinar and will be offering alternative options for public participation. You are encouraged to watch the meeting live on Zoom or Facebook.

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 during the meeting you **MUST** use Zoom.

If you are unable to join the meeting, 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. on April 19, 2022, and will be read into the record during public comment on the item.

In compliance with the Americans with Disabilities Act, 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 §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

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. Adopt the Minutes of April 19, 2022 Meeting**
- C. Adopt a Resolution of the City Council of the City of San Juan Bautista Approving the Report Prepared in Connection with the Fiscal Year 2022-23 Levy of Assessments in Connection with Valle Vista Landscape and Lighting Maintenance Assessment District No. 1**
- D. Adopt a Resolution of the City Council of the City Declaring Its Intention to Levy and Collect Assessments Within Valle Vista Landscape and Lighting Maintenance Assessment District No. 1 for Fiscal Year 2022-23 and Setting the Time and Place for a Hearing on Said Assessment**
- E. Adopt a Resolution of the City Council of the City of San Juan Bautista Calling a General Municipal Election to be Held on November 8, 2022, Requesting that County of San Benito Agree to Consolidation of Said Election With the Statewide General Election to be Held on Said Date, and Requesting the County to Render Services in Connection With Said Consolidated Election**
- F. Adopt a Resolution of the City Council of the City of San Juan Bautista Proclaiming and Reaffirming the Existence of a Local Emergency in the City**
- G. Waive Reading of Ordinances and Resolutions on the Agenda Beyond Title**

4. Presentations, Proclamations, Informational Items and Reports

A. City Council and Staff Announcements

This is an opportunity for Council and staff to share the community calendar and announce upcoming dates of interest to the general public.

- B. Proclamation Recognizing Historic Preservation Month, May 2022**
- C. Planning Commission Presentation of Certificates of Recognition for National Preservation Month to Michael and Vina Statua for the Residence at 607 Third Street, and Mary Lopez for 307, 309 and 313-315 Third Street**
- D. Balanced Access San Juan Bautista – Aromas Project presented by President Elise Brentnall**
- E. San Juan Committee Annual Report**
- F. Pet Friends Annual Report**
- G. Treasurer's Report and Monthly Financial Statements by City Treasurer Michelle Sabathia**
- H. City Manager's Report**
- I. Reports from City Council Representatives to Regional Organizations and Committees**

5. **Public Hearing**
 - A. **Conduct a Public Hearing and Adopt a Resolution of the City Council of the City of San Juan Bautista Declaring the Condition of Certain Properties to Constitute a Public Nuisance and Ordering the Abatement of Weeds Thereon, and Conducting a Hearing for the Receipt of Objection to the Proposed Abatement**
6. **Action Items**
 - A. **LGBTQ Pride Month: Approve a Proclamation and Authorize the Flying of the Pride Flag for the Month of June 2022 Consistent with City Council Resolution 2021-40**
 - B. **Adopt a Resolution of the City Council of the City of San Juan Bautista Accepting the Proposed Water Rate Study and Setting Six Actions into Motion:**
 1. **Accept the Bartell Wells and Associates (BWA) Water Rate Study.**
 2. **Propose that the water rates set forth in the BWA Study and the Rate Table be the increase in rates proposed by this action.**
 3. **Set a public hearing for July 12, 2022 in City Council Chambers at 311 Second Street in San Juan Bautista and virtually by web conference.**
 4. **At the Public Hearing the City Council will hear testimony from all interested persons regarding the proposed water rates.**
 5. **Direct staff to mail notice of the Public Hearing to water customers in the manner set forth in Section 53755(a)(1) of the California Gov. Code.**
 6. **Direct staff to accept written protests.**
 - C. **Adopt a Resolution of the City Council of the City of San Juan Bautista Authorizing the County, as Lead Agency for the Members of the San Benito Integrated Waste Management Regional Agency, to Conduct Activities Needed on Behalf of the City to Comply with Senate Bill 1383, the Short-lived Climate Pollutant Act and Declaring the Purpose and Need for a Rural Exemption**
 - D. **Adopt a Resolution of the City Council of the City of San Juan Bautista Determining a Specific Time and Place Authorizing the Non-Profit Organization Anzar High School Booster Club consistent with Municipal Codes 5-1-166 and 5-16-100 to Sell TNT Safe and Sane Fireworks for the July 4th Holiday**
 - E. **Adopt a Resolution of the City Council of the City of San Juan Bautista Approving the Transmittal of an "Open Letter From the City Council To The Planning Commission"**
 - F. **Appoint a City Clerk for the Period Ending December 2022.**
7. **Discussion**
 - A. **Receive the Draft City Budget for Fiscal Year 2022/23, and Set May 24th as the first Budget Workshop**
 - B. **COVID-19 Update**
 - C. **Water and Wastewater Update**
9. **Future Agenda Items**
 - A. **Loayza Subdivision Agreement for May 24th**
 - B. **Water Board Settlement Agreement**
9. **Comments**
 - A. **City Council**
 - B. **City Manager**
 - C. **City Attorney**
10. **Adjournment**

AFFIDAVIT OF POSTING

I, VERONICA MUNOZ NORIETA, DO NOW DECLARE, UNDER THE PENALTIES OF PERJURY THAT I AM THE OFFICE ASSISTANT FOR THE CITY OF SAN JUAN BAUTISTA, AND THAT I POSTED THREE (3) TRUE COPIES OF THE ATTACHED CITY COUNCIL MEETING AGENDA. I FURTHER DECLARE THAT I POSTED SAID AGENDA ON THE 13th DAY OF MAY 2022, AND I POSTED THEM IN THE FOLLOWING LOCATIONS IN SAID CITY OF SAN JUAN BAUTISTA, COUNTY OF SAN BENITO, CALIFORNIA.

1. ON THE BULLETIN BOARD AT CITY HALL, 311 SECOND STREET.
2. ON THE BULLETIN BOARD AT THE CITY LIBRARY, 801 SECOND STREET.
3. ON THE BULLETIN BOARD AT THE ENTRANCE TO THE UNITED STATES POST OFFICE, 301 THE ALAMEDA

SIGNED AT SAN JUAN BAUTISTA, COUNTY OF SAN BENITO, CALIFORNIA,
ON THE 13th DAY OF MAY 2022.



VERONICA MUNOZ NORIEGA, OFFICE ASSISTANT



City of San Juan Bautista
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MINUTES
REGULAR CITY COUNCIL MEETING
April 19, 2022

1. CALL TO ORDER

Mayor Jordan called the meeting to order at 6:00 p.m. via teleconference

Pledge of Allegiance was led by Council Member Edge

2. ROLL CALL: Present

Mayor Jordan

Vice Mayor Flores

Council Member Edge, Freels, Freeman

Staff Present

City Manager Reynolds; City Attorney Rathie, City Treasurer Sabathia, Assistant City Manager/Development Director Foucht; Acting City Clerk Frontella;

3. CLOSED SESSION

Item 4.a Report by City Attorney Rathie, Item B; information and direction provided, Item A; approval regarding eminent domain.

4. PUBLIC COMMENTS

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.

**Mayor Jordan asked for public comments, the following citizens spoke:
Kathryn Ramirez**

5. 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.

Item 5.a: Approve Affidavit of Posting the Agenda

Action: Approved by motion to Consent Calendar

Item 5.b: Approve Affidavit of Posting Public Hearing Notice

Action: Approved by motion to Consent Calendar

Item 5.c: Adopt the Minutes of March 15, 2022

Action: Approved by motion to Consent Calendar

Item 5.d: Adopt the Minutes of March 8, 2022

Action: Approved by motion to Consent Calendar

Item 5.e: Adopt the Minutes of February 15, 2022

Action: Approved by motion to Consent Calendar

Item 5.f: Adopt Ordinance 2022-01 of the City of San Juan Bautista Adding Section 3-4-256 to the San Juan Bautista Municipal Code to Allow for Liens as a Remedy When Transient Occupancy Tax Is Not Remitted By An Operator

Action: This item was pulled and heard under separate motion.

MOTION 5.f: Motion by Vice Mayor Flores, seconded by Council Member Freeman to adopt Ordinance 2022-01 adding Section 3-4-256 to the Municipal Code to allow for Liens as a Remedy when Transient Occupancy Tax is not remitted by an Operator. Passed 5/0

AYES: 5 Council Members: Flores, Freeman, Freels, Edge, Jordan

NOES: 0

Item 5.g: Adopt Ordinance 2022-02 of the City of San Juan Bautista Increasing the Formal Bid Limit Requiring City Council Approval and Making Other Revisions to the Municipal Code (Chapter 2-8, Purchasing Procedures)

Action: This item was pulled and heard under separate motion.

MOTION 5.g: Motion by Council Member Edge, seconded by Council Member Freels to adopt Ordinance 2022-02 Increasing the Formal Bid Limit requiring City Council approval and making other Revisions to the Municipal Code (Chapter 2-8 Purchasing Procedures) Passed 5/0

AYES: 5 Council Members: Edge, Freels, Flores, Freeman, Jordan

NOES: 0

Item 5.h: Adopt a Resolution of the City Council of the City of San Juan Bautista Declaring the Condition of Certain Properties to Constitute a Public Nuisance and Ordering the Abatement of Weeds Thereon and Noticing a Hearing for the Receipt of Objections to the Proposed Abatement

Action: This item was pulled and heard under separate motion.

MOTION 5.h: Motion by Vice Mayor Flores, seconded by Council Member Edge to adopt a Resolution Declaring the condition of Certain Properties to Constitute a Public Nuisance and Ordering the Abatement of Weed thereon and Noticing a Hearing for the Receipt of Objections to the Proposed Abatement. Passed 5/0

AYES: 5 Council Members: Edge, Freels, Flores, Freeman, Jordan .

NOES: 0

Item 5.i: Adopt a Resolution of the City Council of the City of San Juan Bautista Ordering Preparation of an Engineer's Report for Fiscal Year 2022-23 for Valle Vista Landscape and Lighting Maintenance Assessment District No. 1

Action: Approved by motion to the Consent Calendar

Item 5.j: Adopt a Resolution of the City Council of the City of San Juan Bautista Approving a Temporary Name for the Park at Franklin Circle, "Franklin Circle Community Park," And Dedicating On A Park Bench the Succulent Garden to Glenn Farney, And Recognize On A Plaque And Granite Boulder, All The Community Members That Contributed To The Development Of This Park Led By Mary And Rick Morales, and Jimmy Martin

Action: Approved by motion to the Consent Calendar

Item 5.k: Adopt a Resolution of the City Council of the City of San Juan Bautista Proclaiming and Reaffirming the Existence of a Local Emergency in the City

Action: Approved by motion to the Consent Calendar

Item 5.l: Waive Reading of Ordinances and Resolutions on the Agenda Beyond Title

Action: Approved by motion to the Consent Calendar

MOTION: Motion by Council Member Edge, seconded by Vice Mayor Flores to approve items A, B, C, D, E, I, J, K, and L as submitted to the Consent Calendar. Passed 5/0

AYES: 5 **Council Members:** Edge, Flores, Freeman, Freels, Mayor Jordan
NOES: 0

At this time, the Council moved to Consent Calendar pulled items F, G and H.

6. PRESENTATIONS, PROCLAMATIONS, INFORMATIONAL ITEMS AND REPORTS

Item 6.a: Proclamation Thanking LULAC for Donation of Laptops for the Library

Item 6.b: Proclamation for Public Works Week, May 15 – 21, 2022

Item 6.c: Proclamation for City Clerk's Week, May 1 – 7, 2022

Item 6.d: Central Coast Community Energy Annual Member Agency Presentation

Item 6.e: Microenterprise Home Kitchen Operations Program (MEHKO) Presentation by San Benito County Analyst Graciela Rodriguez and Roya Bagheri

- Item 6.f:** San Benito County Sheriff's Office Presentation by Deputy Ryan Miller
- Item 6.g:** Treasurer's Report and Monthly Financial Statements by City Treasurer Michelle Sabathia
- Item 6.h:** City Manager's Report
- Item 6.i:** Reports from City Council Representatives to Regional Organizations and Committees

The above items were presented to Council with Mayor Jordan reading the proclamation into the record and presenting to each representative.

7. PUBLIC HEARING ITEMS

- Item 7.a:** Consider Appeal by Jesus Zavala of the Planning Commission's Action Denying a Conditional Use Permit for an Alcoholic Beverage Control License Type 47 License (On Sale General – Eating Place). The Appeal will be heard by the City Council regarding: 1) a Conditional Use Permit to allow the establishment of a bar on the main floor; and 2) a Conditional Use Permit to allow on-site alcohol sales/consumption. The project has been determined to be exempt from CEQA per Guidelines Sections 15303 and 15305.

Mayor Jordan opened the Public Hearing for anyone to speak in favor of or in opposition to this item. The Acting City Clerk Frontella read a public comment from Yolanda Delgado into the record, also commenting was Rachel Ponce.

Seeing no other comments from the public, Mayor Jordan closed the Public Hearing regarding this item.

Motion 7.a: Motion by Council Member Edge, seconded by Council Member Freeman to Adopt a Resolution of the City Council of the City of San Juan Bautista Approving a Use Permit to Allow the Establishment of a Restaurant with Bar and Related On-Site Alcohol Sales/Consumption on the Main Floor of a Mixed-Use Building; for the Property Located at 205 The Alameda, at the Intersection of The Alameda and Pearce Street, APN: 002-460-001 and 002-460-002. Passed 5/0

AYES: 5 Council Members: Edge, Flores, Freeman, Freels, Mayor Jordan
NOES: 0

- Item 7.b:** Water Shortage Emergency; Pursuant to Section 350-359 of the California Water Code, the City of San Juan Bautista may declare a water shortage emergency condition to prevail within the area whenever it finds and determines that the ordinary demands and requirements of water consumers cannot be satisfied without depleting the water supply for human consumption,

sanitation, and fire protection. The Declaration shall be made only after a public hearing at which consumers of such water supply shall have an opportunity to be heard to protest the declaration.

Mayor Jordan opened the Public Hearing for anyone to speak in favor of or in opposition to this item.

Seeing no comments from the public, Mayor Jordan closed the Public Hearing regarding this item.

Council directed staff to bring back an Ordinance (emergency) regarding fee to County.

Motion 7.b: Motion by Vice Mayor Flores, seconded by Council Member Freeman to Adopt a Resolution of the City Council of the City of San Juan Bautista Declaring a State of Emergency Due to Drought and Imposition of Water Conservation Regulations. Passed 5/0

AYES: 5 Council Members: Edge, Flores, Freeman, Freels, Mayor Jordan
NOES: 0

8. ACTION ITEMS

Item 8.a: Appeal by Dante Bains of Sewer Connection Fee at 507 Third Street

Action: This item was pulled and not heard at this time

Item 8.b: Adopt Strategic Plan and Review Status of Fiscal Year 2022-2023 Budget

Action: This item was postponed by consensus of the members of the City Council.

Item 8.C: Adopt a Resolution of the City Council of the City of San Juan Bautista Authorizing the San Benito County Arts Council (Arts Council) Installation of a Mural on the Luck Library. Passed 4/1

Motion 8.c: Motion by Vice Mayor Flores, seconded by Council member Freeman to adopt the Resolution Authorizing the San Benito County Arts Council (Arts Council) Installation of a Mural on the Luck Library.

AYES: 4 Council Members: Edge, Flores, Freeman, Mayor Jordan
NOES: 1 Council Member: Freels

Item 8.d: Adopt a Resolution of the City Council of the City of San Juan Bautista Authorizing Closure of Mariposa Street Between Second and Third Streets to Enable a Farmers Market Every Sunday Between 9:30 AM – 2 PM

A lengthy discussion ensued regarding this item, a public comment was read into the record by Acting City Clerk Frontella and received by Dan DeVries.

Action: This item was tabled by consensus of the members of the City Council.

Item 8.e: Appoint City Clerk for the Period Ending December 2022

Action: This item was postponed by consensus of the members of the City Council.

9. DISCUSSION

Item 9.a: Microenterprise Home Kitchen Operations Program (MEHKO)
Graciela Rodriguez and Roya Bagheri gave a presentation of the MEHKO program

Item 9.b: COVID-19 Update

Action: This item was postponed by consensus of the members of the City Council.

Item 9.c: Water and Wastewater Update

Action: This item was postponed by consensus of the members of the City Council.

10. FUTURE AGENDA ITEMS

Currently, it was the consensus of Council to limit presentation from outside agencies to 10 minutes.

11. COMMENTS

Item 11.a: City Council

Item 11.b: City Manager

Item 11.c: City Attorney

12. **ADJOURNMENT** – There being no further business, Mayor Jordan adjourned this meeting at 10:52 p.m.

Respectfully submitted

**Lori Frontella, MMC
 Acting City Clerk**

RESOLUTION NO. 2022-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
SAN JUAN BAUTISTA APPROVING THE REPORT PREPARED IN CONNECTION
WITH THE FISCAL YEAR 2022-23 LEVY OF ASSESSMENTS IN CONNECTION
WITH VALLE VISTA LANDSCAPE AND LIGHTING MAINTENANCE ASSESSMENT
DISTRICT NO. 1

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

WHEREAS, by prior resolution, this Council ordered preparation of an Assessment Report (“Report”) with respect to the Fiscal Year 2022-23 assessment to be levied in connection with the District; and

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

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

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

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

PASSED AND ADOPTED at a regular meeting of the City Council of the City of San Juan Bautista duly held on the 17th day of May, 2022, by the following vote:

Ayes:

Noes:

Absent:

Abstain:

Leslie Q. Jordan, Mayor

ATTEST:

Don Reynolds, Acting Deputy City Clerk

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

ASSESSMENT REPORT

**VALLE VISTA
LIGHTING AND LANDSCAPE
MAINTENANCE ASSESSMENT DISTRICT NO. 1
FISCAL YEAR 2022-2023**

May 17, 2022

MEMBERS OF THE CITY COUNCIL

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

**Don Reynolds
Robert Rathie, Wellington Law
Don Reynolds
Nicholas Bryan**

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

PREPARED BY:

DON REYNOLDS

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

FISCAL YEAR 2022-2023

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

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

17th day of May, 2022.

Don Reynolds, Acting Deputy City Clerk
City of San Juan Bautista
San Benito County, California

By: _____

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

17th day of May, 2022.

Don Reynolds, Acting Deputy City Clerk
City of San Juan Bautista
San Benito County, California

By: _____

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

FISCAL YEAR 2022 – 2023

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

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

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

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

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

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

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

PART B VALLE VISTA
LIGHTING AND LANDSCAPING MAINTENANCE DISTRICT No.1
Budget 2022-2023

Formula to determine Assessment per General Rule #5

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

Single Family Home = \$ 699.32

Single Family Home with Granny Unit = \$874.15

PART C VALLE VISTA
LIGHTING AND LANDSCAPING MAINTENANCE DISTRICT No. 1
Assessment 2022-2023

ASSESSMENT NO.	OWNER	ASSESSOR'S PARCEL NO.	ASSESSMENT Per UNIT	ASSESSMENT UNITS	FISCAL YEAR
					2021-2022 ASSESSMENT TOTAL
1	Adriana Martin	002-600-019-0	\$ 699.32	1	\$ 699.32
2	Zoey Diggory & David M. Lo	002-600-018-0	\$ 699.32	1.25	\$ 874.15
3	Germain R & Wanda M. Guibert	002-600-017-0	\$ 699.32	1.25	\$ 874.15
4	Steve F & Mary M Woodill	002-600-016-0	\$ 699.32	1.25	\$ 874.15
5	Stephen T Sesody	002-600-015-0	\$ 699.32	1.25	\$ 874.15
6	Joanne Neubauer	002-600-014-0	\$ 699.32	1	\$ 699.32
7	Elise Brentnall	002-600-013-0	\$ 699.32	1	\$ 699.32
8	Don & Sharon Gerber	002-600-012-0	\$ 699.32	1	\$ 699.32
9	William M & Rosemary Y Hernandez	002-600-011-0	\$ 699.32	1	\$ 699.32
10	Michael Humphrey & Joan Rodgers	002-600-035-0	\$ 699.32	1	\$ 699.32
11	Nathalie Godoy & Augustine Rojas	002-600-010-0	\$ 699.32	1	\$ 699.32
12	Isaias & Claudia Lona	002-600-034-0	\$ 699.32	1	\$ 699.32
13	Phillip Esparza & Yolanda Lopez	002-600-009-0	\$ 699.32	1	\$ 699.32
14	Guillermo E & Georges Gomez	002-600-033-0	\$ 699.32	1	\$ 699.32
15	Marion and Alfredo Torres	002-600-008-0	\$ 699.32	1	\$ 699.32
16	Steven T lo et ux	002-600-032-0	\$ 699.32	1	\$ 699.32
17	John V & Cynthia J Alnas	002-600-007-0	\$ 699.32	1	\$ 699.32
18	Kent Penning	002-600-031-0	\$ 699.32	1	\$ 699.32
19	Randal R. Phelps	002-600-006-0	\$ 699.32	1	\$ 699.32
20	Alex & Marta Gorelik	002-600-030-0	\$ 699.32	1	\$ 699.32
21	David & Julie Koesel	002-600-005-0	\$ 699.32	1	\$ 699.32
22	Diana Robbins & Aaron Bettencourt	002-600-029-0	\$ 699.32	1	\$ 699.32
23	Kristy Jensen	002-600-004-0	\$ 699.32	1	\$ 699.32
24	Darlene R. Anger Living Trust	002-600-003-0	\$ 699.32	1	\$ 699.32
25	Juan J Briano	002-600-002-0	\$ 699.32	1	\$ 699.32
26	Lincoln & Diane Beeman	002-600-001-0	\$ 699.32	1	\$ 699.32
27	Kenneth J Houle	002-600-028-0	\$ 699.32	1	\$ 699.32
28	Martinet Family Trust	002-600-027-0	\$ 699.32	1	\$ 699.32
29	Michael Urbani & Lindsey Pengelly	002-600-026-0	\$ 699.32	1	\$ 699.32
30	Kathy M Dutra	002-600-025-0	\$ 699.32	1	\$ 699.32
31	Douglas & Leanna Brothers	002-600-024-0	\$ 699.32	1	\$ 699.32
32	Harold Gomes	002-600-023-0	\$ 699.32	1	\$ 699.32
33	Manuel Solis	002-600-022-0	\$ 699.32	1	\$ 699.32
34	James & Iraidia Pisano	002-600-021-0	\$ 699.32	1	\$ 699.32
35	Curtis Smith & Mishele Newkirk	002-600-020-0	\$ 699.32	1	\$ 699.32
			\$ 24,476.20	36	\$ 25,175.52

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

FISCAL YEAR 2022 – 2023

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

GENERAL RULES

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

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

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

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

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

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

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

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

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

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

Exhibit A

VALLE VISTA LANDSCAPE AND LIGHTING DISTRICT

Estimate of Cost for Budget FY 20 2022-2023

Item	Account		FY23
<u>No.</u>	<u>No.</u>	<u>Description</u>	<u>Projected</u>
	500	City Personnel Costs	3,741
1	643	Utility Water Base Fee	2,500
2	643A	Utility Water Usage charge	-
3	560	Advertising Cost	100
4	580	Printing & Copies	100
5	602	Legal Cost	100
6	760	PW Pond Cleanup	
7	657	Adminstration Cost	850
8	642	PG&E Cost	900
9	760	Contract Landscaping	15,040
10	760A	Contingency	300
11	760B	Reserves	300
			<u>23,931</u>
		Cost of Living Increase	<u>5.2%</u>
			25,175

RESOLUTION NO. 2022-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
SAN JUAN BAUTISTA DECLARING ITS
INTENTION TO LEVY AND COLLECT ASSESSMENTS
WITHIN VALLE VISTA LANDSCAPE AND LIGHTING MAINTENANCE
ASSESSMENT DISTRICT NO. 1 FOR FISCAL YEAR 2022-23 AND SETTING
THE TIME AND PLACE FOR A HEARING ON SAID ASSESSMENT

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

WHEREAS, by prior resolution, this Council ordered preparation of an Assessment Report (“Report”) with respect to the assessment proposed to be levied in connection with the District for Fiscal Year 2022-23, and

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

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

WHEREAS, the City Council desires to declare its intention to levy the proposed assessment for Fiscal Year 2022-23.

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

1. The Council hereby declares its intention to levy and collect assessments in connection with the District for Fiscal Year 2022-23, as set forth in the Report.
2. The District is designated by the following distinctive name: “Valle Vista Landscaping and Lighting Maintenance Assessment District No. 1.” The District is generally described as a district including the parcels on both sides of Ahwahnee Street and Donner Street, bounded by San Juan Highway and Third Street. Reference is made to the Report for a more complete and exact definition of the territory included in the District.
3. The improvements to be maintained, operated and serviced in connection with the District are generally described as: street lighting and street landscaping within the District; as well as lighting and landscaping associated with the detention basin, sanitary sewer pump station, and a public park located within the District.

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

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

6. It is ordered that on June 14, 2022, at the hour of 6:00 o'clock p.m., in the regular meeting place of this Council, the Council Chambers, City Hall, 311 Second Street, San Juan Bautista, California, is the time and place where this Council will hold a public hearing on the proposed assessment. At the Hearing, all interested persons will be permitted to present written and/or oral testimony regarding the proposed assessment. The City Clerk is directed to give notice of the Hearing by one publication of a copy of this Resolution in the local newspaper published and circulated in the City, pursuant to Section 6061 of the California Government Code, said publication to be had and completed at least ten (10) days before the date herein set for the Hearing.

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

PASSED AND ADOPTED at a regular meeting of the City Council of the City of San Juan Bautista duly held on the 17th day of May, 2022, by the following vote:

Ayes:

Noes:

Absent:

Abstain:

Leslie Q. Jordan, Mayor

ATTEST:

Don Reynolds, Acting Deputy City Clerk

RESOLUTION NO. 2022-XX

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
SAN JUAN BAUTISTA CALLING A GENERAL MUNICIPAL
ELECTION TO BE HELD ON NOVEMBER 8, 2022, REQUESTING
THAT COUNTY OF SAN BENITO AGREE TO CONSOLIDATION
OF SAID ELECTION WITH THE STATEWIDE GENERAL
ELECTION TO BE HELD ON SAID DATE, AND REQUESTING
THE COUNTY TO RENDER SERVICES IN CONNECTION
WITH SAID CONSOLIDATED ELECTION**

WHEREAS, Section 2-1-200 of the San Juan Bautista Municipal Code provides that City's General Municipal Election shall be held on the same day as the Statewide General Election on the first Tuesday following the first Monday of November in every even-numbered year; and

WHEREAS, the terms of three members of the City Council, namely Leslie Q. Jordan, Cesar E. Flores, and Mary V. Edge, will expire as of the regular City Council meeting on November 15, 2022, thus their successors shall be elected at the General Municipal Election in November of 2022; and

WHEREAS, the term of the City Clerk and City Treasurer will expire as of the regular City Council meeting on November 15, 2022, thus their successors shall be elected at the General Municipal Election in November 2022; and

WHEREAS, consistent with past practice, this Council desires that City's General Municipal Election be consolidated with the Statewide General Election, and that the County be requested to render specified services in connection with said consolidated election; and

WHEREAS, the City recognizes that additional costs will be incurred by the County by reason of this consolidation and agrees to reimburse the County for any costs.

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

SECTION 1. Pursuant to San Juan Bautista Municipal Code, Section 2-1-200, this Council hereby calls a General Municipal Election to be held on November 8, 2022, for the purpose of the election of three (3) members of the City Council, the City Clerk and City Treasurer and, if hereafter timely directed, for submission of questions and/or propositions to the electorate.

SECTION 2. This Council hereby requests, pursuant to California Elections Code, Section 10403, that the San Benito County Board of Supervisors consent to consolidation of the General Municipal Election with the Statewide General Election, and therefore to permit the San Benito County Clerk and the County Elections Department to render services in all phases relating to the conduct of the City of San Juan Bautista General Municipal Election to be held on November 8, 2022.

SECTION 3. The ballots to be used at the General Municipal Election shall be in form and content as required by law.

SECTION 4. In all particulars not recited in this Resolution, the General Municipal Election shall be held and conducted as provided by law for holding municipal elections.

SECTION 5. Notice of time and place of holding the General Municipal Election is given and the City Clerk is authorized, instructed, and directed to give further or additional notices of said election, in time, form, and manner as required by law.

SECTION 6. The City Clerk shall certify to the passage and adoption of this Resolution and shall as soon as practicable present and file it with the San Benito County Board of Supervisors, with a copy to the County's election official.

PASSED AND ADOPTED this 17th day of May, 2022, at a regular meeting of the San Juan Bautista City Council, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST:

Mayor Leslie Q. Jordan

Don Reynolds, Acting Deputy City Clerk

RESOLUTION 2022-XX

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN JUAN BAUTISTA,
COUNTY OF SAN BENITO, STATE OF CALIFORNIA, PROCLAIMING AND REAFFIRMING
THE EXISTENCE OF A LOCAL EMERGENCY**

WHEREAS, the San Juan Bautista Municipal Code Section 5-33-040 empowers the City Council to proclaim the existence or threatened existence of a local emergency when said City is affected or likely to be affected by a public calamity and the City Council is not in session, subject to ratification by the City Council within seven days; and

WHEREAS, the San Juan Bautista City Council has been requested by the Director of Emergency Services (City Manager) of the City of San Juan Bautista to proclaim and reaffirm the existence of a local emergency therein; and

WHEREAS, conditions of disaster or extreme peril to the safety of persons and property have arisen within the City caused by a pandemic commencing on or about 8:00 a.m. on the 13th day of March, 2020, at which time the City Council of the City of San Juan Bautista was not in session; and

WHEREAS, said City Council does hereby find that the aforesaid conditions of extreme peril did warrant and necessitate the proclamation of the existence of a local emergency.

NOW, THEREFORE, IT IS HEREBY PROCLAIMED that a local emergency now exists throughout the City of San Juan Bautista on the 13th day of March, 2020; and

IT IS FURTHER PROCLAIMED, REAFFIRMED AND ORDERED that during the existence of said local emergency, organization of this City shall be prescribed by law, by Ordinances and Resolutions of the City, and approved by the City Council; and

IT IS FURTHER PROCLAIMED AND ORDERED that said local emergency shall be deemed to continue to exist until its termination is proclaimed by the City Council of the City of San Juan Bautista, State of California.

Dated this 17TH day of May 2022 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Leslie Q. Jordan, Mayor

ATTEST:

Don Reynolds, Acting Deputy City Clerk

WAIVER OF READING OF ORDINANCES

State law requires that an ordinance be read in its entirety prior to adoption unless the City Council waives reading beyond the title. Reading an entire ordinance at the meeting is extremely time-consuming; reading of the title alone usually gives the audience sufficient understanding of what the Council is considering.

To ensure that this waiver is consistently approved by the Council, Council should make the waiver at each meeting, thus, you should do it at this point on the Consent Agenda. The Council then does not have to worry about making this motion when each ordinance comes up on the agenda.

GC36934

PROCLAMATION

RECOGNIZING MAY 2022 AS NATIONAL PRESERVATION MONTH
IN THE CITY OF SAN JUAN BAUTISTA

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

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

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

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

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

NOW, THEREFORE, I, Leslie Q. Jordan, Mayor of the City of San Juan Bautista, do hereby proclaim May 2022 as National Preservation Month, and call upon the citizens of San Juan Bautista to join their fellow citizens across the United States in recognizing and participating in this special observance.

Leslie Q. Jordan
Mayor

**CITY OF SAN JUAN BAUTISTA, CALIFORNIA
CERTIFICATE OF RECOGNITION**

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

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

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

WHEREAS, the Planning Commission wishes to recognize a property owner whose rehabilitation of a private building reflects the City's goals to maintain its historical ambiance by preserving and restoring the structure at 607 Third Street, referred to historically as "the Joseph House":

- Repainting the exterior and accenting the details of its Spanish Colonial Revival architecture*
- Reroofing the house while maintaining Spanish clay tiles*
- Creating curb appeal for visitors*
- Providing a welcoming and inviting appearance to historic San Juan Bautista*
- Extending the economic life of the building*
- Modeling responsible stewardship of an historic building*

NOW, THEREFORE, BE IT RESOLVED at its meeting on April 5, 2022, the Historic Resources Board of the City of San Juan Bautista, on behalf of its citizens, acted to recognize the efforts of Michael and Vina in renewing an existing resource at 607 Third Street and energizing the local economy, and thanks them for being involved citizens.

*Yolanda Delgado, Chairperson
Planning Commission*

CITY OF SAN JUAN BAUTISTA, CALIFORNIA

CERTIFICATE OF RECOGNITION

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

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

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

WHEREAS, the Planning Commission wishes to recognize a property owner whose rehabilitation of a public building reflects the City's goals to maintain its historical ambiance by preserving and restoring the historic Giacomo Ramoni buildings at 307 and 309 Third Street, and the iconic A. Taix Block building at 313-315 Third Street by re-roofing all three of the buildings;

NOW, THEREFORE, BE IT RESOLVED at its meeting on April 5, 2022, the Historic Resources Board of the City of San Juan Bautista, on behalf of its citizens, acted to recognize the efforts of Mary Lopez in renewing an existing resource at 307 and 309 Third Street, and 313-315 Third Street and energizing the local economy, and thanks her for being an involved citizen.

*Yolanda Delgado, Chairperson
Planning Commission*

From: Erik Gordon <etgpilot@aol.com>
Sent: Wednesday, April 13, 2022 2:14 PM
To: Trish Paetz
Subject: Fwd: Donation to Pet Friends

Begin forwarded message:

From: ETGPILOT@aol.com
Date: April 6, 2022 at 3:47:49 PM PDT
To: Trish Paetz <deputycityclerk@san-juan-bautista.ca.us>
Subject: Re: Donation to Pet Friends

Hi Trish,

Yes we still work with Pet Friends and are always working on the feral cat population in San Juan Bautista. Fortunately, we have made a lot of progress over the years so it is not nearly as bad as it once was. Of course, we are constantly trapping feral cats and kittens as well as abandoned/dumped cats. We rely on residents to alert us to cat "problems" in town and then we trap, rescue, or pick up the cats/kittens. We were just alerted today of three new cats in town that need to be trapped.

We occasionally even rescue a few abandoned/dumped dogs each year in town and get them into rescues to be fixed and adopted out. I know this helps a lot since we do not have our own animal control. Pet Friends still does have some money on account for us to use for San Juan cats. The funds have been depleted much slower because the cat problem is much better but requires constant attention to keep it under control. As you may know, kitten season just started and we already have 3 mother cats with litters of newborn kittens from town that we are fostering right now. The feral moms will be fixed, vaccinated, and released once the kittens are weaned and then the kittens will go into the rescue for adoption. It would be great if San Juan could put some more funds into the "San Juan Bautista Fund" at Pet Friends. We will start using it more of it soon until things slow down again in the late fall and winter time.

Thank you,

Erik & Marina Gordon

[Sent from the all new AOL app for iOS](#)

On Wednesday, April 6, 2022, 2:12 PM, Trish Paetz <deputycityclerk@san-juan-bautista.ca.us> wrote:

Eric and Marina: The City of San Juan Bautista budgeted funds for animal welfare (fiscal year ending 6/30/2022) but we have not disbursed any funds for some time. In the past, we have donated to Pet Friends (usually at your request). Are you still working with Pet Friends to benefit the feral cat population in San Juan Bautista? Trish Paetz

City of San Juan Bautista
Expenditures ~ Budget Vs. Actual

Item #4G
 City Council Meeting
 May 17, 2022

For the Nine Month Period Ended March 31, 2022

EXPENDITURES	FY21	FY22	Annual		YTD	
<u>Fund</u>	<u>Actuals</u>	<u>Actuals</u>	<u>Budget</u>	<u>Variance</u>	<u>75%</u>	<u>Note</u>
General Fund	1,203,504	1,237,726	2,050,876	(813,150)	60%	
Special Revenue Funds:						
Capital Projects Fund	1,311,008	179,563	2,477,368	(2,297,805)	7%	A
Community Development	420,498	449,839	650,768	(200,929)	69%	
COPS	75,000	75,000	100,000	(25,000)	75%	
Parking & Restroom Fd	707	17,410	117,899	(100,489)	15%	A
Gas Tax Fund	92,495	12,242	100,784	(88,542)	12%	
Valle Vista LLD	12,944	52,680	25,928	26,752	203%	B
Rancho Vista CFD	24,073	29,545	58,716	(29,171)	50%	
Copperleaf CFD	6,153	10,297	21,945	(11,648)	47%	
Development Impact Fee Funds						
Public/Civic Facility	2,025	2,025	169,540	(167,515)	1%	A
Library	3,330	10,130	29,440	(19,310)	34%	A
Storm Drain	90,642	2,574	10,932	(8,358)	24%	A
Park In-Lieu	225	2,906	17,884	(14,978)	16%	A
Public Safety	639	639	180,852	(180,213)	0%	A
Traffic	128,638	324	5,432	(5,108)	6%	A
Internal Service Funds:						
Blg Rehab. & Replace	-	-	25,000	(25,000)	0%	A
Vehicle Replacement	3,750	-	-	-		
Enterprise Funds:						
Water:						
Operations	516,174	590,281	725,548	135,267	81%	
Capital	456,908	92,831	547,705	454,874	17%	A
Sewer						
Operations	607,714	618,831	805,565	186,734	77%	
Capital	202,586	618,226	717,205	98,979	86%	
TOTAL Funds	4,005,023	2,765,343	8,839,387	6,074,044	31%	

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. Additionally, some projects have been moved to the next fiscal year.

B ~ Cost are greater than budget due to one time maintenance, paid through assessment reserves.

City of San Juan Bautista
Revenues ~ Budget Vs. Actual
For the Nine Month Period Ended March 31, 2022

Item #4G
City Council Meeting
May 17, 2022

REVENUES	FY21	FY22	Annual		YTD	
Fund	Actuals	Actuals	Budget	Difference	75%	Notes
General Fund	1,259,057	1,654,121	2,137,076	(482,955)	77%	A
Special Revenue Funds:						
Capital Projects Fund	1,311,008	179,563	905,111	(725,548)	20%	C
Community Development	115,350	93,144	404,514	(311,370)	23%	B
COPS	116,970	118,869	100,000	18,869	119%	
Parking & Restroom Fd	22,587	22,999	25,000	(2,001)	92%	A
Gas Tax Fund	69,581	66,491	100,784	(34,293)	66%	
Valle Vista LLD	16,284	19,446	25,928	(6,482)	75%	
Rancho Vista CFD	43,233	44,037	58,716	(14,679)	75%	
Copperleaf CFD	15,954	16,459	21,945	(5,486)	75%	
Development Impact Fee Funds:						
Park Development	21,468	-	-	-		
Public/Civic Facility	3,534	-	-	-		
Library	4,754	-	-	-		
Storm Drain	40,139	-	-	-		
Parking In-Lieu	-	-	-	-		
Park In-Lieu	13,107	-	-	-		
Public Safety	3,677	-	-	-		
Traffic	50,316	-	-	-		
Internal Service Funds:						
Blg Rehab. & Replace	28,500	28,500	38,000	(9,500)	75%	
Vehicle Replacement	45,000	45,000	60,000	(15,000)	75%	
Enterprise Funds:						
Water						
Operations	852,687	833,764	1,239,670	(405,906)	67%	
Capital	216,495	-	576,400	(576,400)	0%	C
Sewer						
Operations	823,572	880,461	1,142,430	(261,969)	77%	
Capital	18,731	-	733,275	(733,275)	0%	C
TOTAL Funds	3,832,947	2,348,733	7,568,849	5,220,116	31%	

A ~ Current year revenue was higher due to a \$251k grant from Federal government for COVID relief, offset by higher document transfer taxes in the prior year.

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 March 31, 2022

<u>Date</u>	<u>Num</u>	<u>Name</u>	<u>Amount</u>
101.000 · Union Bank			
101.001 · Operating Acct. 1948			
03/03/2022	215413	3T Equipment Company Inc.	-187.56
03/03/2022	215414	4Leaf, Inc.	-11,140.43
03/03/2022	215415	ACWA Health Benefits Authority	-25,078.26
03/03/2022	215416	AFLAC	-581.38
03/03/2022	215417	Akel Engineering Group, Inc.	-1,817.50
03/03/2022	215418	at&t	-95.70
03/03/2022	215419	CALNET	-254.94
03/03/2022	215420	Cesar E. Flores	-145.00
03/03/2022	215421	CIRA - California Intergovernmental Risk	-50,668.00
03/03/2022	215422	Computershare Corporate Trust	-185,866.68
03/03/2022	215423	Core & Main	-646.91
03/03/2022	215424	Dale Coke.	-10,500.00
03/03/2022	215425	Data Ticket Inc.	-200.00
03/03/2022	215426	Downey Brand	-2,193.00
03/03/2022	215427	Enrique Hernandez	-480.70
03/03/2022	215428	Griswold Industries	-6,574.86
03/03/2022	215429	Harris & Associates	-277.50
03/03/2022	215430	Hector Rubalcaba	-230.00
03/03/2022	215431	KBA Docusys	-233.66
03/03/2022	215432	Level 1 Private Security.	-8,820.00
03/03/2022	215433	Local Government Commision	-995.50
03/03/2022	215434	Monterey Bay Analytical Services	-2,765.10
03/03/2022	215435	P G & E	-5,422.59
03/03/2022	215436	Regional Government Services	-2,547.50
03/03/2022	215437	Rx-Tek	-1,001.93
03/03/2022	215438	San Benito County Communications Div.	-65,252.12
03/03/2022	215439	Smith & Enright Landscaping	-3,700.00
03/03/2022	215440	Stantec Consulting Services Inc.	-28,648.25
03/03/2022	215441	Staples	-417.39
03/03/2022	215442	State Compensation Insurance Fund	-2,250.58
03/03/2022	215443	Statewide Traffic Safety Signs	-283.13
03/03/2022	215444	True Value Hardware	-107.92
03/03/2022	215445	US Bank Equipment Finance	-249.61
03/03/2022	215446	Wellington Law Offices	-4,792.00
03/03/2022	215447	Wendy L. Cumming, CPA	-3,187.50
03/03/2022	215448	United Site Services of California, Inc.	-383.14
03/10/2022	215449	All Clear Water Services	-4,100.00
03/10/2022	215450	AVAYA	-250.66
03/10/2022	215451	Charter Communications	-558.19
03/10/2022	215452	Clark Pest Control	-97.00
03/10/2022	215453	Clear Gov Inc.	-11,000.00
03/10/2022	215454	Cypress Water Services	-10,575.00
03/10/2022	215455	Filomeno Garza.	-88.37

**City of San Juan Bautista
Warrant Listing
As of March 31, 2022**

<u>Date</u>	<u>Num</u>	<u>Name</u>	<u>Amount</u>
03/10/2022	215456	J.V. Orta's Rent A Fence	-225.00
03/10/2022	215457	James Garcia.	-230.00
03/10/2022	215458	Joni L. Janecki & Associates, Inc.	-1,675.00
03/10/2022	215459	Judy's Gifts & Awards	-86.60
03/10/2022	215460	Monterey Bay Analytical Services	-966.60
03/10/2022	215461	Postmaster	-398.00
03/10/2022	215462	Quadient Leasing USA, Inc.	-473.47
03/10/2022	215463	Rx-Tek	-754.00
03/10/2022	215464	San Benito Cnty Mosq Abatement Prgm	-277.24
03/10/2022	215465	Veronica Munoz-Noriega	-113.80
03/10/2022	215466	Wright Bros. Industrial Supply	-16.06
03/18/2022	215467	4Leaf, Inc.	-1,034.97
03/18/2022	215468	AFLAC	-290.69
03/18/2022	215469	at&t	-100.34
03/18/2022	215470	att.com	-72.08
03/18/2022	215471	Baker Supplies and Repairs	-52.58
03/18/2022	215472	California Consulting, Inc.	-10,000.00
03/18/2022	215473	CSG Consultants, Inc.	-39,035.00
03/18/2022	215474	EMC Planning Group Inc.	-7,312.29
03/18/2022	215475	Filomeno Garza.	-51.89
03/18/2022	215476	Harris & Associates	-1,711.25
03/18/2022	215477	Hollister Auto Parts, Inc.	-512.91
03/18/2022	215478	Hollister Landscape Supply	-116.91
03/18/2022	215479	J.C.J. Electric Corp.	-1,434.10
03/18/2022	215480	Level 1 Private Security.	-4,770.00
03/18/2022	215481	Monterey Bay Analytical Services	-931.20
03/18/2022	215482	P G & E	-13,033.27
03/18/2022	215483	Pacific Coast Tree Service	-10,900.00
03/18/2022	215484	Patricia Paetz	-30.78
03/18/2022	215485	rrm design group	-1,080.00
03/18/2022	215486	Rx-Tek	-80.00
03/18/2022	215487	Sheehy Strategy Group	-5,000.00
03/18/2022	215488	Sound Design A/V Contractors	-32,859.17
03/18/2022	215489	Sprint	-445.12
03/18/2022	215490	Valero Wex Bank	-907.52
03/18/2022	215491	US Bank	-2,783.46
03/22/2022	215492	Alliant Insurance Services	-728.00
03/22/2022	215493	Core & Main	-656.73
03/22/2022	215494	First Alarm	-461.97
03/22/2022	215495	Ready Refresh	-164.51
03/22/2022	215496	Revize LLC	-5,450.00
03/22/2022	215497	San Benito County Water District	-4,616.22
03/22/2022	215498	San Juan Bautista Committee.	-10,000.00
03/22/2022	215499	Sentry Alarm System	-612.00
03/22/2022	215500	Statewide Traffic Safety Signs	-232.77

City of San Juan Bautista
Warrant Listing
As of March 31, 2022

<u>Date</u>	<u>Num</u>	<u>Name</u>	<u>Amount</u>
03/22/2022	215501	United Site Services of California, Inc.	-368.19
03/22/2022	215502	US Bank Equipment Finance	-249.61
03/23/2022	215503	Regional Government Services	-6,840.00
03/23/2022	215504	Staples	-151.05
03/23/2022	215505	Monica Tinoco.	-675.00
03/23/2022	215506	Monterey Bay Analytical Services	-2,219.40
03/23/2022	215507	Stantec Consulting Services Inc.	-33,523.29
03/30/2022	215508	4Leaf, Inc.	-8,648.00
03/30/2022	215509	Adela Cruz.	-20.45
03/30/2022	215510	Akel Engineering Group, Inc.	-6,678.75
03/30/2022	215511	Alliant Insurance Services	-301.00
03/30/2022	215512	Bartle Wells Associates	-675.00
03/30/2022	215513	CALNET	-257.11
03/30/2022	215514	Carmen Lujan	-9.95
03/30/2022	215515	Data Ticket Inc.	-200.00
03/30/2022	215516	Home Depot Credit Services	-49.53
03/30/2022	215517	Local Government Commision	-1,783.50
03/30/2022	215518	MuniBilling	-417.00
03/30/2022	215519	Pet Waste Co	-246.33
03/30/2022	215520	Regional Government Services	-1,425.00
03/30/2022	215521	Shape Inc.	-204.66
03/30/2022	215522	Smith & Enright Landscaping	-3,880.00
03/30/2022	215523	State Compensation Insurance Fund	-2,250.58
03/30/2022	215524	Wellington Law Offices	-6,922.00
03/30/2022	215525	P G & E	-810.96
03/31/2022	215526	Monterey Bay Analytical Services	-1,440.90
03/31/2022	215527	True Value Hardware	-51.82
Total 101.001 - Operating Acct. 1948			<u>-697,648.14</u>
Total 101.000 - Union Bank			<u>-697,648.14</u>
TOTAL			<u>-697,648.14</u>



CITY OF SAN JUAN BAUTISTA CITY COUNCIL STAFF REPORT

AGENDA TITLE: ABATEMENT HEARING
MEETING DATE: May 17, 2022
SUBMITTED BY: Fire Marshal Charlie Bedolla
DEPARTMENT HEAD: Don Reynolds, City Manager

RECOMMENDED ACTION:

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

BACKGROUND INFORMATION:

This Public Hearing is to hear objections to the proposed abatement of weeds and other flammable materials found to exist on said properties; (Attachment 1) and written notice of the proposed abatement and hearing date was mailed to all affected property owners in the manner and form required by law on April 21, 2022.

DISCUSSION:

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

FISCAL IMPACT:

Estimated costs to be recovered from property owners.

ATTACHMENTS:

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

RESOLUTION NO. 2022-XX

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

WHEREAS, at the City Council Meeting on April 19, 2022, the City Council adopted Resolution 2022-25 declaring weeds to be a nuisance; and

WHEREAS, a Public Hearing was scheduled for May 17, 2022, via Zoom, to hear objections to the proposed abatement of weeds and other flammable materials existing on said properties; and

WHEREAS, written notice of the abatement date of May 16, 2022, and Public Hearing date of May 17, 2022, was mailed to all affected property owners in the manner and form required by law; and

WHEREAS, on May 17, 2022 at the Public Hearing, the City Council received and considered all reports, recommendations and testimony relating to the proposed abatement of identified properties.

NOW, THEREFORE, BE IT RESOLVED:

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

PASSED AND ADOPTED, by the City Council of the City of San Juan Bautista at a Regular Meeting held this 17th day of May, 2022, by the following vote:

Ayes:

Noes:

Abstain:

Absent:

Leslie Q. Jordan, Mayor

ATTEST:

Don Reynolds, Acting Deputy City Clerk

**2022
Weed Abatement
Official List
Exhibit "A"**

Parcel No.	Owner/Caretaker	Physical Location
002-130-004-000	THOENY FAMILY TRUST	501 THIRD STREET
002-160-013-000	GARRATT PATICK-REGINA ET AL	0 THIRD STREET
002-190-010-000	LIU GEORGINA L	0 FOURTH STREET
002-210-002-000	SANTANA ANGELINA ALICIA ET AL	0 FOURTH STREET
002-220-003-000	CITY OF SAN JUAN BAUTISTA	
002-230-001-000	LOAYZA ROSA & EDMUNDO	1130 FIRST STREET
002-240-013-000	RIBEIRO ALBERT D-ESTHER	1024 FIRST STREET
002-250-005-000	COKE DALE C LIVING TRUST	0 FIRST STREET
002-250-006-000	DIOCESE OF MONTEREY ED & WEL CORP	0 SECOND STREET
002-260-056-000	HILLSIDE VISTAS LLC A CA LTD LIAB CO	0 THIRD STREET # PCL A
002-270-002-000	SAN BENITO CO CHPTR JAPANESE-AMER CIT	708 FIRST STREET
002-290-043-000	RAYMER FAMILY TRUST	0 MONTEREY STREET
002-310-002-000	ROMAN CATHOLIC BISHOP OF MONTEREY	0 RODEO GROUNDS
002-320-002-000	AVILLA MARY DOROTHY REV TR ET AL	63 MUCKELEMI STREET
002-320-006-000	POST 6359 VETERANS OF FOREIGN WARS	SAN JUAN BAUTISTA
002-320-008-000	MANNING KATHLEEN ET AL	0 MONTEREY STREET
002-340-006-000	FERNANDEZ ROBERT & MARTHA	11 FRANKLIN STREET
002-340-007-000	FERNANDEZ ROBERT & MARTHA	0 FRANKLIN STREET
002-350-002-000	H & H RODRIGUEZ RANCH DEVELOPMENT LLC	0 SAN JUAN LATERAL
002-350-030-000	AVILLA MARY DOROTHY REV TR ET AL	0 MUCKELEMI STREET
002-370-020-000	ALEXANDER PATRICIA M	400 SIXTH STREET
002-420-017-000	NINO REAL ESTATE	302 SEVENTH STREET
002-430-020-000	DALOIA FAM TR	0 FRANKLIN STREET
002-470-008-000	FIRPO ANGELA LIVING TRUST	0 FRANKLIN STREET
002-480-005-000	CERDA HILOLITO G-SILVA R	100 THE ALAMEDA
002-490-002-000	NEUBAUER ANDREW-MARGARET LIV TRUST	10 FRANKLIN STREET
002-510-001-000	MEDINA PAUL TR ET AL	501 WASHINGTON ST
002-510-020-000	FERNANDEZ NANCY C	171 LANG STREET
002-520-012-000	SJB DEVELOPMENT A CA CORP	0 THE ALAMEDA
002-520-013-000	HACIENDA DE LEAL LLC A CA LTD LIAB CO	410 THE ALAMEDA
002-530-021-000	ALNAS JOHN-LUPE FAMILY TRUST	18 LANG STREET
002-550-003-000	KURASAKI KAZUKO ET AL	400 SAN JUAN HOLLISTER H
002-550-004-000	KURASAKI KAZUKO ET AL	400 SAN JUAN HOLLISTER H
002-550-006-000	DIAS GEORGE J JR & GEORGE A	1020 MISSION VINEYARD RD
002-563-002-000	HANSON ABE-SHARON	153 LANG STREET
002-510-018-000	LEAVER BETTY LOU & CARL D	175 LANG STREET

Affidavit of Mailing Notice

I, the undersigned Carlos Bedolla for the City of San Juan Bautista, do hereby certify that a copy of the Notice to Clean Premises ("Notice"), in conjunction with weed abatement, was mailed to each and every person set forth on the attached list on the 21 day of April, 2022. A copy of said Notice is attached hereto.

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

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

Dated at Hollister, CA this 21 day of April, 2022.



Carlos Bedolla, Fire Marshal

PROCLAMATION

IN RECOGNITION OF LGBTQ+ PRIDE MONTH, AUTHORIZE THE FLYING OF THE PRIDE FLAG FOR THE MONTH OF JUNE 2022

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

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

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

WHEREAS, June is celebrated as LGBTQ+ Pride Month nationwide; and

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

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

NOW THEREFORE, BE IT RESOLVED that the City Council, consistent with the policies provided for in Resolution 2021-40, "A Resolution of the City Council of the City of San Juan Bautista Adopting a Policy on the Display of Flags at City Facilities," specifically, "II. Policy (C) San Juan Bautista City Hall (3) Commemorative Flags" that as an expression of the City's official government speech, as requested by Mayor Jordon, by its majority vote so recorded below in this dutifully published City Council meeting May 17, 2022, the City Council hereby authorizes the display of the commemorative flag and to fly the Pride Flag at City Hall celebrating June 2022 as LGBTQ+ Pride Month.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of San Juan Bautista, on behalf of all residents of the City, does hereby proclaim June 2022 as LGBTQ+ Pride Month in the City of San Juan Bautista and urges all residents to respect and honor our diverse community and celebrate and build a culture of inclusiveness and acceptance.

NOW, THEREFORE, I, Leslie Q. Jordan, Mayor of the City of San Juan Bautista, do hereby proclaim June 2022 as LGBTQ+ Pride Month, and call upon the citizens of San Juan Bautista to join their fellow citizens across the United States in recognizing and participating in this special observance.

Leslie Q. Jordan, Mayor



CITY OF SAN JUAN BAUTISTA CITY COUNCIL REPORT

AGENDA TITLE: **PROPOSED WATER RATE INCREASE, ACCEPTING THE RATE STUDY AND INITIATING THE PUBLIC NOTICING PROCESS REQUIRED BY PROPOSITION 218**

MEETING DATE: MAY 17, 2022

DEPARTMENT HEAD: Don Reynolds, City Manager

RECOMMENDED ACTIONS:

It is recommended that the City Council adopt the attached Resolution proposing a water rate increase, that sets six actions into motion:

1. Accept the Bartell Wells (BWA) Water Rate Study.
2. Propose that the water rates set forth in the BWA Study and the Rate Table be the increase in rates proposed by this action.
3. That at 6:00 PM on July 12, 2022 in the City Council Chambers located at 311 Second Street, San Juan Batista, CA 95045 and virtually by web conference, is set at the time and place for a public hearing on the proposed rates (the "Public Hearing").
4. That at the Public Hearing the City Council will hear testimony from all interested persons regarding the proposed water rates.
5. That staff is directed to mail notice of the Public Hearing to water customers in the manner set forth in Section 53755(a)(1) of the California Government Code.
6. That staff is directed to accept written protests as set forth in Exhibit "B" to this Resolution, which is hereby approved and is attached hereto and incorporated herein.

BACKGROUND INFORMATION:

To be certain the City's utility rates are understood, and before the details of the current rate study are considered, these are the definitions of the City's utility rates.

- A) Sewer rates. There is one flat fee for residential sewer use applied monthly to each bill. This rate increased was approved last fall and went into effect February 1, 2022. It will increase the first of July through 2026. Volumetric rates apply only to industrial users.
- B) Water rates. There are two water rates for residential customers:
 - a. Flat fee also known as the "Base Rate;"

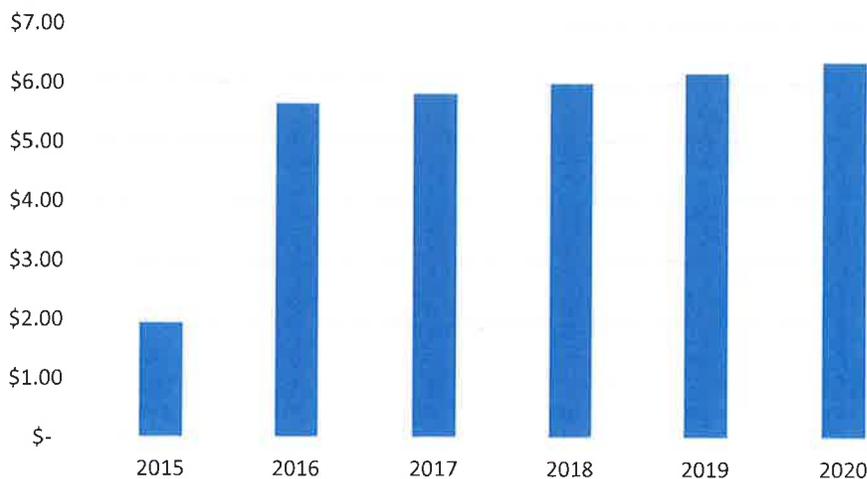
b. Volumetric rate based on consumption.

Since 2012 the City has been diligent about increasing the water rates. The increases between 2012 and 2015 averaged about 2% per year equal to the cost-of-living increases. When the last water rate study was completed in 2015, both the Base Rate and the Volumetric rates increased by about 3%.

In 2015, the City ended its use of a three-tier volumetric rate, and instead changed to having one volumetric rate. The three-tiered rate structure applied different volumetric rates to those who use less than 3,000 gallons per day, between 3,001 and 8,000 gallons per day, and more than 8,000 gallons. The change occurred in 2015 because of a recent court decision “Capistrano Taxpayers Association v. City of San Juan Capistrano. This opinion struck-down San Juan Capistrano’s use of a three-tier rate system, because it had not proven that the cost for each tier of service increased as the volume of water consumed increase. The court concluded that the three tiers were arbitrary in their nature and implementation. So, San Juan Bautista decided that rather than study the matter and prove the cost differences between tiers, that it was more equitable to revert back to just charging one rate for all volumes of consumption. For a small water utility this makes sense. It is easier to administer, rates are stable making budgeting easier, and the cost of the study did not necessarily justify the outcomes. Bartell Wells in 2015 recommended this change for San Juan Bautista with the conclusion that the single tier for volumetric rates was sufficient to encourage water conservation. The City currently charges a base rate, then in 1,000 gallon increments, applies the volumetric rate. (\$6.35 per gallon for 0-1000 gallons, \$12.70 per gallon for 1001-1999 gallons, \$19.05 per gallon for 2000-2999 gallons, etc).

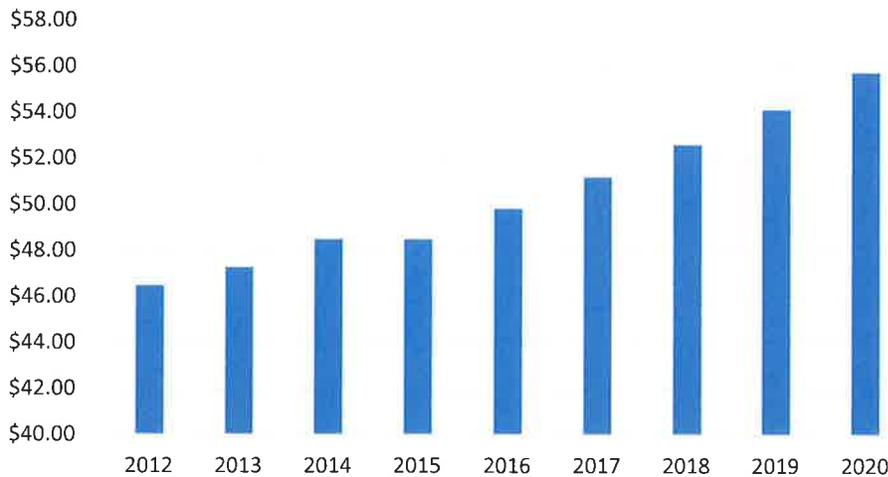
The rates approved in 2015, were for a five-year period ending 2019. Since 2012, the water rates increased 2% and starting in 20-15, they increased 2.6%. They were not changed in 2021 and the volumetric rate remains at \$6.35 per gallon.

Volumetric Water Rate Increases since 2015



The Base Rate also changed in 2015, increasing the annual increase from 2% per year (from 2012) to 2.6%. The residential Base Rate is currently set at \$55.76.

Base Rate Water Increases Since 2012



The residents of San Juan Bautista pay as little as \$75 per month for water, to as high as \$125 per month for water, and the average cost is \$104.04. The “Water Bill” includes the sewer flat rate of \$95.62. So, each Residential “Water and Sewer Bill” will range from \$155.62 to \$220.62, and average \$199.66.

In the summer of 2020, the City completed its Water Master Plan and Wastewater Master Plan. These two Plans assess the current conditions of the collection of drinking water from 3-different ground-water wells, its treatment, storage and delivery to residents and businesses, its wastewater collection, and wastewater treatment. It projects the demands of these four systems against the City’s General Plan and projected growth rate through 2035. It applied a reduced modified growth rate of 1.9% per year until the General Plan and sphere of influence can be amended. It provides a capital improvement program needed to keep up and maintain the systems. These are all key elements for establishing a data driven, factual a rate study.

In August 2020, the City executed the Administrative Order on Consent, agreeing to bring the wastewater treatment plant into compliance with EPA National Pollution Discharge Permit requirements. It has been estimated to have been out of compliance since at least 2007, having high content of chlorides, sodium and “total dissolved solids.” On October 15, 2020, the City committed to three actions to resolve the issue: 1) send the wastewater to Hollister for treatment and decommission the current plant; 2) eliminate brine producing water softeners that add salt to the system, and 3) import drinking water and blend it with the ground water to reduce the salts form entering the system in the first place. Refer to the attached EPA approval letter. Implementing the water softener program has been postponed until the water solution has been completed, because the water will be 65% better quality (less hardness, less salt) than it is today. In February 2021, a Memorandum of Understanding was executed with the San Benito County

Water District agreeing to provide the City with treated surface water from the West Hills Treatment Plant to blend with its ground water. The City has also executed an MOU with the City of Hollister to accept the City’s wastewater.

Below is an analysis comparing today’s water volumes, in relation to the Master Plans and need to import surface water. The 2015 Rate study assumes average resident consumes 111 gallons per day. The current consumption is closer to 93 gallons per day. (using 177-acre feet but applying the cost to 200-acre feet). The Base Rate is determined by this average.

Demand Flow from Transmission Main

Some stats related to the transmission main.

• Existing							Demands
Minimum	Month	–	110	gym	(0.16		mgs)
Average	Day	–	183	gym	(0.26		mgs)
Maximum	Day	–	411	gym	(0.59		mgs)
Supplied by West Hills WTP (65% of Maximum Day) – 267 gym (0.38 mgs)							
• 2035 Demands (based on population projections from 1.9% AMBAG + General Plan Hybrid Growth							Rate)
Minimum	Month	–	146	gym	(0.21		mgs)
Average	Day	–	244	gym	(0.35		mgs)
Maximum	Day	–	549	gym	(0.79		mgs)
Supplied by West Hills WTP (65% of Maximum Day) - 357 gym (0.51 mgs)							
• Buildout							Demands
Minimum	Month	–	236	gym	(0.34		mgs)
Average	Day	–	393	gym	(0.57		mgs)
Maximum	Day	–	884	gym	(1.27		mgs)
Supplied by West Hills WTP – To Be Determined							

The Water Master Plan and Wastewater Master Plans have been amended to incorporate the EPA Compliance projects.

In December 2020, the City initiated a new rate study for sewer and water. A draft was received in February, but the costs of the new compliance projects had not yet been determined. The SBCWD retained HDR Engineering to design the water line needed to import surface water. The City contracted with Stantec to design the force main for the sewer project. The sewer project design moved faster than the surface water project, so in the fall of 2021, the City brought forward just a sewer rate increase. This \$18 million dollar project was included in the sewer rate increase, with \$12 million payable as debt services, and \$6 million to funded through various grants. The annual debt service to be paid by increased sewer rates is approximately \$400,000 per year. By adding this capital improvement project to the rate increase, the typical 2-3% increase became a 15% increase for the next three years, tapering towards a 5% increase annual over the long-term. Below are the sewer rates approved December 14, 2021, that went into effect February 1, 2022.

Table A
City of San Juan Bautista
Recommended Sewer Rates
Sewer Rate Study - Revised Project Cost Assumptions

Proposed Rates	FY 20-21	FY 21-22	FY 22-23	FY 23-24	FY 24-25	FY 25-26
	<i>Existing</i>	<i>Proposed</i>	<i>Proposed</i>	<i>Proposed</i>	<i>Proposed</i>	<i>Proposed</i>
Residential Sewer Rates						
Monthly Fixed Rate	\$83.61	\$95.62	\$109.01	\$124.27	\$141.67	\$148.75
Commercial Sewer Rates						
Min. Monthly Base Charge	\$84.03	\$95.62	\$109.01	\$124.27	\$141.67	\$148.75
Volumetric Rates						
Standard Strength \$/1,000 gal	\$9.10	\$14.51	\$16.54	\$18.86	\$21.50	\$22.57
Moderate Strength \$/1000 gal	\$13.35	\$14.51	\$16.54	\$18.86	\$21.50	\$22.57
High Strength \$/1,000 gal	\$18.18	\$14.51	\$16.54	\$18.86	\$21.50	\$22.57

In order to meet its commitment to the EPA, the City must now move forward with a water rate study that takes into consideration not just the cost of the \$8 million capital improvement project to build the 6-mile water line from West Hills Treatment Plant, but the cost of buying water from SBCWD.

DISCUSSION:

The third attachment is the May 10, 2022 Water Rate Study. Because the City agreed to build a pipeline from the SBCWD’s West Hills Treatment plant to the City, and become a regional partner in the County’s water system, this makes this water rate increase unique, when compared to the usual cost-of-living increases that occurred since 2012.

The cost analysis has two components: the cost of the CIP, and the cost to the District to buy and treat and the water. These are described in the last table in the rate study, Table 6. The assumption includes a consumption of 93 gallons per day, and the City’s need for 200 acre-feet of water daily. By becoming a regional partner, the current Hollister Urban Area Water and Waste Water Plan (“HUAP”) has to be updated and expanded. The original agreement was executed as the West Hills Treatment Plant was being completed, allowing for the City of Hollister and Sunnyslope Water District to buy water from the SBCWD. The San Juan Bautista has to buy its way into this agreement, and between November and February 2022, the City and SBCWD negotiated the cost. The City’s Municipal Finance Advisors Ridgeline Consulting, (Dmitry Semenov) partnered with the City’s author of its Master Plans Tony Akel, to make certain that the City’s costs were correctly

allocated under the right circumstances. The Master Plan defines the scope of the CIP, as well as future demands for surface water from the SBCWD.

The cost estimates for the CIP for surface water is based on drawings that are 30% complete. It is estimated to cost \$7.9 million dollars. Currently, the SBCWD plans to finance these costs at an interest rate to the City of 4.5%. Listed as “Project Financing Repayment” in the Table 6 of the Rate Study, this cost will be approximately \$461,673 annually. The HUAP Buy-in is estimated to cost \$229,525 annually and includes a portion of the fixed assets needed for the SBCWD to treat the water it receives from the San Luis Reservoir. The City’s portion of the SBCWD operational expenses begins at \$337,670 annually in 2025. It is established in the Proposition 218 Notice as a “pass-through” amount, due to the nature of the changing costs to buy water from the state and federal water resources, being passed-through to the City.

To arrive at these costs, the City extended the deadline for this project both with the EPA and Hollister. The estimated completion time is now December 2024. This means that during the first year of services, the City will only pay 6-months (January-June) of the costs described above, and starting in FY 25/26 it will begin to pay the full burden.

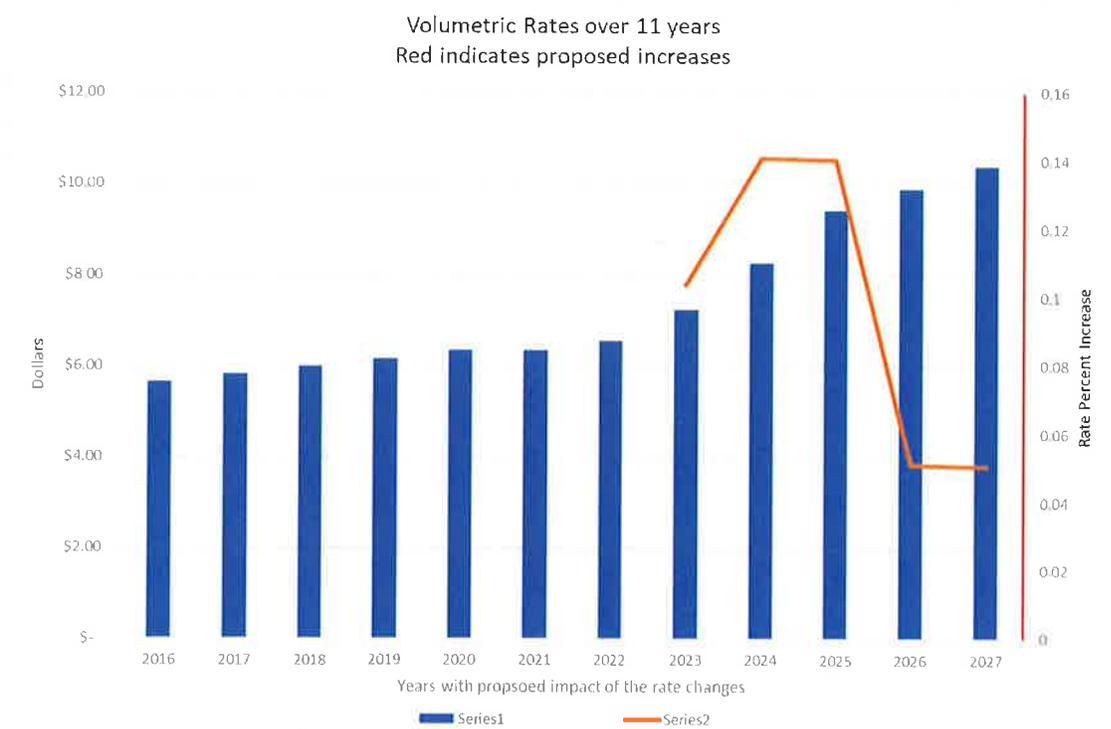
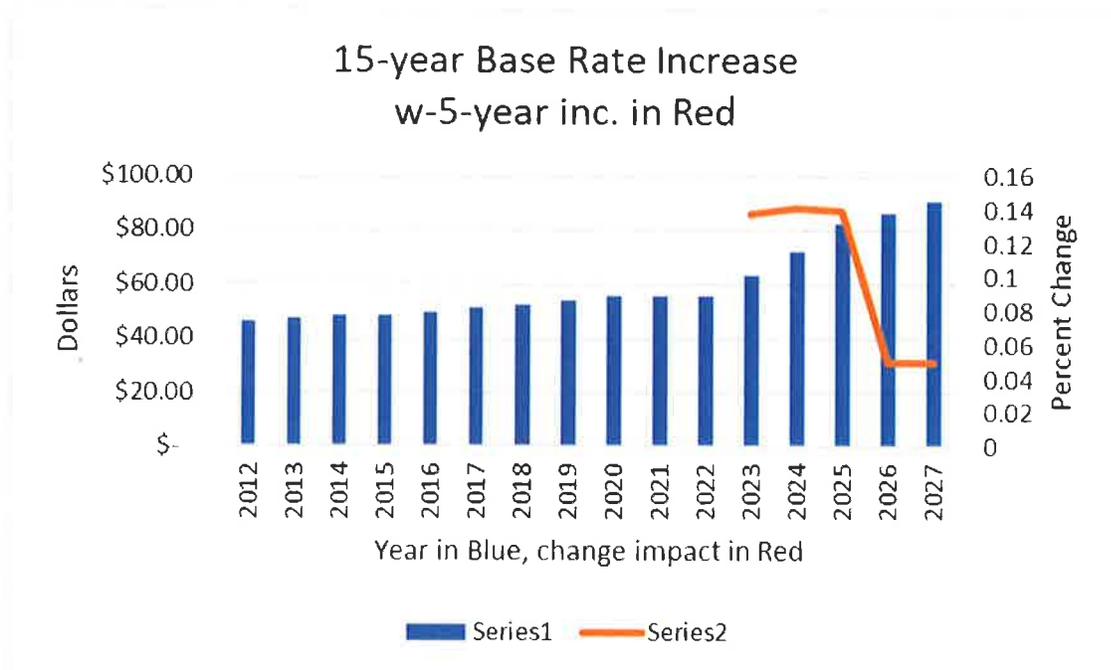
It is also important to understand that the City’s current Water Enterprise Fund takes in approximately \$100,000 more than it spends with a healthy reserve (compared to the sewer enterprise fund barely breaking event). This will off-set 25% of the costs described above.

The Water Enterprise Fund anticipates costs and revenues as summarized in Table 1 of the Rate Study. This cost per year starts at \$337,670 in 2026. While the City will work hard to find favorable interest rates through the Water Board Revolving Loan Fund, and hopefully grant opportunities from State and Federal resources, the rates do not take this into consideration. Below are the estimated rates changes anticipated over the next 5-years.

Table A
City of San Juan Bautista
Draft Water Rates
Water Rate Study

Water Rates	FY 21-22	FY 22-23	FY 23-24	FY 24-25	FY 25-26	FY 26-27
	<i>Existing</i>	<i>Proposed</i>	<i>Proposed</i>	<i>Proposed</i>	<i>Proposed</i>	<i>Proposed</i>
Volumetric Rate \$/1000 gallons	\$6.35	\$7.24	\$8.26	\$9.34	\$9.81	\$10.31
Monthly Base Rate	\$55.76	\$63.57	\$72.47	\$81.90	\$86.00	\$90.30

This is a 14% increase over three years, followed by two 5% increases. These are indicated in red in the tables below.



The overall impact to a resident's water bill when combined with the sewer flat rate increases through fiscal year 2026/27 will look like this:

OVERALL IMPACT TO AVG. RESIDENT

Monthly	FY ending 2022	FY ending 2027
Base rate	\$ 55.76	\$ 91.10
Avg. Volumetric	\$ 48.28	\$ 78.86
Sewer	\$ 95.62	\$ 148.75
	\$ 199.66	\$ 318.71

This is giant step for the city to “regionalize its water.” Taking this step is no-doubt expensive, but the benefits are worth it.

While completing the addition of Well 6 into the City’s water inventory, the water quality deteriorated and by March 2019, the level of nitrates exceed the Water Board thresholds and the well had to be taken off-line. This \$750,000 investment did not last twelve months. It has been off-line since then, though staff is experimenting with a new technology to remove nitrates. The expansion of the City’s water portfolio adds great stability to its reliability and cost. With no more urgent capital expenses in its future, the focus can shift to replacing water-lines throughout the City. This system will grow to become drought-tolerant due to its varied resources of good clean drinking water. The water quality will improve 65% from the quality received today. Water softeners will become obsolete.

ATTACHMENTS:

- Resolution
- EPA Letter
- Water Rate Study, May 10, 2022



CITY OF SAN JUAN BAUTISTA CITY COUNCIL REPORT

AGENDA TITLE: **PROPOSED WATER RATE INCREASE, ACCEPTING THE RATE STUDY AND INITIATING THE PUBLIC NOTICING PROCESS REQUIRED BY PROPOSITION 218**

MEETING DATE: MAY 17, 2022

DEPARTMENT HEAD: Don Reynolds, City Manager

RECOMMENDED ACTIONS:

It is recommended that the City Council adopt the attached Resolution proposing a water rate increase, that sets six actions into motion:

1. Accept the Bartell Wells (BWA) Water Rate Study.
2. Propose that the water rates set forth in the BWA Study and the Rate Table be the increase in rates proposed by this action.
3. That at 6:00 PM on July 12, 2022 in the City Council Chambers located at 311 Second Street, San Juan Batista, CA 95045 and virtually by web conference, is set at the time and place for a public hearing on the proposed rates (the "Public Hearing").
4. That at the Public Hearing the City Council will hear testimony from all interested persons regarding the proposed water rates.
5. That staff is directed to mail notice of the Public Hearing to water customers in the manner set forth in Section 53755(a)(1) of the California Government Code.
6. That staff is directed to accept written protests as set forth in Exhibit "B" to this Resolution, which is hereby approved and is attached hereto and incorporated herein.

BACKGROUND INFORMATION:

To be certain the City's utility rates are understood, and before the details of the current rate study are considered, these are the definitions of the City's utility rates.

- A) Sewer rates. There is one flat fee for residential sewer use applied monthly to each bill. This rate increased was approved last fall and went into effect February 1, 2022. It will increase the first of July through 2026. Volumetric rates apply only to industrial users.
- B) Water rates. There are two water rates for residential customers:
 - a. Flat fee also known as the "Base Rate;"

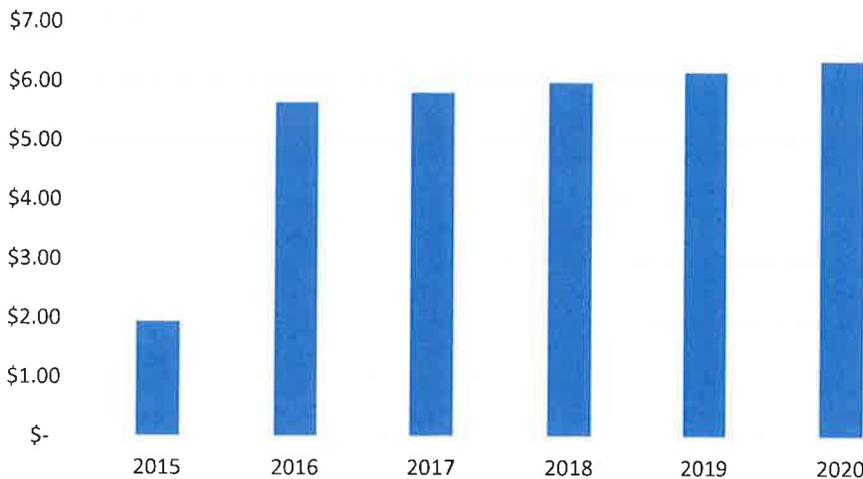
b. Volumetric rate based on consumption.

Since 2012 the City has been diligent about increasing the water rates. The increases between 2012 and 2015 averaged about 2% per year equal to the cost-of-living increases. When the last water rate study was completed in 2015, both the Base Rate and the Volumetric rates increased by about 3%.

In 2015, the City ended its use of a three-tier volumetric rate, and instead changed to having one volumetric rate. The three-tiered rate structure applied different volumetric rates to those who use less than 3,000 gallons per day, between 3,001 and 8,000 gallons per day, and more than 8,000 gallons. The change occurred in 2015 because of a recent court decision “Capistrano Taxpayers Association v. City of San Juan Capistrano. This opinion struck-down San Juan Capistrano’s use of a three-tier rate system, because it had not proven that the cost for each tier of service increased as the volume of water consumed increase. The court concluded that the three tiers were arbitrary in their nature and implementation. So, San Juan Bautista decided that rather than study the matter and prove the cost differences between tiers, that it was more equitable to revert back to just charging one rate for all volumes of consumption. For a small water utility this makes sense. It is easier to administer, rates are stable making budgeting easier, and the cost of the study did not necessarily justify the outcomes. Bartell Wells in 2015 recommended this change for San Juan Bautista with the conclusion that the single tier for volumetric rates was sufficient to encourage water conservation. The City currently charges a base rate, then in 1,000 gallon increments, applies the volumetric rate. (\$6.35 per gallon for 0-1000 gallons, \$12.70 per gallon for 1001-1999 gallons, \$19.05 per gallon for 2000-2999 gallons, etc).

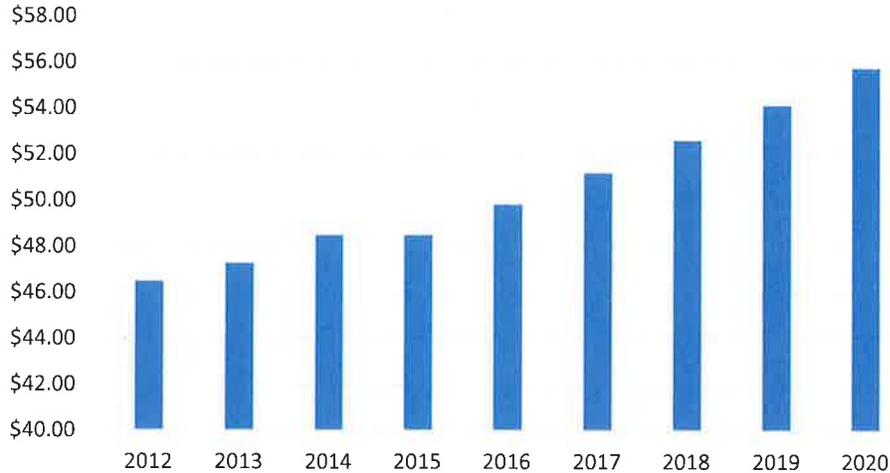
The rates approved in 2015, were for a five-year period ending 2019. Since 2012, the water rates increased 2% and starting in 20-15, they increased 2.6%. They were not changed in 2021 and the volumetric rate remains at \$6.35 per gallon.

Volumetric Water Rate Increases since 2015



The Base Rate also changed in 2015, increasing the annual increase from 2% per year (from 2012) to 2.6%. The residential Base Rate is currently set at \$55.76.

Base Rate Water Increases Since 2012



The residents of San Juan Bautista pay as little as \$75 per month for water, to as high as \$125 per month for water, and the average cost is \$104.04. The “Water Bill” includes the sewer flat rate of \$95.62. So, each Residential “Water and Sewer Bill” will range from \$155.62 to \$220.62, and average \$199.66.

In the summer of 2020, the City completed its Water Master Plan and Wastewater Master Plan. These two Plans assess the current conditions of the collection of drinking water from 3-different ground-water wells, its treatment, storage and delivery to residents and businesses, its wastewater collection, and wastewater treatment. It projects the demands of these four systems against the City’s General Plan and projected growth rate through 2035. It applied a reduced modified growth rate of 1.9% per year until the General Plan and sphere of influence can be amended. It provides a capital improvement program needed to keep up and maintain the systems. These are all key elements for establishing a data driven, factual a rate study.

In August 2020, the City executed the Administrative Order on Consent, agreeing to bring the wastewater treatment plant into compliance with EPA National Pollution Discharge Permit requirements. It has been estimated to have been out of compliance since at least 2007, having high content of chlorides, sodium and “total dissolved solids.” On October 15, 2020, the City committed to three actions to resolve the issue: 1) send the wastewater to Hollister for treatment and decommission the current plant; 2) eliminate brine producing water softeners that add salt to the system, and 3) import drinking water and blend it with the ground water to reduce the salts form entering the system in the first place. Refer to the attached EPA approval letter. Implementing the water softener program has been postponed until the water solution has been completed, because the water will be 65% better quality (less hardness, less salt) than it is today. In February 2021, a Memorandum of Understanding was executed with the San Benito County

Water District agreeing to provide the City with treated surface water from the West Hills Treatment Plant to blend with its ground water. The City has also executed an MOU with the City of Hollister to accept the City’s wastewater.

Below is an analysis comparing today’s water volumes, in relation to the Master Plans and need to import surface water. The 2015 Rate study assumes average resident consumes 111 gallons per day. The current consumption is closer to 93 gallons per day. (using 177-acre feet but applying the cost to 200-acre feet). The Base Rate is determined by this average.

Demand Flow from Transmission Main

Some stats related to the transmission main.

Existing							Demands
Minimum	Month	–	110	gym	(0.16	mgs)	
Average	Day	–	183	gym	(0.26	mgs)	
Maximum	Day	–	411	gym	(0.59	mgs)	
Supplied by West Hills WTP (65% of Maximum Day) – 267 gym (0.38 mgs)							
2035 Demands (based on population projections from 1.9% AMBAG + General Plan Hybrid Growth							Rate)
Minimum	Month	–	146	gym	(0.21	mgs)	
Average	Day	–	244	gym	(0.35	mgs)	
Maximum	Day	–	549	gym	(0.79	mgs)	
Supplied by West Hills WTP (65% of Maximum Day) - 357 gym (0.51 mgs)							
Buildout							Demands
Minimum	Month	–	236	gym	(0.34	mgs)	
Average	Day	–	393	gym	(0.57	mgs)	
Maximum	Day	–	884	gym	(1.27	mgs)	
Supplied by West Hills WTP – To Be Determined							

The Water Master Plan and Wastewater Master Plans have been amended to incorporate the EPA Compliance projects.

In December 2020, the City initiated a new rate study for sewer and water. A draft was received in February, but the costs of the new compliance projects had not yet been determined. The SBCWD retained HDR Engineering to design the water line needed to import surface water. The City contracted with Stantec to design the force main for the sewer project. The sewer project design moved faster than the surface water project, so in the fall of 2021, the City brought forward just a sewer rate increase. This \$18 million dollar project was included in the sewer rate increase, with \$12 million payable as debt services, and \$6 million to funded through various grants. The annual debt service to be paid by increased sewer rates is approximately \$400,000 per year. By adding this capital improvement project to the rate increase, the typical 2-3% increase became a 15% increase for the next three years, tapering towards a 5% increase annual over the long-term. Below are the sewer rates approved December 14, 2021, that went into effect February 1, 2022.

Table A
City of San Juan Bautista
Recommended Sewer Rates
Sewer Rate Study - Revised Project Cost Assumptions

Proposed Rates	FY 20-21	FY 21-22	FY 22-23	FY 23-24	FY 24-25	FY 25-26
	<i>Existing</i>	<i>Proposed</i>	<i>Proposed</i>	<i>Proposed</i>	<i>Proposed</i>	<i>Proposed</i>
Residential Sewer Rates						
Monthly Fixed Rate	\$83.61	\$95.62	\$109.01	\$124.27	\$141.67	\$148.75
Commercial Sewer Rates						
Min. Monthly Base Charge	\$84.03	\$95.62	\$109.01	\$124.27	\$141.67	\$148.75
Volumetric Rates						
Standard Strength \$/1,000 gal	\$9.10	\$14.51	\$16.54	\$18.86	\$21.50	\$22.57
Moderate Strength \$/1000 gal	\$13.35	\$14.51	\$16.54	\$18.86	\$21.50	\$22.57
High Strength \$/1,000 gal	\$18.18	\$14.51	\$16.54	\$18.86	\$21.50	\$22.57

In order to meet its commitment to the EPA, the City must now move forward with a water rate study that takes into consideration not just the cost of the \$8 million capital improvement project to build the 6-mile water line from West Hills Treatment Plant, but the cost of buying water from SBCWD.

DISCUSSION:

The third attachment is the May 10, 2022 Water Rate Study. Because the City agreed to build a pipeline from the SBCWD’s West Hills Treatment plant to the City, and become a regional partner in the County’s water system, this makes this water rate increase unique, when compared to the usual cost-of-living increases that occurred since 2012.

The cost analysis has two components: the cost of the CIP, and the cost to the District to buy and treat and the water. These are described in the last table in the rate study, Table 6. The assumption includes a consumption of 93 gallons per day, and the City’s need for 200 acre-feet of water daily. By becoming a regional partner, the current Hollister Urban Area Water and Waste Water Plan (“HUAP”) has to be updated and expanded. The original agreement was executed as the West Hills Treatment Plant was being completed, allowing for the City of Hollister and Sunnyslope Water District to buy water from the SBCWD. The San Juan Bautista has to buy its way into this agreement, and between November and February 2022, the City and SBCWD negotiated the cost. The City’s Municipal Finance Advisors Ridgeline Consulting, (Dmitry Semenov) partnered with the City’s author of its Master Plans Tony Akel, to make certain that the City’s costs were correctly

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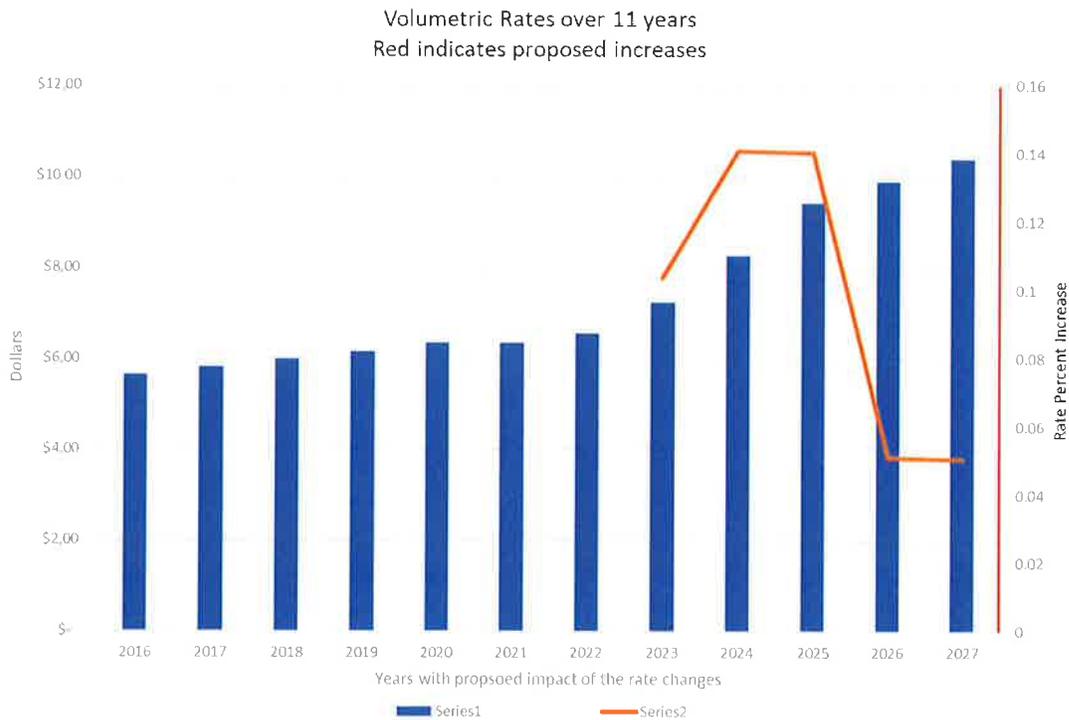
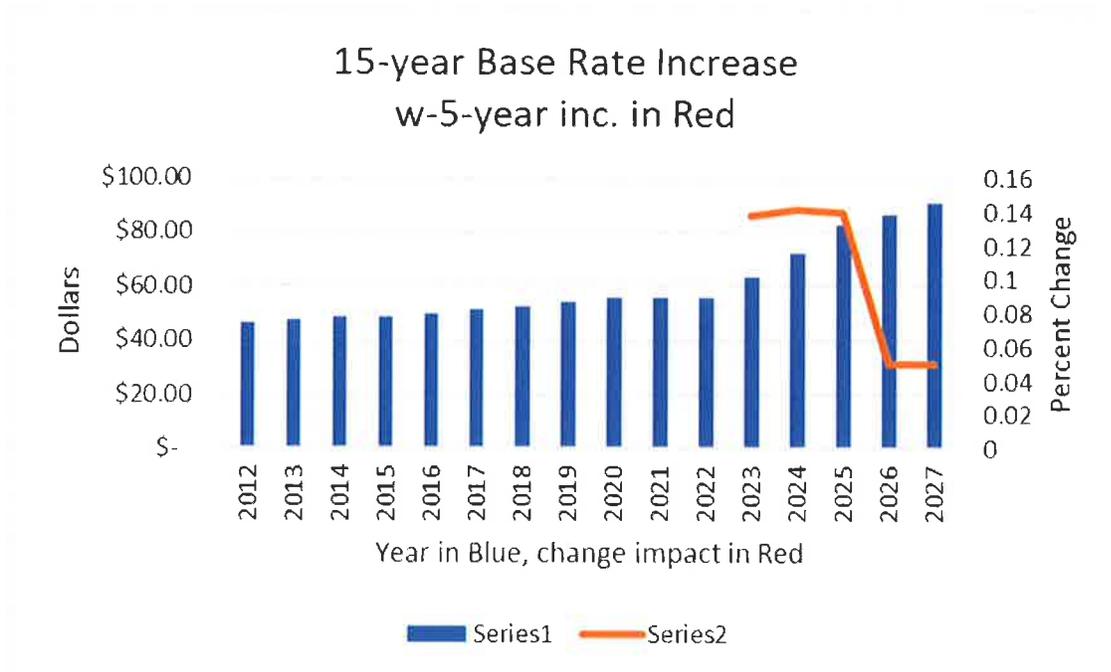
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City of San Juan Bautista
Draft Water Rates
Water Rate Study

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This is giant step for the city to “regionalize its water.” Taking this step is no-doubt expensive, but the benefits are worth it.

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ATTACHMENTS:

- Resolution
- EPA Letter
- Water Rate Study, May 10, 2022

RESOLUTION NO. 2022- XX

A RESOLUTION OF THE CITY OF SAN JUAN BAUTISTA ACCEPTING A WATER RATE STUDY, PROPOSING A WATER RATE INCREASE, SETTING THE DATE AND TIME FOR A PUBLIC HEARING ON THE PROPOSED INCREASE, AND DIRECTING STAFF TO GIVE NOTICE OF THE PUBLIC HEARING PURSUANT TO ARTICLE XIII D, SECTION 6 OF THE CALIFORNIA CONSTITUTION

WHEREAS, the City's wastewater treatment plant discharges its treated effluent under the strict guidance of a permit issued under the National Pollutant Discharge Elimination System (the "NPDES Permit"); and

WHEREAS, the wastewater plant was not designed to meet the all of the requirements of the NPDES Permit; and

WHEREAS, the plant has, for many years, discharged effluent with sodium, chloride, and total dissolved solids concentrations that exceed the concentrations allowed under the NPDES Permit; and

WHEREAS, dating back to before 2007, the City has been subject to ongoing fines for its ongoing violations of the NPDES Permit; and

WHEREAS, in 2020, the City agreed to comply with the Administrative Order on Consent with the United States Environmental Protection Agency requiring that the City take certain steps to remedy its violations; and

WHEREAS, the City is committed to implementing two compliance projects

- 1) construct a force main that will allow the City to export all wastewater from the City's wastewater system to the Domestic Wastewater Treatment Plant owned and operated by the City of Hollister,
- 2) import surface water from the San Benito County Water District ("SBCWD") and blend it with the City's ground water to reduce the amount of sodium, chloride, and total dissolved solids concentrations in its source of drinking water; and

WHEREAS, the City has entered into two Memorandum of Understandings (MOU's),

- 1) with the City of Hollister, dated September 7, 2021, pursuant to which the City of Hollister will accept and treat wastewater delivered to it via the planned force main (amended March 15, 2022 Resolution 2022-20), and
- 2) with the San Benito County Water District Resolution 2021-08 February 16, 2021 whereby it agrees to send the City treated surface water from its West Hills Treatment Plant; and

WHEREAS, to fund the collection and distribution of drinking water to its citizens and businesses, the City collects water rates from its water customers; and

WHEREAS, there will be substantial costs to the City for the construction of the new water line from the San Benito County Water District West Hills Treatment Plant and to pay for the costs of that surface water; and

WHEREAS, the MOU requires that the City pay the SBCWD for constructing the new water line and to pay for its costs to buy, treat and distribute the water to the City; and

WHEREAS, the City engaged Bartle Wells and Associates (“BWA”) to determine the water rates that will be required to fund the City’s water enterprise in light of the terms of the MOU and the capital and operational costs associated with the source of drinking water; and

WHEREAS, BWA has produced its Water Rate Study, dated May 10, 2022, which is on file in the Office of the City Clerk, available for public inspection, and incorporated herein by reference (the “BWA Study”); and

WHEREAS, the City is in the process of applying for federal and state grants and loans to defray a part of the costs of constructing the water line; and

WHEREAS, in order to qualify for state and federal assistance, the City must be able to demonstrate that it has sufficient financial resources (and water rate authority) to operate its drinking water system and to fund wastewater treatment; and

WHEREAS, the City Council desires to initiate proceedings to adopt the water rates described in the BWA Study; and

WHEREAS, a proposed rate table (the “Rate Table”) is set forth in Attachment “A” to this Resolution, which is incorporated herein; and

WHEREAS, Article XIII D, Section 6 of the California Constitution, which was adopted by the people as a part of Proposition 218, requires that the City Council hold a protest hearing before adopting increased sewer rates; and

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

1. That the recitals in this Resolution and the accompanying staff report are true and correct and are hereby made a part of this Resolution.
2. That the BWA Rate Study March 11, 2022 is accepted.
3. That the water rates set forth in the BWA Study and the Rate Tables are hereby proposed.
4. That 6:00 PM on July 12, 2022 in the City Council Chambers located at 311 Second Street, San Juan Batista, CA 95045 and virtually by web conference, is set at the time and place for a public hearing on the proposed rates (the “Public Hearing”).
5. That at the Public Hearing the City Council will hear testimony from all interested persons regarding the proposed water rates.

6. That staff is directed to mail notice of the Public Hearing to water customers in the manner set forth in Section 53755(a)(1) of the California Government Code.
7. That staff is directed to accept written protests as set forth in Exhibit "B" to this Resolution, which is hereby approved and is attached hereto and incorporated herein.

PASSED AND ADOPTED by the City Council of the City of San Juan Bautista at a regular meeting held on the 17th day of May, 2022, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Leslie Q. Jordan, Mayor

ATTEST:

Don Reynolds, Acting Deputy City Clerk

Attachment: Proposed Water Rate Table

Guidelines for Acceptance and Tabulation of Protests

Attachment "A"

Proposed Sewer Rate Table

MARCH 11, 2022

Table A
City of San Juan Bautista
Draft Water Rates
Water Rate Study

Water Rates	2022	2023	2024	2025	2026	2027
	<i>Existing</i>	<i>Proposed</i>	<i>Proposed</i>	<i>Proposed</i>	<i>Proposed</i>	<i>Proposed</i>
Volumetric Rate \$/1000 gallons	\$6.35	\$7.24	\$8.26	\$9.42	\$9.90	\$10.40
Monthly Base Rate	\$55.76	\$63.57	\$72.47	\$82.62	\$86.76	\$91.10

Under the proposed rate structure, there will be a single volumetric rate (rather than three different rates) consistent with the change approved in 2015, a single rate will apply to all customers.

A pass through is proposed for changes to the rates charged by SBCWD for its purchase of water and operational services.

Attachment "B"

Guidelines for Acceptance and Tabulation of Protests

SECTION 1: Definitions.

Unless the context plainly indicates another meaning was intended, the following definitions shall apply in construction of these guidelines.

- A. "Customer" means a person shown on the City's records as being responsible for paying water charges.
- B. "Parcel" means a County Assessor's parcel that receives wastewater services that are subject to the proposed sewer charges.
- C. "Parcel Owner" means an owner of a parcel, including a tenant of a parcel who is entitled to submit a protest pursuant to Section 53755 of the Government Code or is described in Article XIII D, Section 2(g) of the California Constitution.
- D. "Record Owner" means the person or persons whose name or names appear on the County Assessor's last equalized assessment roll as the owner of a parcel.

SECTION 2: Protest Submittal.

- A. Written protests against the proposed charge may be submitted to the City Clerk, by:
 - (i) Delivery to the Office of the City Clerk located at 311 Second Street, San Juan Batista, CA 95045 during published business hours; or
 - (ii) Mail to the City Clerk at the following address: City Clerk, City of San Juan Batista, PO Box 1420, San Juan Batista, CA 95045; or
 - (iii) Personally submitting the protest at the public hearing.
- B. Protests, including those submitted by mail, must be *received* by the City no later than the close of the public testimony portion of the public hearing.
- C. The City cannot accept protests via fax or email.
- D. The City Council welcomes all interested persons to comment orally at the public hearing. However, unless accompanied by a written protest, oral comments at the public hearing do not qualify as a formal protest. Notwithstanding the foregoing; if, as a result of the COVID-19 emergency, the public is prohibited from attending the hearing in person and is required to participate remotely, the City Council will set aside a time prior to the close of the public testimony portion of the public hearing during which the City Clerk will accept an oral protest that will be treated as a written protest so long as all information (aside from signature) required of a written protest is provided orally.

SECTION 3: Protest Contents.

- A. A written protest must include:
 - (i) A statement that it is a protest against the proposed increase to the sewer charges.
 - (ii) The name of the Parcel Owner or Customer that is submitting the protest.
 - (iii) Identification of assessor's parcel number, street address, or utility account number of the parcel or account with respect to which the protest is made.
 - (iv) Original signature and legibly printed name of the person submitting the protest.

- B. If a protest is submitted in connection with a parcel by a Parcel Owner who is neither the Record Owner of the parcel nor the Customer shown on the City's records, then the person may attach evidence of ownership or tenancy to the written protest. In connection with tabulation and verification of protests, the City reserves the right to request such evidence of ownership or tenancy from any such person. Such evidence, if requested by the City via a letter mailed prior to the announcement of the tabulation results, must be submitted to the City within ten days of the date the request is mailed in order for the protest to be valid.

- C. Except as provided in Section 2(D), written communications that do not include all of the elements set forth in the preceding paragraph will be treated as written comments on the proposal, but will not be counted as formal protests.

SECTION 5: Protest Withdrawal.

Any person who submits a protest may withdraw it by submitting to the City Clerk a written request that the protest be withdrawn. The withdrawal of a protest shall contain sufficient information to identify the affected parcel and the name of the person who submitted both the protest and the request that it be withdrawn.

SECTION 6: Multiple Protests.

- A. Each Parcel Owner or Customer may submit a protest.
- B. For the Parcel-Based Count: Only one protest will be counted per parcel as provided by Government Code Section 53755(b).
- C. For the Account-Based Count: Only one protest will be counted per account.
- D. If a person submitting a protest is both a Parcel Owner (as defined in Section 1(C) of these guidelines) and a Customer, that person's protest will be counted as both a protest for their parcel and a protest for their account.

SECTION 7: Transparency, Confidentiality, and Disclosure.

- A. Once a protest is opened during the tabulation, it becomes a disclosable public record, as required by state law and will be maintained in District files for two (2) years.

SECTION 8: Invalid Protests.

The City Clerk shall not accept as valid any protest if he or she determines that any of the following is true:

- A. The protest does not state its opposition to the proposed charges.
- B. The protest does not name a Parcel Owner or Customer of the parcel identified in the protest.
- C. The protest does not identify a parcel or account served by the City that is subject to the proposed charge.
- D. The protest does not bear an original signature of the Parcel Owner or Customer with respect to, the parcel identified on the protest. Whether a signature is valid shall be entrusted to the reasonable judgement of the City Clerk. A signature is not required for a protest submitted pursuant to Section 2(D).
- E. The protest was altered in a way that raises a fair question as to whether the protest actually expresses the intent of a parcel owner or tenant to protest the charges.
- F. The protest was not received by the City Clerk before the close of the public input portion of the public hearing on the proposed charges.
- G. A request to withdraw the protest was received prior to the close of the public input portion of the public hearing on the proposed charges.

SECTION 9: City Clerk's Decisions Final.

The City Clerk's decision that a protest is not valid shall constitute a final action of the City and shall not be subject to any internal appeal.

SECTION 10: Majority Protest.

A majority protest exists if written protests are timely submitted and not withdrawn with respect to either (i) a majority (50% plus one) of the parcels or (ii) a majority (50% plus one) of the accounts subject to the proposed charge. The City Council will not adopt the proposed increase if there is a majority protest.

SECTION 11: Tabulation of Protests.

At the conclusion of the public hearing, the City Clerk shall tabulate all protests received, including those received during the public hearing, and shall report the result to the City Council. If the number of protests received is manifestly insufficient to constitute a majority protest, the City Clerk may determine the absence of a majority protest without validating the protests received, but may instead deem them all valid without further examination.

SECTION 12: Report of Tabulation.

The City Clerk shall report the results of the tabulation to the City Council.

If at the conclusion of the public hearing, the City Clerk determines that he or she will require additional time to tabulate the protests, he or she shall so advise the City Council, which may adjourn the meeting to allow the tabulation to be completed on another day or days. If so, the City Clerk shall declare the time and place of tabulation, which shall be conducted in a place where interested members of the public may observe the tabulation, and the City Council shall declare the time at which the meeting shall be resumed to receive and act on the tabulation report of the City Clerk.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX – PACIFIC SOUTHWEST REGION
75 Hawthorne Street
San Francisco, CA 94105-3901

Via Email Only

Mr. Don Reynolds
City Manager
City of San Juan Bautista
311 Second Street
P.O. Box 1420
San Juan Bautista, CA 95045
Citymanager@san-juan-bautista.ca.org

Re: The Matter of City of San Juan Bautista, California, EPA Docket No.: CWA-309(a)-2020-007, Approval of Selection from Master Plan of Option to Ensure Compliance with the Clean Water Act (the Compliance Project)

Dear Mr. Reynolds:

On October 15, 2020, pursuant to paragraph 22.a.iv. of the above-referenced Administrative Order on Consent ("AOC"), the City of San Juan Bautista, California ("the City") submitted its proposed selection of an option from the draft Master Plan to the U.S. Environmental Protection Agency, Region 9 ("EPA") for review and approval. The City has proposed to select Alternative 3: Regionalization with Hollister Wastewater Treatment Plant ("WWTP") and Option 1C: Off-Site Source Control (the "Compliance Project") as outlined in the draft Master Plan. The draft Master Plan was submitted to EPA on September 15, 2020.¹

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.

¹ The Master Plan submitted to EPA on September 15, 2020 is dated August 2020 and is described as Draft No. 1.

Based on the information presented, pursuant to paragraph 22.a.iv. of the AOC, EPA hereby approves the City of San Juan Bautista's proposed Compliance Project to achieve compliance with the Clean Water Act through implementation of Alternative 3 and Option 1C from the draft Master Plan. Pursuant to paragraph 22.a.v. of the AOC, the City is required to submit its Phase I Compliance Schedule to EPA on or by November 15, 2020.

If you have any questions regarding this approval letter, please contact Mr. Adam Howell of my staff at (415) 947-4248 or via e-mail at Howell.adam@cpa.gov. Legal questions should be addressed to Ms. Jennifer Pierce at (415) 972-3883 or Pierce.jennifer@epa.gov.

Sincerely,

**JOHN
TINGER**

Digitally signed by
JOHN TINGER
Date: 2020.10.30
10:52:46 -07'00'

Eric Magnan
Manager, Water Section I
Enforcement and Compliance Assurance Division

Cc:

Deborah Mall, Counsel, City of San Juan Bautista
Katie DiSimone, NPDES Permit Writer, Central Coast Regional Water Quality Control Board
Catherine Hawe, Counsel, Central Coast Regional Water Quality Control Board



SAN JUAN BAUTISTA
The City of History

Water Rate Study 2022 Draft

May 11, 2022



BARTLE WELLS ASSOCIATES
Independent Public Finance Advisors

Table A
City of San Juan Bautista
Draft Water Rates
Water Rate Study

Water Rates	FY 21-22	FY 22-23	FY 23-24	FY 24-25	FY 25-26	FY 26-27
	<i>Existing</i>	<i>Proposed</i>	<i>Proposed</i>	<i>Proposed</i>	<i>Proposed</i>	<i>Proposed</i>
Volumetric Rate \$/1000 gallons	\$6.35	\$7.24	\$8.26	\$9.34	\$9.81	\$10.31
Monthly Base Rate	\$55.76	\$63.57	\$72.47	\$81.90	\$86.00	\$90.30

Table 1
City of San Juan Bautista
Water Demand and Supply Cost
Water Rate Study

Metered Water Demand		FY 21-22	FY 22-23	FY 23-24	FY 24-25	FY 25-26	FY 26-27
		<i>Projected</i>	<i>Projected</i>	<i>Projected</i>	<i>Projected</i>	<i>Projected</i>	<i>Projected</i>
Demand (1,000 gallons)		77,118	77,304	77,489	77,675	77,860	78,045
Demand (AF)		177	177	178	178	179	179
Customers		830	832	834	836	838	840
Additional Customers ¹		2	2	2	2	2	2
Total Customers		832	834	836	838	840	842
Consumption per Customer		93	93	93	93	93	93
Water Supply Cost							
	Escelation	FY 21-22	FY 22-23	FY 23-24	FY 24-25	FY 25-26	FY 26-27
Volumetric Water Supply Cost							
Cost of Raw Water (\$/AF)	4.0%	\$624	\$649	\$675	\$702	\$730	\$759
Cost of Raw Water Power (\$/AF)	5.0%	<u>\$58</u>	<u>\$61</u>	<u>\$64</u>	<u>\$67</u>	<u>\$70</u>	<u>\$74</u>
Water Supply Cost (\$/AF)		\$681.75	\$709.60	\$738.59	\$768.77	\$800.19	\$832.90
Projected Water Purchase (AF)					<u>96.43</u>	<u>192.85</u>	<u>193.31</u>
Projected Total Water Supply Cost		\$0	\$0	\$0	\$74,129	\$154,318	\$161,009
Fixed Water Supply Cost							
Estimated Fixed O&M Cost	4.0%	\$113,236	\$117,766	\$122,476	\$127,375	\$132,470	\$137,769
Reserve Allocation	4.0%	<u>\$43,494</u>	<u>\$45,234</u>	<u>\$47,043</u>	<u>\$48,925</u>	<u>\$50,882</u>	<u>\$52,917</u>
Total Fixed Water Supply Cost					\$88,150	\$183,352	\$190,686
Total Water Supply Cost		\$0	\$0	\$0	\$162,279	\$337,670	\$351,696

Table 2
City of San Juan Bautista
Projected Operating Expenses
Water Rate Study

Cost Escalation	FY 20-21	FY 21-22	FY 22-23	FY 23-24	FY 24-25	FY 25-26	FY 26-27
General Inflation				5.0%	4.5%	4.0%	4.0%
Expenses¹	FY 20-21	FY 21-22	FY 22-23	FY 23-24	FY 24-25	FY 25-26	FY 26-27
	<i>Actual</i>	<i>Estimated</i>	<i>Draft Budget</i>	<i>Projected</i>	<i>Projected</i>	<i>Projected</i>	<i>Projected</i>
502.000 · Salaries and Wages - FT	\$154,128	\$155,981	\$167,560	\$175,938	\$183,855	\$191,209	\$198,858
508.000 · FICA	\$12,289	\$12,019	\$14,494	\$15,219	\$15,904	\$16,540	\$17,201
510.000 · Worker's Comp	\$3,476	\$7,620	\$7,783	\$8,172	\$8,540	\$8,881	\$9,237
514.000 · Health Insurance	\$18,308	\$25,779	\$24,793	\$26,033	\$27,204	\$28,292	\$29,424
518.000 · 457k Retirement Contribution	\$931	\$1,329	\$1,915	\$2,011	\$2,101	\$2,185	\$2,273
522.000 · Uniforms & Alterations	\$251	\$57	\$100	\$105	\$110	\$114	\$119
524.000 · Phys., Drug & Psych Testing	\$15	\$0		\$0	\$0	\$0	\$0
526.000 · Education and Training	\$375	\$377	\$400	\$420	\$439	\$456	\$475
550.000 · Office Supplies	\$1,501	\$2,000	\$2,000	\$2,100	\$2,195	\$2,282	\$2,374
558.000 · Printing and Copies	\$14	\$700	\$700	\$735	\$768	\$799	\$831
562.000 · Food and Beverages	\$60	\$200	\$200	\$210	\$219	\$228	\$237
516.000 · Insurance - Liab/Bond/Auto/Prop	\$22,548	\$15,000	\$15,000	\$15,750	\$16,459	\$17,117	\$17,802
544.000 · Computer Software Service	\$487	\$700	\$700	\$735	\$768	\$799	\$831
545.000 · Computer Hardware Service	\$286	\$100	\$100	\$105	\$110	\$114	\$119
530.000 · Dues and Subscriptions	\$8,725	\$3,200	\$3,200	\$3,360	\$3,511	\$3,652	\$3,798
634.000 · Copier Services & Lease	\$1,416	\$1,700	\$1,700	\$1,785	\$1,865	\$1,940	\$2,018
638.000 · Bank Charges/PR Processing	\$2,750	\$4,800	\$4,800	\$5,040	\$5,267	\$5,477	\$5,697
551.000 · Postage and Freight	\$3,023	\$3,600	\$3,600	\$3,780	\$3,950	\$4,108	\$4,272
600.000 · Operational Contracts	\$142,132	\$78,000	\$78,000	\$81,900	\$85,586	\$89,009	\$92,569
602.000 · Legal	\$7,365	\$100	\$100	\$105	\$110	\$114	\$119
604.000 · Engineering	\$31,811	\$30,000	\$30,000	\$31,500	\$32,918	\$34,234	\$35,604
612.002 · Security	\$898	\$800	\$800	\$840	\$878	\$913	\$949
624.000 · Janitorial	\$99	\$200	\$200	\$210	\$219	\$228	\$237
643.000 · Water	\$1,448	\$0	\$0	\$0	\$0	\$0	\$0
654.000 · Chemical Testing	\$4,225	\$8,500	\$8,500	\$8,925	\$9,327	\$3,395	\$3,531
Bad debt	\$29,761	\$8,000	\$8,000	\$6,000	\$6,270	\$6,521	\$6,782
640.000 · Telecomm	\$876	\$2,500	\$2,500	\$2,625	\$2,743	\$2,853	\$2,967
642.000 · Electricity	\$51,938	\$75,000	\$75,000	\$78,750	\$82,294	\$72,748	\$75,658
656.000 · Licenses and Permits	\$15,950	\$16,000	\$16,000	\$16,800	\$17,556	\$18,258	\$18,989
658.000 · Property Taxes	\$88	\$150	\$150	\$158	\$165	\$171	\$178
712.000 · Materials	\$97	\$0	\$0	\$0	\$0	\$0	\$0
532.01 · Equipment Rental	\$424	\$0	\$0	\$0	\$0	\$0	\$0
701.000 · Small Tools	\$270	\$0	\$0	\$0	\$0	\$0	\$0
554.000 · Gasoline & Diesel Fuel	\$2,193	\$3,987	\$4,500	\$4,725	\$4,938	\$5,135	\$5,341
552.000 · Chemical and Gasses	\$14,307	\$10,731	\$11,000	\$11,550	\$12,070	\$4,393	\$4,569
716.000 · Parts - City Rep. Vehicles	\$0	\$261	\$300	\$315	\$329	\$342	\$356
718.000 · Parts - City Rep. Equipment	\$328	\$929	\$1,000	\$1,050	\$1,097	\$1,141	\$1,187
720.000 · Parts - City Rep. Water	\$4,946	\$9,780	\$10,000	\$10,500	\$10,973	\$11,411	\$11,868
726.000 · Parts - City Rep. Parks	\$373	\$0	\$0	\$0	\$0	\$0	\$0
751.001 · Maint. & Repair Wells	\$5,964	\$15,000	\$15,000	\$15,750	\$16,459	\$17,117	\$17,802
752.000 · Vehicle Maint. - Outside	\$0	\$300	\$300	\$315	\$329	\$342	\$356
754.000 · Equipment Maint. - Outside	\$0	\$100	\$100	\$105	\$110	\$114	\$119
764.000 · Water Maintenance - Outside	\$583	\$2,500	\$2,500	\$2,625	\$2,743	\$2,853	\$2,967
Total Operating Expenses	\$546,659	\$498,000	\$512,995	\$536,245	\$560,376	\$555,489	\$577,709
% Change from Previous Year		-8.9%	3.0%	4.5%	4.5%	-0.9%	4.0%

¹ Based on SJB budget

² Highlighted cells reflect cost reductions due to reduced groundwater production and treatment

Table 3
City of San Juan Bautista
Projected Operating Revenues
Water Rate Study

Cost Escalation	FY 20-21	FY 21-22	FY 22-23	FY 23-24	FY 24-25	FY 25-26	FY 26-27
Demand Growth				0.2%	0.2%	0.2%	0.2%
Revenue	FY 20-21	FY 21-22	FY 22-23	FY 23-24	FY 24-25	FY 25-26	FY 26-27
	<i>Actual</i>	<i>Estimated</i>	<i>Draft Budget</i>	<i>Projected</i>	<i>Projected</i>	<i>Projected</i>	<i>Projected</i>
486.000 · Utility Fees Commercial	\$217,853	\$194,446	\$195,000				
485.000 · Utility Fees Residential	\$953,108	\$916,548	\$1,000,000				
Rate Revenue	\$1,170,961	\$1,110,994	\$1,195,000	\$1,365,567	\$1,560,471	\$1,767,540	\$1,860,336
Additional Rate Revenue^{1,2}	\$0	\$0	\$167,300	\$191,179	\$202,861	\$88,377	\$93,017
Other Revenue							
484.000 · Interest and Penalties	\$1,386	\$26,000	\$26,000	\$26,000	\$26,000	\$26,000	\$26,000
480.003 · Reimbursed City expenses	\$2,635	\$2,800	\$2,800				
493.000 · Water Meter Maint. Fees	\$15,000	\$15,595	\$16,000	\$16,000	\$16,000	\$16,000	\$16,000
483.000 · Utility Connection Fees	\$216,495	\$18,004	\$18,004	\$18,004	\$18,004	\$18,004	\$18,004
Total Other Revenue	\$235,516	\$62,399	\$62,804	\$60,004	\$60,004	\$60,004	\$60,004
Total Operating Revenue	\$1,406,477	\$1,173,393	\$1,425,104	\$1,616,750	\$1,823,336	\$1,915,921	\$2,013,357
% Change from Previous Year		-16.6%	21.5%	13.4%	12.8%	5.1%	5.1%

¹Additional revenue based on recommended increase

²Additional adjusted if adopted mid-fiscal year

Table 4
City of San Juan Bautista
Capital Improvement Costs
Water Rate Study

Project Description	FY 22-23	FY 23-24	FY 24-25	FY 25-26	FY 26-27
	<i>Projected</i>	<i>Projected</i>	<i>Projected</i>	<i>Projected</i>	<i>Projected</i>
CIP (Current Dollars)					
Capital Purchases/Improvements					
Pipeline Replacement	\$100,000	\$100,000	\$100,000	\$100,000	\$100,000
Total CIP (Current Dollars)	\$100,000	\$100,000	\$100,000	\$100,000	\$100,000
CIP (Inflated Dollars)					
Total CIP (Inflated Dollars)	\$100,000	\$104,000	\$108,160	\$112,486	\$116,986
<i>Annual Inflation Rate</i>		4.0%	4.0%	4.0%	4.0%

Table 5
City of San Juan Bautista
Existing and Proposed Debt
Water Rate Study

Description	FY 21-22	FY 22-23	FY 23-24	FY 24-25	FY 25-26	FY 26-27	FY 27-28
	<i>Actual</i>	<i>Projected</i>	<i>Projected</i>	<i>Projected</i>	<i>Projected</i>	<i>Projected</i>	<i>Projected</i>
Existing Debt							
2015 Enterprise Revenue Bonds	\$365,001	\$364,341	\$366,156	\$364,753	\$364,753	\$364,753	\$364,753
2016 General Fund Advance	44,606	44,606	44,606	44,606	44,606	44,606	44,606
Total Current Debt Service	\$409,607	\$408,947	\$410,762	\$409,360	\$409,360	\$409,360	\$409,360

Table 6
City of San Juan Bautista
Cash Flow Projections
Water Rate Study

Operating Fund	FY 21-22	FY 22-23	FY 23-24	FY 24-25	FY 25-26	FY 26-27
Beginning Reserves						
<i>Total Reserve Balance</i>	\$1,366,900	\$1,633,346	\$2,034,693	\$2,601,839	\$2,839,401	\$2,649,119
Revenue Escalation						
Rate Revenue Increase		14.0%	14.0%	13.0%	5.0%	5.0%
Revenues						
Rate Revenue	\$1,110,994	\$1,195,000	\$1,365,567	\$1,560,471	\$1,767,540	\$1,860,336
Additional Rate Revenue	0	167,300	191,179	202,861	88,377	93,017
Other Revenue	\$62,399	\$62,804	\$60,004	\$60,004	\$60,004	\$60,004
<i>Total Revenue</i>	<i>\$1,173,393</i>	<i>\$1,425,104</i>	<i>\$1,616,750</i>	<i>\$1,823,336</i>	<i>\$1,915,921</i>	<i>\$2,013,357</i>
Expenses						
Operating Expenses						
SJB Operating Expenses	\$498,000	\$512,995	\$536,245	\$560,376	\$555,489	\$577,709
SBCWD Water Purchase			\$0	\$74,129	\$154,318	\$161,009
SBCWD Fixed Charges			\$0	\$88,150	\$183,352	\$190,686
<i>Total Operating Expenses</i>	<i>\$498,000</i>	<i>\$512,995</i>	<i>\$536,245</i>	<i>\$722,655</i>	<i>\$893,159</i>	<i>\$929,405</i>
Non-Operating Expenses						
Rate Funded Capital	\$0	\$100,000	\$104,000	\$108,160	\$112,486	\$116,986
HUAP Buy-In to SBCWD				\$114,763	\$229,525	\$229,525
Project Financing Repayment				\$230,837	\$461,673	\$461,673
Existing Debt Service	\$408,947	\$410,762	\$409,360	\$409,360	\$409,360	\$409,360
<i>Total Non-Operating Expenses</i>	<i>408,947</i>	<i>510,762</i>	<i>513,360</i>	<i>863,119</i>	<i>1,213,044</i>	<i>1,217,543</i>
<i>Total Expenses</i>	<i>\$906,947</i>	<i>\$1,023,757</i>	<i>\$1,049,605</i>	<i>\$1,585,774</i>	<i>\$2,106,203</i>	<i>\$2,146,948</i>
Net Revenues	\$266,446	\$401,347	\$567,146	\$237,562	-\$190,282	-\$133,591
Ending Unrestricted Balance	\$1,633,346	\$2,034,693	\$2,601,839	\$2,839,401	\$2,649,119	\$2,515,528
Debt Coverage (Target 1.25)	1.65	2.22	2.64	2.12	1.37	1.52



CITY OF SAN JUAN BAUTISTA CITY COUNCIL STAFF REPORT

AGENDA TITLE: **AUTHORIZE SAN BENITO COUNTY INTEGRATED WASTE MANAGEMENT TO CONDUCT ACTIVITIES NEEDED ON BEHALF OF THE CITY TO COMPLY WITH SENATE BILL 1383, THE SHORT-LIVED CLIMATE POLLUTANT ACT AND DECLARING THE PURPOSE AND NEED FOR A RURAL EXEMPTION**

MEETING DATE: May 17, 2022

SUBMITTED BY: Celina Stotler, Manager
San Benito County Integrated Waste Management

RECOMMENDED ACTION: Adopt resolution to affirm County of San Benito as Lead Agency of the San Benito County Integrated Waste Management Regional Agency authority to conduct activities needed on behalf of the City to comply with Senate Bill 1383 and to affirm the City's need for a rural exemption.

BACKGROUND INFORMATION:

The San Benito County Integrated Waste Management (IWM) Regional Agency SB 1383 Rural Exemption Application was submitted on December 27, 2021 and approved by CalRecycle on December 29, 2021.

In early February of 2022, CalRecycle requested that each of the Regional Agency member cities submit its own rural exemption application and requested that each member agency adopt its own resolution affirming its exemption. The City of San Juan Bautista's application was received by CalRecycle late February (see attached application).

Although IWM staff and consultant staff have contended with CalRecycle that the Regional Agency SB 1383 Edible Food Recovery Memorandum of Understanding (MOU) and other existing documents authorize the County to submit resolutions on behalf of the Regional Agency, CalRecycle does not agree as it relates to Senate Bill 1383. CalRecycle requests that a separate resolution be passed by each member city in order for the rural exemption to be applied to each city.

ATTACHMENTS:

SB 1383 Resolution
San Benito County IWM Regional Agency Joint Powers Agreement
San Benito County IWM Regional Agency SB 1383 Edible Food Recovery MOU
San Benito County IWM Regional Agency SB 1383 Edible Food Recovery Ordinance

RESOLUTION 2022-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN JUAN BAUTISTA AUTHORIZING THE COUNTY, AS LEAD AGENCY FOR THE MEMBERS OF THE SAN BENITO INTEGRATED WASTE MANAGEMENT REGIONAL AGENCY, TO CONDUCT ACTIVITIES NEEDED ON BEHALF OF THE CITY TO COMPLY WITH SENATE BILL 1383, THE SHORT-LIVED CLIMATE POLLUTANT ACT AND DECLARING THE PURPOSE AND NEED FOR A RURAL EXEMPTION

WHEREAS, in September 2016, Governor Brown signed into law Senate Bill (SB) 1383 establishing methane reduction targets; and

WHEREAS, in November, 2020, CalRecycle adopted SB 1383 regulations placing requirements on jurisdictions and others to help achieve state-wide goals including a goal to reduce organic waste disposal at landfills by 75 percent by the year 2025 and requiring that not less than 20% of edible food currently disposed of, be recovered instead for human consumption by 2025; and

WHEREAS, an Edible Food Recovery Ordinance was adopted by the City Council on December 12, 2021, to meet regulatory requirements, and

WHEREAS, Section 18984.12(c) of Title 14 of the California Code of Regulations requires CalRecycle to grant an exemption from compliance with the organic waste collection requirements specified in Article 3, Chapter 12 of the SB 1383 Regulations to jurisdictions that meet the definition of a "rural jurisdiction" in Public Resources Code Section 42649.8 if the jurisdiction adopts a resolution that includes a finding as to the purpose of and need for the exemption; and

WHEREAS, Public Resources Code Section 42649.8 defines "rural jurisdiction" as a jurisdiction that is located entirely within one or more rural counties, and which further defines "rural county" as a county that has a total population of less than 70,000 persons; and

WHEREAS, the City meets the definition of "rural jurisdiction" as it is entirely located in San Benito County, California, which had a population of 66,677 as of July 1, 2021 as reported by the U.S. Census Bureau for the 2020 Census; and

WHEREAS, the City Council must adopt a resolution that includes a finding as to the purpose of and need for the exemption in order to apply for such an exemption; and

WHEREAS, the City Council finds that adopting this Resolution for the purpose of exempting the City from the requirements of Article 3, Chapter 12 of Title 14 of the California Code of Regulations is necessary because the City is a rural community with a low population and low density, making implementation of several of the SB 1383 requirements challenging and costly; and

WHEREAS, an MOU between Hollister, San Juan Bautista and the County was signed by the City Council on December 17, 2021 to outline the roles and responsibilities of the County and the Cities for SB 1383 implementation and compliance, assuming this application for a rural waiver; and

WHEREAS, the City wants to ensure that the County as lead agency for the San Benito County Integrated Waste Management Regional Agency, has the authority to submit reports, apply for funding, receive complaints, enforce the edible food recovery ordinance, and carry out a Countywide Edible Food Recovery program, as well as carry out any other SB 1383 related requirements on behalf of the city, as appropriate; and

WHEREAS, the City is responsible for all other applicable SB 1383 and SB 1383 regulatory requirements not expressly designated to the County, as lead agency for the San Benito County Integrated Waste Management Regional Agency members, including recycled paper procurement and required recordkeeping for such procurement, and CalGreen and MWELC compliance; and

WHEREAS, the City is ultimately responsible for compliance with SB 1383 requirements; and

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of San Juan Bautista hereby adopts the rural waiver application and authorizes its submission to CalRecycle;

BE IT FURTHER RESOLVED, that the City grants the County of San Benito as Lead Agency, on behalf of the city as a member of the San Benito County Integrated Waste Management Regional Agency, to implement and enforce all requirements of SB 1383 that can be designated to a regional agency, including outreach, inspections, tracking, recordkeeping, reporting, exemption applications, funding applications, and enforcement required, and all items contained within the aforementioned MOU between the City and County.

BE IT FURTHER RESOLVED, that the City will work with the County on any SB 1383 related issues requiring jurisdictional assistance such as resolving issue(s) related to complaints and/or noncompliance, and providing information for the implementation record and reports, as requested.

PASSED AND ADOPTED, this 17th day of May, 2022 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Leslie Q. Jordan, Mayor

ATTEST:

Don Reynolds, Acting Deputy City Clerk



CITY OF SAN JUAN BAUTISTA CITY COUNCIL REPORT

AGENDA TITLE: **DETERMINE SPECIFIC TIMES AND PLACE CONSISTENT WITH MUNICIPAL CODES 5-1-166 AND 5-16-100, AND AUTHORIZE NON-PROFIT ORGANIZATION ANZAR HIGHSCHOOL BOOSTER CLUB TO SELL SAFE AND SANE FIREWORKS FOR THE FOURTH OF JULY HOLIDAY**

MEETING DATE: May 17, 2022

DEPARTMENT HEAD: Don Reynolds, City Manager

RECOMMENDED ACTION(S):

That the City Council consider the three attached possible resolutions, and determine if or when fireworks will be sold this year by the one non-profit applying to do so (Anzar High School Booster Club), and if so, under what specific times and place this Fourth of July Season.

BACKGROUND INFORMATION:

Last year the City took specific and urgent action to further control over the use of fireworks in the City due in part to extremely dry drought conditions. It increased the bail scheduled for fines for the illegal fireworks, and established a budget and special enforcement duties for public safety.

Generally speaking, the effort was successful on those days leading up to the 4th of July. On the 4th of July resources were spread thin making enforcement difficult. Code Enforcement attempted an “educational approach” to enforcement that was partly effective. Three citations were written. One arrest was made using the camera system leased for the holiday. The “de-brief” of the event lead to several proposed changes.

Staff was directed to clarify the two City codes in place; 5-1-166 and 5-16-100. 5-1-166 does allow fireworks in the City with the approval by the Fire Marshall, and these have for decades been limited to “Safe and Sane” fireworks. Code 5-16-100 does prohibit the use of fireworks in the City unless specified by time and locations are identified by the City Council. The City policy last year was intended to be a “Zero Tolerance” policy and will be enforced in this manner in the future. The use of the emergency incident command structure, increased cooperation and collaboration between the Fire Department, Sheriff, Code Enforcement and private security.

DISCUSSION:

The City Attorney has considered the two City Codes and determined that are not in conflict with each other. The prohibition allows for the Council discretion in their use. Attached are drafted three alternative resolutions for the Council to consider concerning the request of the Anzar High School Boosters Club to sell fireworks for the 4th of July and for the Council to consider whether it wants to permit or prohibit the use of fireworks in the city from noon on June 30, 2022 to midnight on July 4, 2022.

Version 1 continues the prohibition on the use of all fireworks in the City but grants the Anzar Boosters the right to sell safe and sane fireworks at The Windmill. Since the Council presumably did not address the prohibition on fireworks in Section 5-16-100 when it previously granted permission for sale of fireworks under Section 5-1-165 this is effectively what I understand the city has done in past years;

Version 2 allows the use of safe and sane fireworks on private property by persons over 18 or minors accompanied by and under supervision of a parent or guardian from noon on June 30, 2022 to midnight on July 4, 2022 and grants the Anzar Boosters the right to sell safe and sane fireworks at The Windmill;

Version 3 continues the prohibition on the use of all fireworks in the City and denies the Anzar Boosters request to sell safe and sane fireworks.

All three resolutions recognize the adoption in 2021 of Resolution 2021-34A and affirm the increased administrative bail schedule established by that resolution for violations of 5-16-100 (\$1K first offense, \$2.5K second offense, and \$5K third and subsequent offenses).

The Council can exercise its authority to provide further limitations. The use of fireworks can be restricted to just the 4th of July between certain hours. Staff's intent is to provide an array of options within the boundaries of the City's current code.

Staff will work with its partners to re-establish a special enforcement team as it did last year. This was a \$6,000 expenses including outreach efforts, camera system, and special private security duty.

FISCAL IMPACT:

The \$6,000 budget will be paid from the General Fund, and be included in the 2023 budget.

ATTACHMENTS:

3-proposed Resolutions

Attachment 1

RESOLUTION 2022-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN JUAN BAUTISTA AFFIRMING THE PROHIBITION ON THE USE WITHIN THE CITY OF ALL FIREWORKS AT ANY TIME AND AUTHORIZING THE ANZAR HIGH SCHOOL BOOSTERS CLUB TO SELL FIREWORKS WITHIN THE CITY FOR THE JULY 4, 2022, HOLIDAY

WHEREAS, Section 5-16-100 of Chapter 5-16 of the City's Municipal Code entitled "Fireworks" prohibits setting off fireworks within the City except at such times and places as the City Council may be order designate and permit; and

WHEREAS, Section 5-1-165 of Chapter 5-1 "California Fire Code, 2001 Edition" amends Section 7802 of the Uniform Fire Code to permit, upon approval by the City Council, the issuance by the Fire Chief of one permit for the sale of factory-packaged assortments of fireworks permitted by the State Fire Marshall for use by the general public during the period from Noon on June 30 to midnight on July 4; and

WHEREAS, the City of Hollister provides fire protection services under contract to the City of San Juan Bautista and the Fire Chief of the City of Hollister serves presently as the Fire Chief of the City of San Juan Bautista; and

WHEREAS, on _____, 2022, a request was received from American Promotional Events, Inc. dba TNT Fireworks on behalf of the Anzar High School Boosters Club to sell "safe and sane" fireworks from a fireworks' stand to be located in the parking lot of The Windmill Market at 310 The Alameda daily during the hours of 9:00 a.m. and 10:00 p.m. between the dates of June ____, 2022 and July 4, 2022; and

WHEREAS, American Promotional Events, Inc dba TNT Fireworks has provided proof of insurance coverage including, but not limited to, commercial general liability in the amount of \$1,000,000 each occurrence and \$2,000,000 general aggregate naming the City of San Juan Bautista as an additional insured; and

WHEREAS, on June 29, 2021, by Resolution 2021-34A the City Council approved the delegation of authority to its private security provider to issue administrative citations for violation of the City's fireworks laws during times of extreme heat, dry weather and extreme fire drainage; and

WHEREAS, the State of California, San Benito County and the City are in the third year of a drought and continue to experience longer wildfire seasons, extended dryness with little precipitation, and above normal temperatures which results in lower than normal fuel moisture levels and accordingly an increased potential for wildland fire activity; and

WHEREAS, by Resolution 2021-34A the City Council also established a bail schedule for administrative citations issued pertaining to enforcement of Section 5-16-100 which provides for a fine of \$1,000 for a first offense, \$2,500 for a second offense and \$5,000 for a third or subsequent offense.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF SAN JUAN BAUTISTA AS FOLLOWS:

1. The above Recitals are true and correct.
2. The City Council hereby affirms the prohibition set forth in Section 5-16-100 of the Municipal Code on the setting off of any fireworks within the City of San Juan Bautista at all times and the bail schedule established by Resolution 2021-34A for violation of same.
3. Subject to the prohibition on their use at all times within the City, in accordance with Section 5-1-165 of the Municipal Code, the City Council hereby directs that one permit be issued for the sale of factory-packaged fireworks of the type permitted by the California State Fire Marshall for use by the general public for their use where permitted by local regulation and requests the Fire Chief of the City of Hollister to issue that permit to the Anzar High School Boosters Club to allow the sale of such fireworks in the City of San Juan Bautista at the Windmill Market, 301 The Alameda between the hours of 9:00 A.M. to 10:00 P.M. commencing at noon on June 30, 2022 and ending on July 4, 2022. The Anzar High School Boosters Club is a non-profit organization and is not required to obtain a business permit for this fundraising event from which the receipts are used solely for a benevolent purpose.
4. The permit issued pursuant to Section 2 above is not intended as, nor shall it be construed to be, permission for any person to use fireworks within the City of San Juan Bautista during the term of the permit or at any other time.
5. For purposes of clarity, the use of any fireworks within the City at any time, including "safe and sane" fireworks contained in factory-packaged assortments of fireworks permitted by the State Fire Marshall for use by the general public, may subject the user to the penalties provided by Resolution 2021-34A.

PASSED AND ADOPTED this 17th day of May, 2022 by the following
vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Leslie Q. Jordan, Mayor

ATTEST:

Don Reynolds, Acting Deputy City Clerk

Attachment 2

RESOLUTION 2022-XX

A RESOLUTION AND ORDER OF THE CITY COUNCIL OF THE CITY OF SAN JUAN BAUTISTA PERMITTING THE USE WITHIN THE CITY BETWEEN NOON ON JUNE 30, 2022 AND MIDNIGHT ON JULY 4, 2022, ONLY ON PRIVATE PROPERTY FOR WHICH THE OWNER HAS GIVEN PRIOR PERMISSION AND AUTHORIZING THE ANZAR HIGH SCHOOL BOOSTERS CLUB TO SELL APPROVED FIREWORKS WITHIN THE CITY FOR THE JULY 4, 2022, HOLIDAY

WHEREAS, Section 5-16-100 of Chapter 5-16 of the City's Municipal Code entitled "Fireworks" prohibits setting off fireworks within the City except at such times and places as the City Council may be order designate and permit; and

WHEREAS, Section 5-1-165 of Chapter 5-1 "California Fire Code, 2001 Edition" amends Section 7802 of the Uniform Fire Code to permit, upon approval by the City Council, the issuance by the Fire Chief of one permit for the sale of factory-packaged assortments of fireworks permitted by the State Fire Marshall for use by the general public during the period from noon on June 30 to midnight on July 4; and

WHEREAS, the City of Hollister provides fire protection services under contract to the City of San Juan Bautista and the Fire Chief of the City of Hollister serves presently as the Fire Chief of the City of San Juan Bautista; and

WHEREAS, on _____, 2022, a request was received from American Promotional Events, Inc. dba TNT Fireworks on behalf of the Anzar High School Boosters Club to sell "safe and sane" fireworks from a fireworks' stand to be located in the parking lot of The Windmill Market at 310 The Alameda daily during the hours of 9:00 a.m. and 10:00 p.m. between the dates of June ____, 2022 and July 4, 2022; and

WHEREAS, American Promotional Events, Inc dba TNT Fireworks has provided proof of insurance coverage including, but not limited to, commercial general liability in the amount of \$1,000,000 each occurrence and \$2,000,000 general aggregate naming the City of San Juan Bautista as an additional insured; and

WHEREAS, on June 29, 2021, by Resolution 2021-34A the City Council approved the delegation of authority to its private security provider to issue administrative citations for violation of the City's fireworks laws during times of extreme heat, dry weather and extreme fire drainage; and

WHEREAS, the State of California, San Benito County and the City are in the third year of a drought and continue to experience longer wildfire seasons, extended dryness with little precipitation, and above normal temperatures which results in lower than normal fuel moisture levels and accordingly an increased potential for wildland fire activity; and

WHEREAS, by Resolution 2021-34A the City Council also established a bail schedule for administrative citations issued pertaining to enforcement of Section 5-16-100 which provides for a fine of \$1,000 for a first offense, \$2,500 for a second offense and \$5,000 for a third or subsequent offense.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF SAN JUAN BAUTISTA AS FOLLOWS:

1. The above Recitals are true and correct.
2. In accordance with Section 5-16-100 of the Municipal Code the City Council hereby designates, permits and orders that the dates of June 30, 2022, commencing at noon, through July 4, 2022, ending at midnight, shall be dates and times during which it shall be lawful for any person over the age of 18, or a minor accompanied by and under the supervision of a parent or guardian, to ignite, fire off, or cause to be exploded fireworks of the type approved by the State Fire Marshall for use by the general public which are sold only in factory-packaged assortments.
3. In accordance with Section 5-16-100 of the Municipal Code the City Council further designates, permits and orders the use of the fireworks described in Section 1 only on private property within the City for which the owner of the property has given prior permission for such use.
4. The City Council hereby affirms the bail schedule established by Resolution 2021-34A for violation of Section 5-16-100.
5. Subject to the prohibition on their use at all times within the City, in accordance with Section 5-1-165 of the Municipal Code, the City Council hereby directs that one permit be issued for the sale of factory-packaged fireworks of the type permitted by the California State Fire Marshall for use by the general public for their use where permitted by local regulation and requests the Fire Chief of the City of Hollister to issue that permit to the Anzar High School Boosters Club to allow the sale of such fireworks in the City of San Juan Bautista at the Windmill Market, 301 The Alameda between the hours of 9:00 A.M. to 10:00 P.M. commencing at noon on June 30, 2022 and ending on July 4, 2022. The Anzar High School Boosters Club is a non-profit organization and is not

required to obtain a business permit for this fundraising event from which the receipts are used solely for a benevolent purpose.

6. For purposes of clarity, the use of any fireworks within the City, other than "safe and sane" fireworks contained in factory-packaged assortments of fireworks permitted by the State Fire Marshall for use by the general public by the persons and during the period and at the locations designated by this resolution, may subject the user to the penalties provided by Resolution 2021-34A.

PASSED AND ADOPTED this 17th day of May, 2022 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Leslie Q. Jordan, Mayor

ATTEST:

Don Reynolds, Acting Deputy City Clerk

Attachment 3

RESOLUTION 2022-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN JUAN BAUTISTA AFFIRMING THE PROHIBITION ON THE USE WITHIN THE CITY OF ALL FIREWORKS AT ANY TIME AND DENYING THE REQUEST OF THE ANZAR HIGH SCHOOL BOOSTERS CLUB TO SELL FIREWORKS WITHIN THE CITY FOR THE JULY 4, 2022, HOLIDAY

WHEREAS, Section 5-16-100 of Chapter 5-16 of the City's Municipal Code entitled "Fireworks" prohibits setting off fireworks within the City except at such times and places as the City Council may be order designate and permit; and

WHEREAS, Section 5-1-165 of Chapter 5-1 "California Fire Code, 2001 Edition" amends Section 7802 of the Uniform Fire Code to permit, upon approval by the City Council, the issuance by the Fire Chief of one permit for the sale of factory-packaged assortments of fireworks permitted by the State Fire Marshall for use by the general public during the period from Noon on June 30 to midnight on July 4; and

WHEREAS, the City of Hollister provides fire protection services under contract to the City of San Juan Bautista and the Fire Chief of the City of Hollister serves presently as the Fire Chief of the City of San Juan Bautista; and

WHEREAS, on _____, 2022, a request was received from American Promotional Events, Inc. dba TNT Fireworks on behalf of the Anzar High School Boosters Club to sell "safe and sane" fireworks from a fireworks' stand to be located in the parking lot of The Windmill Market at 310 The Alameda daily during the hours of 9:00 a.m. and 10:00 p.m. between the dates of June ____, 2022 and July 4, 2022; and

WHEREAS, on June 29, 2021, by Resolution 2021-34A the City Council approved the delegation of authority to its private security provider to issue administrative citations for violation of the City's fireworks laws during times of extreme heat, dry weather and extreme fire drainage; and

WHEREAS, the State of California, San Benito County and the City are in the third year of a drought and continue to experience longer wildfire seasons, extended dryness with little precipitation, and above normal temperatures which results in lower than normal fuel moisture levels and accordingly an increased potential for wildland fire activity; and

WHEREAS, by Resolution 2021-34A the City Council also established a bail schedule for administrative citations issued pertaining to enforcement of Section 5-16-100 which provides for a fine of \$1,000 for a first offense, \$2,500 for a second offense and \$5,000 for a third or subsequent offense.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF SAN JUAN BAUTISTA AS FOLLOWS:

1. The above Recitals are true and correct.
2. The City Council hereby affirms the prohibition set forth in Section 5-16-100 of the Municipal Code on the setting off of any fireworks within the City of San Juan Bautista at all times and the bail schedule established by Resolution 2021-34A for violation of same.
3. The City Council hereby denies the request of the Anzar High School Boosters Club for a city-issued permit to allow the sale of sale of factory-packaged fireworks of the type permitted issued by the California State Fire Marshall for use by the general public fireworks in the City of San Juan Bautista at the Windmill Market, 301 The Alameda.
3. For purposes of clarity, the use of any fireworks within the City at any time, including "safe and sane" fireworks contained in factory-packaged assortments of fireworks permitted by the State Fire Marshall for use by the general public, may subject the user to the penalties provided by Resolution 2021-34A.

PASSED AND ADOPTED this 17th day of May, 2022 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Leslie Q. Jordan, Mayor

ATTEST:

Don Reynolds, Acting Deputy City Clerk



City of San Juan Bautista

The "City of History"

May 18, 2022

An Open Letter from the City Council to the Planning Commission:

The manner and demeanor in which the Planning Commission and its individual members reach decisions must be representative of the overall character and culture of the City of San Juan Bautista.

Each of the City's constituent bodies, the City Council, commissions, and committees and the City's staff members must work together to always demonstrate preparation, professionalism and a mutual respect for others who may hold different views. Respect for and consideration of all viewpoints is integral to reaching informed decisions.

Planning Commission meetings should be a source of pride for Commissioners, the City Council and our citizens and reflect what is best in our community. However, the City Council has come to believe that the Planning Commission's deliberations often fail to demonstrate the mutual respect, courtesy and the community focus and values which the Council expects from the Planning Commission and which the Council believes are essential to engender the necessary level of confidence in the Commission's decisions from our citizens and the development community. This is profoundly disappointing and gravely concerning to the City Council.

The Planning Commission frequently acts in a quasi-judicial role and must regularly make well-informed, legally defensible decisions that are supported by substantial evidence in the record. These are essential and integral elements of every decision made by the Commission. Unfortunately individual commissioners are sometimes absent from or late to meetings, frequently appear to be unprepared or unfamiliar with the staff report, ignore evidence, interrupt one another, challenge staff's professional advice, and reach arbitrary conclusions. This behavior is indicative of an insufficient level of commitment and lack of professionalism by some commissioners and it creates a risk of legal challenge based upon the Commission's abuse of its discretion.

This letter should not be construed as criticism of any single commissioner, rather it is intended to address issues pertaining to the Commission as a whole. The Council must review its assessment of how the Commission is performing its legally mandated function against the Council's expectations. This letter should be considered as notice that the City Council finds the Planning Commission, a Council-appointed body, is not meeting the City Council's expectations in terms of its demeanor and performance.

P.O. Box 1420
311 Second Street
San Juan Bautista
California 95045
(831) 623-4661
Fax (831)623-4093

**City Council
Mayor**
Leslie Q. Jordan

Vice Mayor
Cesar Flores

Councilmember
Mary Edge

Councilmember
Scott Freels

Councilmember
John Freeman

City Manager
Don Reynolds

Interim City Clerk
Yvonne Spence.

City Treasurer
Michelle Sabathia

Fire Chief
Bob Martin



City of San Juan Bautista

The "City of History"

This letter was considered at a regular public meeting of the City Council held on May 17, 2022, and its transmittal to the Planning Commission was approved by a majority vote of the Council.

Sincerely,

Leslie Q. Jordan
Mayor

RESOLUTION 2022-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN JUAN BAUTISTA APPROVING THE TRANSMITTAL OF AN "OPEN LETTER FROM THE CITY COUNCIL TO THE PLANNING COMMISSION"

WHEREAS, California Government Code Section 36501 vests the government of the City of San Juan Bautista in the City Council and as such the City Council is charged with oversight of municipal affairs and of the officers and commissions it appoints; and

WHEREAS, Chapter 2-3 of the San Juan Bautista Municipal Code "Boards and Commissions" provides for creation of a Planning Commission and for the members of the Planning Commission to be appointed by and to serve at the pleasure of the City Council; and

WHEREAS, the Planning Commission plays a central role in the planning process through its functions as an advisory board to the City Council on all planning and development issues, by assuring that the general plan is implemented through its review of development applications on a case-by-case basis, and through its discretionary function as a decision-making body for housing and commercial project applications for new construction, remodels and conditional use permits. The Planning Commission's actions are final but can be appealed to the City Council which can uphold the Planning Commission's decision, overturn it, modify it, or send it back for further consideration; and

WHEREAS, the City Council in its oversight role has over a period of time identified certain deficiencies in the manner by which the Planning Commission is presently discharging its duties which if continued will, in the City Council's considered judgment, have a deleterious effect on the ability of the Planning Commission to continue to fulfill its important role and on the conduct of other aspects of the City's municipal affairs; and

WHEREAS, the Council now wishes to bring these deficiencies to the attention of the Planning Commission in order that they may be addressed, and in accordance with the provisions of the Ralph M. Brown Act (California Government Code §§54950-54963) the City Council directed the preparation of the attached draft letter for consideration at a public meeting.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF SAN JUAN BAUTISTA AS FOLLOWS:

1. The above Recitals are true and correct.

2. Following discussion and incorporation of revisions as may be directed by the City Council during its discussion of the attached "Open Letter from the City Council to the Planning Commission" the City Council does hereby:

- (i) Approve the letter;
- (ii) Authorize the Mayor to affix her signature on behalf of the City Council; and
- (ii) Direct that the letter be transmitted forthwith to each Member of the Planning Commission.

PASSED AND ADOPTED this 17th day of May, 2022 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Leslie Q. Jordan, Mayor

ATTEST:

Robert Rathie, City Attorney



CITY OF SAN JUAN BAUTISTA CITY COUNCIL REPORT

AGENDA TITLE: CITY MANAGER BUDGET MESSAGE FOR FISCAL YEAR 2022/23

MEETING DATE: May 17, 2022

DEPARTMENT HEAD: Don Reynolds, City Manager

SUMMARY

Last year the City adopted a budget of “recovery.” Financially, the City has recovered. What was treated as a one-time general fund surplus of \$300,000 last year, has evolved into a sustainable growth and a sustainable operational surplus moving forward. That \$300,000 was committed to three critical initiatives that are summarized in the budget narrative attached “Priorities and Issues for Fiscal Year 22/33.” The status of the City’s various revenue sources (or “funds”) is described in the second attachment “Fund Summaries.”

After accounting for inflation in the City’s operational costs of between 6% (salaries and benefits) and 10% increases (major contracts- public safety, water and wastewater), the City’s General Fund still has room to grow. The City successfully changed its law enforcement service methodology last year reestablishing the dedicated Deputy. The City can afford two dedicated officers working 80-hours per week. This budget recommends the addition of a second dedicated Sheriff Deputy at an annual cost of \$150,000 per year. Private security can be reduced in patrol, but increased to support parking enforcement and writing administrative citations. A part-time community services coordinator position is in the budget as well. This position will help the City more fully utilize its assets and newly to be formed joint-use of San Juan school facilities. These ideas are described in more detail in the attached “Priorities and Issues” narrative.

Capital Improvement budget is still being refined, but it will for the most part, bring forward the unfinished work of the last year, plus the two water and wastewater compliance projects.

The City is able to maintain a General Fund Reserve of more the \$2 million. The City’s Reserve Policy requires 3-months of operational expenses, and this is equal to 9-months.

RECOMMENDED ACTION(S):

It is recommended that the City Council receive this draft Budget for Fiscal Year 2022/23, staff’s summary and narratives of the policies behind it, and take public comment and concerns, and schedule a public workshop May 24, and possibly May 31st, with a scheduled adoption June 14, 2022.

BACKGROUND INFORMATION:

Municipal Code Chapter 2, Section 2-115 describes the duties of the City Manager, and subsection “G” states this position will provide an “Annual Budget and Capital Program for each ensuing fiscal year, based upon estimates of financial needs and resources of the City.”

The Budget cadence continues on schedule. The Audit was approved as presented without cause for concern in December 2021. In January the Mid-Year budget reported a strong positive balance with an influx of federal assistance for COVID relief. The City allocated \$250,000 of the American Rescue Plan funds for business and non-profit relief efforts, homeless, COVID tests, and one large project that will open the school playground to the public during off-hours; while the Aromas-San Juan Bautista Unified School District prepares a joint use agreement. The City explored the possibility of buying fencing to protect school buildings while providing access to the public to the recreational assets. Of the \$175,000 budgeted only \$100,000 will be needed to install 1,000 linear feet of fencing and 6 gates to make this happen.

In February, the City considered its third Strategic Plan, updating the original approved in 2020. Quality of life was again an important piece of the five strategies. To that end, a lot of progress has been made by the newly hired Assistant City Manager, moving the sphere of influence and “urban growth committee” forward. The City is invested in the preservation of its historic, small-town environment. A lot of work has been done by the Public Safety Ad-Hoc Committee. The recommendation to hire a dedicated Deputy, research camera security systems, and strengthening the relationship between the various safety agencies are examples. Most recently, the City’s Economic Development Citizen’s Advisory Committee has started moving forward with its discussion of the future of Third Street. The attached “Priorities and Issues” document describes all of these efforts in detail.

The City’s capital improvements suffered a bit this year with turn-over in the City Engineer position. In the fall the City Engineer took an extended leave, returned in December to retire in March. The City was able to start the Community Park at Franklin Circle, and the Verutti Park restrooms this year. And although it is not a City project, completing the round-about at First and Lavagnino was a huge accomplishment. The money for street projects remains in the bank, and these projects will be top on this list in July. Before the May 24 budget Town Hall meeting, the City will have a draft CIP to consider.

DISCUSSION:

At the April 19, 2022 City Council meeting, staff presented a preview of the City’s Budget to the Council. Since then, the second installment of property taxes was received – and this is very good news. In the attached “Fund Summaries” the City’s General Fund is analyzed in detail.

GENERAL FUND REVENUE

The heart of the City’s \$2.7 million General Fund is Property Tax, Sales Tax and Transient Occupancy Tax (TOT). Sales tax is half of the General Fund. It is projected to be 10% higher this next year than it was before the pandemic. The City was able to recover a large debt owed to its TOT last fall. Property values increased in FY 21/22, helping this revenue source to grow. In 2021, the General Fund had grown 13%, and this year it is estimated in the General Fund to grow 20%. All of the details are in the attached “Fund Summaries” narrative.

WATER AND SEWER ENTERPRISE FUNDS

The Water Enterprise Fund revenues are budgeted at \$1.24 million this year. Expenses are being held in check at \$911,660. The difference helps reduce the need to raise rates by 25%. Sewer Revenues are up following the rate increase in February and are budgeted at \$1.185 million. Operational costs next year are estimated to be \$575,00. This surplus is paying down the cost of the Hollister Force Main design that is nearly 100% complete.

EXPENDITURES

As previously shared with the City Council, the 2023 expenditure budget is accounting for inflation. The salaries and health care benefits have been increased by 6% after the “Engineering News Record” statistics for calendar year 2021 showed a 5.2% increase with an 8% inflation increase in March 2022. The City’s major contracts for Sheriff, Private Security, Water and Wastewater were all increased by 10%. The Fire Department contract is limited to a 3% increase through 2027. (An analysis of the public safety contracts and costs was shared with the Public Safety Ad Hoc Committee April 26th and copied to the City Council.) These tables do not include the additional \$150,000 proposed for a second dedicated Sheriff Deputy.

PUBLIC SAFETY CONTRACTS					
Major Safety Contracts	FY 22 Budget	FY 22 Projected Year End	FY 23 Budget		
Fire Dept	\$ 245,500	\$ 227,628.00	\$ 234,456.84	7-YR TERM (2019)	
County 911	\$ 65,000	\$ 65,000.00	\$ 65,000.00	Year to Year	
Sheriff	\$ 150,000	\$ 158,052.00	\$ 165,000.00	Up for Renewal	
Private Security	\$ 102,500	\$ 128,252.00	\$ 112,750.00	Up for Renewal	
Animal Control	\$ 10,000	\$ 10,000.00	\$ 10,000.00	No Change	
	\$ 573,000	\$ 588,932	\$ 587,207		

PUBLIC SAFETY EXPENSES						
Department	Dept #	Actual FY 20	Actual FY 21	Budget FY 22	Budget FY 23	FY22- FY23 % Change
Fire and EMS	20	\$ 280,626	\$ 309,709	\$ 286,000	\$ 310,550	8.6%
Code Enf	25	\$ 6,698	\$ 76,424	\$ 69,690	\$ 76,470	9.70%
Law Enf	30	\$ 307,725	\$ 342,305	\$ 311,230	\$ 337,813	8.5%
Animal Contr	36	\$ 10,000	\$ 10,000	\$ 10,000	\$ 10,000	0%
		\$ 605,049	\$ 738,438	\$ 676,920	\$ 734,833	
% General Fund		30%	39%	32%	20%	

Most cities spend approximately 65% of their budget on public safety. It is time to strengthen the Sheriff contract and move our safety programs forward. Adding a second Deputy increases the percentage from 20% to 33%.

HAZARD PAY

Payroll during COVID became an equity issue for many cities as emergency responders and front-line employees were not allowed to work “remotely.” Many cities in the State answered that concern with COVID “hazard pay,” and one-time payment to employees that worked on-site between March 2020 and June 2021. The Salinas Human Resources Director shared with me that “hazard pay ranged from \$400 to \$10,000 per employee among the dozen or so cities she surveyed. On April 22, 2022, Salinas agreed to pay \$2,000 per employee, more than \$1 million total.

The City has ten such employees and, if offered \$2,000 per employee, the total cost is \$22,950. Staff is recommending this cost be added to the budget.

ARP BUDGET

Described in the attached “Priorities and Issues” attachment are the details of the budget request and changes recommended for the use of the \$500,000 American Rescue Plan budget FY 22/23. Two requests have been received to assist with funding for the school track, and to help with historic resources and landscaping at the Jim Jack Cabin in Luck Park. Some of the \$75,000 savings from the Mid-Year allocation for the joint-use school project is recommended for these projects.

AMERICAN RESCUE PLAN BUDGET	FY 21/22		
		Spent by 6.30.22	Balance
MID YEAR BUDGET FY 21/22			
COVID Tests	\$ 5,000	\$ -	\$ 5,000
Business Grants	\$ 25,000	\$ 25,000	\$ -
New start-up Businesses	\$ 20,000	\$ 20,000	\$ -
Homeless programs	\$ 10,000	\$ -	\$ 10,000
Non-Profits Grants	\$ 15,000	\$ 15,000	\$ -
School/Facility Joint Use Program	\$ 175,000	\$ 100,000	\$ 75,000
	\$ 250,000	\$ 160,000	\$ 90,000
	FY 21/22	FY 22/23	Total
BUDGET FOR FY 22/23			
COVID Tests	\$ -	\$ -	\$ -
Business Grants	\$ 25,000	\$ 25,000	\$ 50,000
New start-up Businesses	\$ 20,000	\$ 15,000	\$ 35,000
Homeless programs	\$ 10,000	\$ -	\$ 10,000
Non-Profit Grants	\$ 15,000	\$ 10,000	\$ 25,000
School/Facility Joint Use Program	\$ 175,000	\$ (75,000)	\$ 100,000
Third Street Transformation	\$ -	\$ 115,000	\$ 115,000
Public Safety Initiative	\$ -	\$ 100,000	\$ 100,000
Track and Field Contribution	\$ -	\$ 50,000	\$ 50,000
Luck Park Historic Improvements	\$ -	\$ 15,000	\$ 15,000
	\$ 245,000	\$ 255,000	\$ 500,000

CAPITAL IMPROVEMENT PROJECTS

New Capital Improvements being considered include:

Force Main to Hollister Construction (\$18 million)

New park tables and benches

\$100,000 for sidewalk repairs

Telemetric monitoring system for the wells and lift stations known as “SCADA”

Adding five additional streets to this list from the CIP 21-22 in FY 21/22.

Below is the list of streets budgeted for \$200,000 in repairs last year. This year, the balance has grown to more than \$500,000.

<u>Street Name</u>	<u>Beg Loc</u>	<u>End Loc</u>	<u>Treatment</u>	<u>Cost</u>
Franklin St	6 th St	4 th St	Overlay	\$39,000
North St	3 rd St	1 st St	Overlay	\$42,500
Second St	Monterey St	San Jose St	Overlay	\$58,500
Via Padre	1 st ST	Cul-De-Sac North	Overlay	\$22,000
The Alameda	Hwy 156	Lang St	Slurry Seal	\$ 2,500
Monterey St	Church St	4 th St	Slurry Seal	\$11,600
The Alameda	Pearce St	Hwy 156	Cr. Sealing	\$ 250
Total:				<u>\$176,350</u>

The City Engineer is looking at sewer and water pipe video before recommending any superficial improvements to the streets.

The 21/22 CIP is provided on the next page with the status of each of the 36 projects. This list needs to be updated to include the School Joint Use project approved at Mid-Year.

Out of 36 projects, 7 will be completed by June 30, 2022 and 15 are underway. These 15 plus the 14 projects not begun yet, will be carried forward to next year. As of March 30th, the City has spent \$831,000, and of that amount, \$546,000 went toward the design of the Force Main to Hollister (a million-dollar contract.) By year-end, we will have spent more than \$1 million on this CIP. Next year's CIP will include construction of the Sewer Compliance project. The Force Main is estimated to cost \$18 million.

2-Jul-21	CAPITAL IMPROVEMENT BUDGET FY 21/22 Projects	Project #	FY 20/21 Total	FY 21/22 Budget	Status June 30, 2022	CARRY FORWARD TO FY 22/23
Street Projects						
	Hwy 156 RTL	20.03	615,015	611,625	90% designed	XXXXXXXXXXXX
	PMP- Slurry Seal (7 streets)	21.22	200,000	275,000	RFP draft- add streets	XXXXXXXXXXXX
	Landscape for Third Street Imps	22.06	-	40,500	No progress	XXXXXXXXXXXX
Utility projects						
*	Rancho Vista Lift Station	20.05	50,000	125,000	No progress	XXXXXXXXXXXX
	Transfer Switches for Wells 1 + 5	21.07	15,000	20,500	Well 1 complete	XXXXXXXXXXXX
	Design Force Main to Hollister	21.20	1,066,410	1,004,410	99% comp. design	XXXXXXXXXXXX
	Dias Lift Station Pump Upgrades	22.03		50,000	need to add new pump	XXXXXXXXXXXX
	Telemetry	22.04		50,000	seeking proposal	XXXXXXXXXXXX
*	Lift Station Pump- Emergency Repl	22.05		15,000	emergency reserve	XXXXXXXXXXXX
Parks Projects						
	Verutti Park Restroom	19-42	164,340	161,039	contract	XXXXXXXXXXXX
	Luck Park Masterplan	20-10	48,565	12,584	done	
	Franklin Park	21-01	172,690	164,394	done	
	Trail Plan (ATP)	21-02	250,000	250,000	contract	XXXXXXXXXXXX
Community Facilities Projects						
	City Hall & Council Chamber	20-13	100,000	55,000	contract/done	
	Community Hall Accoustics	21.24		45,000	RFP Drafted	XXXXXXXXXXXX
	Corporation Yard	20-15	20,000	20,000	No progress	XXXXXXXXXXXX
	Library AC Unit	21.03	20,000	20,000	done	
	Fire Station-City Hall Emerg Gen	21.15	125,000	125,000	No progress	XXXXXXXXXXXX
	File Storage	20-04	15,000	15,000	No progress	XXXXXXXXXXXX
	Fire Station Ap Bay Improvements	21.23	-	50,000	No progress	XXXXXXXXXXXX
Equipment						
	Power Inverter 6K watts	20.20	2,000	2,000	No progress	XXXXXXXXXXXX
	Pipe Locator	20.22	2,750	7,750	No progress	XXXXXXXXXXXX
	Projector (library)	20.23	1,500	1,500	No progress	XXXXXXXXXXXX
	Smart Screen (library)	20.24	2,000	2,000	No progress	XXXXXXXXXXXX
	Tow behind Valve Excerciser	21.16	7,500	7,500	No progress	XXXXXXXXXXXX
	Pipe Threader	21.18	2,500	2,500	done	
	Dump Truck Bed	21.19	18,500	18,500	done	
	Steel Trench Plates	21.25	2,500	6,500	done	
Studies						
	Water/Sewer Rate Study (Prop 218)	21.09	23,465	4,640	done	
	Impact Fee Nexus Study	21.10	35,000	35,000	No progress	XXXXXXXXXXXX
	SB 2 Grant HCD	21.12	160,000	159,087	contract	XXXXXXXXXXXX
	LEAP Grant HCD	21.13	60,000	58,180	contract	XXXXXXXXXXXX
	REAP Grant HCD	21.14	23,450	23,450	contract	XXXXXXXXXXXX
Special Initiatives						
	Urban Growth/Sphere of Infl	21.11	50,000	103,619	see budget detail	XXXXXXXXXXXX
	Third Street Master Plan	22.01		100,000	see budget detail	XXXXXXXXXXXX
	Public Safety Committee Initiative	22.02		100,000	see budget detail	
TOTAL			3,203,185	3,742,278		

ATTACHMENTS:

Priorities and Issues for FY 22/23
Fund Summaries for FY 22/23

FUND SUMMARIES

The City has ten different funds that it tracks. The creation and maintenance of a fund is generally mandated by its source. This is known as "fund accounting" and is the cause of the "silo" effect in government. A bureaucratic silo is created when funds for one use cannot be used for another. The City's Utility Enterprise funds are a good example of specific revenues from rate payers, that must be used to pay for utility costs only.

GENERAL FUND

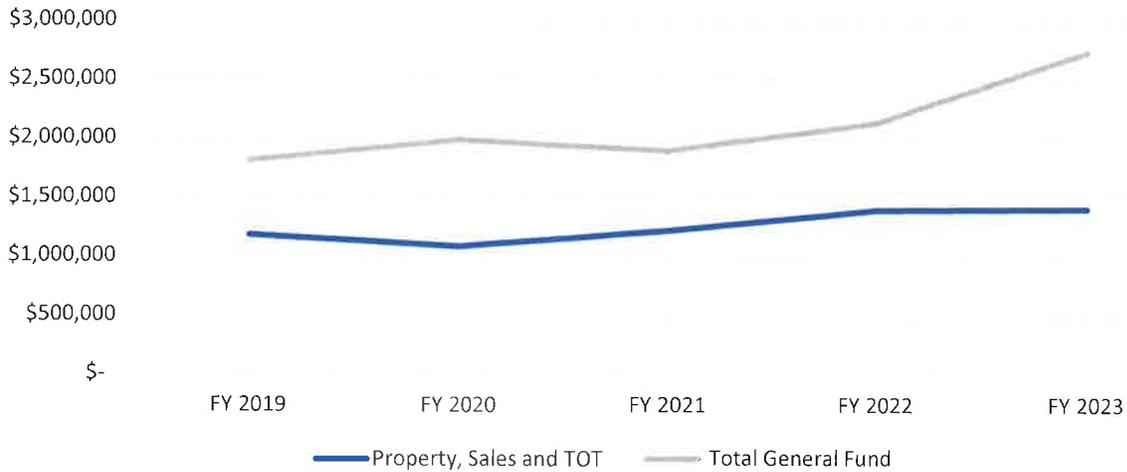
The one fund that is capable of crossing these vertical lines is the General Fund. The City Council has the most discretion in budgeting the General Fund then the special use funds. The fund commonly used to fill gaps in financing where insufficient funds can stop a project. Approximately one-third of the City's General Fund pays for Public Safety, and most cities spend two-thirds of their General Fund on these services.

The City's General Fund is actually a collection various smaller funds that all have one thing in common: no strings attached. The three principal sources of General Fund Revenues are the City share of Property Tax, Sales Tax and Transit Occupancy Tax. They equal half of the \$2.7 million General Fund. Below is a table describing how these revenues have performed over the past three years.

General Fund	FY 2019	FY 2020	FY 2021	budget FY 2022	Proj Year End FY 2022	budget FY 2023
Property Tax	\$ 389,752	\$ 459,805	\$ 506,103	\$ 522,398	\$ 543,991	\$ 556,328
Sales Tax	\$ 639,571	\$ 529,724	\$ 661,537	\$ 533,000	\$ 696,114	\$ 696,114
TOT	\$ 154,570	\$ 96,508	\$ 54,214	\$ 150,000	\$ 157,523	\$ 157,523
	\$1,183,893	\$1,086,037	\$1,221,854	\$1,205,398	\$ 1,397,628	\$1,409,965

Overall, last year, the City saw a 13% growth in the General Fund between 2019 and 2021. That has increased 7% to a growth rate of 20%. Due to an influx in COVID relief funds targeted at the general Fund's recovery from the downturn in 2020, the City is projecting the highest General Fund revenue budget ever \$2.7 million dollars. The City is not budgeting the 50% increase this presents, but rather being conservative with a 20% increase in revenues.

General Fund Growth since 2019



The growth from property tax will plateau as the development of new properties has slowed. But the cost of housing has increased, and the total assessed valuation has increased the property tax revenues. The budget for the General Fund revenues reflects a slight increase in Property tax, but a conservative flat projection for the sales and transit occupancy taxes.

COMMUNITY DEVELOPMENT REVENUES

This source of revenue is market driven. When the economy is strong, these revenues are high, and when it is weak, the demand decreases and the revenues decrease. Many of the functions described in the Community Development Organizational Chart are paid by these revenues.

The Assistant City Manager/Community Development Director is paid with these funds to oversee the various disciplines. This has reduced the cost of the contract services the City relied upon in 2021. The organization requires the flexibility to expand and contract with the economy, so the use of contract planners (Harris and Associates, Four Leaf and CSG) will remain as a critical component of the program.

Community Development revenue is established to be certain that a private developer is responsible for the cost of paying to process their development. The first schedule of fees relates to a land use and entitlement. If a proposed land use matches the zoning code, the cost is less to the City to process the application, and less cost to the developer. Special situations arise in the City's historic downtown, causing a more through design review to assure compliance with the historic preservation policies of the City. If a project requires a Conditional Use Permit because it does not exactly fit the zoning code, then the costs are generally

higher, with a public hearing attached to it. Deposits are generally collected rather than flat fees to assure costs are fully recovered.

The second set of fees are the impact fees. If a project proposes a large-scale change, impact fees are assessed. This may range from a sewer and or water connection fee, to traffic impact, park impact, public safety impact fees etc. These fees are to be used for capital improvements to the City's infrastructure to support an increase in demand caused by the development. The City's impact fees were established in 2013, and a new study is needed to re-fresh and to confirm the nexus between the fee amounts and the cost of providing the infrastructure.

Most common fees are for building permits, and encroachment permits, that require a "plan-check" or other review by the City Engineer, Building Official, Fire Marshall and the Planning Department. This process assures that the final plans match the land use designation and that the energy efficiency, health, storm water control, safety and accessibility codes are met as defined by the Municipal Code, Uniform Building Code and other regulatory agencies.

It is common that the General Fund subsidizes this work, because the whole community benefits when a great project comes forward and meets the community's needs and expectations. The goal is to keep the subsidy to a minimum. In the past, the General Fund has subsidized approximately half of the cost for this work, (\$400,000).

GAS TAX REVENUES

These are funds are collected by the sale of gasoline and distributed by the State to cities on a per-capita basis for street and road maintenance. They have taken different forms over the years because of the traditional user-pay method of road maintenance has changed. Fuel efficiency and electric vehicles has caused a decrease in the revenue, so a few years back SB1 was passed to replenish the State's road maintenance fund.

The City combines Gas Tax funds with Measure G and other dedicated road maintenance funds. The City's Capital Improvement budget will use \$500,000 of these two revenue sources for street improvements next fiscal year.

COPS- COMMUNITY ORIENTED POLICING SERVICES (Fund 50)

The Office of Community Oriented Policing Services (COPS Office) is the component of the U.S. Department of Justice responsible for advancing the practice of community policing by the nation's state, local, territorial, and tribal law enforcement agencies through information and grant resources.

These are federal grant funds used to off-set General Fund expenses related to the Public Safety Contract with the Sheriff's Department.

PARKING AND RESTROOM FUND (Fund 55)

This revenue is generated to help promote sustainable tourism in the City by supporting clean public restrooms and provide safe plentiful parking. The City's Transit Occupancy tax (aka - hotel tax) dedicates 16.678 cents of every dollar to this purpose. If the City begins a paid parking program, these revenues would be added to the District.

The TOT has rebounded with the collection of \$150,000 in past due taxes from operators this last fiscal year. The trends related to the TOA are discussed as part of the General Fund description.

The current balance in this fund is limited, and are contributing to install new restrooms at Verutti Park.

VALLE VISTA LANDSCAPING AND LIGHTING ASSESSMENT DISTRICT (FUND 60)

The twenty-year-old Valle Vista residential development has been collecting assessment payments from property owners since its inception. Each homeowner pays its fair share to maintain the District. The budget and assessment rates are reviewed annually, and are subject to cost-of-living increases (2% this year). Any major changes to the rates are subject to a vote by the homeowners.

The City receives these payments from the County Assessor and keeps them in a special fund. It uses these funds to maintain the common areas of the neighborhood above and beyond the standard City responsibilities. This work includes the park, trails, benches, retention basin, sidewalks, street trees, streetlights, and common area landscaping. It does not pay for the major systems that include streets, storm drains and the sewer lift station. The Engineer's Report provides more details about the District, and is available at City Hall for review. The continuation of the collection of these fees is subject to an annual renewal.

Following an October meeting with the community, the City budgeted \$30,000 from its reserve to make significant repairs to the neighborhood. The gazebo was repainted, trees trimmed and light poles fixed and re-painted.

WATER OPERATIONS REVENUES (FUND 47)

The City collects monthly water and waste water payments from 800 residents and businesses. These monthly payments are kept separate from the other City funds in a special fund referred to as the Water Enterprise Fund and Waste Water Enterprise Fund. Water bill payments are invoiced based on the rate of consumption. Water conservation reduces water bills, and can also reduce the water revenue needed to maintain the system. Currently, there are 41 counties in California in a serious state of drought. Water conservation is very critical for all residents to follow.

The City has not increased its rates since July 1, 2019. The City is embarking on a project with the San Benito Water District to import water from its West Hills Treatment Plant, that will improve the City's quality of water, reduce and eliminate the need for water softeners, and improve its water security. A rate increase of 14% is proposed for this year, to go into effect August 1, 2022. The cost of the water project described above will cause rates to increase 14% for the next three years, then 5% for the two years after that. Raising rates requires the citizens and users of the system to vote in favor of the increase. Public meetings are scheduled to discuss these changes in May and June. This is the proposed rate increase for water.

Table A
City of San Juan Bautista
Draft Water Rates
Water Rate Study

Water Rates	FY 21-22	FY 22-23	FY 23-24	FY 24-25	FY 25-26	FY 26-27
	<i>Existing</i>	<i>Proposed</i>	<i>Proposed</i>	<i>Proposed</i>	<i>Proposed</i>	<i>Proposed</i>
Volumetric Rate \$/1000 gallons	\$6.35	\$7.24	\$8.26	\$9.34	\$9.81	\$10.31
Monthly Base Rate	\$55.76	\$63.57	\$72.47	\$81.90	\$86.00	\$90.30

The fees charged for the Water Enterprise Fund to its subscribers are for one purpose: to pay the cost of sourcing the water from wells, (and in 2024, the San Benito County Water District) filtering and treating the water, and distributing it to its citizens and businesses. These funds pay to clean the maintain the City's water wells, pumps, pipes and valves. The new Water Master Plan guides the work to address the oldest infrastructure so it is prioritized and address first. The maintenance of wells and payment of the licensed operator are also paid through these fees.

SEWER OPERATING REVENUES (FUND 48)

The City collects monthly waste water (sewer) payments from 830 residents and businesses on a flat rate per month. These monthly payments are kept separate from the other City funds in a special fund referred to as the Sewer Enterprise Fund.

The City increased these rates February 1st 2022, and will continue to increase rates at approximately 14% a year for the next four years, (on July 1) then 5% the fifth year. since July 1, 2019. A press release was published January 26 with this table in it:

	New Schedule of Sewer Rates				
	Effective 2/1/2022	Effective 7/1/2022	Effective 7/1/2023	Effective 7/1/2024	Effective 7/1/2025
Residential (was \$83.61)					
Monthly Fixed Rate	\$95.62	\$109.01	\$124.27	\$141.67	\$148.75
Commercial					
Min. Monthly Rate	\$95.62	\$109.01	\$124.27	\$141.67	\$148.75
Volumetric Rates					
(\$/1,000 Gal)	\$14.51	\$16.54	\$18.86	\$21.50	\$22.57

These costs include the new force man to Hollister scheduled to be completed in December 2023. This project was approved by the Environmental Protection Agency and subsequently by the City Council as the best solution to solve the City's ongoing discharge of salts into a creek. "Regionalizing" waste water is also supported by the County, Water District, and the City of Hollister as the best solution. By ending the treatment processes in San Juan Bautista, the future cost increases will be avoided. The City is exploring several grants and low interest loans from the federal and State government to reduce the cost of the project to rate payers. The rates assume the City will off-set the \$18 million cost with \$6 million in grants funds. It is well on its way to achieve this goal.

The fees charged for the Waste Water Enterprise Fund to its subscribers are for one purpose: to pay the cost of collecting the waste water and processing it. These funds currently pay to clean the waste water pipes, lift station that pump the waste water to the Treatment Plant. They pay for the licensed Treatment Plant Operator. As proposed, the cost of the treatment plant would end in late 2023, and the City will begin sending its waste water to Hollister.

VALLEY VISTA ASSESSMENT DISTRICT (FUND 60)

Since 2003, 35 homeowners have paid approximately a total of \$45,000 per year to maintain the common areas in and around the neighborhood. Last year the City engaged the community in a productive discussion about how these funds were being used. There was sufficient balance in the reserves to augment the operational budget with \$30,000 to paint the street lights, trim the trees, paint the gazebo and other special maintenance work.

A cost-of-living increase of 2% was added to the annual assessment last year. The City's contracts with a landscaping company to provide weekly maintenance. These services comprise the majority of cost. They are being bid currently, and when the bids are awarded, the costs will be verified. Staff is planning to meet with the residents before the June 14 budget is considered for adoption. If a Cost-Of-Living Increase is required, it may be as high as 5.2%.

COPPER LEAF COMMUNITY FACILITIES DISTRICT (FUND 65)

Each of the 45 homeowners in the Copper Leaf community pay equally into an assessment district (Community Facilities District). The budget and assessment rates are reviewed annually, and are subject to cost-of-living increases (2% last year). Any major changes to the rates are subject to a vote by the homeowners.

The City receives these payments from the County Assessor and keeps them in a special fund. It uses these funds to maintain the common areas of the neighborhood above and beyond the standard City responsibilities. This work includes the park, trails, benches, retention basin, sidewalks, street trees, streetlights, and common area landscaping

In 2020, the City accepted the improvements at the Copperleaf CFD. The park, retention basin, sidewalks, street trees and street lights, and common area landscaping are all maintained by the CFD. The City's contracts with a landscaping company to provide weekly maintenance. These services comprise the majority of cost. They are being bid currently, and when the bids are awarded, the costs will be verified. Staff is planning to meet with the residents before the June 14 budget is considered for adoption. If a Cost-Of-Living Increase is required, it may be as high as 5.2%.

RANCHO VISTA COMMUNITY FACILITIES DISTRICT (FUND 66)

Each of the 87 homeowners in the Rancho Vista community pay equally into an assessment district (Community Facilities District). The budget and assessment rates are reviewed annually, and are subject to cost-of-living increases (2% last year). Any major changes to the rates are subject to a vote by the homeowners.

The City receives these payments from the County Assessor and keeps them in a special fund. It uses these funds to maintain the common areas of the neighborhood above and beyond the standard City responsibilities. This work includes the park, trails, benches, retention basin, sidewalks, street trees, streetlights, and common area landscaping

The City has agreed to bring its landscape maintenance contractor to maintain the District but has not formally accepted the improvements yet. Once the City inspects and accepts the improvement as being built in compliance with the City Engineer's standards, the City, a warranty period of one year begins. This will happen soon after the round-about is completed, unless the City agrees to partial acceptance and begins the landscape maintenance sooner. The round-about is expected to complete its construction before the end of the June 2022.

The City's contracts with a landscaping company to provide weekly maintenance. These services comprise the majority of cost. They are being bid currently, and when the bids are awarded, the costs will be verified. Staff is planning to meet with the residents before the June 14 budget is considered for adoption. If a Cost-Of-Living Increase is required, it may be as high as 5.2%.

PRIORITIES AND ISSUES FOR FISCAL YEAR 22/23

The City's budget is based on its evolving Strategic Plan, adopted March 17, 2022, and now in its third and final year. Consistent with election cycles, a new Strategic Plan will be considered for FY 23/24 after the 2022 election this November. Pushing ahead, the City is in a great financial position to reach many of its long-term goals in FY 22/23.

In December, the City approved new sewer rates that include the capital cost to send its wastewater to Hollister. The design of the Force Main is 90% completed. It is scheduled to break ground this fall. If the water rates are approved in July 2022, the City will be poised to complete its new drinking water program. This project will break ground next fiscal year, and is scheduled for completion before December 2024. It consists of a 7-mile pipeline from the West Hills Treatment Plant, importing 65% of its water and blending it with City well-water.

A year ago, the City hired its Assistant City Manager Community Development Director and has re-built its short-term and long-term planning capacity. This opens the door for growth in all City programs, but especially in two of its three "Special Initiatives;" Third Street Master Plan and Sphere of Influence/urban Growth Boundary Committee. Other priorities including public safety are addressed in both the Strategic Plan and the budget in FY 21-22 are scheduled to move into high-gear in 2022/23. The City has the capacity to make these aspirations a reality.

SUMMARY

At the Mid-Year Budget review, the City budgeted for several new initiatives in relying on the American Rescue Plan to re-charge its General Fund. These one-time expenses covered COVID test, business and non-profit loans, and the focus was the joint use of the San Juan School facilities.

The City attempted to buy testing kits for its employees, and they became backordered. The order was never filled, but the Fire Department has come through with ample supply. The use of this \$5,000 can be reconsidered. Business loan applications have exceeded expectations. It needs more budget to accommodate the number of applications at \$2,500 each. The project to install fencing at the school to allow for afterhours use by the public, is less than budgeted. This frees up \$75,000.

Budgeting the second installment of \$250,000, staff has the following recommendations that reinforce existing priorities. The track-and field project reports raising 2/3 of their goal. They have written seeking \$50,000 from the City. The Luck Park master plan is complete, and the Historic Society has requested funding to enhance the preservation of Jim Jack Cabin, and landscaping for it (recommending \$15,000 as "Luck Park Improvements").

The majority of the funds are targeted to the Third Street Master Plan and Public Safety initiative. All of the policy focus areas are described in detail, with a new policy area focused on community services and recreation.

AMERICAN RESCUE PLAN BUDGET	FY 21/22		
		Spent by 6.30.22	Balance
MID YEAR BUDGET FY 21/22			
COVID Tests	\$ 5,000	\$ -	\$ 5,000
Business Grants	\$ 25,000	\$ 25,000	\$ -
New start-up Businesses	\$ 20,000	\$ 20,000	\$ -
Homeless programs	\$ 10,000	\$ -	\$ 10,000
Non-Profits Grants	\$ 15,000	\$ 15,000	\$ -
School/Facility Joint Use Program	\$ 175,000	\$ 100,000	\$ 75,000
	\$ 250,000	\$ 160,000	\$ 90,000

	FY 21/22	FY 22/23	Total
BUDGET FOR FY 22/23			
COVID Tests	\$ -	\$ -	\$ -
Business Grants	\$ 25,000	\$ 25,000	\$ 50,000
New start-up Businesses	\$ 20,000	\$ 15,000	\$ 35,000
Homeless programs	\$ 10,000	\$ -	\$ 10,000
Non-Profit Grants	\$ 15,000	\$ 10,000	\$ 25,000
School/Facility Joint Use Program	\$ 175,000	\$ (75,000)	\$ 100,000
Third Street Transformation	\$ -	\$ 115,000	\$ 115,000
Public Safety Initiative	\$ -	\$ 100,000	\$ 100,000
Track and Field Contribution	\$ -	\$ 50,000	\$ 50,000
Luck Park Historic Improvements	\$ -	\$ 15,000	\$ 15,000
	\$ 245,000	\$ 255,000	\$ 500,000

Sphere of Influence/General Plan Amendment (FY 21-22 \$260,000)

The City is able to combine its SB2 Grant of \$160,000 with the \$100,000 from the General Fund set aside last year to work on a new sphere of influence. The week of May 3rd the City conducted several stake-holder meetings, a design charette, and convened a special meeting of the City Council to receive public input on a new sphere of influence, and the possibility of amending the General Plan to include a "planning area" and "growth boundary." The consultant team is scheduled to return at a joint City Council/Planning Commission meeting to consider the results of this intense data collection effort.

The work for SB2 Grant is time sensitive and has to be completed in September 2022. But work will continue after that. Assuming a sphere of influence is approved, it needs to be negotiated with the County. A property

tax-sharing agreement will be needed, based upon a newly drafted Municipal Services Report. CEQA work will be required, and then submit an application to the Local Agency Formation Commission for approval.

Third Street Master Plan, (increase from \$100,000 to \$215,000)

A Master Plan takes into consideration the strengths and weaknesses of the current designs and infrastructure, works closely with the community and stakeholders to determine the best path forward, and then establishes a vision for the future of Third Street within a 5-10-year window. This year, the City is considering adding \$115,000 to the current \$100,000 budget from one-time funds available in the General Fund as a result of American Rescue Plan ("ARP") assistance. Until this visioning process is completed, it is presumed that the Parklets would remain with annual permitting process to assure compliance with aesthetic and safety concerns. It may be that the Parklets evolve to become part of the permanent Third Street fabric, or evolve into 5-foot-wide sidewalks, allowing two-way traffic, with tables and chairs, and retail displays to use the additional space. The future of special events and other diverse uses of the public space on Third Street will be fully vetted over an 18-month study.

The newly formed Economic Development Citizens Advisory Committee is the voice of this project. It has been growing quickly. The EDCAC has a goal to form a formal business district downtown, and add structure to its policy decisions. The extension of parklets is one example of a sound policy decision coming from this new standing committee.

Public Safety Initiative, (increase from \$100,000 to \$200,000)

Since August 2021, the Public Safety Ad-Hoc Committee consisting of Chair Mayor Jordon, Councilmember Freels, Planning Commissioner David Medeiros, Planning Commissioner Yolanda Delgado, and Committee Member (Vide Chair) At Large Rachel Ponce have met 8-times. The Committee began with an assessment of public safety components consisting of three major contracts; Sheriff, Fire, and Private Security. The role of the code enforcement functions was also reviewed.

A lot of attention was given to security cameras. The City of King City Police Chief and City Manager reported to the Committee regarding the success of their program. Staff researched King City, Soledad and Hollister. All three cities are equipped with their own police department and technical staff. Discussions with the Sheriff's department about implementing a security system in San Juan Bautista have been positive, but their current use of video is limited to vehicles and body-cameras. In February they hired a new dedicated IT person and the City hopes to benefit by expanding the technical capacity of both agencies to not just purchase but monitor and take full

advantage of a solid security cameras system in the City. At its April 2022 meeting, the Public Safety Ad-Hoc Committee recommends that another \$100,000 of the American Rescue Plan dollars be allocated to double this budget from last fiscal year.

At its October 18, 2021 the Committee approved a recommendation to the City Council, and the Council adopted Resolution 2021-58 requesting the Sheriff Department to change its service delivery from random coverage to one relying on a dedicated deputy. The Sheriff implemented that request just before the Arts and Crafts Festival in March 2022 at no additional cost to the City. We are developing a "coffee with a cop" program, as well as other community-based policing ideas.

Following a review of the Code Enforcement program, the City is working to improve the tools of code enforcement for nuisance properties and parking enforcement. The City tags 3-6 vehicles per month, and has towed 4 in the past 9-months. In 2020, the City wrote 15 citations and in 2021/22 it has written 65 citations.

The City code is being improved to allow easier and more assertive enforcement for properties that are neglected and deteriorating or dilapidated. This Ordinance will come forward in the next 60-days. Seven different parking laws are being considered as well. Three new violations concerning sidewalks and crosswalks, and improvement to parking laws for RV and boat storage and other legislative clean-up efforts.

Parking enforcement and administrative citation capabilities are being extended to private security. A new request for proposals was issued in April, and a new private security company is being considered with parking enforcement tools and experience. Bringing this skill-set to the City will greatly improve parking enforcement to the extent that a parking district can be established for the downtown.

To support this effort, the City has reviewed and doubled its capacity to enforce the payment of parking and administrative citations. "Data Ticket" was only monitoring parking tickets, and there was no follow-through on Administrative Citations. This has all been changed and upgraded now, to balance the whole enforcement matter. When needed collection agencies can intervene.

The biggest question before the City Council is the possibility of having two dedicated deputies. The General Fund revenues can support this increased expense, especially if the private security services are reduced. This would increase having a deputy in the City from 4 ten-hour shifts, to 7 ten-hour

shifts per week, with one overlap on Saturdays or as otherwise needed. The cost is estimated to be \$150,000 annually. The cost of private security in FY 21/22 is \$120,000. The City could reduce private security 50% (\$60,000) and bear the burden of the extra \$90,000. Staff and the Sheriff both support this move. It will be discussed by the Public Safety Ad Hoc Committee in May and June.

COMMUNITY SERVICES INITIATIVE (NEW IN 2022)

Staff has presented on several occasions the concept of adding at least a part-time community services coordinator position. The City is actively expanding recreation and community service facilities. These include the improving the acoustics in the Community Hall and opening it during the week for senior citizen services and other opportunities. It also includes the work started at Mid-Year budget towards the joint use of the San Juan School, its basketball courts and future track-and-field. Within the next few months, staff will receive a joint use agreement from the School District. Once executed, fencing will be quickly installed that will allow the school facilities to be open when the school is not. Maintenance staff will be on-board for the weekend coverage to help open and secure the facility. The use of Luck Park can also be expanded.

In addition to recreational concerns, the position can help with several other needs. It can bring back the Youth Commission. This Commission has been shut-down since COVID and staff does not currently have the capacity to oversee it. It can take the lead in helping coordinate community events. And very importantly, it can help organize community volunteers to serve the community by helping with City and community activities. It takes a reliable person to staff this position and consistently provide time and energy to these efforts to make this work. This part-time position is currently in the budget.